

RULE ADOPTION BY THE TEXAS WORKFORCE COMMISSION ON JANUARY 30, 2001. TO BE SUBMITTED TO THE *TEXAS REGISTER*. THIS DOCUMENT WILL NOT HAVE ANY SUBSTANTIVE CHANGES BUT IS SUBJECT TO FORMATTING CHANGES AS REQUIRED BY THE *TEXAS REGISTER*. THE EFFECTIVE DATE WILL BE TWENTY DAYS AFTER THE DOCUMENT IS FILED WITH THE *TEXAS REGISTER*.

The Texas Workforce Commission adopts an amendment to Chapter 835 Subchapter A General Provisions Regarding the Self-Sufficiency Fund §835.2 relating to Self-Sufficiency Fund Definitions, without changes to the proposed rules as published in the December 15, 2000 issue of the *Texas Register* (25 TexReg 12365). The text will not be republished.

The purpose of the amendment is to clarify the definition of a food stamp household and remove the definitions of self-sufficiency and TANF recipient. While eligibility for Self-Sufficiency Fund services is open to TANF recipients as well as individuals who are at risk of becoming dependent on public assistance, the first priority of the Self-Sufficiency Fund is to assist current adult TANF recipients in obtaining the education and skills necessary to enter employment and become independent of public assistance. The Commission intends that the Self-Sufficiency Fund should be available to help low income families with children avoid the risk of becoming dependent on public assistance, as well as assist in making the transition from public assistance into the workforce. In addition, the existing process to determine the eligibility of families with children receiving food stamps may be used to determine eligibility for Self-Sufficiency services. The Commission believes that a statewide definition for individuals at risk is important for consistency and efficiency and that it is the Commission's responsibility to interpret the statute in light of the legislative intent to set the foundation for implementation of the Self-Sufficiency Fund.

No comments were received on the proposed rules.

The rules are adopted under Texas Labor Code §§301.061 and 302.002, which provide the Texas Workforce Commission with the authority to adopt, amend, or repeal such rules as it deems necessary for the effective administration of Agency services and activities.

§835.2. Definitions.

The following words and terms, when used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise.

(1) Commission--The Texas Workforce Commission or an employee or employees designated by the Director to administer the Self- Sufficiency Fund.

(2) Community-based organization (CBO)--A private nonprofit organization that is representative of a community or a significant segment of a community and that provides education, vocational education or rehabilitation, job training, or internship services or programs. The term includes a neighborhood group or corporation, union-related organization, employer-related organization, faith-based organization, tribal government, or organization serving Native Americans. The CBO must be certified as a 501(c)(3) nonprofit organization under the IRS Code of 1986, as amended. A

CBO providing services, which are regulated by the state, must provide evidence of required certification, license or registration.

(3) Customized job training project--A project designed by a prospective private partner or trade union in partnership with a public community or technical college, extension service, or community-based organization for the purpose of providing specialized workforce training to prospective employees of the prospective private partner or members of the trade union with the intent of expanding the workforce.

(4) Director--The Executive Director of the Texas Workforce Commission or the Executive Director's designee.

(5) Extension service--A higher education agency and service established by the Board of Regents of the Texas A&M University System.

(6) Grant recipient--A public community or technical college, community-based organization, or the extension service awarded a grant from the Self-Sufficiency Fund.

(7) Individual at risk of becoming dependent on public assistance -- An individual who is a member of a food stamp household with dependent children.

(8) Local Workforce Development Board (Board)--A Local Workforce Development Board as created under the Workforce and Competitiveness Act and certified by the Governor as provided for in Texas Government Code, § 2308.261. In a Local Workforce Development Area for which a Board has not been certified, the Commission or an entity operating a career center in that area may assume the responsibilities of a Board under this chapter.

(9) Prospective private partner--A person, sole proprietorship, partnership, corporation, association, consortium, or private organization which submits a joint proposal for a customized job training project in partnership with a public community or technical college, a community-based organization, or extension service.

(10) Public community college--A state funded two-year educational institution primarily serving its local taxing district and service area in Texas and offering vocational, technical and academic courses for certification or associate degrees.

(11) Public technical college--A state funded coeducational institution of higher education offering courses of study in vocational and technical education, for certification or associate degrees.

(12) Self-Sufficiency--Employment with wages reasonably calculated to make the employee independent of financial assistance under Texas Human Resources Code, Chapters 31 and 33.

(13) TANF recipient--A person who receives financial assistance under Texas Human Resources Code, Chapter 31.

(14) Trade union--An organization, agency or employee committee, in which employees participate and which exists for the purpose of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment or conditions of work.

(15) Training provider--A public community or technical college, community-based organization, or extension service which provides training.

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