



**MEETING OF THE  
TEXAS WORKFORCE COMMISSION**

**DATE**

**APRIL 16, 2024**

1 Tuesday, April 16, 2024

2 CHAIRMAN DANIEL: Good morning, everyone.

3 This meeting is called to order. Mr. Trobman, has anyone signed  
4 up for public comment?

5 MR. TROBMAN: Good morning, commissioners.

6 Les Trobman, general counsel. We have one individual who would  
7 like to address the commission when we get to Item Number 17.  
8 That's what we got.

9 CHAIRMAN DANIEL: All right. Thank you.

10 CHAIRMAN DANIEL: The motion passes with the  
11 exceptions noted. That brings us to the end of Agenda Items 1  
12 through 8. We'll take a short recess. Here we go. This is Agenda  
13 Item 9, Board Contract Years 2024-2025 Performance Measures.

14 ADAM LEONARD: Good morning, Mr. Chairman,  
15 commissioners, Mr. Serna. For the record, Adam Leonard from  
16 Information, Innovation & Insight. This item before you today  
17 has to do with a charge we were given by a slightly different  
18 mix of commissioners admittedly to take a look at the  
19 performance measures that we use in our system, especially with  
20 our local boards. We have developed a set of measures around  
21 that and are here to present the recommendations which is that  
22 we would go ahead and implement one this year where it's a very  
23 minor tweak, and then introduce the other four next year, Board  
24 Contract Year '25. I'm happy to answer any questions you may  
25 have about the measures or the proposal.

1 CHAIRMAN DANIEL: Any comments or questions?

2 COMMISSIONER TREVIÑO: None here.

3 COMMISSIONER ESPARZA: No questions.

4 CHAIRMAN DANIEL: Is there a motion?

5 COMMISSIONER TREVIÑO: I move we approve the  
6 changes to the BCY 2024 and 2025 board performance measures as  
7 described in the discussion paper and recommended today by  
8 staff.

9 COMMISSIONER ESPARZA: I second.

10 CHAIRMAN DANIEL: It's been moved and  
11 seconded and the motion carries. This is Agenda Item 10,  
12 Performance Expectations for Board Contract Year 2024.

13 ADAM LEONARD: Again, for the record, Adam  
14 Leonard. When we set targets for our local boards, they kind of  
15 go through different groupings so for instance we do things with  
16 the WIOA targets that are negotiated in accordance with statute  
17 and done on a biennial basis, and then we have a set of other  
18 measures like these that I'm presenting today that may get their  
19 targets from the Appropriation Act or from our own kind of  
20 analysis of performance in setting recommendations so before you  
21 we've got six, our targets, methodologies for six measures,  
22 three of them related to our Appropriation Act measures, one  
23 relating to choices participation that we call full engagement,  
24 and our claimant reemployment [inaudible] and then also the new  
25 measure that you just approved which is the number of employers

1 receiving Texas Talent Assistance. I'm happy to answer any  
2 questions you may have about the recommendations.

3 CHAIRMAN DANIEL: Comments or questions?

4 COMMISSIONER TREVIÑO: None here.

5 COMMISSIONER ESPARZA: No questions.

6 CHAIRMAN DANIEL: Is there a motion?

7 COMMISSIONER TREVIÑO: Chairman, I move we  
8 approve the BCY 2024 board performance expectations and the  
9 associated methodologies as described in the discussion paper  
10 and recommended today by staff.

11 COMMISSIONER ESPARZA: I second.

12 CHAIRMAN DANIEL: It's been moved and  
13 seconded and the motion carries.

14 ADAM LEONARD: Thank you.

15 CHAIRMAN DANIEL: Thank you. This is Agenda  
16 Item 11, Selection Decisions for AEL Core Provider Request for  
17 Applications.

18 JAMES GOLSAN: Good morning, chairman, and  
19 commissioners, Mr. Serna. For the record, James Golsan,  
20 Workforce Development Division. Rider 46 of the General  
21 Appropriations Act of the 86<sup>th</sup> Texas Legislature requires that  
22 AEL grant awards be reviewed and approved by TWC's commissioners  
23 prior to notification of award to the grant recipient. For your  
24 approval this morning we are bringing forward the selection  
25 decision for the Adult Education and Literacy core provider RFA,

1 AEFLA Section 231, which supports core AEL service delivery  
2 across the state. Staff reviewed 53 eligible applicants and  
3 today are recommending 36 as winners for a total award of  
4 \$72,313,008 although we would like to note that the award  
5 amounts and county coverage could be adjusted during award  
6 formation to ensure federally required statewide coverage. Staff  
7 are also bringing forward for review and approval the selection  
8 decision for AEL core provider AEFLA Section 243 which supports  
9 integrated English literacy and civics education for English  
10 language learners. Staff reviewed 30 eligible applicants and  
11 selected nine as full grantees for a total award of \$7,487,791  
12 with the same caveat for award formation adjustments. And then a  
13 final note, staff intends to bring forward two more sets of  
14 winners for AEL core provider on April 30<sup>th</sup>, one set of 231  
15 winners from our AEL core provider limited counties RFA, and  
16 three partial 243 awardees from the original composition not  
17 presented today. Would be happy to answer any questions you  
18 might have.

19 CHAIRMAN DANIEL: Comments or questions?

20 COMMISSIONER TREVIÑO: None here.

21 COMMISSIONER ESPARZA: No questions.

22 CHAIRMAN DANIEL: Is there a motion?

23 COMMISSIONER TREVIÑO: I move we approve 36  
24 grant awards for Adult Education and Family Literacy Act,  
25 Section 231, provider activities, totaling \$72,313,008, and nine

1 grant awards for Adult Education and Family Literacy Act,  
2 Section 243, provider activities, totaling \$7,487,791, as  
3 described in the discussion paper and recommended today by  
4 staff.

5 COMMISSIONER ESPARZA: I'll second.

6 CHAIRMAN DANIEL: It's been moved and  
7 seconded and the motion carries. Mr. Trobman, can you do a  
8 little research and determine whether the need for the  
9 commission to approve the agenda item we just approved is a  
10 statutory reason or a regulatory reason or both and get back to  
11 us on that, please?

12 MR. TROBMAN: Yes.

13 CHAIRMAN DANIEL: Thank you very much. This  
14 is Agenda Item 12, Final Rules for 40 TAC, Chapter 813, SNAP  
15 Employment and Training.

16 JOEL MULLINS: Good morning, chairman,  
17 commissioners, Mr. Serna. For the record, I'm Joel Mullins with  
18 Workforce Development. Before you today for your consideration  
19 and adoption are final rule amendments to Chapter 813, the SNAP  
20 E and T program on Fiscal Responsibility Act updates. In an open  
21 meeting on January 30<sup>th</sup> of this year the commission approved  
22 proposed amendments to TWC's Chapter 813 rules to conform with  
23 SNAP provisions of the Fiscal Responsibility Act revising  
24 references to the case management system and updating the  
25 allowable activities for able-bodied adults without dependents.

1 The proposed rule amendments were published in the February 16,  
2 2024, issue of the Texas Register, and no comments were  
3 received. Additionally, staff conducted a four-year rule review  
4 of Chapter 813 in accordance with Texas Government Code and  
5 determined that the initial reasons for adopting the chapter  
6 still exist and the chapter is still needed. Today staff  
7 recommends adopting the amendments to Chapter 813 as provided in  
8 your meeting materials, and additionally staff requests the  
9 ability to make minor nonsubstantive changes to the document to  
10 comply with the publication requirements of the Texas Register  
11 and the Office of the Secretary of State. I'm happy to answer  
12 any questions.

13 CHAIRMAN DANIEL: Comments or questions?

14 COMMISSIONER TREVIÑO: None here.

15 COMMISSIONER ESPARZA: No questions.

16 CHAIRMAN DANIEL: Is there a motion?

17 COMMISSIONER TREVIÑO: Chairman, I move we  
18 approve the adoption of amendments to Chapter 813, Supplemental  
19 Nutrition Assistance Program Employment and Training, as  
20 recommended today by staff.

21 COMMISSIONER ESPARZA: I second.

22 CHAIRMAN DANIEL: It's been moved and  
23 seconded and the motion carries. This is Agenda Item 13, Final  
24 Rules for 40 TAC, Chapter 853, Independent Living Services for  
25 Older Individuals Who are Blind.

1                   RIKKA WEINTRAUB: Good morning, Chairman  
2 Daniel, Commissioner Treviño, Commissioner Esparza, and Mr.  
3 Serna. For the record, I'm Rikka Weintraub with the Vocational  
4 Rehabilitation Division, representing the Older Individuals Who  
5 are Blind program. Commissioners, before you today for your  
6 consideration and adoption are final rule amendments to Chapter  
7 853, Independent Living Services for Older Individuals Who are  
8 Blind. In an open meeting on December 13<sup>th</sup>, the commission  
9 approved proposed amendments to TWC's Chapter 853 rules  
10 regarding updating eligibility for the OIB program, clarifying  
11 language for consistency purposes, and completing its four-year  
12 rule review. The proposed rule amendments were published in the  
13 January 2024 issue of the Texas Register for a 30-day public  
14 comment period. No comments were received. Additionally, staff  
15 conducted a four-year rule review of Chapter 853 in accordance  
16 with Texas Government Code and determined that the initial  
17 reasons for adopting the chapter still exist and that this  
18 chapter is still needed. Staff recommends adopting the  
19 amendments to Chapter 853. Should the commission adopt these  
20 rules, staff requests the ability to make minor nonsubstantive  
21 changes to the document to comply with publication requirements  
22 of the Texas Register and the Office of the Secretary of State.  
23 This concludes my presentation. I'm available to answer any  
24 questions you may have.

25



1 CHAIRMAN DANIEL: Are there any comments or  
2 questions?

3 COMMISSIONER TREVIÑO: None here.

4 COMMISSIONER ESPARZA: No questions.

5 CHAIRMAN DANIEL: She's disappointed. I  
6 think she really wanted us to ask some questions. Is there a  
7 motion?

8 COMMISSIONER TREVIÑO: Chairman, I move we  
9 approve the adoption of amendments to Chapter 853, Independent  
10 Living Services for Older Individuals Who are Blind as  
11 recommended today by staff.

12 COMMISSIONER ESPARZA: I second.

13 CHAIRMAN DANIEL: It's been moved and  
14 seconded and the motion carries. Thank you. This is Agenda Item  
15 14, Recertifications of Community Rehabilitation Programs to  
16 participate in the Purchasing from People with Disabilities  
17 program.

18 JUAN GARCIA: Good morning, commissioners,  
19 Mr. Serna. Juan Garcia with the Voc Rehab Division. This morning  
20 for your approval we have five CRPs that are up for  
21 recertification for continued participation in the Purchasing  
22 from People with Disabilities program. All CRPs are paying a  
23 minimum wage or higher. The CRPs are as follows: Texana Center  
24 in Rosenberg; Second Chances in Houston; Rucon Inc. in  
25 Huntsville; Goodwill Industries in Houston; and RGG Construction

1 in Weslaco. Staff recommends the recertification of these five  
2 CRPs as presented. With that, I can answer any questions you may  
3 have.

4 CHAIRMAN DANIEL: All right, any questions  
5 or comments?

6 COMMISSIONER TREVIÑO: None here.

7 COMMISSIONER ESPARZA: No questions.

8 CHAIRMAN DANIEL: Is there a motion?

9 COMMISSIONER TREVIÑO: Chairman, I move we  
10 approve the recertification of the following Community  
11 Rehabilitation Programs for participation in the Purchasing from  
12 People with Disabilities program as recommended today by staff:  
13 Texana Center; Second Chances; Rucon Incorporated; Goodwill  
14 Industries of Houston; and RGG Construction Company.

15 COMMISSIONER ESPARZA: I second.

16 CHAIRMAN DANIEL: It's been moved and  
17 seconded and the motion carries. This is Agenda Item 15,  
18 Acceptance of Donations for Borderplex Child Care Investments  
19 Partnership Project.

20 ALLISON WILSON: Good morning, chairman,  
21 commissioners, Mr. Serna. For the record, Allison Wilson with  
22 the Child Care & Early Learning Division. Before you today are  
23 four donations for the Child Care Investments Partnership  
24 program for a Borderplex project focused on expanding access to  
25 high-quality child care in the Alpine region. CCIP allows boards

1 to partner with local donor organizations with an interest in  
2 improving the quality of child care and early learning in their  
3 community. Through this initiative TWC provides a 100 percent  
4 match of cash contributions from local board partners. Funds  
5 donated to TWC and accepted by the commission as CCDF funds  
6 allow TWC to leverage the donations for potential drawdown of  
7 additional federal CCDF matching funds. TWC grants the donated  
8 funds plus TWC's 100 percent matching contribution to the board  
9 for administration of the approved project. Staff recommends the  
10 commission accept the following donations and match agreements  
11 as required by CCDF rules: a Brewster County donation of  
12 \$50,000; city of Alpine donating \$25,000; Permian Basin  
13 Foundation donating \$50,000; and Sul Ross University donating  
14 \$15,000. That concludes my remarks. I'm happy to answer any  
15 questions.

16 CHAIRMAN DANIEL: Comments or questions?

17 COMMISSIONER TREVIÑO: None here.

18 COMMISSIONER ESPARZA: I'd like to thank  
19 the—on behalf of the Workforce Commission, the donations to make  
20 this a matching program. I'm sure that that money goes a long  
21 way out there in the Trans-Pecos area so I appreciate that and  
22 all the work that we're doing to facilitate it. Thank you.

23 CHAIRMAN DANIEL: All right, is there a  
24 motion?

25

1 COMMISSIONER TREVIÑO: Chairman, I move we  
2 approve the acceptance of donations for the Borderplex Child  
3 Care Investments Partnership Project in the total amount of  
4 \$140,000 from the following partners as described in the  
5 discussion paper and recommended today by staff: Brewster  
6 County; city of Alpine; Permian Basin Foundation; and Sul Ross  
7 University.

8 COMMISSIONER ESPARZA: I second.

9 CHAIRMAN DANIEL: It's been moved and  
10 seconded and the motion carries. This is Agenda Item 16,  
11 Proposed Child Care Statewide Initiatives for Fiscal Year 2025.

12 ALLISON WILSON: Again, for the record,  
13 Allison Wilson with Child Care & Early Learning. Today for your  
14 consideration we are bringing forward several child care  
15 initiatives to include in the fiscal year '25 statewide  
16 initiatives budget. These proposed initiatives are based on the  
17 results of recently solicited stakeholder feedback, a statewide  
18 early childhood learning needs assessment, and recent changes to  
19 federal rules. We are proposing five new statewide initiatives.  
20 The first is \$3,000,000 for a statewide initiative to provide  
21 professional development to child care providers and board staff  
22 to better serve children with disabilities as well as those  
23 exhibiting challenging behaviors. The second initiative proposed  
24 is \$750,000 per year for a child care registered apprenticeship  
25 program hub intermediary. The funded entity will support early

1 childhood RAP program development and implementation as a group  
2 sponsor for multiple employers. I also want to note on this  
3 particular item that there is a technical error in the decision  
4 point. We are in fact asking for \$750,000, not \$750,000 million  
5 so wanted to note that. We have a lot of money but not that  
6 much.

7 CHAIRMAN DANIEL: How much is 750,000  
8 million?

9 ALLISON WILSON: That's a good question.

10 CHAIRMAN DANIEL: Is that more or less than  
11 a [inaudible]?

12 ALLISON WILSON: I'll take that back. The  
13 third initiative is \$25,000,000 for a new child care expansion  
14 initiative or CCEI based on the success of the stimulus-funded  
15 CCEI and stakeholder input, we propose competitively procuring  
16 an entity to administer a new initiative focused on capacity  
17 expansion in child care deserts, and for employer site-based  
18 expansions. In addition, staff proposes bringing forward an  
19 additional discussion paper providing details on the new CCEI  
20 program parameters including the number of expansion projects  
21 targeted and the parameters for funding levels of individual  
22 awards. The fourth initiative proposed is \$150,000 to support an  
23 annual board strategic planning meeting on child care quality  
24 improvement. As the commission considers increasing local board  
25 quality improvement funding, this event will support boards'

1 strategic investment of funding that is responsive to local  
2 needs and outcome focused. And then the last and fifth  
3 initiative is 2.4 million to support TEA's efforts to examine  
4 successful funding models and best practices in the  
5 administration of public pre-K dollars for pre-K partnership  
6 models. Staff recommends approving these five initiatives as  
7 outlined in the discussion paper. That concludes my remarks.  
8 Happy to answer any questions.

9 CHAIRMAN DANIEL: Comments or questions?

10 COMMISSIONER TREVIÑO: No questions.

11 COMMISSIONER ESPARZA: No questions.

12 CHAIRMAN DANIEL: Is there a motion?

13 COMMISSIONER TREVIÑO: Chairman, I move we  
14 approve the child care statewide initiatives for fiscal year  
15 2025 as described in the discussion paper and recommended today  
16 by staff.

17 COMMISSIONER ESPARZA: I second.

18 CHAIRMAN DANIEL: It's been moved and  
19 seconded and the motion carries. This is Agenda Item 17, Draft  
20 2025-2027 Child Care and Development Fund State Plan.

21 ALLISON WILSON: Again, Allison Wilson with  
22 Child Care & Early Learning. Today for your consideration we are  
23 bringing forward the draft Texas Child Care and Development Fund  
24 State Plan for fiscal years 2025 through 2027. The state plan is  
25 the primary means by which the administration for children and

1 families determines state and territory compliance with the  
2 requirements of federal law and regulations. Additionally, the  
3 plan provides a vehicle for the public to understand the state's  
4 CCDF program and offer comments and consideration. To inform the  
5 development of the draft state plan, staff consulted with the  
6 Texas Early Learning Council in an open public meeting,  
7 conducted a stakeholder survey receiving almost 5,500 responses  
8 from child care providers, parents, workforce boards, and other  
9 stakeholders, and we also held five in-person regional  
10 stakeholder meetings across the state, and one virtual meeting  
11 in February. As required by CCDF, a public hearing will be held  
12 following a 20-day comment period. The hearing will take place  
13 Tuesday, May 7<sup>th</sup>, at 6:00 p.m. The hearing will be virtual and  
14 open to the public. Written comments will also be accepted  
15 through May 7<sup>th</sup>. Staff recommends that the commission approve  
16 publication of the draft state plan for public comment. That  
17 concludes my remarks. Happy to answer any questions.

18 CHAIRMAN DANIEL: Hold on to that thought.  
19 We've got a public commenter and one that I know of. Let's take  
20 our public comment and then we'll come back, Allison, if you've  
21 got a second, and then we'll ask whatever questions we have.

22 MR. TROBMAN: Commissioners, we have Ms.  
23 Camargo. You can go ahead and unmute yourself and begin.

24 KASSONDRA CAMARGO: Hello, good morning, and  
25 I thank you for allowing me the time to speak today. In 2021,

1 House Bill 619 required the state of Texas to create a strategic  
2 plan to assess Texas child care sustainability and quality. The  
3 plan was first completed and implemented in 2022 for the first  
4 round with the recommendation of 2.29 billion dollars to be  
5 delivered to child care centers for sustainability funding.  
6 After reviewing the most recent survey results, the top 10  
7 reasons do not include child care sustainability funding but  
8 rather quality, nor was it included as a selection in the survey  
9 so this kind of skewed the results presented for the state plan.  
10 Child care sustainability funding needs to be considered a major  
11 priority as it affects so many of our Texas workforce. With the  
12 current plan being presented, the focus is mainly geared towards  
13 quality. However, the focus of quality, we must be able to  
14 stabilize the industry first. In House Bill 619, Texas required  
15 there be a child care sustainability plan put together and  
16 considered. I'm asking that 2025-2027 CCDF state plan be revised  
17 to include child care sustainability with funding or at least  
18 child care sustainability in some way, shape, form or fashion.  
19 In closing, I would like to reiterate the plan that is being put  
20 in place is well thought out and will be a great addition when  
21 the industry can successfully make a push for quality but I do  
22 believe that overall this plan should be focusing to help  
23 providers make rates lower and more affordable for families, be  
24 able to provide updates to their facilities and new classroom  
25 items, open more space for their families we serve, etc., as



1 right now our rates in general throughout the state of Texas are  
2 the highest they've ever been so sustainability is a question  
3 currently for many child care providers in the state today so I  
4 thank you for allowing me to speak, and I appreciate the time.

5 CHAIRMAN DANIEL: Any questions or comments  
6 for Allison?

7 COMMISSIONER TREVIÑO: No questions.

8 COMMISSIONER ESPARZA: No questions.

9 CHAIRMAN DANIEL: Is there a motion?

10 COMMISSIONER TREVIÑO: Chairman, I move we  
11 approve the draft federal fiscal years 2025-2027 Child Care and  
12 Development Fund State Plan for publication and public comment  
13 as recommended today by staff.

14 COMMISSIONER ESPARZA: I second.

15 CHAIRMAN DANIEL: It's been moved and  
16 seconded and the motion carries. This is Agenda Item 19, Board  
17 Nominations.

18 SHUNTA WILLIAMS: Good morning, chairman,  
19 commissioners, and Mr. Serna. For the record, Shunta Williams  
20 with the Workforce Development Division. Today for your  
21 consideration we have Workforce Board nominations for Workforce  
22 Solutions Borderplex, Capital Area, Heart of Texas, Gulf Coast,  
23 Lower Rio Grande Valley, Rural Capital Area, and Texoma. Staff  
24 recommends approval on the presented nominees, and I'm here to  
25 answer any questions you may have.

1 CHAIRMAN DANIEL: Comments or questions?

2 COMMISSIONER TREVIÑO: No questions.

3 COMMISSIONER ESPARZA: No questions.

4 CHAIRMAN DANIEL: Is there a motion?

5 COMMISSIONER TREVIÑO: Chairman, I move we  
6 approve the local Workforce Development Board member nominees  
7 presented today for the following: Workforce Solutions  
8 Borderplex, Capital Area, Heart of Texas, Gulf Coast, Lower Rio  
9 Grande Valley, Rural Capital Area, and Texoma.

10 COMMISSIONER ESPARZA: I second.

11 CHAIRMAN DANIEL: It's been moved and  
12 seconded and the motion carries.

13 SHUNTA WILLIAMS: Thank you.

14 CHAIRMAN DANIEL: And now, a legislative  
15 report.

16 MICHAEL BRITT: Good morning, Mr. Chairman,  
17 commissioners, and Mr. Serna. For the record, Michael Britt,  
18 Governmental Relations. Last week the U.S. House passed HR6655,  
19 a Stronger Workforce for America Act. This measure aims to  
20 update and make improvements to the Workshop Innovation and  
21 Opportunity Act by strengthening the workforce development  
22 system. The bill now moves to the U.S. Senate for their  
23 consideration, and the U.S. Senate has not yet announced a  
24 timeline for their consideration of the measure. GR is also  
25 monitoring two federal hearings this week. Today at 10:00 a.m.

1 the U.S. House Ways and Means Committee is holding a hearing to  
2 discuss the administration's 2024 trade policy agenda, and  
3 tomorrow morning at 10:00 a.m. the U.S. House Appropriations  
4 Subcommittee on Labor, Health and Human Services, Education, and  
5 Related Agencies is holding a hearing to consider the fiscal  
6 year 2025 appropriations request for the U.S. Department of  
7 Labor. Finally, last week Lieutenant Governor Patrick announced  
8 Texas Senate Committee interim charges, and a complete list of  
9 those interim charges have been provided to your offices. This  
10 concludes my remarks. I'm happy to answer any questions.

11 CHAIRMAN DANIEL: Any comments or questions?

12 COMMISSIONER TREVIÑO: No questions.

13 COMMISSIONER ESPARZA: No questions.

14 CHAIRMAN DANIEL: Thank you, sir.

15 MICHAEL BRITT: Thank you.

16 CHAIRMAN DANIEL: Mr. Serna, is there an  
17 executive director's report today?

18 MR. SERNA: Not this time, sir.

19 CHAIRMAN DANIEL: Is there any other order  
20 of business to come before the commission?

21 COMMISSIONER TREVIÑO: No, none here.

22 COMMISSIONER ESPARZA: No, sir.

23 CHAIRMAN DANIEL: Is there a motion to  
24 adjourn?

25

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

COMMISSIONER TREVIÑO: Chairman, I move we  
adjourn.

COMMISSIONER ESPARZA: I second.

CHAIRMAN DANIEL: It's been moved and  
seconded to adjourn and we're adjourned.