

1 **CHAPTER 847. PROJECT RIO EMPLOYMENT ACTIVITIES AND SUPPORT**
2 **SERVICES**

3
4 PROPOSED RULES WITH PREAMBLE TO BE SUBMITTED TO THE *TEXAS REGISTER*.
5 THIS DOCUMENT WILL HAVE NO SUBSTANTIVE CHANGES BUT IS SUBJECT TO
6 FORMATTING CHANGES AS REQUIRED BY THE *TEXAS REGISTER*.
7

8 The Texas Workforce Commission (Commission) proposes amendments to the following
9 sections of Chapter 847 related to Project RIO Employment Activities and Support Services:

10
11 Subchapter A. General Provisions, §§847.1 - 847.3

12
13 Subchapter B. Project RIO Job Seeker Responsibilities, §847.11 and §847.12

14
15 Subchapter C. Project RIO Services, §847.21 and §847.22

16
17 Subchapter D. Project RIO Employment Activities, §847.31

18
19 Subchapter E. Project RIO Support Services, §847.41

20
21 **PART I. PURPOSE, BACKGROUND, AND AUTHORITY**

22 **PART II. EXPLANATION OF INDIVIDUAL PROVISIONS**

23 **PART III. IMPACT STATEMENTS**

24 **PART IV. COORDINATION ACTIVITIES**

25
26 **PART I. PURPOSE, BACKGROUND, AND AUTHORITY**

27
28 The purpose of the proposed Chapter 847 rules changes is to:

- 29 (1) implement the direction of House Bill (HB) 2837, enacted by the 79th Texas Legislature,
30 Regular Session (2005), concerning Project Reintegration of Offenders (Project RIO);
31 (2) modify language referencing specific divisions of the Texas Department of Criminal
32 Justice (TDCJ);
33 (3) reflect revised funding strategies to support Project RIO service provision; and
34 (4) remove provisions related to Local Workforce Development Board (Board)
35 responsibilities for the distribution of ex-offender documents.

36
37 HB 2837 directs increased data connectivity between the Texas workforce system and its Project
38 RIO partners—TDCJ and the Texas Youth Commission (TYC). Additionally, the legislation
39 directs the Windham School District, which is responsible for providing academic and vocational
40 training services in TDCJ correctional institutions, to ensure that the training provided is targeted
41 to current and emerging job opportunities in the Texas labor market.

42
43 Because of TDCJ's reorganization, the proposed rules remove references to TDCJ's specific
44 organizational divisions and replace them with the more generic terms, TDCJ "correctional
45 institutions" and "supervising offices."
46

1 The previous funding strategy to support Project RIO service provision relied heavily upon co-
2 enrolling job seekers in Food Stamp Employment and Training (FSE&T) services. Currently,
3 Texas Workforce Center and satellite office staff is encouraged to enroll Project RIO job seekers
4 in the most appropriate employment and support services for the individual. The proposed rules
5 reflect that co-enrollment continues to benefit Project RIO service provision; however, language
6 regarding specific reliance on FSE&T has been deleted.
7

8 TDCJ has assumed responsibility for the distribution of employment documents (e.g., Social
9 Security cards, birth certificates, DD214s [U.S. Department of Defense form that evidences
10 military service and separation circumstances], driver's licenses) upon an individual's release
11 from incarceration. Accordingly, the proposed rules delete the reference to Boards performing
12 this function.
13

14 **PART II. EXPLANATION OF INDIVIDUAL PROVISIONS**

15
16 **(Note: Minor, nonsubstantive, editorial changes are made throughout Chapter 847 that do**
17 **not change the meaning of the rules and, therefore, are not discussed in the Explanation of**
18 **Individual Provisions.)**
19

20 **SUBCHAPTER A. GENERAL PROVISIONS**

21 **§847.1. Purpose**

22
23
24 The Commission proposes amending §847.1(a) by replacing references to the TDCJ "State Jail
25 Division facility" and "Institutional Division" facility with the term TDCJ "correctional
26 institution," both in this subsection and throughout Chapter 847.
27

28 The Commission proposes amending language in §847.1(b) to specify that the memorandum of
29 understanding is between the Agency, TDCJ, and TYC.
30

31 The Commission proposes amending §847.1(c) to reflect new funding strategies to support
32 Project RIO service provision. Specific reference to FSE&T funds is removed and replaced with
33 a broader reference to integrating Project RIO service provision with the full range of activities
34 and services available through the Texas workforce system.
35

36 **§847.2. Definitions**

37 The Commission proposes amending §847.2(1)(A) by replacing the reference to the TDCJ
38 "Institutional Division" with the collective reference TDCJ "correctional institution," and
39 deleting the reference to the TDCJ "Parole Division," referring instead to "parole" supervision by
40 TDCJ.
41

42 The Commission proposes deleting §847.2(1)(B), which stipulates the eligibility of State Jail
43 releasees for Project RIO services. Proposed §847.2(1)(A) defines Project RIO job seekers as
44 releasees from all classes of TDCJ correctional institutions. Section 847.2(1)(C) is renumbered
45 as §847.2(1)(B).
46

1 The Commission proposes amending §847.2(3), which defines TDCJ, by removing references to
2 the "Institutional, Parole, and State Jail Divisions," which are specific divisions of TDCJ.

3
4 The Commission proposes amending §847.2(4), which defines TYC, by expanding the definition
5 to include TYC's responsibilities for parole operations.

6
7 The Commission proposes deleting §847.2(5), which defines Food Stamp Employment and
8 Training. The Commission has broadened its use of resources for serving ex-offenders and
9 adjudicated youth; therefore, it is unnecessary to define specific services.

10
11 The Commission proposes adding new §847.2(5) to define the Windham School District, which
12 provides prerelease educational and vocational training services to adult offenders incarcerated
13 in TDCJ correctional institutions. This new definition is added in response to the provisions of
14 HB 2837 and the functions Windham School District performs in preparing offenders for reentry
15 into society.

16
17 **§847.3. General Board Responsibilities**

18
19 The Commission proposes amending §847.3(a) by requiring that individuals referred as Project
20 RIO job seekers also include "self-referred individuals." In addition, proposed changes to this
21 subsection include adding adjudicated youth as part of the service population.

22
23 The Commission proposes amending §847.3(b) by replacing "General Equivalency Diploma"
24 with "General Educational Development (GED) credential."

25
26 The Commission proposes amending §847.3(c)(1), Parole Supervising Offices, by replacing
27 references to "Parole Division" with "TDCJ or TYC," and replacing references to "TDCJ Parole
28 Offices" with "supervising office."

29
30 The Commission proposes amending §847.3(c)(2), TDCJ Institutional Division, by retitling the
31 paragraph "Correctional Institutions," which provides a collective reference for TDCJ divisions.
32 Further, the Commission proposes incorporating coordination with TYC correctional institutions,
33 as this process is essentially similar to that required of TDCJ correctional institutions. The
34 Commission also proposes amending §847.3(c)(2) by removing the requirement to provide
35 results of Project RIO services to the TDCJ Institutional Division. The Commission believes
36 that this information is more properly provided to the supervising office as set forth in
37 §847.3(c)(1).

38
39 The Commission proposes deleting §847.3(c)(3), TDCJ State Jail Division. Proposed
40 §847.3(c)(2) includes the TDCJ State Jail Division in the collective term "correctional
41 institutions."

42
43 HB 2837 requires the coordination of educational and vocational training efforts conducted by
44 Windham School District and prioritizes efforts to assist ex-offenders in securing employment
45 related to their prerelease training. The Commission proposes new §847.3(c)(3), Windham
46 School District, which states that Boards must coordinate on an ongoing and continuing basis

1 with the Windham School District by providing labor market information for their local
2 workforce development area, including current and emerging jobs. Additionally, Boards must
3 include the education and training received during incarceration in the Project RIO job seeker's
4 Individual Employment Plan in order to maximize the number of training-related job referrals
5 the Project RIO job seeker receives.

6
7 The Commission proposes deleting §847.3(c)(4) relating to coordination with TYC Offices.
8 Proposed §847.3(c)(1) and §847.3(c)(2) set forth the coordination requirements with TYC
9 correctional institutions and parole offices; therefore, §847.3(c)(4) is no longer necessary.

10
11 The Commission proposes adding new §847.3(c)(4), which requires the development of
12 memoranda of understanding between Boards, TDCJ, TYC, and the Windham School District
13 pursuant to Project RIO service provision. Currently, this requirement is contained in the
14 Agency's funding instruments used to support TDCJ, TYC, and Board Project RIO services. The
15 proposed new paragraph requires, at a minimum, that the memoranda of understanding must
16 include referral coordination, progress reporting, and the provision of labor market information
17 to the Windham School District.

18
19 The Commission proposes amending §847.3(d)(1) by removing the specific references to "WIA
20 Adult and Youth services and Food Stamp Employment and Training (FSE&T)" services. The
21 Commission's intent is to integrate Project RIO services with all services available through the
22 Texas Workforce Centers.

23
24 The Commission proposes deleting §847.3(d)(2), which requires that Boards route employment
25 documents, such as birth certificates and Social Security cards, secured by TDCJ and TYC
26 during incarceration to ex-offenders. TDCJ and TYC have assumed this responsibility;
27 therefore, it is no longer a requirement of the Boards.

28
29 Section 847.3(d)(3), stipulating establishment of a parole point of contact, is renumbered as
30 §847.3(d)(2). The Commission proposes replacing the reference to "the TDCJ Parole Division
31 and the TYC" with the collective reference "TDCJ and TYC supervising offices."

32
33 Section 847.3(d)(4), stipulating outreach of Project RIO job seekers at TDCJ and TYC facilities,
34 is renumbered as §847.3(d)(3). The Commission proposes replacing the references to TDCJ
35 "Parole Division" and TYC "facilities" with the collective reference "TDCJ and TYC supervising
36 offices."

37
38 Section 847.3(d)(5), stipulating Board participation in TDCJ job fairs/career days, is renumbered
39 as §847.3(d)(4). The Commission proposes amending this paragraph by adding participation in
40 TYC job fairs/career days and using the collective reference to "correctional institutions."

41
42 Section 847.3(d)(6), stipulating the use of reporting and document management systems, is
43 renumbered as §847.3(d)(5). The Commission proposes amending this paragraph to require the
44 timely reporting of data reflecting Project RIO service provision in order to ensure that the
45 charge of HB 2837 is addressed.

1 Section 847.3(d)(7) and §847.3(d)(8) are renumbered as §847.3(d)(6) and §847.3(d)(7),
2 respectively.

3
4 The Commission proposes amending §847.3(f) by changing the paragraph title from "TDCJ
5 Notice" to "TDCJ and TYC Notice," thereby including notice to TYC. Additionally, the
6 collective term "supervising office" replaces the specific reference to "TDCJ Parole Division."
7

8 Currently, §847.3(h) requires that employment referrals regarding adjudicated youth be
9 confidential. The Commission proposes expanding the requirement to state that all information
10 related to the adjudicated status of a youth must be confidential and must not be disclosed to
11 other entities or individuals.

12 13 **SUBCHAPTER B. PROJECT RIO JOB SEEKER RESPONSIBILITIES**

14 15 **§847.11. Job Seeker Responsibilities**

16
17 The Commission proposes deleting §847.11(1), which requires that Project RIO job seekers
18 complete and sign an application for food stamp benefits. The proposed deletion of this
19 requirement reflects the change in funding strategies used to support Project RIO service
20 provision. While the referral of most Project RIO job seekers to the Texas Health and Human
21 Services Commission (HHSC) for food stamp assistance is appropriate, the language in rule is no
22 longer necessary because the funding strategies do not explicitly rely upon FSE&T resources.
23

24 Sections 847.11(2) - 847.11(8) are renumbered as §§847.11(1) - 847.11(7), respectively.
25

26 **§847.12. Job Seeker Failure to Comply**

27 The Commission proposes amending §847.12 by deleting the phrase "referred by TDCJ Parole
28 Division" because not all job seekers are referred by supervising offices. Further, the
29 Commission proposes amending §847.12 by replacing the specific reference to the "TDCJ Parole
30 Division" and including the requirement that the "TDCJ or TYC supervising office" be notified.
31

32 **SUBCHAPTER C. PROJECT RIO SERVICES**

33 34 **§847.21. Job Seeker Assessment**

35
36 The Commission proposes amending §847.21(b) by adding that assessments also must include
37 evaluations of "knowledge, skills, and abilities." In addition, the Commission proposes
38 amending §847.21(b)(4) by replacing the reference to parole "officer" with "office." The
39 Commission believes that this information is more properly coordinated with the supervising
40 office as set forth in §847.3(c)(1).
41

42 **§847.22. Job Seeker Individual Employment Plan**

43
44 The Commission proposes amending §847.22(1) by changing the reference to TDCJ or TYC
45 "facility" to the collective reference "correctional institution."

1
2 The Commission proposes amending §847.22(4) by changing the reference to TYC "facility" to
3 the collective reference "correctional institution."
4

5 **SUBCHAPTER D. PROJECT RIO EMPLOYMENT ACTIVITIES**

6 7 **§847.31. Employment Activities for Project RIO Job Seekers**

8
9 The Commission proposes deleting §847.31(a)(1) because the funding strategy used to support
10 Project RIO services has changed from an explicit reliance on FSE&T resources to one in which
11 Project RIO job seekers have access to the full range of employment and training activities
12 provided by the Texas workforce system; therefore, this paragraph is no longer necessary.
13 Additionally, the Commission proposes removing §847.31(a)(2) and incorporating the text in
14 §847.31(a). Sections 847.31(a)(2)(A) - 847.31(a)(2)(G) are renumbered as §§847.31(a)(1) -
15 847.31(a)(7).
16

17 The Commission proposes replacing the term "officer" with "office" in §847.31(b)(1). The
18 Commission also proposes to reorder the language in §847.31(c) for better clarity.
19

20 **SUBCHAPTER E. PROJECT RIO SUPPORT SERVICES**

21 22 **§847.41. Provision of Project RIO Support Services**

23
24 The Commission proposes amending §847.41(a) by specifying that post-employment needs are
25 included as an allowable support service.
26

27 **PART III. IMPACT STATEMENTS**

28
29 Randy Townsend, Chief Financial Officer, has determined that for each year of the first five
30 years the rules will be in effect, the following statements will apply:

31 There are no additional estimated costs to the state and to local governments expected as a result
32 of enforcing or administering the rules.

33 There are no estimated reductions in costs to the state and to local governments as a result of
34 enforcing or administering the rules.

35 There are no estimated losses or increases in revenue to the state or to local governments as a
36 result of enforcing or administering the rules.

37 There are no foreseeable implications relating to costs or revenue of the state or local
38 governments as a result of enforcing or administering the rules.

39 There are no anticipated economic costs to persons required to comply with the rules.

40 There is no anticipated adverse economic impact on small or microbusinesses as a result of
41 enforcing or administering the rules.

42 Mark Hughes, Director of Labor Market Information, has determined that there is no significant
43 negative impact upon employment conditions in the state as a result of the rules.

1
2 The Agency hereby certifies that the proposed rules have been reviewed by legal counsel and
3 found to be within the Agency's legal authority to adopt.

4
5 Luis M. Macias, Director of Workforce Development Division, has determined that for each year
6 of the first five years the rules are in effect, the public benefit anticipated as a result of enforcing
7 the proposed rules will be to better prepare Project RIO job seekers to meet the workforce needs
8 of Texas employers and to better meet Project RIO job seekers' needs for long-term employment.
9

10 **PART IV. COORDINATION ACTIVITIES**

11
12 In the development of these rules for publication and public comment, the Commission sought
13 the involvement of each of Texas' 28 Boards and the TWC Advisory Committee. The
14 Commission provided the policy concept to each of these groups for consideration and review.
15 During the rulemaking process, the Commission considered all information gathered in order to
16 develop rules that provide clear and concise direction to all parties involved.

17 Comments on the proposed rules may be submitted to TWC Policy Comments, Workforce and
18 UI Policy, 101 East 15th Street, Room 440T, Austin, Texas 78778; faxed to 512-475-3577; or e-
19 mailed to TWCPolicyComments@twc.state.tx.us. The Commission must receive comments
20 postmarked no later than 30 days from the date this proposal is published in the *Texas Register*.
21

22 The rules are proposed under Texas Labor Code §301.0015 and §302.002(d), which provide the
23 Texas Workforce Commission with the authority to adopt, amend, or repeal such rules as it
24 deems necessary for the effective administration of Agency services and activities.
25

26 The proposed rules will affect Texas Labor Code, particularly Chapters 301 and 302, as well as
27 Texas Education Code, Chapter 19; Texas Labor Code, Chapter 306; and Texas Government
28 Code, Chapter 552.
29
30
31

1
2 **CHAPTER 847. PROJECT RIO EMPLOYMENT ACTIVITIES AND SUPPORT**
3 **SERVICES**

4
5 **SUBCHAPTER A. GENERAL PROVISIONS**

6
7 **§847.1 Purpose.**

- 8
9 (a) Purpose. -The purpose of Project RIO is to provide a statewide employment referral
10 program designed to reintegrate into the labor force persons sentenced to a Texas
11 Department of Criminal Justice (TDCJ) correctional institution ~~State Jail Division~~
12 ~~facility or the Institutional Division~~ and persons committed to the Texas Youth
13 Commission (TYC).
14
15 (b) Scope of Rules. The Project RIO standards and guidelines, set forth in this chapter,
16 address the roles and responsibilities of Boards to ensure that Project RIO
17 employment activities and support services are available statewide through the Texas
18 Workforce Centers consistent with 40 TAC Chapter 801 relating to the One-Stop
19 Service Delivery Network. -Project RIO employment activities and support services
20 are provided to adult and youth offenders before release by ~~the~~-TDCJ and ~~the~~-TYC.
21 Post-release employment activities and support services are provided through the
22 Texas Workforce Centers, and are designed to provide ex-offenders with
23 employment activities and support services that promote employment, meet the
24 needs of Texas employers, and help reduce recidivism. The provisions in this
25 chapter are intended to be consistent with Texas Labor Code, Chapter 306 ; Texas
26 Government Code §2308.312 ; and the Agency's memorandum of understanding
27 ~~Memorandum of Understanding~~ with ~~the~~-TDCJ and ~~the~~-TYC.
28
29 (c) Funding Integration. The Commission intends, to the greatest extent possible, to
30 integrate all available funding sources in the delivery of Project RIO services, and
31 support and expand Project RIO services by ensuring that ex-offenders and
32 adjudicated youth have access to the full range of employment and training activities
33 provided by the One-Stop Service Delivery Network ~~leveraging the General~~
34 ~~Revenue appropriation for Project RIO and federal FSE&T funds.~~

35
36 **§847.2 Definitions.**

37
38 The following words and terms, when used in this chapter, shall have the following
39 meanings unless the context clearly indicates otherwise.

- 40
41 (1) Project RIO job seeker -- an individual involved with the Texas criminal or
42 juvenile justice systems that may include the following:
43
44 (A) Adults ~~adults~~ who were sentenced to a ~~formerly confined by the~~-TDCJ
45 correctional institution ~~Institutional Division~~, and ~~who~~ are within one year
46 after their release from incarceration, or ~~and~~ are currently under, or within

1 one year of completion of their term of parole supervision by ~~the~~ TDCJ
2 Parole Division; and

3
4 ~~(B) adults who were formerly confined in a TDCJ State Jail facility and who~~
5 ~~are within one year after their release from incarceration; and~~

6
7 ~~(B)(C)~~ Adjudicated ~~adjudicated~~ youth ages 16 through 21, seeking
8 employment activities and support services, who were ~~formerly~~ confined
9 in a TYC correctional institution ~~facility~~.

10
11 (2) Job Seeker Responsibility Agreement -- an agreement between the Project RIO
12 job seeker and the Texas Workforce Center ~~operator~~ or the Board's designated
13 service provider. This agreement outlines the Project RIO job seeker's
14 responsibilities for continued enrollment in Project RIO activities.

15
16 (3) TDCJ -- the Texas Department of Criminal Justice, ~~which includes the~~
17 ~~Institutional, Parole, and State Jail Divisions~~, is the state agency that manages
18 the overall operations of the state's prison, parole, and state jail systems.

19
20 (4) TYC -- the Texas Youth Commission, ~~which~~ is the state's juvenile corrections
21 agency, that manages the overall operations of the state's youth correctional
22 institutions and parole operations ~~facilities~~.

23
24 ~~(5) Food Stamp Employment and Training (FSE&T) -- the activities and support~~
25 ~~services that assist food stamp recipients in entering employment through~~
26 ~~participation in allowable job search, training, education, or workfare activities~~
27 ~~that promote self-sufficiency.~~

28
29 (5) Windham School District -- the school district that is responsible for providing
30 academic as well as career and technology education to eligible offenders
31 incarcerated in TDCJ correctional institutions.

32
33 **§847.3. General Board Responsibilities.**

34
35 (a) Role of Boards. A Board shall ensure that individuals referred as Project RIO job
36 seekers by ~~the~~ TDCJ and ~~the~~ TYC, as well as self-referred individuals ~~self-referred,~~
37 ~~as Project RIO job seekers~~ participate in Project RIO employment activities and
38 support services, and other workforce activities and support services as appropriate.
39 The employment activities and support services, as defined in this chapter, should
40 meet the needs of local employers, prepare Project RIO job seekers to compete in the
41 labor market, and assist ex-offenders and adjudicated youth in locating employment.

42
43 (b) Board Planning. A Board shall develop, amend, and modify its Integrated Plan to
44 incorporate and coordinate the design and management of the delivery of Project
45 RIO employment activities and support services with the delivery of other workforce
46 employment, training, and educational services identified in Texas Government

1 Code §2308.251 *et seq.*, Texas Government Code §2308.312 *et seq.*, as well as other
2 employment and training services included in the One-Stop Service Delivery
3 Network as set forth in Chapter 801 of this title.

4
5 The ~~Texas Workforce~~ Commission's ~~(Commission)~~ intent is to assist Project RIO
6 job seekers with securing employment as quickly as possible; however, Project RIO -
7 Youth may need basic skills training and education to secure employment.
8 Specifically, Boards shall consider integration with WIA Youth services or other
9 funding sources, as appropriate, for assisting Project RIO -- Youth with obtaining the
10 basic General Educational Development General Equivalency Diploma (GED)
11 credential or basic skills training.

12
13 (c) Board Coordination. The Boards shall coordinate with the following entities to
14 ensure the transition to employment of Project RIO job seekers:

15
16 (1) ~~TDCJ~~ Parole Supervising Offices. A Board shall coordinate the provision of
17 Project RIO employment activities and support services with the referring
18 TDCJ or TYC Parole Division supervising office officer. This coordination
19 shall ensure that the supervising office is ~~TDCJ Parole Offices are~~ made aware
20 of the results of the initial referral for Project RIO services, as well as periodic
21 updates on program participation status as determined appropriate for the
22 individual.

23
24 (2) Correctional Institutions ~~TDCJ Institutional Division~~. A Board shall
25 coordinate the provision of Project RIO employment activities and support
26 services with ~~the~~ TDCJ and TYC correctional institutions ~~Institutional~~
27 ~~Division~~ by utilizing the data and resources developed ~~by the TDCJ~~
28 ~~Institutional Division Project RIO component~~ prior to the offender's or
29 adjudicated youth's release. This coordination shall ensure that post-release
30 Project RIO activities and services build upon and complement the services
31 provided in the correctional institutions. ~~This coordination shall ensure that~~
32 ~~the TDCJ Institutional Division is made aware of the results of the initial~~
33 ~~referral for Project RIO services, as well as periodic updates on program~~
34 ~~participation status as determined appropriate for the individual.~~

35
36 ~~(3) TDCJ State Jail Division. A Board shall coordinate the provision of Project~~
37 ~~RIO employment activities and support services with the TDCJ State Jail~~
38 ~~Division by utilizing the data and resources developed by the State Jail Project~~
39 ~~RIO component prior to the offender's release. This coordination shall ensure~~
40 ~~that the TDCJ State Jail Division is made aware of the results of the initial~~
41 ~~referral for Project RIO services, as well as periodic updates on program~~
42 ~~participation status as determined appropriate for the individual.~~

43 (3) Windham School District. Boards shall coordinate on an ongoing and
44 continuing basis with Windham School District by providing labor market
45 information related to their local workforce development area (workforce
46 area), including current and emerging jobs, in order that Windham School

1 District may better meet the needs of Texas employers through education and
2 training services. Additionally, Boards shall fully incorporate in Project RIO
3 job seekers' Individual Employment Plans the education and training received
4 during incarceration in order to maximize employment referrals that are
5 directly related to that education and training.

6
7 ~~(4) TYC Offices. A Board shall coordinate the provision of Project RIO~~
8 ~~employment activities and support services with the referring TYC parole and~~
9 ~~contracted parole officer. This coordination shall ensure that the TYC Offices~~
10 ~~are made aware of the results of the initial referral for Project RIO services, as~~
11 ~~well as periodic updates on program participation status as determined~~
12 ~~appropriate for the individual.~~

13
14 (4) Memoranda of Understanding. Pursuant to coordination efforts, Boards shall
15 develop memoranda of understanding with TDCJ, TYC, and the Windham
16 School District establishing the systems, structures, and processes for the
17 provision of Project RIO services. The memoranda of understanding must
18 include, but are not limited to, procedures for the following activities:

19
20 (A) Referral coordination for parolees or adjudicated youth;

21
22 (B) Progress reporting related to job seeker status and services received; and

23
24 (C) The provision of labor market information to the Windham School
25 District.

26
27 (5) Other Partners. For the purposes of ensuring that Project RIO job seekers have
28 the necessary support services available to them to enable successful
29 ~~entry~~ reentry into the labor force, a Board shall develop cooperative agreements
30 and service arrangements meeting the requirements of ~~the~~ Texas Labor Code
31 §306.007(a).

32
33 (d) Service Delivery Strategies. A Board shall develop a Project RIO Service Delivery
34 Strategy that fully incorporates and ensures the following elements:

35
36 (1) ~~The~~ the efficient delivery and linkage of Project RIO employment activities
37 and support services within the workforce area's One-Stop Service Delivery
38 Network with other employment and training services funded through the
39 Texas Workforce Centers. ~~Center, in particular WIA Adult and Youth services~~
40 ~~and, Food Stamp Employment and Training (FSE&T);~~

41 ~~(2) the employment documents secured by the TDCJ Institutional Division, State~~
42 ~~Jail Division, or the TYC Project RIO are properly routed to the ex-offender;~~

43
44 ~~(2)(3)~~ A a point of contact for TDCJ and TYC supervising offices ~~the TDCJ Parole~~
45 ~~Division and the TYC~~ to facilitate the exchange of ~~access to~~ information

1 regarding the Project RIO job seeker's progress toward securing employment
2 and related participation information;

3
4 ~~(3)(4)~~ The outreach of Project RIO job seekers at TDCJ ~~Parole Division~~ and TYC
5 supervising offices~~facilities~~;

6
7 ~~(4)(5)~~ The participation of the One-Stop Service Delivery Network in job
8 fairs/career days held in TDCJ and TYC ~~correctional institutions~~~~facilities~~;

9
10 ~~(5)(6)~~ The timely and accurate reporting of data reflecting Project RIO service
11 provision as well as the status of referrals for service~~the use of reporting and~~
12 ~~document management systems related to Project RIO participation as required~~
13 ~~by the Commission~~;

14
15 ~~(6)(7)~~ All ~~all~~ performance standards are met, as developed by the Commission,~~are~~
16 ~~met~~; and

17
18 ~~(7)(8)~~ The performance of any other duties, as required by the Commission,
19 necessary to implement the intent of Texas Labor Code, Chapter 306.

20
21 (e) Access to Project RIO Employment Activities and Support Services. A Board shall
22 ensure that the oversight and monitoring of program requirements and participant
23 activities occur on an ongoing basis, as determined appropriate by the Board, and
24 consist of the following:

25
26 (1) tracking and reporting, as required by the Commission, of employment
27 activities and support services, including appropriate data relating to referrals,
28 placements, specialized on-the-job training, and completion of training, such as
29 GED completion, college credit and noncredit course accomplishments, or
30 other data, as applicable;

31
32 (2) determining and arranging for any referrals to support services needed to assist
33 the Project RIO job seeker in complying with Project RIO employment
34 activities to address barriers to employment; and

35
36 (3) ensuring progress toward achieving the goals and objectives in the Project RIO
37 job seeker's Individual Employment Plan, as set forth in §847.22 of this
38 chapter, and the job seeker Responsibility Agreement, as set forth in §847.3(i)
39 of this section.

40
41 (f) TDCJ and TYC Notice. A Board shall ensure that notification to the supervising
42 office~~TDCJ Parole Division~~ is made in a timely manner if a job seeker fails to
43 comply with the job seeker Responsibility Agreement as set forth in §847.3 of this
44 chapter.
45

- 1 (g) Employer Notice. A Board shall ensure that employers are informed at the time of
 2 the employment referral of the Project RIO job seeker's status as an ex-offender and
 3 the availability of Work Opportunity Tax Credits and fidelity bonding ~~Fidelity~~
 4 ~~Bonding~~ services.
 5
- 6 (h) Youth Confidentiality. All information regarding the adjudicated status of a youth
 7 shall be held in strict confidence and shall not be disclosed to any other entity or
 8 person. A Board shall ensure that employment referrals for adjudicated youth are
 9 made in accordance with the confidentiality requirements set forth in state statutes,
 10 state rules, and Commission policies.
 11
- 12 (i) Job Seeker Responsibility Agreement. Boards shall ensure that the job seeker
 13 Responsibility Agreement is signed by the Project RIO job seeker and the Texas
 14 Workforce Center ~~operator~~, or the Board's designated service provider, and contains
 15 language detailing ~~indicating~~ that the job seeker:
 16
- 17 (1) is ready and able to seek employment;
 - 18
 - 19 (2) will comply with all service requirements as specified ~~outlined~~ in the Individual
 20 Employment Plan;
 - 21
 - 22 (3) will report for employment interviews at the scheduled appointment time(s);
 23 and
 - 24
 - 25 (4) will notify the Texas Workforce Center ~~operator~~, or the Board's designated
 26 service provider, upon securing ~~of~~ employment.
 27

28 **SUBCHAPTER B. PROJECT RIO JOB SEEKER RESPONSIBILITIES**

29 **§847.11. Job Seeker Responsibilities.**

30 Project RIO job seekers shall:

- 31
- 32
- 33 ~~(1) complete and sign an application for food stamp benefits through the Texas~~
 34 ~~Department of Human Services, unless the job seeker has a drug conviction on~~
 35 ~~or after August 22, 1996;~~
- 36
- 37 (1) ~~(2)~~ sign the job seeker Responsibility Agreement;
- 38
- 39 (2) ~~(3)~~ participate in employment activities as specified in -§847.22 and as described
 40 in §847.31 of this chapter;
- 41
- 42 (3) ~~(4)~~ attend scheduled Project RIO appointments;
- 43
- 44 (4) ~~(5)~~ notify the 'Texas Workforce Center ~~operator~~, or the Board's designated service
 45 provider, upon securing employment ~~when starting work on any job~~;
- 46

1 (5)(6) participate in or receive support services as described in §847.22 and §847.41
2 of this chapter, necessary to enable the Project RIO job seekers to work or
3 participate in employment activities, including counseling, treatment, and
4 vocational or physical rehabilitation;

5
6 (6)(7) be free of outstanding warrants and not in pre-revocation status; and
7

8 (7)(8) be drug-free and comply with other terms or conditions of parole.
9

10 §847.12. Job Seeker Failure to Comply.

11
12 Project RIO job seekers ~~referred by the TDCJ Parole Division~~, who fail to meet the
13 requirements of the Individual Employment Plan and job seeker Responsibility
14 Agreement, may be deemed ineligible for Project RIO employment activities and support
15 services, and such participation status shall be reported to the TDCJ or TYC supervising
16 office ~~Parole Division~~. Failure to comply, as determined by the Texas Workforce Center
17 ~~operator~~, or the Board's designated service provider, includes but is not limited to:

- 18
19 (1) failing to report for two scheduled interviews;
- 20
21 (2) turning down a position of employment that is consistent with the skills
22 possessed by the Project RIO job seeker;
- 23
24 (3) quitting an employment activity without cause; or
- 25
26 (4) being terminated from a job for misconduct.
27

28 SUBCHAPTER C. PROJECT RIO SERVICES

29 §847.21. Job Seeker Assessment.

- 30
31 (a) A Board shall ensure that initial and ongoing assessments are performed to
32 determine the employability and retention needs of Project RIO job seekers.
33
34
- 35 (b) Assessments shall include evaluations of knowledge, skills, and abilities ~~strengths as~~
36 well as ~~and~~ potential barriers to securing and retaining employment, such as:
 - 37
38 (1) information identified in the assessments provided by agency partners, which
39 includes background information relating to education and vocational skills
40 training obtained while incarcerated, employment history, academic
41 achievements, and past skills attainments;
 - 42
43 (2) other skills and abilities, employment, and educational history in relation to
44 employers' workforce needs in the local labor market;
 - 45
46 (3) support services needs; and

1
2 (4) family circumstances that may affect participation, including the existence of
3 domestic violence, substance abuse, and mental illness, or the need for
4 parenting skills training, which, if identified, may require coordination through
5 the parole or contracted parole ~~office~~~~officeer~~, as one of the factors considered in
6 evaluating employability.
7

8 (c) Assessments shall result in the development of an Individual Employment Plan, as
9 described in §847.22 of this chapter.
10

11 **§847.22. Job Seeker Individual Employment Plan.**

12
13 Boards shall ensure that the Individual Employment Plan:

- 14
15 (1) incorporates information provided by the referring agency partner, including
16 any individual employment planning provided while in a TDCJ or TYC
17 ~~correctional institution~~~~facility~~;
18
19 (2) identifies and coordinates the provision of services available through the Texas
20 Workforce Centers;
21
22 (3) is based on assessments, as described in this chapter;
23
24 (4) contains any prevocational goals established for Project RIO - Youth
25 participants while in a TYC ~~correctional institution~~~~facility~~;
26
27 (5) contains employment goals to meet the needs of the local labor market;
28
29 (6) allows Project RIO job seekers to find and secure employment that
30 ~~utilizes~~~~requires~~ their skills;
31
32 (7) meets the needs of employers by linking and matching the skills of Project RIO
33 job seekers to the job-skills requirements of the employers;
34
35 (8) includes strategies for addressing barriers identified in the assessment; and
36
37 (9) is signed by the Project RIO job seeker.
38

39 **SUBCHAPTER D. PROJECT RIO EMPLOYMENT ACTIVITIES**

40 41 **§847.31. Employment Activities for Project RIO Job Seekers.**

- 42
43 (a) Boards shall ensure that employment activities are provided for Project RIO job
44 seekers, as determined by the Texas Workforce Center ~~operator~~, or the Board's
45 designated service provider, which may include the provision of job search and job
46 readiness services, which incorporate the following:

1
2 ~~(1) activities set forth in 40 TAC Chapter 813 relating to FSE&T activities;~~

3
4 ~~(2) job search and job readiness services, which incorporate the following:~~

5
6 ~~(1)(A)~~ information and referral to employment opportunities;

7
8 ~~(2)(B)~~ job-skills assessment;

9
10 ~~(3)(C)~~ counseling;

11
12 ~~(4)(D)~~ occupational exploration, including information on local emerging and
13 demand occupations;

14
15 ~~(5)(E)~~ interviewing skills and practice interviews;

16
17 ~~(6)(F)~~ assistance with applications and resumes; and

18
19 ~~(7)(G)~~ guidance and motivation for development of positive work behaviors
20 necessary for the labor market.

21
22 (b) Boards shall ensure that referrals to employment opportunities are based on the
23 Project RIO job seeker's assessment, training, skills, and conditions of release. The
24 referrals to jobs may be restricted to certain available employment based on:

25
26 (1) recommendations from the agency partners, including the applicable parole
27 office~~officer~~ or contracted parole office~~officer~~;

28
29 (2) considerations of factors that may increase the likelihood of success of the
30 individual in retaining employment; or

31
32 (3) consideration of factors that may help reduce the likelihood of recidivism.

33
34 (c) In order to maximize the opportunities for Project RIO job seekers to secure
35 employment, Boards shall ensure that other employment and training activities
36 available through the One-Stop Service Delivery Network and paid for with funds
37 other than Project RIO are considered and provided as deemed appropriate by the
38 Texas Workforce Center ~~operator,~~ or the Board's designated service provider, ~~in~~
39 ~~order to maximize the opportunities for Project RIO job seekers to secure~~
40 ~~employment.~~

41
42 **SUBCHAPTER E. PROJECT RIO SUPPORT SERVICES**

43
44 **§847.41. Provision of Project RIO Support Services.**

- 1 (a) ~~Boards~~~~A Board~~ shall ensure that support services, which address barriers to
2 employment, ~~or~~ participation in employment services, and post-employment support
3 services needs, are provided to a Project RIO job seeker as determined by the Boards'
4 Board's policies and Individual Employment Plans, and the Texas Workforce
5 Centers~~Center operator~~, or the Boards'~~Board's~~ designated service providers~~provider~~.
6
- 7 (b) ~~Boards~~~~A Board~~ shall ensure that referrals to support services as specified in the
8 memorandum of understanding ~~Memorandum of Understanding~~ referenced in Texas
9 Labor Code §306.004, §306.005, and §306.007 are made for Project RIO job
10 seekers.
11
- 12 (c) ~~Boards~~~~A Board~~ shall ensure that referrals are made, as determined appropriate by
13 the Texas ~~Texas~~ Workforce Centers~~Center operator~~, or the Boards'~~Board's~~
14 designated service providers, to other available support services, including low-
15 income housing, application for food stamp benefits, low-cost medical assistance,
16 substance abuse treatment, counseling, vocational or physical rehabilitation, and
17 other services.
18
- 19 (d) ~~Boards~~~~A Board~~ shall ensure that hiring incentives are made available for Project RIO
20 job seekers, to include:
21
- 22 (1) Work Opportunity Tax Credits screening and conditional certification; and
23
- 24 (2) fidelity bonding ~~Fidelity Bonding~~ services, which are available through the
25 Agency~~Commission~~.
26

27 SUBCHAPTER F. EXPENDITURE OF FUNDS

28 §847.51. Use of Funds.

29 Boards shall ensure that monies made available for Project RIO employment activities
30 and support services pursuant to this chapter are used solely for the purpose of providing
31 employment activities and support services specified in this chapter.
32
33