

TEXAS WORKFORCE COMMISSION LETTER

ID/No: WD 33-00

Date: April 5, 2000

Key Word: Charitable Choice

To: Local Workforce Development Board Executive Directors
Local Charitable Choice Contacts
Texas Workforce Center Operators
LWDA Coordinators
Commission Executive Staff
Commission Local Offices

From: Jean Mitchell, Director of Workforce Development

Subject: Charitable Choice/Faith-Based Initiatives

PURPOSE:

To provide Local Workforce Development Boards (Boards) with:

- relevant information on faith-based, nonprofit community-based, and private organizations as providers of services to workforce development customers;
- an understanding of Charitable Choice and faith-based provisions in federal and State law;
- encouragement, within the parameters of the law, to contract for services with charitable and faith-based organizations;
- quarterly reporting requirements for Charitable Choice activities; and
- information on promoting and accessing the Texas Workforce Commission's (Commission) Charitable Choice Bulletin Board.

REFERENCE:

Personal Responsibility and Work Opportunity Reconciliation Act of 1996,
Section 104. Services Provided by Charitable, Religious, or Private Organizations
Executive Order GWB 96-10 as signed by the Governor on December 17, 1996
House Bill 2017, as passed by the 76th Legislature, Regular Session
House Bill 3656, as passed by the 76th Legislature, Regular Session

BACKGROUND:

Faith-based, nonprofit community-based, and private organizations have a long history of transforming lives by addressing the deeper needs of people by instilling hope and values which help change behavior and attitudes. In many instances, these organizations succeeded where traditional government programs were unsuccessful in moving people from dependence to self-sufficiency. Previously, many faith-based

organizations were reluctant to accept governmental funds in order to help the poor. Former laws restricted workforce development entities from coordinating and contracting with faith-based organizations. Federal and State laws now allow these institutions increased opportunities to transform lives and obtain results through the delivery of workforce development and support services:

- The federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (the Act) was signed into law on August 22, 1996. Section 104 of the Act provides that a state may administer and provide services through contracts with charitable, religious, or private organizations. Copies of the Act are available at <http://www.senate.gov/~ashcroft/pl104-193.pdf>
- The Governor, through Executive Order GWB 96-10 (a copy of which is included as Attachment A), has established the implementation of the Charitable Choice provision as a priority for all executive branch agencies in the State of Texas. The order directs "all pertinent executive branch agencies to: (i) take all necessary steps to implement the 'charitable choice' provision of the federal welfare law; and (ii) take affirmative steps prescribed by the Act to protect the religious integrity and the functional autonomy of participating faith-based providers and the religious freedom of their beneficiaries." The Executive Order further requires affected agencies to file a written report with the Office of the Governor on the implementation status of the Charitable Choice provision.
- House Bill (H.B.) 2017 amended Section 2308.303(a)(9) of the Government Code to provide that a Board shall promote cooperation and coordination among public organizations, community organizations, charitable organizations, religious organizations, and private businesses providing workforce development services in a manner consistent with federal statutory nondiscrimination principles and safeguards. H.B. 2017 further requires that the Commissioner of the Texas Department of Human Services (DHS) designate one employee in each of its administrative regions to serve as a liaison to regional faith-based organizations with the potential ability to provide community services for the needy. Copies of H.B. 2017 are available at <http://www.capitol.state.tx.us/>.
- H.B. 3656 amended Section 303.001 of the Labor Code to include faith-based organizations under the definition of community-based organizations that are eligible to receive a Skills Development Fund award, but only in partnership with a community college, a technical college, or the Texas Engineering Extension Service. Copies of H.B. 36566 are available at <http://www.capitol.state.tx.us/>.

Subsequent to the enactment of State law, the Commission established a process whereby Boards report, on a quarterly basis, their coordination and participation with local Charitable Choice organizations. The reporting mechanism was established not only to comply with federal and State law, but moreover, to build capacity and linkages with faith-based, nonprofit community-based, and private organizations. These were initial steps in building relationships with these entities so that they may have the opportunity to become key partners and providers of workforce development services.

OBJECTIVE:

To expand the use of faith-based, nonprofit community-based, and private organizations as providers of services to workforce development customers. The Charitable Choice/faith-based initiative is intended to benefit many customers, including employers, workers, and the public.

PROCEDURES:

General: Boards must develop and implement strategies for involving faith-based, nonprofit community-based, and private organizations in the delivery of local services, in accordance with federal and State laws. Boards must develop policies and procedures that foster cooperation, coordination, and participation by these organizations in workforce development programs and services.

Boards must expand their outreach, procurement, and contracting efforts to include these organizations as potential providers of services to workforce development customers. Boards must become familiar with relevant federal and State provisions for contracting with faith-based, nonprofit community-based, and private organizations. Boards must share this information with staff, Texas Workforce Centers, service providers, customers, and faith-based, nonprofit community-based, and private entities within the workforce area.

Boards must promote and encourage faith-based, nonprofit community-based, and private groups' cooperation, coordination, and participation in workforce development programs and services through financial and non-financial agreements. Workforce development services that may be contracted by Boards to faith-based, nonprofit community-based, and private organizations include, but are not limited to, activities provided under the Workforce Investment Act, Child Care, Choices, Food Stamp Employment and Training, and Welfare-to-Work programs.

Charitable Choice Quarterly Reports: In order to facilitate Commission reporting to the Office of the Governor on the effectiveness of this initiative, Boards are required to record and report quarterly to the Commission on their use of Charitable Choice service providers, capturing all relationships, both financial and non-financial.

Data that must be entered on the Charitable Choice Quarterly Reports include:

- Board contact information (name, phone number, and e-mail address). Boards must designate a Charitable Choice Quarterly Report contact who is responsible for compiling the Quarterly Report information and submitting the report to the Commission. The contact must be able to answer questions about the report.
- Name of the participating organization
- Religious affiliation (if applicable)
- List of services provided
- Whether services are voluntary or funded through a contract with the Board (if funded, note how much the entity is receiving and from what source).

Charitable Choice Quarterly Reports shall be submitted to the Commission by the tenth day of April (for the preceding months of January, February, March), the tenth

day of July (for April, May, June), the tenth day of October (for July, August, September), and the tenth day of January (for October, November, December).

Boards are currently submitting their Charitable Choice Quarterly Reports in a four-column Word document as specified in WD Letter 138-98, issued September 15, 1998. However, a new Quarterly Report format has been developed and is provided as Attachment B. Boards shall submit all future Quarterly Reports in the new format. The Quarterly Reports must be submitted electronically to charitable.choice@twc.state.tx.us.

Charitable Choice Bulletin Board: The Commission, in exploring ways to support and expand collaboration and partnerships between the workforce development network and faith-based, nonprofit community-based, and private organizations, has developed an Internet-based Bulletin Board whereby workforce development professionals and individuals seeking services have ready access to information on services offered.

Faith-based, nonprofit community-based, and private organizations are invited to post service information on the electronic Charitable Choice Bulletin Board that may be accessed by the workforce development network, employers, workers, and the public. Services that may be posted include, but are not limited to:

- Child care
- Transportation
- Job readiness
- Job skills training
- Literacy
- General Educational Development (GED)
- English as a Second Language (ESL)
- Food
- Shelter
- Clothing
- Social services
- Referral to other sources of service
- Counseling services
- Other services

Boards should utilize and promote the use of the Charitable Choice Bulletin Board as a means of expanding the use services provided by faith-based, nonprofit community-based, and private organizations. Individuals in need of workforce development and support services are intended to be the ultimate beneficiaries of the Charitable Choice Bulletin Board. Coordination of resources will assist them in achieving and retaining employment and self-sufficiency. Boards must notify service providers, including Texas Workforce Center operators, of the Charitable Choice Bulletin Board. Texas Workforce Center staffs are encouraged to become familiar with the site and use the information when determining available resources to meet a customer's workforce development and support service needs.

Boards must also notify local faith-based, nonprofit community-based, and private organizations of the Charitable Choice Bulletin Board and encourage these organizations to post information on the site. Information may be directly submitted to the Bulletin Board.

The Charitable Choice Bulletin Board Internet site is user-friendly and provides a self-directed format whereby organizations may enter, by workforce area, their names, addresses, telephone numbers, and available services. The Bulletin Board may be accessed by selecting the Charitable Choice link that is listed on the Home Page of the Commission's Internet site that is located at <http://www.twc.state.tx.us/>. When the Charitable Choice page is opened, users are presented with two options: (1) *Search Bulletin Board* or (2) *Submit Information* to the Bulletin Board.

Organizations wishing to submit information to the Charitable Choice Bulletin Board must select the *Submit Information* option. Upon selecting that option, an Acceptable Use Agreement screen is presented. Organizations must consent to the provisions of the Acceptable Use Agreement prior to submitting their information. After selecting the *Agree* option, enter the requested organizational data. Initial submission of information will go into a temporary database. The Commission will review the submission for adherence to the Acceptable Use Agreement. If the entry is in compliance with the Agreement, the Charitable Choice organization's information will be published on the Bulletin Board within seven working days.

To search the Charitable Choice Bulletin Board for information on each organization, select the *Search Bulletin Board* option, the local area choice, and services needed.

The Bulletin Board includes a disclaimer stating neither the Commission nor Boards are endorsing any organization, program, institution, or individual or guaranteeing the accuracy of the posted information.

Boards must assist local Charitable Choice organizations that desire to submit information to the Bulletin Board but do not have access to Internet services. In such situations, Boards must direct the organization to the nearest Texas Workforce Center where Internet accessibility is available for information entry.

The Charitable Choice Bulletin Board will be available April 7, 2000.

ACTIONS REQUIRED:

General: Boards must develop and implement strategies for involving faith-based, nonprofit community-based, and private organizations in the delivery of local programs, in accordance with federal and State laws. Boards must develop policies and procedures that support cooperation, coordination, and participation by these organizations in workforce development programs and services.

Boards must expand their outreach, procurement, and contracting efforts to include Charitable Choice organizations as providers of services to workforce development customers. Boards must promote and encourage faith-based, nonprofit community-

based, and private groups' cooperation, coordination, and participation in workforce development programs and services through financial and non-financial agreements.

Quarterly Reports: Boards must develop internal methods to capture their coordination, participation and integration with faith-based, nonprofit community-based, and private organizations for quarterly reporting to the Commission. Boards must compile and electronically submit Charitable Choice Quarterly Reports according to the following schedule and in the designated format attached.

Charitable Choice Quarterly Reports shall be submitted to the Commission by the tenth day of April (for the preceding months of January, February, March), the tenth day of July (for April, May, June), the tenth day of October (for July, August, September), and the tenth day of January (for October, November, December).

Charitable Choice Bulletin Board: Boards should use the Charitable Choice Bulletin Board to expand the use of services provided by faith-based, nonprofit community-based, and private organizations. Boards must notify service providers, including Texas Workforce Center operators, of the Charitable Choice Bulletin Board and encourage its use in meeting a customer's workforce development and support service needs.

Boards must also notify local faith-based, nonprofit community-based, and private organizations of the Charitable Choice Bulletin Board, and encourage these organizations to post information on the site. Any organization submitting information to the Bulletin Board must consent to the provisions of an Acceptable Use Agreement that is located at the site. Boards must provide Internet accessibility to the Charitable Choice Bulletin Board.

INQUIRIES:

Direct inquiries to Steven R. Moon at steve.moon2@twc.state.tx.us, (512) 463-2691, or to Charitable Choice at charitable.choice@twc.state.tx.us.

ATTACHMENTS:

- Attachment A: Executive Order GWB 96-10
- Attachment B: Charitable Choice Quarterly Report Form

Rescissions: WD Letter 138-98	Expiration: Continuing
-------------------------------	------------------------