

TABLE OF CONTENTS

CHAPTER 302.	DIVISION OF WORKFORCE DEVELOPMENT	3
<i>Subchapter A.</i>	<i>General Provisions</i>	3
Sec. 302.001.	Definitions.....	3
Sec. 302.002.	General Workforce Development Powers and Duties of Commission and Executive Director	3
Sec. 302.0025.	Employment Plan and Postemployment Strategies	5
Sec. 302.0026.	Employment Services Referral Program	5
Sec. 302.0027.	Financial Literacy Training.....	5
Sec. 302.003.	Job Retention and Reemployment Assistance.....	6
Sec. 302.0034.	Employment Assistance Program for Certain Families of Military Personnel.....	6
Sec. 302.0035.	Employment Assistance Program for Certain Parents.....	6
Sec. 302.0036.	Transportation Assistance	6
Sec. 302.0037.	Maximizing Federal Funds for Transportation Assistance.....	7
Sec. 302.0038.	Housing Resources for Certain Recipients of Financial Assistance and Certain Nonrecipient Parents.....	7
Sec. 302.004.	Funds for Job Training, Employment Services, and Child Care.....	8
Sec. 302.0041.	Child-Care Demonstration Project Grants.....	8
Sec. 302.0042.	Evaluation of Allocation Formulas for Child Care Development Funds.....	9
Sec. 302.0043.	Evaluation of Effectiveness of Subsidized Child Care Program	9
Sec. 302.0044.	Wage Tracking of TANF Choices Program Recipients.....	10
Sec. 302.0045.	Quality Initiatives by Commission.....	11
Sec. 302.0046.	Notice Regarding Termination of Certain Child-Care Services	11
Sec. 302.005.	Child-Care Training Center Pilot Programs	11
Sec. 302.0055.	Expired	13
Sec. 302.006.	Professional Child-Care Training Scholarships, Bonuses, and Wage Supplementation.....	13
Sec. 302.007.	Report on Trade Adjustment Programs	14
Sec. 302.008.	Statewide Technology Workforce Campaign.....	15
Sec. 302.009.	Job Placement Incentive Program	15
Sec. 302.010.	Postemployment Services Guidelines	16
Sec. 302.011.	Postemployment Case Management and Mentoring	16
Sec. 302.012.	Monitoring of Employment History of Certain Former Recipients of Public Assistance.....	16
Sec. 302.013.	Local Workforce Development Board Advisory Committee	17
Sec. 302.015.	Provision of Employment Services to Certain Nonrecipient Parents	18
Sec. 302.016.	Peace Officer Employment Opportunity Internet Website.....	18
Sec. 302.016.	Rules Regarding Private Sector Prison Industries Programs	20
<i>Subchapter B.</i>	<i>Jurisdiction of Division of Workforce Development</i>	20
Sec. 302.021.	Consolidation of Workforce Development Programs.....	20
Sec. 302.022.	Client Accessibility	21
Sec. 302.023.	Delegation of Functions	21
<i>Subchapter C.</i>	<i>State-Local Planning; Local Workforce Development Boards</i>	22
Sec. 302.041.	State-Local Planning Process	22
Sec. 302.042.	Review of Local Plans; Recommendations	22
Sec. 302.043.	Training for Local Workforce Development Board Members	22
Sec. 302.044.	Outreach Activities.....	23
Sec. 302.045.	Sanctions Plan	23
Sec. 302.046.	Plan Regarding Lack of Service Providers.....	23
Sec. 302.047.	Flexibility Rating System for Commission Directives	23
Sec. 302.048.	Assessment of Local Workforce Development Board's Capacity to Oversee and Manage Local Funds and Delivery of Services	24
<i>Subchapter D.</i>	<i>Allocation of Funds; Block Grant Program</i>	24
Sec. 302.061.	Administration Funding	24
Sec. 302.062.	Block Grants to Local Workforce Development Areas.....	25
Sec. 302.063.	Waivers	26
Sec. 302.064.	Collaboration with Local Boards.....	26
Sec. 302.065.	Integration of Block Grant Programs and Workforce Services	27
<i>Subchapter E.</i>	<i>Workforce Development Evaluation System</i>	27
Sec. 302.081.	Maintenance and Operation of Workforce Development Evaluation System	27
Sec. 302.082.	Information and Data for Evaluation System	28
Sec. 302.083.	Analysis.....	28
Sec. 302.084.	Use by Texas Higher Education Coordinating Board.....	29

Sec. 302.085.	Use by Council and Workforce Development Board	29
Sec. 302.086.	Use of Evaluation System	29
<i>Subchapter F.</i>	<i>Employment and Training Investment Assessment</i>	<i>29</i>
Sec. 302.101.	Training Stabilization Fund.....	29
<i>Subchapter G.</i>	<i>Priority of Service In Job Training and Employment Assistance Programs</i>	<i>30</i>
Sec. 302.151.	Definitions.....	30
Sec. 302.152.	Priority Of Service Required	30
Sec. 302.153.	Participation In State-Funded Programs	30
Sec. 302.154.	Participation In Texas Veterans Commission Programs.....	31

CHAPTER 302. DIVISION OF WORKFORCE DEVELOPMENT

Subchapter A. General Provisions

Sec. 302.001. Definitions

In this chapter:

- (1) **"Director"** means the director of the division.
- (2) **"Division"** means the division of workforce development of the commission.
- (3) **"Nonrecipient parent"** has the meaning assigned by Section 31.0021, Human Resources Code.

Sec. 302.002. General Workforce Development Powers and Duties of Commission and Executive Director

- (a) The executive director shall:
 - (1) to the extent feasible under federal law, consolidate the administrative and programmatic functions of the programs under the authority of the commission to achieve efficient and effective delivery of services;
 - (2) administer each program and implement corresponding federal and state legislation consolidated under the authority of the commission under this chapter and other applicable state law;
 - (3) determine the organization and methods of procedure of the division in accordance with applicable state and federal legislation;
 - (4) appoint and prescribe the duties of all officers, administrators, accountants, attorneys, experts, and other employees as necessary in the performance of the division's duties;
 - (5) delegate authority to persons appointed under this section as the executive director considers reasonable and proper for the effective administration of the division;
 - (6) bond any person who handles money or signs checks for the division;
 - (7) implement workforce training and services policies and programs, consistent with recommendations from the council and as approved by the governor;

- (8) serve as an advocate at the state and federal levels for local workforce development boards;
 - (9) contract with local workforce development boards for program planning and service delivery;
 - (10) provide training and professional development services for division staff, local workforce development boards, and the staff of those boards;
 - (11) support research and demonstration projects designed to develop new programs and approaches to service delivery;
 - (12) provide technical assistance and support to local workforce development boards;
 - (13) prepare an annual agency performance report for submission to the governor, the legislature, the commission, and the council;
 - (14) design and administer a statewide comprehensive labor market information system;
 - (15) serve as the chair of the State Occupational Information Coordinating Committee; and
 - (16) perform other functions and duties as may be required by law or assigned by the commission.
- (b) The executive director may make expenditures, enter into contracts with public, private, and nonprofit organizations, require reports, conduct investigations, and take other action the executive director or commission considers necessary or suitable to fulfill the division's administrative duties.
- (c) The executive director may enter interagency contracts and memoranda of understanding with other state agencies for the performance of administrative functions of the agency.
- (d) The commission shall adopt rules in accordance with Chapter 2001, Government Code, as necessary for the proper administration of the division.
- (e) The executive director may obligate funds from the skills development fund in a manner consistent with the rules adopted by the commission for that program. The executive director shall report to the governor, the legislature, the commission, and the council on a quarterly basis regarding actions taken under this subsection.
- (f) In addition to the services provided under Subsection (a)(12), the executive director may enter into contracts with local workforce development boards or other entities to establish service level agreements for technology assistance and support. The executive director may charge fees for services based on the service level options selected by those entities. All fees collected under

this subsection may be used only by the commission to pay costs incurred in providing those services.

Sec. 302.0025. Employment Plan and Postemployment Strategies

- (a) The commission shall ensure that an individual employment plan developed for a recipient of financial assistance or a nonrecipient parent participating in an employment program under Chapter 31, Human Resources Code, includes specific postemployment strategies to assist the recipient or the nonrecipient parent in making a transition to stable employment at a wage that enables the person and the person's family to maintain self-sufficiency.
- (b) The individual employment plan must:
 - (1) consider the person's individual circumstances and needs in determining the person's initial job placement;
 - (2) identify a target wage that enables the person and the person's family to maintain self-sufficiency;
 - (3) provide specific postemployment goals and include methods and time frames by which the person is to achieve those goals; and
 - (4) refer the person to additional educational and training opportunities.

Sec. 302.0026. Employment Services Referral Program

- (a) The commission and local workforce development boards shall develop an employment services referral program for recipients of financial assistance and nonrecipient parents who participate in employment programs under Chapter 31, Human Resources Code, and have, in comparison to other recipients or nonrecipient parents, higher levels of barriers to employment. The referral program must be designed to provide to a recipient or a nonrecipient parent referrals to preemployment and postemployment services offered by community-based organizations.
- (a) In developing the referral program, the commission and local workforce development boards shall, subject to the availability of funds, coordinate partnerships and contract with community-based organizations that provide employment services specifically for persons with high levels of barriers to employment.

Sec. 302.0027. Financial Literacy Training

- (a) The commission and local workforce development boards shall ensure that each workforce development program offered in this state includes training in financial literacy.
- (b) The division shall develop materials and information to be included in the training required by Subsection (a).

- (b) The commission may accept a donation of services, money, or property that the commission determines furthers the financial literacy training program. The donation must be accepted in an open meeting by a majority of the voting members of the commission and must be reported in the public records of the commission along with the name of the donor and the purpose of the donation.

Sec. 302.003. Job Retention and Reemployment Assistance

The division may provide ongoing job retention and reemployment assistance for a recipient of public assistance or nonrecipient parent who has participated in a job training program.

Sec. 302.0034. Employment Assistance Program for Certain Families of Military Personnel

- (a) The commission shall provide employment assistance services, including job placement and other employment-related services, to the spouses and dependents of military personnel who are assigned to duty in this state.
- (a) The commission shall provide the services described by Subsection (a) in cooperation with the local workforce development boards in areas of the state having a defense community, as that term is defined by Section 481.501, Government Code.
- (b) The commission may accept and apply for gifts, grants, donations, and appropriations from public and private sources to fund the commission's duties under this section. The commission may use money from job training funds and other money appropriated by the legislature to implement the requirements of this section.

Sec. 302.0035. Employment Assistance Program for Certain Parents

The commission shall provide employment assistance services, including skills training, job placement, and employment-related services, to a person referred to the commission by:

- (1) the Title IV-D agency under Chapter 231, Family Code; or
- (2) a court under Section 157.211, Family Code.

Sec. 302.0036. Transportation Assistance

- (a) To the extent funds are available, the commission and local workforce development boards shall provide transportation assistance to recipients of financial assistance and nonrecipient parents participating in employment programs under Chapter 31, Human Resources Code, that enables the recipients and nonrecipient parents to maintain a stable work history and attain financial stability and self-sufficiency.

- (b) The commission and local workforce development boards may provide the assistance described by Subsection (a) by implementing new initiatives or expanding existing initiatives that provide transportation assistance to recipients of financial assistance or nonrecipient parents for whom transportation is a barrier to employment.

Sec. 302.0037. Maximizing Federal Funds for Transportation Assistance

- (a) The commission and local workforce development boards shall maximize the state's receipt of federal funds available to provide transportation assistance to recipients of financial assistance and nonrecipient parents participating in employment programs under Chapter 31, Human Resources Code.
- (b) The commission and local workforce development boards may, within any applicable appropriation limits, take any action required by federal law to receive federal funds to provide transportation assistance.

Sec. 302.0038. Housing Resources for Certain Recipients of Financial Assistance and Certain Nonrecipient Parents

- (a) The commission, in cooperation with local workforce development boards, shall, for a recipient of financial assistance or nonrecipient parents participating in an employment program under Chapter 31, Human Resources Code:
 - (1) identify unmet housing needs and assess whether those needs are barriers to the person's full participation in the workforce and attainment of financial stability and self-sufficiency; and
 - (2) develop a service plan that takes into consideration the person's unmet housing needs.
- (b) The commission by rule shall develop and implement a program through which a recipient or a nonrecipient parent identified under Subsection (a) as having unmet housing needs is referred by the commission or local workforce development board to agencies and organizations providing housing programs and services and connected to other housing resources. To provide those referrals and connections, the commission shall establish collaborative partnerships between:
 - (1) the commission;
 - (2) local workforce development boards;
 - (3) municipal, county, and regional housing authorities; and
 - (4) sponsors of local housing programs and services.
- (c) The commission shall ensure that commission and local workforce development board staff members receive training regarding the programs and services offered by agencies and

organizations with which the commission establishes partnerships under Subsection (b) and other available housing resources.

Sec. 302.004. Funds for Job Training, Employment Services, and Child Care

In providing job training and employment services and child care to eligible persons, the commission, notwithstanding the provisions in this chapter or other law, may establish a need-based formula to allocate funds available under the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Pub. L. No. 104-193) for job training and employment services and child care to local workforce development areas so as to ensure compliance with federal participation rates and requirements and full utilization of the funding.

Sec. 302.0041. Child-Care Demonstration Project Grants

- (a) The commission may make grants available on a one-time basis to local workforce development boards to enable the boards to design and implement child-care demonstration projects.
- (b) A local workforce development board that receives a grant under this section shall use the grant to design and implement a demonstration project that:
 - (1) expands child-care services in underserved rural local workforce development areas, including:
 - (A) home-based child-care services;
 - (B) child-care services at nontraditional times, including services that accommodate the child-care needs of parents who work shift-schedules, evenings, and weekends; or
 - (C) services to link child-care programs, prekindergarten programs under Subchapter E, Chapter 29, Education Code, and the federal Head Start program;
 - (2) creates or expands existing pilot programs, based on demonstration models from other states, that provide strategies for successfully recruiting and retaining child-care providers;
 - (3) creates pilot programs designed to assist low-income, at-risk parents receiving child-care services provided by the commission for extended periods who may benefit from career counseling and employment location services that promote the potential for career advancement; or
 - (4) develops initiatives that foster school readiness in young children and encourage pre-reading and problem-solving skills in those children.
- (c) To be eligible for a grant under this section, a local workforce development board must:

- (1) conduct the demonstration project for which the grant is made in a manner that allows replication of the project in whole or part by other local workforce development boards to address similar child-care service needs in underserved local workforce development areas; and
 - (2) use the grant to develop direct child-care services that, at the conclusion of the demonstration project, may be funded.
- (d) Child-care services that may continue to be funded under Subsection (c)(2) at the conclusion of the demonstration project may be funded through existing local workforce development board resources for child-care services or other local resources.

Sec. 302.0042. Evaluation of Allocation Formulas for Child Care Development Funds

- (a) The commission shall annually evaluate the formulas used by the commission to distribute federal child care development funds to local workforce development boards in order to ensure that the formulas address the child care needs of each local workforce development board.
- (b) The commission's evaluation must assess:
 - (1) the use of current federal child care funds by each local workforce development board;
 - (2) the ability of each local workforce development board to meet child care performance measures;
 - (3) the average cost of child care in each local workforce development area;
 - (4) the poverty rate of each local workforce development area compared to the state's poverty rate;
 - (5) the number of children on waiting lists for child care in each local workforce development area; and
 - (6) the number of vacant slots available for child care placement in each local workforce development area.

Sec. 302.0043. Evaluation of Effectiveness of Subsidized Child Care Program

- (a) To evaluate the effectiveness of the commission's child care program in helping parents who receive subsidized child care to maintain employment, the commission shall compile, regarding each parent receiving subsidized child care from the commission's child care program, the following information regarding the wage and employment status of the parent:
 - (1) if the parent receives both financial assistance under Chapter 31, Human Resources Code, and subsidized child care, whether the parent:

- (A) finds employment; and
 - (B) maintains the parent's employment after one year;
- (2) if the parent receives only subsidized child care, whether the parent:
 - (A) maintains the parent's employment; and
 - (B) experiences a change in the parent's earnings after one year of employment; and
- (3) if the parent leaves the child care program:
 - (A) the parent's reason for leaving the program; and
 - (B) whether the parent returns to financial assistance under Chapter 31, Human Resources Code, or becomes a recipient of financial assistance under that chapter for the first time.
- (b) The commission may use the wage and employment records of the parents to determine the employment outcome of the parents.
- (c) The commission shall also measure and evaluate the effectiveness of the commission's child care program in:
 - (1) improving the training of child care professionals; and
 - (2) facilitating collaboration with Head Start, the Texas Education Agency, the Department of Protective and Regulatory Services, and the Health and Human Services Commission.
- (d) The commission shall periodically analyze the information collected by the commission under this section and shall compile its findings regarding the effectiveness of the commission's child care program.
- (e) The commission shall make the information collected by the commission and the commission's findings available to local workforce development boards.
- (f) Not later than January 15 of each odd-numbered year, the commission shall report to the legislature regarding the commission's findings regarding the effectiveness of the commission's child care program.

Sec. 302.0044. Wage Tracking of TANF Choices Program Recipients

- (a) The commission, in consultation with local workforce development boards, shall compile the following information with regard to each recipient of employment services under the Temporary Assistance for Needy Families (TANF) CHOICES program:

- (1) whether the recipient is placed in employment paying wages equal to or exceeding 200 percent of the federal poverty level for a family that is the size of the recipient's family; and
 - (2) if the recipient is placed in employment earning wages equal to or exceeding the amount described by Subdivision (1), whether the recipient has earned that amount before the first anniversary of the date of the recipient's initial date of employment.
- (b) Not later than December 15 of each year, the commission shall report to the legislature the percentage of recipients of employment services under the Temporary Assistance for Needy Families (TANF) CHOICES program who meet the wage criteria described by Subsections (a)(1) and (2).

Sec. 302.0045. Quality Initiatives by Commission

- (a) The commission shall collect state and local information relating to the effectiveness of the use of four percent quality dollars by local workforce development boards. The commission shall produce a report that highlights promising practices in expanding quality early education.
- (b) In performing its duties under this section, the commission shall report to the legislature and other interested persons on local programs and services that show promise in expanding access to quality early education.

Sec. 302.0046. Notice Regarding Termination of Certain Child-Care Services

- (a) The commission shall direct each local workforce development board to notify a working poor subsidy recipient who resides in that board's local workforce development area and who receives child-care services from a child-care services program financed through state or federal funds of any termination of the subsidy for any reason other than involuntary termination resulting from the recipient's actions or failure to act.
- (b) Except as otherwise provided by this subsection, the local workforce development board shall provide the notice in writing to the recipient not later than the 30th day before the scheduled date of termination of the affected child-care services subsidy. The notice must include information regarding other child-care services programs under which the recipient may be eligible for services. If providing notice on or before the deadline specified by this subsection would interfere with the ability of the local workforce development board to comply with its duties regarding the number of children to be served or would require the expenditure of funds in excess of the amount appropriated to the board, the board may provide the notice on the earliest date on which it is practicable for the board to provide notice.

Sec. 302.005. Child-Care Training Center Pilot Programs

- (a) The commission shall establish four pilot programs in which the division shall certify day-care facilities licensed under Chapter 42, Human Resources Code, as training centers that offer

training and certification for recipients of public assistance in basic skills, child care, child-care vendor entrepreneurial training, and early childhood education. The commission shall determine the pilot sites, with at least one site in an urban area and at least one site in a rural area.

- (b) The commission shall cooperate with the Department of Protective and Regulatory Services in the adoption of rules under this section. The commission may not adopt a rule under this section that conflicts with a rule of the Department of Protective and Regulatory Services.
- (c) The commission shall award a contract to a child-care facility to act as a training center based on:
 - (1) the level of training of the facility's staff; and
 - (2) the history of the facility in delivering high-quality care.
- (d) The child-care subsidy for a person who participates in training through a pilot program and who qualifies for a subsidy for the person's child shall be paid directly to the facility. The facility may not count such a person in the facility's child-to-staff ratio.
- (e) A person who is a recipient of financial assistance under Chapter 31, Human Resources Code, may qualify to participate in training through a pilot program by applying to the commission and:
 - (1) providing proof of possession of a high school diploma or the equivalent or enrollment in a program leading to a high school diploma or the equivalent;
 - (2) demonstrating possession of general skills and competence, as determined by commission rule; and
 - (3) demonstrating, to the satisfaction of the commission, a long-term commitment to the early childhood care profession.
- (f) Funding for a person who participates in training through a pilot program shall be provided through a work supplement program for 12 months. The commission may provide additional funding for the person to participate in training through the pilot program for an additional 12 months.
- (g) The commission may also provide funding for a person who participates in training through a pilot program to:
 - (1) complete the person's Child Development Associate national credential, Certified Child-Care Professional Credential, or other child-care certification, as determined by the commission;
 - (2) participate in ongoing interactive training; and
 - (3) provide start-up grants and loans to establish the person's own child-care business.

- (h) A facility that provides training through a pilot program shall maintain a mentor relationship with each person who participates in training through the program at the facility. A person who participates in training at a facility may be required to participate in additional training programs after the date the person completes the pilot program.
- (i) The child of a person who participates in training through a pilot program is entitled to the same discounted rate for child-care services at the facility in which the person is participating in training that the facility offers to the facility's employees. The child-care subsidy provided for the person's child shall be paid to the facility in which the person is participating in training at the rate that the facility offers to the facility's employees. The money saved by the commission under this subsection may be used by the commission to administer the pilot program established under this section.
- (j) The commission shall adopt rules that establish eligibility criteria for a facility to participate in a pilot program and provide requirements for implementation of the pilot program.

[Note: S.B. 280, 78th Legislature, repealed (k).]

- (l) In this section, "**work supplement program**" means a program under which the state reserves all or part of the amounts that would be payable as benefits to welfare recipients and uses those amounts to provide and subsidize jobs for the recipients.

Sec. 302.0055. Expired

Sec. 302.006. Professional Child-Care Training Scholarships, Bonuses, and Wage Supplementation

- (a) The commission may develop and administer a program under which the commission awards scholarships in the amount of \$1,000 each for professional child-care training to eligible recipients.
- (b) A recipient may use a scholarship awarded under this section only to pay expenses associated with obtaining:
 - (1) Child Development Associate (CDA) national credentials;
 - (2) Certified Child-Care Professional (CCP) credentials; or
 - (3) a level one certificate or associate's degree in the area of child development or early childhood education from a public or private institution of higher education.
- (c) To be eligible to receive a scholarship awarded under this section, a person must:
 - (1) be employed in a child-care facility, as defined by Section 42.002, Human Resources Code;

- (2) intend to obtain a credential, certificate, or degree specified in Subsection (b);
 - (3) agree to work for at least 18 additional months in a child-care facility, as defined by Section 42.002, Human Resources Code, that accepts federal Child Care Development Fund subsidies and that, at the time the person begins to fulfill the work requirement imposed by this subdivision, is located:
 - (A) within the attendance zone of a public school campus considered low-performing under Subchapter E, Chapter 39, Education Code; or
 - (B) in an economically disadvantaged community, as determined by the commission; and
 - (4) satisfy any other requirements adopted by the commission.
- (d) A person may not receive more than one scholarship awarded under this section.
- (e) In addition, the commission may provide for payment of a bonus or wage supplementation to a scholarship recipient who for 18 months after the date of receiving the scholarship provides care for children younger than six years of age while remaining in the employment of the child-care facility that employed the person when the scholarship was awarded and that meets the requirements of Subsection (c)(3). Any bonus or wage supplementation provided under this subsection shall be paid in equal shares by the scholarship recipient's employer and the commission. The commission shall determine the amount of any bonus and the amount and duration of any wage supplementation provided under this subsection.
- (f) The commission shall fund scholarships and any bonuses or wage supplementation provided under this section through federal Child Care Development funds or other funding sources available to the commission. Total funding may not exceed \$2 million per state biennium.
- (g) The commission shall adopt rules necessary to implement this section. The rules must include provisions that:
- (1) address the computation of the 18-month service requirement prescribed by Subsection (c); and
 - (2) ensure that the commission may recover scholarship money from a recipient who fails to comply with that service requirement or any other requirement imposed by the commission.

Sec. 302.007. Report on Trade Adjustment Programs

- (a) The commission shall submit an annual report to the legislature on the effectiveness of federal programs designed to provide trade adjustment assistance to persons in this state.

- (b) The report shall include the following information regarding persons who have participated in a program described by Subsection (a):
- (1) the number of persons who enter employment;
 - (2) the occupations in which the persons are placed;
 - (3) the wages earned by persons before and after participation in the program;
 - (4) whether a person who enters employment after completion of a program retains that employment for at least six months;
 - (5) the number of persons participating in integrated vocational and language training programs; and
 - (6) whether a participant has acquired basic skills to enhance employability in the participant's local labor market.

Sec. 302.008. Statewide Technology Workforce Campaign

The commission shall develop an information and marketing campaign designed to encourage residents of the state to enter the technology workforce. The campaign shall target populations that are traditionally economically disadvantaged and underrepresented in the technology workforce.

Sec. 302.009. Job Placement Incentive Program

- (a) The commission by rule shall develop a job placement incentive program under which persons with whom local workforce development boards contract for employment services under Chapter 2308, Government Code, are provided incentives for placing recipients of financial assistance and nonrecipient parents participating in employment programs under Chapter 31, Human Resources Code, in higher-wage jobs, as determined by the commission.
- (b) In developing guidelines for the job placement incentive program, the commission shall:
- (1) define measures for higher-wage jobs based on:
 - (A) locally appropriate indicators of the wages necessary to lift recipients of employment services out of poverty and into self-sufficiency; and
 - (B) the self-sufficiency wage developed for each local workforce development board under the Workforce Investment Act of 1998 (29 U.S.C. Section 2801 et seq.); and
 - (2) involve representatives of local workforce development boards in developing guidelines for the program and the measures for higher-wage jobs.

- (c) The commission shall administer the job placement incentive program through the local workforce development boards.
- (d) A local workforce development board that provides a monetary incentive under the job placement incentive program to a person with whom the board contracts for employment services shall require the person to use the money for expenses relating to education, training, and support services necessary to prepare, place, and maintain recipients of financial assistance and nonrecipient parents in jobs paying wages that allow those persons to attain self-sufficiency.

Sec. 302.010. Postemployment Services Guidelines

- (a) The commission by rule shall develop guidelines under which local workforce development boards provide postemployment services to a recipient of financial assistance or nonrecipient parent participating in an employment program under Chapter 31, Human Resources Code.
- (b) In developing the guidelines, the commission must consider the difficulties the recipient is likely to encounter in acquiring additional education and training after becoming employed.
- (c) The commission shall assist local workforce development boards in meeting the guidelines by providing information about model programs and best practices, including employer involvement in past employment services.
- (b) The commission shall involve representatives of local workforce development boards and other appropriate organizations in developing the guidelines and identifying model programs and best practices.

Sec. 302.011. Postemployment Case Management and Mentoring

The commission shall encourage local workforce development boards to provide postemployment case management services for and use mentoring techniques to assist recipients of financial assistance and nonrecipient parents who participate in employment programs under Chapter 31, Human Resources Code, and have, in comparison to other recipients and nonrecipient parents, higher levels of barriers to employment. The case management services and mentoring techniques must be designed to increase the person's potential for wage growth and development of a stable employment history.

Sec. 302.012. Monitoring of Employment History of Certain Former Recipients of Public Assistance

- (a) The division shall develop and implement a system to monitor the long-term employment history of persons who are former recipients of assistance under employment programs operated by the division under:
 - (1) Chapter 31, Human Resources Code; and
 - (2) 7 U.S.C. Section 2015(d).

- (b) In designing the system, the division shall cooperate with the Texas Department of Human Services.
- (c) For each former recipient of assistance, the system must be designed to:
 - (1) establish a baseline earnings measure based on the recipient's earnings on leaving the employment program;
 - (2) track the wage and employment outcomes of the recipient for a period of up to but not more than three years;
 - (3) provide, to the extent possible, information regarding the recipient's household composition and earnings;
 - (4) provide, to the extent possible, information regarding additional training or education received by the recipient;
 - (5) compute:
 - (A) the recipient's individual earnings as a percentage of the federal poverty level; and
 - (B) if data is available, the recipient's household earnings as a percentage of the federal poverty level; and
 - (C) if data is available, the recipient's income as a percentage of the federal poverty level adjusted for the total value of any public assistance utilized by the recipient's household, including, but not limited to, medical assistance, food stamps, child care, transportation assistance, the federal earned income tax credit, and job training activities; and
 - (6) compare the recipient's individual earnings to a self-sufficiency standard similar to that required under 20 C.F.R. Section 663.230.
- (d) The commission shall report to the legislature not later than January 1 of each odd-numbered year regarding the information obtained from the system developed under Subsection (a). The report required under this subsection may be made separately or as a part of any other required report submitted to the legislature by the commission.

Sec. 302.013. Local Workforce Development Board Advisory Committee

- (a) In this section, "**advisory committee**" means the local workforce development board advisory committee created under this section.

- (b) The organization composed of a member of and the staff director of each local workforce development board in this state shall establish a local workforce development board advisory committee composed of nine members appointed by the executive officers of that organization.
- (c) The advisory committee shall be composed of:
 - (1) six members of local workforce development boards who serve as members of the organization described by Subsection (b); and
 - (2) three staff directors of local workforce development boards who serve as members of the organization described by Subsection (b).
- (d) The members of the advisory committee must represent different geographic areas of the state.
- (e) The advisory committee shall:
 - (1) meet at least quarterly;
 - (2) report to the commission at least annually; and
 - (2) advise the commission and commission staff regarding the programs, policies, and rules of the commission that affect the operations of local workforce development boards and the local workforce delivery system.

[NOTE: H.R. 1452, 81st Legislature, repealed Section 302.014.]

Sec. 302.015. Provision of Employment Services to Certain Nonrecipient Parents

The commission shall provide employment services, including needs assessment, job training, postemployment, and related support services, to nonrecipient parents to the same extent the services are provided to recipients of financial assistance under Chapter 31, Human Resources Code.

NOTE: The 81st Legislature enacted two separate provisions (HB 2580 and HB 1914) designated as Sec. 302.016, Subchapter A, Chapter 302, Labor Code. Both provisions are set out below.

Sec. 302.016. Peace Officer Employment Opportunity Internet Website

- (a) In this section, "peace officer" has the meaning assigned by Section 1701.001, Occupations Code.
- (b) The commission shall develop, maintain, and promote a statewide employment opportunity Internet website to facilitate:
 - (1) public awareness of peace officer employment opportunities with state and local law enforcement agencies; and

- (2) an exchange of information between individuals seeking employment as peace officers in this state and state and local law enforcement agencies seeking applicants for employment as peace officers.
- (c) The Internet website must:
 - (1) be accessible to members of the public; and
 - (2) provide to individuals seeking employment as peace officers and state and local law enforcement agencies that have posted employment opportunities on the website an organized means of exchanging information.
- (d) The commission shall contract with the Commission on Law Enforcement Officer Standards and Education to develop a license verification interface to verify whether an applicant for employment as a peace officer:
 - (1) holds a current license issued by the Commission on Law Enforcement Officer Standards and Education under Chapter 1701, Occupations Code, and, if so, the level of that license; and
 - (2) has had the applicant's license revoked or suspended by the Commission on Law Enforcement Officer Standards and Education.
- (e) The Commission on Law Enforcement Officer Standards and Education shall provide the commission with technical assistance in the development and testing of the license verification interface under Subsection (d).
- (f) If the development and operation of the Internet website and the associated license verification interface is not possible due to a lack of available funding, the commission shall:
 - (1) enter into a memorandum of understanding with the Commission on Law Enforcement Officer Standards and Education to integrate a peace officer job matching database for individuals seeking employment as peace officers in this state and state and local law enforcement agencies seeking applicants for employment as peace officers into the commission's existing Labor Exchange System; and
 - (2) ensure that:
 - (A) the commission registers an Internet domain name that is unique and that identifies on its face the purpose of the peace officer job matching database; and
 - (B) the registered domain name and associated link directs users of the Internet to a web page that instructs users on how to use the Labor Exchange System and includes a link to enter that system.

Sec. 302.016. Rules Regarding Private Sector Prison Industries Programs

The commission shall adopt rules necessary to implement Section 497.0596(a) (4), Government Code.

Subchapter B. Jurisdiction of Division of Workforce Development

Sec. 302.021. Consolidation of Workforce Development Programs

- (a) The following job-training, employment, and employment-related educational programs and functions are consolidated under the authority of the commission:
- (1) career school and college programs under Chapter 132, Education Code;
 - (2) apprenticeship programs under Chapter 133, Education Code;
 - (3) postsecondary vocational and technical job-training programs that are not a part of approved courses or programs that lead to licensing, certification, or an associate degree under Chapters 61, 130, and 135, Education Code, Subchapter E, Chapter 88, Education Code, and Subchapter E, Chapter 96, Education Code;
 - (4) employment programs under Chapter 31, Human Resources Code;
 - (5) the senior citizens employment program under Chapter 101, Human Resources Code;
 - (6) the work and family policies program under Chapter 81;
 - (7) job-training programs funded under the Workforce Investment Act of 1998 (29 U.S.C. Section 2801 et seq.);
 - (8) the job-counseling program for displaced homemakers under Chapter 304;
 - (9) the reintegration of offenders program under Chapter 306;
 - (10) the inmate employment counseling program;
 - (11) the continuity of care program under Section 501.095, Government Code;
 - (12) a literacy program from state, local, federal, and private funds available to the state for that purpose;
 - (13) the employment service;

[Note: (14) intentionally omitted in order to track the numbering used in S.B. 280, 78th Legislature.]

- (15) the trade adjustment assistance program under Part 2, Subchapter II, Trade Act of 1974 (19 U.S.C. Section 2271 et seq.);
 - (16) education, employment, employment support, training services, activities and programs funded under Temporary Assistance for Needy Families (42 U.S.C. Section 601 et seq.);
 - (17) the food stamp employment and training program authorized under 7 U.S.C. Section 2015(d); and
 - (18) the functions of the State Occupational Information Coordinating Committee.
- (b) In addition to the programs consolidated under the authority of the commission under Subsection (a), the commission shall administer:
- (1) child-care services provided under Chapter 44, Human Resources Code; and
 - (2) programs established in this state through federal funding to conduct full service career development centers and school-to-work transition services.
- (c) To the extent permitted under federal law, the commission shall administer the programs funded through the education coordination funds under Section 123, Job Training Partnership Act (29 U.S.C. Section 1533).
- (d) To the extent permitted under federal law, the commission shall promote and monitor services provided to persons with disabilities, including persons referred from the Texas Rehabilitation Commission.

Sec. 302.022. Client Accessibility

The director shall develop a uniform, statewide client application and enrollment process to determine an applicant's eligibility for workforce training and services funded through the division.

Sec. 302.023. Delegation of Functions

The executive director shall delegate all or part of the administration of a program listed under Section 302.021 that is eligible for block grant funding under Section 302.062 to a local workforce development board in an area in which a board has been certified and a local plan approved by the governor, or to another appropriate state or local entity in an area in which a local workforce development board has not been certified and a local plan approved by the governor.

Subchapter C. State-Local Planning; Local Workforce Development Boards

Sec. 302.041. State-Local Planning Process

The director shall design and implement a state-local planning process for workforce training and services provided through the programs under the jurisdiction of the division.

Sec. 302.042. Review of Local Plans; Recommendations

The commission shall review the local plans developed under Section 2308.304, Government Code, and shall make recommendations to the council regarding the implementation of those plans.

Sec. 302.043. Training for Local Workforce Development Board Members

- (a) The division shall provide management and board development training for all members of local workforce development boards that includes information regarding client eligibility determination, early childhood education, vendor management, the importance of high-quality workforces, and the complexity of managing multiple state and federal child-care funding sources and that encourages board members to be advocates in their communities for effective and efficient workforce development programs and for the improvement of child-care quality. If a member of a local workforce development board does not receive training under this section before the 91st day after the date on which the member begins service on the board, the person is ineligible to continue serving on the board unless the training required under this subsection was requested by the member but not provided by the division.
- (b) Training may be provided directly by the division or by a third party that has demonstrated experience in providing training to local workforce development or similar boards.
- (c) The division shall ensure that a local workforce development board receives training under Subsection (a) before the board begins to manage the delivery of child-care services.
- (d) The training under this section must include training for local workforce development board members and board employees regarding the collection and analysis of data in the commission's reporting and information system for performance reports.

Sec. 302.044. Outreach Activities

The commission shall require that local workforce development boards participate in outreach activities provided by the commission that are designed by the commission to allow board members and employees to become more proficient in the administration and operation of local workforce development activities. The commission shall adopt policies establishing the number of outreach activities in which a board is required to participate.

Sec. 302.045. Sanctions Plan

The commission shall adopt a detailed and understandable plan to be used by local workforce development boards in the implementation of the sanction process. The plan adopted under this section must include:

- (1) a requirement that the commission provide technical assistance to the boards in avoiding or responding to sanctions; and
- (2) specific provisions regarding the time in which a board is to be allowed to address concerns and improve the board's performance.

Sec. 302.046. Plan Regarding Lack of Service Providers

- (a) The commission shall adopt a plan to address the lack of service providers in specific local workforce development areas.
- (b) The plan adopted under this section must include provisions:
 - (1) for offering incentives to attract exceptional service providers and to encourage those providers to cooperate and assist in improving the practices of other providers;
 - (2) relating to the imposition of sanctions by a board against a service provider; and
 - (3) requiring, under certain circumstances, the commission to assist in providing services until a provider is designated.

Sec. 302.047. Flexibility Rating System for Commission Directives

- (a) The commission shall develop and implement a flexibility rating system for directives sent by the commission to local workforce development boards. A rating assigned to a directive under the system shall indicate the degree of flexibility that a local workforce development board has in implementing the directive. The commission shall provide an explanation of the ratings assigned under the system to each local workforce development board.
- (b) The commission shall adopt rules as necessary to implement this section.

Sec. 302.048. Assessment of Local Workforce Development Board's Capacity to Oversee and Manage Local Funds and Delivery of Services

- (a) In consultation with local workforce development boards, the commission by rule shall establish criteria to be used by the commission to evaluate each local workforce development board's overall capacity to oversee and manage local funds and the delivery of local workforce services.
- (b) The criteria established under Subsection (a) must address a local workforce development board's ability to:
 - (1) develop, maintain, and upgrade comprehensive fiscal management systems;
 - (2) hire, train, and retain qualified staff to carry out the board's oversight activities;
 - (3) select and oversee local contractors to improve the delivery of workforce services;
 - (4) oversee and improve the operations of local career development centers in the area served by the board;
 - (5) manage the contractors' performance across multiple board programs; and
 - (6) identify and resolve long-standing oversight problems of the board and performance problems of contract providers.
- (c) Based on the criteria prescribed under this section, the commission shall develop performance measures to be used by the commission to evaluate each local workforce development board.
- (d) The commission shall post the results of the commission's evaluation of each local workforce development board on the commission's Internet website in a format that is readily accessible to and understandable by a member of the public.
- (e) The commission annually shall compile information provided to the commission by local workforce development boards that aggregates existing performance measure data on each local career development center in a consistent format demonstrating overall performance across multiple programs.
- (f) The commission shall post the information compiled by the commission under Subsection (e) on the commission's Internet website in a format that is readily accessible to and understandable by a member of the public.

Subchapter D. Allocation of Funds; Block Grant Program

Sec. 302.061. Administration Funding

Unless superseded by federal law, the commission may use an amount not to exceed 20 percent of the amount of funds available to the commission for workforce training and services to implement state-level

responsibilities, including administration, research and planning, system design and development, and training and technical assistance.

Sec. 302.062. Block Grants to Local Workforce Development Areas

- (a) Effective July 1, 1996, the commission shall provide to the local workforce development areas in which local workforce development boards have been certified and local plans approved by the governor, through a block grant process, funds available to the commission for workforce training and employment services, unless superseded by federal law. Administrative costs under this subsection may not exceed five percent of the total amount of funds available to the commission for block grants for workforce training and services.
- (b) In the case of funds that are allocated to this state or regions of this state through the application of established formulas, the commission shall allocate amounts across the state using the same formula that was used to provide the funds to the state or that region.
- (c) In the case of funds that are not allocated by formula to this state or regions of this state, the commission shall develop a need-based formula that will equitably allocate funds among local workforce development areas throughout this state.
- (d) Contingent on the availability of funds, in any state fiscal biennium, the commission may not allocate to a local workforce development area less than 90 percent or more than 125 percent of the amount received by that area during the preceding state fiscal biennium.
- (e) In each area of the state not yet designated as a local workforce development area or that has been so designated but in which a local workforce development board has not been certified and a local plan approved by the governor, the executive director shall:
 - (1) provide workforce training and services in that area to the extent allowed by federal law; and
 - (2) specify an entity, which may be the commission, for the performance of employment services in that area.
- (f) At least 80 percent of the funds available to the commission for workforce training and services in an area shall be provided to the local workforce development board under Subsection (a) or, in an area in which a local workforce development board has not been certified and a local plan approved by the governor, to the entity specified by the executive director under Subsection (e). If a local workforce development board has been certified and a local plan approved by the governor, the funds shall be provided through the block grant process described by this section. Unless superseded by federal law, total administrative costs for local workforce training and services may not exceed 15 percent of the funds allocated under this subsection, whether the training and services are provided through a local workforce development board or through the commission or other entity specified under Subsection (e).

- (g) Block grant funding under this section does not apply to:
- (1) the work and family policies program under Chapter 81;
 - (2) a program under the skills development fund created under Chapter 303;
 - (3) the job counseling program for displaced homemakers under Chapter 304;
 - (4) the Communities In Schools program under Subchapter E, Chapter 33, Education Code, to the extent that funds are available to the commission for that program;
 - (5) the reintegration of offenders program under Chapter 306;
 - (6) apprenticeship programs under Chapter 133, Education Code;
 - (7) the continuity of care program under Section 501.095, Government Code;
 - (8) employment programs under Chapter 31, Human Resources Code;
 - (9) the senior citizens employment program under Chapter 101, Human Resources Code;
 - (10) the programs described by Section 302.021(b)(2);
 - (11) the community service program under the National and Community Service Act of 1990 (42 U.S.C. Section 12501 et seq.);
 - (12) the trade adjustment assistance program under Part 2, Subchapter II, Trade Act of 1974 (19 U.S.C. Section 2271 et seq.);
 - (13) the programs to enhance the employment opportunities of veterans; and
 - (14) the functions of the State Occupational Information Coordinating Committee.

Sec. 302.063. Waivers

The commission shall develop objective criteria for the granting of waivers allowed under this chapter.

Sec. 302.064. Collaboration with Local Boards

- (a) The commission shall collaborate with local workforce development boards when determining the use of funds at the local level.
- (b) The commission shall develop funding guidelines and strategies allowing boards to exercise flexibility in identifying and addressing the needs of persons who live in remote areas or who face other barriers to employment.

Sec. 302.065. Integration of Block Grant Programs and Workforce Services

- (a) To streamline the delivery of services provided in local career development centers, the commission and local workforce boards shall integrate the administration of the following federal block grant programs and the caseworker functions associated with those programs as provided by this section:
 - (1) Temporary Assistance for Needy Families (TANF) CHOICES training and employment programs under Chapters 31 and 34, Human Resources Code;
 - (2) child care programs under Chapter 44, Human Resources Code;
 - (3) employment and training programs under Title I of the Workforce Investment Act of 1998 (29 U.S.C. Section 2801 et seq.) or any subsequent applicable federal legislation; and
 - (4) the food stamp employment and training program authorized under 7 U.S.C. Section 2015(d).
- (b) The commission, in consultation with local workforce development boards, shall ensure that state-level performance measures, rules, policies, procedures, and organizational structures support the integration of the federal block grant programs described by Subsection (a) and the caseworker functions associated with those programs at the local level.
- (c) Each local career development center that provides services through the federal block grant programs described by Subsection (a) shall provide:
 - (1) integrated services across the programs;
 - (2) an integrated determination through a single point of contact of a customer's eligibility for services under more than one program; and
 - (3) integrated case management through a single point of contact for a customer receiving services under more than one program.

Subchapter E. Workforce Development Evaluation System

Sec. 302.081. Maintenance and Operation of Workforce Development Evaluation System

- (a) The commission shall maintain and operate an automated follow-up and evaluation system derived from appropriate available information, including:
 - (1) unemployment insurance wage records maintained by the commission; and
 - (2) student follow-up information available through the Texas Higher Education Coordinating Board.

- (b) The agencies represented on the council shall fund the maintenance and operation of the evaluation system by using funds available to the agencies for evaluation of each agency's workforce development programs.

Sec. 302.082. Information and Data for Evaluation System

- (a) Each state agency represented on the council shall provide information to support the commission's follow-up and evaluation system as requested.
- (b) Evaluation data in the system must include:
 - (1) placement rates;
 - (2) wages paid;
 - (3) retention in employment statistics;
 - (4) the number of education and training-related placements; and
 - (5) other appropriate factors, including public welfare dependency and the pursuit of additional education.
- (c) The commission may develop a method for collecting occupational information to supplement wage record information collected by the commission. The commission may request employers, providers, and other appropriate sources to provide placement, employment, and earnings information to the commission.

Sec. 302.083. Analysis

- (a) At least annually, the commission shall issue an analysis, by occupation and by the provider of the job placement performance, of each workforce development program for the previous one-year, three-year, and five-year periods to:
 - (1) each provider of workforce education or workforce training and services;
 - (2) the Texas Higher Education Coordinating Board for each provider of workforce education approved and administered by the coordinating board;
 - (3) each local workforce development board for each provider of workforce training and services in the workforce development area; and
 - (4) the division.
- (b) The commission shall post each analysis issued under Subsection (a) on the commission's Internet website in a format that is readily accessible to and understandable by a member of the public.

Sec. 302.084. Use by Texas Higher Education Coordinating Board

The Texas Higher Education Coordinating Board shall use the job placement information received under this subchapter and other information to:

- (1) evaluate the effectiveness of workforce education;
- (2) determine whether a public or private workforce education program is effective in placing persons who successfully complete the program in jobs related to the persons' training; and
- (3) determine whether to continue, expand, or terminate a program established under Section 61.051, Education Code.

Sec. 302.085. Use by Council and Workforce Development Board

The council and each local workforce development board shall use the information developed under this subchapter and other information to determine whether a specific workforce training and services program administered by or funded by the local board is effective and whether to continue the training and services program.

Sec. 302.086. Use of Evaluation System

The follow-up and evaluation system shall be used to assist the commission, the council, local workforce development boards, institution boards, the Texas Higher Education Coordinating Board, the Texas Education Agency, and other agencies in evaluating the labor market success and effectiveness of workforce development in this state.

Subchapter F. Employment and Training Investment Assessment

Sec. 302.101. Training Stabilization Fund

- (a) The training stabilization fund is established as a special trust fund outside of the state treasury in the custody of the comptroller separate and apart from all public money or funds of this state. The fund is composed of:
 - (1) money deposited to the fund under Section 204.123; and
 - (2) any other money received for deposit in the fund.
- (b) Money in the training stabilization fund may be used in a year in which the amounts in the employment and training investment holding fund are insufficient to meet the legislative appropriation for that fiscal year for either the Texas Enterprise Fund or the skills development program strategies and activities.

- (a) Money in the training stabilization fund shall be transferred to the Texas Enterprise Fund and the skills development fund under Subsection (b) not later than September 30. The transfer under Subsection (b) shall consist of transferring 67 percent of the money in the training stabilization fund to the Texas Enterprise Fund and 33 percent of the money in the training stabilization fund to the skills development fund. The amount transferred from the training stabilization fund may not exceed the amounts appropriated to the Texas Enterprise Fund and skills development program strategies and activities in the fiscal year in which the transfer is made.
- (b) Interest that accrues on the money in the training stabilization fund shall be deposited quarterly to the credit of the compensation fund.

Subchapter G. Priority of Service In Job Training and Employment Assistance Programs

Sec. 302.151. Definitions

In this subchapter:

- (1) "Active military, naval, or air service" has the meaning assigned by 38 U.S.C. Section 101(24).
- (2) "Covered person" has the meaning assigned by 38 U.S.C. Section 4215(a). The term includes the spouse of any member of the armed forces who died while serving on active military, naval, or air service.
- (3) "Veteran" has the meaning assigned by 38 U.S.C. Section 101(2).

Sec. 302.152. Priority Of Service Required

- (a) A covered person is entitled to priority in obtaining services or resources under this subchapter. In the implementation of this section, a covered person may take precedence in obtaining services or resources under this subchapter over persons who are not covered persons.
- (b) For purposes of Subsection (a), "taking precedence" may mean that:
 - (1) the covered person receives access to a service or resource before a person who is not a covered person; or
 - (2) if the service or resource is limited, the covered person receives access to the service or resource instead of a person who is not a covered person.

Sec. 302.153. Participation In State-Funded Programs

In selecting applicants to receive training or assistance under a job training or employment assistance program or service that is funded wholly or partly with state money, priority of service must be given to a

covered person who meets the minimum eligibility requirements to participate or enroll in the program or receive the service.

Sec. 302.154. Participation In Texas Veterans Commission Programs

- (a) The Texas Veterans Commission shall operate programs funded under 38 U.S.C. Chapters 41 and 42. The commission may provide services to enhance the employment and training opportunities of veterans, covered persons, active duty service members, spouses of active duty service members, and members of the Texas National Guard. The services provided under this section must be provided by state employees.
- (b) The Texas Veterans Commission may adopt rules necessary to implement this section.

Index

Act		
Job Training Partnership [Sec. 302.021(c)]	21	
Personal Responsibility and Work Opportunity Reconciliation, of 1996 [Sec. 302.004]	8	
Trade, of 1974 [Sec. 302.021(a)(15)]	21	
Trade, of 1974 [Sec. 302.062(g)(12)]	26	
Workforce Investment, of 1998 [Sec. 302.009(b)(1)(B), 302.021(a)(7)]	15	
Workforce Investment, of 1998 [Sec. 302.021(a)(7)]	20	
Administration		
funding for workforce training and services [Sec. 302.061]	24	
Advisory committee		
definition of [Sec. 302.013(a)]	17	
local workforce development board [Sec. 302.013]	17	
members [Sec. 302.013(c)]	18	
Allocation formulas for child care development funds, evaluation of [Sec. 302.0042]		9
Allocation of		
funds, block grant program [Chapter 302, Subchapter D]	24	
Amount available for workforce training [Sec. 302.061, 302.062]		24
Amount available for workforce training [Sec. 302.062]		25
Amount of		
bonus and duration of wage supplementation, child care program [Sec. 302.006(e)]	14	
child care training scholarships [Sec. 302.006(a)]	13	
Analysis, workforce development programs [Sec. 302.083]		28
Annual Report of Commission		
effectiveness of federal programs [Sec. 302.007]	14	
Apprenticeship program [Sec. 302.021(a)(2), 302.062(g)(6)]		20
Apprenticeship program [Sec. 302.062(g)(6)]		26
Assessment		
of local workforce development boards oversight and management [Sec. 302.048]	24	
Assistance		
housing resources [Sec. 302.0038]	7	
job retention and reemployment [Sec. 302.003]	6	
persons receiving public or financial [Sec. 302.005(a)]	11	
persons receiving public or financial [Sec. 302.005(e)]	12	
persons receiving public or financial [Sec. 302.009(a)]	15	
persons receiving public or financial [Sec. 302.009(d)]	16	
persons receiving public or financial [Sec. 302.010]	16	
persons receiving public or financial [Sec. 302.011]	16	
persons receiving public or financial [Sec. 302.012(a)]	16	
transportation [Sec. 302.0036, 302.0037]	6	
transportation [Sec. 302.0037]	7	
At-risk parents, child care services [Sec. 302.0041(b)(3)]		8
Authority		
of commission [Sec. 302.021]	20	
Block grant(s)		
application of funding [Sec. 302.062(g)]	26	
funding to certified local workforce development boards [Sec. 302.023]	21	
process [Sec. 302.062(a)]	25	
program [Chapter 302, Subchapter D]	24	
programs and workforce services, integration of [Sec. 302.065]	27	
to local workforce development areas [Sec. 302.062]	25	
Bond		
person that handles money for commission [Sec. 302.002(a)(6)]	3	
Bonuses for professional child care training [Sec. 302.006]		13
Career		
school and college programs [Sec. 302.021(a)(1)]	20	
Caseworker functions [Sec. 302.065]		27
Certification		
other child-care [Sec. 302.005(g)(1)]	12	

Certified	
Child-Care Professional Credential [Sec. 302.005(g)(1), 302.006(b)(2)]	12
Child-Care Professional Credential [Sec. 302.006(b)(2)]	13
local workforce development board [Sec. 302.023, 302.062, 307.002(c)]	21
local workforce development board [Sec. 302.062]	25
Charge(s)	
fees for services based on service level options [Sec. 302.002(f)]	4
Child care	
assist low-income, at-risk parents [Sec. 302.0041(b)(3)]	8
delivery of services, management by board [Sec. 302.043(c)]	22
demonstration project grants [Sec. 302.0041]	8
development funds, evaluation of allocation formulas [Sec. 302.0042]	9
discounted rate for services [Sec. 302.005(i)]	13
funds [Sec. 302.004]	8
history of delivering high-quality care [Sec. 302.005(c)(2)]	12
home-based services [Sec. 302.0041(b)(1)(A)]	8
professional training scholarships, bonuses, and wage supplementation [Sec. 302.006]	13
program, evaluation of effectiveness [Sec. 302.0043]	9
recruiting and retaining providers [Sec. 302.0041(b)(2)]	8
services at nontraditional times [Sec. 302.0041(b)(1)(B)]	8
services to link programs [Sec. 302.0041(b)(1)(C)]	8
services, notice regarding termination [Sec. 302.0046]	11
subsidy for training participant [Sec. 302.005(d) and (i)]	12
subsidy for training participant [Sec. 302.005(i)]	13
training center pilot programs [Sec. 302.003]	11
Client accessibility, workforce training [Sec. 302.022]	21
Collaboration with local boards [Sec. 302.064]	26
Commission	
administration of programs [Sec. 302.021(b) and (c)]	21
administration of programs [Sec. 302.021(c)]	21
authority [Sec. 302.021]	20
directives, flexibility rating system [Sec. 302.047]	23
Commission, Texas Rehabilitation [Sec. 302.021(d)]	21
Community in schools program [Sec. 302.062(g)(4)]	26
Continuity of care program [Sec. 302.021(a)(11), 302.062(g)(7)]	20
Continuity of care program [Sec. 302.062(g)(7)]	26
Contract	
child-care facility to act as training center [Sec. 302.005(c)]	12
interagency [Sec. 302.002(c)]	4
Criteria	
for facility to participate in pilot child care training center program [Sec. 302.005(j)]	13
for granting waivers [Sec. 302.063]	26
Definitions	
advisory committee [Sec. 302.013(a)]	17
director [Sec. 302.001(1)]	3
division, workforce development [Sec. 302.001(2), 308.002(1)]	3
nonrecipient parent [Sec. 302.001(3)]	3
work supplement program [Sec. 302.005(l)]	13
workforce development [Sec. 302.001]	3
Department of Protective and Regulatory Services [Sec. 302.005(c), 310.007(c)]	12
Designation of	
local workforce development area [Sec. 302.062(e)]	25
Director(s)	
definition of [Sec. 302.001(1)]	3
Disabilities, persons with [Sec. 302.021(d)]	21
Displaced homemaker(s)	
job counseling program [Sec. 302.021(a)(8), 302.062(g)(3), 304.002, 304.003]	20
job counseling program [Sec. 302.062(g)(3)]	26
Division of workforce development, general provisions [Chapter 302, Subchapter A]	3
Duration of	

wage supplementation, child care program [Sec. 302.006(e)]	14
Early education	
childhood [Sec. 302.005(a), 302.006(b)(3), 302.043(a)]	11
childhood [Sec. 302.006(b)(3)]	13
childhood [Sec. 302.043(a)]	22
expanding quality [Sec. 302.0045(a)]	11
Education	
coordination funds under JTPA [Sec. 302.021(c)]	21
Effectiveness of subsidized child care program [Sec. 302.0043]	9
Eligibility	
criteria for facility to participate in pilot child care training center program [Sec. 302.005(j)]	13
Eligibility for	
child-care demonstration project grant [Sec. 302.0041(c)]	8
Employability	
enhance [Sec. 302.007(b)(6)]	15
Employment	
assistance program for certain parents [Sec. 302.0035]	6
monitoring history of public assistance recipients [Sec. 302.012]	16
plan and postemployment strategies [Sec. 302.0025]	5
programs [Sec. 302.021(a)(4), 302.062(g)(8)]	20
programs [Sec. 302.062(g)(8)]	26
service	
funds [Sec. 302.004]	8
service program [Sec. 302.021(a)(13)]	20
Services Referral Program [Sec. 302.0026]	5
Employment services to nonrecipient parents	
provisions of [Sec. 302.015]	18, 20
Employment-counseling program for inmates [Sec. 302.021(a)(10)]	20
Employment-related educational programs [Sec. 302.021]	20
Enrollment in program leading to high school diploma or equivalent [Sec. 302.005(e)(1)]	12
Enrollment process to determine applicant's eligibility for workforce training [Sec. 302.022]	21
Evaluation of allocation formulas for child care development funds [Sec. 302.0042]	9
Evaluation of effectiveness of subsidized child care program [Sec. 302.0043]	9
Executive director	
authority to enter into contracts [Sec. 302.002(b), (c), and (f)]	4
authority to enter into contracts [Sec. 302.002(c)]	4
authority to enter into contracts [Sec. 302.002(f)]	4
Expenses paid with scholarship [Sec. 302.006(b)]	13
Federal	
child care development funds [Sec. 302.006(f)]	14
participation rates and requirements [Sec. 302.004]	8
Fee(s)	
for services based on service level options [Sec. 302.002(f)]	4
Financial literacy [Sec. 302.0027]	5
Flexibility rating system [Sec. 302.047]	23
Food stamp(s)	
employment and training program [Sec. 302.021(a)(17)]	21
Funding	
for person who participates in training through pilot program [Sec. 302.005(f) and (g)]	12
for person who participates in training through pilot program [Sec. 302.005(g)]	12
guidelines and strategies for boards [Sec. 302.064(b)]	26
scholarships and bonuses or wage supplementation [Sec. 302.006(f)]	14
Funds	
for job training, employment services, child care [Sec. 302.004]	8
for transportation assistance [Sec. 302.0037]	7
obligated from skills development fund [Sec. 302.002(e)]	4
Governor	
and/or legislature, information provided to by commission [Sec. 302.002(a)(13)]	4
and/or legislature, information provided to by commission [Sec. 302.002(e)]	4

and/or legislature, information provided to by commission [Sec. 302.0043(f)]	10
and/or legislature, information provided to by commission [Sec. 302.0044(b)].....	11
approval of local plan [Sec. 302.023, 302.062(a), (e), and (f), 307.002(c)].....	21
approval of local plan [Sec. 302.062(a)].....	25
approval of local plan [Sec. 302.062(e)].....	25
approval of local plan [Sec. 302.062(f)]	25
Grant(s)	
and loans to establish person's own child-care business [Sec. 302.005(g)(3)].....	12
child care demonstration project [Sec. 302.0041].....	8
Child-care demonstration project, eligibility [Sec. 302.0041(c)].....	8
Guidelines for	
allowing boards to exercise flexibility [Sec. 302.064(b)]	26
job placement incentive program [Sec. 302.009(b)].....	15
postemployment services [Sec. 302.010]	16
Head Start program [Sec. 302.0041(b)(1)(C)]	8
High school diploma or equivalent [Sec. 302.005(e)(1)]	12
History of public assistance recipients [Sec. 302.012].....	16
Housing needs, unmet [Sec. 302.0038(a) and (b)]	7
Housing needs, unmet [Sec. 302.0038(b)]	7
Housing resources [Sec. 302.0038].....	7
Incentive(s)	
to attract exceptional service providers [Sec. 302.046(b)(1)]	23
Individual employment plan [Sec. 302.0025].....	5
Ineligibility to serve on workforce development board [Sec. 302.043(a)]	22
Information	
and data for evaluation system [Sec. 302.082]	28
and marketing campaign [Sec. 302.008]	15
provided to governor and/or legislature by commission [Sec. 302.002(a)(13)].....	4
provided to governor and/or legislature by commission [Sec. 302.002(e)]	4
provided to governor and/or legislature by commission [Sec. 302.0043(f)].....	10
provided to governor and/or legislature by commission [Sec. 302.0044(b)]	11
Initiatives by commission [Sec. 302.0045].....	11
Inmate employment-counseling program [Sec. 302.021(a)(10)]	20
Integrated	
vocational and language training programs [Sec. 302.007(b)(5)].....	15
Integration of block grant programs and workforce services [Sec. 302.065]	27
Internet website [Sec. 302.048(d) and (f), 302.083(b)]	24
Internet website [Sec. 302.048(f)]	24
Internet website [Sec. 302.083(b)]	28
Job	
counseling program for displaced homemakers [Sec. 302.021(a)(8), 302.062(g)(3), 304.002, 304.003].....	20
counseling program for displaced homemakers [Sec. 302.062(g)(3)]	26
Placement Incentive Program [Sec. 302.009].....	15
retention and reemployment assistance [Sec. 302.003]	6
subsidies for welfare recipients [Sec. 302.005(l)]	13
Training Partnership Act [Sec. 302.021(c)].....	21
training program [Sec. 302.021(a)(7)].....	20
training, funds [Sec. 302.004]	8
Labor	
market information system [Sec. 302.002(a)(14)]	4
Language training programs [Sec. 302.007(b)(5)]	15
Legislation, federal and state [Sec. 302.002(a)(2)]	3
Legislature and/or governor, information provided to by commission [Sec. 302.002(a)(13)].....	4
Legislature and/or governor, information provided to by commission [Sec. 302.002(e)].....	4
Legislature and/or governor, information provided to by commission [Sec. 302.0043(f)]	10
Legislature and/or governor, information provided to by commission [Sec. 302.0044(b)]	11
Literacy	
program [Sec. 302.021(a)(12)]	20
Loans to establish person's own child-care business [Sec. 302.005(g)(3)].....	12

Long-term commitment to early childhood care profession [Sec. 302.005(e)(3)]	12
Low-income parents, child care services [Sec. 302.0041(b)(3)]	8
Maintenance and operation of workforce development evaluation system [Sec. 302.081]	27
Measures for higher-wage jobs [Sec. 302.009(b)(1)]	15
Member of	
workforce development board [Sec. 302.043].....	22
Mentoring and postemployment case management [Sec. 302.011]	16
Monitoring employment history of public assistance recipients [Sec. 302.012]	16
Need-based formula to allocate funds [Sec. 302.004]	8
Nonrecipient parent	
definition of [Sec. 302.001(3)].....	3
Notice	
regarding termination of certain child-care services [Sec. 302.0046].....	11
Outreach activities [Sec. 302.044]	23
Oversight and management of local funds and service delivery [Sec. 302.048]	24
Participant(s)	
child care training subsidy [Sec. 302.005(d) and (i)].....	12
child care training subsidy [Sec. 302.005(i)]	13
Performance	
measures to evaluate local workforce development boards [Sec. 302.048(c)]	24
reports [Sec. 302.043(d)]	22
Personal Responsibility and Work Opportunity Reconciliation Act of 1996 [Sec. 302.004]	8
Pilot program	
child care training center [Sec. 302.003]	11
Plan regarding lack of service providers [Sec. 302.046]	23
Postemployment	
case management and mentoring [Sec. 302.011].....	16
services guidelines [Sec. 302.010].....	16
strategies and employment plan [Sec. 302.0025]	5
Postsecondary vocational and technical job-training programs [Sec. 302.021(a)(3)]	20
Program(s)	
apprenticeship [Sec. 302.021(a)(2), 302.062(g)(6)]	20
apprenticeship [Sec. 302.062(g)(6)]	26
career school and college [Sec. 302.021(a)(1)]	20
community in schools [Sec 302.062(g)(4)]	26
continuity of care [Sec. 302.021(a)(11), 302.062(g)(7)].....	20
continuity of care [Sec. 302.062(g)(7)]	26
employment [Sec. 302.021(a)(4), 302.062(g)(8)].....	20
employment 302.062(g)(8)].....	26
employment assistance for certain parents [Sec. 302.0035]	6
employment service [Sec. 302.021(a)(13)].....	20
food stamp employment and training [Sec. 302.021(a)(17)]	21
funded under temporary assistance for needy families [Sec. 302.021(a)(16)]	21
inmate employment-counseling [Sec. 302.021(a)(10)].....	20
job placement incentive [Sec. 302.009].....	15
job training [Sec. 302.021(a)(7)]	20
job-counseling for displaced homemakers [Sec. 302.021(a)(8), 302.062(g)(3), 304.002, 304.003].....	20
job-counseling for displaced homemakers [Sec. 302.062(g)(3)]	26
literacy [Sec. 302.021(a)(12)].....	20
postsecondary vocational and technical job-training [Sec. 302.021(a)(3)]	20
reintegration of offenders [Sec. 302.021(a)(9), 302.062(g)(5)]	20
reintegration of offenders [Sec. 302.062(g)(5)]	26
senior citizens employment [Sec. 302.021(a)(5), 302.062(g)(9)]	20
senior citizens employment [Sec. 302.062(g)(9)].....	26
to conduct full service career development centers and school-to-work transition services [Sec. 302.021(b)(2)].....	21
trade adjustment assistance [Sec. 302.021(a)(15), Sec. 302.062(g)(12)]	21
trade adjustment assistance [Sec. 302.062(g)(12)]	26
work and family policies [Sec. 302.021(a)(6), 302.062(g)(1)]	20
work and family policies [Sec. 302.062(g)(1)].....	26
Promote and monitor services to persons with disabilities [Sec. 302.021(d)]	21

Providers, child care [Sec. 302.0041(b)(2)]	8
Public	
financial assistance, persons receiving [Sec. 302.005(a)]	11
financial assistance, persons receiving [Sec. 302.005(e)]	12
financial assistance, persons receiving [Sec. 302.009(a)]	15
financial assistance, persons receiving [Sec. 302.009(d)]	16
financial assistance, persons receiving [Sec. 302.010]	16
financial assistance, persons receiving [Sec. 302.011]	16
financial assistance, persons receiving [Sec. 302.012(a)]	16
Quality initiatives by commission [Sec. 302.0045]	11
Reemployment assistance [Sec. 302.003]	6
Reintegration of offenders program [Sec. 302.021(a)(9), 302.062(g)(5)]	20
Reintegration of offenders program [Sec. 302.062(g)(5)]	26
Report(s)	
findings regarding effectiveness of child care program [Sec. 302.0043(f)]	10
highlight practices in quality early education [Sec. 302.0045(a)]	11
on system to monitor employment history of public assistance recipients [Sec. 302.012(d)]	17
Retention and reemployment assistance [Sec. 302.003]	6
Rule(s)	
adoption of [Sec. 302.005(b)]	12
Sanctions	
by board against service provider [Sec. 302.046(b)(2)]	23
plan [Sec. 302.045]	23
Scholarships for professional child care training [Sec. 302.006]	13
Self-sufficiency standard [Sec. 302.012(c)(6)]	17
Self-sufficiency wage [Sec. 302.009(b)(1)(B) and (d)]	15
Self-sufficiency wage [Sec. 302.009(d)]	16
Senior citizens employment program [Sec. 302.021(a)(5), 302.062(g)(9)]	20
Senior citizens employment program [Sec. 302.062(g)(9)]	26
Service	
level options [Sec. 302.002(f)]	4
providers, lack of [Sec. 302.046]	23
Skills development fund	
program under [Sec. 302.062(g)(2)]	26
State Occupational Information Coordinating Committee [Sec. 302.002(a)(15), 302.021(a)(18), Sec. 302.062(g)(14)]	4
State Occupational Information Coordinating Committee [Sec. 302.021(a)(18)]	21
State Occupational Information Coordinating Committee [Sec. 302.062(g)(14)]	26
Subsidy, child-care for training participant [Sec. 302.005(d) and (i)]	12
Subsidy, child-care for training participant [Sec. 302.005(i)]	13
System to monitor employment history of public assistance recipients [Sec. 302.012(a)]	16
TANF Choices program recipients, wage tracking [Sec. 302.0044]	10
Technology	
workforce campaign, statewide [Sec. 302.008]	15
Temporary	
assistance for needy families program recipients, wage tracking [Sec. 302.0044]	10
assistance for needy families programs [Sec. 302.021(a)(16), Sec. 302.065(a)(1)]	21
assistance for needy families programs [Sec. 302.065(a)(1)]	27
Termination of	
child-care services [Sec. 302.0046]	11
Texas	
Department of Human Services [Sec. 302.012(b)]	17
Higher Education Coordinating Board [Sec. 302.081]	27
Higher Education Coordinating Board [Sec. 302.083]	28
Higher Education Coordinating Board [Sec. 302.084]	29
Higher Education Coordinating Board [Sec. 302.086]	29
Rehabilitation Commission [Sec. 302.021(d)]	21
Trade	
adjustment assistance program [Sec. 302.021(a)(15), Sec. 302.062(g)(12)]	21

adjustment assistance program [Sec. 302.062(g)(12)].....	26
adjustment program [Sec. 302.007].....	14
Training	
board members and employees, collection and analysis of data [Sec. 302.043(d)]	22
for workforce development board members, provided by division or third party [Sec. 302.043(b)].....	22
under the Trade Act of 1974 [Sec. 302.021(a)(15)].....	21
under the Trade Act of 1974 [Sec. 302.062(g)(12)]	26
Transportation	
assistance [Sec. 302.0036].....	6
assistance, maximizing federal funds for [Sec. 302.0037].....	7
Underserved rural local workforce development areas [Sec. 302.0041(b)(1)].....	8
Uniform, statewide client application for workforce training [Sec. 302.022].....	21
Unmet housing needs [Sec. 302.0038(a) and (b)].....	7
Unmet housing needs [Sec. 302.0038(b)].....	7
Wage(s)	
self-sufficiency [Sec. 302.009(b)(1)(B) and (d)]	15
self-sufficiency [Sec. 302.009(d)]	16
supplementation for professional child care training [Sec. 302.006].....	13
tracking of TANF Choices program recipients [Sec. 302.0044].....	10
Waiver	
objective criteria for granting of [Sec. 302.063].....	26
Work	
and family policies program [Sec. 302.021(a)(6), 302.062(g)(1)]	20
and family policies program [Sec. 302.062(g)(1)].....	26
supplement program, definition [Sec. 302.005(l)].....	13
Workforce development	
area [Sec. 302.062(e)].....	25
delegation of functions [Sec. 302.023]	21
evaluation system, analysis [Sec. 302.083]	28
evaluation system, information and data [Sec. 302.082]	28
evaluation system, maintenance and operation [Chapter 302, Subchapter E, Sec. 302.081]	27
evaluation system, use of [Sec. 302.084, 302.085, 302.086]	29
evaluation system, use of [Sec. 302.085].....	29
evaluation system, use of [Sec. 302.086].....	29
powers and duties of commission and executive director [Sec. 302.002].....	3
programs, consolidation of [Sec. 302.021]	20
Workforce development board(s)	
administration funding [Sec. 302.061]	24
advisory committee [Sec. 302.013]	17
advocate at state and federal levels [Sec. 302.002(a)(8)].....	3
allocation of funds, block grant program [Chapter 302, Subchapter D]	24
assessment of capacity to oversee and manage [Sec. 302.048]	24
block grant funding to [Sec. 302.023]	21
block grants, local areas [Sec. 302.062]	25
certified [Sec. 302.023, 302.062, 307.002(c)]	21
certified [Sec. 302.062]	25
collaboration with [Sec. 302.064].....	26
commission evaluation of [Sec. 302.048(d)]	24
flexibility rating system for commission directives [Sec. 302.047].....	23
funding guidelines and strategies [Sec. 302.064(b)].....	26
ineligibility to serve on [Sec. 302.043(a)]	22
performance measures to evaluate [Sec. 302.048(c)]	24
plan regarding lack of service providers [Sec. 302.046].....	23
requirement to participate in outreach activities [Sec. 302.044].....	23
review of local plans, recommendations [Sec. 302.042]	22
sanctions plan [Sec. 302.045]	23
state-local planning [Sec. 302.041]	22
training for members [Sec. 302.043]	22
waivers [Sec. 302.063]	26
Workforce development division	
bond person who handles money or signs checks for [Sec. 302.002(a)(6)].....	3

certification of child care pilot programs [Sec. 302.005(a)]	11
contract with boards for program planning and service delivery [Sec. 302.002(a)(9)].....	4
definition of [Sec. 302.001(2), 308.002(1)].....	3
general provisions [Chapter 302, Subchapter A].....	3
jurisdiction of [Chapter 302, Subchapter B].....	20
organization and methods of procedure [Sec. 302.002(a)(3)].....	3
provide ongoing job retention and reemployment assistance [Sec. 302.003]	6
provide training and professional development services for staff, boards, and staff of boards [Sec. 302.002(a)(10)].....	4
technical assistance and support for boards[Sec. 302.002(a)(12) and (f), 308.006, 311.005(a)(3)].....	4
technical assistance and support for boards[Sec. 302.002(f)].....	4
training for members of boards [Sec. 302.043]	22
Workforce Investment Act of 1998 [Sec. 302.009(b)(1)(B), 302.021(a)(7)]	15
Workforce Investment Act of 1998 [Sec. 302.021(a)(7)].....	20
Workforce services and block grant programs, integration of [Sec. 302.065].....	27
Workforce training	
client accessibility [Sec. 302.022]	21
state-local planning process [Sec. 302.041].....	22
uniform, statewide client application [Sec. 302.022].....	21