

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

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

8 The Texas Workforce Commission (Commission) adopts amendments to the following sections
9 of Chapter 847 related to Project RIO Employment Activities and Support Services *with*
10 changes, as published in the April 14, 2006, issue of the *Texas Register* (31 TexReg 3228):
11

12 Subchapter A. General Provisions, §847.2 and §847.3

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

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

17
18 Subchapter D. Project RIO Employment Activities, §847.31
19

20 The Texas Workforce Commission (Commission) adopts amendments to the following sections
21 of Chapter 847 related to Project RIO Employment Activities and Support Services *without*
22 changes, as published in the April 14, 2006, issue of the *Texas Register* (31 TexReg 3228):
23

24 Subchapter A. General Provisions, §847.1

25
26 Subchapter E. Project RIO Support Services, §847.41
27
28

29 **PART I. PURPOSE, BACKGROUND, AND AUTHORITY**

30 **PART II. EXPLANATION OF INDIVIDUAL PROVISIONS**
31
32

33 **PART I. PURPOSE, BACKGROUND, AND AUTHORITY**
34

35 The purpose of the adopted Chapter 847 rules changes is to:

- 36 (1) implement the direction of House Bill (HB) 2837, enacted by the 79th Texas Legislature,
37 Regular Session (2005), concerning Project Reintegration of Offenders (Project RIO);
38 (2) modify language referencing specific divisions of the Texas Department of Criminal
39 Justice (TDCJ);
40 (3) reflect revised funding strategies to support Project RIO service provision; and
41 (4) remove provisions related to Local Workforce Development Board (Board)
42 responsibilities for the distribution of ex-offender documents.
43

44 HB 2837 directs increased data connectivity between the Texas workforce system and its Project
45 RIO partners—TDCJ and the Texas Youth Commission (TYC). Additionally, the legislation
46 directs the Windham School District, which is responsible for providing academic and vocational

1 training services in TDCJ correctional institutions, to ensure that the training provided is targeted
2 to current and emerging job opportunities in the Texas labor market.

3
4 Because of TDCJ's reorganization, the adopted rules remove references to TDCJ's specific
5 organizational divisions and replace them with the more generic terms, TDCJ "correctional
6 institutions" and "supervising offices."
7

8 The previous funding strategy to support Project RIO service provision relied heavily upon co-
9 enrolling job seekers in Food Stamp Employment and Training (FSE&T) services. Currently,
10 Texas Workforce Center and satellite office staff is encouraged to enroll Project RIO job seekers
11 in the most appropriate employment and support services for the individual. The adopted rules
12 reflect that co-enrollment continues to benefit Project RIO service provision; however, language
13 regarding specific reliance on FSE&T has been deleted.
14

15 TDCJ has assumed responsibility for the distribution of employment documents (e.g., Social
16 Security cards, birth certificates, DD214s [U.S. Department of Defense form that evidences
17 military service and separation circumstances], driver's licenses) upon an individual's release
18 from incarceration. Accordingly, the adopted rules delete the reference to Boards performing
19 this function.
20

21 22 **PART II. EXPLANATION OF INDIVIDUAL PROVISIONS**

23
24 **(Note: Minor, nonsubstantive, editorial changes are made throughout Chapter 847 that do**
25 **not change the meaning of the rules and, therefore, are not discussed in the Explanation of**
26 **Individual Provisions.)**
27

28 **General Comment on Chapter 847**

29
30 **Comment:** One commenter stated that the rule language is too narrowly drawn to allow for
31 complete integration of Project RIO services into the overall system of workforce service
32 delivery. The commenter recommended that the rules allow for graduated levels of
33 workforce services, based upon the needs and success of job seekers in securing
34 employment. The commenter observed that many eligible ex-offenders and adjudicated
35 youth fail to self-identify and, consequently, are not recognized as having been served by the
36 workforce system. The commenter also stated that the rules should ensure the Texas
37 workforce system is recognized for the services provided to all ex-offenders and not be
38 limited to ex-offenders who self-identify as Project RIO eligible.
39

40 **Response:** The Commission agrees and, based on the comment, amends the following
41 sections: §847.2, §847.3, §847.11, §847.12, §847.21, §847.22, and §847.31.
42
43

44 **SUBCHAPTER A. GENERAL PROVISIONS**

45

1 **§847.1. Purpose**

2 The Commission adopts the amendment of §847.1(a) by replacing references to the TDCJ "State
3 Jail Division facility" and "Institutional Division" facility with the term TDCJ "correctional
4 institution," both in this subsection and throughout Chapter 847.

5
6 The Commission adopts the amendment of language in §847.1(b) to specify that the
7 memorandum of understanding is between the Agency, TDCJ, and TYC.

8
9 The Commission adopts the amendment of §847.1(c) to reflect new funding strategies to support
10 Project RIO service provision. Specific reference to FSE&T funds is removed and replaced with
11 a broader reference to integrating Project RIO service provision with the full range of activities
12 and services available through the Texas workforce system.

13
14 **§847.2. Definitions**

15
16 The Commission adopts the amendment of §847.2(1)(A) by replacing the reference to the TDCJ
17 "Institutional Division" with the collective reference TDCJ "correctional institution," and
18 deleting the reference to the TDCJ "Parole Division," referring instead to "parole" supervision by
19 TDCJ.

20
21 The Commission adopts the deletion of §847.2(1)(B), which stipulates the eligibility of State Jail
22 releasees for Project RIO services. Adopted §847.2(1)(A) defines Project RIO job seekers as
23 releasees from all classes of TDCJ correctional institutions. Section 847.2(1)(C) is renumbered
24 as §847.2(1)(B).

25
26 Based on the general comment received, §847.2(2), which defines the Job Seeker
27 Responsibility Agreement, is deleted because the Commission believes the provisions are
28 more properly incorporated in §847.11 regarding job seeker responsibilities.

29
30 The Commission adopts the amendment of §847.2(2), which defines TDCJ, by removing
31 references to the "Institutional, Parole, and State Jail Divisions," which are specific divisions of
32 TDCJ.

33
34 The Commission adopts the amendment of §847.2(3), which defines TYC, by expanding the
35 definition to include TYC's responsibilities for parole operations.

36
37 The Commission adopts the deletion of §847.2(5), which defines Food Stamp Employment and
38 Training. The Commission has broadened its use of resources for serving ex-offenders and
39 adjudicated youth; therefore, it is unnecessary to define specific services.

40
41 The Commission adopts new §847.2(4) to define the Windham School District, which provides
42 prerelease educational and vocational training services to adult offenders incarcerated in TDCJ
43 correctional institutions. This new definition is added in response to the provisions of HB 2837
44 and the functions Windham School District performs in preparing offenders for reentry into
45 society.

1 **§847.3. General Board Responsibilities**

2
3 The Commission adopts the amendment of §847.3(a) by requiring that individuals referred as
4 Project RIO job seekers also include "self-referred individuals." In addition, adopted changes to
5 this subsection include adding adjudicated youth as part of the service population.
6

7 Based on the general comment received, the Commission adds language in subsection
8 §847.3(a) to require that Boards determine the level of staff assistance that Project RIO job
9 seekers need in order to obtain employment. The Commission also adds that Boards may
10 provide graduated levels of service—beginning with Project RIO job seekers receiving core
11 services such as self-directed job search—and increasing the intensity of service for those
12 who need staff assistance to become employed. The Commission further adds that Boards
13 offering graduated services must "ensure Project RIO job seekers who are unable to secure
14 employment through core services are provided with intensive or training services to assist
15 them in obtaining suitable employment." The Commission cautions Boards to closely
16 examine the needs of ex-offenders. This population may have additional barriers to
17 obtaining employment that require staff assistance, and Boards must ensure that Project RIO
18 job seekers are not placed in core services indefinitely if there is no progress in obtaining
19 employment.
20

21 The Commission adopts the amendment of §847.3(b) by replacing "General Equivalency
22 Diploma" with "General Educational Development (GED) credential."
23

24 The Commission adopts the amendment of §847.3(c)(1), Parole Supervising Offices, by
25 replacing references to "Parole Division" with "TDCJ or TYC," and replacing references to
26 "TDCJ Parole Offices" with "supervising office."
27

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

37 The Commission adopts the deletion of §847.3(c)(3), TDCJ State Jail Division. Adopted
38 §847.3(c)(2) includes the TDCJ State Jail Division in the collective term "correctional
39 institutions."
40

41 Based on the general comment received, the Commission clarifies in §847.3(c)(2) that
42 "Texas Workforce Center staff who are assisting Project RIO job seekers" must coordinate
43 the provision of Project RIO services with TDCJ and TYC correctional institutions. If a
44 Project RIO job seeker self-refers and Texas Workforce Center staff is unaware that the job
45 seeker is Project RIO eligible, Texas Workforce Center staff will be unable to establish this
46 coordination.

1
2 HB 2837 requires the coordination of educational and vocational training efforts conducted by
3 Windham School District and prioritizes efforts to assist ex-offenders in securing employment
4 related to their prerelease training. The Commission adopts new §847.3(c)(3), Windham School
5 District, which states that Boards must coordinate on an ongoing and continuing basis with the
6 Windham School District by providing labor market information for their local workforce
7 development area, including current and emerging jobs.

8
9 Based on the general comment received, the Commission further specifies in §847.3(c)(3)
10 that Boards must "ensure that Texas Workforce Center staff who are assisting Project RIO
11 job seekers" include in the Project RIO job seeker's Individual Employment Plan (IEP), if
12 required, the education and training received during incarceration.

13
14 The Commission adopts the deletion of §847.3(c)(4) relating to coordination with TYC Offices.
15 Adopted §847.3(c)(1) and §847.3(c)(2) set forth the coordination requirements with TYC
16 correctional institutions and parole offices; therefore, §847.3(c)(4) is no longer necessary.

17
18 The Commission adopts new §847.3(c)(4), which requires the development of memoranda of
19 understanding between Boards, TDCJ, TYC, and the Windham School District pursuant to
20 Project RIO service provision. Currently, this requirement is contained in the Agency's funding
21 instruments used to support TDCJ, TYC, and Board Project RIO services. The adopted new
22 paragraph requires, at a minimum, that the memoranda of understanding must include referral
23 coordination, progress reporting, and the provision of labor market information to the Windham
24 School District.

25
26 Based on the general comment received, the Commission adds in §847.3(d) that a Board's
27 service delivery strategies may include the provision of graduated core, intensive, and
28 training services. The level of service, and the length of time a Project RIO job seeker
29 receives the service, depends on the Project RIO job seeker's needs and the level of staff
30 assistance required.

31
32 The Commission adopts the amendment of §847.3(d)(1) by removing the specific references to
33 "WIA Adult and Youth services and Food Stamp Employment and Training (FSE&T)" services.
34 The Commission's intent is to integrate Project RIO services with all services available through
35 the Texas Workforce Centers.

36
37 The Commission adopts the deletion of §847.3(d)(2), which requires that Boards route
38 employment documents, such as birth certificates and Social Security cards, secured by TDCJ
39 and TYC during incarceration to ex-offenders. TDCJ and TYC have assumed this responsibility;
40 therefore, it is no longer a requirement of the Boards.

41
42 Section 847.3(d)(3), stipulating establishment of a parole point of contact, is renumbered as
43 §847.3(d)(2). The Commission adopts the replacement of the reference to "the TDCJ Parole
44 Division and the TYC" with the collective reference "TDCJ and TYC supervising offices."

1 Section 847.3(d)(4), stipulating outreach of Project RIO job seekers at TDCJ and TYC facilities,
2 is renumbered as §847.3(d)(3). The Commission adopts the replacement of the references to
3 TDCJ "Parole Division" and TYC "facilities" with the collective reference "TDCJ and TYC
4 supervising offices."
5

6 Section 847.3(d)(5), stipulating Board participation in TDCJ job fairs/career days, is renumbered
7 as §847.3(d)(4). The Commission adopts the amendment of this paragraph by adding
8 participation in TYC job fairs/career days and using the collective reference to "correctional
9 institutions."
10

11 Section 847.3(d)(6), stipulating the use of reporting and document management systems, is
12 renumbered as §847.3(d)(5). The Commission adopts the amendment of this paragraph to
13 require the timely reporting of data reflecting Project RIO service provision in order to ensure
14 that the charge of HB 2837 is addressed.
15

16 Section 847.3(d)(7) and §847.3(d)(8) are renumbered as §847.3(d)(6) and §847.3(d)(7),
17 respectively.
18

19 Based on the general comment received, the Commission deletes the reference to the job
20 seeker Responsibility Agreement in §847.3(e)(3) because of its deletion from this chapter. In
21 addition, the Commission clarifies that Boards shall ensure progress toward achieving
22 "employment," as well as any goals or objectives set forth in the IEP. The Commission
23 believes this clarification is necessary because not all Project RIO job seekers have IEPs.
24 However, regardless of whether a Project RIO job seeker has an IEP, Boards must ensure
25 that Texas Workforce Center staff overseeing Project RIO job seekers monitors the job
26 seekers' success in moving toward employment.
27

28 The Commission adopts the amendment of §847.3(f) by changing the paragraph title from
29 "TDCJ Notice" to "TDCJ and TYC Notice," thereby including notice to TYC. Additionally, the
30 collective term "supervising office" replaces the specific reference to "TDCJ Parole Division."
31

32 Based on the general comment received, the Commission deletes the reference to the job
33 seeker Responsibility Agreement in §847.3(f). Boards must ensure that Texas Workforce
34 Center staff continue to notify TDCJ or TYC when staff become aware of a Project RIO job
35 seeker's failure to comply with any of the job seeker responsibilities set forth in §847.11 of
36 this chapter.
37

38 Section 847.3(h) required that employment referrals regarding adjudicated youth be confidential.
39 The Commission adopts expanding the requirement to state that all information related to the
40 adjudicated status of a youth must be confidential and must not be disclosed to other entities or
41 individuals.
42

43 Based on the general comment received, the Commission deletes the reference to the job
44 seeker Responsibility Agreement. All of the provisions of the Responsibility Agreement
45 contained are now included in §847.11 regarding job seeker responsibilities. The

1 Commission believes it is more effective to provide Boards the flexibility to determine the
2 most appropriate method for informing Project RIO job seekers of their responsibilities.
3

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

5 **§847.11. Job Seeker Responsibilities**

6
7
8
9 Based on the general comment received, the Commission removes the requirements
10 previously set forth in the job seeker Responsibility Agreement, such as compliance with the
11 IEP, which are now included in §847.11. While Project RIO job seekers are no longer
12 required to sign a job seeker Responsibility Agreement, Boards must ensure that Project RIO
13 job seekers are aware of their participation responsibilities, and that failure to comply will be
14 reported to TDCJ or TYC when Texas Workforce Center staff becomes aware of a failure to
15 comply.
16

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

24 Sections 847.11(3) - 847.11(8) are renumbered as §§847.11(1) - 847.11(7), respectively.
25

26 **Comment:** One commenter stated that the use of the term "drug-free" was too
27 encompassing and might be construed to include non - controlled substances such as tobacco
28 and caffeine. The commenter suggested that language such as "drug free as evidenced by
29 drug testing" be included in the rule.
30

31 **Response:** The Commission disagrees and believes the term drug-free commonly refers to
32 the absence of alcohol and illicit drug abuse, and its use in this context is appropriate. The
33 term drug-free is not intended to imply required drug testing, but rather to require that Project
34 RIO job seekers do not use, sell, or possess controlled substances or abuse alcohol.
35

36 **§847.12. Job Seeker Failure to Comply**

37 The Commission adopts the amendment of §847.12 by deleting the phrase "referred by TDCJ
38 Parole Division" because not all job seekers are referred by supervising offices. Further, the
39 Commission adopts the amendment of §847.12 by replacing the specific reference to the "TDCJ
40 Parole Division" and including the requirement that the "TDCJ or TYC supervising office" be
41 notified.
42

43 Based on the general comment received, the Commission further specifies that a Project
44 RIO job seeker who fails to comply with §847.11, Job Seeker Responsibilities, including
45 the IEP, may be determined ineligible to receive Project RIO services, and TDCJ and

1 TYC shall be informed when Texas Workforce Center staff becomes aware of a failure to
2 comply.
3

4
5 **SUBCHAPTER C. PROJECT RIO SERVICES**
6

7 **§847.21. Job Seeker Assessment**
8

9 Based on the general comment received, the Commission adds language in §847.21(a) to
10 specify that initial and ongoing assessments must be performed if Texas Workforce Center
11 staff is providing intensive or training services to Project RIO job seekers. In addition, the
12 Commission modifies §847.21(b) to clarify that if a Project RIO job seeker is unable to
13 secure employment through core services, Texas Workforce Center staff must provide a
14 knowledge, skills, and abilities assessment to assist the Project RIO job seeker in obtaining
15 employment.
16

17 In addition, the Commission adopts the amendment of §847.21(b)(4) by replacing the reference
18 to parole "officer" with "office." The Commission believes that this information is more
19 properly coordinated with the supervising office as set forth in §847.3(c)(1).
20

21 **Comment:** One commenter stated that the rules do not require formal assessments to be
22 administered and that informal assessments should not be solely relied upon. The commenter
23 further stated that assessments should be used to gauge whether appropriate referrals and
24 services are being offered to Project RIO job seekers.
25

26 **Response:** The Commission disagrees and believes the rules strengthen the requirement that
27 Project RIO service provision incorporates a comprehensive assessment of job seekers'
28 training, work experience, and barriers to employment, leading to the development of an IEP.
29 The assessment must carefully consider and incorporate the impact of occupational licensing
30 standards, statutory limitations on employment, and conditions of parole to ensure that
31 appropriate employment referrals are made. The rules do not require the use of a specific
32 assessment product or process because the Commission believes it will negatively impact
33 each Board's flexibility in designing and administering workforce services.
34

35 The Commission believes that assessments should be used to gauge whether appropriate
36 referrals and services are being provided to Project RIO job seekers. The assessment process
37 results in the identification of the necessary services and activities needed to move the job
38 seeker into employment and should be used by Boards to evaluate whether Project RIO
39 services are provided in the most efficient manner.
40

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42
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44
45 **§847.22. Job Seeker Individual Employment Plan**
46

1 Based on the general comment received, the Commission further specifies that IEPs shall be
2 developed for Project RIO job seekers who are unable to secure employment through core
3 services.

4
5 The Commission adopts the amendment of §847.22(1) by changing the reference to TDCJ or
6 TYC "facility" to the collective reference "correctional institution."

7
8 The Commission adopts the amendment of §847.22(4) by changing the reference to TYC
9 "facility" to the collective reference "correctional institution."

10 11 12 **SUBCHAPTER D. PROJECT RIO EMPLOYMENT ACTIVITIES**

13 14 **§847.31. Employment Activities for Project RIO Job Seekers**

15
16 Based on the general comment received, the Commission clarifies in §847.31(a) that Project
17 RIO job seekers may receive graduated services. In addition, the Commission specifies in
18 §847.31(b) that "Boards may provide self-directed or staff-assisted" job search and job
19 readiness services.

20
21 The Commission adopts the deletion of §847.31(a)(1) because the funding strategy used to
22 support Project RIO services has changed from an explicit reliance on FSE&T resources to one
23 in which Project RIO job seekers have access to the full range of employment and training
24 activities provided by the Texas workforce system; therefore, this paragraph is no longer
25 necessary. Additionally, the Commission adopts the removal of §847.31(a)(2) and incorporates
26 the text in §847.31(b). Sections 847.31(a)(2)(A) - 847.31(a)(2)(G) are renumbered as
27 §§847.31(a)(1) - 847.31(a)(7).

28
29 Based on the general comment received, the Commission clarifies in §847.31(c) that if staff-
30 assisted job search services are being provided, staff-assisted referrals shall be based on the
31 Project RIO job seekers' skills, abilities, and conditions of release.

32
33 The Commission adopts the replacement of the term "officer" with "office" in §847.31(c)(1).
34 The Commission also adopts the reordering of the language in §847.31(d) for better clarity.

35 36 37 **SUBCHAPTER E. PROJECT RIO SUPPORT SERVICES**

38 39 **§847.41. Provision of Project RIO Support Services**

40
41 The Commission adopts the amendment of §847.41(a) by specifying that post-employment needs
42 are included as an allowable support service.

43 44 **Comments were received from:**

45
46 Hector Marquez, Texas Department of Criminal Justice, Parole Division

1 Laurie Bouillion Larrea, Dallas County Workforce Development Board, d/b/a Work Source for
2 Dallas County
3

4
5 The rules are adopted under Texas Labor Code §301.0015 and §302.002(d), which provide the
6 Texas Workforce Commission with the authority to adopt, amend, or repeal such rules as it
7 deems necessary for the effective administration of Agency services and activities.
8

9 The adopted rules will affect Texas Labor Code, particularly Chapters 301 and 302, as well as
10 Texas Education Code, Chapter 19; Texas Labor Code, Chapter 306; and Texas Government
11 Code, Chapter 552.
12

13 The Agency hereby certifies that the adopted rules have been reviewed by legal counsel and
14 found to be within the Agency's legal authority to adopt.
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19

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

4
5 **SUBCHAPTER A. GENERAL PROVISIONS**
6

7 **§847.1 Purpose.**
8

- 9 (a) Purpose. The purpose of Project RIO is to provide a statewide employment referral
10 program designed to reintegrate into the labor force persons sentenced to a Texas
11 Department of Criminal Justice (TDCJ) correctional institution and persons
12 committed to the Texas Youth Commission (TYC).
13
- 14 (b) Scope of Rules. The Project RIO standards and guidelines, set forth in this chapter,
15 address the roles and responsibilities of Boards to ensure that Project RIO
16 employment activities and support services are available statewide through the Texas
17 Workforce Centers consistent with 40 TAC Chapter 801 relating to the One-Stop
18 Service Delivery Network. Project RIO employment activities and support services
19 are provided to adult and youth offenders before release by TDCJ and TYC. Post-
20 release employment activities and support services are provided through the Texas
21 Workforce Centers, and are designed to provide ex-offenders with employment
22 activities and support services that promote employment, meet the needs of Texas
23 employers, and help reduce recidivism. The provisions in this chapter are intended
24 to be consistent with Texas Labor Code, Chapter 306; Texas Government Code
25 §2308.312; and the Agency's memorandum of understanding with TDCJ and TYC.
26
- 27 (c) Funding Integration. The Commission intends, to the greatest extent possible, to
28 integrate all available funding sources in the delivery of Project RIO services, and
29 support and expand Project RIO services by ensuring that ex-offenders and
30 adjudicated youth have access to the full range of employment and training activities
31 provided by the One-Stop Service Delivery Network.
32

33 **§847.2 Definitions.**
34

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

- 38 (1) Project RIO job seeker -- an individual involved with the Texas criminal or
39 juvenile justice systems that may include the following:
40
- 41 (A) Adults who were sentenced to a TDCJ correctional institution, and are
42 within one year after their release from incarceration, or are currently
43 under or within one year of completion of their term of parole supervision
44 by TDCJ; and
45

1 (B) Adjudicated youth ages 16 through 21, seeking employment activities and
2 support services, who were formerly confined in a TYC correctional
3 institution.

4
5 (2) TDCJ -- the Texas Department of Criminal Justice is the state agency that
6 manages the overall operations of the state's prison, parole, and state jail
7 systems.

8
9 (3) TYC -- the Texas Youth Commission is the state's juvenile corrections agency
10 that manages the overall operations of the state's youth correctional institutions
11 and parole operations.

12
13 (4) Windham School District -- the school district that is responsible for providing
14 academic as well as career and technology education to eligible offenders
15 incarcerated in TDCJ correctional institutions.

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

18
19 (a) Role of Boards. A Board shall ensure that Project RIO job seekers (i.e., individuals
20 referred by TDCJ and TYC, as well as self-referred individuals) participate in
21 employment activities and support services, as appropriate. Boards shall determine
22 the level of staff assistance that Project RIO job seekers require to assist them in
23 obtaining employment. Boards may provide graduated levels of workforce services,
24 as defined in §801.28 of this title, based upon the job seekers' needs. Boards
25 providing graduated services shall ensure Project RIO job seekers who are unable to
26 secure employment through the provision of core services are provided with
27 intensive or training services to assist them in obtaining suitable employment. The
28 employment activities and support services, as defined in this chapter, should meet
29 the needs of local employers, prepare Project RIO job seekers to compete in the labor
30 market, and assist ex-offenders and adjudicated youth in obtaining employment.

31
32 (b) Board Planning. A Board shall develop, amend, and modify its Integrated Plan to
33 incorporate and coordinate the design and management of the delivery of Project
34 RIO employment activities and support services with the delivery of other workforce
35 employment, training, and educational services identified in Texas Government
36 Code §2308.251 *et seq.*, Texas Government Code §2308.312 *et seq.*, as well as other
37 employment and training services included in the One-Stop Service Delivery
38 Network as set forth in Chapter 801 of this title.

39
40 The Commission's intent is to assist Project RIO job seekers with securing
41 employment as quickly as possible; however, Project RIO - Youth may need basic
42 skills training and education to secure employment. Specifically, Boards shall
43 consider integration with WIA Youth services or other funding sources, as
44 appropriate, for assisting Project RIO - Youth with obtaining the basic General
45 Educational Development (GED) credential or basic skills training.

1 (c) Board Coordination. The Boards shall coordinate with the following entities to
2 ensure the transition to employment of Project RIO job seekers:
3

4 (1) Parole Supervising Offices. A Board shall coordinate the provision of Project
5 RIO employment activities and support services with the referring TDCJ or
6 TYC supervising office. This coordination shall ensure that the supervising
7 office is made aware of the results of the initial referral for Project RIO
8 services, as well as periodic updates on program participation status as
9 determined appropriate for the individual.
10

11 (2) Correctional Institutions. A Board shall ensure that Texas Workforce Center
12 staff who are assisting Project RIO job seekers coordinate the provision of
13 Project RIO employment activities and support services with TDCJ and TYC
14 correctional institutions by utilizing the data and resources developed prior to
15 the offender's or adjudicated youth's release. This coordination shall ensure
16 that post-release Project RIO activities and services build upon and
17 complement the services provided in the correctional institutions.
18

19 (3) Windham School District. Boards shall coordinate on an ongoing and
20 continuing basis with Windham School District by providing labor market
21 information related to their local workforce development area (workforce
22 area), including current and emerging jobs, in order that Windham School
23 District may better meet the needs of Texas employers through education and
24 training services. Additionally, Boards shall ensure that Texas Workforce
25 Center staff who are assisting Project RIO job seekers fully incorporate in
26 Project RIO job seekers' Individual Employment Plans (IEPs), as set forth in
27 §847.22 of this chapter, the education and training received during
28 incarceration in order to maximize employment referrals that are directly
29 related to that education and training.
30

31 (4) Memoranda of Understanding. Pursuant to coordination efforts, Boards shall
32 develop memoranda of understanding with TDCJ, TYC, and the Windham
33 School District establishing the systems, structures, and processes for the
34 provision of Project RIO services. The memoranda of understanding must
35 include, but are not limited to, procedures for the following activities:
36

37 (A) Referral coordination for parolees or adjudicated youth;

38 (B) Progress reporting related to job seeker status and services received; and
39

40 (C) The provision of labor market information to the Windham School
41 District.
42

43 (5) Other Partners. For the purposes of ensuring that Project RIO job seekers have
44 the necessary support services available to them to enable successful entry into
45

1 the labor force, a Board shall develop cooperative agreements and service
2 arrangements meeting the requirements of Texas Labor Code §306.007(a).
3

4 (d) Service Delivery Strategies. A Board shall develop a Project RIO Service Delivery
5 Strategy, which may include the provision of graduated levels of workforce services,
6 as set forth in §801.28 of this title, based upon the needs of Project RIO job seekers.
7 Boards shall provide intensive or training services, as appropriate, to Project RIO job
8 seekers who receive core services but were unable to secure employment. Boards
9 shall fully incorporate and ensure the following additional elements:

- 10 (1) The efficient delivery and linkage of Project RIO employment activities and
11 support services within the workforce area's One-Stop Service Delivery
12 Network with other employment and training services funded through the
13 Texas Workforce Centers;
14
- 15 (2) A point of contact for TDCJ and TYC supervising offices to facilitate the
16 exchange of information regarding the Project RIO job seeker's progress
17 toward securing employment and related participation information;
18
- 19 (3) The outreach of Project RIO job seekers at TDCJ and TYC supervising offices;
20
- 21 (4) The participation of the One-Stop Service Delivery Network in job fairs/career
22 days held in TDCJ and TYC correctional institutions;
23
- 24 (5) The timely and accurate reporting of data reflecting Project RIO service
25 provision as well as the status of referrals for service;
26
- 27 (6) All performance standards are met, as developed by the Commission; and
28
- 29 (7) The performance of any other duties, as required by the Commission,
30 necessary to implement the intent of Texas Labor Code, Chapter 306.
31

32
33 (e) Access to Project RIO Employment Activities and Support Services. A Board shall
34 ensure that the oversight and monitoring of program requirements and participant
35 activities occur on an ongoing basis, as determined appropriate by the Board, and
36 consist of the following:

- 37 (1) tracking and reporting, as required by the Commission, of employment
38 activities and support services, including appropriate data relating to referrals,
39 placements, specialized on-the-job training, and completion of training, such as
40 GED completion, college credit and noncredit course accomplishments, or
41 other data, as applicable;
42
- 43 (2) determining and arranging for any referrals to support services needed to assist
44 the Project RIO job seeker in complying with Project RIO employment
45 activities to address barriers to employment; and
46

1
2 (3) ensuring progress toward achieving employment and the goals and objectives
3 in the Project RIO job seeker's IEP, as set forth in §847.22 of this chapter.
4

5 (f) TDCJ and TYC Notice. A Board shall ensure that notification to the supervising
6 office is made in a timely manner if Texas Workforce Center staff becomes aware of
7 a job seeker's failure to comply with the job seeker responsibilities, as set forth in
8 §847.11 of this chapter.
9

10 (g) Employer Notice. A Board shall ensure that employers are informed at the time of
11 the employment referral of the Project RIO job seeker's status as an ex-offender and
12 the availability of Work Opportunity Tax Credits and fidelity bonding services.
13

14 (h) Youth Confidentiality. All information regarding the adjudicated status of a youth
15 shall be held in strict confidence and shall not be disclosed to any other entity or
16 person. A Board shall ensure that employment referrals for adjudicated youth are
17 made in accordance with the confidentiality requirements set forth in state statutes,
18 state rules, and Commission policies.
19

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

21 **§847.11. Job Seeker Responsibilities.**
22

23 A Board shall ensure that Texas Workforce Center staff who are assisting Project RIO
24 job seekers make Project RIO job seekers aware of the requirement to comply with the
25 following provisions:
26

- 27 (1) participate in employment activities as described in §847.31 of this chapter;
28
29 (2) comply with the IEP, as set forth in §847.22 of this chapter;
30
31 (3) attend scheduled Project RIO appointments;
32
33 (4) notify the Texas Workforce Center, or the Board's designated service provider,
34 upon securing employment;
35
36 (5) participate in or receive support services as described in §847.22 and §847.41
37 of this chapter, necessary to enable the Project RIO job seekers to work or
38 participate in employment activities, including counseling, treatment, and
39 vocational or physical rehabilitation;
40
41 (6) be free of outstanding warrants and not in pre-revocation status; and
42
43 (7) be drug-free and comply with other terms or conditions of parole.
44

45 **§847.12. Job Seeker Failure to Comply.**
46

1 Project RIO job seekers who fail to meet the job seeker responsibilities, as set forth in
2 §847.11 of this subchapter, may be deemed ineligible for Project RIO employment
3 activities and support services, and such participation status shall be reported to the TDCJ
4 or TYC supervising office when Texas Workforce Center staff becomes aware of a
5 failure to comply. Failure to comply, as determined by the Texas Workforce Center, or
6 the Board's designated service provider, includes but is not limited to:

- 7
- 8 (1) failing to report for two scheduled interviews;
- 9
- 10 (2) turning down a position of employment that is consistent with the skills
11 possessed by the Project RIO job seeker;
- 12
- 13 (3) quitting an employment activity without cause; or
- 14
- 15 (4) being terminated from a job for misconduct.
- 16

17 **SUBCHAPTER C. PROJECT RIO SERVICES**

18 **§847.21. Job Seeker Assessment.**

- 19
- 20
- 21 (a) Boards shall ensure that Texas Workforce Center staff who are providing intensive
22 or training services to Project RIO job seekers perform initial and ongoing
23 assessments to determine the employability and retention needs of Project RIO job
24 seekers.
- 25
- 26 (b) Project RIO job seekers who are unable to secure employment through core services
27 shall receive an assessment of their knowledge, skills, and abilities as well as
28 potential barriers to securing and retaining employment, such as:
 - 29
 - 30 (1) information identified in the assessments provided by agency partners, which
31 includes background information relating to education and vocational skills
32 training obtained while incarcerated, employment history, academic
33 achievements, and past skills attainments;
 - 34
 - 35 (2) other skills and abilities, employment, and educational history in relation to
36 employers' workforce needs in the local labor market;
 - 37
 - 38 (3) support services needs; and
 - 39
 - 40 (4) family circumstances that may affect participation, including the existence of
41 domestic violence, substance abuse, and mental illness, or the need for
42 parenting skills training, which, if identified, may require coordination through
43 the parole or contracted parole office, as one of the factors considered in
44 evaluating employability.
 - 45

1 (c) Assessments, as set forth in subsection 847.21(b) of this section, shall result in the
2 development of an IEP, as described in §847.22 of this subchapter.
3

4 **§847.22. Job Seeker Individual Employment Plan.**
5

6 Boards shall ensure that Texas Workforce Center staff develops IEPs for Project RIO job
7 seekers who are unable to secure employment through core services, documents that
8 Project RIO job seekers have been informed of their job seeker responsibilities, and that
9 IEPs:

- 10
- 11 (1) incorporate information provided by the referring agency partner, including
12 any IEPs provided while in a TDCJ or TYC correctional institution;
13
 - 14 (2) identify and coordinate the provision of services available through the Texas
15 Workforce Centers;
16
 - 17 (3) are based on assessments, as described in §847.21 of this subchapter;
18
 - 19 (4) contain any prevocational goals established for Project RIO - Youth
20 participants while in a TYC correctional institution;
21
 - 22 (5) contain employment goals to meet the needs of the local labor market;
23
 - 24 (6) allow Project RIO job seekers to find and secure employment that utilizes their
25 skills;
26
 - 27 (7) meet the needs of employers by linking and matching the skills of Project RIO
28 job seekers to the job-skills requirements of the employers;
29
 - 30 (8) include strategies for addressing barriers identified in the assessment; and
31
 - 32 (9) are signed by the Project RIO job seekers.
33

34 **SUBCHAPTER D. PROJECT RIO EMPLOYMENT ACTIVITIES**
35

36 **§847.31. Employment Activities for Project RIO Job Seekers.**
37

- 38 (a) Boards shall ensure that employment activities are provided for Project RIO job
39 seekers, as determined by the Texas Workforce Center, or the Board's designated
40 service provider, which may include the provision of graduated services, as set forth
41 in §801.28 of this title.
42
- 43 (b) Boards may provide self-directed or staff-assisted job search and job readiness
44 services, which incorporate the following:
45
 - 46 (1) information and referral to employment opportunities;

- 1
2 (2) job-skills assessment;
3
4 (3) counseling;
5
6 (4) occupational exploration, including information on local emerging and demand
7 occupations;
8
9 (5) interviewing skills and practice interviews;
10
11 (6) assistance with applications and resumes; and
12
13 (7) guidance and motivation for development of positive work behaviors necessary
14 for the labor market.
15
16 (c) Boards shall ensure that staff-assisted referrals to employment opportunities are
17 based on the Project RIO job seeker's assessment, training, skills, and conditions of
18 release. The referrals to jobs may be restricted to certain available employment
19 based on:
20
21 (1) recommendations from the agency partners, including the applicable parole
22 office or contracted parole office;
23
24 (2) consideration of factors that may increase the likelihood of success of the
25 individual in retaining employment; or
26
27 (3) consideration of factors that may help reduce the likelihood of recidivism.
28
29 (d) In order to maximize the opportunities for Project RIO job seekers to secure
30 employment, Boards shall ensure that other employment and training activities
31 available through the One-Stop Service Delivery Network and paid for with funds
32 other than Project RIO funds are considered and provided as deemed appropriate by
33 the Texas Workforce Center, or the Board's designated service provider.
34

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

36 **§847.41. Provision of Project RIO Support Services.**

- 37
38
39 (a) Boards shall ensure that support services, which address barriers to employment,
40 participation in employment services, and post-employment support services needs,
41 are provided to a Project RIO job seeker as determined by the Boards' policies and
42 IEPs, and the Texas Workforce Centers, or the Boards' designated service providers.
43
44 (b) Boards shall ensure that referrals to support services as specified in the memorandum
45 of understanding referenced in Texas Labor Code §306.004, §306.005, and §306.007
46 are made for Project RIO job seekers.

- 1
2 (c) Boards shall ensure that referrals are made, as determined appropriate by the Texas
3 Workforce Centers, or the Boards' designated service providers, to other available
4 support services, including low-income housing, application for food stamp benefits,
5 low-cost medical assistance, substance abuse treatment, counseling, vocational or
6 physical rehabilitation, and other services.
7
8 (d) Boards shall ensure that hiring incentives are made available for Project RIO job
9 seekers, to include:
10
11 (1) Work Opportunity Tax Credits screening and conditional certification; and
12
13 (2) fidelity bonding services, which are available through the Agency.
14

15 **SUBCHAPTER F. EXPENDITURE OF FUNDS**

16 **§847.51. Use of Funds.**

17
18
19 Boards shall ensure that monies made available for Project RIO employment activities
20 and support services pursuant to this chapter are used solely for the purpose of providing
21 employment activities and support services specified in this chapter.