



**MEETING OF THE  
TEXAS WORKFORCE COMMISSION**

**DATE**

**NOVEMBER 7, 2022**

1 Monday, November 7, 2022

2 CHAIRMAN DANIEL: Good afternoon, all. This  
3 meeting is called to order. Mr. Trobman, has anyone signed up  
4 for public comment?

5 MR. TROBMAN: No, sir.

6 CHAIRMAN DANIEL: Thank you very much. Good  
7 afternoon, Ms. Miller.

8 CHAIRMAN DANIEL: Thank you. This brings us  
9 to the end of Agenda Items 3 through 7. We'll take a short  
10 break.

11 CHAIRMAN DANIEL: This is Agenda Item 8,  
12 final rules for 40 TAC Chapter 801 to align agency rules with  
13 WIOA.

14 JOEL MULLINS: Good morning, Chairman  
15 Daniel, Commissioner Alvarez, Commissioner Demerson, and Mr.  
16 Serna. For the record, I'm Joel Mullins with the Workforce  
17 Development Division. Commissioners, before you today for your  
18 consideration and adoption are final rule amendments to Chapter  
19 801, Local Workforce Development Boards. On August 23<sup>rd</sup> of this  
20 year the commission approved proposed amendments to TWC's  
21 Chapter 801 rules regarding general WIOA conformity, required  
22 board partners, the definition of veteran, and digital and  
23 financial literacy. The proposed rule amendments were published  
24 in the September 9<sup>th</sup> issue of the Texas Register for a 30-day  
25 public comment period and no comments were received.

1 Additionally, staff conducted a four-year rule review of Chapter  
2 801 in accordance with Texas Government Code Section 2001.039  
3 and determined that the initial reasons for adopting the chapter  
4 still exist, and that the chapter is still needed. Today staff  
5 recommends adopting the amendments to Chapter 801 and requests  
6 the ability to make minor nonsubstantial changes to the document  
7 in order to comply with the publication requirements of the  
8 Texas Register and the Office of the Secretary of State. I'm  
9 happy to answer any questions.

10 COMMISSIONER ALVAREZ: None here, chairman.

11 COMMISSIONER DEMERSON: None here.

12 CHAIRMAN DANIEL: Is there a motion?

13 COMMISSIONER ALVAREZ: I move that we adopt  
14 the final rule amendments to Chapter 801, Local Workforce  
15 Development Boards, as recommended by staff.

16 COMMISSIONER DEMERSON: I second.

17 CHAIRMAN DANIEL: It's been moved and  
18 seconded. We're unanimous.

19 JOEL MULLINS: Great, thank you.

20 CHAIRMAN DANIEL: Thank you. Agenda Item 9,  
21 final rules for 40 TAC Chapter 803, Skills Development Fund to  
22 Streamline the Skills Development Fund Grant Proposal and  
23 Approval Processes.

24 YANIN DIEPPA PEREA: Good afternoon,  
25 Chairman Daniel, Commissioner Alvarez, Commissioner Demerson,

1 and Mr. Serna. For the record, I'm Yanin Dieppa Perea with the  
2 Office of Employer Initiatives. Commissioners, before you today  
3 for your consideration and adoption are final rule amendments to  
4 Chapter 803, Skills Development Fund. On August 23, 2022, the  
5 commission approved proposed amendments to TWC's Chapter 803  
6 rules regarding the [inaudible] of the streamline grant proposal  
7 and approval process for the Skills Development Fund grant. The  
8 proposal rule amendments were published on September 9, 2022,  
9 issue of the Texas Register for a 30-day public comment period.  
10 No comments were received. Additionally, staff conducted a four-  
11 year rule review of Chapter 803 in accordance with the Texas  
12 Government Code, Section 2001.039, and determined that the  
13 initial reasons adopted in the chapter still exist and that this  
14 chapter is still needed. Staff recommends adopting the  
15 amendments to Chapter 803. Should the commission adopt these  
16 rules, staff requests the ability to make minor nonsubstantive  
17 changes to the document in order to comply with the publication  
18 requirements of the Texas Register and the Office of the  
19 Secretary of State. Thank you, and do you have any questions?

20 CHAIRMAN DANIEL: Any comments or questions?

21 COMMISSIONER ALVAREZ: None here, chairman.

22 COMMISSIONER DEMERSON: None here.

23 CHAIRMAN DANIEL: Is there a motion?  
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1 COMMISSIONER ALVAREZ: I move that we adopt  
2 the final rule amendments to Chapter 803, Skills Development  
3 Fund, as presented by staff.

4 COMMISSIONER DEMERSON: I second.

5 CHAIRMAN DANIEL: It's been moved and  
6 seconded. We're unanimous.

7 YANIN DIEPPA PEREA: Thank you.

8 CHAIRMAN DANIEL: Thank you. This is Agenda  
9 Item 10, final rules for 40 TAC Chapter 807, Career Schools and  
10 Colleges to Implement House Bill 33, 87<sup>th</sup> Texas Legislature,  
11 Regular Session.

12 KERRY BALLAST: Good afternoon, Chairman  
13 Daniel, Commissioner Alvarez, Commissioner Demerson, and Mr.  
14 Serna. For the record, Kerry Ballast, Workforce Development  
15 Division. On July 12<sup>th</sup> the commission approved the proposed rules  
16 in Texas Administrative Code Chapter 807, Career Schools and  
17 Colleges. The proposed rules were published in the Texas  
18 Register for a 30-day comment period. One comment was received.  
19 No changes were made to the rules as a result of the comment.  
20 Today's final rules are to implement House Bill 33 of the 87<sup>th</sup>  
21 Regular Session relating to measures to facilitate the award of  
22 postsecondary course credit leading to workforce credentialing  
23 based on military experience, education, and training, and to  
24 amend Chapter 807 to clarify language, remove redundant  
25 language, and streamline TWC processes. Staff recommends the

1 adoption of final rules to 40 TAC Chapter 807 and requests the  
2 ability to make minor nonsubstantive changes to the document in  
3 order to comply with the publication requirements of the Texas  
4 Register and of the Secretary of State's office. I'm available  
5 to answer any questions that you have.

6 CHAIRMAN DANIEL: Comments or questions?

7 COMMISSIONER ALVAREZ: None here, chairman.

8 COMMISSIONER DEMERSON: None.

9 CHAIRMAN DANIEL: Is there a motion?

10 COMMISSIONER ALVAREZ: Chairman, I move that  
11 we adopt the final rule amendments to Chapter 807, Career  
12 Schools and Colleges, as recommended by staff.

13 COMMISSIONER DEMERSON: I second.

14 CHAIRMAN DANIEL: It's been moved and  
15 seconded. We're unanimous.

16 KERRY BALLAST: Thank you.

17 CHAIRMAN DANIEL: Thank you. This is Agenda  
18 Item 11, final rules for 40 TAC Chapter 821, Texas Payday Rules  
19 to Allow TWC's Labor Law Department to Issue Corrected  
20 Determinations.

21 MISTI STIRLING: Good afternoon, Chairman  
22 Daniel, Commissioner Alvarez, Commissioner Demerson, and Mr.  
23 Serna. For the record, I'm Misti Stirling, director of policy  
24 and planning with the Fraud Deterrence and Compliance Monitoring  
25 Division. Commissioners, before you today for your consideration

1 and adoption are final rule amendments to Chapter 821, Texas  
2 Payday Rules. In an open meeting on August 23, 2022, the  
3 commission approved proposed amendments to TWC's Chapter 821  
4 rules regarding the issuance of corrected determinations. These  
5 amendments to Chapter 821 will allow staff to issue corrected  
6 determinations within the 21-day period before the determination  
7 becomes final unless an appeal is filed. If a corrected  
8 determination is issued, it will replace the order requiring  
9 correction and the 21-day appeal period will start over again so  
10 as not to impinge on either party's due process rights. The  
11 rules also contain a slight restructuring of the appeals section  
12 to clearly follow the corrected determination section. The  
13 proposed rule amendments were published in the September 9<sup>th</sup>  
14 issue of the Texas Register for the 30-day public comment  
15 period. No comments were received. Additionally, staff conducted  
16 a four-year rule review of Chapter 821 in accordance with the  
17 Texas Government Code, Section 2001.039, and determined that the  
18 initial reasons for adopting the chapter still exist and that  
19 this chapter is still needed. Staff recommends adopting the  
20 amendments to Chapter 821. Should the commission adopt these  
21 rules, staff requests the ability to make minor nonsubstantive  
22 changes to the document in order to comply with the publication  
23 requirements of the Texas Register and the Office of the  
24 Secretary of State. This concludes my presentation and I'm  
25 available to answer any questions that you may have. Thank you.

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CHAIRMAN DANIEL: Questions or comments?

COMMISSIONER ALVAREZ: None here, chairman.

COMMISSIONER DEMERSON: None here.

CHAIRMAN DANIEL: Is there a motion?

COMMISSIONER ALVAREZ: I move that we adopt the final rule amendments to Chapter 821, wage claims, as recommended by staff.

COMMISSIONER DEMERSON: Second.

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

MISTI STIRLING: Thank you.

CHAIRMAN DANIEL: This is Agenda Item 12, discussion, consideration, and possible action regarding approval of local Workforce Development Board nominees.

CHERIE DUDLEY: Good afternoon, chairman, commissioners, and Mr. Serna. For the record, Cherie Dudley with Workforce Development. Today for your consideration we have Workforce Board nominations for Brazos Valley. Staff recommends approval with the exception of Rural Capital Area on the presented nominees and I'm here to answer questions you may have.

CHAIRMAN DANIEL: Comments or questions?

COMMISSIONER ALVAREZ: None here, chairman.



1 COMMISSIONER DEMERSON: You made sure I was  
2 apprised of this one, so the Rural Capital nominee that we're  
3 withholding back on right now, is that an employer?

4 CHERIE DUDLEY: Excuse me?

5 COMMISSIONER DEMERSON: So you're  
6 recommending all with the exception of the Rural Capital?

7 CHERIE DUDLEY: At this time, yes.

8 COMMISSIONER DEMERSON: At this time. OK, at  
9 this time, OK. No other comments.

10 CHAIRMAN DANIEL: Is there a motion?

11 COMMISSIONER ALVAREZ: I move that we  
12 approve the local Workforce Development Board member nominee for  
13 Workforce Solutions Brazos Valley as presented by staff today.

14 COMMISSIONER DEMERSON: I second.

15 CHAIRMAN DANIEL: It's been moved and  
16 seconded. We're unanimous. Thank you.

17 CHERIE DUDLEY: Thank you.

18 CHAIRMAN DANIEL: This is Agenda Item 13,  
19 the 2023 Texas Workforce Commission Reentry Conference.

20 KRISTIE CAVINESS: Good morning, good  
21 afternoon, Chairman Daniel, Commissioner Alvarez, Commissioner  
22 Demerson, and Mr. Serna. For the record, I'm Kristie Caviness  
23 with Outreach and Employer Initiatives Division. At the  
24 September 13, 2022, meeting the commission requested staff  
25 explore the options of hosting a second reentry conference

1 before or after another TWC event to save costs. Commissioner  
2 Demerson mentioned the Texas Conference for Employers held at  
3 various locations throughout the state as a possible option  
4 assuming the events remained separate, and the agendas were not  
5 integrated. TWC executive director, Ed Serna, asked for time to  
6 analyze the conference options and the opportunity to return to  
7 the commission for review. Staff has reviewed all TWC employer-  
8 focused conferences in coordination with conference planning.  
9 The venue hosting TCE in Arlington, Texas, has the capacity to  
10 hold a reentry conference on October 16, 2023, the day before  
11 the actual conference. Meeting room rental and refreshments for  
12 250 attendees are estimated at \$22,538. The food and beverage  
13 costs will be covered entirely with a \$70 registration fee.  
14 Assuming the unused IKEA funds of \$7,000 from the 2022  
15 conference can be applied to the 2023 conference, the total cost  
16 to TWC would be approximately \$5,500. We have worked with  
17 finance and believe we will be able to allocate some of the room  
18 and AV costs to vocational rehabilitation, and then the  
19 remaining balance estimated at 3,000 could be paid from agency  
20 general revenue. Staff seeks direction regarding the following.  
21 Holding the 2023 reentry conference on October 16<sup>th</sup> at the  
22 Arlington Expo, charging a registration fee to cover costs  
23 associated with providing food and beverage during the meeting  
24 time, and identifying and allocating funds to cover the

1 estimated \$5,500 balance for the room and audiovisual needs. Do  
2 you have any questions?

3 CHAIRMAN DANIEL: Comments or questions?

4 COMMISSIONER ALVAREZ: Yes, I just want to—  
5 Kristie, I always love when you do presentations, thank you.  
6 Holding the 2023 reentry conference is going to be August 16<sup>th</sup>,  
7 right? Arlington Expo. I just want to clarify that. Charging a  
8 registration fee to cover costs associated with providing food  
9 and beverages during the meeting time is going to be included.

10 KRISTIE CAVINESS: Yes.

11 COMMISSIONER ALVAREZ: And identifying and  
12 allocating funds to cover the estimated \$5,500 balance for the  
13 room and audiovisual needs, right?

14 KRISTIE CAVINESS: Yes.

15 COMMISSIONER ALVAREZ: OK.

16 COMMISSIONER DEMERSON: We're looking  
17 forward to actually helping with marketing and outreach efforts  
18 associated with the TCE conference as well, so good work in that  
19 regard.

20 KRISTIE COVINESS: Yeah, I think it will be  
21 really successful. I think this is a great partnership.

22 CHAIRMAN DANIEL: Is there a motion?

23 COMMISSIONER ALVAREZ: Yes, and I just  
24 wanted to clarify that we are using the 7,000 unused from the  
25 IKEA reserve?

1 KRISTIE CAVINESS: Yes.

2 COMMISSIONER ALVAREZ: OK, perfect. Then I  
3 will make a motion, and that motion is I move that we approve  
4 holding the 2023 reentry conference on August 16<sup>th</sup> in Arlington  
5 Expo, charging a registration fee to cover costs associated with  
6 providing food and beverage during meeting time, and identifying  
7 and allocating funds to cover the estimated 5,500 balance for  
8 the room and audiovisual needs.

9 COMMISSIONER DEMERSON: Second.

10 CHAIRMAN DANIEL: It's been moved and  
11 seconded. We're unanimous.

12 KRISTIE CAVINESS: Thank you.

13 CHAIRMAN DANIEL: Thank you. This is Agenda  
14 Item 14, Fiscal Year 2023 Internal Audit Plan.

15 ASHLEY SAGEBIEL: Good afternoon, chairman,  
16 commissions. For the record, Ashley Sagebiel, internal audit  
17 director. Today I'm here to present the Fiscal Year 2023 audit  
18 plan for your consideration and approval. In your materials  
19 you'll find the proposed audit projects as briefed with your  
20 offices. I'll be happy to answer any questions you may have.

21 CHAIRMAN DANIEL: Comments or questions?

22 COMMISSIONER ALVAREZ: It's nice to see you  
23 again, and great report.

24 COMMISSIONER DEMERSON: None here.

25 CHAIRMAN DANIEL: Is there a motion?

1 COMMISSIONER ALVAREZ: I move that we  
2 approve the Fiscal Year 2023 Audit Plan as presented by staff.

3 COMMISSIONER DEMERSON: Second.

4 CHAIRMAN DANIEL: It's been moved and  
5 seconded. We're unanimous.

6 ASHLEY SAGEBIEL: Thank you.

7 CHAIRMAN DANIEL: Thank you. I just want to  
8 see how far you'd walk before I started [inaudible].

9 COMMISSIONER ALVAREZ: I think we should  
10 have them play music when they walk up here. It gets kind of  
11 quiet.

12 CHAIRMAN DANIEL: Like the Astros? This is  
13 Agenda Item 15, Board Contract Year 2023 and 2024, Local  
14 Workforce Development Board Targets.

15 COURTNEY ARBOUR: I know you've had a busy  
16 afternoon. I was just trying to help us move this along.

17 CHAIRMAN DANIEL: I appreciate the  
18 enthusiasm. I really do.

19 COURTNEY ARBOUR: Good afternoon. For the  
20 record, Courtney Arbour, Workforce Division. In a joint effort  
21 by the Workforce Division and I|3, Adam Leonard and I bring for  
22 your consideration the performance targets for the local  
23 Workforce Development Boards for WIOA adult dislocated worker  
24 and youth programs for Board Contract Year 23 and 24. Department  
25 of Labor requires that states submit targets for a two-year

1 period and at the end of each year the targets are actually  
2 adjusted based on actual case mix of the customers served. This  
3 is that exercise to establish those targets. What you found in  
4 your notebook materials and have been briefed are the targets  
5 proposed by staff after first applying our state local knowledge  
6 to the DOL's statistical model and second, discussing with the  
7 boards the targets that we would propose and getting their  
8 considerations for anything locally that we might not have  
9 considered. These measures are important to the workforce system  
10 in that they're fundamental to Texas' continued receipt of WIOA  
11 funding but more so because they set the bar for participant  
12 outcomes related to employment, earnings, skills gains, and  
13 credential achievement. Our primary interest in the WIOA  
14 programs is to strengthen the labor force by helping employers  
15 hire and retain skilled workers and to help Texans including  
16 youth with significant barriers to employment to find meaningful  
17 employment. So after analysis by the Workforce Division and I|3  
18 and review with the boards, staff recommends approval of the  
19 targets for WIOA adult dislocated worker, youth for BCY 23 and  
20 24 as proposed

21 CHAIRMAN DANIEL: Comments or questions?

22 COMMISSIONER ALVAREZ: Good work, Courtney,  
23 you and Adam and your team so thank you for that.

24 COMMISSIONER DEMERSON: Ditto.

25 CHAIRMAN DANIEL: Is there a motion?

1 COMMISSIONER ALVAREZ: I move that we  
2 approve the initial targets for Board Contract Years 2023 and  
3 2024 for the WIOA statutorily prescribed performance measures  
4 negotiated with the 28 Workforce Boards as listed in the  
5 discussion paper and recommended by staff.

6 COMMISSIONER DEMERSON: Second.

7 CHAIRMAN DANIEL: It's been moved and  
8 seconded. We're unanimous.

9 COURTNEY ARBOUR: Thank you.

10 CHAIRMAN DANIEL: Thank you. This is Agenda  
11 Item 16, Program Year 2022-2023 AEL Contracted Measures.

12 MAHALIA BALDINI: Good afternoon, Chairman  
13 Daniel, Commissioner Alvarez, Commissioner Demerson, and Mr.  
14 Serna. For the record, Mahalia Baldini with the Workforce  
15 Development Division. This afternoon, Adam Leonard with I|3 as  
16 well as myself are presenting you with the Adult Education and  
17 Literacy Program year 22-23 Contracted Measures, and  
18 Performance-Based Funding Criteria as outlined in your notebook  
19 materials. For the first issue on contracted measures,  
20 historically the commission has approved the following AEL  
21 contracted measures: Participant enrollment measurable skills  
22 gain and WIOA exit-based outcomes. Your notebook materials  
23 further outlines the targets for each of these measures and  
24 provides context for whether the measures are corresponding and  
25 aligned to targets set by the U.S. Department of Education or

1 outlined in the General Appropriations Act. On the second issue  
2 for the PY22-23, allocations are composed of a performance-based  
3 funding holdback as authorized in TWC Chapter 800, General  
4 Administration Rule, and in order to access this holdback of  
5 funds, AEL grant recipients must meet performance-based funding  
6 criteria as approved by the commission each program year. As  
7 outlined in your notebook materials for Program Year 22-23, we  
8 have two performance-based funding holdback criteria for the  
9 commission's consideration. So at this time staff seeks  
10 direction on the proposed AEL contracted targets as well as  
11 setting the performance-based funding criteria. I'm happy to  
12 answer any questions that you may have.

13 CHAIRMAN DANIEL: Comments or questions?

14 COMMISSIONER ALVAREZ: None here, chairman.

15 COMMISSIONER DEMERSON: None.

16 CHAIRMAN DANIEL: Is there a motion?

17 COMMISSIONER ALVAREZ: I move that we  
18 approve Program Year 2022 through 2023 AEL Contracted Measures  
19 and Performance-Based Funding Criteria as recommended by staff.

20 COMMISSIONER DEMERSON: Second.

21 CHAIRMAN DANIEL: It's been moved and  
22 seconded. We're unanimous.

23 MAHALIA BALDINI: Thanks, guys.

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1 CHAIRMAN DANIEL: Thank you. This is Agenda  
2 Item 17, Submission of the Apprenticeship Related Instruction  
3 Cost Study to TWIC.

4 KERRY BALLAST: Good afternoon, Chairman  
5 Daniel, Commissioner Alvarez, Commissioner Demerson, and Mr.  
6 Serna. For the record, Kerry Ballast, Workforce Development  
7 Division. Per Texas Education Code Section 133, at least  
8 annually the commission shall prepare and submit to the Texas  
9 Workforce Investment Council or to the Apprenticeship and  
10 Training Advisory Committee as designated by TWIC a report that  
11 includes an apprenticeship-related instruction cost study for  
12 the most recent state fiscal year. The purpose of the cost study  
13 is to report the current funding and cost of the state's  
14 apprenticeship training program. At this time staff seek  
15 direction on the submission of the apprenticeship-related  
16 instruction cost study for Fiscal Years 2020 and 2021 to the  
17 Texas Workforce Investment Council.

18 CHAIRMAN DANIEL: Comments or questions?

19 COMMISSIONER ALVAREZ: None here, chairman.

20 COMMISSIONER DEMERSON: None.

21 CHAIRMAN DANIEL: Is there a motion?

22 COMMISSIONER ALVAREZ: I move that we  
23 approve and submit the Apprenticeship Related Instruction Cost  
24 Study for Fiscal Years 2020 and 2021 to the Texas Workforce  
25 Investment Council.

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COMMISSIONER DEMERSON: Second.

CHAIRMAN DANIEL: It's been moved and seconded. We're unanimous.

KERRY BALLAST: Thank you.

CHAIRMAN DANIEL: This is Agenda Item 18, Late Refund Penalty Rate for Career Schools and Colleges.

KERRY BALLAST: Good afternoon. For the record, Kerry Ballast, Workforce Development Division. Texas Education Code Section 132 requires a career school or college to pay student refunds within a 60-day period. Failure to do so requires the career school or college to pay a late refund penalty rate. The section also requires that the Texas Workforce Commission annually establish this penalty at a level sufficient to act as a deterrent to the retention of refunds. The current 250 percent rate has proven to be effective in encouraging career schools and colleges to pay students refunds in the required timely manner. At this time staff seeks direction on the establishment of the late refund penalty rate for calendar year 2023, requesting that it remain at the current annual rate of 250 percent.

CHAIRMAN DANIEL: Comments or questions?

COMMISSIONER ALVAREZ: None here, chairman.

COMMISSIONER DEMERSON: None.

CHAIRMAN DANIEL: Is there a motion?

1 COMMISSIONER ALVAREZ: I move that we  
2 approve the calendar year 2023 penalty rate for the late refunds  
3 to students at the current annual rate of 250 percent.

4 COMMISSIONER DEMERSON: Second.

5 CHAIRMAN DANIEL: It's been moved and  
6 seconded. We're unanimous.

7 KERRY BALLAST: Thank you.

8 CHAIRMAN DANIEL: This is Agenda Item 19,  
9 Board Contract Year 2024 Statewide Parent Share of Cost  
10 Methodology for Child Care Services.

11 ALLISON WILSON: Good afternoon, Chairman  
12 Daniel, Commissioner Alvarez, Commissioner Demerson, and Mr.  
13 Serna. For the record, Allison Wilson with the Child Care and  
14 Early Learning Division. Before you today is a discussion paper  
15 outlining a new methodology for assessing the parent share of  
16 cost for the child care services program. On September 13<sup>th</sup> the  
17 commission approved the amendment of Section 809.19 of TWC's  
18 Chapter 809, Child Care Services rules to create a statewide  
19 policy. The new policy will support greater consistency and help  
20 ensure affordability of parent copays. Under the new rule,  
21 parent share of cost must be established by the commission on a  
22 sliding fee scale that is based on family size and monthly  
23 income, and is represented as a percentage of the state median  
24 income. The methodology we are proposing today meets these  
25 requirements, ensuring that families at the lowest income levels

1 have the lowest percentage of their income going towards parent  
2 share of cost. Additionally, consistent with the benchmarks set  
3 forth by the Federal Office of Child Care, this methodology caps  
4 parent copays at no more than seven percent of family income for  
5 families with one child in care, and 13 percent for families  
6 with multiple children in care. Per Section 809.19, these  
7 percentages will be reviewed and if necessary modified by the  
8 commission on an annual basis. The new statewide standard will  
9 require substantial IT system changes that will be addressed in  
10 TWC's new child care case management system scheduled to be  
11 completed in late 2023. Staff recommends the commission adopt  
12 the new statewide parent share of cost methodology as described  
13 in the paper, and that the commission direct staff to implement  
14 the policy in the fall of 2023 in conjunction with the  
15 implementation of TWC's new child care case management system.  
16 I'm happy to answer any questions you may have.

17 CHAIRMAN DANIEL: Comments or questions?

18 COMMISSIONER ALVAREZ: None here, chairman.

19 COMMISSIONER DEMERSON: None.

20 CHAIRMAN DANIEL: Is there a motion?

21 COMMISSIONER ALVAREZ: I move that we  
22 approve the methodology for assessing a family's parent share of  
23 cost as outlined in the discussion paper and authorize staff to  
24 amend the Federal Fiscal Year 2022 through 2024 child care and  
25 development fund state plan accordingly.

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COMMISSIONER DEMERSON: Second.

CHAIRMAN DANIEL: It's been moved and seconded. We're unanimous. This is Agenda Item 20, Resource Utilization and Implementation of Services and Strategies to Target Disaster Relief Efforts and Public Health Emergencies, specifically an amendment to the chapter Provider Cost of Quality Calculator Initiative.

ALLISON WILSON: Again, Allison Wilson with Child Care and Early Learning. On March 8, 2022, the commission approved the sixth tranche of Child Care Stimulus-Funded Initiatives which included funding for the Provider Cost of Quality Calculator's web-based interactive tool. At that time staff had estimated that the PCQC would cost \$800,000. However, through the process of obtaining a quote through a DIR cooperative contract, staff have determined that additional funding is needed due to higher than anticipated information technology costs. An additional 400,000 will support the development and deployment of the interactive web tool. Staff recommends the commission approve an additional 400,000 in stimulus funding for the PCQC.

CHAIRMAN DANIEL: Comments or questions?

COMMISSIONER ALVAREZ: Allison, I just wanted to thank you for all the great work you and your team do to provide services, and how we've been able to use this money, these tranches, the money that has been allocated.

1 ALLISON WILSON: Thank you.

2 COMMISSIONER ALVAREZ: Wherever we speak  
3 that's one of the things that always comes out is the fact that  
4 how we've been so creative and how we've been working with our  
5 TRS providers making sure that they get the tools needed to be  
6 successful, so I appreciate that, and I know I'll be taking a  
7 tour of the TRS provider at Valley Baptist Medical Center which  
8 is fascinating. I'm looking forward to that, being in an on-  
9 premise employer daycare center so I'm looking forward to that,  
10 so I wanted to thank you and your team for all of what you do.

11 ALLISON WILSON: Thank you.

12 COMMISSIONER DEMERSON: No comments.

13 CHAIRMAN DANIEL: What was the cause of the  
14 increase?

15 ALLISON WILSON: 400,000.

16 CHAIRMAN DANIEL: But like why is it  
17 400,000?

18 ALLISON WILSON: Because we underestimated  
19 what the technology costs were going to be in the first round.

20 CHAIRMAN DANIEL: And whose technology cost  
21 was that?

22 ALLISON WILSON: Partly because we're going  
23 through a DIR cooperative contract which does allow us to much  
24 more efficiently get into contract and start the work, but the  
25 vendors tend to be more your, you know, Cadillacs, and what we

1 had used to estimate to create the original estimate was more of  
2 a Pinto.

3 CHAIRMAN DANIEL: A Pinto?

4 ALLISON WILSON: I'm dating myself.

5 CHAIRMAN DANIEL: I would have gone with  
6 Yugo so about that same time period. You read about Pintos in  
7 history class in high school. That's how you knew.

8 ALLISON WILSON: No, I'm old enough to have  
9 ridden in one.

10 CHAIRMAN DANIEL: Thank you. Any other  
11 questions or comments?

12 COMMISSIONER ALVAREZ: None here, chairman.

13 COMMISSIONER DEMERSON: None.

14 CHAIRMAN DANIEL: Is there a motion?

15 COMMISSIONER ALVAREZ: Chairman, I move that  
16 we approve the 400,000 in additional child care stimulus funding  
17 to the Provider Cost of Quality Calculator Initiative as  
18 described in the discussion paper and recommended by staff.

19 COMMISSIONER DEMERSON: Second.

20 CHAIRMAN DANIEL: It's been moved and  
21 seconded. We're unanimous. Thank you. I mean I was all ready for  
22 a legislative report but we're not having one today. How about  
23 an executive director's report?

24 MR. SERNA: Nor that.

25

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

3 COMMISSIONER ALVAREZ: Chairman, I have a  
4 few things. The Texas Education Agency reported that during the  
5 2021 through 2023 school year, Texas employed 376,086 classroom  
6 teachers. Nearly 12 percent left the profession that same year  
7 which has an increase of about 10 percent in recent years. In  
8 2021, more than 8,600 teachers retired, about 1,000 more than  
9 the year before. As you know, I recently met with Brazosport  
10 College and Brazosport ISD. Brazosport College has their  
11 occupational standards approved this year, had them approved  
12 this year by the Department of Labor for the occupation of K  
13 through 12 teachers, and they are seeking assistance in  
14 implementation of their teacher apprenticeships. I know that  
15 Dallas College also has a K through third teacher apprenticeship  
16 and would probably have similar interest. Ed, I would like staff  
17 to explore using apprenticeship expansion funding or other  
18 sources to determine if these very important teacher  
19 apprenticeships can be supported. So some time back in September  
20 we provided Brazosport College with an enriched ED pathways  
21 support letter acknowledging the shortage of teachers. I have it  
22 here the reimagined teacher pathway. This is the work that Kerry  
23 Ballast, her team, and Desi have been working with Department of  
24 Labor and Brazosport. They have an apprenticeship program, one  
25 of the few in the country. The United States Department of Labor



1 has their credentials acknowledging that, one of the few in the  
2 country that are doing that, and so I'm looking at ways to  
3 explore that so if you could do, again, whether it's through the  
4 expansion money, not wanting to make sure—I want to make sure  
5 that we don't increase Desi's workforce load but if there are  
6 other opportunities for us to use funding, I think this is a  
7 true Tri-Agency initiative that would take place and there's a  
8 lot of interest in what we're doing to address the shortage of  
9 teachers. Next, as you know next week, we will be celebrating  
10 apprenticeship week. We have a kick-off. There's one for you,  
11 chairman, and one for Commissioner Demerson. These are push  
12 cards indicating that we will be celebrating apprenticeship week  
13 starting on the 15<sup>th</sup>. As we know, TWC will be implementing three  
14 apprenticeship programs as an agency. Les has one in his  
15 department, HR has one with Jerry White, and of course we have  
16 one with Dr. Heather Hall who will have a couple of apprentices  
17 here in this very room, and we're going to hopefully be signing  
18 standards that day for at least one of theirs. We have visitors  
19 from DC, I mean from Dallas Department of Labor that will be  
20 present. I want to acknowledge the great work that Desi and of  
21 course Courtney and all the folks that deal with, and Kerry  
22 Ballast, all the work that they've done to implement and to  
23 support expanding apprenticeship programs not only in this area  
24 but around the state of Texas. So we'll be traveling all next  
25 week ending up in Georgetown with two employers that are going

1 to be signing their standards that day, and I think they're in  
2 injection molding so it's the first of its kind as well. The  
3 third thing is I was asked by a friend of mine named Alex Mead  
4 [SP] who has shown interest in figuring out ways how we can  
5 encourage young adults, and I think I've had this discussion  
6 with Ed and with staff regarding that we already do this, and  
7 that is informing seniors about the value of signing up to fill  
8 out their FAFSA applications. We may be doing it but I'm not  
9 sure how we're marketing it, and this is one way that Region One  
10 is collaborating with Texas Workforce Commission, a local bank,  
11 also RGV FOCUS and Educate Texas. On Thursday of this week, we  
12 will have 300 counselors in Region One all together celebrating,  
13 encouraging our school districts to implement the value of  
14 having young adults, especially those in areas that really need  
15 encouragement to fill out their FAFSA, and so we'll have an  
16 entity that will be overseeing it. It's a kickoff party or a  
17 kickoff announcement and we're going to be challenging the other  
18 educational service centers around the state to do the same  
19 thing. This is our way of encouraging young adults about the  
20 value of signing up to fill out their FAFSA. All these  
21 initiatives have come out from discussions that we've had in the  
22 last couple of months, whether it's in Brazosport with the  
23 education encouraging young adults to be teachers, addressing  
24 the teaching shortage, to encouraging young folks to apply for  
25 apprenticeship programs or I mean their FAFSA, and then of

1 course the third initiative is the acknowledgment of National  
2 Apprenticeship Week so that's all I wanted to say, and I  
3 appreciate everything and all the work that staff has put into  
4 making sure that we're successful in all three of these events.

5 COMMISSIONER DEMERSON: Commissioner  
6 Alvarez, let me applaud the efforts around the FAFSA  
7 opportunities. I'd love to work with your group, your team,  
8 whomever is working on that as we look at high school internship  
9 opportunities as well along with college internship  
10 opportunities, and so if you see it fit there, make sure that  
11 we're in the loop on those things. We'd love to [inaudible] on  
12 that effort. Secondly, I know we're coming up on Veterans Day on  
13 the 11<sup>th</sup> and so wanted to recognize and just thank all the  
14 veterans, and I know we do some of that as we go forward but  
15 this is a week that we're [inaudible] and I'll be here in Austin  
16 participating with the Capital, Workforce Solutions Capital Area  
17 but to all of our veterans that are even online or in the office  
18 and the like, and just appreciate their service and wanted to  
19 share that and recognize their service and contributions to our  
20 country.

21 COMMISSIONER ALVAREZ: Chairman, if I also  
22 may add that there's been a lot of work in addressing the  
23 shortages not only in health care but in our teachers, and so  
24 I'm very excited to see that there may be some opportunities for  
25 us to assist those occupations as we all know the value of that.

1 We just got off the phone obviously with the nursing board  
2 regarding where we're at right now. Hopefully we'll be able to  
3 address those nursing shortages soon, but I will tell you that  
4 I'm very excited about the work that this agency has done  
5 collectively to make sure that we're addressing the needs. I  
6 just got back from speaking in Hurst, Texas, and the compliments  
7 that people from all over the state give this great agency for  
8 the work that we do, I mean, Mahalia, with the work that you're  
9 doing in AEL, and when we show slides of what you do in child  
10 care and how innovative this commission has been and how the  
11 commission has been very supportive of programs around the state  
12 and how we've addressed the needs of employers, I commend my two  
13 fellow commissioners. It's always a team effort and so we have  
14 some really exciting things that are happening. I know we're  
15 currently working on some stuff that we're hoping we'll be able  
16 to express during this upcoming legislative session. There are  
17 things that are exciting. The way we look at higher ed which in  
18 my opinion is anything after high school, things are changing  
19 before our very eyes, and I'm glad we're addressing that, so I  
20 commend the agency for the great work that we're doing. People  
21 out-everything from our JET grants to our skills development,  
22 people are very appreciative of what we do here. I know we don't  
23 get an opportunity often to thank everybody in a room for all  
24 the great work that you're doing but certainly I will tell you  
25 that we've done some really good work not only during the

1 pandemic, but we continue to do good work, and, Ed, I compliment  
2 you on the team that you've established and the great work that  
3 we're doing collectively. So just wanted to share that with  
4 everybody.

5 MR. SERNA: Thank you, sir.

6 CHAIRMAN DANIEL: All right, anything else?  
7 Is there a motion to adjourn?

8 COMMISSIONER ALVAREZ: Chairman, I move that  
9 we adjourn.

10 COMMISSIONER DEMERSON: Astros won. Second  
11 the motion.

12 COMMISSIONER ALVAREZ: Yep.

13 CHAIRMAN DANIEL: The Astros did-

14 COMMISSIONER DEMERSON: They did win the  
15 World Series.

16 CHAIRMAN DANIEL: That's a World Series,  
17 that's great. World champs.

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