



MEETING OF THE
TEXAS WORKFORCE COMMISSION

DATE

DECEMBER 9, 2025

1 Tuesday, December 9, 2025

2 CHAIRMAN ESPARZA: All right. Good morning,
3 everybody. This meeting is called to order. Mr. Trobman, has
4 anyone signed up for public comment?

5 MR. TROBMAN: Good morning, uh,
6 commissioners. Les Trobman, general counsel. We have one
7 individual who has registered for public comment. We have Ebony
8 Nicole Mitchell. If you could go ahead and unmute yourself and,
9 uh, and begin.

10 MR. TROBMAN: OK. Does not appear that Ms.
11 Mitchell, uh, has joined the meeting, and so with that I think
12 we're good to go. Thanks.

13 CHAIRMAN ESPARZA: Good. Thanks, Les, thank
14 you very much. Uh, Item 3, uh, I'll now turn the meeting over to
15 Commissioner Connett to preside over Agenda Items 3 through 8.
16 Commissioner Connett.

17 CHAIRMAN ESPARZA: Thank you, Commissioner
18 Connett. We shall pause, uh, for the shuffle and resume in about
19 [inaudible] two minutes.

20 MS. MILLER: Thank you, gentlemen.

21 CHAIRMAN ESPARZA: OK, Everybody. We are
22 back. Mr. Trobman, you want to come up? Public comment. We'll
23 revisit public comment, please.

24 MR. TROBMAN: Good morning again,
25 commissioners. Les Trobman, general counsel. So our one

1 registrant is, uh, named Ebony Nicole Mitchell. Ms. Mitchell, if
2 you could unmute yourself and begin.

3 EBONY NICOLE MITCHELL: Good morning,
4 commissioners, and esteemed ladies and gentlemen.

5 MR. TROBMAN: We can hear you. Go ahead.

6 EBONY NICOLE MITCHELL: Thank you.

7 MR. TROBMAN: You may want to hang up one
8 phone that you may not be using.

9 EBONY NICOLE MITCHELL: OK, yes. sir. OK,
10 I'm good now.

11 MR. TROBMAN: Perfect.

12 EBONY NICOLE MITCHELL: Thank you for the
13 critical opportunity to present my testimony regarding appeal
14 case number 3842066-2 on Docket 50. The commission has been
15 provided with an extensive body of evidence including writeups
16 and statements refuting them with witnesses that were never
17 allowed to provide testimony, performance evaluations, pertinent
18 text message communications from August 31, 2024, through
19 September 5, 2024, numerous awards and commendations,
20 professional recommendations from colleagues and a compelling
21 letter of support from the chairman of the trauma service line.
22 Today, December 9, 2025, I, Ebony N. Mitchell, MSN, RN, BSHS,
23 and with 22 years of dedicated service as a perioperative nurse,
24 come before you to respectfully assert that my termination was
25 unequivocally retaliatory and discriminatory. I humbly request a

1 modification of the tribunal's administrative decision given the
2 clear instances of discrimination and retaliation I have
3 endured. The employer has demonstrably failed to provide
4 sufficient corroborated evidence to substantiate the claim that
5 I intentionally, voluntarily or maliciously made a conscious
6 decision to engage in sleep while on duty, therefore violating
7 organizational policy. The act, the allegations lack the
8 specific objective indicators typically associated with active
9 sleep. There was no substantiation that I was motionless with
10 eyes closed, exhibited an unusual relaxed posture such as being
11 slumped over with my head resting on a desk or fail to respond
12 to external stimuli like verbal calls, knocking or gentle
13 physical prompts. Furthermore, no documentation or testimony was
14 presented regarding my breathing patterns being deep, slow, and
15 even, nor was there any mention or proof of snoring or other
16 sleep-related noises. It is crucial to note that I have a
17 medically diagnosed condition of not just asthma but also sleep
18 apnea which when I am actually sleeping, I do snore. Throughout
19 my extensive tenure of eight-plus years with the organization I
20 consistently and formally reported a persistent pattern of
21 bullying, defamation of character, hierarchical violence,
22 lateral violence, incivility, harassment perpetuated by
23 leadership team and resources. This history of reported issues
24 provides a critical context for understanding the retaliatory
25 nature of my termination. At the time of the incident of an

1 asthma attack and dosing off post medication which I admit did
2 occur twice, once in February of 2024 and once in August of
3 2024, I was observing a break with a designated staff lounge and
4 was neither assigned nor had I missed any critical duties
5 pertaining to patient care. I even on after the August 31st date
6 engaged in a level one trauma case post the attack and
7 medicating and had no issues with the care provided. My medical
8 history includes diagnosis of asthma and sleep apnea which the
9 organization was fully aware of the asthma and has been
10 confirmed by a board-certified pulmonologist, Dr. Clinton Doerr.
11 The employer was fully apprised of my asthma, has, as evidenced
12 by multiple applications for FMLA, short-term disability, and
13 several annually documented leaves due to asthma, and that was
14 so severe that at times I had to be hospitalized. Moreover, I
15 had formally requested reasonable accommodations related to my
16 asthma in July of 2024. I had also contacted HR upon my return
17 in July of 2024 after my manager made a statement that was not
18 completely true concerning termination if one did not report for
19 duty when contacted to report for code gray during a disaster.
20 She did not appreciate that I contacted HR. She was reprimanded
21 for the incorrect statement made and she changed my assignment
22 from team A which is a ride-out team to the recovery team. This
23 termination stands in stark contrast to the treatment of other
24 employees. I can provide evidence of at least two other
25 unmedicated employees on my shift that were observed sleeping by

1 this same leader on separate occasions and were not terminated.
2 Additionally, numerous other departmental employees, nurses,
3 surgical techs, as well as others who were actually sleeping,
4 some with medical issues, some pregnant, and those without any
5 medical history who were tired and have been known to sleep
6 openly for extended periods over several years without facing
7 disciplinary action or termination. It is also pertinent that
8 anesthesia and surgical residents operating under similar
9 institutional policies are routinely provided dedicated sleep
10 rooms and are permitted to sleep during their shifts. The unjust
11 accusations and subsequent term, termination have inflicted
12 severe and wide-ranging adverse repercussions on both my
13 personal and professional life. My family and I have faced the
14 threat of eviction which we are in right now in the apartment
15 that we reside. My storm-damaged home recently emerged from
16 foreclosure proceedings, and I have experienced the repossession
17 of vehicles. Professionally I am now prevented from securing
18 employment in any operating room. I have not been able to get a
19 job in an operating room for over a year. Uh, I'm also unable to
20 pursue the operating room certification exam which is a crit, a
21 critical, uh, requirement for career advancement. These profound
22 and destabilizing events are a direct consequence of this
23 discriminatory and retaliatory action by leaders. I have
24 witnesses to all of the events and those witnesses were never
25 allowed to testify and provide true statements of what actually

1 occurred with any of my writeups including in—and I don't have
2 any witnesses for this particular incident right here but, uh, I
3 hope that you all will see that my termination was actually
4 discriminatory and retaliatory and allow the opportunity for me
5 to receive backpay. I'm also asking for a two percent increase
6 for the next 20 years and forward pay as well. Thank you so much
7 for allowing me this opportunity.

8 MR. TROBMAN: Thank you. Commissioners,
9 those are the comments we have.

10 CHAIRMAN ESPARZA: Thank you, Les. We'll get
11 to Item 9, uh, Chris Nelson. Chris, come on up here. Item 9 is
12 the 2026 unemployment insurance tax rate.

13 CHRIS NELSON: Good morning, chairman,
14 commissioners, Mr. Townsend. For the record, Chris Nelson, chief
15 financial officer. Uh, the Texas Workforce Commission is
16 scheduled to implement, implement unemployment insurance tax
17 rates for calendar year 2026. The rates have been calculated
18 according to the Texas Unemployment Compensation Act or TUCA,
19 and the commission have been briefed on these rates. The
20 commission is required to set the obligation assessment under
21 Section 203.105 of the TUCA. The commission also have the
22 authority to adjust the replenishment tax and the deficit
23 assessment under Section 204.067 of the TUCA. If the commission
24 would like to set or adjust these rates, they would need to do

1 so with a motion. That concludes my comments and I'd be happy to
2 answer any questions.

3 CHAIRMAN ESPARZA: Commissioners, any
4 questions or comments?

5 COMMISSIONER TREVIÑO: Uh, none here.

6 COMMISSIONER CONNETT: No, thank you.

7 CHAIRMAN ESPARZA: Employers who have to pay
8 more in taxes have less money to meet their payroll, hire new
9 employees to grow [inaudible] grow their business. We want to
10 keep as much money as we can circulating in the economy so our
11 goal is to continue to pay benefits and help reduce the
12 likelihood of large tax rate adjustments in future years and
13 ensure the system remains stable and is prepared for economic
14 fluctuations over the years. So based on this goal, I move that
15 the commission adjust the deficit assessment to zero percent and
16 set the obligation assessment at 0.01 percent for 2026.

17 COMMISSIONER CONNETT: I second that motion.

18 CHAIRMAN ESPARZA: The motion passes. Set
19 the rate.

20 CHRIS NELSON: Thank you.

21 CHAIRMAN ESPARZA: On Item 10, uh,
22 discussion, considering, considering possible action regarding
23 the submission of fiscal year 2025 Texas Workforce Commission's
24 hiring practices annual report to the governor and the
25 legislature, Legislative Budget Board.

1 KATHIE NGUYEN: Good morning. Good morning,
2 Commissioner Connett, good morning, Commissioner Esparza,
3 Commissioner Treviño, and Mr. Townsend. Good morning. I'm Kathie
4 Nguyen, Civil Rights Division. Today's briefing covers the
5 hiring practices annual report as mandated by Texas Labor Code
6 Chapter 21.504. This law requires state agencies to report their
7 hiring demographics to ensure compliance with the state laws.
8 This fiscal year 2025 hiring practices annual report which is
9 submitted to the Legislative Budget Board and the Office of the
10 Governor compiles hiring data from the comptroller, the Board of
11 Law Examiners, and the State Bar of Texas. This concludes my
12 statement. I am happy to answer any questions you may have.
13 Thank you.

14 CHAIRMAN ESPARZA: Kathie, Kathie, I get
15 starstruck when I see Randy [inaudible]. Uh, commissioners, uh,
16 you all have anything, questions or comments for Kathie?

17 COMMISSIONER TREVIÑO: Uh, nothing here.
18 Good job, Kathie.

19 KATHIE NGUYEN: Thank you.

20 COMMISSIONER CONNETT: Ms. Nguyen, just one
21 question of you. Do I understand correctly that this, that this
22 report will be, uh, will have a cover letter that, uh, explains
23 the statutory reasons for why we're issuing the report?

24 KATHIE NGUYEN: Yes. This will have a, uh, a
25 cover letter as soon as it's approved by the commissioners, and,

1 uh, Mr., last year Mr. Ed Serna had a cover letter once it's all
2 commission approved.

3 COMMISSIONER CONNETT: Very good. Thank you.

4 KATHIE NGUYEN: Thank you so much.

5 CHAIRMAN ESPARZA: Because I have no
6 questions, is there a motion?

7 COMMISSIONER TREVIÑO: Uh, Chairman, I move
8 that we approve the fiscal year 2025 Texas Workforce
9 Commission's hiring practices annual report for submission to
10 the governor and the Legislative Budget Board as recommended
11 today by staff.

12 COMMISSIONER CONNETT: Second.

13 CHAIRMAN ESPARZA: I also vote yes. The
14 motion passes. Thank you, Kathie, appreciate it.

15 KATHIE NGUYEN: Thank you so much.

16 CHAIRMAN ESPARZA: Uh, on to Item 11,
17 discussion, considering possible action regarding the approval
18 of the Internal Audit Charter.

19 ASHLEY SAGEBIEL: Good morning, chairman,
20 commissioners. For the record, Ashley Sagebiel, Internal Audit.
21 The Internal Audit Charter is a formal document that defines the
22 internal audit activities, purpose, authority, and
23 responsibility. This document should be reviewed and revised
24 periodically to ensure all information is up to date and
25 accurate. Today I'm here to present the Internal Audit Charter

1 as discussed with your offices for your consideration and
2 approval.

3 CHAIRMAN ESPARZA: Very good. Commissioners,
4 any comments or questions?

5 COMMISSIONER TREVIÑO: Nothing here.

6 COMMISSIONER CONNETT: None, thank you.

7 CHAIRMAN ESPARZA: I have no questions. Is
8 there a motion?

9 COMMISSIONER TREVIÑO: Uh, Chairman, I move
10 that we approve the Internal Audit Charter as recommended today
11 by staff.

12 COMMISSIONER CONNETT: I second that motion.

13 CHAIRMAN ESPARZA: I also vote yes. The
14 motion passes.

15 ASHLEY SAGEBIEL: Thank you.

16 CHAIRMAN ESPARZA: The motion passes.

17 ASHLEY SAGEBIEL: Thank you. [Inaudible].

18 CHAIRMAN ESPARZA: [Inaudible] sorry. Uh,
19 hang on where you're at and wait for me then. Uh, Item 12,
20 discussion, consideration and possible action regarding the
21 approval of the Internal Audit Plan [inaudible].

22 ASHLEY SAGEBIEL: Again for the record,
23 Ashley Sagebiel, Internal Audit. Today I'm here to present the
24 fiscal year 2026 audit plan for your consideration and approval.
25 On page six and seven of your materials you will find the

1 proposed audit projects as briefed with your offices, and I'd be
2 happy to answer any questions you have.

3 CHAIRMAN ESPARZA: Commissioners, any, uh,
4 questions or comments?

5 COMMISSIONER TREVIÑO: Uh, nothing here.

6 COMMISSIONER CONNETT: None, none here,
7 thank you.

8 CHAIRMAN ESPARZA: Is there a motion?

9 COMMISSIONER TREVIÑO: Uh, Chairman, I move
10 that we approve the fiscal year 2026 internal audit plan as
11 recommended today by staff.

12 COMMISSIONER CONNETT: And I second that
13 motion.

14 CHAIRMAN ESPARZA: I also vote yes. The
15 motion passes.

16 ASHLEY SAGEBIEL: Thank you.

17 CHAIRMAN ESPARZA: [Inaudible].

18 ASHLEY SAGEBIEL: That's all I have today.

19 CHAIRMAN ESPARZA: [Inaudible] being here.
20 Uh, Item 13, discussion, consideration, possible action of the
21 publication for public comment of proposed amendments to, to 40
22 Texas Administrative Code Chapter 3, uh, 803, the Skills
23 Development Fund to add the Texas A&M Engineering Experiment
24 Station as an eligible SDF applicant. Mr. O'Brien.

25

1 REED O'BRIEN: All right. Good morning,
2 Chairman Esparza, Commissioner Treviño, Commissioner Connett,
3 and Mr. Townsend. For the record, I'm Reed O'Brien with the
4 Office of General Counsel. Commissioners, before you today for
5 your consideration for approval are proposed rule amendments to
6 Chapter 803, Skills Development Fund. The proposed rule changes
7 would implement a provision of Senate Bill 856 passed by the 89th
8 Texas Legislature. The bill amended Texas Labor Code Chapter 303
9 to add the Texas A&M Engineering Experiment Station as a higher
10 education entity eligible for Skills Development Fund support.
11 Staff recommends submitting the proposed rule for publication in
12 the Texas Register for a 30-day public comment period, and staff
13 also requests the ability to make minor nonsubstantive changes
14 to the document to comply with the Texas Register and the Office
15 of the Secretary of State's publication requirements. That
16 concludes my, uh, comments. I am available for any questions.

17 CHAIRMAN ESPARZA: Commissioners, any
18 comments or questions?

19 COMMISSIONER TREVIÑO: Uh, none here.

20 COMMISSIONER CONNETT: No, thank you.

21 CHAIRMAN ESPARZA: Uh, Mr. O'Brien, is this,
22 this program, does, uh, looking at, we're looking at page eight
23 and, uh, 803.3 where it says uses of the fund, uh, item C says
24 technical college training activities shall focus on projects
25 that are not available from a local public community college

1 except in the technical colleges local service area and shall be
2 encouraged to focus on projects that are, that are statewide.
3 Does this, is this pro, does this, how are, how are we reading
4 this? Does this limit the statewide expand of the, of, uh, what
5 are we calling this, TEES, to be able to provide, uh, statewide
6 training or is it, are they limited to be outside those service
7 areas?

8 REED O'BRIEN: Uh, Chairman, we have a
9 subject matter expert here who can answer that question for you,
10 Collin Bradley.

11 CHAIRMAN ESPARZA: He's un-boloed.

12 COLLIN BRADLEY: Not today, no bolo tie
13 today. Good morning, commissioners. Uh, for the record, Collin
14 Bradley, Workforce Development Division. Could you repeat the
15 question really quick, sir?

16 CHAIRMAN ESPARZA: So the question, I want
17 to, want to ensure that I understand it correctly. Uh, that
18 item, there's an item, we can definitely talk about this later I
19 guess it's in the code part of it but my question is does this,
20 uh, does this avail the TEES as an eligible SDF applicant? Does
21 that provide them the availability to be a, just top rate
22 statewide in training?

23 COLLIN BRADLEY: Yes, sir. They will be able
24 to.

1 CHAIRMAN ESPARZA: I wanted to make sure
2 that was, that was the case too. OK, thank you very much,
3 Collin.

4 COLLIN BRADLEY: Excellent, thank you.

5 CHAIRMAN ESPARZA: Uh, is there a motion?

6 COMMISSIONER TREVIÑO: Uh, Chairman, I move
7 that we approve the proposed amendments to Chapter 803, Skills
8 Development Fund, for publication for public comment as
9 recommended today by staff.

10 COMMISSIONER CONNETT: Second.

11 CHAIRMAN ESPARZA: I also vote yes. The
12 motion passes.

13 REED O'BRIEN: Thank you.

14 CHAIRMAN ESPARZA: [Inaudible]. Item 14,
15 discussion, considering the possible action regarding submission
16 of apprenticeship-related instruction cost study for fiscal
17 years [inaudible], thank you, for fiscal years 20, excuse me,
18 2023 to 2024 to the Texas Workforce Investment Council. Mahalia.

19 MAHALIA BALDINI: Good morning, Chairman
20 Esparza, Commissioner Treviño, Commissioner Connett, and Mr.
21 Townsend. For the record, Mahalia Baldini with the Workforce
22 Development Division. Texas Education Code Chapter 133.006(b)
23 requires that the commission to prepare and submit a report to
24 the Texas Workforce Investment Council each year. This report
25 covers program year 2023 through 2024 for the apprenticeship

1 training program. The report details apprenticeship funding,
2 enrollment, outcomes, and wages, highlighting the program's
3 impact and key initiatives like pre-apprenticeship pathways and
4 veteran transition grants. Also included are key findings such
5 as increased funding and enrollment, study contact hour rates,
6 and improvement in our completion rates. Staff are also
7 requesting the ability to make any nonsubstantive changes to the
8 document prior to submittal to the Texas Workforce Investment
9 Council. This concludes my remarks and I'm happy to answer any
10 questions that you may have.

11 CHAIRMAN ESPARZA: Commissioners, any
12 comments or questions?

13 COMMISSIONER TREVIÑO: Uh, just thank you,
14 Mahalia, and just wanted to say this is a very informative and
15 detailed report, and I want to thank Courtney, Desi, and her,
16 their team for compiling all this information and data. Uh,
17 their hard work is crucial to understanding and supporting the
18 vital role of apprenticeship programs in our state's economy so
19 thank you.

20 MAHALIA BALDINI: Thank you [inaudible].

21 COMMISSIONER CONNETT: Nothing here. Thank
22 you.

23 CHAIRMAN ESPARZA: Mahalia, thank you for,
24 uh, we had some questions prior to coming up here and it was
25 basically just to tighten up, kind of understand the language

1 for completion and graduation. If you wouldn't mind, share that
2 with the other commissioners.

3 MAHALIA BALDINI: Absolutely. So in the
4 report I think one thing to note is that this is a snapshot in
5 time so this is a report from our apprenticeship programs across
6 the state that provide, uh, data to us and is a snapshot that
7 runs from September 1, 2023, through August 31, 2024. Uh, in
8 that, uh, in figure 3 specifically within the document, it
9 outlines what we would call graduates versus completers within
10 that program year. Uh, for graduation we are talking there about
11 that nine percent would be individuals who actually receive a
12 DOL certification within that specific reporting period. It is
13 not going to actually identify individuals that may have
14 received that DOL certification in say September or October. Uh,
15 so because it is a snapshot-in-time report, uh, figure 3 is
16 really meant to kind of break down those completion rates which
17 we are as a state at about 89 percent completion for this, for,
18 for all the apprentices in the state of Texas.

19 CHAIRMAN ESPARZA: Uh, 89 percent completion
20 for all, all apprentices, is that—?

21 MAHALIA BALDINI: 89 percent for all
22 apprentices so we're about 11 percent attrition rate overall as
23 a state.

24 CHAIRMAN ESPARZA: OK.
25

1 MAHALIA BALDINI: And 89 is up some from
2 where we were at the last time we submitted this report so.

3 CHAIRMAN ESPARZA: Awesome.

4 MAHALIA BALDINI: We're moving in the right
5 direction.

6 CHAIRMAN ESPARZA: Very good.

7 COMMISSIONER CONNETT: No, nothing further.
8 Thank you.

9 CHAIRMAN ESPARZA: Uh, is there a motion?

10 COMMISSIONER TREVIÑO: Uh, Chairman, I move
11 that we approve the fiscal years 2023, 2024 apprenticeship-
12 related instruction cost study for submission to the Texas
13 Workforce Investment Council as recommended today by staff.

14 COMMISSIONER CONNETT: I second that motion.

15 CHAIRMAN ESPARZA: I vote yes. The motion
16 passes. [Inaudible] yep, hang on, all right. Uh, Item 15,
17 discussion, consideration, and possible action regarding AEL,
18 uh, contracted measures, targets, performance incentive criteria
19 for, uh, 20, uh, 25 and 26, uh. Mahalia, please continue.

20 MAHALIA BALDINI: Uh, good morning again,
21 commissioners. Again for the record, Mahalia Baldini, Workforce
22 Development Division. This morning I am also here, uh, to
23 present to you the Adult Education and Literacy program year,
24 uh, 25-26 contracted measures, targets, and performance-based
25 funding criteria as outlined in your notebook materials. The

1 first issue for consideration is our contracted measures. Your
2 notebook materials outline these measures which include
3 enrollment or participant enrollments, measurable skills gained
4 as well as exit-based outcomes. Your notebook materials further
5 outline the recommended targets related to each of these
6 measures. In tables 1 and 2 of your materials, uh, this is going
7 to reflect our participant enrollment targets for each set of
8 our AEL grants that includes targets reflective of the outlined
9 cost [inaudible] in relation to this year's allocation as well
10 as any carryforward targets associated with any of last year's
11 balances. Uh, we also want to point out as proposed that total
12 participants served across all grants is at 58,955 which exceeds
13 our General Appropriations Act target of 58,649. Moving to table
14 3, this is going to reflect our measurable skills gain target
15 negotiated with the U.S. Department of Education last summer for
16 this program year, and then table 4 rounds us out with our exit-
17 based measures as outlined in either the state's General
18 Appropriations Act or as negotiated with the Office of Career
19 and Technical and Adult Education, also U.S. Department of
20 Education. Uh, the second issue for your consideration has to do
21 with performance-based funding criteria. Texas Labor Code
22 315.007 requires that the Texas Workforce Commission establish
23 performance-based funding criteria related to high school
24 equivalency enrollment and postsecondary enrollment attainment
25 after exiting the AEL program. The two measures are also

1 outlined in your notebook materials. This concludes my remarks
2 and I'm happy to answer any questions that you may have.

3 CHAIRMAN ESPARZA: [Inaudible].

4 Commissioners, any comments or questions?

5 COMMISSIONER TREVIÑO: Uh, none here.

6 COMMISSIONER CONNETT: No, thank you.

7 CHAIRMAN ESPARZA: I have no questions. Uh,
8 is there a motion?

9 COMMISSIONER TREVIÑO: Uh, Chairman, I move
10 that we approve the Adult Education and Literacy program year
11 2025-2026 contracted measures, targets, and performance
12 initiative criteria as recommended today by staff.

13 COMMISSIONER CONNETT: Second.

14 CHAIRMAN ESPARZA: I also vote yes. The
15 motion passes.

16 MAHALIA BALDINI: Thank you.

17 CHAIRMAN ESPARZA: Thanks, Mahalia. Uh, Item
18 16, discussion, consideration, of year, uh, 2026 late refund
19 penalty rate for career schools and colleges.

20 MICHELLE KRANES: Good morning, Mr.
21 Chairman, commissioners, and Mr. Townsend. I'm Michelle Kranes
22 with the Workforce Development Division. Texas Education Code
23 132.061(e) requires a career school or college to pay student
24 refunds within a 60-day period. Failure to do so requires the
25 career school or college to pay a penalty. Section 132.061 also

1 requires TWC annually to establish this penalty at a level
2 sufficient to act as a deterrent to the retention of funds. The
3 current penalty rate of 250 percent originally set in 1992
4 continues to provide a deterrent with no late refund penalties
5 assessed in the last three fiscal years. Therefore, staff
6 recommends the penalty rate for late refunds to students remain
7 at 250 percent for calendar year 2026. That concludes my
8 comments and I'm happy to answer any questions.

9 CHAIRMAN ESPARZA: Thank you. Any comments
10 or questions?

11 COMMISSIONER TREVIÑO: Uh, nothing here.

12 COMMISSIONER CONNETT: No, thank you.

13 CHAIRMAN ESPARZA: Is there a motion?

14 COMMISSIONER TREVIÑO: Chairman, I move that
15 we approve the career schools and college calendar year 2026
16 late refund penalty rate as recommended today by staff.

17 COMMISSIONER CONNETT: Second.

18 CHAIRMAN ESPARZA: I also vote yes. The
19 motion passes. Thank you very much.

20 MICHELLE KRANES: Thank you.

21 CHAIRMAN ESPARZA: Item 17, discussion,
22 considering possible action regarding additional funds to
23 support eligible and qualified applicants to the College Credit
24 for Heroes Program.

25

1 JAMES GOLSAN: Uh, good morning, Mr.
2 Chairman and commissioners, uh, for the record, and Mr.
3 Townsend. Uh, for the record, I'm James Golsan with the
4 Workforce Development Division. Uh, today I'm presenting a
5 discussion paper requesting additional funding for the College
6 Credit for Heroes program. Since the College Credit for Heroes
7 program or CCH application window opened on August 1, 2025, TWC
8 has received an unprecedented number of high-quality
9 applications for the program. Existing funding levels will
10 support fewer than half of the applicants who have submitted
11 applications that would otherwise qualify for CCH funding. To
12 support these high-quality applicants, staff recommends an
13 additional one million in WIOA statewide funding be added to the
14 total funds available in FY26 to fund additional CCH program
15 applications. That concludes my remarks. I'd be happy to answer
16 any questions you all might have.

17 CHAIRMAN ESPARZA: Commissioners, any
18 questions?

19 COMMISSIONER TREVIÑO: Uh, nothing here.

20 COMMISSIONER CONNETT: No, thank you.

21 CHAIRMAN ESPARZA: Is there a motion?

22 COMMISSIONER TREVIÑO: Chairman, I move that
23 we approve the allocation of an additional one million dollars
24 in Workforce Innovation and Opportunity Act statewide funding to
25

1 be added to the fiscal year 2026 College Credit for Heroes
2 program as recommended today by staff.

3 COMMISSIONER CONNETT: Second.

4 CHAIRMAN ESPARZA: I vote yes. Uh, motion
5 passes.

6 JAMES GOLSAN: Thank you very much.

7 CHAIRMAN ESPARZA: Item 19, approval of
8 local Workforce Development Board nominees.

9 KARA LEVY: Good morning, Chairman,
10 commissioners, and Mr. Townsend. For the record, Kara Levy with
11 Workforce Development Division. Today for your consideration we
12 have Workforce Board nominations for the following boards:
13 Cameron County; Deep East Texas; Heart of Texas; Greater Dallas;
14 Lower Rio; uh, North Texas; Northeast Texas; Rural Capital Area;
15 and South Plains. Staff present these nominations for your
16 consideration and I'm happy to answer any questions you have.

17 CHAIRMAN ESPARZA: Thank you very much.
18 Commissioners, any comments or questions?

19 COMMISSIONER TREVIÑO: Uh, none here.

20 COMMISSIONER CONNETT: No, none here. Thank
21 you.

22 CHAIRMAN ESPARZA: Is there a motion?

23 COMMISSIONER TREVIÑO: Chairman, I move that
24 we approve the local Workforce Development Board member nominees
25 presented today for the following: Workforce Solutions Cameron

1 County; Deep East Texas; Heart of Texas; Greater Dallas; Lower
2 Rio Grande Valley; North Texas; Northeast Texas; Rural Capital
3 Area; and South Plains.

4 COMMISSIONER CONNETT: I second.

5 CHAIRMAN ESPARZA: I also vote yes. The
6 motion passes. Sunset Review or, uh, what do we go to? Leg
7 report. No leg report this morning. Uh, Randy, is there an
8 executive director's report?

9 MR. TOWNSEND: Chairman, commissioners, uh,
10 no report, but I did just want to shout out to all the folks
11 that—I know Jennifer's back there in the corner. It looks like
12 she's got a little bit of rest maybe in the last couple of days
13 and the entire team that made the annual conference such a
14 success. I wasn't able to be there in person this year but did
15 watch some of the sessions virtually. It looked like it was
16 great content shared and lively sessions held at various times,
17 but, uh, it looked like everyone was benefiting from the annual
18 conference. A huge success. I just did want to shout out to all
19 the folks that make it look easy, but I know there's a lot of
20 hard work that goes into that. So that was really a just big
21 thank you.

22 CHAIRMAN ESPARZA: Thank you for that,
23 adding that, Randy.

24 COMMISSIONER TREVIÑO: I just wanted to echo
25 that, Randy. Thank you, Jennifer and your team, always make

1 everything so easy. Patricia Martinez and the Workforce
2 Development staff, and the emcee, Mary York, who did an awesome
3 job making sure everything was running smoothly. So I just
4 wanted to thank everybody and all, everybody that's behind the
5 scenes that makes that, uh, very special.

6 COMMISSIONER CONNETT: Yeah, I'll second
7 that. A lot of very hard work, uh, went into the conference. It
8 was a very well-done conference. My, my first but I've attended
9 other events and they seemed to run very smoothly, so kudos to
10 the team.

11 CHAIRMAN ESPARZA: We also got a lot of good
12 feedback from the boards and from other commissioners. I know
13 the Texas Veterans Commission was there in attendance and they,
14 it looks like they get a lot out of those [inaudible], so. And
15 also everybody who hosted a workshop, uh, those are, had a lot
16 of good feedback from folks that were able to get in those and
17 get some good information on that too, so, yeah, definitely,
18 huge thank you. Looking forward to next year. Uh, that will
19 conclude the executive director's report. Uh, Item 24, uh,
20 executive session. The time is now 11:20. Texas Workforce
21 Commission is now going into the executive session in Room 246
22 discussing the appointment, employment, and duties of the
23 executive director, internal auditor, executive staff, and other
24 personnel pursuant to Government Code 551.074(a)(1). Let's head
25

1 over to, to, uh, to the room. No, we're going to go right into
2 it. No break for lunch. Let's go right to it. Thank you, all.

3 CHAIRMAN ESPARZA: [Inaudible] ready? All
4 right. I'm calling 3:06. Time is now 3:06. The commission met in
5 executive session beginning at 11:23 a.m. and concluding at 3:04
6 p.m. Uh, no action is being taken. Can I get a motion to
7 adjourn?

8 COMMISSIONER TREVIÑO: Uh, Chairman, I move
9 to adjourn.

10 COMMISSIONER CONNETT: Chairman, second that
11 motion.

12 CHAIRMAN ESPARZA: The motion passes and we
13 are adjourned. Thank you, fellow commissioners and to everybody
14 who waited up.

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