

## **Texas Combined State Plan for Programs Authorized under the Federal Workforce Innovation and Opportunity Act**

### **The Workforce Innovation and Opportunity Act**

The Workforce Innovation and Opportunity Act (WIOA) was signed into law on July 22, 2014. It replaced the Workforce Investment Act of 1998 and amended the Adult Education and Family Literacy Act, the Wagner-Peyser Act, and the Rehabilitation Act Amendments of 1973. WIOA refers to the following six programs authorized by the Act as “core programs” and administered by two federal agencies:

- U.S. Department of Labor (DOL) Programs:
  - WIOA Services for Adults
  - WIOA Services for Dislocated Workers
  - WIOA Services for Youth
  - Wagner-Peyser Employment Services
- U.S. Department of Education Programs
  - Adult Education and Literacy
  - Vocational Rehabilitation

WIOA focuses on several important purposes, including:

- meeting the skill requirements of employers and connecting employers with the skilled workers they need to compete in the global economy;
- increasing access to and opportunities for the employment, education, training, and support services that individuals, particularly those with barriers to employment, need to succeed in the labor market;
- increasing services to youth, including those with disabilities, especially as they make the transition from education to employment;
- maximizing the ability of individuals with disabilities, including individuals with the most significant disabilities, to achieve competitive integrated employment; and
- improving alignment, coordination, and integration across the core programs in each state’s workforce development system.

### **WIOA in Texas**

The Texas Workforce Commission (TWC) and the Department of Assistive and Rehabilitative Services (DARS) are the two state agencies in Texas that administer the six core programs authorized by WIOA.<sup>1</sup>

TWC administers employment and training services for the following programs:

- WIOA Services for Adults
- WIOA Services for Dislocated Workers
- WIOA Services for Youth
- Wagner-Peyser Employment Services
- Adult Education and Literacy

TWC is part of Texas Workforce Solutions, a local and statewide network comprising the agency, 28 Local Workforce Development Boards and their contracted service

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<sup>1</sup> Effective September 1, 2016, the Texas Workforce Commission will assume responsibility for the administration of all WIOA core programs, with the transfer of Vocational Rehabilitation services from DARS to TWC, in accordance with SB 208, 84th Texas Legislature.

providers, and community partners. This network gives customers local access to workforce solutions and statewide services at numerous Workforce Solutions Offices. Texas Workforce Solutions provides workforce development services that help workers find and keep good jobs, and help employers hire the skilled workers they need to grow their businesses.

The DARS Division for Blind Services (DBS) and Division for Rehabilitation Services (DRS) administer the Vocational Rehabilitation (VR) programs that help individuals with physical or mental disabilities prepare for, find, or keep employment. VR provides specialized services to help Texans with disabilities find the high-quality jobs or training needed to be successful in school and beyond in order to live independent lives. The VR programs also offer a variety of services to assist businesses with hiring, training, and retaining qualified individuals with disabilities.

### **Joint Development of the Texas Combined State Plan**

WIOA requires states to jointly develop and submit a single four-year plan for achieving the workforce goals of the state. The plan will reflect the state's goals and strategies to:

- align, coordinate, and integrate education, employment, and training programs;
- guide investments to ensure that training and services are meeting the needs of employers and individuals; and
- engage economic, education, and workforce partners in improving the workforce development system.

Texas must submit the Combined State Plan (Plan) to the secretary of the U.S. Department of Labor by March 3, 2016. The Plan will be approved by the secretary of each federal agency that oversees the core programs.

The Plan will include information for the six WIOA core programs, as well as other programs administered by TWC, including the Senior Community Service Employment Program, and the Trade Adjustment Assistance Program.

### **Stakeholder Input**

As TWC and DARS develop the Plan, they will seek input from the public on how to improve services and to continue preparing a skilled workforce that meets the needs of employers. Broad stakeholder engagement is important to ensure that the Plan reflects the perspectives of the stakeholders and customers served by the programs covered by the Plan.

The draft Plan will be posted for public review and comment on the agency websites later this fall. The agencies will notify stakeholders when the draft Plan is available for review and comment.

## **Transfer of Programs from DARS to TWC**

### **DARS Programs Transferring to TWC**

On June 19, 2015, Governor Greg Abbott signed into law Senate Bill [\(SB\) 208](#), which directs the transfer of several vocational rehabilitation (VR) programs from the Department of Assistive and Rehabilitative Services (DARS) to the Texas Workforce Commission (TWC). Effective September 1, 2016, the following programs will transfer to TWC:

- General Vocational Rehabilitation
- Blind Vocational Rehabilitation, including the Criss Cole Rehabilitation Center
- Business Enterprises of Texas (BET)
- Independent Living Services (ILS) Older Blind

The Rehabilitation Council of Texas (RCT) transfers to TWC on September 1, 2016. The RCT serves as the State Rehabilitation Council required under the federal Rehabilitation Act of 1973, as amended by the Workforce Innovation and Opportunity Act of 2014. The RCT advises the agency administering VR programs on policy and the scope and effectiveness of VR services and the development of state goals and priorities for the VR program, as well as consults on the preparation of the VR state plans.

### **Legislative Oversight of the Transfer of Programs from DARS to TWC**

The legislature established a Legislative Oversight Committee to facilitate the transfer of VR, BET, and ILS Older Blind to TWC. The oversight committee will comprise four members of the Senate, four members of the House of Representatives, and three members of the public appointed by the Governor. The Texas Health and Human Services Commission (HHSC) executive commissioner, the DARS commissioner, and the TWC executive director will serve as ex-officio nonvoting members of the oversight committee.

SB 208 instructs TWC, DARS, and HHSC to develop a Transition Plan (Plan), and in the development of that Plan to consider input from the public. This Plan is due to the Legislative Oversight Committee as soon as possible after September 1, 2015, but no later than March 1, 2016. Among other items, the Plan must include:

- measures to ensure that unnecessary disruption to the provision of services does not occur;
- a schedule for implementing the transfer of services and programs effective September 1, 2016;
- a strategy for the integration of General VR and Blind VR, which must occur no later than October 1, 2017; and
- a strategy for the integration of VR staff into local Workforce Solutions Offices, which must occur no later than September 1, 2018.

## **Federal Requirements Regarding State VR Agency Structure and Organization<sup>1</sup>**

As part of the transfer, TWC must ensure that Texas is in compliance with federal requirements regarding the organizational placement of VR programs within the agency. If a state identifies a new Designated State Agency (DSA) to administer the VR programs, the state must ensure the agency is primarily concerned with VR, or VR and other rehabilitation of individuals with disabilities. In the event that the new DSA is not primarily concerned with VR, or VR and other rehabilitation of individuals with disabilities, the state must ensure the agency contains a Designated State Unit (DSU), or two DSUs for states that have both a blind and general agency, that:

- is primarily concerned with VR, or VR and other rehabilitation, of individuals with disabilities, and is responsible for the VR program(s) of the DSA;
- is administered by a full-time director(s);
- employs staff on the rehabilitation work of the organizational unit(s) for all or substantially all of whom devote their full time to such work; and
- is located at an organizational level and has an organizational status within the DSA comparable to that of other major organizational units of the DSA.

States may choose to designate one agency to provide VR services to individuals with all types of disabilities (known as a “combined” agency), or two distinct agencies—one to serve individuals who are blind and visually impaired and another to serve individuals with all other disabilities (known as “blind” and “general” agencies, respectively). Under the provisions of SB 208, Texas will have two DSUs—one for General VR and one for Blind VR—until September 1, 2017, at which point SB 208 directs that General VR and Blind VR be merged.

Effective September 1, 2016, TWC will ensure that the two DSUs are located organizationally at a level comparable to that of other major organizational units of the agency. Under the new TWC organizational structure, which will be effective September 1, 2016, the DSU for General VR and the DSU for Blind Services will each be established as a separate Division (see attached).

Following the public meetings to be held throughout the state, Texas will submit the required information for the DSA/DSU changes in the VR sections of the Texas Combined State Plan. The Rehabilitation Services Administration (RSA) must approve the State Plan on or before the effective date of the organizational change.

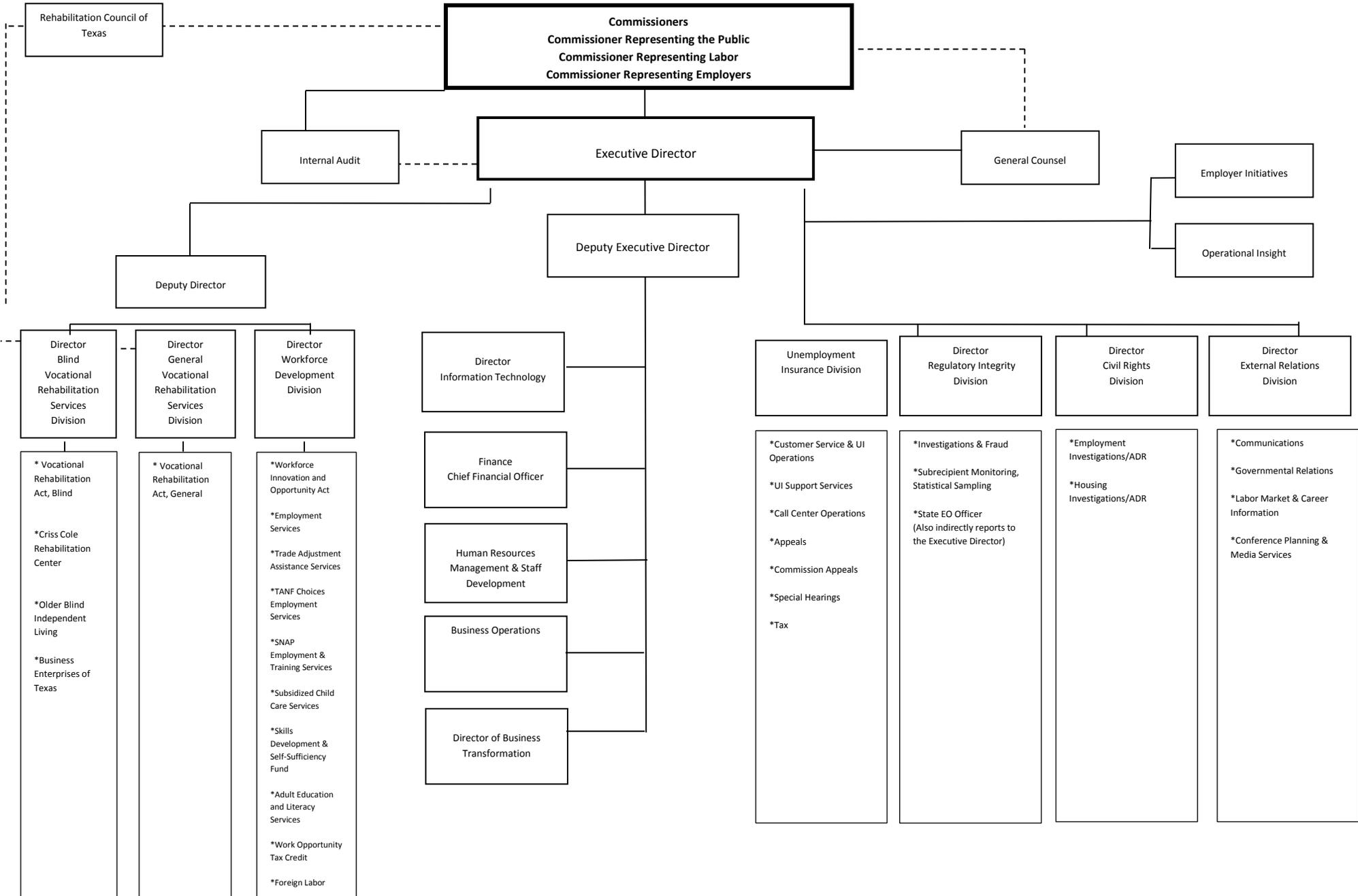
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<sup>1</sup> Information in this section is taken from the U.S. Department of Education Rehabilitation Services Administration [Technical Assistance Circular 13-02: “Reorganization of the Designated State Agency and the Designated State Unit for the Vocational Rehabilitation Program.”](#) July 9, 2013.

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September 2016

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Below is a text description of the Texas Workforce Commission Organizational Chart:

At the top level of the organizational chart, there are three commissioners:

- Commissioner Representing the Public
- Commissioner Representing the Labor
- Commissioner Representing the Employers

Reporting directly to the commissioners are:

- Executive Director
- Internal Auditor

Reporting directly to the Executive Director are:

- Deputy Director
- Deputy Executive Director
- General Counsel
- Employer Initiatives
- Operational Insight
- Unemployment Insurance Division
- Director Regulatory Integrity Division
- Director Civil Rights Division
- Director External Relations Division

Reporting to the Deputy Director are:

- Director Blind Vocational Rehabilitation Services Division
- Director General Vocational Rehabilitation Services Division
- Director Workforce Development Division

Reporting to the Deputy Executive Director are:

- Director Information Technology
- Chief Financial Officer
- Human Resources Management and Staff Development
- Business Operations
- Director of Business Transformation

Reporting indirectly (dotted line) to the three commissioners are:

- Rehabilitation Council of Texas which also reports indirectly to Director of Blind Vocational Rehabilitation Services Division
- General Council

Reporting indirectly (dotted line) to the Executive Director is:

- Internal Audit

Director of Blind Vocational Rehabilitation Services Division is responsible for:

- Vocational Rehabilitation Act, Blind

- Criss Cole Rehabilitation Center
- Older Blind Independent Living
- Business Enterprises of Texas

Director of General Vocational Rehabilitation Services Division is responsible for:

- Vocational Rehabilitation Act, General

Director of Workforce Development Division is responsible for:

- Workforce Innovation and Opportunity Act
- Employment Services
- Trade Adjustment Assistance Services
- TANF Choices Employment Services
- SNAP Employment & Training Services
- Subsidized Child Care Services
- Skills Development & Self Sufficiency Fund
- Adult Education and Literacy Services
- Work Opportunity Tax Credit
- Foreign Labor Certification
- Career Schools & Colleges

Unemployment Insurance Division is responsible for:

- Customer Service & UI Operations
- UI Support Services
- Call Center Operations
- Appeals
- Commission Appeals
- Special Hearings
- Tax

Director of Regulatory Integrity Division is responsible for:

- Investigations & Fraud
- Subrecipient Monitoring, Statistical Sampling
- State EO Officer  
(Also indirectly reports to the Executive Director)

Director of Civil Rights Division is responsible for:

- Employment Investigations/ADR
- Housing Investigations/ADR

Director of External Relations Division is responsible for:

- Communications
- Governmental Relations
- Labor Market & Career Information
- Conference Planning & Media Services