

# TAPS AND CAPS

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Presented by: Elena Madrid, TWC AEL Technical Assistance Supervisor

# Agenda

TAP versus CAP

Qualifying for a TAP or CAP

TAP and CAP Impact

TAP and CAP Process

Staying Off a TAP or CAP

# TAPs vs. CAPs

## TAPS

### Technical Assistance Plans

- Performance Improvement Action
- First corrective action that TWC may opt to put a program on.
- Non-punitive, no money involved.
- Intended to last for up to 6 months.
- Intended to give grantees the choice to determine how they are going to achieve the benchmarks that TWC AEL determines.
- Does not have to be put in place first before moving to a CAP.

## CAPS

### Corrective Action Plan

- Corrective Action
- Generally, the second action that TWC may opt to put a program on.
- Can be punitive; may involve money.
- Can be in place longer than 6 months.
- Intended to measure progress towards improvement, not perfection. Grantee must follow TWC's plan on how to achieve the benchmarks.
- Can be placed on a CAP without a TAP being initiated.

# Texas Administrative Code Chapter 802

- SUBCHAPTER A PURPOSE AND GENERAL PROVISIONS
- SUBCHAPTER B CONTRACTING
- SUBCHAPTER C LOCAL WORKFORCE DEVELOPMENT BOARD RESTRICTIONS
- SUBCHAPTER D AGENCY MONITORING ACTIVITIES
- SUBCHAPTER E BOARD, WORKFORCE SERVICE PROVIDER, AND AEL GRANT RECIPIENT MONITORING ACTIVITIES
- **SUBCHAPTER F PERFORMANCE AND ACCOUNTABILITY**
  - RULE §802.104b Performance Review and Assistance
- **SUBCHAPTER G CORRECTIVE ACTIONS**
- SUBCHAPTER H REMEDIES
- SUBCHAPTER I WORKFORCE AWARDS
- SUBCHAPTER J LOCAL WORKFORCE DEVELOPMENT AREA APPEALS

# Texas Administrative Code - TAP

## RULE §802.104b Performance Improvement Actions

(a) The Agency **may assist** Boards, workforce service providers, **AEL grant recipients, AEL service providers**, and Agency grantees with strategies for improving compliance or performance.

(b) **A technical assistance plan**, which **may be jointly developed** by the Agency with Boards, AEL grant recipients, or Agency grantees, may include, but is not limited to:

- (1) identification of **one or more specific performance improvement issues**;
- (2) assessment of specific technical assistance or training needs;
- (3) selection of one or more specific technical assistance or training activities to be implemented;
- (4) identification of the appropriate entities to provide the technical assistance or training, including the Board, AEL grant recipient, the Agency, other Boards, or other entities;
- (5) identification of a timeline for completion of the technical assistance or training; and
- (6) specific dates for reassessment of technical assistance or training needs and completion of the specific technical assistance or training.

# Texas Administrative Code - CAP

## Rules

- §802.121 Imposition of Corrective Actions and Corrective Action Plans
- §802.122 Intent to Sanction
- §802.123 Sanctions
- §802.124 Penalties for Noncompliance with Requirements
- §802.125 Sanction Determination

# Corrective Actions Imposed

(a) **At any time**, the Agency may impose corrective actions for failure by a Board, AEL grant recipient, or Agency grantee to ensure compliance with the following:

- (1) **one or more contracted performance measures;**
- (2) **one or more contract provisions; or**
- (3) **one or more of the items listed in §802.102(c) of this chapter.**

(b) The Agency may impose corrective actions for **failure** by a Board, AEL grant recipient, or Agency grantee **to appropriately oversee of the delivery of services and ensure the effective and efficient use of funds.**

(c) **Failure to cooperate and comply with** the Agency's **performance improvement actions**, including technical assistance plans, may subject a Board, AEL grant recipient, or Agency grantee to corrective actions.

(d) The Agency may impose, in nonsequential order, the following corrective actions on a Board, AEL grant recipient, or Agency grantee:

- (1) Intent to Sanction
- (2) Level-One Sanction
- (3) Level-Two Sanction
- (4) Level-Three Sanction

(e) The Agency may impose a higher level of sanction on a Board, AEL grant recipient, or Agency grantee, if a sanction is currently imposed when another sanctionable act occurs or is discovered.

# CAP

(f) Corrective Action Plan. To assist in correcting any deficiencies, a Board, **AEL grant recipient**, or Agency grantee upon whom an intent to sanction or a sanction is imposed must enter into a corrective action plan. A corrective action plan is developed by the Agency and may include the elements of a technical assistance plan, as outlined in §802.104(b) of this chapter. In addition, the Agency may require:

- (1) participation in technical and quality assurance activities;
- (2) mandatory participation in training;
- (3) on-site visits by the Agency to oversee and assist with daily operations of a Board, AEL grant recipient, or Agency grantee;
- (4) submission of additional or more detailed financial or performance reports;
- (5) modification of the Board's local plan;
- (6) issuing a notice of intent to revoke all or part of the affected local plan;
- (7) designation as a high-risk Board, AEL grant recipient, or an Agency grantee requiring additional monitoring visits;



# CAP continued

- (8) appearances by the Board's executive director, other administrative officer, the Agency grantee's executive leadership, or the AEL grant recipient's chief executive officer to report on activities and progress in Commission meetings until performance is satisfactory;
- (9) meetings with the workforce area's chief elected officials, Board chair, Board members, Board executive director, AEL grant recipient's chief executive officer, AEL consortium members, or Agency grantee's executive leadership;
- (10) formal Agency presentation to chief elected officials, Board members, AEL grant recipient's chief executive officer, AEL consortium members, or Agency grantee's executive leadership;
- (11) Agency oversight and management of problem situations, such as the appointment of a steward;
- (12) Agency approval of specified Board, AEL grant recipient, or Agency grantee actions (i.e., prohibition against entering into specific contracts or engaging in certain activities without explicit prior approval of the Agency);
- (13) prohibition against a Board or AEL grant recipient using designated workforce service providers or AEL service providers, including state agencies and Workforce Solutions Office operators;
- (14) payment by reimbursement only, with required supporting documentation;
- (15) delay, suspension, or denial of contract payments;
- (16) reduction or deobligation of funds;
- (17) ineligibility for additional discretionary or other funds, including incentive awards;
- (18) contract cancellation or termination; and
- (19) other actions deemed appropriate by the Agency to assist the Board, AEL grant recipient, or Agency grantee in correcting deficiencies.



AEL Letter 02-22 Technical Assistance Plan Criteria for Adult Education and Literacy Grant Recipients



No TAPS anticipated for PY 24-25



Updates to guidance and criteria for AEL to come

# Latest Information Specific to AEL

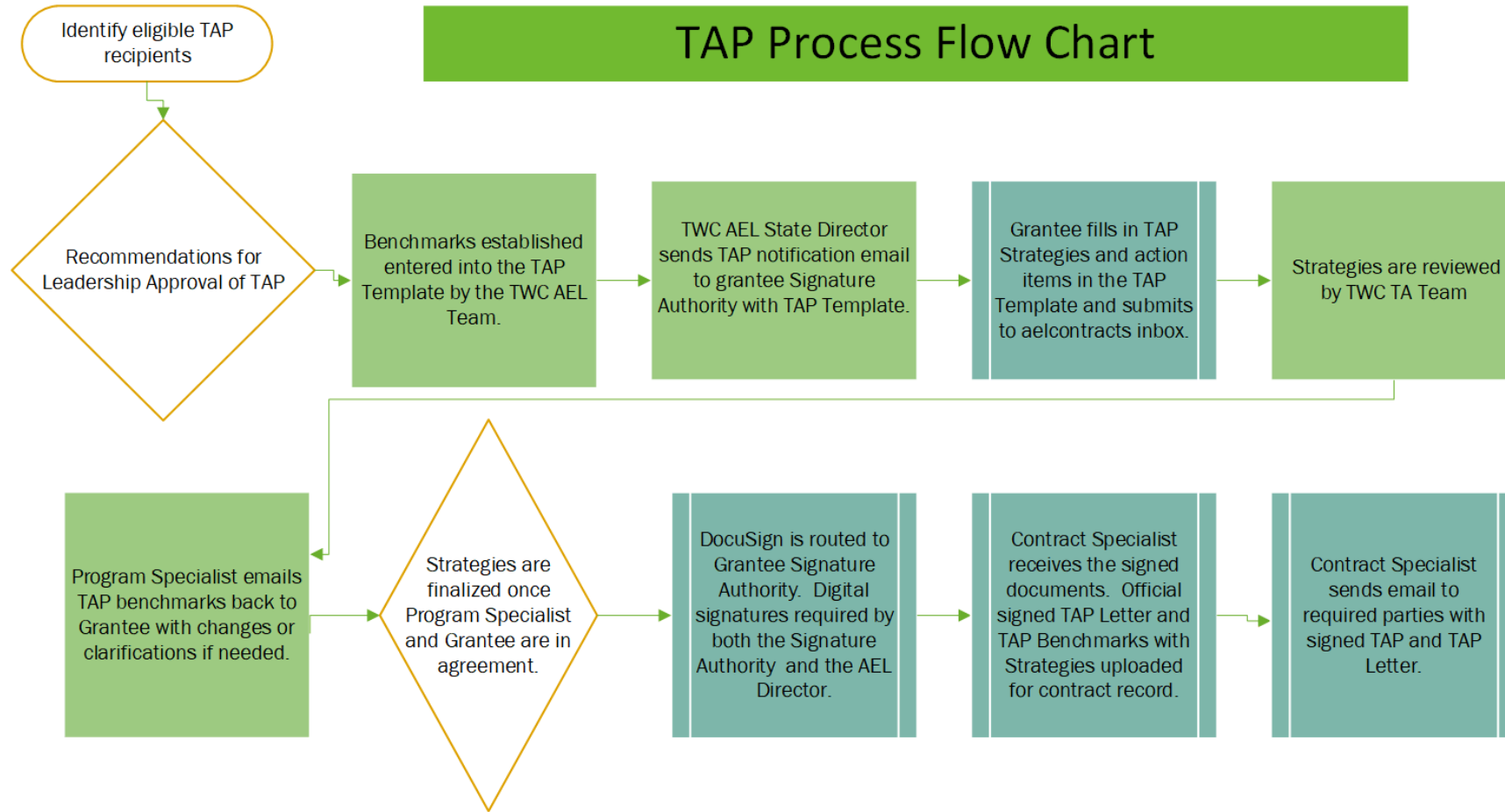
# TAP AND CAP PROCESS



# TAP

- Developed with Grant Recipient – goals, benchmarks and timeline
- Mandatory participation by the Grant Recipient
- The responsibility of the Grant Recipient to complete the plan and make improvements
- Monthly report and meeting with TWC

# TAP Process Flow Chart

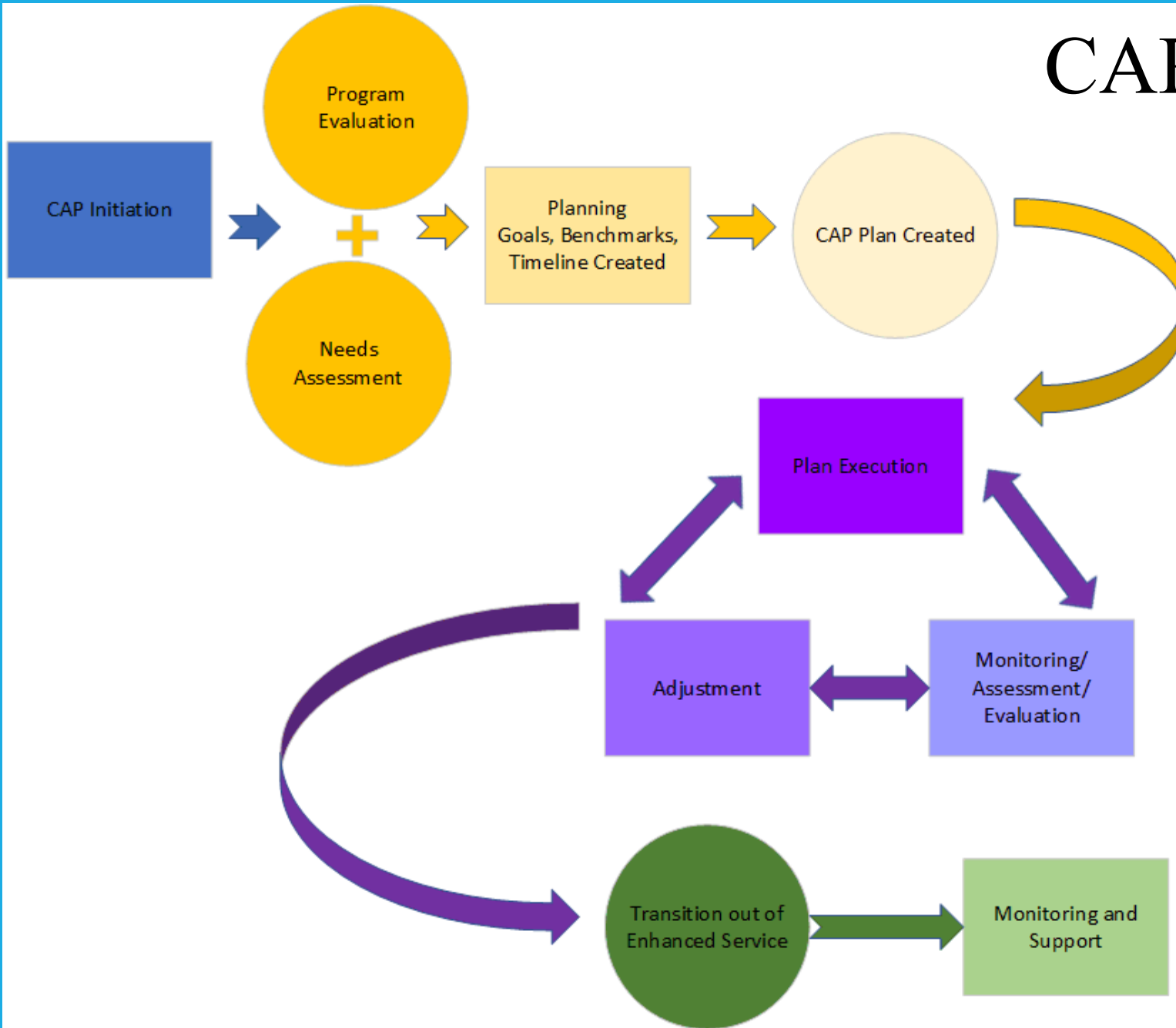


The Program Specialist will meet with the Grantee monthly to assess progress. A Grantee will be given six months at which point it will be determined whether it is eligible to be removed from the TAP.

# CAP Process

- Developed by TWC
- Mandatory Participation by the Grant Recipient
- Enhanced Services and support provided by TWC
  - More holistic approach
  - Deeper dive into the overall management and performance of the grant
- Meetings throughout the process – monthly report due

# CAP Enhanced Services



- Cap Initiation
- Program Evaluation
- Needs Assessment
- Planning: Goals, Benchmarks and Timeline
- CAP Plan Created
- Plan Executed
- Adjustment
- Monitoring/Assessment/Evaluation
- Transition Out of Enhanced Services
- Monitoring and Support by TWC

# ENHANCED SERVICES KEY

## Stage 1

- PHASE 1: Notification of CAP and Enhanced Services.** Notification to Grantee of intent for corrective action, development of timelines for improvement, collaboration w/ Program Specialist, Grant Specialist & PD Specialist. CAP development initiated.
- PHASE 2a: Program Evaluation.** Staff, Services, Site Capacity, Processes, Procedures, Communication, staff questionnaire, reports, TEAMS data, etc.
- PHASE 2b: Needs Assessment (on-going).** Identification of most needed support for target improvement. Identify program strengths and deficiencies. Additional needs may be identified.
- PHASE 3: Planning.** To include creation of timeline, benchmarks & monitoring & assessment tools, and plan for incorporation of TA and PD that aligns with needs. Include key planning personnel. CAP finalization.

2 weeks

2- 3 weeks

3 days

1 week

# Enhanced Services Key Stage 1



# Enhanced Services Key Stage 2

2 months	<b>PHASE 4a: Execution.</b> Includes action based on planning with modification and adjustment if necessary. TA and PD training are on-going.
On-going throughout Enhanced service	<b>PHASE 4b: Monitoring and Assessment.</b> Regularly scheduled meetings w/ checks & balances for the duration of Intensive Service. Weekly status updates required.
On-going throughout Enhanced service	<b>PHASE 4c: Adjustment of Program.</b> Review and determine if program is adjusting to strategies in CAP or if changes are necessary. If adjusting well, review progress.





PHASE 5: **Evaluation of Progress.** Review reports to determine if progress is being made. If not, reassess and return to Planning. If progressing, transition to general TA.

On-going throughout Enhanced service

PHASE 6: **Transition to General TA Services.** Lessons learned will be documented and a plan moving forward will be created.

3 days

Duration of remaining contract period

PHASE 7: **Monitoring & Support.** Regularly scheduled monthly meetings w/checks & balances for the remaining contract period.



# Enhanced Services Key Stage 3

# Enhanced Services

## Grant Recipient I

- Placed on a CAP for not meeting areas of performance for an extended period of time
- Face 2 Face
- Official CAP notification July 2019
- Removed from CAP November 2019
  - Onsite assistance provided May – July 2019
  - Continued monitoring August – November 2019
  - Follow Up site visit February 2020

## Grant Recipient II

- Placed on a CAP for not meeting areas of performance for an extended period of time
- Remote aside from the initial meeting with leadership
- Official CAP notification June 2020
- Removed from CAP November 2021
  - Process was done remotely

# Removal

## TAP

- Four months consecutively meeting performance
- Will evaluate at six months to keep on TAP, extend TAP or move to a CAP
- Can be removed prior to six months

## CAP

- Four months consecutively meeting performance
- Will evaluate at six months on how to proceed
- Can remain on a CAP longer than 6 months



# STAYING OFF A TAP AND CAP

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# Qualification

## TAP

- Identification of one or more specific performance improvement issues
- Data integrity issues
- Meeting performance, but not Spending Funding
- Spending funding, but not Meeting Performance
- Monitoring Findings

## CAP

- Reference Texas Administrative Code Rule §802.121

# Staying Off a TAP and/or CAP

- Know your targets and the grant requirements.
- Know that many things happen between where you are now, and getting on a TAP or CAP.
- Evaluate where you are at and have an honest conversation about where the program and services are headed.
- What things may need to change if you are not getting the results you are aiming for?
- Do constant evaluation and improvement.
- Be proactive, not reactive.
- Build Quality Assurance and Program Accountability in.

# LET'S WORK BACKWARDS

Some things that may be helpful. Lessons learned from Enhanced Services (previously Intensive Services)



# Step 1: Program Evaluation

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Services Offered

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Staff

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Professional Development

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Testing

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Orientation and Enrollment

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Classes

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Data Entry /TEAMS

Provider:   
 Completed By:

Date:   
 Title:

### Provider Review Checklist

Targets	Performance
12+ Enrollment <input type="text"/>	Credential Achievement Rate <input type="text"/>
IET <input type="text"/>	Employed / Enrolled 2 <sup>nd</sup> Quarter <input type="text"/>
Intensive Service <input type="text"/>	Employed / Enrolled 2 <sup>nd</sup> – 4 <sup>th</sup> Quarter <input type="text"/>
IET El Civics <input type="text"/>	PBF Measure A Early Enrollment <input type="text"/>
El Civics / El Civics <input type="text"/>	PBF Measure B MSG <input type="text"/>

Y	N	Services Offered	Source	TEAMS Data	Notes
<input type="checkbox"/>	<input type="checkbox"/>	IET	TEAMS / MPR	<input type="text"/>	
<input type="checkbox"/>	<input type="checkbox"/>	IET El Civics	TEAMS / MPR	<input type="text"/>	
<input type="checkbox"/>	<input type="checkbox"/>	Distance Learning	TEAMS / MPR	<input type="text"/>	
<input type="checkbox"/>	<input type="checkbox"/>	EL Civics / El Civics	TEAMS / MPR	<input type="text"/>	
<input type="checkbox"/>	<input type="checkbox"/>	Intensive ESL for Professional	TEAMS / MPR	<input type="text"/>	
<input type="checkbox"/>	<input type="checkbox"/>	Intensive Work Place Literacy	TEAMS / MPR	<input type="text"/>	
<input type="checkbox"/>	<input type="checkbox"/>	Intensive Re-Entry Corrections	TEAMS / MPR	<input type="text"/>	
<input type="checkbox"/>	<input type="checkbox"/>	Computer Literacy	Ask Program	<input type="text"/>	
<input type="checkbox"/>	<input type="checkbox"/>	Financial Literacy	Ask Program	<input type="text"/>	
<input type="checkbox"/>	<input type="checkbox"/>	Family Literacy	TEAMS	<input type="text"/>	
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<input type="checkbox"/>	<input type="checkbox"/>	ESL		<input type="text"/>	
<input type="checkbox"/>	<input type="checkbox"/>	Other <input type="text"/>		<input type="text"/>	
<input type="checkbox"/>	<input type="checkbox"/>	Other <input type="text"/>		<input type="text"/>	
<b>Y</b>	<b>N</b>	<b>Staff</b>			
<input type="checkbox"/>	<input type="checkbox"/>	AEL Director		<input type="text"/>	
<input type="checkbox"/>	<input type="checkbox"/>	Lead Quality Assurance		<input type="text"/>	
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# NEEDS ASSESSMENT

# Data and Information Gathering

- Data Analysis – TEAMS, MPRs, other Reports
- Document Review (SOPs, deliverables, etc.)
- Site Visits
- Staff Interviews
- Identify Gaps



**WHAT ARE YOU REGULARLY  
REVIEWING FOR YOUR PROGRAM?**

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Communication



Time



Accountability



# Components For Success



The Right Person  
for the Job



Time Line



Ways to Measure  
Performance



## REFLECTION EXERCISE

*What is the area you are looking to improve?*

Component for Success	What is the current state?	How can it be improved?	What do we stand to gain from change?
COMMUNICATION			
TIME MANAGEMENT			
STAFF			
TIMELINE			
ACCOUNTABILITY – Quality Assurance			
HOW PERFORMANCE IS BEING MEASURED			



## Step 2: Needs Assessment

- Determine the needs.
- Drill down to root cause of needs.
- What is in your control and what is not?
- Align Technical Assistance and Professional Development with needs.

# Student Retention – What is in Your Control and What is Not?

## **Not in Your Control**

- Obstacles students face.
- Student prioritizes something over services offered by your organization.
- Initial level of student resiliency.
- Initial level of student problem solving skills.
- Initial level of student computer literacy skills.
- Initial level of confidence.
- Initial academic level and skills.

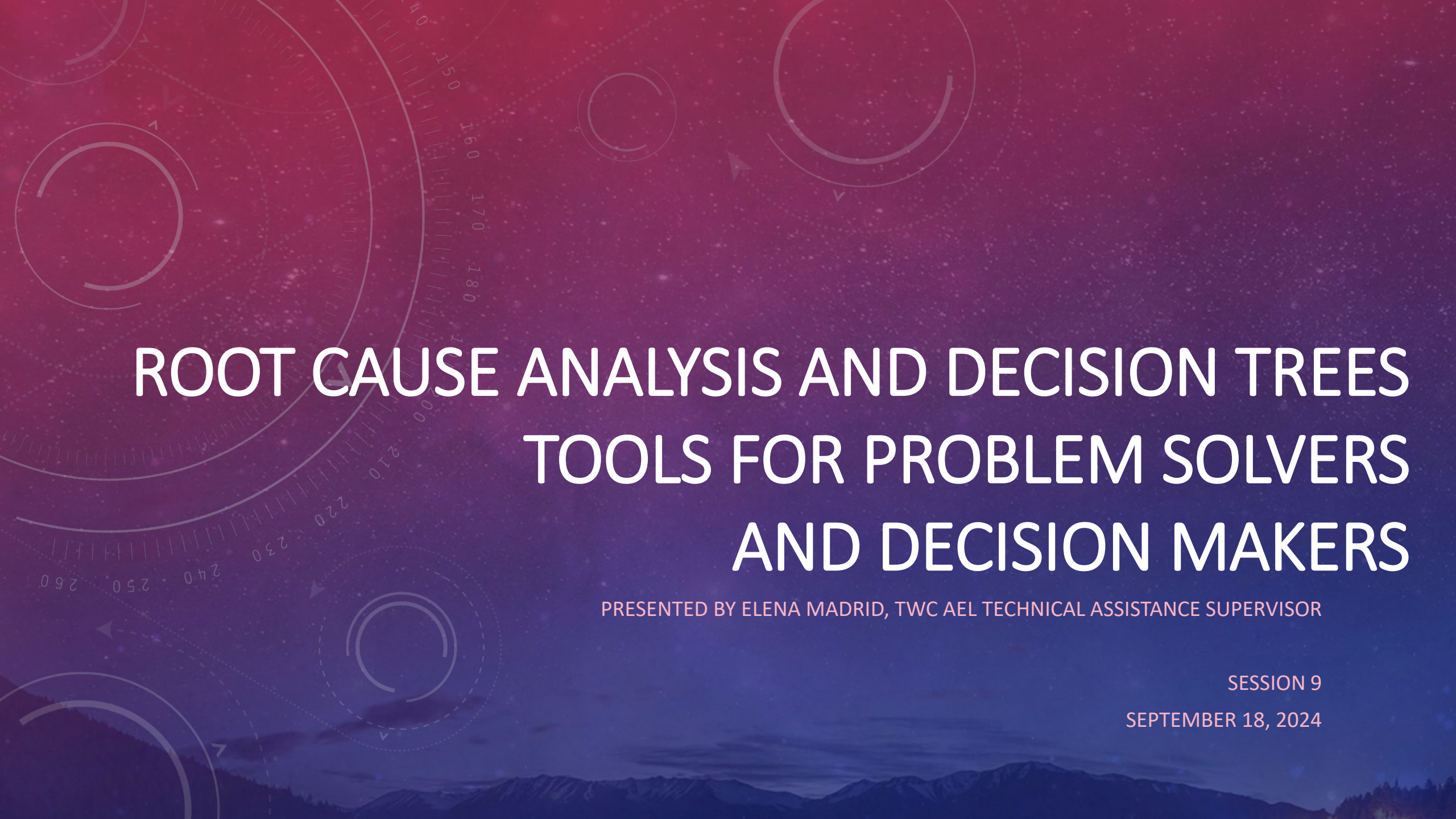
## **In Your Control**

- Services that are available to students.
- Quality of services available to students.
- Assessing student needs.
- Helping students to gain problem solving and time management skills.
- Helping students see the value in participating in services.
- Tailoring services to student goals.
- Regular assessment and adjustments in operations, instruction and services offered.
- Partnerships that enhance and make more resources and support available to students.



# Root Cause Analysis - Steps

- 1) **Problem Identification:** Clearly define the problem.
- 2) **Data Collection:** Gather relevant data.
- 3) **Causal Factor Identification:** Identify potential contributing factors.
- 4) **Root Cause Identification:** Determine the fundamental cause(s).
- 5) **Solution Development and Implementation:** Develop and implement solutions.
- 6) **Verification and Monitoring:** Ensure the effectiveness of solutions.
- 7) **Documentation and Communication:** Record findings and share with stakeholders.

The background features a dark blue gradient with technical diagrams on the left side, including circular gauges with numerical scales (40, 150, 160, 170, 180, 210, 220, 230, 240, 250, 260) and arrows. The bottom of the image shows a silhouette of a mountain range under a starry night sky.

# ROOT CAUSE ANALYSIS AND DECISION TREES TOOLS FOR PROBLEM SOLVERS AND DECISION MAKERS

PRESENTED BY ELENA MADRID, TWC AEL TECHNICAL ASSISTANCE SUPERVISOR

SESSION 9

SEPTEMBER 18, 2024

# AGENDA FOR ROOT CAUSE ANALYSIS AND DECISION TREES TOOLS FOR PROBLEM SOLVERS AND DECISION MAKERS PRESENTATION:

- What are Decision Trees and Root Cause Analysis
- Why are these tools important
- Benefits of using these tools
- When to use these tools
- How to use these tools
- Practice

## Step 3: Timeline and Plan

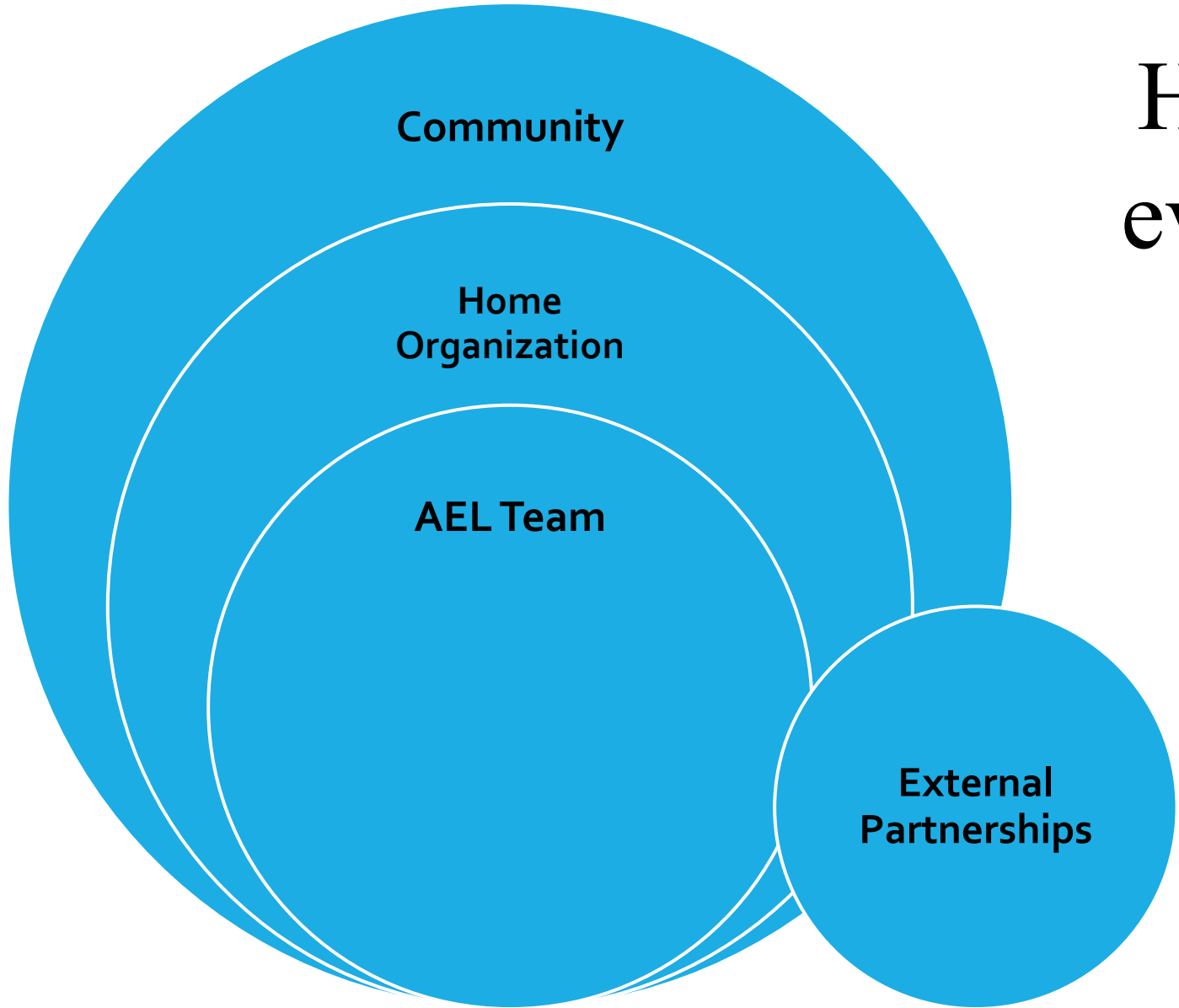
- What is a realistic expectation of improvement?
- How will improvements be made?
- How long will it take to see improvements?
- How will progress be measured?
- Who is responsible?



**SUCCESS NEVER HAPPENS WITH THE  
EFFORTS ON ONE PERSON ALONE**

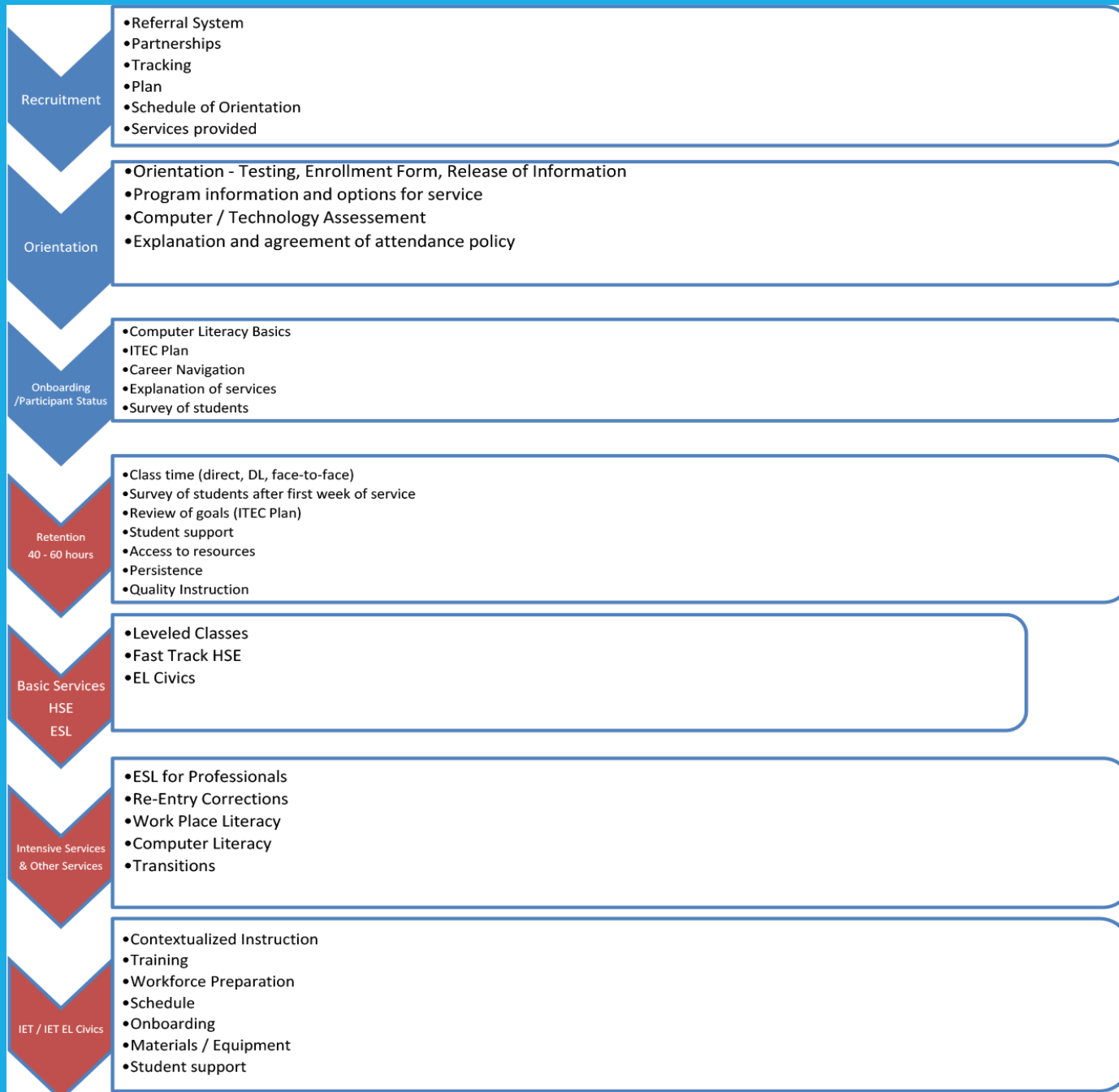
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How do you bring everyone together?



# Where to Start

- Understand AEL, performance requirements, guidelines, the community/population you serve
- Plan
  - Meeting Performance
  - Services
  - Recruitment
  - Capturing performance – data entry, document collection, etc.
  - Accountability / Monitoring / Program Improvements
  - Communication
- Foundation
  - Processes
  - Staff – hiring, training, continued support, making sure everyone got the memo
  - Classes
- Recruitment
- Enrollment
- Prioritize building out services



- What foundation are you building from?
- Are you rolling things out in a way that is manageable for your team?
- Where are you getting stuck?



# Key Points to Remember

- Build in Quality Assurance and Accountability, and continuous improvement
- A TAP is focused on Performance Improvement Action and is non-punitive
- A CAP is focused on Corrective Action and can be punitive leading to sanctions
- For more information on TAPS and CAPS reference Texas Administrative Code Chapter 802 – subchapters F (Performance Accountability) and G (Corrective Actions)



QUESTIONS?

**THANK YOU**

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