



**NCSDAE National Council of State Directors of Adult Education**

August 31, 2009

The Honorable Patrick J. Kennedy  
United States House of Representatives  
Washington, DC 20515

Dear Mr. Kennedy:

On behalf of the state directors of adult education, I want to express our appreciation for your leadership in adult education in the House of Representatives (Senate) on the Adult Education and Economic Growth Act.

Ninety million adults lack the reading, math, and or English skills to compete for jobs with family sustaining income and fulfill their roles as parents and community members. Your work is helping to open the doors for these adults in Rhode Island (Virginia) and across the nation.

We wanted to offer our support for your work on this important legislation and to point out a few areas of concerns. We look forward to working with you to fulfill the potential you have offered to respond to the needs of undereducated adults throughout the country.

We want to applaud several of your ground breaking provisions:

1. Integrated adult education and training: As adult educators, we know that learning is more efficient and effective when basic skills can be introduced and taught in a context that is important to the adult learner. Your focus on setting the expectations that Title I occupational training programs are to be collaboratively offered with Title II basic skills programs enables undereducated adults with an employment goal to learn at an accelerated pace and acquire an industry-based certificate that promises a job with family sustaining income.
2. Contracting for basic skills services: The Individual Training Accounts in WIA have been a hindrance to adult education and occupational training programs working together to provide integrated education and training services. Your provision to allow Title I to contract for basic skills services with programs funded under Title II breaks down that barrier and encourages collaborative services.

3. Authorization: Adult education has not had an increase in funding in six years; nor did we receive additional funding in the Recovery Act line items. More than forty states have waiting lists in their states. Your proposed authorization of \$850 million dollars will help reduce those waiting lists.

4. Technology: Your vision in Title III for technology services provides a much needed boost to our current limited non-classroom learning efforts and addresses the strong need for technology skills in today's workforce. By devoting a new title to this effort and authorizing significant funding to support it, you provide greatly expanded options for both adult student learning as well as professional development for the tens of thousands of adult education practitioners.

5. English Literacy/Civics: EL/Civics has been an important part of our repertoire of services for a decade. Officially authorizing this important program as part of WIA Title II provides assurances that the program will not be eliminated and allows for better planning for these services by the states.

6. Research: Adult education is without a national research center to conduct and disseminate effective practice. No profession can sustain its work without an ever expanded understanding of those effective practices.

7. Workplace Education: As you have shown, it is not just the unemployed who need to continue to develop their basic skills. Incumbent workers are in critical need to upgrade their skills to maintain their employability in the face of increased technology in the workplace.

Thank you for your vision in the development of these and other provisions for improving the adult education and workforce systems in our country. We look forward to working with you and your staff to include these provisions in the reauthorization of the Workforce Investment Act.

As managers of the state adult education and family literacy programs, we have experience and expertise in planning, delivering and evaluating adult education services in the unique circumstances in the fifty states and territories. To that end, we would also like to recommend amendments to a few provisions that we feel will strengthen your already strong proposal.

We have prepared a separate document that captures those recommendations that we will share with you in the near future. In the meantime, there are three major issues we would like to discuss with you.

1. Honoring the expertise: Generally, there are any numbers of places in the Title I proposal that blur the unique contributions of the Title I and Title II programs. The "systems" language can be easily read as moving adult education to the Workforce Investment Boards.

We want to establish the following principles:

A. Title I is an employment program. Title II is an education program. Each has a unique expertise to contribute to workforce development. The language of the law should recognize the unique talents of each.

B. Where adults need both education and training services, the bill should convey the expectation that the two programs cooperate and collaborate on planning and delivering integrated education and training programs to take advantage of the strengths of each of the programs.

2. Set Asides: In prior years, there were a number of set asides that set adult education priorities from Washington. With WIA in 1998, Congress gave states the flexibility to identify their own needs and set their own priorities. In place of set asides, Congress prescribed performance measures to ensure program success—and states typically meet or exceed their performance standards.

Incarcerated adults are surely in need of an education. So are any number of other ‘target groups’ in need of adult education services. In some states, correctional education receives a higher level of funding than does adult education.

Requiring every state to devote a percentage of funds to one target group is contrary to the principle of state identified priorities.

**Resolution:** Currently in WIA, there is a ten percent cap on the amount of funds that can be spent on correctional education. Rather than making that a ten percent set aside, our proposal (along with the National Coalition for Literacy, with the National Correctional Education Association as a member) has been to remove the ten percent cap and allow states to respond to the needs in their states as they see fit.

3. Required Technical Assistance: Only 5% of state grants can be used for state administration. As a result, state staff members are few and their challenges many. Your provision under state leadership (Page 27, line 21) requires state staff to provide technical assistance to any non-funded local education agency, community-based organization, volunteer literacy organization, institution of higher education, public or private nonprofit agency, library, public housing authority or non profit institution in the state. This provision promises to be a great burden on the state staff and cause ill will between those to whom your legislation promises assistance and the few state staff who rarely have the time to respond to all of the needs of the funded programs, much less the needs of the unfunded organizations.

Thank you again for your leadership. Your provisions promise to greatly inform the reauthorization of WIA. We look forward to working with you to promote the many positive aspects of your legislation.

Please feel free to contact Dr. Lennox McLendon in our Washington office at 202.624.5250 (cell 804.314.6747) or [dc2@ncsdae.org](mailto:dc2@ncsdae.org).

Our best wishes.

Sincerely,

*Denise L. Pottmeyer*

Denise L. Pottmeyer, Chair  
National Council of State Directors of Adult Education

Cc: Senator Jim Webb (VA)  
Congressman Rubén Hinajosa (TX)



Denise Pottmeyer, Chair

Recommendations  
for  
Amendments  
to  
The Adult Education and Economic Growth Bill  
August 27, 2009

On behalf of the state directors of adult education, I want to express our appreciation for your leadership in adult education in the House of Representatives (Senate) on the Adult Education and Economic Growth Act.

The National Council of State Directors of Adult Education represents those individuals who manage the state adult education and family literacy programs funded under Title II of the Workforce Investment Act.

Below we have provided you with comments and recommendations that we believe will further contribute to accomplishing the purpose of this bill.

## 1. Title I Provisions

Generally, there are any number of places in the Title I proposed statements that blur the unique contributions of the Title I and Title II programs. The “systems” language can be easily read as moving adult education to the Workforce Investment Boards.

We want to establish the following principles:

A. Title I is an employment program. Title II is an education program. Each has unique expertise to contribute to workforce development. The language of the law should recognize the unique talents of each.

B. Where adults need both education and training services, the bill should convey the expectation the two programs will cooperate and collaborate on planning and delivering integrated education and training programs to take advantage of the strength of each of the programs.

C. Each Title should review and comment on the other's state plan.

D. When purchasing basic skills services as part of integrated education and training services, Title I should be required to contract with the Title II provider or with an entity that meets the standards of the Title II provider as documented by certification from the adult education state office.

## 2. Individual Training Accounts/Contracting for Services

Page 15, Lines 4-16 gives exception to the Individual Training Accounts (IAT) to allow local WIBs to contract for services to facilitate integrated education and training.

### DISCUSSION POINTS:

The State Directors support this contracting for service provision. Under the current law the practice of being able to contract out for "group training" has been de-emphasized in favor of individual training accounts. As a result, it has limited the ability of Title I and Title II providers to work together on integrated education and training programs. Perhaps more importantly, it has hurt the participants in that their choices were too limited. (This contracting for service provision was the provision in the Stimulus/Recovery bill to enable WIBs to contract for adult education services from adult education providers for integrated education and training.)

### POSITION:

We support the ability of Title I to contract with Title II programs for basic skills services

## 3. Consistent Definition

Page 19, Line 20 proposes a common Title I, Title II definition for "Career Pathway."

### POSITION:

We concur.

## 4. Authorization

Page 22, Line 22—Authorizes Title II at \$850M

### POSITION:

We concur.

## 5. Spending Caps for NIFL and National Programs

Page 23, Lines 6-14 increases the spending caps for NIFL and National programs

POSITION:

We concur.

## 7. EL/Civics

Page 23, line 18 – Authorizes EL/Civics at 12% of the grant.

### DISCUSSION POINTS:

EL/Civics is not currently ‘authorized’ in the AEFLA. It appears only in the appropriations bill. This provision would reserve 12% of the grant for EL/Civics.

The current EL/Civics appropriation equals 12% of the grant even though there is no set percentage in the appropriation language. The advantage of a percentage is to entice supporters of EL Civics to work to increase the overall appropriation, thereby increasing the funds available for them.

POSITION:

We concur with authorizing EL/Civics at 12% of the grant.

## 8. LEP into state allocation formula

Page 24, lines 5-7 adds “limited English proficient” with a high school diploma to the calculation for allocations to states however there is no definition of LEP nor any description of where they would find the numbers for the count.

### DISCUSSION POINTS:

To determine funding for each state, the current formula counts all adults 16 years of age and older who have not finished high school and who are not enrolled in school.

To that definition, this provision would add the number of adults who are “limited English proficient” and have a high school diploma in their native country or here in the US.

Issues:

1. How do you determine “limited English proficient” in a way that can be counted?
  - Washington State, for instance, uses the US Census where they identify adults “who speak English less than very well.”
2. How do we determine if an limited English proficient adult has a high school diploma in his/her home country? There does not seem to be a data point in the census.
3. If we include the limited English proficient adults with a high school diploma in the formula, what about the native born adults who also have a high school diploma but are functioning below a high school level.
  - The National Adult Literacy Survey identified 93 million adults who have limited reading, math, and/or English skills. We know from the census that 45 million adults have not finished high school. Thus, can we assume there are nearly 50 million native born adults who have a high school diploma but have below high school skills? Do we leave those 50 million out of the formula?
4. Can we protect against funding shifts that would negatively impact existing program services through a) a hold harmless clause or b) a funding level trigger?

#### **POSITIONS:**

In order to limit disruption to state and local programs programs, the State Directors’ first choice for the formula adjustments would be to initiate the formula adjustment when the appropriation reaches \$850M. A more disruptive second option would be using a 5% hold harmless provision.

## **9. Adding performance indicators—apprenticeship and skill training**

Page 24, lines 20-25 – this changes the core indicators of performance by amending (ii) to read (ii) *placement in postsecondary education, including registered apprenticeship, or other skill training programs*. It strikes *retention in, or completion of, postsecondary education, training, unsubsidized employment or career advancement*.

#### **DISCUSSION POINTS ON APPRENTICESHIPS:**

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Pennsylvania reported not being able to count successful completers who entered the apprenticeship program. Because the Department of Labor has a data base for apprenticeships, for those state adult education programs that are allowed to collect Social Security Numbers, data matching would enable accurate documentation. However, for the twenty states that through state policy do not collect Social Security Numbers, follow up surveys would yield unreliable results.

**POSITION:**

We support including apprenticeship but would appreciate assistance in ways to collect valid, reliable data in the states that do not collect student Social Security Numbers.

**DISCUSSION POINTS ON ‘OTHER SKILL TRAINING PROGRAMS.’**

Without a definition of “other skill training programs” it is difficult to support this provision. Note the apprenticeship discussion above regarding sources of accurate data. Before including ‘other skill training programs’ as a performance measure, the term should be defined, the sources of data need to be identified, and the limitation of twenty states not collecting Social Security Numbers must be rectified.

**POSITION:**

The State Directors offer their assistance in determining if the discussion issues can be resolved.

**10. Additional performance measures—work readiness and workforce skills**

Page 25, line 3 proposes adding performance measures for “work readiness, workforce skills.”

**DISCUSSION POINTS;**

A performance measure requires that students be assessed upon entry and assessed after instruction to document that performance has improved.

We acknowledge that ‘work readiness, and workforce skills’ are important to many learners. We do not believe there are any standardized assessments that we can use to pre/post test either?

**POSITION:**

We cannot support this provision because it cannot be implemented. However, an alternative might be to 1) include language asking OVAE and ETA to take the lead in developing valid reliable assessments and report back to Congress on the results; and 2) add report language to strengthen the intent.

## 11. Technology literacy indicator

Page 25, line 24 adds a technology literacy indicator.

**DISCUSSION POINTS:**

A performance measure requires that students be assessed upon entry and assessed after instruction to document that performance has improved.

There are any number of checklists for technology competencies; however our search has found no valid, reliable pre/post test of technology competencies for adult learners.

**POSITION FOR FURTHER DISCUSSION:**

Because it seems impossible to implement technology as a performance indicator, we cannot support this provision. However, consider the possibility of placing technology in the ‘considerations for reviewing local program applications’ Section 231(e) rather than adding it as an indicator.

## 12. Set aside for corrections

Page 27 – lines 1 and 2 – this takes the cap off of spending on corrections education and makes it a spending floor. It would require states to spend at least 10 percent of their state grants on corrections education..

**DISCUSSION POINTS:**

Congress is concerned with the quality of local program services. Prior to 1998, in order to ensure that quality, Congress required a number of set asides with which state and local programs must comply. Congress felt that controlling the inputs would produce the

desired outputs. However, States needs and resources vary extensively making common set for all states not as effective as once thought.

In 1998, Congress realized that states needed the flexibility to respond to their needs and maximize their state and local resources. As a result, in the 1998 bill, most set asides were deleted. In order to ensure quality programs, Congress changed its focus to the “output” rather than the “input” side—i.e. performance standards.

States were encouraged to assess their own needs and use their federal, state, and local funds to accomplish the prescribed performance measures.

Incarcerated adults are surely in need of an education. So are any numbers of other ‘target groups’ in need of adult education services. In some states, correctional education receives a higher level of funding than does adult education.

Requiring every state to devote a percentage of funds to one target group is contrary to the principle of state identified priorities.

Currently in WIA, there is a ten percent cap on the amount of funds that can be spent on correctional education. Rather than making that a ten percent set aside, our proposal (along with the National Coalition for Literacy, with the National Correctional Education Association as a member) has been to remove the ten percent cap and allow states to respond to the needs in their states as they see fit.

#### **POSITION:**

We do not support the AEEG provision for a set aside for correctional education. However, we do support the Coalition’s position to remove the 10% cap and let states use their resources as their needs require.

### **13. Required state leadership activity**

Page 27, line 13 requires certain state leadership activities.

#### **DISCUSSION POINTS:**

WIA promised flexibility to the states in identifying and addressing their needs. Limited state leadership funds need to be targeted the greatest needs in the states. These ‘required’ state leadership activities violate that promise of a state’s flexibility to identify and address their needs and should be deleted.

States have insufficient staff to provide the needed technical assistance to the funded programs. Yet two of these provisions would require state staff to not only respond to the needs of the funded programs, but also to a vast number of other organizations and entities in the state.

To require states to provide technical assistance (Page 27, Line 21) and technology assistance including staff training (Page 28, Line 6) to any organization that is eligible to apply but has not applied becomes a grave burden on the limited state staff. It would require that the state staff provide technical assistance to a long list of possible entities including any local education agency, community-based organization, volunteer literacy organization, institution of higher education, public or private nonprofit agency, library, public housing authority or non profit institution. This provision promises to be a great burden on the state staff and can cause ill will between those to whom your legislation promises assistance and the few state staff who rarely have the time to respond to all of the needs of the funded programs, much less the needs of the unfunded organizations.

It promises to cause ill will between community-based organizations who demand assistance from the state when the state does not have staff to fulfill their expectations.

Lastly, as mentioned above in relations to “set-asides,” to honor the vast differences in needs and resources among the states and to allow states to assess their needs and maximize their resources to meet those needs, requiring specific state leadership of all states disregarding their needs and other resources can hinder the state meeting its performance measures. Again, in 1998 Congress shifted from controlling “inputs” to requiring “outputs”—performance.

#### **POSITION:**

First, the State Directors oppose requiring specific state leadership activities. Rather, all state leadership activities should be “permissible” as described on Page 28, Line 13. Second, the State Directors oppose requiring the state staff to provide technical assistance to programs they do not fund.

## **14. State Leadership**

**General note:** The bill eliminates the current state leadership activity that reads “Other issues of statewide significance” from the priorities for state leadership which limits the ability to states to focus on emerging issues/activities.

**POSITION:** After Line 18 on Page 29 add “Other issues of statewide significance” to the list of state leadership activities.

## **15. State Plan requirement –post secondary requirements**

Page 30, Line 4 adds “knowledge for acceptance in postsecondary as a requirement for the state plan.” States would have to include the acceptance criteria for all postsecondary programs in the state.

### **DISCUSSION POINTS:**

There are hundreds of postsecondary programs each with their own unique entrance requirements. For example, in Michigan’s decentralized community college system, each community college sets its requirements for each of its postsecondary programs. Add to that all of the public and private postsecondary institutions and the list becomes unmanageable. Having to list them all in a state plan is a burden on the states.

New programs are added and current programs are changed on a regular basis. A state plan is a multi-year document so the list of postsecondary programs and requirements is quickly outdated.

### **POSITION:**

Delete this item

## **16. State Plan requirement—Business involvement**

Page 31, Lines 1-3 "requiring a description of the state's program to invest in the skills of workers, including plans for involving business as an active partner in the effort".

### **POSITION:**

We support this provision.

## **17. Tracking Students over Time**

Page 30. Line 23 requires tracking students over time—beyond the one year reporting currently used.

**DISCUSSION POINTS:**

The current reporting system (NRS—National Reporting System) requires an annual report of impact on adult education students. We know that the impact often occurs some time after the program year. Thus, following students over time would paint a more reliable picture of adult education.

The NRS provides some valuable data regarding annual accomplishments that can be used to identify areas of program improvement. That system should be maintained.

However, for the purpose of long term impact of adult education services, tracking every student is impractical. However, it may be possible to follow a sampling of students. For example, the Longitudinal Study of Adult Learners at Portland State University provided insights into the long term impact by following a sampling of learners over a number of years.

**POSITION:**

We are interested in the long term benefits of adult education and would like to follow up with staff discussions to provide guidance for tracking students over time through a longitudinal research study.

## 18. DOE/DOL consultation

Page 35 – lines 11 -12 – requires DOE to consult with the Secretary of Labor before publishing proposed regulations. It also asks for the advice and recommendations of the adult ed field.

**DISCUSSION:**

Is DOL required to consult with DOE?

**POSITION:**

We support this provision and recommend reciprocity in consultation prior to publishing proposed regulations.

## 19. NIFL to review NRS and recommend changes

Page 39, Line 21 calls for an analysis of the performance measures and (on page 40, Line 1) recommends improvements to the current system.

**POSITION:**

We support these provisions.

## 20. Technology Initiative

Page 47, line 3 allots 75% for local programs, 20% for state leadership, and 5% for state administration for the additional allocation for technology.

**POSITION:**

We support these provisions.

## Staff Discussion Items

**Staff Discussion Items:** The following items warrant discussion and clarification with the Hill staff.

1. Page 20, line 22--We agreed that we while the additional wording describing family literacy programs "to make sustainable changes in the economic prospects in a family" would not be a major issue we need to insure that the additional non economic benefits of family literacy programs are also recognized.
2. Page 28, Lines 1-5: We recommend clarifying the language with staff on what appears to be a connection in the bill between "monitoring and evaluation and disseminating information about models and best practices"
3. Page 29, lines 17-18: We need further clarification regarding the intent of the wording on "support for recruitment of employers." We have no problem with the wording if the intent is to support recruitment of employers to support and participate in adult education.

Thank you for the opportunity to make these recommendations. Should you have questions, please contact Dr. Lennox McLendon ([dc2@ncsdae.org](mailto:dc2@ncsdae.org)) (202.624.5250 office; 804.314.6747 cell).