

December 20, 2013

Texas Workforce Commission
TWC Policy Comments
Workforce Policy and Service Delivery
Attention: Workforce Editing
101 East 15th Street, Room 440T
Austin, Texas 78778

Submitted Via E-mail: TWCPolicyComments@twc.state.tx.us

Dear Commissioners:

The undersigned organizations appreciate the work of the Texas Workforce Commission and welcome the opportunity to provide comments on the proposed rules for the transfer of the Adult Basic Education (ABE) and literacy system from the Texas Education Agency to the Texas Workforce Commission (TWC) pursuant to Senate Bill 307.

The **Center for Public Policy Priorities** (CPPP) is a nonpartisan, nonprofit 501(c)(3) policy institute established in 1985 and committed to making a better Texas in the areas of health, education, and economic opportunity.

Founded in 1968, **MALDEF** (Mexican American Legal Defense Fund) is the nation's leading Latino legal civil rights organization. Often described as the "law firm of the Latino community," MALDEF promotes social change through advocacy, communications, community education, and litigation in the areas of education, employment, immigrant rights, and political access. MALDEF strives to implement programs that are structured to bring Latinos into the mainstream of American political and socio-economic life; providing better educational opportunities; encouraging participation in all aspects of society; and offering a positive vision for the future.

RAISE Texas is a statewide network of non-profit organizations, for-profit corporations, and public institutions working to support and expand asset-building activities in Texas, with particular focus on low- and moderate-income areas. Our mission is to advance policies and programs that foster financial success and economic stability for all Texans.

TG is a Texas-based nonprofit corporation that promotes educational access and success through the provision of resources to help students and families plan and prepare for college, learn the basics of money management, and repay their federal student loans. In addition, TG



administers Federal Family Education Loan Program (FFELP) loans made before July 1, 2010, on behalf of the U.S. Department of Education.

We applaud the proposed emphasis and focus on promoting career pathways and integrated service delivery for the ABE and literacy system in Texas. We believe the proposed rules will further strengthen the state's commitment to move more adults into career and technical postsecondary education and training and into stable and higher paying jobs.

In Texas, approximately 3.9 million Texas adults are eligible for adult basic education and literacy services, and an estimated 1.7 million or 43 percent of these eligible adults in Texas lack English literacy skills.¹ Even with high numbers of adults in need of ABE and literacy, Texas underinvests in this critical program.² Texas ranks 50th for amount spent per adult ages 18-64 without a high school diploma/GED.³ In 2009-2010, Texas spent an average of \$5.78 per adult without a high school diploma/GED, compared to the national average of \$66.20.⁴ As a result, fewer than 3 percent of eligible adults received ABE and literacy services in Texas through federally-funded providers.⁵

With scarce funding and high need, CPPP and the undersigned organizations urge TWC to revise the proposed rules to 1) maximize direct services to eligible adults through efficient use of existing funds, while incrementally increasing funding streams through TWC's legislative appropriations request and other funding sources; 2) ensure equal access to ABE and literacy services for eligible adults, regardless of their literacy and skill level or current connection to the workforce or skills training; 3) encourage innovation and career pathways for all literacy levels through meaningful performance indicators and implementation of research-based delivery models; and 4) enhance data collection and reporting of ABE and literacy services and ensure that performance outcomes are made publically available on a quarterly and annual basis.

In CPPP's report, *Building Bridges to Better Jobs: How Texas Can Equip Texas Adults for Good Careers*, the center recommended a series of improvements to strengthen and expand adult basic education and literacy services in Texas.⁶ Texas can promote career pathways and student success by expanding research-based delivery models that have successfully moved students through ABE programs into postsecondary education and into higher-skilled work. These recommendations include:

- Develop a common definition for career pathways and bridge programs to strategically guide state programs, policy and funding priorities towards the common goal of increasing the educational attainment, skills attainment, and career placement of adult learners in Texas;
- Support the Accelerate Texas I-BEST approach or similar models, including concurrent enrollment in career training and contextualized adult education classes;
- Support alignment of non-federally funded programs with federally-funded programs to build stronger bridges for students between service providers, strengthening the education and training pipeline for students at all literacy levels;
- Support ABE programs that use a case management model of academic advising to

- ensure that student needs are addressed;
- Continue support for programs that offer flexible scheduling, including evenings and weekends; and
- Support funding for transportation, quality child care, and financial literacy.

To promote stronger emphasis on these concepts for all adult students and ensure that ABE and literacy promotes a strong workforce and family economic success, we recommend including the following components to the rules:

- 1. Chapter 805.3 (d) – The Commission should clearly define annual performance benchmarks to ensure equal access to ABE and literacy services for all eligible adults, regardless of their skill or literacy level or current connection to the workforce or skills training:**

TWC should ensure that the proposed rules align with the intent and purpose of the ABE law (WIA Title II - AEFLA) and the Texas State Plan for Adult Education and Family Literacy so that all Texas adults in need of adult literacy and/or English services, regardless of their literacy levels or current connections to workforce training or postsecondary education, have equal access to ABE and literacy programs.

With a high proportion of Texans functioning at the lowest literacy level (27 percent), the proposed rules should specifically recognize the need to promote services at all levels of literacy and skill levels, not just for students “receiving workforce services or co-enrolled in postsecondary education or training.”⁷ For example, lower literacy students, who may not be currently connected to the workforce or engaged in postsecondary education or job training, should not be placed at a disadvantage in accessing services. Rather, transition program concepts such as pre-bridge (for low-literacy students), bridge, and co-enrollment in postsecondary career pathway programs should be encouraged and incented using relevant performance indicators (See CPPP recommendation #4). All levels of participants in ABE and literacy programs can benefit from career exploration and be encouraged to aspire and work toward higher levels of education and skills.

We recommend the following changes to the preamble and proposed rule in Chapter 805.3, paragraph (d).

- a) Include performance metrics based on the number of participants progressing to the next level as defined in the National Reporting System (NRS). Basic skills and English attainment measurement follows the National Reporting System (NRS) format and includes six ABE levels and six ESL levels of attainment. The proposed rules should include performance metrics for participant level attainment that reinforce the state NRS negotiated targets at each ABE and ESL literacy level.

- b) In addition to targeting higher-level students already engaged in the workforce or postsecondary education or skills training, TWC should also target adult students in need of adult literacy and/or English services, regardless of their literacy levels or current connection to the workforce or postsecondary education or training. ABE and literacy programs should be designed to effectively move adult learners along a continuum of continuous improvement and progress along the six ABE and ESL levels of attainment, regardless of their beginning skill or literacy level.
- 2. Promote Access to ABE and literacy services for immigrant youth potentially eligible for legal relief under the Deferred Action for Early Childhood Arrivals program:**
- The ABE and literacy programs can further strengthen the Texas workforce by targeting undocumented immigrant youth who may be eligible to obtain legal relief through the Deferred Action for Early Childhood Arrivals (DACA) program. Under DACA, certain undocumented immigrant youth who came to the United States as children and have pursued education or military service, may become eligible for deferred action—relief from removal—and obtain employment authorization and a Social Security number.⁸ In Texas, an estimated 71,000 undocumented immigrant youth meet the age requirements under DACA, but lack the education requirement to be able to qualify for deferred action and employment authorization.⁹ This group of immigrants may become eligible for relief by enrolling in “education, literacy, or career training that leads to a GED or placement in postsecondary education, job training, or employment.”¹⁰
- 3. Chapter 805.4 - Support family literacy programs in the provision of adult education services.**

We recommend that the proposed rules align with the intent and purpose of Senate Bill 307, Section 315.002 (9), to “provide, within the context of administering adult education and literacy programs, training opportunities for parents regarding how to be the primary teachers for their children and full partners in their children’s education.”

Supporting family literacy and programs that serve parents within the K-12 system is essential to providing a strong foundation for Texas’ children, especially children in immigrant families. In Texas, one in three or 2.3 million children live in immigrant families, and half (1.2 million) of those children have at least one parent who has difficulty speaking English.¹¹ Access to literacy services for these families will help build stronger connections to education and the workforce for all families regardless of their literacy level or the immigration status of the parents.

Add paragraph under 805.4. Essential Program Components - “Training opportunities for parents regarding how to be the primary teachers for their children and full partners in their children’s education.”

4. Chapter 805.41 - Proposed rules should encourage and reward competitive programming that embeds career, workforce, and college readiness into all levels of ABE and ESL instruction.

We recommend revising the preamble and proposed rule for Chapter 805.41, procurement and contracting:

The proposed rules should encourage and reward competitive programming that embeds career, workforce, and college readiness into all levels of ABE and ESL instruction. Transition program concepts such as pre-bridge (for low-literacy students), bridge, and co-enrollment in postsecondary career pathway programs should be encouraged and incented using performance indicators that count the number of participants transitioning to higher levels of education and attainment of a credential, including industry-recognized credentials.

For example, EL/Civics funds should be targeted at programs that can build within the English curricula concepts of employment, career exploration, occupational and postsecondary education opportunities, as well as job training resources available in Texas. These concepts should be built in to all levels of English language training.

TWC can further build capacity for bridge and pre-bridge programs by incentivizing the inclusion of community and volunteer-based providers in regional consortiums. We recommend that TWC strengthen transition and bridge programs by:

- a) Increasing funding through the Volunteer Training Initiative;
- b) Including performance metrics based on the involvement of community and volunteer-based organizations;
- c) Providing funding for materials and professional development for community- and volunteer-based organizations that do not receive AEL funding, but participate in a consortium; and
- d) Allow volunteer contact hours to count as a match.

5. Chapter 805.42, line 3-10 - Clarify support services:

We agree with the proposed emphasis on analyzing the workforce needs within each region and the guidance given to “expand, improve and coordinate delivery of education, career training, workforce development, and support services to support program performance and greater efficiencies.” We recommend that TWC revise this section to ensure “support services” is clearly defined to incorporate research-based integrated service delivery

systems. For example, the Center for Working Families model at community colleges combines a range of student support services in a convenient location on campuses to help students and families build “self-sufficiency, stabilize their finances and move ahead.”¹² Similar models on campuses and housed within community- or faith-based organizations should be promoted to expand access to important services that enhance family economic security and overall student success both academically and in the workforce. In addition, collaboration between federally-funded ABE and literacy providers, and local community-based organizations is essential to ensuring students have access to a range of services both on and off campus.

6. Chapter 800.68 – Ensure funding formulas maximize the delivery of direct services to eligible adults and incentivize innovation in program delivery:

We recommend revising the proposed rules under Chapter 800.68 to ensure services are maximized given the scarce resources in the ABE and literacy program.

The proposed preamble under Chapter 800.68 states that leadership funds will be used to pilot innovative methods for delivering services. While CPPP strongly supports integrated adult education and skills training, the state is already invested in piloting these models. For example, the Texas Higher Education Coordinating Board is currently piloting efforts using integrated adult education and skills training through the Accelerate Texas program. Accelerate Texas weaves Integrated Basic Education and Skills Training (I-BEST) into ABE programs administered at grantee institutions. The Texas version of the I-BEST approach focuses on integrating workforce training or career pathway programs with basic skills instruction, moving students more quickly through basic education and toward certification.¹³ Accelerate Texas programs are yielding positive results for participants. However, implementing a new pilot through TWC using ABE and literacy leadership funds would be unnecessary and would result in the reduction of services to eligible students. State and federal administrative and leadership funds instead should incent providers to serve more students and encourage local innovation using researched-based approaches. We recommend the following:

- a) Do not reduce services to eligible adults by taking funds for administration and state leadership activities from State AE appropriation, and TANF and English Literacy and Civics allocations.
- b) Ensure that federal and state funds, including incentive grants and state leadership funds, are used locally to serve more students and encourage innovation in program delivery.
- c) Distribute funding using a formula that is based 50 percent on the number of 18 year olds without high school diplomas and 50 percent contact hour generation, while retaining 10 percent of the performance feature within each allocation.

- d) Give AEFLA funded providers an additional 2 percent from the existing federal amounts set aside for state leadership activities to be used to support alignment with local non-AEFLA providers.
 - e) Through the Legislative Appropriations Request process, request an incremental increase in funding for ABE and literacy programs to reach a one-to-one match of federal funds.
- 7. Enhance data collection and reporting of ABE and literacy services and ensure that TWC makes performance outcome data publically available on a quarterly and annual basis. This data should be analyzed on a regional and statewide basis.**

We recommend that TWC develop additional state-designed metrics to track performance, including specific metrics on educational attainment and employment outcomes. Examples of data include:

- Develop metrics that measure each participants advancement towards their academic and career pathway goals;
- Number and share of participants enrolling in workforce training and postsecondary programs;
- Number and share of participants receiving an industry-recognized credential or certificates awarded;
- Number and share of participants receiving services through bridge programs or through partnerships with non-federally funded community-based providers (see recommendation #2.b.).

8. 805.43. Advisory Committee.

SB 307 requires the advisory committee to advise TWC on specific strategies for the state ABE and literacy program. As such, the committee should be led by committee members with TWC staff serving as support for hosting and staffing the meeting as needed by the advisory committee. Pursuant to Chapter 2110 of the Government Code, advisory committee must select among its members a presiding officer. As such, we recommend the following changes and additions to Chapter 805.43:

Revise 805.43 (3): The committee shall meet at least quarterly ~~and report to the Commission on an annual basis.~~

Add 805.43 (4): The committee shall select a presiding officer as required by Chapter 2110 of the Texas Government Code.

Add 805.43 (5): Pursuant to Chapter 2110 of the Texas Government Code, the presiding officer shall preside over the committee and report annually to the commission.

CPPP also recommends that in addition to the preamble to Chapter 805.43, the rules pertaining to the advisory committee should include specific reference to SB 307's intent for the committee to advise the commission on policy and program priorities "that support the development of an educated and skilled workforce in Texas, statewide curriculum guidelines and standards for AEL services that ensure a balance of education and workplace skill development, a statewide strategy for improving student transitions to postsecondary education and career and technical education training, and a centralized system for collecting and tracking comprehensive data on performance outcomes."

Add 805.43 (6) (A)-(F): The committee shall advise the commission on:

- A. policies and program priorities that support the development of an educated and skilled workforce and further promote family economic success in this state;
- B. statewide curriculum guidelines and standards for adult education and literacy services that ensure a balance of education and workplace skill development;
- C. a statewide strategy for improving student transitions to postsecondary education and career and technical education training; and
- D. a centralized system for collecting and tracking comprehensive data on adult basic education and literacy program performance outcomes;
- E. the exploration of potential partnerships with entities in the nonprofit community engaged in literacy promotion efforts, entities in the business community, and other appropriate entities to improve statewide literacy programs; and
- F. any other issue the commission considers appropriate.

9. Embed financial literacy training into the ABE and literacy curriculum as required by the Texas Labor Code.

We recommend that TWC include financial literacy training and resource materials in the ABE and literacy curriculum.

Pursuant to section 302.0027 (a) and (b) of the Texas Labor Code, the commission and workforce boards are required to "ensure that each workforce development program offered in this state includes training in financial literacy. The division shall develop materials and information to be included in the training required..."

In fulfilling this mandate, TWC should enhance partnerships with local and regional organizations, including financial institutions and other providers, that offer financial education and coaching services.

We appreciate the opportunity to provide TWC with our recommendations for strengthening the ABE and literacy system in Texas and providing more pathways to good jobs. Please contact Leslie Helmcamp at Helmcamp@cppp.org or (512) 823-2867 with any questions.

Sincerely,

Center for Public Policy Priorities
MALDEF
RAISE Texas
TG

¹ Texas Workforce Investment Council (TWIC), A Companion Paper to A Primer on Adult Education in Texas, March 2010.

² TWIC.

³ U.S. Department of Education, Office of Adult and Vocational Education (OVAE) and Working Poor Families Project (WPFP); from American Community Survey, 2009 for Adults without a HS/GED; and Center for Public Policy Priorities, *Bridges to Better Jobs: How Texas Can Equip Texas Adults for Good Careers*, March 2013, Web. http://forabettertexas.org/images/2013_03_PP_adultbasiced_layout.pdf.

⁴ Department of Education, and WPFP.

⁵ Texas Higher Education Coordinating Board, *Building Bridges to Success: An Update on the Action Plan to Transition Adult Basic Education Students Into Postsecondary Education and Training*, January 31, 2012, p. 6. Web.

<http://www.theccb.state.tx.us/files//dmfile/ABERider29ReportJanuary2012.pdf>

⁶ Center for Public Policy Priorities, *Bridges to Better Jobs: How Texas Can Equip Texas Adults for Good Careers*, March 2013, Web. http://forabettertexas.org/images/2013_03_PP_adultbasiced_layout.pdf.

⁷ Texas Workforce Commission, Final Extension of Texas State Plan for Adult Education and Family Literacy, July 15, 2013.

⁸ Immigration Policy Center (IPC), "Who and Where the DREAMers Are: A Demographic Profile of Immigrants Who Might Benefit from the Obama Administration's Deferred Action Initiative," July 2012.

⁹ IPC.

¹⁰ Migration Policy Institute, *Deferred Action for Childhood Arrivals at the One-Year Mark: A Profile of Currently Eligible Youth and Applicants*, August 2013. Web. <http://www.migrationpolicy.org/pubs/cirbrief-dacaatoneyear.pdf>

¹¹ Population Reference Bureau, analysis of data from the U.S. Census Bureau, 2011 American Community Survey, Retrieved from Kids Count, 12/12/2013.

¹² MDC, Center for Working Families at Community Colleges. Web. <http://www.mdcinc.org/projects/center-working-families-community-colleges>.

¹³ CPPP, Bridge to Better Jobs.