

June 12, 2015

Spring Institute for Intercultural Learning is grateful for the opportunity to submit its comments in response to the April 16 Notice of Proposed Rulemaking regarding Programs and Activities Authorized by the Adult Education and Family Literacy Act (NPRM RIN 1830-AA22, implementing Title II of WIOA).

Spring Institute has been providing adult education classes and pre-employment training in the State of Colorado since it was founded in 1979. Spring Institute was a trailblazer in the area of combining job employment skills together with adult education in English language acquisition (ELA). It's "Workstyles" curriculum, developed in 1985, became an industry standard, used by adult education providers around the country. As such, we welcome WIOA's renewed emphasis on integrating workforce and postsecondary education goals with adult education. Preparing adults with both soft and technical skills they will need to compete in today's labor force is a critical component of adult education.

Spring Institute would like to put forth four specific comments regarding the NPRM and will highlight them below, grouped by issue. We provide specific recommendations where relevant.

### **LINKAGES BETWEEN ADULT EDUCATION AND WORKFORCE**

First and foremost, Spring Institute would like to express its support of the expansion of AEFLA's purposes under WIOA, as noted in **Section 463.1**, to "include assisting adults to transition to postsecondary education and training, including through career pathway programs." Under WIA, providers of adult education programs were not only unable to use AEFLA funding to combine adult education with pre-employment training or other "career pathways" programming, they were prohibited from doing so. As a result, programming provided under Title II was often conducted entirely separately from programming conducted under Titles I, III, and IV of WIA, with the result that students had to expend great time and effort to learn about and benefit from the various programs for which they might be eligible, including workforce training and services. The attempt to provide greater linkages to programming and services under all titles of WIOA by providing programming and services in alignment with local workforce plans and by providing access to such services through one-stop centers should create tremendous opportunities for beneficiaries and may eliminate the siloed approach of the previous programs.

### **LOCAL BOARD REVIEW OF PROVIDER APPLICATIONS**

**Section 463.21** requires that the Local Board review a provider's application for AEFLA funds before the application is submitted to the eligible agency. Spring Institute applauds steps to involve Local Boards in the review of applications to ensure greater collaboration

and program alignment. This approach will not only ensure that providers give greater attention to the career paths open to their students, as well to the multitude of other services and training opportunities open to them, but it will ensure that Local Boards become more attuned to the different programs of adult education offered, as well as the varying needs of all populations served.

Spring Institute has a concern regarding the suggested approach that we feel could be easily addressed. Specifically, we are concerned that the lack of adult education expertise in the composition of local boards will limit their ability to have informed discussions regarding whether proposed activities align with workforce plans. For example, Denver’s current Workforce Investment Board is comprised of 24 members, only three of whom are representatives of the education sector and only one of whom is an expert in adult education. Likewise, the Arapahoe Douglas Workforce Board is comprised of 34 members, only three of whom represent the education sector and none of whom are experts in adult education.

**Recommendation:**

1) We recommend that during the review processes by Local Boards, independent and neutral representatives with expertise in adult education be invited to participate in the discussions on whether applications are consistent with local workforces plans. The participation of adult education experts will provide context and background as to how AEFLA programs are conducted and will ensure that comments by the Local Board remain focused on the degree to which the applications are in alignment with the workforce plans.

As such, we recommend that **Section 463.21** be amended to include the following additional language (typed below in boldface) at the end of the first paragraph: “**Local Boards are encouraged to invite independent and neutral adult education experts (who are not competing for AEFLA funding) to participate in the review of applications to contribute to an informed discussion of the applications and ensure Local Board comments are focused on the degree to which the applications are in alignment with the workforce plans.**”

**MAINTAINING FAMILY LITERACY PROGRAMMING**

According to WIOA, Title II continues to be cited as the “**Adult Education and Family Literacy Act.**” **Section 463.1** states that WIOA “retains and expands” the purposes of AEFLA, which implies that the new purposes of WIOA (assisting adults to transition to postsecondary education and training) are in addition to the original purposes, which included “supporting the educational development of their children.” Likewise, **Section 463.30** states that WIOA “retains adult education, literacy, workplace adult education and literacy, and *family literacy* [italics added] as adult education and literacy activities.”

However, **Section 463.31** seems to contradict the retention of family literacy as a purpose in requiring that “Under WIOA, the program of instruction must also lead to attainment of a secondary school diploma or its recognized equivalent and transition to postsecondary education or training or lead to employment.”

Spring Institute strongly supports maintaining AEFLA funding for programs that serve individuals with the primary goal of supporting the educational development of their children, and who may not have goals related to employment or postsecondary education. Individuals with family literacy goals often serve as primary care givers to children and may not be interested in or able to pursue work or post-secondary education goals. The ability of these individuals to improve their English language skills is critical to their ability to help their children succeed in school and, ultimately, to succeed as integral members of our future workforce. (According to the U. S. Census Bureau, immigrants are responsible for more than half of the total growth of the U.S. labor force in past decade<sup>1</sup>.)

**Recommendation:**

2) Spring Institute recommends that the second sentence in **Section 463.31** be amended to include additional language (typed below in boldface), “Under WIOA, the program of instruction must also lead to **documented improvement in literacy levels for the purposes of family literacy** or the attainment of a secondary school diploma or its recognized equivalent and transition to postsecondary education or training or lead to employment.”

**PRIMARY INDICATORS OF PERFORMANCE**

**Section 463.22** states that under the new application requirements, eligible providers must “meet performance levels based on the newly established primary indicators of performance and collect data to report on performance indicators.” These “primary indicators of performance,” listed in **WIOA Sec. 116**, are exclusively tied to goals in employment and secondary education.

Spring Institute welcomes WIOA’s emphasis on holding programming to account according to strong performance indicators. However, we have concerns that limiting evaluation of performance to the primary indicators of performance listed in **WIOA Section 116**, will unnecessarily restrict the participation of key target populations in AEFLA-funded programs.

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<sup>1</sup> Matthew Denhart, “Growth and Immigration”; U.S. Census Bureau: Annual Social and Economic Supplement 2012.

First, as noted above, Spring Institute strongly supports the continued use of AEFLA funding for programs that serve individuals with the primary goal of family literacy, and who may not have goals related to employment or postsecondary education. We encourage the NPRMs to allow for states' implementation plans to contain additional performance indicators that are relevant to goals of improving family literacy.

Second, we are concerned that the “primary indicators of performance” set unrealistic expectations for those individuals who have employment or postsecondary education as their primary goals, but who have low starting levels of English-language or numeracy proficiency. Exclusively measuring program performance by percentages of program participants in unsubsidized employment during either the second or fourth quarters after exit from the program, or by percentages of participants who received a secondary school diploma or equivalent, will result in a shift in AEFLA-funded programs to target only those individuals already advanced in English language and numeracy literacy.

Spring Institute believes that such a shift would be a mistake. While it is also important to serve individuals with higher starting levels of proficiency, it would leave individuals eager to improve their economic self-sufficiency without affordable adult education options. Moreover, it would also deprive employers of a better-qualified workforce willing and eager to start out in lower paid positions in key growth sectors, such as the restaurant and hospitality industry, transportation, infrastructure development and repair, and agriculture<sup>2</sup>. It would also limit the ability of immigrants and refugees with the goal of opening their own businesses to access adult education. Given the important role of small business in our economic growth and given that immigrants start up a disproportionate number of small businesses in the United States, their access to adult education is a worthwhile investment<sup>3</sup>.

***Recommendation:***

3) Spring Institute recommends that **Section 463.22** be amended to allow providers to apply for AEFLA funding to support activities that also meet additional performance

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<sup>2</sup> According to the “2015 Colorado Business Economic Outlook” report published by the Leeds School of Business at the University of Colorado, the top four growth sectors for Colorado are in the professional and business services sector (partly related to infrastructure development and repair); the leisure and hospitality sector; education and health services sector; and the trade, transportation, and utilities sector. Agriculture, natural resources and mining, and construction are other key growth industries.

<sup>3</sup> According to David Dyssegaard Kallick’s 2012 report, “Immigrant Small Business Owners: A Significant and Growing Part of the Economy,” immigrants owned 18% of all small businesses in 2010, while comprising just 12.9% of the population.

indicators relevant to the goals of family literacy and relevant to the starting literacy levels of participants. Such indicators could include demonstrated improvement of at least one literacy level for program participants after exit from the program, increased reading of English-language books to children at home, or percentages of program participants that increased annual employment income.

We suggest amending **Section 463.22** to include additional language (typed below in boldface) to the third sentence: “Under the new application requirements, the eligible provider must also describe how it will... meet performance levels based on the newly established primary indicators **and other relevant indicators outlined in State Implementation Plans** and collect data to report on performance indicators....”