



National Coalition For Literacy

April 11, 2012

The Honorable Virginia Foxx
Chair, Subcommittee on Higher Education and Workforce Training
1230 Longworth House Office Building
Washington, D.C. 20515

Dear Congresswoman Foxx:

On behalf of the National Coalition for Literacy (NCL), a coalition of 30 leading national and regional organizations dedicated to advancing adult education, family literacy, and English language acquisition in the United States, I am writing to share our concerns with The Workforce Investment Improvement Act of 2012 (H.R.4297). While we are pleased to see the recognition of the need to align adult education and workforce training as well as the need to improve efficiency and effectiveness, we strongly urge you to incorporate the following five critical recommendations concerning adult education (Title II) as your bill progresses through the Education and the Workforce Committee.

- 1) Remove adult education as an option for consolidation under the State Unified Plan.** The allowance for states to consolidate federal funding with other funding streams under an approved unified plan would drastically reduce the provision of services to adults with low levels of literacy. Section 127 "State Unified Plan" of H.R. 4297 allows for states to consolidate their federal allotment of adult education funds and other funding streams into a newly-created Workforce Investment Fund. Furthermore, it allows for these funds to be treated as though they are Workforce Investment Fund dollars, eliminating requirements under the *Adult Education and Family Literacy Act (AEFLA)* to serve adults with low basic skills to become literate, obtain the knowledge and skills necessary for employment and self-sufficiency, and complete their secondary school education.

Adult education students are a unique population, often having different needs than higher-skilled workers that are unlikely to be addressed in a traditional job training program. Forty-one percent of adult education students have limited English skills, nearly 50-80 percent may have learning disabilities, and the majority are unemployed. In an era of scarce resources, a consolidated approach to education and training programs that serves all workers will inevitably leave behind those workers with the highest needs or are the hardest to serve. A case-in-point is what has occurred in California, where in 2009 the State relaxed rules on how school boards can allocate funding for education. This caused state adult education funding to be reduced by over 50%, from \$754 million to \$400 million. Today, California state adult education funding continues to erode.

Recommendation: On page 141, line 5, (3) Special Rule, add "and under Title II of the Workforce Investment Act" after "the Carl D. Perkins Career and Technical Education Act of 2006".

“3) SPECIAL RULE.—A State may not consolidate funds allocated to the State under the Carl D. Perkins Career and Technical Education Act of 2006 *and under Title II of the Workforce Investment Act.*”

- 2) **Addition of for-profit entities as an eligible provider of Federal AEFLA funds could increase cost and threaten quality for students.** While for-profit entities are part of the mix of providers contracted by one-stops and local Workforce Investment Boards (WIBS), the vast majority of adult education services are currently provided by nonprofit or public providers. Providing for-profit entities with access to AEFLA funds raises serious questions about shielding students from high costs and protecting students from fraudulent programs. The students served by adult education and English language services are often low-income individuals taking a first step in their educational path which may lead them to a better job or further education or training. Because one’s adult education, English as a Second Language (ESL), or GED courses are typically only the first stop on a student’s pathway, it is important that basic skills instruction is provided for free or at a very low-cost so as not to impose a barrier to participation. States and local programs widely recognize that making these services readily accessible is critical. In fact, charging tuition for adult education or English language services is prohibited in 22 states.ⁱ While for-profit agencies are often a key source of innovation in education, broadly expanding the use of federal funds to these types of providers—which often charge for their services—requires a careful consideration of what this might mean for student access.

Recommendation: Add a requirement that local providers do not impose unreasonable costs on students that present a barrier to participate.

- 3) **Codify English Language/Civics.** At the present time, the English Language/Civics program exists on a year-to-year basis through the appropriations process. NCL recommends making this program a permanent part of the *Adult Education and Family Literacy Act*, Title II of WIA. It addresses the needs of a unique and rapidly increasing portion of those adults in need of adult education services. Individuals in need of English literacy (ESL) services already comprise nearly half of the students served under WIA Title II.

Recommendation: Incorporate the language found in *The Workforce Investment Act of 2012* (H.R. 4227, Sec.244), *Integrated English Literacy and Civics Education to Title II of H.R.4297*.

- 4) **Restore state leadership to a minimum of 15% and require professional development and technical assistance to eligible providers.**ⁱⁱ Professional development, which is provided for under State Leadership, is the primary mechanism for preparing adult educators with the knowledge and skills about instructional practices that spur student achievement. Research shows that most adult educators have limited formal education specifically related to teaching adults. Thus, practitioners rely on professional development to help them use data to improve student outcomes and pursue training specific to their instructional needs.

Professional development opportunities decreased with the passage of WIA in 1998 while the demand increased. Under the 1991 National Literacy Act (NLA), *states were required to spend a minimum of 15% of their adult basic education funding on professional development and research activities, two-thirds of which was required to be spent on teacher training.* When Congress reconfigured the NLA into the WIA (1998), states were only allowed to spend a maximum of 12.5%

on 'leadership' for a wide variety of state activities, *with no minimum requirement for professional development*. WIA increased accountability and added program improvement requirements while reducing funds available for training needed to incorporate those changes. *The increased need for accountability training made even fewer funds available for responsive, instruction-based professional development* designed to help practitioners improve practice, such as training in reading instruction or learning disabilities. States need adequate resources to both comply with accountability requirements and to be responsive to instruction-based professional development needs.

Recommendation: Amend 223(a) to read:

(1) REQUIRED- Each eligible agency shall use funds made available under section 222(a)(2) and from other funds available to the State for such purposes, for the following adult education and literacy activities to develop or enhance the adult education system of the State or outlying area:

“(A) The establishment or operation of professional development programs to improve the quality of instruction provided pursuant to local activities required under section 231(b).

“(B) The provision of technical assistance to eligible providers of adult education and family literacy education programs, including for the development and dissemination of evidence based research instructional practices in reading, writing, speaking, math, and English language acquisition programs.

(2) PERMISSIBLE ACTIVITIES- Each eligible agency may use funds made available under section 222(a)(2) for 1 or more of the following adult education and literacy activities:

(Itemize the remaining permissible activities here)

- 5) **Retain the National Institute for Literacy (NIFL) and remake it to meet 21st century adult education needs.** Repeal of the National Institute for Literacy (NIFL) would leave the adult education system with no centralized resource for adult education research and best practices. The de-funding of NIFL in FY2010 was a tremendous loss to the adult education field. Unlike elementary/secondary education and higher education, there is a scarcity of research on best practices for serving low-skilled adult learners. Also unlike these higher-profile systems, there are no private and independent national adult education research centers to fill this void. The previous center that conducted research on adult education, the National Center for the Study of Adult Learning and Literacy (NCSALL) has not been in operation since 2007. There are also only a very limited number of graduate-level adult educator programs from which new research emerges. Although NIFL is currently not funded, repeal of authorizing language for the Institute sends a message that adult education programs and teachers are somehow a “second-class” education system and would perpetuate this lack of important research for the field. The loss of the Institute would deprive the field of research and the most relevant information available on effective instruction, limiting practitioners’ efficiency to deliver services to students.

Recommendation: Restore language that authorizes the National Institute for Literacy by incorporating Sec.242 of *The Workforce Investment Act of 2012* (H.R. 4227).

As noted above, several of our concerns about H.R. 4297 are addressed in H.R. 4277, and we urge the Committee to consider these provisions. WIA has long been a bi-partisan bill, with Congressional colleagues reaching across the aisle to support federal polices that provide adults with the education and training opportunities they need to achieve success. We urge the Committee to develop a truly bi-partisan proposal that cuts across party lines and addresses the needs of American workers in every community.

Thank you for your consideration. If you have questions, please contact our Advocacy Chair, Jackie Taylor, at Jackie@jataylor.net.

Sincerely,



Martin Finsterbusch
NCL President 2011-2012

CC: Congressman Ruben Hinojosa, Congressman John Kline, Congressman George Miller, and Congressman Phil Roe

ⁱ [2] Foster, M. and McLendon, L. The Value of a Dollar: A Survey of State Financing and Tuition Policies, 2012. (Forthcoming)

ⁱⁱ See page 16, row 216 of NCL's WIA side-by-side: <http://www.national-coalition-literacy.org/advocacy/WIASidebySide.pdf>