



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF CAREER, TECHNICAL, AND ADULT EDUCATION

PROGRAM MEMORANDUM OCTAE/DAEL 15-4

TO: State Directors of Adult Education

FROM: Johan E. Uvin /s/
Acting Assistant Secretary for
Career, Technical, and Adult Education

RE: Vision for the Adult Education and Family Literacy Act in the Workforce System and Initial Implementation of the Workforce Innovation and Opportunity Act

The Workforce Innovation and Opportunity Act (WIOA), the first major reform in the publicly funded workforce system in over a decade, encourages new opportunities for innovation and collaboration across the federal and state agencies. WIOA increases access to employment, education, training, and support services for individuals, particularly those with barriers to employment, and to the services they need to succeed in the labor market. The purpose of this memorandum is to provide the vision for the Adult Education and Family Literacy Act (AEFLA), Title II of WIOA, as a partner in the workforce development system. This memorandum further provides a framework for action to support implementation activities that will help realize the vision for AEFLA in WIOA.

Vision for AEFLA in WIOA

AEFLA presents an extraordinary opportunity to improve the quality of life for individuals with low skills. Literacy and numeracy are fundamental skills necessary for workforce success, as well as for personal and social well-being. Services provided under AEFLA are intended to lead to further education, training opportunities, and work, and are to be based on best practices derived from the most rigorous research available. The diversity of individuals who possess low skills requires a broad approach to skills development.

As one of six core programs under WIOA, the AEFLA program plays an integral role in the workforce development system by providing access to educational services for adult learners through the one-stop delivery system. The program seeks to increase opportunity in the educational and workforce development of adults as workers, parents, and citizens. While playing a critical role in adult attainment of a secondary school diploma, the program also aims to assist in the transition to postsecondary education and training through the use of career pathways.

The AEFLA program will provide the following critical services and activities to support adult learners with the goal of improving access to education and training opportunities, as well as to employment:

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- ✓ Assist adults to become literate and obtain the knowledge and skills for employment and economic self-sufficiency;
- ✓ Support the educational and skill achievement of parents and family members to participate in the educational development of their children and improve economic opportunities for families;
- ✓ Assist immigrants and English learners in improving their English and math proficiency and understanding of the rights and responsibilities of citizenship; and
- ✓ Assist incarcerated individuals in strengthening their knowledge and skills to promote successful re-entry into society.

Assist adults to become literate and obtain the knowledge and skills for employment and economic self-sufficiency. Workers and job seekers have access to basic skills instruction relevant to employment through the one-stop delivery system. Education is provided in the context of industry-specific needs that involve employers and is integrated with occupational skills training to achieve the best outcomes for participants. Programs use career pathways, integrated education and training, and workforce preparation activities as hallmarks of excellent work-relevant instruction.

Support the educational and skill achievement of parents and family members to participate in the educational development of their children and improve economic opportunities for families. Family literacy programs provide parents and family members with foundational skills that boost their knowledge and confidence to support the educational development of, and to become educational advocates for, their children. Parents and family members are able to improve their skills to achieve readiness for postsecondary education or training, job advancement, and economic self-sufficiency. Programs are designed to make sustainable improvements in the economic prospects for a family and to better enable the family to support their children’s learning needs.

Assist immigrants and English learners in improving their English and math proficiency and understanding of the rights and responsibilities of citizenship. English learners have access to services to help them achieve competence in reading, writing, speaking, and understanding English. These competencies allow them to obtain secondary school credentials and succeed in further education and training. Immigrants acquire an understanding of what it means to be a citizen and to participate in civic responsibilities. Programs are designed to provide high-quality math instruction, evidence-based English language instruction and civics education that is responsive to, and respectful of, the diversity of immigrants and English learners.

Assist incarcerated individuals in strengthening their knowledge and skills to promote successful re-entry into society. Individuals who are incarcerated have access to educational services that prepare them for employment, economic self-sufficiency, family roles, and responsible citizenship upon their release. Incarcerated individuals can access adult education and literacy activities that support post-release transition to higher levels of education and training, as well as meaningful employment. Programs are designed to support incarcerated and formerly incarcerated individuals’ access to life-expanding career pathways opportunities that include approaches such as dual enrollment, peer tutoring, and

transitions to re-entry services designed to facilitate post-release success and reduce recidivism.

Implementing AEFLA under WIOA: Realizing the Vision

Adult education leaders should take immediate action to move forward in achieving this vision for excellence in service to adults who can benefit from improving their literacy and English proficiency skills.

Realizing the vision requires acting upon the following principles:

- I. Leaders develop a vision for how adult education aligns with core programs and one-stop partners.** States establish strong partnerships with core programs and other necessary community partners to successfully serve adult learners. States prepare a Unified State Plan for the core programs, or a Combined State Plan that incorporates other key partners, that includes a unified strategic vision and goals for preparing an educated and skilled workforce. AEFLA, as a core program, is a key component in the implementation of the Unified or Combined State Plan, including the development of career pathways to provide access to high-demand, regionally significant employment and training services for individuals in the AEFLA program.
- II. States move toward aligning adult education content standards with the state's K-12 standards.** State and local adult education programs identify curriculum frameworks for the standards that take into account the academic requirements for non-remedial credit courses in postsecondary institutions. Adult education leaders and practitioners consider the content of occupational and industry standards that are widely used in the state and ensure that teachers are trained and supported to implement standards-based education. State-adopted academic content standards provide a focus for coherent improvement in all components affecting teaching and learning, including curriculum, instruction, professional development, program leadership, student assessment, and program monitoring and accountability.
- III. States commit to improving teaching and learning in every local adult education program.** States support adult educators in learning and applying practices that are based on the most rigorous or scientifically valid research available. Teacher training promotes an understanding of adults as learners and focuses on the teaching of reading, writing, mathematics, and English language acquisition to adults. Professional learning opportunities are available for teachers of all experience levels. Effective teachers are recognized and used to train and mentor novice instructors.
- IV. Adult educators leverage technology to improve teaching and learning.** Recognizing that many jobs require digital literacy, states encourage and support the integration of digital literacy skills into all adult education and literacy activities. Further, recognizing the work and family demands of adult learners, states work to expand high-quality distance education offerings. Adult educators enrich teaching and learning in traditional classroom, distance education, and hybrid learning environments by identifying, using or adapting, and assessing with appropriate and high-quality open education resources. Professional development explicitly addresses the teaching and assessment of digital literacy skills integrated appropriately into instruction in all content domains. States work with local adult education

programs to ensure that local program staff can assist all learners in maximizing access to technology and the Internet.

- V. Adult educators work to create stronger linkages with employers in partnership with other core programs.** States encourage and support ongoing engagement with employers and workforce development system partners in the design, delivery, and evaluation of career pathways educational programs, integrated education and training, and workforce preparation activities that are responsive to regional and local labor market demands. Career pathways, integrated education and training, and workforce preparation activities reflect the skill needs of high-demand jobs within the regional or local economy. Employers work in partnership with other core programs and eligible providers to deliver adult education and literacy activities. Employers not only serve in advisory capacities but also provide externships (teacher learning experiences) and make commitments to hiring program graduates. Employers clearly and consistently articulate the value-added of adult education services.
- VI. States identify models and promising practices and a process to disseminate them for wider use among local providers.** States support and promote evidence-based instruction to assist youth and adults with low literacy skills in participating more fully in society and successfully transitioning to further education and training. Teaching and learning methods include, but are not limited to, instruction incorporating the essential components of reading instruction and instruction that addresses the needs of adult learners, including those with disabilities. States provide technical assistance to eligible providers through development and dissemination of high-quality, evidence-based professional development, assessments, and instructional training for use in the classroom; use of technology to improve system efficiencies and performance, including advancements in digital literacy skills; and the monitoring and evaluation of programs and activities.
- VII. States evaluate programs and activities to ensure continuous improvement and expand the available evidence base.** States conduct ongoing evaluations of the core programs using the most rigorous analytical and statistical methods that are reasonably feasible to promote efficiency and effectiveness of the workforce development system. The results are used to achieve a high-performing system that reflects optimal outcomes for its participants. Evaluations fully engage partner programs; leverage federal, state, and local resources; and include customer feedback. Evaluations are transparent, and results are accessible to the public.
- VIII. States work to increase accountability of the workforce development system.** States use the performance indicators established in WIOA to assess the effectiveness of their workforce systems. Integrated data systems promote the availability of high-quality data on participant outcomes and support research and evaluation activities. Data about specific subpopulations of participants, such as individuals with barriers to employment, are disaggregated to determine the extent to which the workforce development system is effectively providing opportunity to vulnerable populations.

Take Action Now

On April 16, 2015, the Departments of Education (ED or Department) and Labor (DOL) published in the *Federal Register* five Notices of Proposed Rulemaking (NPRM) and anticipate

publishing final regulations in 2016. However, many of the actions states need to take to transition to WIOA will need to be initiated before the final regulations are issued. The law went into effect July 1, 2015, and includes provisions for an orderly transition from the Workforce Investment Act of 1998 to WIOA during Program Year 2015, also known as the transition year.

The Department strongly advises states to begin planning and taking action for the WIOA transition now to achieve successful implementation and ultimately to realize the vision of WIOA. The Office of Career, Technical, and Adult Education (OCTAE) will issue regulations and additional guidance, but the legislation and technical assistance tools¹ already available support initial activities. In addition, while some provisions went into effect July 1, 2015—including the Unified and Combined State Plan provisions and the performance accountability system—states should begin preparing with their partners now for implementation of all of the provisions of WIOA.

WIOA offers a unique opportunity to foster innovation in the workforce development system, connects individuals with barriers to employment to partner programs and resources, and supports establishment of a high-quality local adult education delivery system where services are aligned with regional needs, instructional activities are based on rigorous research and promising models, and activities are integrated with education and training or coordinated with employers and social service providers to promote career pathways.

Below are recommended actions that workforce development system leaders and partners are encouraged to take to move toward full implementation of the law, several of which are also included in the DOL Training and Employment Guidance Letter (TEGL) No. 19-14, entitled *Vision for the Workforce System and Initial Implementation of the Workforce Innovation and Opportunity Act*. States should consider these actions in any transition discussions to ensure that they are well positioned to implement the vision of WIOA. This list is not exhaustive, and each state should fully assess its own situation and requirements to determine the activities it will need to undertake to support a full and effective transition.

- ✓ **Build new, and strengthen existing partnerships.** WIOA requires states and local areas to enhance coordination and partnerships with local entities and supportive service agencies for strengthened service delivery, including through Unified State Plans and Combined State Plans. States should include statutorily specified additional partners in the planning process. DOL TEGL No. 19-14 also encourages local and state leaders to engage in strategic planning and find new ways to align core programs, optional programs under a Combined State Plan, and required and optional one-stop partners under the Act. It is vital to understand the new Unified and Combined State Plan requirements and assess whether states have the right partners at the table, and that they are participating fully as equal partners in the design and coordination of the programs and services within the workforce development system. The plans should establish a set of system performance measures that apply to all core programs; strengthen linkages between complementary programs, including providing access to services within the one-stop center system; add one-stop center

¹ Resources available at www.ed.gov/AEFLA.

partners, such as the Carl D. Perkins Career and Technical Education programs at the postsecondary level and Temporary Assistance for Needy Families (TANF) programs; and clarify partner programs' support for one-stop system infrastructure costs and other shared costs. Strategic planning should include concrete goals as well as a vision of success, i.e., how the workforce development system should ideally function in the state to best meet WIOA goals. Local and state leaders are encouraged to include state economic development staff and support alignment of workforce and economic development goals.

Other partnerships can help efforts to expand services to new immigrants, reach more adult learners through partnerships with libraries, and support parental engagement in children's education. For example, partnerships with health and human service agencies continue to expand the system's capacity to provide support services to adult learners.

- ✓ ***Support the development of plans to ensure Workforce Development Boards become WIOA-compliant.*** State and local boards were required to meet the new membership requirements and be able to carry out new functions as of July 1, 2015. The establishment of a WIOA-compliant State Workforce Development Board is critical to the transition to WIOA, as the State Board plays a significant role in overseeing transition activities, including the designation of local workforce development areas, the identification of regions, the development of criteria for Local Board appointments, and beginning the state planning process. Chief elected officials should review the new requirements in the law and outlined in the DOL guidance, TEGL No. 27-14, entitled *Workforce Innovation and Opportunity Act Transition Authority for Immediate Implementation of Governance Provisions* to reconstitute and recertify boards. Additionally, as noted in DOL TEGL No. 19-14, when establishing standing committees, states are strongly encouraged to focus on serving youth, low-skilled adults, Indians and Native Americans, individuals with disabilities, and other priority groups in the local area.
- ✓ ***Develop transition plans.*** The transition to WIOA, and reaching its vision, is complex. States were required to develop and submit transition plans that would prepare them for the transition to WIOA by April 1, 2015. States should use these transition plans to guide implementation of new WIOA requirements and to consider customer impacts such as how current AEFLA participants will be affected by the WIOA transition. OCTAE will be developing technical assistance (TA) tools to assist states and local programs in this area.

As explained in OCTAE's *Guide for the Development of a State Plan under the Adult Education and Family Literacy Act (Transition Year Guidance: Title II of the Workforce Investment Act of 1998 to Title II of the Workforce Innovation and Opportunity Act of 2014)*, each state receiving an adult education grant was required to revise its existing state plan (state plans expired on June 30, 2015) in order to demonstrate how it would plan for and incorporate requirements of WIOA during the transition year. In particular, the transition year guidance identifies the programs,

activities, and services that are defined under “adult education and literacy activities” — including new activities such as integrated education and training, workforce preparation activities, and integrated English literacy and civics education — and explains that each eligible agency will address how it is preparing to implement these activities using fiscal year 2015 funds. The state plans are effective for one year.

For additional information on the transition year guidance for the AEFLA program, please see the link to the guidance previously issued by the Department, available at: <http://www2.ed.gov/about/offices/list/ovae/pi/AdultEd/state-guidance.pdf>.

- ✓ **Reassess the one-stop delivery system.** Core programs — along with optional programs, and required and optional one-stop partners — should reassess the one-stop delivery system and determine what is needed to achieve seamless service delivery models that place the customer in the center of program design and delivery. WIOA requires a memorandum of understanding between the local board and the one-stop partners to address one-stop center infrastructure funding, physical and programmatic accessibility requirements, and the vision of WIOA and state established goals, among other issues. Consider how adult education can provide applicable career services, such as initial assessment of skill levels through the one-stop delivery system, as well as how adult learners will benefit from a more integrated one-stop system. These actions will better position states and local workforce investment areas to develop the state’s plan for infrastructure funding and certification of one-stop centers.
- ✓ **Identify and collaborate with new or existing youth service contract operators in order to increase services to disconnected, out-of-school youth and reconnect youth to education and jobs.** WIOA refocuses the youth formula program to serve disconnected youth by increasing the age range to age 24 and requiring a minimum of 75 percent of DOL youth program funds to be used for out-of-school youth ages 16-24, which is also a key population served by the AEFLA program. States and local programs should coordinate to identify productive approaches for reaching and serving out-of-school youth and develop plans to strengthen educational services to them through partner programs.
- ✓ **Prepare for fiscal and program changes related to the transition from WIA to WIOA.** ED and DOL have adopted the new Office of Management and Budget (OMB) Uniform Administrative Requirements (2 CFR Part 3474 and 2 CFR Part 200). Financial staff and other applicable staff must become familiar with the new requirements, which govern such matters as standards for financial and program management, procurement, and allowable costs. In addition, staff must become familiar with the changes that WIOA has made to AEFLA, including important changes to adult education’s performance accountability and reporting requirements, and the resulting transition that states must make in their implementation of AEFLA.

- ✓ **Assess state laws.** It is also important to review state legislation and identify areas that may conflict with WIOA so that plans and strategies can be made to resolve these conflicts. When state and federal laws conflict, federal laws take precedence.

Time frame of Anticipated Regulations, Guidance, & Technical Assistance

On April 16, 2015, ED and DOL published in the *Federal Register*² five NPRMs for review and public comment.

These five NPRMs are:

- An NPRM jointly published by ED and DOL proposing to implement jointly-administered activities under Title I of WIOA regarding Unified and Combined State Plans, performance accountability, and the one-stop system. This NPRM applies to all core programs, including state vocational rehabilitation services and adult education programs.
- A DOL-only NPRM proposing to implement changes made to the adult, dislocated worker, and youth programs authorized under Title I of WIOA.
- An ED-only NPRM proposing to implement changes to programs authorized under AEFLA, which are contained in Title II of WIOA.
- Two ED-only NPRMs proposing to implement changes made to the programs authorized under the Rehabilitation Act of 1973, which are contained in Title IV of WIOA, as well as new provisions.

The 60-day public comment period began on the date of publication, April 16, 2015, and closed on June 15, 2015. ED and DOL will analyze all public comments received and develop and issue final rules in 2016.

To achieve successful implementation and the full vision of WIOA, OCTAE will continue to consult with the adult education and workforce system and strongly advises states, local areas, and local providers to begin planning and taking action to prepare to implement WIOA.

² The five NPRMs are available at www.federalregister.gov. The AEFLA-specific NPRM is available at <https://federalregister.gov/a/2015-05540>, and the joint NPRM is available at <https://federalregister.gov/a/2015-05528>.