1 **TEXAS WORKFORCE COMMISSION**
2 **Adult Education and Literacy Letter**

ID/No:	AEL 04-21
Date:	June 7, 2021
Keyword:	AEL; WIOA
Effective:	July 7, 2021

3 **To:**   Adult Education and Literacy Grant Recipients
4   Adult Education and Literacy Special Project Grantees
5   Local Workforce Development Board Executive Directors
6   Commission Executive Offices
7   Integrated Service Area Managers

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9 **From:**   Courtney Arbour, Director, Workforce Development Division

10 **Subject**:   AEL Enrollment and Data Validation Requirements

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12 **PURPOSE:**
13   The purpose of this AEL Letter is to provide Adult Education and Literacy (AEL)
14   grantees[1] with information and guidance on the data elements and documentation they
15   must gather on an individual prior to enrollment in AEL services and data validation
16   procedures, which grantees must have in place to ensure data integrity. This AEL Letter
17   also includes guidance found in AEL Letter 02-19, issued on August 8, 2019, and titled
18   "Collection of Certain Participant Information for Performance Reporting" and AEL
19   Letter 05-18, issued on October 3, 2018, and titled "Approved Forms of Identity."

20 **RESCISSIONS:**
21   AEL Letter 02-19
22   AEL Letter 05-18

23 **BACKGROUND:**
24   AEL providers must collect certain demographic and personal information from
25   individuals seeking AEL services to comply with federal and state requirements. This
26   information supports eligibility determination, placement, and performance and financial
27   reporting.

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[1] For the purposes of this AEL Letter, AEL grantees are entities that receive AEL funds through the Texas Workforce Commission (TWC).

Federally Required Data Elements for AEL

Workforce Innovation and Opportunity Act (WIOA) §116 supports performance reporting, which includes common definitions and data elements across WIOA workforce, Vocational Rehabilitation (VR), and AEL core programs.[2] These definitions and data elements are represented in the joint Participant Individual Record Layout (joint PIRL). The WIOA Common Performance Reporting OMB Control No. 1205-0526, ETA Form-1970 lists the 83 joint PIRL elements that all WIOA programs, including the AEFLA program, are required to collect from program participants.[3] For AEL, this is further described in the Office of Career, Technical, and Adult Education (OCTAE) Memo 17-2, "Performance Accountability Guidance for Workforce Innovation and Opportunity Act (WIOA) Title I, Title II, Title III, and Title IV Core Programs."

Additionally, the National Reporting System for Adult Education Technical Assistance Guide for Performance Accountability under the Workforce Innovation and Opportunity Act (NRS TA Guide) provides definitions for PIRL demographic reporting elements, such as barriers to employment, race and ethnicity, gender, age, labor force status, and highest degree or level of school completed. The NRS TA Guide also provides a list of required basic data elements to report to the NRS and highlights the importance of cross-matching for capturing post-exit measures.[4]

Collection of Additional Participant Information for Cross-Matching

Joint federal guidance from the US Department of Labor (DOL) and the US Department of Education (ED) explains how educational agencies may use personally identifiable

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[2] The six core programs are the Adult, Dislocated Worker, and Youth programs, authorized under WIOA Title I and administered by the DOL; the AEFLA program, authorized under WIOA Title II and administered by ED; the Employment Service program, authorized under the Wagner-Peyser Act, as amended by WIOA Title III and administered by DOL; and the VR program, authorized under Title I of the Rehabilitation Act of 1973, as amended by WIOA Title IV and administered by ED.

[3] Joint PIRL elements are found in the DOL's Employment and Training Administration ETA Form-1970, https://www.doleta.gov/performance/pfdocs/ETA_9170_12.1.17.pdf, which expires March 31, 2021. At the time of this letter's publication, this OMB collection has not been updated.

[4] Exhibit 4.3 of the NRS TA Guide provides a table of the basic data elements and functions needed for NRS reporting and is available online at https://nrsweb.org/sites/default/files/NRS-TA-Mar2021-508.pdf. This guide was published in March 2021.

information (PII), such as Social Security numbers (SSNs), for cross-matching wage records as part of tracking WIOA participants' performance.[5]

Cross-matching involves comparing participant information in one data system with participant information in other state or federal data systems. The data includes widely used federal or state identifiers, such as SSNs, Texas driver's license numbers, and Texas ID numbers, which are not PIRL elements or required for program participation. However, these elements are vital to support performance accountability.

TWC uses cross-matching, sometimes referred to as data matching, to:
- determine performance outcomes related to achieving certain measurable skill gains (MSGs) and exit-based measures;
- reduce duplicate participant records; identify coenrollment rates across TWC programs;
- and calculate the following areas of AEL performance:
  - ➢ Attainment of the Texas Certificate of High School Equivalency (TxCHSE)
  - ➢ Employment
  - ➢ Earnings

TWC AEL staff verifies TxCHSE attainment by cross-matching TWC participant records against Texas Education Agency (TEA) records using the participant's name, date of birth, and SSN. Complete and accurate collection of these identifiers results in more complete data matching.

Additionally, staff uses SSNs to validate employment and earnings. In instances when employment information cannot be verified through SSN matching to the unemployment insurance (UI) system (for example, if an individual is self-employed), federal guidance allows for states to capture supplemental wage information.[6]

Local entities also use cross-matching for identifying individuals for outreach, for identifying opportunities for coenrollment in other programs, and for entry in their own institutional data systems.

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[5] TEGL 07-16, "Data Matching to Facilitate WIOA Performance Reporting," https://wdr.doleta.gov/directives/attach/TEGL/TEGL_7-16_Acc.pdf

[6] OCTAE Program Memo 17-6, "Guidance on the use of Supplemental Wage Information to implement the Performance Accountability Requirements under the Workforce Innovation and Opportunity Act," https://www2.ed.gov/about/offices/list/ovae/pi/AdultEd/octae-program-memo-17-6.pdf

Cross-Matching for Financial Reporting
Cross-matching participants' SSNs is the most efficient way to verify enrollment opportunities in education, workforce, and social service programs and to track coenrollment among programs, such as TWC-administered WIOA programs.

At the state level, TWC determined that cross-matching could reduce the administrative burden on providers that are determining a participant's eligibility for Temporary Assistance for Needy Families (TANF) by matching TWC data with other data from needs-based programs outside of TWC.

To support cross-matching efforts in Texas, TWC enhanced the statewide AEL data management system, TEAMS, to capture information related to SSNs and other identification elements.

Post-Exit Tracking without SSNs
Without an SSN, it is impossible for automated data matching to determine whether a participant has met all the requirements to be considered successful in the exit-based WIOA measures for post-exit employment, post-exit credential attainment, and post-exit enrollment in postsecondary education and training. The provider must conduct significant follow-up with the participant during the four calendar quarters following exit if the SSN is not captured. Failure to fully report performance outcomes—whether through automated data matching or provider follow-up—puts TWC at risk of failing to meet state and federal performance standards and could subject the agency to sanctions, including a reduction of federal funding.

Data Validation Framework
Federal guidance requires TWC to have data validation procedures in place to ensure that the data submitted to TWC for WIOA programs is valid and reliable.[7]

As part of having a quality data validation framework, AEL grantees are required to capture source documentation for 24 joint PIRL data elements. TWC's Subrecipient Monitoring (SRM) department monitors AEL grantees to ensure that source documentation is being captured for these elements. TEAMS automatically validates some of these elements, and TWC cross-matches others. Grantees must maintain source documentation for the remaining elements.

Local Workforce Development Boards (Boards) must adhere to guidance found in WD Letter 27-19 Change 1, issued January 21, 2021, and titled "State Data Validation Requirements—*Update*" and any subsequent issuances for other WIOA programs.

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[7] OCTAE Program Memo 19-1, "Guidance for Validating Jointly Required Performance Data Submitted under the Workforce Innovation and Opportunity Act (WIOA)," https://www2.ed.gov/about/offices/list/ovae/pi/AdultEd/octae-program-memo-19-1.pdf

Additionally, all data element collection requirements for WIOA programs may be found on DOL's website at https://www.dol.gov/agencies/eta/performance/reporting.

PROCEDURES:

No Local Flexibility (NLF): This rating indicates that AEL entities must comply with the federal and state laws, rules, policies, and required procedures set forth in this AEL Letter and have no local flexibility in determining whether and/or how to comply. All information with an NLF rating is indicated by "must" or "shall."

Local Flexibility (LF): This rating indicates that AEL entities have local flexibility in determining whether and/or how to implement guidance or recommended practices set forth in this AEL Letter. All information with an LF rating is indicated by "may" or "recommend."

Definitions

NLF: AEL grantees must be aware of the following definitions:

Cross-matching (also referred to as data matching) refers to using a validator, such as an SSN, to match data elements against more than one external databases. For example, TWC cross-matches data entered into TEAMS for a participant (name, date of birth, and SSN) against TEA's TxCHSE records to match participant attainment of a TxCHSE. Participant SSNs are also used to cross-match against UI wage information.

Participant Individual Record Layout (PIRL) is a set of demographic data elements that DOL and OCTAE use to support consistent data reporting across WIOA programs. Joint PIRL elements are required by all WIOA programs, including the AEL program. OMB Control Number 1205-0526 provides a list of joint PIRL elements, all of which AEL grantees must report, at https://www.dol.gov/sites/dolgov/files/ETA/Performance/pdfs/ETA_9170_12.1.17.pdf

Subrecipient Monitoring (SRM) is the TWC department that monitors both program and fiscal aspects of AEL grants and may perform desk or on-site reviews of the AEL program.

The **State Management Information System (MIS)** for TWC AEL is TEAMS.

Self-attestation is when a participant attests that his or her status related to a certain data element is accurate. All AEL grantees must maintain in the participant file the Participant Acknowledgement and Release of Information Form, which is signed and dated by the individual enrolling in AEL. Detailed information on this form is in the AEL Guide.[8]

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[8] The Signed Release of Information section in the AEL Guide provides the language that all grantees must include in the Participant Acknowledgement and Release of Information Form and may be found at https://twc.texas.gov/files/partners/texas-ael-guide-twc.pdf.

Overview of Attachment 1

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2 **NLF:** AEL grantees must be aware that Attachment 1, "Data Elements for AEL Enrollment
3 Source Documentation," provides a list of enrollment and other data elements that TWC
4 and OCTAE require for reporting and performance accountability purposes. The
5 following describes what each column provides:

6 - **Column A**: AEL enrollment elements are designated with a *Yes*.
7 - **Column B**: Data elements are described as PIRL, joint PIRL (required for all WIOA
8   programs), or another type of data element required by TWC.
9 - **Column C**: This column provides the PIRL element's designated data element
10   number, where applicable.
11 - **Column D**: This column describes the PIRL element's designated data element name
12   and non-PIRL elements (those required by TWC for enrollment) as they are in
13   TEAMS.
14 - **Column E**: This column provides instructions for how AEL grantees enter data into
15   TEAMS for the data element. Instructions for PIRL elements are found in ETA Form-
16   1970 or ETA Form-9172.
17 - **Column F**: TEAMS provides code values for data elements, although it will not have
18   the number designation for PIRL elements (for example, 1=*Yes*, which appears as *Yes*
19   in TEAMS).
20 - **Column G**: This column indicates whether source documentation is required, as
21   required by OCTAE for data validation purposes. For any elements that have a *Yes*,
22   AEL grantees must maintain documentation to support the data.
23 - **Column H**: This column provides a list of allowable types of source documentation
24   to support the data element.
25 - **Column I**: This column provides information as to whether the data is entered by the
26   grantee into TEAMS, generated by TEAMS, or validated by TWC through cross-
27   matching.
28 - **Column J**: SRM will review the source documentation listed in Column H to validate
29   this data, unless otherwise specified.

Required Elements for AEL Enrollment

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31 **NLF:** AEL grantees must be aware that data elements required for enrollment in the AEL
32 program include:

33 - certain PIRL and joint PIRL data elements, as required by DOL and OCTAE; and
34 - additional elements required by TWC to support performance accountability or for
35   state reporting purposes.

36 **NLF:** AEL grantees must include all data elements that are indicated as AEL Enrollment Form
37 Elements in Column A of Attachment 1 on any local enrollment forms.

38 **LF:** AEL grantees may use the AEL Enrollment Form Instructions as a guide when
39 developing local enrollment forms.

1 2 3 4 5 6	**NLF:**	AEL grantees must be aware that all providers must collect AEL enrollment elements during intake or orientation for individuals enrolling in AEL services. While these data elements do not have to be collected at one time, all the required elements must be collected before providing AEL services to an individual. Additionally, enrollment forms must be signed and dated by individuals enrolling in AEL services or their guardian, as further outlined in the [AEL Guide](.)[9]

7 8	**LF:**	AEL grantees may add additional elements to AEL enrollment forms and require any additional source documentation for those elements.

9 10 11	**NLF:**	As part of enrolling an individual in AEL services, AEL grantees must verify the identity of the individual and include a copy of one of the following forms of identification in the individual's file:

- 12 Birth certificate
- 13 Official record showing date of birth
- 14 Baptismal record
- 15 DD-214, Certificate of Release or Discharge from Active Duty
- 16 Driver's license
- 17 Federal, state, or local government identification card
- 18 Hospital record of birth
- 19 Passport
- 20 Public assistance/social service records
- 21 School records
- 22 School identification card
- 23 Work permit
- 24 Native American tribal document
- 25 Other official documents issued by a federal, state, or local government agency, such
- 26 as discharge documents from the Texas Department of Criminal Justice, with date of
- 27 birth included, or a voter registration card or certificate
- 28 Other official documents issued by a foreign government agency, such as a consular
- 29 identification card

30 If an AEL grantee is unable to obtain an approved form of identity from an individual,
31 the AEL grantee must document the extenuating circumstances in the individual's file.

32	**LF:**	To document identity, AEL grantees may:

- 33 accept approved forms of identification from another state or country;
- 34 accept approved forms of identification that are expired; and

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[9] The Signed Release of Information section in the AEL Guide provides the language that all grantees must include in the Participant Acknowledgement and Release of Information Form and may be found at https://twc.texas.gov/files/partners/texas-ael-guide-twc.pdf.

| 1 | | • require additional forms of identification for enrollment into the local AEL program. |

SSN and Driver's License Collection for Cross-Matching

3	**NLF:**	AEL grantees must be aware that, although individuals seeking AEL services are not
4		required to provide an SSN, a Texas driver's license number, or a Texas ID number in
5		order to participate in AEL services, providers are required to request these identifiers
6		from each individual who is registering for AEL services to support data matching
7		efforts. If an individual does not provide this information, the individual may still
8		participate in AEL services.

9	**NLF:**	AEL grantees must be aware that while providers must implement protocols to ensure
10		that SSN information is accurate, they are **not required to collect, copy, or verify** an
11		individual's SSN card or other documentation that includes a full SSN, such as tax
12		documents or employment records, either before or after an individual enrolls in AEL.

13	**LF:**	AEL grantees may explain to participants that TWC uses SSNs, Texas driver's license
14		numbers, and Texas ID numbers to determine whether the AEL program is successful in
15		helping participants achieve their education and employment goals and to improve AEL
16		programs to better serve participants.

17	**LF:**	AEL grantees may require the collection of an SSN if it is a local or institutional
18		requirement or if it is a requirement for participating in another grant program or service.
19		Grantees may do so even if the services provided under other grants are integrated with
20		services provided through grants developed under RFP No. 320-18-01.

21	**LF:**	The grantee may make a copy of the SSN card if a copy is required for participation in
22		services provided by the local entity or institution or is required for eligibility for other
23		grants or services.

Required Source Documentation

25	**NLF:**	Grantees must maintain source documentation for certain data elements, as indicated in
26		Column G of Attachment 1, and as required by OCTAE or TWC. OCTAE requires
27		source documentation for the 24 joint PIRL data elements outlined in OCTAE Program
28		Memo 19-1 at https://www2.ed.gov/about/offices/list/ovae/pi/AdultEd/octae-program-
29		memo-19-1.pdf. For some of these elements, TWC is able to validate the data through
30		cross-matching.

| 31 | | TWC requires source documentation for identity documents when enrolling an |
| 32 | | individual, as indicated in Column G of Attachment 1. |

33	**NLF:**	AEL grantees must be aware that TWC may require additional documentation for other
34		data elements shown in Attachment 1 and will release these requirements via TWC
35		Transmittal or an AEL Letter.

Source Documentation

NLF: AEL grantees must ensure that the source documentation required for certain joint PIRL or enrollment elements, as outlined in Attachment 1, is maintained in the participant's file and/or TEAMS, unless TWC cross-matching provides this documentation. This documentation must be made available to TWC AEL staff for monitoring purposes.

Documentation of Tests, MSGs, and Credentials

NLF: AEL grantees must maintain documentation for tests, MSGs, and credentials attained following the Texas AEL Assessment Guide; AEL Guide; and AEL guidance on education, training, and employment outcomes. Documentation must also be made available for TWC monitoring purposes.

Required Data Validation Procedures

NLF: AEL grantees must have data validation procedures in place to ensure that the data submitted to TWC is supported with source documentation, entered timely, and validated. These procedures must, at a minimum, include each of the following elements:

- **Every Program Year**: AEL grantees must ensure that all data entry staff and quality assurance and performance accountability staff meet the required professional development training related to their job duties every program year, as outlined in TWC Chapter 805 Adult Education and Literacy rule §805.21, Staff Qualifications and Training. An overview of those requirements is available at TCALL's Staff Qualifications and Development page.
- **Every Program Year**: AEL grantees must review and update, as needed, data validation procedures at least once every program year.
- **Monthly**: AEL grantees must enter all data for AEL program participants and program staff members who provide instruction in TEAMS. TEAMS has built-in controls to prevent data anomalies, which include the alignment of test scale scores for test instruments and corresponding test forms to test publisher's guidelines, as well as restricting the entry of contact hours to days on which there is an active class in TEAMS.
- **Monthly**: AEL grantees must review and validate data by the 15th of each month for activity for the previous month in TEAMS, unless this is extended by the TWC AEL director due to extenuating circumstances. After this deadline, TEAMS locks certain data elements, such as test scores and contact hours.
- **Every Quarter**: AEL grantees must validate program data every program year quarter, as outlined in the Texas AEL Assessment Guide, and acknowledge that all data being reported for the quarter is up-to-date and accurate. The deadline for the final yearly data validation is July 15 for the previous program year, and after this deadline, no modifications to the data submitted and validated by an AEL grantee may be changed.
- **Every Quarter**: AEL grantees must provide TWC monitoring reports, as part of the required deliverables under RFP 320-18-01 contracts, and address compliance with data procedures.

1   • **Ongoing**: AEL grantees must monitor the performance of the AEL program,
2   including its subcontractors, to ensure that AEL staff is complying with data
3   procedures, as required by 2 CFR 200.238.

4   Note: The Participant Count and Hours by Funding Source, Site, and Class report in
5   TEAMS is a helpful tool to ensure that participants are coded correctly before validating
6   data.

7   **Data Invalidation, As Needed**
8 **NLF:** If an AEL grantee needs to make changes to the locked data for the previous month, the
9   grantee must send a request for data invalidation and a justification to
10   TEAMS.TechnicalAssistance@twc.state.tx.us. All data invalidation requests must
11   include:
12   • the quarter for which the data needs to be invalidated;
13   • the class number for classes that need to be invalidated; and
14   • the reason that the data needs to be invalidated (for example, late data entry or
15   incorrect fund codes).

16   All invalidation requests are tracked and monitored by TWC AEL staff to observe any
17   recurring data integrity issues.

18 **NLF:** AEL grantees must be aware that persistent data integrity issues may result in corrective
19   actions, as allowed by TWC Chapter 802 Integrity of the Texas Workforce System rule
20   §802.121, which states that TWC ". . . may impose corrective actions for failure by a
21   Board, AEL grant recipient, or Agency grantee to appropriately oversee of the delivery of
22   services and ensure the effective and efficient use of funds."

23 **NLF:** AEL grantees must adhere to contractual requirements under RFP 320-18-01, which
24   require grantees to:
25   • hire or designate a lead for quality assurance and a lead for performance
26   accountability to facilitate accurate data management and reporting;
27   • meet deliverables that include a continuous monitoring plan, monitoring reports, and
28   data sign off and data validation requirements;
29   • develop and maintain a subcontractor monitoring system; and
30   • monitor or perform an evaluation study of grant performance, if required by TWC.

31   **Personally Identifiable Information**
32 **NLF:** AEL grantees must be aware that staff members who are collecting an individual's PII
33   must be trained on obtaining, maintaining, and protecting that information. Additionally,
34   safeguards and procedures must be in place to protect PII, as described in WD Letter 02-
35   18, issued March 23, 2018, and titled "Handling and Protection of Personally Identifiable
36   Information and Other Sensitive Information," and subsequent issuances.

37 **NLF:** AEL grantees must be aware that information that is tied to an individual's last name and
38   first initial is considered sensitive when it is combined with other information that can

identify the individual. See WD Letter 02-18 and subsequent issuances for more information.

Monitoring by TWC

<u>NLF</u>: AEL grantees must be aware that TWC AEL and SRM will confirm that the data entered into TEAMS or reported by the grantee to TWC is valid and reliable.

<u>NLF</u>: AEL grantees must be aware that TWC may, at any time, request source documentation to monitor a grantee's data validation procedures.

INQUIRIES:

Send inquiries regarding this AEL Letter to AELTA@twc.state.tx.us.

ATTACHMENTS:

Attachment 1: Data Elements for AEL Enrollment Source Documentation

REFERENCES:

Workforce Innovation and Opportunity Act

Technical Assistance Guide for Performance Accountability under the Workforce Innovation and Opportunity Act, issued August 2019

TEGL 07-16, "Data Matching to Facilitate WIOA Performance Reporting," https://wdr.doleta.gov/directives/attach/TEGL/TEGL_7-16_Acc.pdf

ETA Form-9170, OMB Control Number 1205-0526, https://www.dol.gov/sites/dolgov/files/ETA/Performance/pdfs/ETA_9170_12.1.17.pdf

OCTAE Memo 17-2, "Performance Accountability Guidance for Workforce Innovation and Opportunity Act (WIOA) Title I, Title II, Title III, and Title IV Core Programs," https://www2.ed.gov/about/offices/list/ovae/pi/AdultEd/octae-program-memo-17-2.pdf

OCTAE Program Memo 19-1, "Guidance for Validating Jointly Required Performance Data Submitted under the Workforce Innovation and Opportunity Act (WIOA)," https://www2.ed.gov/about/offices/list/ovae/pi/AdultEd/octae-program-memo-19-1.pdf

OCTAE Program Memo 17-6, "Guidance on the use of Supplemental Wage Information to implement the Performance Accountability Requirements under the Workforce Innovation and Opportunity Act," https://www2.ed.gov/about/offices/list/ovae/pi/AdultEd/octae-program-memo-17-6.pdf

NRS TA Guide, https://nrsweb.org/sites/default/files/NRS-TA-Aug2019-508.pdf

WD Letter 02-18, issued March 23, 2018, and titled "Handling and Protection of Personally Identifiable Information and Other Sensitive Information"

WD Letter 27-19 Change 1, issued January 21, 2021, and titled "State Data Validation Requirements—Update"

AEL Letter 02-19, issued on August 8, 2019, and titled "Collection of Certain Participant Information for Performance Reporting"

AEL Letter 05-18, issued on October 3, 2018, and titled "Approved Forms of Identity"