To: Adult Education and Literacy Grant Recipients
   Adult Education and Literacy Special Project Grantees
   Local Workforce Development Board Executive Directors
   Commission Executive Offices
   Integrated Service Area Managers

From: Courtney Arbour, Director, Workforce Development Division

Subject: Collection of Certain Participant Information for Performance Reporting

PURPOSE:
The purpose of this AEL Letter is to provide AEL grantees\(^1\) with information and guidance on the importance of collecting Social Security numbers (SSNs), Texas driver’s license numbers, and Texas identification (ID) numbers to determine eligibility for Temporary Assistance for Needy Families (TANF) and to obtain confirmed data on an individual’s measurable skill gains and the exit-based performance measures of employment, earnings, and credentials that are used for performance reporting.

This AEL Letter explains:
- the importance of collecting an individual’s SSN and an individual’s Texas driver’s license number or Texas ID number;
- how certain information is used to make performance calculations and achieve budget reporting efficiencies; and
- the new requirements established to help support the collection of SSNs and Texas driver’s license numbers or Texas ID numbers.

RESCISSIONS:
None

BACKGROUND:
Collecting Personally Identifying Participant Information for Data Matching
Data matching involves comparing participant information in one data system with participant information in other state or federal data systems. TWC uses data matching to

---

\(^1\) For the purposes of this AEL Letter, AEL grantees are entities that receive AEL funds through the Texas Workforce Commission (TWC). The term “providers” is used to describe any entity that provides services under a TWC AEL grant.
determine performance outcomes related to achievement of certain measurable skill gains and exit-based measures, to reduce duplicate participant records, to identify coenrollment rates across TWC programs, and more. The data includes widely used federal or state identifiers, such as SSNs, Texas driver’s license numbers, and Texas ID numbers. Local entities also use data matching to identify individuals for outreach and to identify opportunities for coenrollment in other programs or for entry in their own institutional data systems.

TWC began using data matching on July 1, 2019, to determine participant eligibility for the TANF funding offered through providers. Automating determination in this way relieves providers of the responsibility of collecting and maintaining documentation on individual TANF eligibility. Automation reduces their administrative burden while strengthening the state’s ability to choose the best follow-up measures using data on a participant’s employment status, credentials, and enrollment in postsecondary education during participation or post-exit. Such follow-up data is critical to performance accountability under the Workforce Innovation and Opportunity Act (WIOA).

Data Matching Used for State Performance Calculations
TWC uses data matching to calculate the following areas of AEL performance:
- Attainment of the Texas Certificate of High School Equivalency (TxCHSE)
- Employment
- Earnings

For example, attainment of a TxCHSE is verified by matching TWC participant records against Texas Education Agency (TEA) records of TxCHSE achievement using the participant’s name, date of birth, and SSN. Complete and accurate collection of these identifiers provides for more complete data matching. A significant number of individuals have the same name (for example, “Robert Smith” is a common name) and birth date. An SSN, on the other hand, is unique and is thus the most accurate identifier for a TxCHSE match with TEA.

TWC and TEA are working to refine the data-matching process so that, if an individual’s SSN from the Texas Educating Adults Management System (TEAMS) matches the TEA database, a match would be directly made without the need for other identifying information. Individuals without matching SSNs would need an exact match of at least some of the other identifiers, such as date of birth and first and last names.

Incomplete, inaccurate, or missing information, such as a discrepancy in the spelling of an individual’s name, including spaces, hyphens, and capitalization, results in the creation of a TxCHSE potential match recorded in TEAMS. For example, if a participant’s last name is entered as “De la Cruz” in TEAMS, but it is entered as “Dela Cruz” or “Delacruz” at the TxCHSE testing center, the participant’s TxCHSE achievement will not match, and the participant’s name will be entered on the TEAMS TxCHSE Potential Matches list. The TxCHSE credential measure is not considered attained by the provider until the provider verifies the identity of the TxCHSE test taker in the potential match information.
Generally, SSNs are used for data matches to report the other statutorily mandated WIOA performance indicators—those relating to post-exit employment, post-exit earning levels, and achievement of a credential. Under WIOA, achievement of an HSE is not countable in the credential measure, unless the participant is also either employed in one or more of the four quarters following exit or is enrolled in postsecondary education within the 365 days following exit.

Lack of an SSN makes it 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. Lack of an SSN requires the provider to conduct significant follow-up with the participant during the four calendar quarters following exit. Failure to fully report performance outcomes—whether through automated data matching or provider follow-up—puts TWC at risk of failing to meet standards and could subject the agency to sanctions, including a reduction of federal funding.

**Data Matching Used for Local Performance Calculations**

SSNs are also an essential tool at the local level for matching postsecondary education or training credentials. Many of the short-term credentials that are common to the integrated education and training programs offered at community colleges are not reported to the Texas Higher Education Coordinating Board; TWC has, therefore, ceased relying on data matches to capture recognized postsecondary credentials at community colleges and now relies on grantees to collect, at the local level, data on achievement of postsecondary education and training credentials.

AEL grantees can use a participant’s SSN to collect credential data from community colleges and other training providers. They can also collect data on industry-recognized credentials from databases and entities that include the Nurse Aide Registry, the National Center for Construction Education and Research’s Registry Center, and the American Association of Medical Assistants. Access to the databases is provided through the Texas Department of Health and Human Services.

**Data Matching Used for Program Eligibility**

Matching participants’ SSNs is the most efficient way to verify enrollment opportunities in education, workforce, and social service programs. For example, Local Workforce Development Boards, vocational rehabilitation partners, and AEL partners can use participants’ SSNs to coenroll students in their programs, thereby providing more value and support to participants. Matching also helps partners to best determine local infrastructure costs.

At the state level, TWC has determined that it could reduce the administrative burden on providers by matching TWC data with other data from needs-based programs outside of TWC to determine a participant’s eligibility for TANF. Doing so would eliminate the need for providers to manually verify and record TANF eligibility in TEAMs but only if providers record the SSNs of a high percentage of their students.

In Program Year 2018, some providers obtained SSNs on 90 percent or more of their students—across all program types—but many others obtained well below 60 percent. To
allow TWC to use data matching to reduce the administrative burden on providers, providers will need to record valid SSNs on at least 75 percent of participants. Providers who fail to do so will be expected to collect and maintain individual TANF eligibility documentation.

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.”

**NLF:** AEL grantees must be aware that accurate and complete data collection is the foundation of data integrity and compliance. It is also essential to collecting sufficient valid information to conduct TANF data matching at the state level. Therefore, providers must ensure that information collected during intake and evaluation is accurate and that there are effective controls in place to ensure a record of the staff name and date of collection for individuals collecting or recording personal information, including personally identifying information.

**NLF:** AEL grantees must be aware that the collection of participant information described in this letter is related to performance reporting and/or TANF eligibility. It differs from the information that must be collected under AEL letter 05-18, issued October 3, 2018, and entitled “Approved Forms of Identity,” and subsequent issuances, which is related to overall participant identification and supports campus safety and security procedures.

**NLF:** AEL grantees must be aware that, although individuals seeking AEL services are not required to provide an SSN, a Texas driver’s license number, or a Texas ID number in order to participate in AEL services, beginning September 1, 2019, providers are required to request these identifiers from each individual who is registering for AEL services for performance or TANF eligibility purposes, as explained in this letter. If an individual does not provide an SSN, a Texas driver’s license number, or a Texas ID number, the individual may still participate in AEL services.

**NLF:** AEL grantees must be aware that TWC can use a Texas driver’s license number or Texas ID number, in limited circumstances, to obtain an SSN for data reporting purposes. This is a limited option and does not remove the requirement for providers to ask individuals seeking AEL the SSN collection information outlined in this letter.

**NLF:** AEL grantees must be aware that while providers must implement protocols to ensure that SSN information is accurate, they are not required to collect, copy, or verify, for AEL, an individual’s Social Security card or other documentation that includes a full
SSN, such as tax documents or employment records, either before or after student enrollment.

**NLF:** AEL grantees must be aware that while inaccurate or fraudulent SSNs will not pose a liability on the AEL grantee, provider, or individual recording the information, providers who fail to collect a sufficient share of valid SSNs may be expected to collect and maintain individual TANF eligibility documentation in the future, per AEL Letter 06-18, Change 1, entitled “Adult Education and Literacy Temporary Assistance for Needy Families Eligibility—Update” and subsequent issuances.

**NLF:** AEL grantees must be aware that staff members who record an individual’s SSN and the individual’s Texas driver’s license number or Texas ID number must record in TEAMS and on reporting forms their own names and the date of collection to help local providers monitor the effectiveness of data collection and the approaches used. Future automation in TEAMS will require collection of such numbers.

**NLF:** AEL grantees must be aware that, although providers are required to request an SSN from a participant, the provider must avoid inadvertently giving the impression that information related to the participant’s employment status will be used to determine whether the participant may enroll in AEL services.

**LF:** TWC recommends that providers explain to participants that TWC uses SSNs, Texas driver’s license numbers, and Texas ID numbers to help evaluate whether the AEL program is successful in helping participants achieve their education and employment goals and to improve AEL programs to better serve participants. Helping participants understand that the numbers are used solely for program evaluation and improvement may help them realize the importance of providing sensitive information.

**LF:** AEL grantees may require the collection of an SSN if it is a local or institutional requirement or if it is a requirement for participating in another grant program or other service. Grantees may do so even if the services provided under other grants are integrated with services provided through grants developed under RFP No. 320-18-01. The grantee may make a copy of the Social Security card, if a copy is required for participation in services provided by the local entity or institution or is required for eligibility for other grants or services.

**NLF:** AEL grantees must modify their enrollment forms and intake processes as follows to ensure that staff members request participant information correctly during intake.

**SSNs**
AEL providers must record the following SSN information on each individual seeking AEL services:
- SSN or an indicator that states that the SSN was requested but not disclosed by the individual
- The name of the staff member recording the information
- The date that the information was collected
Texas Driver’s Licenses or IDs

AEL grantees must require staff to do as follows:

• Request a Texas driver’s license number or Texas ID number and either record the number or record the reason that the individual did not disclose the number.

  Options for not disclosing are as follows:
  o Does not wish to disclose
  o Does not have a Texas driver’s license number or Texas ID number

• Record the name of the staff member recording the information

• Record the date that the information was recorded

LF: AEL grantees must be aware that due to the sensitivity of information related to personally identifying information, including SSNs, providers must ensure that collection, whether it is paper-based or through electronic means, is designed to yield a high rate of collection while incorporating precautions sufficient to ensure that personally identifying information is effectively collected and protected.

Individuals seeking AEL services may be more likely to disclose this information through one-on-one consultation with intake staff than through electronic means. Similarly, online or electronic collection may reduce collection rates due to public sensitivity about entering this information into electronic systems and, when given the option not to, individuals may choose not to disclose.

Providers that deliver all or part of their enrollment documentation through electronic means should consider the effectiveness and security of using such means and, for more sensitive information, consider other means methods of collection, such as one-on-one staff consultation, unless online collection is an institutional requirement.

Providers that collect enrollment information on paper may choose not to include SSN information on the initial form but instead develop a separate form for sensitive information that would be part of a one-on-one staff intake process. Similarly, providers may include an SSN on the intake form and then facilitate an individual one-on-one follow-up with the individual to reinforce that a nondisclosure does not prohibit participation in AEL services.

NLF: AEL grantees must protect personally identifiable information, such as SSNs, as described in WD Letter 02-18, issued March 23, 2018, and entitled “Handling and Protection of Personally Identifiable Information and Other Sensitive Information,” and subsequent issuances, and WD 13-08, issued April 1, 2008, and entitled “Security of Personal Identity Data,” and any subsequent issuances.

INQUIRIES:
Send inquiries regarding this AEL Letter to AELpolicy.clarifications@twc.state.tx.us.

REFERENCES:
Texas Workforce Commission Request for Proposals No. 320-18-01
AEL Letter 05-18, issued October 3, 2018, and entitled “Approved Forms of Identity,”
AEL Letter 06-18, Change 1, entitled “Adult Education and Literacy Temporary Assistance for Needy Families Eligibility—Update”

WD Letter 02-18, issued March 23, 2018, and entitled “Handling and Protection of Personally Identifiable Information and Other Sensitive Information,”


WD 13-08, issued April 1, 2008, and entitled “Security of Personal Identity Data,”

https://twc.texas.gov/files/partners/13-08.pdf