

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

ID/No:	AEL 02-19
Date:	August 8, 2019
Keyword:	AEL; TANF; WIOA
Effective:	September 1, 2019

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



8
9 **From:** Courtney Arbour, Director, Workforce Development Division

10 **Subject:** **Collection of Certain Participant Information for Performance Reporting**

11
12 **PURPOSE:**

13 The purpose of this AEL Letter is to provide AEL grantees¹ with information and
14 guidance on the importance of collecting Social Security numbers (SSNs), Texas driver's
15 license numbers, and Texas identification (ID) numbers to determine eligibility for
16 Temporary Assistance for Needy Families (TANF) and to obtain confirmed data on an
17 individual's measurable skill gains and the exit-based performance measures of
18 employment, earnings, and credentials that are used for performance reporting.

19 This AEL Letter explains:

- 20 • the importance of collecting an individual's SSN and an individual's Texas driver's
21 license number or Texas ID number;
- 22 • how certain information is used to make performance calculations and achieve budget
23 reporting efficiencies; and
- 24 • the new requirements established to help support the collection of SSNs and Texas
25 driver's license numbers or Texas ID numbers.

26 **RESCISSIONS:**

27 None

28 **BACKGROUND:**

29 **Collecting Personally Identifying Participant Information for Data Matching**

30 Data matching involves comparing participant information in one data system with
31 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.

1 determine performance outcomes related to achievement of certain measurable skill gains
2 and exit-based measures, to reduce duplicate participant records, to identify coenrollment
3 rates across TWC programs, and more. The data includes widely used federal or state
4 identifiers, such as SSNs, Texas driver’s license numbers, and Texas ID numbers. Local
5 entities also use data matching to identify individuals for outreach and to identify
6 opportunities for coenrollment in other programs or for entry in their own institutional
7 data systems.

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

16 **Data Matching Used for State Performance Calculations**

17 TWC uses data matching to calculate the following areas of AEL performance:

- 18 • Attainment of the Texas Certificate of High School Equivalency (TxCHSE)
- 19 • Employment
- 20 • Earnings

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

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

33 Incomplete, inaccurate, or missing information, such as a discrepancy in the spelling of
34 an individual’s name, including spaces, hyphens, and capitalization, results in the
35 creation of a TxCHSE potential match recorded in TEAMS. For example, if a
36 participant’s last name is entered as “De la Cruz” in TEAMS, but it is entered as “Dela
37 Cruz” or “Delacruz” at the TxCHSE testing center, the participant’s TxCHSE
38 achievement will not match, and the participant’s name will be entered on the TEAMS
39 TxCHSE Potential Matches list. The TxCHSE credential measure is not considered
40 attained by the provider until the provider verifies the identity of the TxCHSE test taker
41 in the potential match information.

1 Generally, SSNs are used for data matches to report the other statutorily mandated WIOA
2 performance indicators—those relating to post-exit employment, post-exit earning levels,
3 and achievement of a credential. Under WIOA, achievement of an HSE is not countable
4 in the credential measure, unless the participant is also either employed in one or more of
5 the four quarters following exit or is enrolled in postsecondary education within the 365
6 days following exit.

7 Lack of an SSN makes it impossible for automated data matching to determine whether a
8 participant has met all the requirements to be considered successful in the exit-based
9 WIOA measures. Lack of an SSN requires the provider to conduct significant follow-up
10 with the participant during the four calendar quarters following exit. Failure to fully
11 report performance outcomes—whether through automated data matching or provider
12 follow-up—puts TWC at risk of failing to meet standards and could subject the agency to
13 sanctions, including a reduction of federal funding.

14 **Data Matching Used for Local Performance Calculations**

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

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

28 **Data Matching Used for Program Eligibility**

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

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

40 In Program Year 2018, some providers obtained SSNs on 90 percent or more of their
41 students—across all program types—but many others obtained well below 60 percent. To

1 allow TWC to use data matching to reduce the administrative burden on providers,
2 providers will need to record valid SSNs on at least 75 percent of participants. Providers
3 who fail to do so will be expected to collect and maintain individual TANF eligibility
4 documentation.

5 **PROCEDURES:**

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

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

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

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

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

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

37 **NLF:** AEL grantees must be aware that while providers must implement protocols to ensure
38 that SSN information is accurate, they are **not required to collect, copy, or verify**, for
39 AEL, an individual’s Social Security card or other documentation that includes a full

1 SSN, such as tax documents or employment records, either before or after student
2 enrollment.

3 **NLF:** AEL grantees must be aware that while inaccurate or fraudulent SSNs will not pose a
4 liability on the AEL grantee, provider, or individual recording the information, providers
5 who fail collect a sufficient share of valid SSNs many be expected to collect and maintain
6 individual TANF eligibility documentation in the future, per AEL Letter 06-18, Change
7 1, entitled “Adult Education and Literacy Temporary Assistance for Needy Families
8 Eligibility—*Update*” and subsequent issuances.

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

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

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

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

28 The grantee may make a copy of the Social Security card, if a copy is required for
29 participation in services provided by the local entity or institution or is required for
30 eligibility for other grants or services.

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

33 **SSNs**

34 AEL providers must record the following SSN information on each individual seeking
35 AEL services:

- 36 • SSN or an indicator that states that the SSN was requested but not disclosed by the
37 individual
- 38 • The name of the staff member recording the information
- 39 • The date that the information was collected

1 **Texas Driver’s Licenses or IDs**

2 AEL grantees must require staff to do as follows:

- 3 • Request a Texas driver’s license number or Texas ID number and either record the
4 number or record the reason that the individual did not disclose the number.
5 Options for not disclosing are as follows:
6 ○ Does not wish to disclose
7 ○ Does not have a Texas driver’s license number or Texas ID number
8 • Record the name of the staff member recording the information
9 • Record the date that the information was recorded

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

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

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

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

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

35 **INQUIRIES:**

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

37 **REFERENCES:**

38 Texas Workforce Commission Request for Proposals No. 320-18-01
39 AEL Letter 05-18, issued October 3, 2018, and entitled “Approved Forms of Identity,”
40 <https://twc.texas.gov/files/partners/AEL05-18-twc.pdf>

1 AEL Letter 06-18, Change 1, entitled “Adult Education and Literacy Temporary
2 Assistance for Needy Families Eligibility—*Update*”
3 WD Letter 02-18, issued March 23, 2018, and entitled “Handling and Protection of
4 Personally Identifiable Information and Other Sensitive Information,”
5 <https://twc.texas.gov/files/partners/acl-02-18-twc.pdf>
6 WD 13-08, issued April 1, 2008, and entitled “Security of Personal Identity Data,”
7 <https://twc.texas.gov/files/partners/13-08.pdf>