



NASDAE
National Association of State
Directors of Adult Education

Date: June 20, 2023
To: U.S. Department of Education, Office of Postsecondary Education (OPE)
From: National Association of State Directors of Adult Education (NASDAE)
Subject: NASDAE Comments to OPE on Ability to Benefit Proposed Rules

Docket ID ED-2023-OPE-0089

The National Association of State Directors of Adult Education (NASDAE, <http://nasdae.org>) appreciates the opportunity to submit comments to OPE on Ability to Benefit (ATB). NASDAE represents the state leadership of adult education programs in the U.S. states and territories, authorized under Title II of the *Workforce Innovation and Opportunity Act* (WIOA).

Adult education is an investment in the social, racial, educational, and economic equity of the nation and its states and municipalities. Adults who participate are investing their time to learn academic and workforce skills, improve their English proficiency, and attain secondary and industry-recognized credentials. The programs funded under Title II of WIOA strive to help students overcome generations-long educational attainment and earnings gaps and to reduce the intergenerational impact of low educational attainment and facilitate the integration of immigrants into American society.

Title II is a key partner in the WIOA workforce development system in every state and territory. In Program Year (PY) 2021-2022, WIOA Title II served 899,692 participants, approximately forty-two percent (42%) of whom were employed while enrolled and thirty-four percent (34%) of whom indicated that they were unemployed and looking for work. By far, the largest segment of WIOA Title II participants, sixty-five percent (65%), are in their prime working ages, aged 25-54. WIOA Title II is a minority-serving system, serving seventy-eight percent (78%) non-White students and serving forty-nine percent (49%) of the enrolled learners in English language acquisition classes.

ATB offers a valuable opportunity to adult education participants, both those who are working, most often at low-wage occupations, and those who are unemployed largely due to systemic barriers to employment. Allowing these individuals the opportunity to work concurrently toward a high school credential and an in-demand credential through postsecondary education can be an accelerated pathway to self-sufficiency for our students. ATB offers an enrollment path to the nation's community colleges and minority-serving institutions which are facing enrollment declines. ATB additionally offers a solution to employers who struggle to find employees appropriately trained to fill the ten million (10,000,000) open jobs in the United States.

Despite these advantages of the ATB program, there was markedly reduced use of ATB from 2016 (nearly 125,000 students received federal aid through ATB), through 2021, when fewer than 59,000 students received ATB benefits.

In order to increase participation NASDAE makes the following comments on the proposed regulations.

1. NASDAE supports utilization of the uniform definition of “career pathway programs” that is currently articulated in the *Workforce Innovation and Opportunity Act* (WIOA), the *Higher Education Act* (HEA), and the *Carl D. Perkins Career and Technical Education Act* (Perkins).
2. NASDAE recommends removal of the cap of 25 students or 1 percent of enrollment at each participating institution in the approved state process.
3. NASDAE recommends a utilization of the 75% success rate overall initially, rather than 85%, in calculating the success of ATB programs.
4. NASDAE recommends the addition of “linguistic background” to reporting requirements in career pathway programs.
5. NASDAE recommends a re-thinking of the addition of a verification process at the federal level for determining eligible career pathway programs. The lack of specific language regarding the process is concerning, as the timeliness of addressing workforce needs is critical to the success of ATB and an additional process could delay and deter institutions of higher education from adopting ATB pathways.

For questions and additional information, contact Patricia Tyler at ptyler@nasdae.org