



**NASDAE**  
National Association of State  
Directors of Adult Education

Date: September 25, 2023

To: Office of Career, Technical, and Adult Education (OCTAE), Department of Education (ED)

From: The National Association of State Directors of Adult Education (NASDAE)

Re: NASDAE Comments regarding: Agency Information Collection Activities; Comment Request; Measures and Methods for the National Reporting System for Adult Education

Docket No.: ED-2023-SCC-0141

The National Association of State Directors of Adult Education (NASDAE) appreciates the opportunity to submit comments to OCTAE in order to provide stakeholder input regarding the proposed changes in the National Reporting System (NRS) for the Adult Education and Family Literacy Act State grant program.

NASDAE represents adult education programs in all states and territories, which are authorized under Title II of the *Workforce Innovation and Opportunity Act* (WIOA). An involvement and investment in adult education is an investment in the future. It is an investment in social, racial, educational, and economic equity by federal, state, and municipal governments and by the adults themselves who invest their time to learn academic and workforce skills, improve their English proficiency, and attain secondary school and industry-recognized credentials. Adult education programs and students are overcoming barriers that have created gaps in educational attainment and earnings and are reducing the historic burden of the intergenerational impact of low educational attainment.

#### **Proposed Changes to the NRS**

NASDAE has conducted several member engagement activities to inform the collective comments submitted here.

Overall, state directors of adult education are appreciative of the consideration of flexibility and state innovation that the proposed changes represent and note that in the Dear Colleague Letter, the Office of Career, Technical, and Adult Education (OCTAE) shares our commitment to continuing the 20-year trend of strong accountability in the Adult Education and Family Literacy Act (AEFLA) program. Several concerns have been expressed, however, regarding implementation, timing, lack of pilot data, and unintended consequences. Comments are presented below in several categories that parallel the order in which they are presented in the Supporting Statement.

#### **Hour Burden Estimate**

**NASDAE Response:** It is requested that OCTAE reconsider the burden states will incur to reprogram state data systems and guidance to accommodate the proposed changes to the Performance Tables (Supporting Statement, page 11). OCTAE states in its response that the efficiencies introduced in the federal data system offset any additional work in the state systems. This does not take into consideration the work states do to prepare for data collection

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and reporting. State systems that are used by local providers will need a significant overhaul to accommodate any of the proposed changes and state guidance, such as the required student intake form, annual assessment policy and accompanying practitioner training, will also require an overhaul to communicate the changes. States that use an enterprise data system that will be making the changes once for all users will still require significant time investment in the state guidance and training of practitioners as well as data quality checks and validations as these changes are implemented.

In addition, the inclusion of a requirement to host a provider directory with identified specific, required elements, to be reported on Performance Table 14, encompasses a significant amount of ongoing work by state staff to collect and maintain such a directory. It does not appear that this time burden is factored into OCTAE's estimate in the Supporting Statement.

### **New Categories for Reporting Participant Sex on Tables 1, 2, and 2A**

**NASDAE Response:** There is widespread appreciation of the recognition that the binary categories of Male/Female do not represent the diversity of the current adult student population. The two suggested categories raise questions listed below regarding data collection and reporting. Technical assistance in response to these questions is requested for agencies' IT and data teams.

- Will the change be applied to the Statewide Performance Report and Table 99?
- If the change is not to be applied to all tables, how can data systems report binary categories on some tables but not others?
- How are these categories aligned to core WIOA partners' categories? Aligning across data systems that use different categories would be challenging.
- How will follow-up outcomes be attributed in the first two years of implementation when the categories are not identical? This change may impact data match processes which use students' reported sex as a matching field.

### **New Options for EFL Placement of Participants on Tables 1, 4, 4A, and 4C**

**NASDAE Response:** There is a general sense that the flexibility outlined is appreciated for innovation, including comments that removing the testing requirements would advance collaboration with workforce partners and would benefit those students who are primarily seeking jobs and transitions to postsecondary education. Some state directors expressed questions about unforeseen consequences and implementation challenges. These are presented as questions below; additional, synchronous stakeholder engagement opportunities are requested to discuss these challenges with OCTAE.

- How would students be assessed for eligibility, not just placement, with these changes? There is a concern that removing the requirement for pre-testing (or placement testing) could result in the enrollment of students who are outside the statutory eligibility which could negatively impact the intended population. It was suggested that at least one test be required for the purpose of identifying eligibility.

- It is not clear what is required in the second year of implementation. Is it the inclusion of the columns into the tables? Is a state declaration to include some of the flexibility required?
- Can states exempt students from pre-testing in certain program types from the provided list of programming types but not all? What is the ability for states to incrementally add program type flexibilities?
- The Supporting Statement indicates that state's decisions are to be documented in the annual assessment policy, but there is a concern that states do not have data on which to make these decisions without modeling, pilot studies, or efficacy studies on these flexibilities. Could states that are ready to pilot these flexibilities be granted a "hold harmless" provision such that the experiment would not negatively impact their performance?
- How will this change impact title II's reputation of robust accountability? Congress has paid attention to the 20-year investment in the NRS and has found the AEFLA program effective.
- How might these changes impact a state's ability to estimate performance for annual performance negotiations? Might there be an impact be on overall performance and, therefore, potential sanctions?
- How would high school equivalency preparation programs ensure appropriate placement of students without a pre-test? Many students enter the program with a goal of earning the credential but may need more than one period of participation to do so; if a pre- and post-test are not administered, the opportunity to measure increases would be lost.
- How would it be possible to compare performance across states without a pre/post testing requirement for specific program types?
- What is the anticipated impact on curriculum design if standardized assessment results are not available for all students?
- Are there definitions of the program types mentioned in the Supporting Statement but not in the statute or regulations, such as "bridge to postsecondary programs," that would be covered by this flexibility?
- How will the flexibilities around pre-tests impact compliance with the demonstrated effectiveness requirement as part of AEFLA competitions? This element of competitions is guided by the sub-regulatory guidance published by OCTAE; will this guidance be updated to allow providers to demonstrate eligibility in broader terms? If so, how will parameters be set to ensure that applicants are truly qualified as eligible providers to ensure adult students' academic and workforce preparation?

#### **Consolidation of Rows on Tables 5 and 5A**

***NASDAE Response:*** The challenge of conducting and reporting matches for the data represented in the two rows slated for consolidation on Tables 5 and 5A are recognized, but some questions have been expressed. Would there be the ability to disaggregate the data to determine outcomes separately for those who enter postsecondary education vs. those who enter employment? Once collapsed, would the same changes be applied to other tables with

follow-up outcomes (Tables 8, 9, 10, and 11)? Also, will this change be aligned with the other core title programs that report secondary credentials (such as Title I Youth)? States will need technical assistance and time to reprogram their data systems to accommodate this change.

#### **Revised Headings and Rows on Table 14**

**NASDAE Response:** States that are home to tribal governments appreciate the inclusion of this agency type on Table 14.

The requirement to provide a hyperlink to a directory of providers has, in the guidance footnotes, a definition of such a directory that lists required elements. This definition will necessitate that states change their practices around hosting a provider directory. The element of listing administrators' names on a webpage is problematic as some state agencies disallow this practice and other state offices do not have the capacity to maintain such a detailed directory with accuracy. Additionally, states expressed concern that the required elements reflect the language of the federal program and are not the service terms used by the public to search for services, rendering the directory less helpful to the ultimate consumer, the student.

#### **Proposals for Uniform Distance Education Reporting Criteria for Tables 4C and 5A**

**NASDAE Response:** *Note that commenters considered inclusion criteria to be a separate issue from a common definition of distance education.*

States express appreciation for the retention of the distance education tables based on stakeholder feedback and appreciate the opportunity to help refine the guidance to make these tables more useful, yet the public comment process is thought to be insufficient to generate common definitions. Dedicated, synchronous stakeholder engagement around the issue of criteria and definition(s) of distance education is requested, especially as changes to the modalities and vocabulary of instructional delivery continue to shift and expand post-pandemic. This conversation could be informed by the survey recently conducted jointly by World Ed, Inc. and NASDAE, wherein states have been queried about their current definition of distance education and related instructional modality definitions. Preliminary results of the survey show that all but two territories (Guam and Palau) have individuals identified as Distance Learners in Table 4C but that states have divergent definitions and participation measures. The consideration to establish common definitions is welcomed.

#### **Revision of Narrative Report Instructions**

**NASDAE Response:** We appreciate the inclusion of a separate question to discuss states' work to implement integrated education and training (IET), not only in integrated English literacy and civics education (IELCE), but across program types. The addition to many of the questions about how the response relates to state's goals will require additional text to share those goals and provide a meaningful response. Therefore, it is requested that the page limit be raised by two pages, from 10 to 12 pages.

## **Timeline for Implementation**

**NASDAE Response:** The timeline as proposed does not give states enough time to reprogram state data systems, align these changes with WIOA core partners, pilot matches across cohorts with new participant categories, model or predict the implications of the pre-test flexibilities on performance, and redesign practitioner training and state guidance to reflect the changes. It is requested that OCTAE consider pausing the proposed timeline to seek more synchronous stakeholder engagement on these issues. NASDAE is able to assist OCTAE in the convening(s) on these topics so that state directors can make informed decisions.

In addition to the feedback to the proposed changes, NASDAE wishes to comment on critical, related issues for NRS reporting that were not included in this ICR.

## **Digital Literacy as a Key Measure of Skill Gain**

There is no mention of digital literacy being added as a measure; this request has been widely supported by providers since the passage of WIOA and with the passage of the Infrastructure Act that brings new focus and opportunity to expand digital skill building, the issue is of even greater importance. Adult education programs are doing the important work of digital skill building with adults in their communities. They need a way to capture their efforts and students' growth in that area. Many members urge the Department to accelerate their review of digital literacy assessments for consideration of a digital skill EFL gain.

## **Consideration of HSE Sub-tests for EFL Gain**

With the proposal to allow high school equivalency (HSE) track students to be exempted from NRS pre-testing, programs will likely increase the use of HSE sub-tests and practice tests for placement and instruction. The Department is urged to add the use of HSE sub-tests for MSG gains to this ICR as earning an HSE can take more than one period of participation or program year. This issue does not need to be delayed by the psychometric study mentioned in the Dear Colleague Letter as these sub-tests are already in use, programmed into state data systems, and accepted as valid.

## **Need for an Optional Workplace Literacy Table that Reports Gains**

The allowance of the new MSGs for the programming activity of Workplace Adult Education and Literacy poses the opportunity to add a dedicated table to track students' performance and outcomes in this programming model. This Table could be of the same optional type as the Family Literacy Table 8. NASDAE members would like to be engaged in a conversation about adding such a table.

## **Gains for Corrections Education Programs**

States need guidance on the allowable activities of “special education” and “secondary school credit” within Sec. 225 Corrections Education programs and what constitutes such credit and valid assessments in these areas for incarcerated students.

NASDAE is grateful for the opportunity to share the insights of state directors of adult education and looks forward to future engagement with OCTAE. For questions or additional information contact [ptyler@nasdae.org](mailto:ptyler@nasdae.org).

Respectfully yours,



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