

April 16, 2012

The Honorable Virginia Foxx
Chair, Subcommittee on Higher Education and Workforce Training
1230 Longworth House Office Building
Washington, D.C. 20515

Dear Congresswoman Foxx:

On behalf of TESOL International Association, a professional association representing more than 13,000 English language educators worldwide, I am writing to share our concerns about the recently introduced *Workforce Investment Improvement Act of 2012* (H.R.4297). We are pleased to see steps have been taken to address the long overdue reauthorization of the Workforce Investment Act (WIA), and that the need to align adult education and workforce training have been recognized. However, there are other components of the legislation that have drawn our concern, and thus, TESOL cannot support the bill in its current form.

While TESOL represents English language educators worldwide, the majority of the association's members work in the US, with many directly working with adult English learners. The Adult Education and Family Literacy Act (AEFLA), currently authorized as Title II of the WIA, is the primary source for federal funding for adult education and English as a second language (ESL) instruction to adults in the United States. Since the time WIA was initially enacted, the United States has seen significant demographic shifts in its population, not the least of which has been tremendous growth of the English language learner population. This growth has had a great impact not only on the adult education system in the United States, but on the labor force as well. Unfortunately, as WIA has not undergone any significant revision since its enactment, the law is now in many ways out of date, mostly in regards to the developments and advancements in the field of adult education, and in reflecting the changing demographics of the adult learner population.

1. Authorize the English Literacy and Civics Education Program

Recommendation

Incorporate the language found in *The Workforce Investment Act of 2012* (H.R. 4227, Sec.244), *Integrated English Literacy and Civics Education to Title II of H.R.4297*.

Justification:

Proficiency in the English language is critical to successful integration into U.S. society. English skills are needed for naturalization; full participation in civic engagement activities; economic self-sufficiency; effective parenting; communication with civil authorities; and full access to health care, education, legal, and other systems. The English Language/Civics Education (EL/Civics) grant program has helped provide additional resources for programs that combine ESL and civics education to help those who are striving to become citizens. It helps address the needs of a unique and rapidly increasing portion of those adults in need of adult education services. Individuals in need of ESL services already comprise nearly half of the students served under WIA Title II.

Although the EL/Civics grant program has been in place for over a decade, it exists only on a year-to-year basis through the appropriations process. Codifying this unique program is something that is long overdue, and TESOL strongly urges the Committee to make this program a permanent part of Title II of WIA.

2. Include the population of adult English language learners in the state grant formula for adult education.

Recommendation

Page 152, Sec. 211 (d) strike lines 5-7 and replace with the following:

(3) either:

- (i) does not have secondary school diploma or its recognized equivalent, and is not enrolled in secondary school; or
- (ii) is an English language learner with a secondary school diploma or its recognized equivalent.

Justification

At present, the formula for Adult Basic Education and Literacy State Grants is based solely on the population of adults without a high school diploma or equivalent. However, the greater population of learners served in federally funded adult education programs are enrolled in ESL programs. According to the Office of Vocational and Adult Education (OVAE), federal grants under AEFLA supported only 2.6 million learners in program year 2004–2005, the last program-year data reported by OVAE. Of these, 39% percent were enrolled in adult basic education, 16% were enrolled in adult secondary education, and 44% were enrolled in English literacy programs.

While many English language learners in adult education do not have their high school diploma or equivalent, an increasing number of adult English language learners do, especially in major metropolitan areas. According to a June 2011 policy brief by the Brookings Institution¹, the share of working-age immigrants in the United States who have a bachelor's degree has risen considerably since 1980, and now exceeds the share without a high school diploma. College-educated immigrants outnumber immigrants without high-school diplomas (or equivalent) by at least 25% in 44 of the 100 largest metropolitan areas in the United States.

3. Remove adult education as an option for consolidation under the State Unified Plan.

Recommendation

On page 141, line 5, (3) Special Rule, add “and under Title II of the Workforce Investment Act” after “the Carl D. Perkins Career and Technical Education Act of 2006”.

¹ Hall, M. Singer, A. De Jong, G. and Roempke Graefe, D. (2011) *The Geography of Immigrant Skills: Educational Profiles of Immigrant Areas*. Washington, DC. Brookings Institution. Brief.
http://www.brookings.edu/~media/Files/rc/papers/2011/06_immigrants_singer/06_immigrants_singer.pdf

“3) SPECIAL RULE.—A State may not consolidate funds allocated to the State under the Carl D. Perkins Career and Technical Education Act of 2006 *and under Title II of the Workforce Investment Act.*”

Justification

The allowance for states to consolidate federal funding with other funding streams under an approved unified plan would drastically reduce the provision of services to adults with low levels of literacy. Section 127 “State Unified Plan” of H.R. 4297 allows for states to consolidate their federal allotment of adult education funds and other funding streams into a newly-created Workforce Investment Fund. Furthermore, it allows for these funds to be treated as though they are Workforce Investment Fund dollars, eliminating requirements under AEFLA to serve adults with low basic skills to become literate, obtain the knowledge and skills necessary for employment and self-sufficiency, and complete their secondary school education.

Adult education students are a unique population, often having different needs than higher-skilled workers that are unlikely to be addressed in a traditional job training program. Forty-one percent of adult education students have limited English skills, nearly 50-80% may have learning disabilities, and the majority are unemployed. In an era of scarce resources, a consolidated approach to education and training programs that serves all workers will inevitably leave behind those workers with the highest needs or are the hardest to serve. A case-in-point is what has occurred in California, where in 2009 the State relaxed rules on how school boards can allocate funding for education. This caused state adult education funding to be reduced by over 50%, from \$754 million to \$400 million. Today, California state adult education funding continues to erode.

4. Restore state leadership to a minimum of 15% and require professional development and technical assistance to eligible providers.

Recommendation:

Amend 223(a) to read:

- (1) REQUIRED- Each eligible agency shall use funds made available under section 222(a)(2) and from other funds available to the State for such purposes, for the following adult education and literacy activities to develop or enhance the adult education system of the State or outlying area:

“(A) The establishment or operation of professional development programs to improve the quality of instruction provided pursuant to local activities required under section 231(b).

“(B) The provision of technical assistance to eligible providers of adult education and family literacy education programs, including for the development and dissemination of evidence based research instructional practices in reading, writing, speaking, math, and English language acquisition programs.

- (2) PERMISSIBLE ACTIVITIES- Each eligible agency may use funds made available under section 222(a)(2) for 1 or more of the following adult education and literacy activities:

(Itemize the remaining permissible activities here)

Justification

Professional development, which is provided for under State Leadership, is the primary mechanism for preparing adult ESL educators with the knowledge and skills about instructional practices that spur student achievement. Research shows that most adult ESL educators have limited formal education specifically related to teaching adults. Thus, practitioners rely on professional development to help them use data to improve student outcomes and pursue training specific to their instructional needs.

Professional development opportunities decreased with the passage of WIA in 1998 while the demand increased. Under the 1991 National Literacy Act (NLA), *states were required to spend a minimum of 15% of their adult basic education funding on professional development and research activities, two-thirds of which was required to be spent on teacher training.* When Congress reconfigured the NLA into the WIA (1998), states were only allowed to spend a maximum of 12.5% on ‘leadership’ for a wide variety of state activities, *with no minimum requirement for professional development.* WIA increased accountability and added program improvement requirements while reducing funds available for training needed to incorporate those changes. *The increased need for accountability training made even fewer funds available for responsive, instruction-based professional development* designed to help practitioners improve practice, such as training in reading instruction or learning disabilities. States need adequate resources to both comply with accountability requirements and to be responsive to instruction-based professional development needs.

In conclusion, because H.R. 4297 omits the above provisions which we consider critical to a reauthorized WIA, TESOL cannot support the bill in its current form. We look forward to working with the Committee to make the necessary changes to the legislation, and we strongly urge the Committee to develop a truly bi-partisan proposal that cuts across party lines and addresses the needs of American workers in every community.

Sincerely,



Rosa Aronson, PhD, CAE
Executive Director

cc: Suzanne Panferov, President
Deena Boraie, President-elect
Christine Coombe, Past President