

Recommendations to the White House Task Force on New Americans

February 2015

National Skills Coalition appreciates the chance to share suggestions with the White House Task Force on New Americans for how best to facilitate the integration of immigrants in our society. In particular, our comments focus on the critical role of adult education and workforce development in incorporating newcomers and ensuring their long-term success.

Skills are integral to the success not only of individual immigrants, but of the American communities in which they reside. Today, these communities are home to more than 40 million immigrants, who make up a significant and growing share of the U.S. labor force. Without immigrants and their children, our workforce will not be sufficient to replace the workers expected to retire between 2010 and 2030.¹

Investing in the skills of immigrants is closely aligned with overall federal workforce priorities. Ensuring that *all* workers are equipped with the necessary skills to advance in their careers and to meet local employers' needs is a core focus of federal policy. In particular, the National Job-Driven Training Action Plan released by this administration in 2014 emphasized the role of employer demand in shaping federal adult education and training programs. Similarly, the Workforce Innovation and Opportunity Act – passed by overwhelming bipartisan majorities in Congress in Summer 2014 – established new benchmarks to ensure that federal investments in adult education and workforce development are truly demand-driven.

Our recommendations to the Task Force were generated under four guiding principles for how the workforce development and adult education systems should address the needs of immigrants. These principles were first articulated in our 2013 publication [*Comprehensive Immigration Reform: A Proposal for a Skills Strategy that Supports Economic Growth and Opportunity*](#), and also helped to guide our recent report [*Missing in Action: Job-Driven Educational Pathways for Unauthorized Youth and Adults*](#). They are:

Principle #1: Address the dual stakeholders in immigration reform: employers and workers.

Principle #2: Support alignment, collaboration, and shared accountability in the provision of adult English language acquisition and basic skills instruction.

¹ Dowell Myers, Stephen Levy, and John Pitkin. *The Contributions of Immigrants and their Children to the American Workforce and Jobs of the Future*. Center for American Progress. June 19, 2013.

Principle #3: Support the vital role of community-based networks and service providers as a bridge into the public workforce system.

Principle #4: Address the plurality of skill levels/employment goals of individuals impacted by changes to immigration policy.

Below, we provide answers to a key question posed to the public by the Task Force, followed by our recommendations.

What barriers currently exist that keep immigrants from accessing English language and other educational and skills training programs, or reaching their full potential in the labor market?

There are four types of structural barriers that prevent immigrant workers from reaching their full potential:

1. **Capacity/Access.** Federal investments in adult education services have *decreased* by 22% since 2004 in inflation-adjusted terms. These cuts have occurred even as demand has grown. Results from the OECD's Survey of Adult Skills (known as the PIAAC) indicate that there are 36 million people in the United States with low basic skills.² But just 1.6 million adults³ are served by federal adult education programs each year, while an additional 3 million would like to participate in education or training.⁴ Although the President's FY 2016 budget included an historic emphasis on skills, the budget request for adult education state grants was below authorized levels under the Workforce Investment and Opportunity Act (WIOA).

In addition to system-wide capacity issues, immigrants also face barriers in accessing federally funded adult education and workforce services, such as mainstream providers who lack background knowledge in the specific issues facing immigrant jobseekers.⁵ Community-based organizations that already provide privately-funded education and workforce services to immigrants may be unfamiliar with potential federal funding opportunities, or mistakenly believe that their immigrant clients are ineligible to be served by federal funds.

² *Time for the U.S. to Reskill?: What the Survey of Adult Skills Says*, OECD Publishing, 2013. Viewable at: http://skills.oecd.org/Survey_of_Adult_Skills_US.pdf

³ Department of Education, OCTAE, National Reporting System: <https://wdcrocolp01.ed.gov/CFAPPS/OVAE/NRS/reports/index.cfm>

⁴ *Time for the U.S. to Reskill?: What the Survey of Adult Skills Says*, OECD Publishing, 2013. Viewable at: http://skills.oecd.org/Survey_of_Adult_Skills_US.pdf

⁵ *Talent is Ready*, IMPRINT, 2011. Viewable at: http://www.imprintproject.org/images/download_files/talent%20is%20ready%20-%20imprint.pdf

For example, the Deferred Action for Childhood Arrivals (DACA) program allows certain eligible undocumented immigrants to obtain protection from deportation and a temporary work permit. However, there is often confusion among workforce providers about what DACA status means, and individuals who have received their work permit may nevertheless struggle to access occupational training and other WIOA Title I services.

A different type of barrier is faced by immigrant young adults who have not yet graduated from high school, have not reached the maximum age for school enrollment in their state, and would like to enroll in a public high school. While federal law as articulated in *Plyler v. Doe* is quite clear that they are permitted to do so, some school districts discourage such students from trying to enroll.

2. **Employer Partnerships/Connection to Employment.** Incumbent immigrant workers often have limited opportunities to participate in employer-based learning activities, while those immigrants who are still seeking employment may struggle to find adult education classes that have an explicit focus on employment preparation.

In the past, federally funded adult education activities serving immigrants have often concentrated on general English as a Second Language (ESL) classes that do not have a direct link to employment or employers. Promising alternative models such as contextualized English (also known as Vocational English as a Second Language, or VESL) may rely instead on patchwork funding from private foundations and other non-government sources.

An even more robust model – integrated basic education and occupational skills training programs – has been shown to be effective in helping low-wage workers achieve meaningful credentials and progress in the labor market.⁶ Programs using this model typically combine basic education in literacy, math, or English skills with industry-specific instruction (for example, in welding). They are often taught using a dual-instructor approach, such as when one instructor specializes in English language acquisition and the other is an experienced welder.

The recently reauthorized WIOA legislation marks a historic advance in the understanding of adult education as a vital connector to the workplace, and it contains key tools to facilitate this connection. Both “workplace adult education and literacy activities” and “integrated education and training activities” are now allowable activities under WIOA, and both of these approaches reflect best practices in the field.

⁶John Wachen, Davis Jenkins, Clive Belfield & Michelle Van Noy. *Contextualized College Transition Strategies for Adult Basic Skills Students: Learning from Washington State’s I-BEST Program Model* (Columbia University Teachers College, Community College Research Center, 2012.) Viewable at: <http://ccrc.tc.columbia.edu/publications/i-best-program-final-phase-report.html>

But while WIOA has made it easier to build pathways that include these integrated education and skills programs, there are still potential gaps in the way that these programs operate that specifically impact immigrant workers. It will be crucial to ensure that WIOA regulations *facilitate* rather than *impede* the implementation of high-quality integrated programs, including accessibility to immigrant participants.

WIOA also requires states and local areas to establish or expand industry or sector partnerships, which bring together stakeholders connected to an industry – including multiple firms, local colleges, labor, education and training providers, and others – to address skill shortages while developing talent pipelines of skilled workers to meet future demand. These partnerships promote industry growth and competitiveness and improve worker training, retention and advancement by developing cross-firm skill standards, career pathways, job redefinitions, and shared training and support capacities that facilitate the advancement of workers at all skill levels. Because sector partnerships can be a powerful engine for the economic advance of low-wage workers, it is especially important to ensure that qualified immigrants are able to participate in these programs.

3. **Pathways.** Some barriers to effective pathways occur within the WIOA legislation itself. For example, immigrants are typically required to exit from federally funded ESL classes when they reach the “Advanced ESL” level under the National Reporting System (NRS), as measured by an approved standardized assessment tool such as BestPlus or CASAS.⁷

However, individuals who reach this NRS level often do not yet have the English skills they need for entry into occupational skills training or college-level classes. Additional resources are needed to support the “bridge” programming necessary to help these individuals make an effective transition from conversational ESL classes to higher-level English and skills training.

A second barrier related to pathways concerns individuals who are *potentially* eligible for Deferred Action for Childhood Arrivals but have not yet received status because they must still meet educational requirements. (DACA requires that applicants must either have a high school diploma or equivalent, or be currently enrolled in school.)

As previously described, one of the most effective mechanisms for engaging such adults is integrated education and skills training programs. These programs are typically funded by combining money from WIOA Title I (workforce) and Title II (adult

⁷ The NRS and its various Educational Functioning Levels are described in *Implementation Guidelines: Measures and Methods for the National Reporting System for Adult Education* (2013, Division of Adult Education and Literacy, Office of Vocational and Adult Education, U.S. Department of Education Contract No. ED-VAE-10-O-0107.) Viewable at: <http://www.nrsweb.org/docs/implementationguidelines.pdf>

education). But individuals are not permitted to access WIOA Title I-funded services until they are work-authorized – meaning that those who would like to enroll in an integrated program in order to *become* DACA-eligible cannot do so.

This Catch-22 presents a significant barrier to organizations who wish to serve these individuals via classes that are funded by a combination of WIOA Title I and Title II funds. The number of people potentially affected by this issue is substantial. The Migration Policy Institute has estimated that there are more than 426,000 individuals⁸ who would be DACA-eligible but for their lack of educational qualifications.

4. **Systems Alignment.** To participate effectively in the integrated training programs described previously, individuals need essential support services that can help them navigate barriers related to issues such as childcare and transportation. The existing programs that could facilitate this support, such as Temporary Assistance for Needy Families (TANF) and Supplemental Nutrition Access Program Employment & Training (SNAP E&T), have historically not been well coordinated with WIOA. This poses a particular challenge for immigrant workers, whose struggle to navigate the maze of potential resources is often exacerbated by language access issues and a lack of familiarity with American political and social systems.

Adult education and workforce resources for immigrant service providers and immigrants themselves are often scattered or difficult to navigate. For example, existing federal adult education and workforce systems are often not well aligned with nonprofit immigrant service providers. This lack of alignment hampers the ability of immigrants to transition from a trusted local immigrant organization to so-called mainstream service providers, thus limiting their access to key programs and services.

WIOA makes significant changes to strengthen alignment across core programs, including requiring the development of unified state plans. As WIOA implementation moves forward, federal policymakers should encourage states to include immigrant service providers as meaningful partners in the planning process, and to consider the impact of planning decisions, performance measures, and related factors on the immigrant constituents they serve.

A final issue is that immigrants who would like to participate in federally funded career and technical education programs may struggle to discover which programs are open to them, and/or may be challenged in accessing such programs due to language and other barriers.

There are a variety of approaches that can be taken to overcome the above barriers. Below, we outline recommendations in each of the four areas.

⁸ Jeanne Batalova, Sarah Hooker, Randy Capps, and James D. Bachmeier. *DACA at the Two-Year Mark: A National and State Profile of Youth Eligible and Applying for Deferred Action*. Migration Policy Institute, August 2014.

1. Capacity/Access

Recommendation #1: Maintain funding amounts for adult education and workforce services.

The administration should work with Congress to ensure that FY2016 funding for adult education programs is not subject to further cuts below already-insufficient levels, and should work with Congress in future years to increase funding to levels authorized under WIOA.

Recommendation #2: Use existing federal investments to encourage high-quality immigrant integration activities.

In 2014, the US Department of Labor issued guidance targeting immigrant professionals as a priority population to be served under Job-Driven National Emergency Grants (JD-NEGs), provided they met standard criteria as dislocated workers.⁹ It would be valuable to build on this effort by emphasizing services to immigrants – where appropriate – in other federal funding opportunities through the Departments of Education, Labor, Agriculture, and Health and Human Services.

Recommendation #3: Reaffirm that individuals granted Deferred Action are eligible for federally funded workforce services.

In 2014, the US Department of Labor issued a Training and Employment Guidance Letter (TEGL) affirming that individuals granted Deferred Action for Childhood Arrivals (DACA) are eligible for workforce services funded under Title I of the Workforce Investment Act (WIA).¹⁰ Since then, Congress has reauthorized WIA as the new Workforce Innovation and Opportunity Act, and President Obama has announced an expansion of DACA and the launch of a new program, Deferred Action for Parents of Americans (DAPA). It is important that new guidance be issued to reaffirm that individuals granted deferred action under DACA or DAPA are eligible for WIOA Title I services. In addition, it is important that this guidance be disseminated beyond the workforce system. In particular, we recommend that the existing USCIS public engagement, White House Domestic Policy Council, Latino Affairs, Commission on Asian American and Pacific Islanders, and other such communications channels be utilized to share this important information with immigrant-serving organizations and others who care about immigrant integration.

Recommendation #4: Affirm the role of school districts in providing education to young adults.

As affirmed in *Plyler v. Doe*, US school districts are required to educate young immigrants – typically, until they graduate from high school or until the end of the academic year in which they reach the maximum age for school attendance in their state, whichever comes first. However, newly arrived immigrant youth in their late teens are often discouraged from enrolling in high school because of school districts’ misinterpretation of relevant laws. Just as the US Departments of Education and Justice worked together to issue a “Dear Colleague” letter in 2014 on immigration status, another letter should be issued to school districts to reaffirm that immigrant young adults ages 18-21 should be permitted to enroll in school,

⁹ Training and Employment Notice 29-13, viewable at: http://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=4915

¹⁰ Training and Employment Guidance Letter 02-14, viewable at: http://wdr.doleta.gov/directives/attach/TEGL/TEGL_2-14.pdf

provided that they have not already graduated from high school either in the US or abroad, and have not exceeded the maximum age for school enrollment in their state.

2. Employer Engagement/Connection to Employment

Recommendation #5: Affirm and amplify WIOA legislative language on employment-focused ABE/ESL and sector partnerships. In spring 2015, the Departments of Education and Labor will be issuing draft regulations for the implementation of WIOA. It is crucial that these regulations reaffirm the goals stated in the legislation and are designed to encourage local adult education and workforce providers to implement programs that address these goals.

Under WIOA Title I, states and local areas are expected to implement industry or sector partnerships. As previously noted, sector partnerships are a proven approach that can play a significant role in helping immigrant workers advance in the labor force via industry-specific, employer-driven training. As federal regulations for implementing sector partnerships are developed, it is important that they include guidance on incorporating individuals with low literacy and/or limited English skills.

Similarly, adult education programs that are more tightly tied to employment are a powerful tool for immigrant economic integration. WIOA regulations should clarify that workplace adult education and literacy models in particular are a permitted activity under Title II, and that these may include programs focused on English language acquisition.

However, the fact that such partnerships are *allowable* under WIOA does not mean that they will necessarily *occur*, and past evidence suggests that without explicit encouragement from policymakers, they may not. Therefore, guidance should explicitly encourage states to focus on providers who can deliver high-quality adult education services with a strong connection to employment, either via workplace learning or through integrated education and skills training as described previously.

3. Pathways

Recommendation #6: Consider options to close the gap between NRS “Advanced ESL” level and occupational training or college-level classes. As described previously, participants in adult basic education ESL programs may require additional coursework to help them effectively transition into higher-level training programs. Policymakers should examine options for supporting such “bridge” courses within WIOA constraints, and also encourage states to explore alternative mechanisms for supporting such courses.

Recommendation #7: Explore ways to solve the DACA “Catch-22.” As noted previously, programs that utilize a mix of WIOA Title I and Title II funds to support integrated education and training strategies may be unable to serve certain individuals who are below the DACA minimum educational requirements. However, such individuals *would* be eligible to participate in programming solely supported by Title II. Since one of the key elements of WIOA is greater alignment and integration of federal investments in skills, the administration should consider

regulations or guidance to clarify the extent to which Title I funds for integrated learning may be used to serve such individuals.

Recommendation #8: Ensure that new WIOA performance measures do not unnecessarily exclude immigrants from participation. WIOA establishes a set of shared performance measures across “core” programs, including adult education and ESL programs funded under Title II. While these shared measures will support greater alignment between adult education and occupational training programs, it is critically important that the performance measures not have the unintended impact of penalizing programs for serving Limited English Proficient (LEP) or foreign-trained individuals. Federal regulations implementing these new performance requirements should allow states and local areas to account for the specific skill needs of immigrant populations and encourage greater participation in programs that address those requirements.

4. Systems Alignment

Recommendation #9: Use WIOA regulations on statewide plans to encourage states to engage immigrant-serving organizations as planning partners and consider how best to align WIOA funds with other public investments in training.

States are required to submit statewide “unified plans” for WIOA implementation. Federal policymakers should issue guidance that encourages states to ensure that the needs of immigrant workers are being represented in the planning process. For example, one way that states may do so is by incorporating immigrant-serving organizations into the statewide planning process.

As an alternative to unified plans, states have the option to develop more robust “combined plans” that incorporate WIOA-funded services as well as other public investments such as TANF and SNAP E&T. States should be encouraged to adopt a combined planning model where appropriate to ensure that federal, state, and other workforce funds are seamlessly aligned across programs.

In addition, states could be encouraged to ensure that supportive services resources are included in either unified or combined state planning processes to enable low-wage workers to take full advantage of education and training opportunities.

Recommendation #10: Examine ways to ensure that Perkins Act services are accessible to immigrants. In 2015, Congress may consider the reauthorization of the Carl D. Perkins Career and Technical Education Act (Perkins Act). The reauthorized Perkins Act should support the development of career pathways and integrated education and training, especially for adults with low literacy or numeracy skills. More specifically, the Perkins Act should require state and local recipients to describe how they will use Perkins funds to improve the technical skills of students participating in integrated education and training, develop career pathways to provide access to training for individuals in adult education and literacy activities, develop content and

models for integrated education and training and career pathways, and provide professional development on the effective integration of career and technical education with adult and developmental education.

Recommendation #11: Promote and publicize state and local policies that support effective practices in serving immigrants. For example, Massachusetts' Workforce Training Fund Program (WTFP) is a grant program funded by a surcharge on the Unemployment Insurance tax of about \$8.60/employee/year. It generates \$20 million in revenue, which can be used to support workplace adult basic education and ESL for incumbent workers. Massachusetts has a statewide EnglishWorks campaign that strives to increase employer uptake and interest in using WTFP, and provides technical assistance to ESL providers who would like to work with employers. Similarly, the city of Boston has a trust fund created by a surcharge on real-estate developments over 100,000 square feet that creates resources for skills training, including ESL and adult basic education.

To take another example, some states have experimented with **placing a specially trained job counselor onsite at the American Job Centers** ("one-stop centers") to provide targeted services to immigrant jobseekers and answer questions from one-stop colleagues. New York's Workforce One Centers are one example of this approach. Creating case studies or inviting these model programs to share their experiences with fellow Workforce Investment Boards (WIBs) can help to increase the supply of high-quality workforce services for immigrants. Other WIBs have **subcontracted with community-based organizations** to provide WIOA Title I-funded services to legally work-authorized immigrant jobseekers. Both St. Louis and Philadelphia have used their nonprofit partners to ensure that immigrant jobseekers can access services from workforce providers who have expertise in assessing immigration work documents, providing acculturation and job-preparation training, and placing workers in in-demand jobs for local employers.

Recommendation #12: Build on existing federal websites to provide more robust and detailed information about available adult education and workforce programs. The WelcometoUSA.gov website and America's Literacy Directory both provide opportunities to disseminate information about effective programs to immigrants and American-born citizens alike. Much more could be done with these websites to help immigrants learn about the breadth of available resources, and to amplify the impact of local adult education and workforce training programs – *without* the federal government endorsing a specific model or approach. For example, the WelcometoUSA.gov website has sharply limited information on adult education and workforce services. The site contains general links to federal websites, but few specifics on employment and job-search issues for immigrant workers, and little information on occupational training programs. Nor does it map immigrant-serving organizations beyond federal agencies. In contrast, the Canadian government provides just such a map for newcomers

(see: <http://www.cic.gc.ca/english/newcomers/map/ns.asp>) and its *Welcome to Canada: What You Should Know* guide has a detailed section on employment issues.¹¹

Similarly, the USA Learns website should expand its resources, allowing site visitors to find vocational English learning (VESL) and other contextualized ESL and ABE opportunities, especially in high-demand and high-growth occupations. Information should include public and private organizations working at the state and local level.

Recommendation #13: Centralize existing curricula and related resources for serving immigrant workers. As previously discussed, research tells us that one of the most effective mechanisms for immigrants' economic integration is integrated English language and occupational skills training. The federal government has *already* invested in developing curricula for many such programs over the past decade, but organizations seeking to identify and adopt model curricula from past initiatives do not have a centralized repository where such curricula may be found. Instead, curricula is scattered across diverse locations such as the OSHA website, ERIC, LINCS, and even more hard-to-find locations. Future curriculum development costs might be reduced if this material were centralized in an easy-to-find location. Policymakers should consider identifying a better portal (perhaps modeled on the Citizenship Resources section of the USCIS website), hosted by OCTAE, which would allow adult education program administrators and teachers to access these valuable resources.

National Skills Coalition thanks the White House Task Force on New Americans for the opportunity to submit comments on this important topic. We would be glad to answer any questions the Task Force may have.

About National Skills Coalition

National Skills Coalition is a broad-based coalition working toward a vision of an America that grows its economy by investing in its people so that every worker and every industry has the skills to compete and prosper. We engage in organizing, advocacy, and communications to advance state and federal policies that support these goals – policies that are based on the on-the-ground expertise of our members. More than 3,200 members, representing more than 1,400 organizations in over 25 states, comprise the membership of National Skills Coalition.

¹¹ The guide is viewable at: <http://www.cic.gc.ca/English/pdf/pub/welcome.pdf>