



Wednesday
February 17, 1999

Part V

**Department of
Education**

**Adult Education and Family Literacy Act;
Workforce Investment Act of 1998; Carl
D. Perkins Vocational and Technical
Educational Act of 1998; Notices of
Request for Public Comment**

DEPARTMENT OF EDUCATION**Adult Education and Family Literacy Act; Workforce Investment Act of 1998**

AGENCY: Office of Vocational and Adult Education, Department of Education.

ACTION: Notice of request for public comment.

SUMMARY: The Secretary of Education invites written comments and recommendations regarding the implementation of titles I, II, and V of the Workforce Investment Act of 1998 (WIA) (Pub. L. 105-220, enacted August 7, 1998), as they pertain to the Adult Education and Family Literacy Act.

DATES: Comments received on or before April 5, 1999, will be considered in the development of guidance and any regulations that may be necessary, as well as the overall implementation strategy.

ADDRESSES: Written comments should be addressed to Patricia W. McNeil, Assistant Secretary for Vocational and Adult Education, U.S. Department of Education, Room 4090, Mary E. Switzer Building, 400 Maryland Avenue, SW., Washington, DC 20202-2645. Comments may be submitted electronically to dael@inet.ed.gov. You must include the term "FR Notice" in the subject line of your electronic message. The receipt of comments transmitted electronically will be acknowledged. Commenters wishing acknowledgment of the receipt of comments transmitted by mail must submit them by certified mail, return receipt requested.

FOR FURTHER INFORMATION CONTACT: Carroll Towey, (202) 205-9791. Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339 between 8 a.m. and 8 p.m., Eastern time, Monday through Friday. Individuals with disabilities may obtain this document in an alternate format (e.g., Braille, large print, audiotape, or computer diskette) on request to the contact person listed in the preceding paragraph.

SUPPLEMENTARY INFORMATION: Signed into law on August 7, 1998, the WIA reforms Federal employment, adult education, and vocational rehabilitation programs to promote creation of an integrated system of workforce investment activities for adults and youth.

Adult Education and Family Literacy Act

Adult education is an important part of this new workforce investment

system. Title II of WIA, the Adult Education and Family Literacy Act (AEFLA), restructures and improves programs previously authorized by the Adult Education Act. To give States greater flexibility in administering the program, the several prescriptive administrative requirements and restrictions on the use of funds are eliminated. For example, the Adult Education Act, as amended prohibited States from expending more than 20 percent of the State allocation for high school equivalency programs, the new law eliminates this restriction.

AEFLA focuses on strengthening program quality by requiring States to give priority in awarding funds to local programs that are based on a solid foundation of research, address the diverse needs of adult learners, and utilize other effective practices and strategies. Factors the State must consider in awarding funds include whether the program provides learning in real life contexts, employs advances in technology, and is staffed by well-trained instructors, counselors, and administrators.

To promote continuous program improvement and to ensure optimal return on the Federal investment, AEFLA also establishes a State performance accountability system. Under this system, the Secretary and each State must reach agreement on annual levels of performance for a number of "core indicators" specified in the law:

- Demonstrated improvements in literacy skill levels in reading, writing, and speaking the English language, numeracy, problem solving, English language acquisition, and other literacy skills.
- Placement in, retention in, or completion of postsecondary education, training, unsubsidized employment or career advancement.
- Receipt of a secondary school diploma or its recognized equivalent.

States also use these "core indicators" to evaluate the performance of local grantees.

Title I of WIA

Title I of WIA authorizes employment training and other workforce investment activities that are administered at the State and local levels by workforce investment boards. These services must be provided through a one-stop delivery system that is established by each local board. The one-stop system also provides a means of accessing education and employment-related services available under eleven other Federal programs, including adult education and literacy programs funded by

AEFLA. Entities that carry out programs authorized by AEFLA will participate in one-stop systems through memoranda of understanding negotiated with local workforce investment boards. The services provided under AEFLA through the one-stop systems must be consistent with AEFLA requirements.

Title V of WIA

Title V of WIA authorizes States to submit a single "unified" plan for two or more of fifteen Federal education and workforce investment programs. These programs include AEFLA, workforce investment activities authorized under title I of the WIA, postsecondary vocational education programs authorized under the Carl D. Perkins Vocational and Technical Education Act of 1998 (Pub. L. 105-332), (Perkins III), and, with the prior approval of the State legislature, secondary vocational education programs authorized under Perkins III the portion of the unified plan that covers each activity or program must meet all of the plan or application requirements specified in the original authorizing statute for that particular activity or program. Title V also authorizes the award of incentive grants to States that exceed agreed-upon performance levels for title I of WIA, AEFLA, and Perkins III.

Copies of the WIA are available on the website of the Office of Vocational and Adult Education at <http://www.ed.gov/offices/OVAE/AdultEd/InfoBoard/legis.html>. The text of the Conference Report on H.R. 1385 (the WIA) can also be found in the Congressional Record, July 29, 1998, pp. H6604-H6694.

Issues for Public Comment

The Secretary invites written comments and recommendations from interested members of the public regarding the implementation of AEFLA and the provisions of titles I and V of WIA that relate to AEFLA.

The Secretary is particularly interested in receiving comments and recommendations concerning the following topics:

1. How best to implement the performance accountability system described in section 212, including—
 - (A) Definitions for the core indicators of performance; and
 - (B) The establishment, revision, and reporting of eligible agency adjusted levels of performance for Fiscal Year 1999 and subsequent fiscal years.

2. The award of incentive grants to States that exceed the State adjusted levels of performance for title I workforce investment activities, AEFLA, and Perkins III (section 503 of WIA).

3. Procedures for the development and submission of State unified plans (section 501 of WIA).

4. The participation of entities receiving assistance under AEFLA in the planning, governance, operation, and funding of the one-stop delivery system described in title I of WIA.

Comments and recommendations are also welcome on other issues and concerns that should be addressed or clarified through guidance or regulations.

Under its Principles for Regulating, the Department of Education will regulate only when it improves the quality and equality of services to its customers—learners of all ages. The Department will regulate only when absolutely necessary, and then in the most flexible, most equitable, and least burdensome way possible. The Department will regulate if a demonstrated problem exists and cannot be resolved without regulation or if necessary to provide legally binding interpretation to resolve an ambiguity. The Department will not regulate if entities or situations to be regulated are so diverse that a uniform approach does more harm than good.

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Anyone also may view these documents in text copy only on an electronic bulletin board of the Department. Telephone: (202) 219-1511 or, toll free, 1-800-222-4922. The documents are located under Option G—Files/Announcements, Bulletins and Press Releases.

Additionally, in the future, this document, as well as other documents concerning the implementation of AEFLA will be available on the World Wide Web at the following site: <http://www.ed.gov/offices/OVAE/AdultEd/InfoBoard/legis.html>.

Note: The official version of this document is the document published in the **Federal Register**.

Dated: February 11, 1999.

Richard W. Riley,

Secretary of Education.

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DEPARTMENT OF EDUCATION

Carl D. Perkins Vocational and Technical Education Act of 1998; Workforce Investment Act of 1998

AGENCY: Office of Vocational and Adult Education, Department of Education.

ACTION: Notice of request for public comment.

SUMMARY: The Secretary of Education invites written comments regarding the implementation of the Carl D. Perkins Vocational and Technical Education Act of 1998 (Pub. L. 105-332, enacted October 31, 1998) (Perkins III) and titles I and V of the Workforce Investment Act of 1998 (Pub. L. 105-220, enacted August 7, 1998), as they pertain to Perkins III.

DATES: Comments received on or before April 5, 1999 will be considered in the development of guidance and any regulations that may be necessary, as well as the overall implementation strategy.

ADDRESSES: Written comments should be addressed to Patricia W. McNeil, Assistant Secretary for Vocational and Adult Education, U.S. Department of Education, Room 4090 Mary E. Switzer Building, 400 Maryland Avenue, SW., Washington, DC 20202-2645. Comments may be submitted electronically to dvte@inet.ed.gov. You must include the term "FR Notice" in the subject line of your electronic message. The receipt of comments transmitted electronically will be acknowledged electronically. Commenters wishing acknowledgment of receipt of comments transmitted by mail must submit them by certified mail, return receipt requested.

FOR FURTHER INFORMATION CONTACT:

Gisela Harkin, (202) 205-9037.

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SUPPLEMENTARY INFORMATION:

Carl D. Perkins Vocational and Technical Education Act of 1998

Signed into law on October 31, 1998, Perkins III restructures programs previously authorized by the Carl D. Perkins Vocational and Applied Technology Education Act, setting out a new vision of vocational and technical education for the 21st century. Improving student achievement and preparation for postsecondary education, further learning, and careers are the central goals of this new vision. Perkins III promotes reform and innovation in vocational and technical education to help ensure that all students acquire the skills and knowledge they need to meet challenging State academic standards and industry-recognized skill standards, and to prepare for postsecondary education, further learning, and a wide range of career opportunities. Implementation of Perkins III promises to make vocational and technical education an integral part of State and local efforts to reform secondary schools and improve postsecondary education.

The new law focuses the Federal investment in vocational and technical education on high-quality programs that integrate academic and vocational education; promote student attainment of challenging academic and vocational and technical standards; provide students with strong experience in, and understanding of all aspects of an industry; address the needs of individuals who are members of special populations; involve parents and employers; and provide strong linkages between secondary and postsecondary education.

Programs must also develop, improve, or expand the use of technology in vocational and technical education, such as by providing training in the use of technology to educational personnel, preparing students for careers in the high technology and telecommunications fields, and by working with businesses in high technology industries to offer internships and mentoring programs for students. To enhance the quality of instruction in vocational and technical education, Perkins III requires local programs to provide comprehensive professional development opportunities for teachers, counselors, and administrators. These opportunities may include workplace internships that provide teachers with business experience, training in effective teaching skills, programs that help teachers and other personnel stay current with all aspects of an industry, and other activities.