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| **WS 19-01** |
| **August 8, 2019** |
| **Basic/Expanded Service** |
| Expires: **Continuing** |

To: Adult Education Providers

# From: Gulf Coast Workforce Board

Subject: Collection of Certain Participant Information for Performance Reporting

##### Purpose

The purpose of this AEL Letter is to provide information and guidance on the importance of collecting Social Security numbers (SSNs), Texas driver’s license numbers, and Texas identification (ID) numbers to determine eligibility for Temporary Assistance for Needy Families (TANF) and to obtain confirmed data on an individual’s measurable skill gains and the exit-based performance measures of employment, earnings, and credentials that are used for performance reporting.

##### Background

**Collecting Personally Identifying Participant Information for Data Matching**

Data matching involves comparing participant information in one data system with participant information in other state or federal data systems. The data includes widely used federal or state identifiers, such as SSNs, Texas driver’s license numbers, and Texas ID numbers. Local entities also use data matching to identify individuals for outreach and to identify opportunities for coenrollment in other programs or for entry in their own institutional data systems. Automation reduces their administrative burden while strengthening the state’s ability to choose the best follow-up measures using data on a participant’s employment status, credentials, and enrollment in postsecondary education during participation or post-exit. Such follow-up data is critical to performance accountability under the Workforce Innovation and Opportunity Act (WIOA).

Generally, SSNs are used for data matches to report the other statutorily mandated WIOA performance indicators—those relating to post-exit employment, post-exit earning levels, and achievement of a credential. Under WIOA, achievement of an HSE is not countable in the credential measure, unless the participant is also either employed in one or more of the four quarters following exit or is enrolled in postsecondary education within the 365 days following exit.

Lack of an SSN makes it impossible for automated data matching to determine whether a participant has met all the requirements to be considered successful in the exit-based WIOA measures. Lack of an SSN requires the provider to conduct significant follow-up with the participant during the four calendar quarters following exit.

**Data Matching Used for Local Performance Calculations**

SSNs are also an essential tool at the local level for matching postsecondary education or training credentials. AEL consortium providers can use a participant’s SSN to collect credential data from community colleges and other training providers. They can also collect data on industry-recognized credentials from databases and entities that include the [Nurse Aide Registry](https://hhs.texas.gov/doing-business-hhs/licensing-credentialing-regulation/credentialing/nurse-aide-registry), the National Center for Construction Education and Research’s [Registry Center](https://registry.nccer.org/), and the [American Association of Medical Assistants](https://www.aama-ntl.org/cma-aama-exam/verify-cma-status). Access to the databases is provided through the Texas Department of Health and Human Services.

**Data Matching Used for Program Eligibility**

Matching participants’ SSNs is the most efficient way to verify enrollment opportunities in education, workforce, and social service programs. As an example, Local Workforce Development Boards, vocational rehabilitation partners, and AEL partners can use participants’ SSNs to coenroll students in their programs, thereby providing more value and support to participants. Matching also helps partners to best determine local infrastructure cost.

##### Action

AEL consortium providers must be aware that accurate and complete data collection is the foundation of data integrity and compliance. It is also essential to collecting sufficient valid information to conduct TANF data matching at the state level. Therefore, providers must ensure that information collected during intake and evaluation is accurate and that there are effective controls in place to ensure a record of the staff name and date of collection for individuals collecting or recording personal information, including personally identifying information.

AEL consortium providers must be aware that the collection of participant information described in this letter is **related to performance reporting and/or TANF eligibility**. It differs from the information that must be collected under WS letter 05-18, issued October 3, 2018, and entitled “Approved Forms of Identity,” and subsequent issuances, which is **related to overall participant identification** and supports campus safety and security procedures.

AEL consortium providers must be aware that, although individuals seeking AEL services are not required to **provide** an SSN, a Texas driver’s license number, or a Texas ID number in order to participate in AEL services, beginning September 1, 2019, providers are required to **request** these identifiers from each individual who is registering for AEL services for performance or TANF eligibility purposes, as explained in this letter. If an individual does not provide an SSN, a Texas driver’s license number, or a Texas ID number, the individual may still participate in AEL services.

AEL consortium providers must be aware that HGAC can use a Texas driver’s license number or Texas ID number, in limited circumstances, to obtain an SSN for data reporting purposes. This is a limited option and does not remove the requirement for providers to ask individuals seeking AEL services the SSN collection information outlined in this letter.

AEL consortium providers must be aware that while providers must implement protocols to ensure that SSN information is accurate, they are not required to collect, copy, or verify, for AEL, an individual’s Social Security card or other documentation that includes a full SSN, such as tax documents or employment records, either before or after student enrollment.

AEL consortium providers must be aware that while inaccurate or fraudulent SSNs will not pose a liability on the AEL provider, individual recording the information, providers who fail to collect a sufficient share of valid SSNs may be expected to collect and maintain individual TANF eligibility documentation in the future, per WS letter 06-18, Change 1, entitled “Adult Education and Literacy Temporary Assistance for Needy Families Eligibility—Update” and subsequent issuances.

AEL consortium providers must be aware that staff members who record an individual’s Texas driver’s license number of Texas ID number must record in TEAMS an on reporting forms their own names and the date of collection to help local providers monitor the effectiveness of data collection and the approaches used. Future automation in TEAMS will require collection of such numbers.

AEL consortium providers must be aware that, although providers are required to request an SSN from a participant, the provider must avoid inadvertently giving the impression that information related to the participant’s employment status will be used to determine whether the participant may enroll in AEL services.

HGAC recommends that providers explain to participants that HGAC uses SSNs, Texas driver’s license numbers, and Texas ID numbers to help evaluate whether the AEL program is successful in helping participants achieve their education and employment goals to improve AEL programs to better serve participants. Helping participants understand that the numbers are used solely for program evaluation and improvement may help them realize the importance of providing sensitive information.

AEL consortium providers may require the collection of an SSN if it is a local or institutional requirement or if it is a requirement for participating in another grant program or other service. Providers may do so even if the services provided under other grants are integrated with services provided through grants developed under RFP No. 320-18-01.

The providers must modify their enrollment forms and intake processes as follows to ensure that staff members request participant information correctly during intake.

**SSNs**

AEL providers must record the following SSN information on each individual seeking AEL services:

* SSN or an indicator that states that the SSN was requested but not disclosed by the individual
* The name of the staff member recording the information
* The date that the information was collected

**Texas Driver’s License or IDs**

AEL consortium providers must require staff to do as follows:

* Request a Texas driver’s license number or Texas ID number and either record the number or record the reason that the individual did not disclose the number.

Options for not disclosing are as follows:

* Does not wish to disclose
* Does not have a Texas driver’s license number or Texas ID number
* Record the name of the staff member recording the information
* Record the date that the information was recorded

AEL consortium providers must be aware that due to the sensitivity of information related to personally identifying information, including SSNs, providers must ensure that collection, whether it is paper-based or through electronic means, is designed to yield a high rate of collection while incorporating precautions sufficient to ensure that personally identifying information is effectively collected and protected.

Individuals seeking AEL services may be more likely to disclose this information through one-on-one consultation with intake staff than through electronic means. Similarly, online or electronic collection may reduce collection rates due to public sensitivity about entering this information into electronic systems and, when given the option not to, individuals may choose not to disclose.

Providers that deliver all or part of their enrollment documentation through electronic means should consider the effectiveness and security of using such means and, for more sensitive information, consider other means methods of collection, such as one-on-one staff consultation, unless online collection is an institutional requirement.

Providers that collect enrollment information on paper may choose not to include SSN information on the initial form but instead develop a separate form for sensitive information that would be part of a one-on-one staff intake process. Similarly, providers may include an SSN on the intake form and then facilitate an individual one-on-one follow-up with the individual to reinforce that a nondisclosure does not prohibit participation in AEL services.

AEL consortium providers must protect personally identifiable information, such as SSNs, as described in WS Letter 02-18, issued March 23, 2018, and entitled “Handling and Protection of Personally Identifiable Information and Other Sensitive Information,” and subsequent issuances, and WS 13-08, issued April 1, 2008, and entitled “Security of Personal Identity Data,” and any subsequent issuances.

##### Questions

Staff should first ask questions of their managers or supervisors. Direct questions to the Gulf Coast Consortium Lead Agency Staff through the Submit a question link.