



**CALIFORNIA DEPARTMENT
OF EDUCATION**

TONY THURMOND
STATE SUPERINTENDENT OF
PUBLIC INSTRUCTION

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February 24, 2023

Dear Superintendents of Workforce Innovation and Opportunity Act (WIOA), Title II Adult Education and Family Literacy (Title II: AEFLA) Sub-grantees:

Requirement For and Use of Adult Student Social Security Numbers

The California Department of Education (CDE) provides funding to sub-grantees via the WIOA, Title II: AEFLA federal grant. The Public Law No. 113–128 as signed by President Obama in 2014 can be found on the U.S. Government Information web page at <https://www.govinfo.gov/content/pkg/PLAW-113publ128/pdf/PLAW-113publ128.pdf>. WIOA funding is designed to strengthen and improve our nation’s public workforce by helping to get Americans into high-quality jobs and careers. After the enactment of the WIOA, the California legislature passed and the Governor signed into law Assembly Bill (AB) 2148, codified in Section 14013(i) (2) of the California *Unemployment Insurance Code*, which authorizes the CDE to collect, on a voluntary basis, the social security numbers (SSNs) of adults participating in adult education programs so that accurate participation in those programs can be represented in reports. Based on our most current data, approximately 25 percent of students provide an SSN to their adult education agency during registration. The CDE has been informed that some local educational agency (LEA) board policies prohibit the collection of student SSNs. This is understandable for students enrolled in kindergarten through grade twelve, however the WIOA law and California *Unemployment Insurance Code* authorize the collection of these numbers for adult education students. The Office of Career Technical and Adult Education of the United States Department of Education is requiring the CDE, in collaboration with our sub-grantees, to increase the collection of SSNs to 45 percent by June 30, 2024. If your LEA has such a policy that prohibits the collect of SSNs, we would request that board policy be amended to allow the collection of SSNs pursuant to the federal WIOA law and California *Unemployment Insurance Code* for adult education students.

Pursuant to *Unemployment Insurance Code* Section 14013, WIOA, Title II: AEFLA sub-grantee agencies ask individuals applying for or receiving services to voluntarily provide their SSN and written consent to the disclosure of their personal information by the CDE to the Employment Development Department (EDD) using the “Voluntary Authorization to Share Personally Identifiable Information and Records Form” (the form is available on the CDE Adult Education Governance & Accountability web page at <https://www.cde.ca.gov/sp/ae/ga/index.asp>). No individual may be required to do so in order to participate in or receive any adult education program service.

- The consent will allow the individual’s information to be shared only with the EDD.

February 24, 2023

Page 2

- The EDD shall use the confidential information only to track the labor market outcomes of program participants in compliance with all applicable state and federal laws and mandates, including all performance reporting requirements under the WIOA.
- After aggregating the participant data contained in the response file and meeting statutory reporting requirements, the EDD shall destroy the response file containing participant data.

For those students without an SSN, or who decline to provide an SSN, the LEA via the adult school must survey those students two quarters and four quarters after they exit the adult education program. While the survey is short, only four questions, our response rate is very low at 30 percent. The Office of Career Technical and Adult Education of the United States Department of Education is requiring California to increase our survey response rate to 45 percent by June 30, 2024. Given the nature of surveys and the staff involvement needed, the CDE believes the better course of action is to work with LEAs to amend local board policy.

We appreciate your assistance in with this request. If you have any questions please contact Carolyn Zachry, Education Administrator via email at czachry@cde.ca.gov.

Sincerely,

/s/

Pete Callas, Director
Career and College Transition Division

PC:cz