

DEPARTMENT OF EDUCATION

Colorado State Board of Education

RULES FOR THE ADMINISTRATION OF THE ADULT EDUCATION AND LITERACY GRANT PROGRAM

1 CCR 301-98

[Editor's Notes follow the text of the rules at the end of this CCR Document.]

Authority: ~~Article IX, Section 1, Colorado Constitution, 22-2-106(1)(a) and (c); 22-2-107(1)(c); HB14-085~~

0.0 Statement of Basis and Purpose

~~The statutory authority for these rules is found in sections 22-10-104 and 22-10-105, C.R.S. These rules are promulgated pursuant to Colorado Revised Statutes article 10 of title 22. Article 10 of Title 22 The Adult Education and Literacy Act~~ authorizes the Colorado Department of Education to provide state funding for workforce development partnerships through which eligible adults receive basic education in literacy and numeracy that leads to additional skills acquisition, postsecondary credential attainment, and employment, ~~or education attainment partnerships that assist adults in attaining basic literacy and numeracy skills that lead to additional skill acquisition, and may lead to postsecondary credentials and employment, for the participating adults and their children or the children for whom they provide care.~~

1.0 Definitions

1.01 "Adult education and literacy programs" mean programs that provide adult basic education, adult education leading to a high school equivalency credential, English as a ~~s~~second language instruction, or integrated basic education and skills training.

~~1.02 "Adult education provider" means one of the following entities that the Department recognizes as providing appropriate and effective adult education and literacy programs:~~

~~(a) a secondary or postsecondary, public or private, nonprofit educational entity, including but not limited to a school district, charter school, board of cooperative services, state institution of higher education, local district college, and area technical college;~~

~~(b) a community-based nonprofit agency or organization;~~

~~(c) an Indian tribe or nation;~~

~~(d) a library;~~

~~(e) a literacy council or other literacy institute;~~

~~(f) a business or business association that provides adult education and literacy programs either on site or off site;~~

(g) a volunteer literacy organization;

(h) a local work force board, as defined in section 8-83-203, C.R.S., that oversees a work force development program described in the "Colorado Career Advancement Act";

(i) a one-stop partner, as described in section 8-83-216, C.R.S., under the "Colorado Career Advancement Act"; or

(j) a consortia of entities described in this rule 1.02.

1.023 “Department” means the Department of Education created and existing pursuant to ~~s~~Section 24-1-115, C.R.S.

1.04 "Education attainment partnership" means a collaboration that assists adults in attaining basic literacy and numeracy skills that lead to additional skill acquisition and may lead to postsecondary credentials and employment. At a minimum, an education attainment partnership must consist of at least one adult education provider that is not listed in rule 1.02(a) that partners with at least one elementary or secondary school or school district, a public or private institution of higher education, a local district college, or an area technical college.

1.035 “Eligible adult” means a person who:

1.035.1 Is at least 17 years of age

1.035.2 Is not enrolled in a public or private secondary school; and

1.035.3

(I) Lacks a high school diploma or its equivalency; or

(II) Is in need of English language instruction; or

(III) Lacks sufficient mastery of the basic literacy and numeracy skills necessary to enable the person to function effectively in the workplace.

1.046 “English language instruction” means instruction that is designed to assist a person with limited English proficiency to achieve competence in the English language, thus allowing the person to understand and navigate governmental, educational, and workplace systems.

~~1.05 “Grant program” means the Adult Education and Literacy Grant Program created in Section 22-10-104.~~

1.067 “Literacy” means a person’s ability to read, write, and speak English at levels of proficiency that are necessary to function on the job and in society, achieve the person’s goals, and develop the person’s knowledge and potential.

~~1.07 “Local educational provider” means one of the following entities that the Department recognizes as providing appropriate and effective adult education and literacy programs:~~

- ~~1.07.1—A secondary or postsecondary, public or private, nonprofit educational entity, including but not limited to a school district, charter school, board of cooperative services, state institution of higher education, junior college, and area vocational school~~
- ~~1.07.2—A community-based, nonprofit agency or organization~~
- ~~1.07.3—A library~~
- ~~1.07.4—A literacy council or other literacy institute;~~
- ~~1.07.5—A business or business association that provides adult education and literacy programs either on-site or off-site;~~
- ~~1.07.6—A volunteer literacy organization;~~
- ~~1.07.7—A work force board, as defined in Section 8-83-203, C.R.S., that oversees a work force investment program described in the “Colorado Work Force Investment Act,” Part 2 of Article 83 of title 8, C.R.S.~~
- ~~1.07.8—A one-stop partner, as described in section 8-83-216, C.R.S., under the “Colorado Work Force Investment Act,” Part 2 of Article 83 of Title 8, C.R.S.; or~~
- ~~1.07.9—A consortia of entities described in this subsection~~
- 1.08 “Numeracy” means a person’s ability to compute and solve mathematical problems at levels of proficiency that are necessary to function on the job and in society, achieve the person’s goals, and develop the person’s knowledge and potential.
- ~~1.09—“Office” means the office within the Department that is responsible for adult education.~~
- 1.09 “State board” means the State Board of Education created in Section 1 of Article IX of the State Constitution.
- 1.110 “Workforce ~~d~~Development ~~p~~Partnership” means a collaboration that assists adults in attaining basic literacy and numeracy skills leading to additional skill acquisition, postsecondary credentials, and employment. At a minimum, a workforce development partnership must include at least one local adult education provider, at least one postsecondary education or training provider, and at least one workforce development provider.
- 1.110.1 For purposes of this rule 1.10.1 subsection, a postsecondary education or training provider includes, but need not be limited to:
- 1.110.1.1 A state institution of higher education, local district college junior college, or area vocational school~~technical college;~~
- 1.110.1.2 An apprenticeship program;
- 1.110.1.3 An entity that provides accelerated education and skills training certificate programs created pursuant to Part 9 of Article 60 of Title 23, C.R.S.

- 1.110.1.4 An entity that operates programs through the manufacturing career pathway established by the State Board for Community Colleges and Occupational Education as provided in Part 10 of Article of Title 23, C.R.S.; and
- 1.110.1.5 A community-based workforce development program that is operated through the Colorado customized training program created in Section 23-60-306, C.R.S.
- 1.110.2 For purposes of this rule 1.10.2-subsection, a workforce development provider includes, but need not be limited to:
- 1.110.2.1 A work force development investment program described in the “Colorado Career Advancement Work Force Investment Act,” Part 2 of Article 83 of Title 8, C.R.S.; and
- 1.110.2.2 A program that is supported by the state workforce development council created in Article 46.3 of Title 24, C.R.S.
- ~~1.12 —“Measureable student outcome” means student success indicators, which may include but are not limited to student employment, educational gains, and locally set goals.~~
- 2.0 Application Requirements and Timeline**
- 2.01 Grants will be awarded ~~for a three-year period~~ through a competitive application process. ~~Funded applicants will begin receiving awards during the 2014-2015 fiscal year. Subsequent funding beyond 2014-2015~~ will be subject to funding appropriations and grant recipients’ annual demonstration of adequate progress toward achieving the goals of the adult education and literacy program that were specified in the grant application.
- 2.02 ~~On or before November 6, 2014, any Local Education Agency~~ Any adult education provider interested in obtaining grant funding ~~for the three year period shall submit~~ must submit an Adult Education and Literacy gGrant application to the Department, using the application form provided by the Department. Any applicant that has not received funding in the year prior must submit an application to the Department within 60 days of the date that the Department posts a request for applications. Any applicant that has received funding in the year prior must submit an application to the Department within 45 days of the date that the Department posts a request for continuation applications. A Local Education Provider Each applicant must be a member of a ~~W~~workforce Ddevelopment ~~P~~partnership or education attainment partnership.
- 2.03 Each application submitted ~~must~~shall include, but need not be limited to, the following:
- ~~2.03.1—Information concerning the number of adults in the local area, including employment, average income, and unemployment rates~~
- ~~2.03.2—Information concerning the local job market, identifying the area of highest need, including major local industries or employers~~
- ~~2.03.3—Information concerning the number of service providers within a thirty mile radius~~

- 2.03.~~41~~ Information concerning ~~the adults who will be served using grant moneys, including the following:~~
- 2.03.~~41~~.1 The percentage of eligible adults expected to be enrolled in the adult education and literacy programs funded by the grant who are members of minority groups;
- 2.03.~~41~~.2 The percentage of adults in the area to be served using grant money who have not completed ninth grade and are not enrolled in or have not completed adult education and literacy programs;
- 2.03.~~41~~.3 The percentage of eligible adults in the area to be served using grant money who do not have a high school diploma or equivalency and who are not currently enrolled in adult education and literacy programs
- 2.03.~~41~~.~~43~~ The percentage of eligible adults expected to be enrolled in the adult education and literacy programs funded by the grant ~~who will be served using grant moneys, including the percentage~~ who are receiving either state or federal public assistance or
- ~~The percentage of eligible adults in the area to be served who will be served using grant moneys, including the percentage who are unemployed workers; and~~
- 2.03.2 Information concerning whether the program provided by the applicant would serve populations that are underserved by federal funding;
- 2.03.3 Whether the adult education provider serves eligible adults who have not completed ninth grade or may otherwise be identified as lowest-level learners;
- 2.03.4 Information demonstrating that the applicant is an experienced adult education provider with a strong record of providing education, career, and supportive service navigation to assist adult learners in attaining employment, enrolling in postsecondary education, engaging in civic activities, or supporting their own children or children for whom they provide care in achieving academic success and, specifically, success with learners who have not completed ninth grade or may otherwise be identified as lowest-level learners;
- ~~2.03.5—Information concerning the demonstrated success of the local education provider in enabling adults to attain basic literacy and numeracy skills and in assisting them, through collaboration with postsecondary education or training providers and workforce development providers, to achieve additional skills attainment, postsecondary credential attainment, and employment~~
- 2.03.~~65~~ A description of the instructional program that the applicant plans to implement using the grant money~~s~~;
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- 2.03.~~76~~ A description of the professional development program that the applicant plans to implement for educators to assist adult students achieve their educational and career goals;
- 2.03.~~87~~ Information demonstrating that the applicant is an active member of a workforce development partnership or an education attainment partnership and a description of services and responsibilities of each of the partnership members;
- 2.03.~~98~~ An explanation of the cost of the instructional and student support program that the applicant plans to implement using the grant money~~s~~ and an explanation of how grant funding will be used to supplement and not supplant any funding currently being used on workforce preparation activities;
- 2.03.~~109~~ The measurable measurable student-outcomes goals of the adult education and literacy program that the applicant expects to achieve as a result of implementing the proposed program using the grant money, including student outcomes identified by the Department such as employment and entrance into postsecondary education or training, and a description of the method that will be used to monitor and evaluate outcomes; and
- 2.03.~~110~~ Any other necessary information, as identified by the Department.
- ~~2.04 — On or before May 1 of each year, funded grantees will be required to submit an annual progress report to CDE. This progress report will include the reporting and measurement of activities toward achieving the goals of the Adult Education and Literacy Act as specified in the funded grantee application. Demonstration of adequate progress will be determined through a formalized evaluation process at CDE. If CDE finds that a grant recipient is not making sufficient progress toward achieving the goals, recommendations will be made to the state board for not funding the grantee for subsequent fiscal years.~~
- 2.054 Within 60 days of the date that initial or continuation applications for grant funding are due to the department, the department will review the applications and develop recommendations for grant funding. For continuation applications, if the department finds that a grant recipient is not making sufficient progress towards achieving the goals outlined in the provider's initial application, the department will recommend that funding not be continued for the grantee. On or before June 1 of each year Within 45 days of the date that the Department finalizes its recommendations, based on these recommendations ~~of the Department~~ and available funding, the State Board ~~must~~shall award grants to adult education providers ~~approved grantees additional funding and may award new grants to additional Local Education Providers using the same formalized application process. In doing so CDE will ensure that awards are geographically diverse.~~
- ~~**3.0 — Adult Education and Literacy Workforce Development Meetings**~~
- ~~3.01 — The office shall convene periodic meetings of representatives of, at a minimum, the Department of Higher Education, the Department of Labor and Employment, the Community College system, other local education providers, other postsecondary education or training providers, and other workforce development providers to discuss, at a minimum:~~

~~3.01.1—Ways to increase the communication and collaboration among adult education and literacy programs, postsecondary education or training programs, and workforce development programs within the state; and~~

~~3.01.2—The state’s workforce development needs and the levels of unmet need for adult education within the state, including identifying particular areas of the state with significant unmet adult education needs.~~

43.0 Application Evaluation Criteria

43.01 In reviewing grant applications to recommend which applicants should receive grant funding and the amount and duration of each grant, the Department ~~will~~**shall** consider but not be limited to the following criteria:

~~43.01.1~~ The quality of the instructional program that the applicant plans to implement using the grant money~~s~~;

~~4.01.2—The quality of the professional development program that the applicant plans to implement for educators to assist students achieve their career and educational goals~~

~~43.01.32~~ The effectiveness and completeness of the planned partnership;

~~43.01.43~~ The cost of the instructional and student support program that the applicant plans to implement using the grant money~~s~~;

~~43.01.54~~ The rigor with which the applicant intends to monitor and evaluate the implementation of the proposed program;

~~4.01.6—The geographical diversity of the applicants~~

3.01.5 Information concerning:

3.01.5.1 The percentage of eligible adults expected to be enrolled in the adult education and literacy programs funded by the grant who are members of minority groups;

3.01.5.2 The percentage of eligible adults in the area to be served using grant money who have not completed ninth grade and are not enrolled in or have not completed adult education and literacy programs;

3.01.5.3 The percentage of eligible adults in the area to be served using grant money who do not have a high school diploma or equivalency and who are not currently enrolled in adult education and literacy programs;

3.01.5.4 The percentage of eligible adults expected to be enrolled in the adult education and literacy programs funded by the grant who are receiving either state or federal public assistance or the percentage of eligible adults in the area to be served who are unemployed workers;

3.01.6 Whether the program provided by the applicant would serve populations that are underserved by federal funding; and

3.01.7 Whether the adult education provider serves eligible adults who have not completed ninth grade or may otherwise be identified as lowest-level learners

3.01.8 The demonstrated success of the applicant in enabling adults to attain basic literacy and numeracy skills and in assisting them to attain additional skills, postsecondary credentials, employment, and increased capacity to support the academic achievement of their own children or children for whom they provide care and, specifically, success with learners who have not completed ninth grade or may otherwise be identified as lowest-level learners.

54.0 Data Collection and Reporting

54.01 Each local adult eEducation pProvider that receives an Adult Education and Literacy Ggrant shall submit information to the Department. In collecting and reporting this information, the department must ensure that it adheres to federal and state data privacy laws. All data collected and reported pursuant to this section shall be in the aggregate and shall not disclose personally identifiable information. Likewise, appropriate n-size reporting shall be used to preserve the privacy and confidentiality of program participants. Upon completing an adult education and literacy program funded, in whole or in part, by an Adult Education and Literacy grant, grantees must submit information concerning the state-funded program that the department specifically requests from the information required by Title II of the “Workforce Innovation and Opportunity Act,” as amended, 29 U.S.C. sec. 3101 et seq., for federally funded programs. Local Education Provider Adult Education and Literacy Ggrantees also must shall submit information to the Department describing the following:

54.01.1 The instructional programs and services for which the Local Education Provider used the grant;

54.01.2 The number of adult students who participated in each of the types of programs and services provided;

54.01.3 The educational progress made by participating students as measured by standardized tests and training completion

54.01.4 The number of students who received workforce services, including the number of students who entered employment; and

54.01.5 The number of students who remained employed one year after the completion of the program.

5.02 —The Department shall submit a report annually to the State Board, governor, the joint budget committee of the General Assembly, the education committees of the senate and the house of representatives, the business, labor, and technology committee of the senate, and the business, labor, economic, and workforce development committee of the house of representatives, and shall post the report on the Department’s web site for public viewing. This report concerning the grant program should, at a minimum, address the use, allocation, and outcomes of the grant moneys, including the effectiveness of each program that receives a grant and the continuing level of unmet need for adult education within the state. The report must also include an

~~overview of the collaboration efforts of the office, the Department of Higher Education, the Department of Labor and Employment, the Community College system, other local education providers, other postsecondary education or training providers, and other workforce development providers in meeting the state's need for adult education and literacy programs and workforce development.~~

Editor's Notes**History**

Entire rule emer. rule eff. 09/10/2014; expired 01/08/2015.

Entire rule eff. 01/30/2015.