

- iv. General Education Development (GED®s): 100 percent of an outcome.
- d. Supplemental funds: Three (3) percent or the balance of the total appropriations.

PROGRAM RESPONSIBILITIES

- Adult education programs must maintain documentation of both state and federal fund grants and associated expenditures for specific periods of time.
 - State Grants: records must be kept on site for one year after the completion of the grant.
 - Federal Grants: records must be kept for three years after the completion of the grant.
- Programs must complete a grant application annually.
- For students who are enrolled in both K-12 and Adult Education, the Weighted Pupil Unit (WPU) generated by that student from the K–12 program must be transferred to the adult education program. The funds are to be pro-rated based on time spent in the adult education program. ([Board Rule R277-733-7-1](#)). These students are ineligible for adult education funding.
- Adult education programs must submit reimbursement requests at least quarterly for all federal and supplemental funds.
 - Programs are responsible to maintain complete “backup documentation of reimbursement requests” for a period of three years after the completion of the grant period.
 - Programs are responsible to adhere to the allowable and unallowable costs associated with the acceptance of federal funds.
 - Unclaimed funds will be recaptured by the USBE and reallocated to other AEFLA-funded programs for immediate expenditure.
- Programs are responsible to verify actual time and effort spent on any federal program receiving the benefit of effort. This requirement pertains to sub-recipients as well as sub-contractors. As such, programs must:
 - Maintain documentation of time for total work that the employee is compensated;
 - Demonstrate that actual personnel costs are charged to each award for employees working on multiple federal awards;
 - Prepare time and effort documentation at least monthly that coincides with one or more pay periods;
 - Ensure time and effort documentation is signed by both the employee and the supervisor;
 - Submit time and effort documentation semi-annually for State, District, and Indian Tribal programs. Documentation is to be submitted by January and July of the award year validating all time worked from July 1st – June 30th of the grant award year; and
 - Submit monthly personnel activity reports for non-profit organizations and Community-Based Organizations.
- Adult education programs may charge students up to \$100 per program year to participate in an adult education program based on the student’s ability to pay as determined by the federal free and reduced lunch guidelines ([Board Rule R277-733-9](#)).
 - The collection of fees and tuition cannot be reported as part of the program’s general funds as they are restricted and must be reported and used directly by adult education programs in the Revenue and Program Code areas listed below to provide additional adult education and literacy services the program would otherwise be unable to provide.
 - Tuition and fees generated from the previous fiscal year must be spent in the adult education program during the ensuing program year.

- Directors must ensure tuition and fees collected from students are not counted toward meeting federal matching, cost-sharing, or maintenance of effort requirements related to the local program’s award.
- Annually, program directors must justify the collection of fees and tuition in the annual state or federal grant application.

PROGRAM GUIDANCE

- Programs should be proactive in aligning program interests with available federal funds and apply for those funds when appropriate.
- The USBE disperses funds to programs using the following funding codes:

State Funds Coding:

Adult High School	Revenue 3300	Program 1609
Corrections Education	Revenue 3300	Program 5613

Federal Funds Coding:

Prisons / Institutionalized	Revenue 4580	Program 7581
Leadership	Revenue 4580	Program 7582
Adult Basic Education	Revenue 4580	Program 7583
Integrated English Literacy and Civics Education	Revenue 4580	Program 7584

- Directors of adult education local programs receiving state and/or federal AEFLA and/or English Language Education/Civics funds are responsible to report, to the business administrator, tuition and fees collected from students participating in adult education programs on an annual basis for deposit into the appropriate account.

State Fund Codes

	Program	Revenue
Adult high school	1609	1310
Adult high school 17 and under	1615	1310
Corrections education	5613	1310

Federal Fund Codes

Prisons/Institutions	7581	1310
Adult Basic Education	7583	1310
Adult Basic Education English Language/EL Civics	7584	1310

- To determine the amount of fees applied to federal fund codes, programs should use the following formula:

$$\text{Total number of federally identified students} \div \text{total number of all students} = \% \\ \% \times \text{fees collected} = \text{proportionate } \$ \text{ amount of fees collected}$$

For additional information on financial management, consult the following:

- [R277-733-6](#) Fiscal Procedures
- [R277-733-7](#) Adult Education Pupil Accounting
- [R277-733-9](#) Adult Education Programs - Tuition and Fees
- [R277-733-10](#) Allocation of Adult Education Funds

Section 6 – Data Management

Adult education programs maintain accurate data using the state student information system. Analysis of program data determines professional development needs, identifies program needs for technical assistance, informs continuous improvement, and leads to increased student achievement. Accurate student records provide documentation of student eligibility and permissions, services rendered, and student performance and outcomes. Various funding sources may require additional or specific data management.

PROGRAM RESPONSIBILITIES

- Adult education programs must maintain documentation on each adult education student. Student records must be maintained in a secure manner and accessible to the Utah State Board of Education (USBE), Office of Career, Technical, and Adult Education (OCTAE) staff, and financial auditors at any time for program monitoring and compliance purposes. If a program so chooses, student file information may be scanned and stored digitally.
- Adult education programs must maintain student data privacy in accordance with the [Utah Student Data Privacy Guidebook](#).
- Adult education programs receiving adult education state or federal funding must report on the following three types of measures:
 1. Outcome Measures – Educational gains, entered employment, retained employment, receipt of a Utah High School Completion Diploma or Adult Education Secondary Diploma, placement in post-secondary education or training, and credentials or certificates completed.
 2. Descriptive Measures – Student demographics, reasons for attending, and student status.
 3. Participation Measures – Contact hours received and enrollment in instructional programs, such as family literacy or workplace literacy.
- Adult education programs must retain the following records for five years after the end of the program year they were obtained/created for student programming, monitoring, and auditing purposes:
 - Assessment protocols;
 - Contact hour documentation; and
 - Documentation of earned credit.
- Adult education programs must retain the following records in perpetuity:
 - Copies of all grades and transcripts from other agencies;
 - Cumulative transcript of earned and awarded credits, including graduation date;
 - Documentation of awarded credit (e.g. paystubs, W-2s, military form DD214, licenses, GED®);
 - Proof of Utah residency;
 - “Waiver of Release” form;
 - Copy of the *K-12 Education Withdrawal and GED® Testing Application Form* for out-of-school youth ages 16-18;
 - Copies of releases of information requesting or releasing student records;
 - Copy of most recent special education IEP if the student is under the age of 22;
 - Outside psychological, psychiatrist, or medical documentation used in determining education programming accommodations; and
 - Record of accommodations provided.

- Adult education program staff must participate in state-sponsored National Reporting System (NRS) training annually.
- Adult education programs must designate a data administrator to ensure timely and accurate data entry into the student information system. Data administrators must participate in state sponsored data administrator training annually.

PROGRAM GUIDANCE

- Student attendance should be documented daily and entered into the student information system at least bi-weekly.
- Programs should regularly engage in deep dive analysis of program data, including disaggregating data to identify groups or individuals in need of additional services or areas in need of improvement.

For additional information on data administration, consult the following:

EDGAR regulation Part 76 Section 731

SECTION 7 - Monitoring

Monitoring is an opportunity for state staff and program directors to review and discuss student performance and ensure program compliance with adult education policies and procedures. Monitoring utilizes data to analyze program performance and identify technical assistance needs. The USBE will evaluate each program annually using a risk assessment tool and schedule programs for increased monitoring and/or on-site program review visits. Factors that may increase a program's risk level include: program effectiveness, compliance issues identified through monitoring or audits, total funds awarded to the program, and significant changes in program personnel. Findings identified during monitoring may lead to the implementation of a corrective action plan.

PROGRAM RESPONSIBILITIES

- Adult education programs must set annual goals with defined strategies and activities as part of the annual grant application.
- Adult education programs must submit a yearly audit of their adult education program and fiscal activities by an independent accounting firm to the Utah State Board of Education (USBE). Auditors must use the [State of Utah Legal Compliance Audit Guide](#) and the [Agreed Upon Procedures Guide for LEAs and CBOs](#).
- Adult education programs must participate in scheduled desk monitoring with USBE staff.
- Adult education programs must participate in scheduled onsite program reviews and provide requested documentation prior to and during the review.
- Adult education programs must comply with agreed upon corrective action plans.

PROGRAM GUIDANCE

- At the conclusion of a program monitoring performed by state staff or others as assigned, a report defining the outcomes will be presented to the superintendent or CEO. The report will include commendations, recommendations, and findings that require corrective action as reported.
- After creating a corrective action plan, if a program is deemed unable or unwilling to comply with corrective action components, a formal process will be initiated with USBE personnel regarding the situation, findings, and proposed final actions following the process outlined in [R277-114](#).

For additional information on monitoring, consult the following:

Board Rule [R277-114](#)

Section 8 - Distance Learning

Distance learning is designed to provide programs with instructional delivery options to increase program intensity and extend educational offerings for adult learners who are unable to participate in direct instruction or desire to supplement instruction by increasing learning time and academic progress.

PROGRAM RESPONSIBILITIES

- Adult education programs must establish a distance learning policy that outlines:
 - Orientation procedures specific to distance learning;
 - Mentoring procedures;
 - The contact hour verification model that will be used; and
 - The formula used to determine contact hours for each type of curriculum utilized (where applicable).
- Adult education programs must ensure distance learning students participate in an orientation specific to distance education that includes:
 - The completion of study skills and organizational skills modules;
 - Program expectations and introduction to the curriculum; and
 - The process for assigning work, setting course completion timelines, and establishing expectations regarding teacher feedback.
- Adult education programs must ensure all hours spent at a distance are entered into the student information system as “online curriculum” hours.
- Adult education programs must ensure students are assigned a mentor who monitors student progress and provides consistent communication with the student.
- Adult education programs must ensure that, at the completion of each instructional unit, distance learning students complete an appropriate unit culminating exam proctored by an adult educator.

Contact Hours Verification Models

Programs must use one of the following models in determining the number of contact hours students accrue through distance learning:

1. Teacher Verification Model

- The program establishes a fixed number of hours for assignment completion based on teacher determination of the extent to which a participant engaged in, or completed, the assignment.
 - Teacher certifies assignments are completed.
 - Hours will vary depending on what percentage of the assignment the student completes and/or the completeness of the student’s response.
Example: GED® Connections – completing 75% of questions takes about 30 hours to complete.

2. Learner Mastery Model

- Student demonstrates unit mastery by testing.
 - A panel of experts sets a formula to translate instruction into contact hours.
Example: If the student earns 70% accuracy on questions per a unit of instruction, the panel would equate the score to a certain number of contact hours. Thus, 70% on a Secondary Mathematics unit may equal 10 contact hours; whereas 70% on a Social Studies unit may only equal 6 hours.

- When the student feels they have mastered the material, mastery is demonstrated through an instructional unit test.
- Students testing out of a course of instruction would equate to 50% of the instructional contact hours the student would have generated if the student had completed the course in a traditional instructional approach.

3. Clock Time Model

- Contact hours are determined based on the elapsed time that a participant is connected to, or engage in, an online or stand-alone software program that tracks time.
 - If a program’s online curriculum has a time-on-task tracking functionality, the program may use the contact hour logs from the online curriculum to determine the number of contact hours.

PROGRAM GUIDANCE

- When developing program options, programs should consider that blended learning is more effective than either face-to-face instruction or distance learning.
- Programs should structure distance learning to ensure student success through adequate support and teacher interaction, keeping in mind that many distance learning options are designed for independent, self-motivated learners.
- Programs should consider a variety of instructional materials to better meet students’ needs.
- Several of the College and Career Readiness Standards are performance-based and difficult to deliver via distance learning. Programs should consider developing supplemental activities for distance learning courses to ensure students have adequate opportunities to master all College and Career Readiness Standards.
- Distance education must have a “learner-centered” approach to teaching. Mentors should have the ability to counsel students as well as connect students to appropriate academic support in each content area.

Section 9 - Adult Education Students with Disabilities

All Utah adult education programs receive public funds through state and/or federal sources; therefore, all programs have responsibilities to adhere to standards that provide protections under the Americans with Disabilities Act (ADA), Section 504, and Individuals with Disabilities Education Act (IDEA).

ADA (PI 101-336) is a civil rights law that prohibits discrimination against individuals with disabilities in all areas of public life, including jobs, schools, transportations, and all public and private places that are open to the public.

Section 504 of the Rehabilitation Act of 1973 protects the rights of persons with disabilities in programs and activities receiving federal financial assistance. Section 504 protects the rights of those with visible disabilities as well as individuals with hidden disabilities.

IDEA provides youth and adult students through the age of 21 with disabilities, who have not graduated from high school regardless of the reason for not attending school, with an opportunity to earn a regular high school diploma. Youth are assured a Free and Appropriate Public Education (FAPE) that includes special education and related services meeting the student's unique education needs specific to his/her Individualized Education Program (IEP).

PROGRAM RESPONSIBILITIES

- Adult education programs must follow the [Utah State Board of Education Special Education Rules](#) for students with disabilities who have not graduated with a credit-based high school diploma. These rules apply to eligible adult education students.
- Adult education programs must notify the local school district Special Education department of a student who may be eligible for special education services, and consult with them for further directions to ensure appropriate educational services are provided.
- Adult education programs must meet with an eligible student's IEP team to determine the services and accommodations to be provided. The IEP team should consist of the student; a special education teacher; an adult education teacher; a Local Education Agency (LEA) representative who meets the requirements as specified in the Utah Special Education Rules; a person who is able to interpret the instructional implications of the evaluation results (this may be a member of the team previously described); others as determined by the student or school program; and, with the consent of the student, a representative of any agency that might be responsible for providing or paying for transition services, which may include, but not be limited to, the Department of Workforce Services or the Division of Rehabilitation Services.
- Adult education programs must notify the public that its programs are "open to all individuals regardless of race, color, national origin, sex, and disabilities" (Title VI, Civil Rights Act of 1964). This information must be on all brochures and fliers, as well as publicly posted in a central location at each program site.
- Adult education programs must ensure otherwise qualified individuals with disabilities are not excluded and consider the needs of such persons in determining the services to be provided.
- Adult education programs must ensure all program services are accessible and barrier-free in accordance with ADA. This may be accomplished by redesigning equipment, reassigning classes, ensuring pathways to programs and classes are fully accessible, or providing equitable services at alternate accessible sites.

- Adult education programs must ensure notification is given to both students and staff regarding grievance procedures for civil rights and sexual harassment complaints. Written documentation that students and staff have been informed of the grievance procedure must be maintained in the student and personnel files.
- Adult education programs must ensure assessments administered to an individual with a disability that impairs sensory, manual, or speaking skills are administered in such a way that test results accurately reflect the skills and aptitude that the assessment purports to measure, rather than reflecting the impaired sensory, manual, or speaking skills of the individual.
- Adult education programs must provide appropriate academic interventions that afford an individual with a disability an equal opportunity to participate, obtain the same results, gain the same benefit, and reach the same level of achievement as others participating in adult education programs.
- Adult education programs must ensure counseling services or community resources/services are equitable to those provided to non-disabled students. This does not preclude a program from providing information about requirements or obstacles that might interfere with a disabled person's pursuit of a goal.
- Adult education programs must ensure each student is included in educational opportunities with non-disabled students to the maximum extent appropriate.
- Adult education programs must continue to provide opportunities to complete a credit-based high school diploma to youth who have an IEP, even if they have obtained a GED® as the requirements for FAPE are not satisfied by obtaining a GED® or the resulting Utah High School Completion Diploma (Board Rule [R277-733-7-e](#)).
- Adult education programs must ensure diploma seeking students meet all graduation requirements as required by his/her IEP and the local school district, including standardized assessment outcomes. These requirements may be modified by the IEP team as appropriate for the student.

The school district is responsible to ensure qualified out-of-school youth participating in the local adult education program receive special education services through a recognized K-12 school and provide the information necessary for special education Self-Contained Resource Attendance Management (SCRAM) reporting purposes. Funding associated with following the above procedure is as follows:

- The district, in compiling and submitting the required SCRAM information for the identified out-of-school youth, will receive the state-allocated funding as well as the allocated federal IDEA discretionary funds calculated on the district student population.
- The district accounting department is responsible for the division of the funds as follows: The district will receive the state special education add-on WPU; The adult education program will receive a prorated portion of the regular WPU for the time the student is enrolled and engaged in the adult education program, up to 990 hours of instruction per fiscal/program year.
- Students must be dual-enrolled in K-12 and adult education. Programs will not receive adult education funding for these students.

PROGRAM GUIDANCE

- When a student is no longer eligible for Special Education services under IDEA (upon completion of a high school or reaching the age of eligibility), any needed accommodations should be addressed through Section 504 of the Rehabilitation Act.

- If a student self-discloses that he/she has an IEP or a Section 504 accommodation plan, but cannot provide the requested documentation, accommodations should be made in good faith for the student to benefit from the educational experience.
- Accommodations made to ensure a program is accessible to a student are the responsibility of the program, not the student.