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About This Guide

This Utah Adult Education Policies and Procedures Guide is intended to create a standardized working environment, aligned to the Utah State Board of Education’s (USBE) mission, for the success of all Utah adult education students. The mission of the USBE: The Utah State Board of Education leads by creating conditions for student success: advocating for necessary resources, developing policy, and providing effective oversight and support. Connected to this mission is an underlying core value of local control. Local control is evidenced by selecting curricular materials, hiring and developing qualified staff, building effective programs that provide for student growth, and utilizing best-practices for continual improvement.

Sections two through nine of this Policies and Procedures Guide contain an overview, a list of program responsibilities, and program guidance. Program responsibilities list all of the section requirements for each adult education program in Utah. Program directors should be familiar with all of the responsibilities listed in the Policies and Procedures Guide. Program responsibilities are consistent across the state, program to program, and are not adaptable. Program guidance is offered for local use and adaptation. Guidance may be applicable to one program and not applicable to others. Variance in program size, available facilities, community partners, and postsecondary opportunities may make guidance more or less applicable. Local control will invariably influence program guidance and design.

This Policies and Procedure Guide is intended to be a living document. It will be maintained on the USBE Adult Education website with an attending document that outlines any recent changes. It is expected that program directors will be familiar with the location of this guide and refer to the current version as posted instead of maintaining a printed copy. The guide is designed as a single document to help facilitate electronic search functions.
SECTION 1 - Adult Education Overview

Adult education empowers individuals to become self-sufficient with skills necessary for future employment and personal successes.

The intent of adult education within the state of Utah is to provide programs that are strong in intensity and rigor, allowing students to meet with educational success leading to post-secondary and career options through individualized instruction at each student’s academic, social, and emotional functioning level. Student success is a result of community involvement and maintaining integrity in the quality of staff and programming.

State statutes authorizing and guiding adult education can be found here: UCA 53E-10-2

Utah State Board of Education rules governing adult education can be found here: R277-702, R277-733 and R277-735.

Additional statutes and rules governing public education pertain to adult education programs by association. Adult education programs must ensure, as part of the public education system, they are in compliance with state and local policies.

Adult Basic Education (ABE)

Adult Basic Education is a program of instruction below the 9.0 academic grade level designed to assist individuals in preparing them for post-secondary education and training, future employment, and personal success. The ABE program does not generate Adult Secondary Education credits without prior LEA approval.

Adult Secondary Education (ASE)

The Utah Adult Secondary Education program is a program of instruction that leads to an Adult Education Secondary Diploma. Students may earn a Utah High School Completion diploma by passing the high school equivalency test recognized by the Utah State Board of Education.

English Language Acquisition (ELA)

English Language Acquisition is a program of instruction designed to assist English Language Learners (ELL) in becoming literate in the English language. English Language Acquisition curricula is less than a post-secondary level in reading, writing, listening, and speaking that leads to a secondary school diploma or its equivalent and transitioning to post-secondary education and training, future employment, and personal success.

Federal Programs

The Office of Career, Technical, and Adult Education (OCTAE) administers and coordinates programs that are related to adult education and literacy. OCTAE administers the Adult Education and Family Literacy Act (AEFLA) funds under Title II of the Workforce Innovation and Opportunity Act (WIOA). OCTAE also provides technical assistance to States to improve program quality, accountability and capacity, and establishes national leadership activities to enhance the quality of adult education.

The National Reporting System for Adult Education (NRS) is the federal accountability system for adult education. NRS gathers data for State-administered, federally funded adult education programs.
Annually, states are required to submit data to the NRS on the WIOA primary indicators of performance and measures that describe adult education students and their program performance.

Three types of federal AEFLA funds are available:

- **Adult Basic Education (ABE);** Used to fund local programs of adult education literacy services, including workplace literacy services; family literacy services; and English literacy programs.

- **Prisons and Institutions (P&I);** Used for the cost of educational programs for criminal offenders in correctional institutions and for other institutionalized individuals. Priority for program services should be given to individuals likely to leave the correctional institution within five years of participation.

- **Integrated English Literacy and Civics Education (IELCE);** Services must include instruction in literacy and English language acquisition and instruction on the rights and responsibilities of citizenship and civic participation. Services must be delivered in combination with integrated education and training activities and prepare English learners for unsubsidized employment in in-demand industries and occupations.
SECTION 2 - Eligibility

An individual eligible to receive adult education services:

- Is sixteen years of age or older;
  - Students between the ages of 16 and 18 whose class hasn’t graduated must complete the K-12 Education Withdrawal and GED® Testing Application form;
  - If a Utah resident is adjudicated or married, the student is treated as if he/she were 18 years of age. A student who self-reports adjudication or marriage must provide legal documentation of such.
- Is not enrolled or required to be enrolled in secondary school under State law;
- Is a resident of Utah or a border community; and
- Meets one of the following criteria:
  1. Is basic skills deficient;
  2. Does not have a secondary school diploma or its recognized equivalent, and has not achieved an equivalent level of education; or
  3. Is an English learner.

Note: Students who academically test at or above the 12.9 grade level in all assessed areas and have already obtained a secondary diploma and/or high school equivalence are not entitled to adult education services.

An individual eligible to take the GED® in Utah is:

- Any adult not currently holding a secondary diploma, including non-residents;
- Any 17-18-year-old whose class has graduated; or
- Any 16-18-year-old whose class has not graduated and who submits a completed K-12 Education Withdrawal and GED® Testing Application Form.

Adult education programs are open to all individuals regardless of race, color, national origin, sex, disabilities, and any other legally protected status.

PROGRAM RESPONSIBILITIES

A. Adult education programs must obtain and maintain proof of residency in the student’s permanent file, and proof of residency shall be made available to the USBE staff or auditors during program monitoring visits. As proof of residency, prospective students must present one of the following nonexpired items, in their name, at the time of registration:

- Utah Driver’s license
- Utah Driver’s Privilege card
- Utah State ID

OR

One of the following items if the date on the document is within the past twelve (12) months. If one of the following items is presented, the document must be in the person’s name and include the Utah home street address (not a P.O. Box) that is reported in the student’s registration:

- Mail received in the person’s name from an established business
- Utility bill, phone bill, or work order
• Employer’s pay stub
• Written statement on an employer’s letterhead defining a job commitment with the prospective student
• Current year automobile registration
• Utah state government agency form letter
• Utah library card
• Rent or mortgage payment statement
• Utah voter registration card
• Utah high school/college transcript or report card
• Tribal correspondence
• Free and Reduced Lunch Application from the prospective student’s children’s school
• Daycare or nursery school records of the prospective student’s children
• K-12 registration demographic card of children enrolled in a Utah school
• Consular document from a SLC consulate
• Homeless ID

The following items do not establish residency:
• Mail addressed to “Occupant” or “Resident”
• Letters from friends or relatives
• Power of attorney documents
• Personal correspondence addressed to a P.O. Box

B. Adult education programs must not require proof of residency for students dual-enrolled in a K-12 program, students in residential facilities, or incarcerated students.
C. Adult education programs must ensure that out-of-school youth have a parent or legal guardian who is a resident of Utah or provide proof of residency themselves.
D. Adult education programs must charge non-resident students out-of-state tuition and fees equal to the closest post-secondary institution until the student provides proof of Utah residency. Non-resident students from bordering communities who present proof of residency documents from their state are excluded from paying out-of-state tuition.
Section 3 – Program Design

Adult education programs proactively address each student’s basic literacy and secondary credential needs, thereby affording students opportunities for post-secondary training, employment, and personal success. Programs should provide quality instruction and continuity of services across the state, ensuring students are afforded an educational experience that is comparable in intensity and rigor to a traditional K-12 high school program.

The Utah State Board of Education recognizes the GED® test as the current high school equivalency exam for the state of Utah. Upon passing the GED®, an individual is awarded a Utah High School Completion Diploma.

PROGRAM RESPONSIBILITIES

A. Adult education programs must establish an orientation process that creates a welcoming atmosphere, includes appropriate assessments, identifies barriers, and develops strategies for overcoming those barriers (including making referrals to partners within the one-stop centers) and helps students set educational and occupational goals for transition.

B. Adult education programs must register each student by:
   i. Gathering and entering into the student information system all required demographic information;
   ii. Having each student sign the Release of Information waiver and Grievance Policy form;
   iii. Obtaining student transcript(s), work history, military information, certifications, etc.; and
   iv. Obtaining each student’s IEP, where applicable.

C. Adult education programs must establish a process for counseling with each student. The process must include:
   i. Discussing the student’s educational history;
   ii. Setting educational and occupational goals; and
   iii. Assigning appropriate courses that prepare students for postsecondary education and training and/or career options.

D. Adult education programs must support a comprehensive instructional program for each funded program type.
   i. Adult Basic Education (ABE): Instruction is aligned with the Adult Education College and Career Readiness Standards and incorporates the essential components of reading instruction (e.g. phonemic awareness, phonics, vocabulary development, reading fluency, and reading comprehension).
   ii. Adult Secondary Education (ASE): Instruction is aligned with the Adult Education College and Career Readiness Standards and the program offers all necessary courses for a student to earn an Adult Education Secondary Diploma or its equivalency.
   iii. English Language Acquisition (ELA): Instruction is aligned with the English Language Proficiency Standards for Adult Education and addresses reading, writing, speaking, and listening skills.

E. Adult education programs must employ a credentialed instructor and have an evaluation process in place. Adult Secondary Education credit-bearing courses must be under the direction of certified teachers. (Board Rule R277–733-8)

F. Adult education programs must ensure students earning an Adult Education Secondary Diploma complete the minimum required core credits as established by the Utah State Board of Education in R277–700-6.
G. Adult education programs must accept all transcripted credits from accredited educational institutions as established by the Utah State Board of Education in R277-705-3.

H. Adult education programs receiving state legislative funding and issuing adult education academic credit and Adult Education Secondary Diplomas must maintain accreditation by the regional accrediting agency for the period of time that state legislative funding is granted to the local program. Accreditation is recognized by one of the following methods:
   i. Under the umbrella of an alternative high school as a special purpose school;
   ii. Adult education is a stand-alone program accredited as a special purpose school; or
   iii. Adult education is administered as a department of a high school of the local school district.

I. Courses offered in an adult education program must be approved by the program’s local board of education, have written course descriptions, and be aligned with the Comprehensive Administration of Credentials for Teachers in Utah Schools (CACTUS) course codes.

J. Adult education programs must ensure competency credit opportunities are aligned with R277-418.

K. Adult education programs must not award earned credit for coursework in ELA and ABE classes below grade 9, unless approved by the Local Education Agency (LEA).

L. Adult education programs must not award earned credit for duplicated coursework.

M. Under Utah law, LEAs do not have authority to delay or deny access to the GED® even though the student’s class has not graduated.

N. Adult education programs must designate a GED® Manager and clear alerts for GED® candidates between the ages of 16 and 18 who submit a completed K-12 Education Withdrawal and GED® Testing Application Form.

O. Adult education programs may award students up to 5.0 credits for successfully passing the GED® prior to July 1, 2009, only if the credits for the GED® Test outcomes were transcripted prior to July 1, 2009. Credit for passing the GED® Tests was at the discretion of the local board of education and is to be awarded as follows:

<table>
<thead>
<tr>
<th>GED® Tests Section Passed (Awarding of credit for passing the GED® Tests is contingent upon all 5 sections being passed.)</th>
<th>Awarded Curriculum Area* (Only 1.0 credit per curriculum area may be awarded.)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Language Arts/Reading</td>
<td>Language Arts or Elective</td>
</tr>
<tr>
<td>Language Arts/Writing</td>
<td>Language Arts or Elective</td>
</tr>
<tr>
<td>Mathematics</td>
<td>Math or Elective</td>
</tr>
<tr>
<td>Social Studies</td>
<td>Social Studies (not U.S. History or U.S. Government and Citizenship) or Elective</td>
</tr>
<tr>
<td>Science</td>
<td>Science (Earth Science Systems only) or Elective</td>
</tr>
</tbody>
</table>

NOTE: Credit issued for successfully passing the GED® Tests in Spanish or the GED® Tests administered in English and Spanish may not be awarded as Language Arts credit.
P. Adult education programs must ensure that credits awarded by the program meet the following guidelines:

<table>
<thead>
<tr>
<th>Item</th>
<th>Maximum Number of Credits</th>
<th>Subject Where Credit Can Be Applied</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Work experience</td>
<td>4.0 credits maximum</td>
<td>Elective or CTE</td>
<td>1.0 credit for 900 hours (.50 for 450 hours) of continuous, professional employment (W2 or pay stubs)</td>
</tr>
<tr>
<td>Professional license or certificate skill training</td>
<td>3.0 credits maximum</td>
<td>Elective or CTE</td>
<td>1.0 credit for every 180 hours of training required for a professional license, or 180 hours of documented achievement of a trade or skill</td>
</tr>
<tr>
<td>Military experience</td>
<td>3.0 credits maximum</td>
<td>Individualized Fitness for Life or elective (military basic)</td>
<td>1.50 credit maximum for basic training (Individualized Fitness for Life or elective); 1.0 credit for each 180 hours of other verified military training (not to exceed 1.50 credits) (Form DD214)</td>
</tr>
<tr>
<td>College or university</td>
<td>As evaluated by transcript</td>
<td>Appropriate subject area analysis</td>
<td>1.0 credit for each 5 quarter-hours or 1.0 credit for each 3 semester hours</td>
</tr>
<tr>
<td>Apprenticeship</td>
<td>3.0 credits maximum</td>
<td>Elective or CTE</td>
<td>1.0 credit for each 72 hours of approved apprenticeship work performed (union or registered work credential)</td>
</tr>
</tbody>
</table>

Q. Adult education programs must partner with the Department of Workforce Services and the Utah State Office of Rehabilitation to provide students access to resources and opportunities.

R. Adult education programs must establish transition services that permeate throughout the student’s experience in Adult Education. Transition services must include:
   i. An introduction to and preparation for various careers;  
   ii. Workforce preparation activities; and  
   iii. An introduction to and preparation for post-secondary education and training opportunities.

**PROGRAM GUIDANCE**

A. In addition to required partners, programs are encouraged to utilize additional community partners to expand the resources and opportunities offered to students.
B. Instruction should be focused on content mastery rather than a predetermined seat time.
C. Programs should employ, or have access to, an individual familiar with transcripting credit issues such as: duplicate credits, repeat courses, out-of-state transcripts, etc.
D. Programs may apply transcripted credit to any appropriate graduation area in accordance with local policies and procedures.
E. Programs should adhere to the state standard of requiring only 24 units of credit for graduation.
By doing so, adult education programs are consistent in meeting the needs and goals of the adult learner affording them the opportunity to move forward in reaching employment and further education goals.

F. Programs may want to consider post-testing students before awarding a diploma to ensure that students have achieved college and career readiness levels of academic proficiency.

G. School principals, counselors, and the local adult education programs should work together to assure that potential applicants and parents/guardians are aware of the consequences of pursuing a Utah High School Completion Diploma.

H. GED® testing applicants are encouraged to seek appropriate accommodations for GED® testing if they qualify.

I. Programs should ensure adequate and appropriate professional development opportunities are provided to all program staff to ensure quality services are provided to students. Topics might include:
   i. College and Career Readiness information to enable effective transition counseling;
   ii. Andragogy;
   iii. Standards-based instructional methods; and
   iv. Program type specific (e.g. corrections, Integrated English Literacy and Civics Education (IELCE), Integrated Education and Training (IET)).

J. Programs should follow the processes established by their governing board for evaluating all staff and providing routine feedback, including coaching and mentoring processes to increase student achievement.

K. Transitions services could include:
   i. An introduction to a wide range of substantial post-secondary education and training opportunities. Sample activities may include college fairs, college tours, FAFSA workshops, inviting admissions personnel to program activities, etc.
   ii. An introduction to a variety of employment preparation activities. Sample activities may include job fairs, employer speakers, contextualized instruction, job shadowing, internships, etc.
   iii. Preparation for navigating the future workplace environment by integrating employability skills training throughout all adult education services. This includes explicit instruction in study and organizational skills.
   iv. Utilization of Utahfutures.org for exploration of transition opportunities.

L. Be aware that completion of an Adult Education Secondary Diploma or Utah High School Completion Diploma may affect a student’s eligibility to enlist in the armed forces. Programs should obtain updated information from local recruitment centers.

For additional information on program design, consult the following:

- [R277-702](#) Procedures for the Utah High School Completion Diploma
- [R277-705-7](#) Adult Education Students
- [R277-733-8-3](#) Program, Curriculum, Outcomes and Student Mastery

Click [here](#) for additional information on core requirements.
Section 4 - Assessment

Utilizing standardized assessments allows programs to demonstrate both valid and reliable measures of student learning when helping students meet their educational and career goals. Accurate assessment data enables providers to build their capacity and design quality programs. Standardized assessments provide programs with the data to make informed management decisions, choose a curriculum that effects meaningful student outcomes, develop strategies for continuous improvement, and increase public awareness. It is imperative that all programs uniformly implement assessment directives and practices. To meet federal accountability requirements, the Utah State Board of Education (USBE) reports assessment data to the National Reporting System (NRS).

Approved Standardized Assessments

Academic assessments for determining Educational Functioning Level (EFL) in English Language Acquisition (ELA) programs assess students in the areas of speaking/listening and reading/writing. Approved assessments include:

- BEST Literacy and BEST Plus 2.0: Basic English Skills Tests
- CASAS: Comprehensive Adult Student Assessment System

Academic assessments for determining EFL in Adult Secondary Education (ASE) or Adult Basic Education (ABE) programs assess students in the areas of reading, language, and mathematics. Approved assessments include:

- TABE 9/10: Test of Adult Basic Education

PROGRAM RESPONSIBILITIES

A. Adult education programs must ensure all standardized tests are valid. For a test to be valid it must be administered according to the publisher’s test administration protocols by a certified staff member. Certification for each test includes:
   i. TABE – completion of state-approved training for all test administrators on an annual basis;
   ii. BEST – BEST Literacy does not require certification; BEST Plus 2.0 - completion of state-approved training for all new test administrators and completion of state-approved recalibration training on a bi-annual basis for all current administrators;
   iii. CASAS – completion of state-approved training for all test administrators on an annual basis.

B. Adult education programs must ensure every student receives a complete pre-test on an approved standardized assessment for each new period of participation.
   i. A complete assessment series for the TABE includes the locator, applied mathematics, mathematic computation, language, and reading. The locator determines the appropriate level of each subject test to administer.
   ii. A complete assessment series for the CASAS or BEST includes speaking/listening and reading/writing.

C. Adult education programs can only administer a post-test to a student who has received a minimum of 40 contact hours.

D. Adult education programs must retain student assessment protocols, consisting of student’s name, date of birth, date of testing, test administrator’s name, and scores.

E. Adult education programs ensure accommodations, as allowed by the test publisher, are made only for students who present a documented disability according to IDEA and Section 504 of the Rehabilitation Act of 1973. Documentation of a disability must:
   i. Be prepared by an appropriate professional, such as a medical doctor, school or clinical
psychologist, or qualified diagnostician.

ii. Include a written statement of the diagnosis of the current disability, date of the diagnosis, how the diagnosis was reached, and credentials of the diagnosing professional.

iii. Include a statement of how the current disability affects a major life activity.

iv. Include a statement of how the current disability affects academic performance.

v. Include recommendations regarding appropriate accommodations.

F. Adult education programs must ensure the security of all assessment materials. Program responsibilities include the following:

i. Assessment protocols, manuals, scoring norms, etc. must be secured and maintained in a locked cabinet inaccessible to students.

ii. Duplication of any assessment materials is strictly prohibited without written permission of the respective publishing company.

iii. All used answer sheets, writing samples, scratch paper, or other testing materials are to be treated as confidential.

iv. Defaced assessment materials are to be destroyed by shredding and replaced on an ongoing basis.

v. Assessment materials are not to be used by the program staff in any manner to develop or create learning materials with the intent of preparing a student for future assessments.

**PROGRAM GUIDANCE**

A. Programs should use additional diagnostic assessments in support of a student and his/her learning process. However, local level assessments (standardized or criterion-referenced) for student instructional purposes are NOT a substitute for standardized assessments required for state and NRS reporting.

B. If the student scores at an English Language Learner (ELL) 6 in either Speaking/Listening or Reading/Writing at the time of the initial assessment, a TABE assessment should be administered to determine whether the student’s academic needs would be better served as an ABE student rather than an ELL student.

C. Adult education programs strive to post-test all students. Although students become eligible for a posttest after 40 instructional hours, program staff should use professional judgement to determine the appropriate timing for each posttest.

D. An ELL student whose assessment scores are at the ELL Exit level at any time during the program year should be administered a TABE full assessment (including the Locator Test) as a diagnostic test to assist both the student and the staff in designing the student’s program focus. For reporting purposes, this student is still considered an ELL student for the remainder of the program year.

E. Standardized assessments are considered high stakes assessments and must be treated as such. Programs may be held liable for breach of any security by the respective publishing companies.

F. A verified TABE score report from partner agencies may be entered in UTopia as a valid assessment within 90 days of administration.

For additional information on NRS Level Descriptors, refer to the [NRS Educational Functioning Level Tables](#).
SECTION 5 - Financial Management

State and federal funding sources require that the Utah State Board of Education (USBE) and local programs are accountable for the funds provided. Funding is not assured from year to year and is based on the availability of funds.

Adult Education has two main funding sources:
- State legislative Minimum School Program (MSP) funds available to local education agencies.
- Federal Adult Education and Family Literacy Act (AEFLA) funds available to organizations that have demonstrated effectiveness in providing adult education and literacy activities.

State Adult Education Appropriations
Money appropriated to the Utah State Board of Education for adult education shall be allocated to local school boards for adult education (Utah Code 53F-2-401). The total state allocation for adult education is determined by the Utah State Legislature (Utah Code 53F-2-202). The Utah State Board of Education is responsible for appropriating the state allocation by formula to each participating district.

State adult education funds are distributed to participating school districts according to the following formula identifiers:

A. Corrections Education receives 15 percent of the total appropriation distributed as follows:
   i. $10,000 base for each jail or prison where educational services for state offenders are offered.
   ii. The remainder is distributed equally per state offender count. The offender count is determined by the number of state offenders lacking a high school completion diploma housed in county jails and in prisons and is calculated based on an average of data matches conducted on the first Monday of each month between August and March.

B. The remaining 85 percent of the total appropriation is distributed as follows:
   i. Base amount: 10 percent of the total appropriation is distributed equally to each district with a USBE-approved state plan.
   ii. Number of performers: 55 percent of the total appropriation to be distributed to districts based on the number of performers in each program plus one half of the performance gap. The level gain percentage is determined by the number of performers divided by the number of potential performers. A performer is a student who has made one academic level gain. A potential performer is a student with a pretest and 40 hours of instruction. The performance gap is the number of students above or below the statewide average level gain percentage.
   iii. Thirty-two (32) percent of the budget is allocated to fund academic outcomes. Programs may receive funding for outcomes once a student has completed a pretest and received a minimum of 12 contact hours in the program. Funding for diplomas is based on the student’s Lowest Functioning Level (LFL) on the date the diploma is awarded. Programs will not receive funding for students whose LFL is Adult Basic Education (ABE) 1 or 2.
   a. English Language Acquisition (ELA) Completer: 70 percent of an outcome
      An ELA Completer is an English learner who, in a given program year, achieves a functioning level of English Language Learner (ELL) 5 or ELL 6 on two consecutive assessments and completes a Test of Adult Basic Education (TABE) diagnostic test.
   b. ABE 3-4 diplomas: 50 percent of an outcome
   c. Adult Secondary Education (ASE) 1-2 diplomas: 100 percent of an outcome
d. General Education Development (GED®s): 100 percent of an outcome.
iv. Supplemental funds: Three (3) percent or the balance of the total appropriations.

PROGRAM RESPONSIBILITIES

A. Adult education programs must maintain documentation of both state and federal fund grants and associated expenditures for specific periods of time.
   i. State Grants: records must be kept on site for one year after the completion of the grant.
   ii. Federal Grants: records must be kept for three years after the completion of the grant.
B. Programs must complete a grant application annually.
C. 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.
D. Adult education programs must submit reimbursement requests at least quarterly for all federal and supplemental funds.
   i. Programs are responsible to maintain complete financial records for a period of three years after the completion of the grant period.
   ii. Programs are responsible to adhere to the allowable and unallowable costs associated with the acceptance of federal funds.
   iii. Unclaimed funds will be recaptured by the USBE and reallocated to other AEFLA-funded programs for immediate expenditure.
E. 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:
   i. Maintain documentation of time for total work that the employee is compensated;
   ii. Demonstrate that actual personnel costs are charged to each award for employees working on multiple federal awards;
   iii. Prepare time and effort documentation at least monthly that coincides with one or more pay periods;
   iv. Ensure time and effort documentation is signed by both the employee and the supervisor;
   v. 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
   vi. Submit monthly personnel activity reports for non-profit organizations and Community-Based Organizations.
F. 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).
   i. 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.
   ii. Tuition and fees generated from the previous fiscal year must be spent in the adult education program during the ensuing program year.
   iii. 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.
iv. Annually, program directors must justify the collection of fees and tuition in the annual state or federal grant application.

PROGRAM GUIDANCE

A. Programs should be proactive in aligning program interests with available federal funds and apply for those funds when appropriate.

B. The USBE disperses funds to programs using the following funding codes:

<table>
<thead>
<tr>
<th>State Funds Codes</th>
<th>Revenue</th>
<th>Program</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adult High School</td>
<td>3300</td>
<td>1609</td>
</tr>
<tr>
<td>Corrections Education</td>
<td>3300</td>
<td>5613</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Federal Funds Codes</th>
<th></th>
<th></th>
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</thead>
<tbody>
<tr>
<td>Prisons / Institutionalized</td>
<td>4580</td>
<td>7581</td>
</tr>
<tr>
<td>Leadership</td>
<td>4580</td>
<td>7582</td>
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<tr>
<td>Adult Basic Education</td>
<td>4580</td>
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</tr>
<tr>
<td>Integrated English Literacy and Civics Education</td>
<td>4580</td>
<td>7584</td>
</tr>
</tbody>
</table>

C. 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.

<table>
<thead>
<tr>
<th>State Fund Codes</th>
<th>Revenue</th>
<th>Program</th>
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<tbody>
<tr>
<td>Adult high school</td>
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<td>1609</td>
</tr>
<tr>
<td>Adult high school 17 and under</td>
<td>1310</td>
<td>1615</td>
</tr>
<tr>
<td>Corrections education</td>
<td>1310</td>
<td>5613</td>
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<table>
<thead>
<tr>
<th>Federal Fund Codes</th>
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<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Prisons/Institutions</td>
<td>1310</td>
<td>7581</td>
</tr>
<tr>
<td>Adult Basic Education</td>
<td>1310</td>
<td>7583</td>
</tr>
<tr>
<td>Adult Basic Education English Language/EL Civics</td>
<td>1310</td>
<td>7584</td>
</tr>
</tbody>
</table>

D. 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

A. 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.

B. Adult education programs must maintain student data privacy in accordance with the Utah Student Data Privacy Guidebook.

C. Adult education programs receiving adult education state or federal funding must report on the following three types of measures:
   i. 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.
   ii. Descriptive Measures – Student demographics, reasons for attending, and student status.
   iii. Participation Measures – Contact hours received and enrollment in instructional programs, such as family literacy or workplace literacy.

D. Adult education programs must retain the following records for five years after the end of the program year they were obtained/created for student programing, monitoring, and auditing purposes:
   i. Assessment protocols;
   ii. Documentation of earned credit.

E. Adult education programs must retain the following records in perpetuity:
   i. Copies of all grades and transcripts from other agencies;
   ii. Cumulative transcript of earned and awarded credits, including graduation date;
   iii. Documentation of awarded credit (e.g. paystubs, W-2s, military form DD214, licenses, GED®);
   iv. Proof of Utah residency;
   v. “Waiver of Release” form;
   vi. Copy of the K-12 Education Withdrawal and GED® Testing Application Form for out-of-school youth ages 16-18;
   vii. Copies of releases of information requesting or releasing student records;
   viii. Copy of most recent special education IEP if the student is under the age of 22;
   ix. Outside psychological, psychiatrist, or medical documentation used in determining education programming accommodations; and
   x. Record of accommodations provided.

F. Adult education program staff must participate in state-approved National Reporting System (NRS) training annually.
G. 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

A. Student attendance should be documented daily and entered into the student information system at least every 14 days.

B. 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 management, 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

A. Adult education programs must set annual goals with defined strategies and activities as part of the annual grant application.
B. 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.
C. Adult education programs must participate in scheduled desk monitoring with USBE staff.
D. Adult education programs must participate in scheduled onsite program reviews and provide requested documentation prior to and during the review.
E. Adult education programs must comply with agreed upon corrective action plans.

PROGRAM GUIDANCE

A. 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.
B. 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 Corrective Action and Withdrawal or Reduction of Program Funds
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

A. Adult education programs must establish a distance learning policy that outlines:
   i. Orientation components specific to distance learning;
   ii. Mentoring procedures;
   iii. The contact hour verification model that will be used; and
   iv. The formula used to determine contact hours for each type of curriculum utilized (where applicable).

B. Adult education programs must ensure distance learning students participate in an orientation specific to distance learning that includes:
   i. Study and organizational skills;
   ii. Program expectations;
   iii. Introduction to the curriculum; and
   iv. The process for assigning work, setting course completion guidelines, and establishing expectations regarding teacher feedback.

C. Adult education programs must ensure all hours spent at a distance are entered into the student information system as “online curriculum” hours.

D. Adult education programs must ensure students are assigned a mentor who monitors student progress and provides consistent communication with the student.

E. 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:

A. Teacher Verification Model
   i. 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.
      a. Teacher certifies assignments are completed.
      b. 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.

B. Learner Mastery Model
   i. Student demonstrates unit mastery by testing.
      a. 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.

b. When the student feels they have mastered the material, mastery is demonstrated through an instructional unit test.

c. 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.

C. **Clock Time Model**
   
i. 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.
   
a. 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**

A. When developing program options, programs should consider that blended learning is more effective than either face-to-face instruction or distance learning.

B. 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.

C. Programs should consider a variety of instructional materials to better meet students’ needs.

D. 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.

E. 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.

F. Distance education credits should not differ from guidelines outlined in Section 3 – Program Design.
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, transporting, 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
A. 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. 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:
   i. 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.
   ii. 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.
   iii. Students must be dual-enrolled in K-12 and adult education. Programs will not receive adult education funding for these students.
B. 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.
C. 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
- 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.

D. 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.

E. 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.

F. 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.

G. 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.

H. 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.

I. 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.

J. Adult education programs must ensure each student is included in educational opportunities with non-disabled students to the maximum extent appropriate.

K. 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).

L. 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.

PROGRAM GUIDANCE

A. When a student is no longer eligible for Special Education services under IDEA (upon completion of a high school diploma or reaching the age of eligibility), any needed accommodations should be addressed through Section 504 of the Rehabilitation Act.
B. 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.
C. Accommodations made to ensure a program is accessible to a student are the responsibility of the program, not the student.

For additional information on adult education students with disabilities, consult the following:
R277-733-7 Adult Education Pupil Accounting
R277-733-8 Program, Curriculum, Outcomes, and Student Mastery