

Proposed Amendments to Align to S.B. 23-007

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.]

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. 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, digital literacy, and numeracy that leads to additional skills acquisition, a high school diploma or an equivalency certificate, postsecondary credential attainment, and employment, or education attainment partnerships that assist adults in attaining basic literacy, digital literacy, and numeracy skills that lead to additional skill acquisition, and may lead to a high school diploma or an equivalency certificate, 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 diploma or an equivalency credential, English as a second language instruction, or integrated basic education, digital literacy, 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.
- 1.03 “Department” means the Department of Education created and existing pursuant to section 24-1-115, C.R.S.
- 1.04 “Digital literacy” means the skills associated with using technology that enables users to find, evaluate, organize, create, disseminate, and communicate information online.
- 1.05 “Education attainment partnership” means a collaboration that assists adults in attaining basic literacy, digital 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.
- 1.065 “Eligible adult” means a person who:
- 1.065.1 Is at least 17 years of age
 - 1.065.2 Is not enrolled in a public or private secondary school; and
 - 1.065.3
 - (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, digital literacy, and numeracy skills necessary to enable the person to function effectively in the workplace.
- 1.076 “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.
- 1.087 “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.
- 1.098 “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.
- 1.1009 “State board” means the State Board of Education created in Section 1 of Article IX of the State Constitution.
- 1.110 “Workforce development partnership” means a collaboration that assists adults in attaining basic literacy, digital 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 adult education provider, ~~at least one postsecondary education or training provider,~~ and at least one workforce development provider.

~~1.10.1~~ For purposes of this rule ~~1.10.1~~, a ~~postsecondary education or training provider~~ includes, but need not be limited to:

~~1.10.1.1~~ — A state institution of higher education, local district college, or area technical college;

~~1.10.1.2~~ — An apprenticeship program;

~~1.10.1.3~~ — 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.

~~1.10.1.4~~ — An entity that operates programs through the manufacturing career pathway pursuant to part 10 of article 60 of title 23, C.R.S., or another career pathway pursuant to section 24-46.3-104, C.R.S.; and

~~1.10.1.5~~ — A community-based workforce development program that is operated through the Colorado customized training program created in Section 23-60-306, C.R.S.

1.1~~10.2~~ For purposes of this rule 1.1~~10.2~~, a workforce development provider includes, but need not be limited to:

1.1~~10.2.1~~ A work force development program described in the “Colorado Career Advancement Act,” Part 2 of Article 83 of Title 8, C.R.S.; and

1.1~~10.2.2~~ A program that is supported by the state workforce development council created in Article 46.3 of Title 24, C.R.S.

2.0 Application Requirements and Timeline

2.01 Grants will be awarded through a competitive application process. Funding 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 Any adult education provider interested in obtaining grant funding must submit an Adult Education and Literacy Grant 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. Each applicant must be a member of a workforce development partnership or education attainment partnership.

2.03 Each application submitted must include, but need not be limited to, the following:

2.03.1 Information concerning:

2.03.1.1 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;

2.03.1.2 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;

- 2.03.1.3 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; ~~and~~
- 2.03.1.4 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; ~~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 A description of the instructional program that the applicant plans to implement using the grant money;
- 2.03.6 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;
- 2.03.7 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;
- 2.03.8 An explanation of the cost of the instructional and student support program that the applicant plans to implement using the grant money and an explanation of how grant funding will be used to supplement and not supplant any funding currently being used on workforce preparation activities;
- 2.03.9 The measurable goals of the adult education and literacy program that the applicant expects to achieve 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
- 2.03.10 Any other necessary information, as identified by the Department.
- 2.04 ~~For initial applications, W~~within 60 days of the date that initial ~~or continuation~~ applications for grant funding are due to the ~~D~~department, the ~~D~~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.~~ Within 45 days of the date that the Department finalizes its recommendations, based on these recommendations and available funding, the State Board must award grants to adult education providers.

2.05 For continuation applications, within 80 days of the date that continuation applications for grant funding are due to the Department, the Department will review the 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 not continue funding for the grantee.

3.0 Application Evaluation Criteria

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

3.01.1 The quality of the instructional program that the applicant plans to implement using the grant money;

3.01.2 The effectiveness and completeness of the planned partnership;

3.01.3 The cost of the instructional and student support program that the applicant plans to implement using the grant money, including the average cost per eligible adult served by the adult education provider in assisting the eligible adult in attaining additional skills, a high school diploma or an equivalency certificate, postsecondary credentials, employment, or increased capacity to support the academic achievement of the eligible adult's own children or children for whom the eligible adult provides care;

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

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; and

3.01.8 The demonstrated success of the applicant in enabling adults to attain basic literacy, digital literacy, and numeracy skills and in assisting them to attain additional skills, a high school diploma or an equivalency certificate, 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.

4.0 Data Collection and Reporting

4.01 Each adult education provider that receives an Adult Education and Literacy Grant shall submit information to the Department. The Department will establish reasonable reporting and documentation requirements for providers. In collecting and reporting this information, the Department must ensure that it adheres to federal and state data privacy laws. ~~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. In addition to any reporting and documentation requirements established by the Department, g~~Grantees also must submit information to the Department describing the following:

- 4.01.1 The instructional programs and services for which the adult education provider used the grant;
- 4.01.2 The number of and demographic information, including age, gender, race, ethnicity, native language, zip code, and income, for adult students who ~~participated-enrolled~~ in each of the types of programs and services provided;
- 4.01.3 The educational progress made by participating students as measured by standardized tests, training completion, and/or credential of value. This includes literacy skills gained by an eligible adult enrolled in an adult education and literacy program;
- 4.01.4 The nature of the education attainment partnership or workforce development partnership and a description of how this partnership contributed to the success of the program; and
- 4.01.5 The number of students who are making progress toward the goals of the adult education and literacy program that were specified in the grant application.

Editor's Notes

History

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

Entire rule eff. 01/30/2015.

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