



**KANSAS BOARD OF REGENTS**

**KANSAS ADULT EDUCATION  
POLICY MANUAL**

**Effective: July 1, 2021**

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**1. Acronyms and Definitions**

## **Acronyms and Definitions**

**ABE:** Adult basic education (educational functioning levels 1 through 4)

**Act:** means the Workforce Innovation and Opportunity Act, Public Law 113-128.

**ADA:** Americans with Disabilities Act

**Adult Education:** academic instruction and education services below the postsecondary level that increase an individual's ability to

- A) Read, write, and speak in English and perform mathematics or other activities necessary for the attainment of a secondary school diploma or its recognized equivalent;
- B) Transition to postsecondary education and training; and
- C) Obtain employment

**Adult Education and Literacy Activities:** programs, activities, and services that include adult education, literacy, workplace adult education and literacy activities, family literacy activities, English language acquisition activities, integrated English literacy and civics education, workforce preparation activities, or integrated education and training.

**AEFLA:** *Adult Education and Family Literacy Act*, Title II of the *Workforce Innovation and Opportunity Act* which funds adult education services in Kansas

**AESIS:** Adult Education Student Information System, Kansas's adult education data collection and reporting system

**Applicant:** a party requesting a grant or subgrant under a program of the Department.

**Application:** a request for a grant or subgrant under a program of the Department.

**ASE:** Adult secondary education (educational functioning levels 5 and 6).

**Award:** the definition of "award" is the same as "grant" - financial assistance, including cooperative agreements, that provides support or stimulation to accomplish a public purpose. 2 CFR part 200, as adopted in 2 CFR part 3474, uses the broader, undefined term "Award" to cover grants, subgrants, and other agreement in the form of money or property, in lieu of money, by the Federal Government to an eligible recipient. The term does not include-

- A) Technical assistance, which provides services instead of money;
- B) Other assistance in the form of loans, loan guarantees, interest subsidies, or insurance;
- C) Direct payments of any kind to individuals; and
- D) Contracts that are required to be entered into and administered under procurement laws and regulations.

**Basic Skills Deficient:** An individual:

- A) who is a youth, that the individual has English reading, writing, or computing skills at or below the 8<sup>th</sup> grade level on a generally accepted standardized test; or
- B) who is a youth or adult, that the individual is unable to compute or solve problems, or read, write, or speak English, at a level necessary to function on the job, in the individual's family, or in society.

**Budget:** a recipient's financial plan for carrying out the project or program.

**Budget Period:** an interval of time into which a project period is divided for budgetary purposes.

**Career Pathway:** a combination of rigorous and high-quality education, training, and other services that –

- A) aligns with the skill needs of industries in the economy of the State or regional economy involved;
- B) prepares an individual to be successful in any of a full range of secondary or postsecondary education options, including apprenticeships registered under the Act of August 16, 1937 (commonly known as the “National Apprenticeship Act”);
- C) includes counseling to support an individual in achieving the individual’s education and career goals;
- D) includes, as appropriate, education offered concurrently with and in the same context as workforce preparation activities and training for a specific occupation or occupational cluster;
- E) organizes education, training, and other services to meet the particular needs of an individual in a manner that accelerates the educational and career advancement of the individual to the extent practicable;
- F) enables an individual to attain a secondary school diploma or its recognized equivalent, and at least 1 recognized postsecondary credential; and
- G) helps an individual enter or advance within a specific occupational cluster.

**CCRS:** College and Career Readiness Standards for Adult Education

**COABE:** Commission on Adult Basic Education, a national professional association for adult educators

**Concurrent Enrollment or Co-Enrollment:** refers to -

- A) enrollment by an eligible individual in two or more of the six core programs administered under the Act.
- B) Co-Enrollment has the state defined meaning of enrollment by an eligible individual in Adult Education and Literacy Activities and postsecondary education.

**Contract:** a legal instrument by which a non-Federal entity purchases property or services needed to carry out the project or program under a Federal award. The term as used in this part does not include a legal instrument, even if the non-federal entity considers it a contract, when the substance of the transaction meets the definition of a Federal award or subaward.

**Correctional Institution:** means any –

- A) prison;
- B) jail;
- C) reformatory;
- D) work farm;
- E) detention center; or
- F) halfway house, community-based rehabilitation center, or any other similar institution designated for the confinement or rehabilitation of criminal offenders.

**Criminal Offender:** any individual who is charged with or convicted of any criminal offense.

**Customized Training:** training –

- A) that is designed to meet the specific requirements of an employer (including a group of employers);
- B) that is conducted with a commitment by the employer to employ an individual upon successful completion of the training; and
- C) for which the employer pays –
  - i. a significant portion of the cost of training, as determined by the local board involved, taking into account the size of the employer and such other factors as the local board determines to be appropriate, which may include the number of employees participating in training, wage and benefit levels of those employees (at present and anticipated upon completion of the training), relation of the training to the competitiveness of a participant, and other employer-provided training and advancement opportunities; and
  - ii. in the case of customized training (as defined in subparagraphs (A) and (B)) involving an employer located in multiple local areas in the State, a significant portion of the cost of the training, as determined by the Governor of the State, taking into account the size of the employer and such other factors as the Governor determines to be appropriate

**DAEL:** Division of Adult Education and Literacy, the division of the Office of Career, Technical and Adult Education of the United States Department of Education

**Department:** the U.S. Department of Education

**Digital Literacy:** the skills associated with using technology to enable users to find, evaluate, organize, create, and communicate information.

**ED:** the U.S. Department of Education

**EDGAR:** the Education Department General Administrative Regulations (34 CFR parts 75, 76, 77, 79, 81, 82, 84, 86, 97, 98, and 99)

**EFL:** Educational functioning level, the descriptor of student performance determined by standardized testing used by the National Reporting System. There are four levels (1-4) for adult basic education (ABE) learners, two levels (5-6) for adult secondary education (ASE) learners, and six levels (7-12) for English-as-a-second-language (ESL) learners.

**ELA:** English language acquisition (EFL levels 7 through 12)

**Eligible Agency:** the sole entity or agency in a State or an outlying area responsible for administering or supervising policy for adult education and literacy activities in the State or outlying area, respectively, consistent with the law of the State or outlying area, respectively.

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**Eligible Individual:** an individual –

- A) who has attained 16 years of age;
- B) who is not enrolled or required to be enrolled in secondary school under State law; and
- C) who-
  - i. is basic skills deficient;
  - ii. does not have a secondary school diploma or its recognized equivalent, and has not achieved an equivalent level of education; or
  - iii. is an English language learner.

**Eligible Provider:** an organization that has demonstrated effectiveness in providing adult education and literacy activities that may include –

- A) a local education agency;
- B) a community-based organization or faith-based organization;
- C) a volunteer literacy organization;
- D) an institution of higher education;
- E) a public or private nonprofit agency;
- F) a library;
- G) a public housing authority;
- H) a nonprofit institution that is not described in any of subparagraphs (A) through (G) and has the ability to provide adult education and literacy activities to eligible individuals;
- I) a consortium or coalition of the agencies, organizations, institutions, libraries, or authorities described in any of subparagraphs (A) through (H); and
- J) a partnership between an employer and an entity described in any of subparagraphs (A) through (I).

**English Language Acquisition Program:** a program of instruction –

- A) designed to help eligible individuals who are English language learners achieve competence in reading, writing, speaking, and comprehension of the English language; and
- B) that leads to-
  - i. attainment of a secondary school diploma or its recognized equivalent; and
  - ii. transition to postsecondary education and training; or
  - iii. employment.

**English Language Learner:** an eligible individual who has limited ability in reading, writing, speaking, or comprehending the English language, and –

- A) whose native language is a language other than English; or
- B) who lives in a family or community environment where a language other than English is the dominant language.

**ESOL:** English for speakers of other languages (alternative term for ELA)

**Essential Components of Reading Instruction:** explicit and systematic instruction in –

- A) phonemic awareness;
- B) phonics;
- C) vocabulary development;
- D) reading fluency, including oral reading skills; and
- E) reading comprehension strategies.

**Family Literacy Activities:** activities that are of sufficient intensity and quality, to make sustainable improvements in the economic prospects for a family and that better enable parents or family members to support their children’s learning needs, and that integrate all of the following activities:

- A) Parent of family adult education and literacy activities that lead to readiness for postsecondary education or training, career advancement, and economic self-sufficiency.
- B) Interactive literacy activities between parents or family members and their children.
- C) Training for parents or family members regarding how to be the primary teacher for their children and full partners in the education of their children.
- D) An age-appropriate education to prepare children for success in school and life experiences.

**FERPA:** The Family Educational Rights and Privacy Act, legislation which protects the rights of learners to have their educational records remain private and ensures that educational records are not shared with other agencies or individuals without the learner's written permission

**GED®:** General Educational Development test battery; if passed, an examinee receives the Kansas State High School Diploma

**Governor:** the chief executive of a State or an outlying area.

**Grant:** financial assistance, including cooperative agreements, that provides support or stimulation to accomplish a public purpose. 2 CFR part 200, as adopted in 2 CFR part 3474, uses the broader, undefined term “Award” to cover grants, subgrants, and other agreement in the form of money or property, in lieu of money, by the Federal Government to an eligible recipient. The term does not include-

- A) Technical assistance, which provides services instead of money;
- B) Other assistance in the form of loans, loan guarantees, interest subsidies, or insurance;
- C) Direct payments of any kind to individuals; and
- D) Contracts that are required to be entered into and administered under procurement laws and regulations.

**Grantee:** a legal entity to which a grant is awarded and that is accountable to the Federal Government for the use of the funds provided. The grantee is the entire legal entity even if only a particular component of the entity is designated in the grant award notice (GAN). For example, a GAN may name as the grantee one school or campus of a university. In this case, the granting agency usually intends, or actually intends, that the named component assume primary or sole responsibility for administering the grant-assisted project or program. Nevertheless, the naming of a component of a legal entity as the grantee in a grant award document shall not be construed as relieving the whole legal entity from accountability to the Federal Government for the use of the funds provided. (This definition is not intended to affect the eligibility provision of grant programs in which eligibility is limited to organization that may be only components of a legal entity.) The term “grantee” does not include any secondary recipients, such as subgrantees and contractors, that may receive funds from a grantee pursuant to a subgrant or contract.

**IDEA:** Individuals with Disabilities Education Act, federal legislation on education services for individuals with disabilities

**IEP:** Individual Education Plan, a required plan of action and educational support for pupils with disabilities in public schools

**LD** = Learning Disability

**HI** = Other Health Impairment

**SED** = Severe Emotional Disturbance

**SLD** = Specific Learning Disability

**IELCE:** Integrated English Literacy and Civics Education, both an allowable activity and federal funding for services to adults to achieve competency in the English language, receive instruction on the rights and responsibilities of citizenship and civic preparation, and workforce training.

**Individual with a Barrier to Employment:** a member of 1 or more of the following populations:

- A) Displaced homemakers – an individual who has been providing unpaid services to family members in the home and who is unemployed or underemployed and is experiencing difficulty in obtaining or upgrading employment.
- B) Low-income individuals – an individual who –
  - i. Receives, or in the past 6 months has received, or is a member of a family that is receiving or in the past 6 months has received, assistance through the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008, the program of block grants to States for temporary assistance for needy families program under part A of title IV of the Social Security Act, or the supplemental security income program established under title XVI of the Social Security Act, or State or local income-based public assistance;
  - ii. Is in a family with a total family income that does not exceed the higher of –
    - I. The poverty line; or
    - II. 70 percent of the lower living standard income level;
  - iii. Is a homeless individual, or a homeless child or youth;
  - iv. Receives or is eligible to receive a free or reduced-price lunch under the Richard B. Russell National School Lunch Act;
  - v. Is a foster child on behalf of whom State or local government payments are made; or
  - vi. Is an individual with a disability whose own income meets the income requirement clause (ii), but who is a member of a family whose income does not meet this requirement.
- C) Indians, Alaska Natives, and native Hawaiians.
- D) Individuals with disabilities, including youth who are individuals with disabilities.
- E) Older individuals
  - i. An individual age 55 or older
- F) Ex-offenders.
- G) Homeless individuals, or homeless children and youths.
- H) Youth who are in or have aged out of the foster care system.
- I) Individuals who are English language learners, individuals who have low levels of literacy, and individuals facing substantial cultural barriers.

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- J) Eligible migrant and seasonal farmworkers.
- K) Individuals within 2 years of exhausting lifetime eligibility under part A of title IV of the Social Security Act.
- L) Single parents (including single pregnant women).
- M) Long-term unemployed individuals.
- N) Such other groups as the Governor involved determines to have barriers to employment.

### **Individual with a Disability:**

- A) An individual with a disability as defined in section 12102 of title 42.
- B) Individuals with disabilities – more than 1 individual with a disability.

### **Institution of Higher Education:** an educational institution in any State that –

- A) Admits as regular students only persons having a certificate of graduation from a school providing secondary education, or the recognized equivalent of such a certificate, or persons who meet the requirements of section 1091(d) of 20 U.S. Code.
- B) Is legally authorized within such State to provide a program of education beyond secondary education;
- C) Provides an educational program for which the institution awards a bachelor's degree or provides not less than a 2-year program that is acceptable for full credit toward such a degree, or awards a degree that is acceptable for admission to a graduate or professional degree program, subject to review and approval by the Secretary
- D) Is a public or other nonprofit institution; and
- E) Is accredited by a nationally recognized accrediting agency or association, or if not so accredited, is an institution that has been granted preaccreditation status by such an agency or association that has been recognized by the Secretary for the granting of preaccreditation status, and the Secretary has determined that there is satisfactory assurance that the institution will meet the accreditation standards of such an agency or association within a reasonable time.
- F) A proprietary institution of higher education
- G) A postsecondary vocational institution

**Integrated Education and Training:** a service approach that provides adult education and literacy activities concurrently and contextually with workforce preparation activities and workforce training for a specific occupation or occupational cluster for the purpose of educational and career advancement.

**Integrated English Literacy and Civics Education:** Education services provided to English language learners who are adults, including professionals with degrees and credentials in their native countries, that enables such adults to achieve competency in the English language and acquire the basic and more advanced skills needed to function effectively as parents, workers, and citizens in the United States. Such services shall include instruction in literacy and English language acquisition and instruction on the rights and responsibilities of citizenship and civic participation and may include workforce training.

**KAEA:** Kansas Adult Education Association, a state professional association for adult educators

**Kansas Pathway to Career:** a program that provides an alternative path to a high school equivalency credential for Kansas adults. It consists of an AO-K pathway, an industry-recognized

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credential, a career readiness assessment score of Silver or above, and demonstrated high school equivalency for Math and Language Arts. The student must also achieve 70% or higher on a civics assessment.

**Kansas WORKReady! Credential:** The Kansas career readiness credential based on three WorkKeys® assessments

**KBOR:** Kansas Board of Regents, state agency responsible for postsecondary education and the state agency recognized by the USDOE for oversight of AEFLA funding and subgrantees

**LEP:** Limited English proficiency, status of learners with limited English language skills

**Literacy:** an individual's ability to read, write, and speak in English, compute, and solve problems, at levels of proficiency necessary to function on the job, in the family of the individual, and in society.

**Local Educational Agency:** means-

- A) a board of education or other legally constituted local school authority having administrative control and direction of free public education in a county, township, independent school district, or other school district; and
- B) Includes any State agency that directly operates and maintains facilities for providing free public education.

**MVAEA:** Missouri Valley Adult Education Association, a Midwest regional professional association for adult educators

**Nonprofit:** an agency, organization, or institution, that is owned and operated by one or more corporations or associations whose net earnings do not benefit, and cannot lawfully benefit, any private shareholder or entity.

**NRS:** National Reporting System for data collection and reporting as required under AEFLA – data are collected on AESIS in Kansas

**OCTAE:** Office of Career, Technical, and Adult Education, office in the United States Education Department where the Division of Adult Education and Literacy is housed

**On-the-Job Training:** training by an employer that is provided to a paid participant while engaged in productive work in a job that –

- A) Provides knowledge or skills essential to the full and adequate performance of the job;
- B) Is made available through a program that provides reimbursement to the employer of up to 50 percent of the wage rate of the participant, except as provided in section 3174(c)(3)(H) of 29 U.S. Code.
- C) Is limited in duration as appropriate to the occupation for which the participant is being trained, taking into account the content of the training, the prior work experience of the participant, and the service strategy of the participant, as appropriate.

**Peer Tutoring:** an instructional model that utilizes one institutionalized individual to assist in providing or enhancing learning opportunities for other institutionalized individual. A peer tutoring program must be structured and overseen by educators who assist with training and

supervising tutors, setting educational goals, establishing an individualized plan of instruction, and monitoring progress.

**Period of Participation:** A period of participation refers to the period of time beginning when an individual becomes a participant and ending on the participant's date of exit from the program.

**PIP:** Program Improvement Plan submitted by grantee

**Postsecondary Educational Institution:** means –

- A) An institution of higher education that provides not less than a 2-year program of instruction that is acceptable for credit toward a bachelor's degree;
- B) A tribally controlled college or university; or
- C) A nonprofit educational institution offering certificate or apprenticeship programs at the postsecondary level.

**Private:** an agency, organization, or institution, that is not under Federal or public supervision or control.

**Project:** the activity described in an application.

**Project Period:** the period established in the award document during which Federal sponsorship begins and ends.

**PSE:** Postsecondary education or other training at the postsecondary level

**Public:** an agency, organization, or institution, that the agency, organization, or institution is under the administrative supervision or control of a government other than the Federal Government.

**Re-Entry and Post-Release Services:** services provided to a formerly incarcerated individual upon or shortly after release from a correctional institution that are designed to promote successful adjustment to the community and prevent recidivism. Examples include education, employment services, substance abuse treatment, housing support, mental and physical health care, and family reunification services.

**Secretary:** the Secretary of the Department of Education or an official or employee of the Department acting for the Secretary under a delegation of authority.

**SIA:** Standards-in-Action, a federal initiative to improve teacher and administrator use, understanding and development of content standard-based education

**STAR:** Student Achievement in Reading is a comprehensive training and professional development package to help Adult Basic education instructors use evidence-based reading instruction in the intermediate-level classroom.

**Subgrant:** an award of financial assistance in the form of money, or property in lieu of money, made under a grant by a grantee to an eligible subgrantee. The term includes financial assistance when provided by contractual or any other form of legal agreement, but does not include procurement purchases, nor does it include any form of assistance that is excluded from the definition of "grant or award" in this part.

**Subgrantee:** the government or other legal entity to which a subgrant is awarded and that is

accountable to the grantee for the use of the funds provided.

**TABE:** Tests of Adult Basic Education, the approved assessment for ABE students in Kansas.

**TABE CLAS-E:** Tests of Adult Basic Education Complete Language Assessment System-English, the approved assessment for ESL students in Kansas.

**Title:** Title II of the Workforce Innovation and Opportunity Act, the Adult Education and Family Literacy Act, Public Law 113-128.

**Training Services:** may include –

- A) Occupational skills training, including training for nontraditional employment;
- B) On-the-job training;
- C) Incumbent worker training;
- D) Programs that combine workplace training with related instruction, which may include cooperative education programs;
- E) Training programs operated by the private sector;
- F) Skill upgrading and retraining;
- G) Entrepreneurial training;
- H) Transitional jobs;
- I) Job readiness training provided in combination with services described in any of clauses (A) through (H);
- J) Adult education and literacy activities, including activities of English language acquisition and integrated education and training programs, provided concurrently or in combination with services described in any of clauses (A) through (G); and
- K) Customized training conducted with a commitment by an employer or group of employers to employ an individual upon successful completion of the training.

**WIOA:** Workforce Innovation and Opportunity Act: federal workforce development legislation, of which, Adult Education and Family Literacy is Title II. Effective July 1, 2016.

**Workplace Adult Education and Literacy Activities:** adult education and literacy activities offered by an eligible provider in collaboration with an employer or employee organization at a workplace or an off-site location that is designed to improve the productivity of the workforce.

**Workforce Preparation Activities:** activities, programs, or services designed to help an individual acquire a combination of basic academic skills, critical thinking skills, digital literacy skills, and self-management skills, including competencies in utilizing resources, using information, working with others, understanding systems, and obtaining skills necessary for successful transition into and completion of postsecondary education or training, or employment.

**Kansas Statute # 74-32,253**

**Chapter 74: STATE BOARDS, COMMISSIONS AND AUTHORITIES**

**Article 32: STATE BOARD OF REGENTS Title:**

**Definitions.**

**Definitions.** As used in this act:

- (a) "Board" means the board of education of any school district or the board of trustees of any community college.
- (b) "State board" means the state board of regents.
- (c) "State plan" means the plan for adult basic education programs prepared and adopted by the state board in accordance with state and federal law.
- (d) "Adult basic education program" means a program of one or more courses in general education subjects taught at the grade school or high school level under the supervision of a board for eligible persons which is included in the state plan and for which federal funds are received pursuant to federal law.
- (e) "Eligible persons" means persons who (1) have attained the age of 16, (2) have not graduated from high school and have not been recognized as having achieved an equivalent level of education, and (3) are not now regularly enrolled in school.
- (f) "Adult supplementary education program" means a program of one or more courses in any subject, other than courses in the adult basic education program or courses approved for state funding purposes, which is conducted under the supervision of a board for persons who have attained the age of 16.
- (g) "Federal law" means the adult education act of 1966 (title III, P.L. 89-750), and acts amendatory thereof.

**History:** L. 1974, ch. 311, § 1; L. 1999, ch. 147, § 116; L. 2000, ch. 86, § 4; April 20

**2. Indicators of Quality Programs**

## FY 2022 Indicators of a Quality Adult Education Program Including Standards and Measures

Effective July 1, 2021  
(128 total points possible)

**All measures except 3.3 will use an average of the last three (3) full program years.**

1. Participants in the program are fully representative of the undereducated population in the service area, including limited English proficient adults [AEFLA, Section 231 (e) (12)]. The program serves the “most-in-need/hardest-to-serve” members of the community [AEFLA, Section 231 (e) (2) and (e) (3)].

### Measure 1.1

High (6 pts.)	35% or more of participants enter at one of the four beginning levels (Levels 1, 2, 7, 8)
Medium (3 pts.)	25% to 34.99% of participants enter at one of the four beginning levels (Levels 1, 2, 7, 8)

### Measure 1.2

High (10 pts.)	Program increases the number of participants served by greater than six percent (6%) over the previous fiscal year.
Medium (5 pts.)	Program increases the number of participants served by one percent (1%) to six percent (6%) over the previous fiscal year.

2. The program is of sufficient intensity and duration so that participants *demonstrate progress* toward their educational, employment, and postsecondary education and training goals [AEFLA, Section 231, (e)(5)(A)].

### Measure 2.1

High (10 pts.)	65% or more of all participants complete a measurable skill gain within a program year.
Medium (5 pts.)	55% to 64.99% of all participants complete a measurable skill gain within a program year.

### Measure 2.2

High (10 pts.)	The program provides workplace readiness instruction, as demonstrated through the achievement of a Kansas WORKReady! Certificate, to 25% or greater of its exited participants entering at Levels 1, 2, 3, 4, 5, 6, and 12.
Medium (5 pts.)	The program provides workplace readiness instruction, as demonstrated through the achievement of a Kansas WORKReady! Certificate, to 5% to 24.99% of its exited participants entering at Levels 1, 2, 3, 4, 5, 6, and 12.

### Measure 2.3

High (10 pts.)	40% or greater of participants entering at Levels 1, 2, 3, 4, 5, 6, and 12 demonstrate college readiness as defined by achievement of qualifying scores on the prescribed assessments described below.
Medium (5 pts.)	25% to 39.99% of participants entering at Levels 1, 2, 3, 4, 5, 6, and 12 demonstrate college readiness as defined by achievement of qualifying scores on the prescribed assessments described below.

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### Demonstrating College Readiness:

**TABE** scale scores of 596 or above in Reading and 595 or above in Math.

**College Placement** (Accuplacer, Asset, etc.) scores at or above the level needed to place into:

- Course immediately before College Algebra, e.g., Intermediate Algebra or course required for achievement of industry recognized credential or college certificate, e.g., Technical Math.
- Course immediately before College Composition, e.g., pre-college composition or course required for achievement of industry recognized credential or college certificate, e.g. Technical Writing.
- No required reading course

**GED®** scores with no score less than 165.

**WorkKeys®** scores of 6 on Workplace Documents, 4 on Graphic Literacy, and 6 on Applied Math

3. The program identifies yearly performance goals and documents participant outcomes, and participants remain in the program a *sufficient length of time* to achieve significant outcomes [AEFLA, Section 231(e) (1), (e) (4) (A), and (e) (7)].

#### Measure 3.1

High (10 pts.)	The <i>mean</i> number of participant hours exceed the state's previous year mean by 10% or greater.
Medium (5 pts.)	The <i>mean</i> number of participant hours exceed the state's previous year mean by 5-9.99%.

#### Measure 3.2

High (6 pts.)	The program meets or exceeds 80% of its negotiated goals.
Medium (3 pts.)	The program meets 60 – 79.99% of its negotiated goals.

#### Measure 3.3

High (10 pts.)	27% or greater of participants enrolled FY19 at Levels 4, 5, 6, 11, or 12 transition to postsecondary education or training programs by FY22.
Medium (5 pts.)	25% to 26.99% of participants enrolled FY19 at Levels 4, 5, 6, 11 or 12 transition to postsecondary education or training programs by FY22.

**Note: Performance on measure 3.3 will be determined with data match with KHEDS. A three-year lag will be used to determine transition. This aligns with the KBOR Strategic Plan.**

4. The program design and implementation process for all program sites is based on research and effective educational practice [AEFLA, Section 231 (e) (4) (B) and (e) (5)]. Programs offer flexible, yet intensive, schedules and appropriate support services [AEFLA, Section 231 (e) (10)].

#### Measure 4.1

High (10 pts.)	Classes at all program sites are scheduled 8 or more hours per week.
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## Kansas Adult Education Policy Manual

### Expectation of scheduling:

**Minimum intensity to be awarded quality points is eight hours per week.** All classes must be offered a minimum of eight (8) hours per week to be awarded points, not a combination of hours, i.e., ABE/GED® is offered a minimum of 8 hours a week during the day and/or a minimum of 8 hours a week in the evening, not 8 hours per week during the daytime and only 6 hours per week in the evening. Similarly, Beginning ESL is offered a minimum of 8 hours a week during the day and/or 8 hours a week during the evening, not 4 hours for Beginning ESL on Monday and Wednesday evenings and 4 hours of Intermediate ESL on Tuesday and Thursday evenings.

Classes for different levels of learners must be scheduled, and a published schedule of classes should reflect only actual instructional times—not teacher preparation time, break times or one-on-one counseling times.

Programs using alternative scheduling designs must submit documentation showing how students will attend a minimum of 8 hours per week.

5. Program activities effectively employ advances in technology, including the use of computers [AEFLA, Section 231, (e) (6)].

### Measure 5.1

High (6 pts.)	25% of participants at levels 1, 2, 3, 4, 5, 6, 9, 10, 11 or 12, who need digital literacy instruction based on the <i>Northstar Basic Computer Use</i> screening or assessment will complete the <i>Northstar Basic Computer Use</i> module.
Medium (3 pts.)	15% to 24.99% of participants at levels 1, 2, 3, 4, 5, 6, 9, 10, 11 or 12, who need digital literacy instruction based on the <i>Northstar Basic Computer Use</i> screening or assessment will complete the <i>Northstar Basic Computer Use</i> module.

**Definitions:** Northstar Digital Literacy assessments provide meaningful assessment that could lead to a certificate useful for employers and job seekers. Online assessment modules include *Basic Computer Use*, *World Wide Web*, *Windows*, *Using E-mail*, *Microsoft Word*, *Social Media*, *Microsoft Excel*, and *Microsoft PowerPoint*.

The **denominator** includes students that score less than 10 on the *Northstar Basic Computer Use* screening pre-test and students that score less than 85% on the *Northstar Basic Computer Use* assessment.

The **numerator** includes students that score 85% or higher on the *Northstar Basic Computer Use* assessment following instruction.

### Measure 5.2

High (6 pts.)	50% of participants at levels 1, 2, 3, 4, 5, 6, 9, 10, 11 or 12 will complete the <i>Northstar World Wide Web</i> , <i>Windows</i> , <i>Using E-mail</i> , <i>Microsoft Word</i> , <i>Social Media</i> , <i>Microsoft Excel</i> , or <i>Microsoft PowerPoint</i> module.
Medium (3 pts.)	40% to 49.99% of participants at levels 1, 2, 3, 4, 5, 6, 9, 10, 11 or 12 will complete the <i>Northstar World Wide Web</i> , <i>Windows</i> , <i>Using E-mail</i> , <i>Microsoft Word</i> , <i>Social Media</i> , <i>Microsoft Excel</i> , or <i>Microsoft PowerPoint</i> module.

**Definitions:** Northstar Digital Literacy assessments provide meaningful assessment that could lead to a certificate useful for employers and job seekers. Online assessment modules include *Basic Computer Use*, *World Wide Web*, *Windows*, *Using E-mail*, *Microsoft Word*, *Social Media*, *Microsoft Excel*, and *Microsoft PowerPoint*.

The public version of Northstar assessments have been used over 920,000 times.

The **denominator** includes students who complete or bypass the *Northstar Basic Computer Use* module.

The **numerator** includes students completing the *Northstar World Wide Web*, *Windows*, *Using E-mail*, *Microsoft Word*, *Social Media*, *Microsoft Excel*, or *Microsoft PowerPoint* module.

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6. The program demonstrates a commitment to quality services to adult learners and to the professionalism of the field of adult education by having paid staff with appropriate educational background, with credentials in adult education, and with adequate training [AEFLA, Section 231, (e)(8)]. Full and part time Adult Education instructional staff and leadership participate in research-based professional development opportunities. [AEFLA, Section 231(b)].

### Measure 6.1

High (6 pts.)	50% of paid instructional and administrative leadership staff have graduate degrees.
Medium (3 pts.)	30% to 49.99% of paid instructional and administrative leadership staff have graduate degrees.

#### Definitions:

Paid instructional and administrative leadership staff – all paid staff involved in adult education instructional activities, including instructors, teachers, tutors, counselors, or those in administrative leadership roles, such as directors and coordinators. This definition does not include secretarial or support staff not involved in instruction or unpaid volunteers.

7. The program maintains a high-quality information management system to monitor learner, classroom, and program performance, to evaluate program effectiveness, and to report participant outcomes. The program uses quality data as a key component in the decision-making process. [AEFLA, Section 231 (e) (11)].

### Measure 7.1

(Up to 8 pts.)	Using AESIS, the program enters data regularly and in a timely manner, monitors data for accuracy, and submits all reports accurately and on time.
2 pts.	1 <sup>st</sup> Quarter Data Validation Check error free and all reports accurate and on time.
2 pts.	3 <sup>rd</sup> Quarter Data Validation Check error free and all reports accurate and on time.
4 pts.	End of Year Data Validation Check error free and all reports accurate and on time.

8. The program provides quality and cost-effective adult education services\*\*.

### Measure 8.1

The program provides quality adult education services at a cost <u>per core outcome</u> that is aligned with the state <b>mean</b> cost per outcome.		
10 points	>\$250.00 less than state mean	
8 points	\$201.00 to \$250.00 less than state mean	
6 points	\$151.00 to \$200.00 less than state mean	
4 points	\$101.00 to \$150.00 less than state mean	
2 points	Equal to state mean to \$100.00 less than state mean	
0 points	\$1.00 to \$100.00 greater than state mean	
-2 points	\$101.00 to \$200.00 greater than state mean	
-4 points	\$201.00 to \$300.00 greater than state mean	
-6 points	\$301.00 to \$400.00 greater than state mean	
-8 points	\$401.00 to \$500.00 greater than state mean	
-10 points	\$501.00 or more greater than state mean	

#### Definitions:

Core outcomes: Includes only the six federal core outcomes.

Cost calculation: Amount of allocated federal and state funding/Number of core outcomes = Cost per core outcome

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### Measure 8.2

High (10 pts.)	The percentage of the local program participants' core outcomes achieved exceeds the percentage of state and federal funds received by the local program.
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#### **Definitions:**

Core outcomes: Includes only six core federal outcomes.

Percentage calculation: Program's combined federal and state funding/Kansas Adult Education's total amount of federal and state funding = program's percentage of total Kansas Adult Education funding. Program's number of core outcomes/Kansas Adult Education's total number of core outcomes = program's percentage of total Kansas Adult Education's core outcomes

The difference between *program's percentage of total Kansas Adult Education funding* and *program's percentage of total Kansas Adult Education's core outcomes* determines the program's performance on this measure. For example, Program A received \$124,000 (**3%**) of the total state and federal dollars (\$4,898,998), and its learners achieved 294 (**2%**) core outcomes of the state's total number of core outcomes (17,154). Program A would receive no points for this measure.

**3. Staff Qualifications, Program & Professional Development**

### **3.1 Statutory Authority**

Adult education programs must employ instructional and administrative staff with appropriate backgrounds in compliance with KSA 74-32.262 and in response to Measure 7.1 of Indicators of Program Quality.

#### **Kansas Education Statute # 74-32,262**

#### **Chapter 74: STATE BOARDS, COMMISSIONS AND AUTHORITIES**

#### **Article 32: STATE BOARD OF REGENTS Title: Teacher qualifications; certificate of accomplishment; regulations; participation by nonresidents; authority of teachers and administrators.**

74-32,262. Teacher qualifications; certificate of accomplishment; regulations; participation by nonresidents; authority of teachers and administrators.

(a) Boards shall employ teachers who have known competence in the subjects taught. School teacher licensure requirements shall be applied to adult education teachers only in cases where general education subjects are taught in adult basic education programs for grade school or high school credit.

(b) The board shall issue a certificate of accomplishment to every student completing an adult basic education course, which certifies the subjects studied and the accomplishments made therein. Such certificates shall be issued in accordance with the state plan.

(c) Any board may adopt regulations governing the operation of adult education programs. Any board may authorize persons not residents of the district to participate in adult education programs. The teachers and administrators in such adult education programs shall have the same authority over students as is exercised in regular school instruction.

History: L. 1974, ch. 311, § 11; L. 2005, ch. 69, § 18; July 1.

**Note on section (b):** This section was written in the 1970s and applies to the authority of local school district or community college boards to issue certificates of accomplishment – no such certificates of accomplishment are currently authorized under the WIOA state plan, but the section was included for historical accuracy.

### **3.2 Professional Development Requirements for Program Staff**

Program staff must participate in required workshops and may participate in further professional development opportunities available through KBOR regional workshops, Kansas Adult Education Association (KAEA), Coalition on Adult Basic Education (COABE), and other state or national organizations.

Kansas Board of Regents Adult Education requires new program directors to attend a New Director's Orientation, which is scheduled on an as-needed basis. KBOR staff will notify new directors when the New Director Orientation date is set.

Program directors and coordinators are required to attend all scheduled Program Leaders Meetings (PLM). PLM dates are determined at the last planned PLM in the fiscal year. Local program directors should not only encourage staff to attend professional development activities but also provide reasonable support.

### **3.3 The Relationship between Program Improvement and Professional Development**

Both program improvement and professional development are required components for Adult Education programs funded by the Kansas Board of Regents.

Professional development focuses on the learning needs of individual practitioners (teachers, counselors, administrators, support staff, paraprofessionals.) Professional development activities include participation in workshops (face-to-face or online), courses, webinars, sharing groups, research, study circles, communities of practice, curriculum and materials review, curriculum or assessment materials development, and peer coaching or mentoring.

Program improvement focuses on improving program effectiveness. The focus is on the systems that create a program. Examples of program development activities include curriculum development, materials development, promoting student involvement in decision-making, program restructuring, redesigning intake processes, preparing a staff orientation or handbook program expansion, or piloting a new program. Effective program improvement is not possible without examining the professional strengths and needs of staff.

### **3.4 Professional Development Plan**

All programs with individuals serving in administrative leadership and instructional positions funded (even partially) through federal, state, or local matching AEFLA funds (including adult education mill levy funds) will maintain current, active individual professional development plans (IPDP). These plans will reflect professional growth so as to improve the program and enhance student experience and performance.

The goals of the Individual Professional Development Plans (IPDP) professional development guidelines are to:

1. Serve as a guideline for professional development activities in which program staff engage;
2. Support professional development priorities that align with program outcomes and maximize limited resources;
3. Assist local program staff in the development of skills and knowledge to support higher levels of student achievement;
4. Support the integration of skills and knowledge acquired through professional development into the classroom.

Staff members are encouraged to attend activities that become available throughout the year.

The KBOR Adult Education guidelines for professional development activities supported by federal and local AEFLA funding are:

- a. Adult educators must attend trainings that are beneficial to their professional growth and positively impact student success.
- b. Programs must report approved professional development opportunities on staff IPDPs.
  - An IPDP can be revised during the program year.
  - The IPDP must include the program director's signature and is maintained in the staff member's personnel file.

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- c. All staff will review the Kansas Adult Education Proficiency Attainment Model (PAM) presentation and will have completed the quiz within the first 2 months of hire. Quiz results must be kept in the employee's personnel file.
- d. All staff will review and complete the following two trainings from the National Reporting System (NRS): NRS Data Use Guide Training and Using NRS Data within the first 3 months of hire.
- e. All instructional staff, within the first 6 months of hire, must have completed the CCRS 'Overview of College and Career Readiness Standards', in addition to either ELA I, II, and III or Mathematics I, II, and III (as determined by the Program Director).

### **Allowable Professional Development Activities Supported through Federal and Local AEFLA Funding**

Must be clearly related to:

- ✓ Activities sponsored by the Kansas Board of Regents
- ✓ Participation in special projects
- ✓ Workshops supported by local program
- ✓ Classroom visits and peer observations
- ✓ Involvement in professional organizations, including KAEA, COABE, LINC's etc.
- ✓ College courses
- ✓ State or in-state regional Adult Education conferences
- ✓ Out-of-state or Adult Education national conferences

### **3.6 Adult Education Staff Tuition Reimbursement Policy**

As it pertains to federal (AEFLA) or local matching funds used for professional development, a local program may choose to reimburse an individual for a maximum of nine (9) undergraduate or graduate credit hours per program year as program funds are available. Eligible local staff and/or instructors must work a minimum of 15 hours per week in adult education and have a year's experience in Kansas adult education. Coursework must be related to the staff or teacher's adult education duties. Reimbursement is provided when a copy of the paid receipt and a passing grade ("C" or better for undergraduate courses and "B" or better for graduate courses) for the course are received by the local program director or state staff. Exceptions to this policy must be submitted to and approved by the State Director of Adult Education. No college tuition may be paid prior to the completion of the course. Tuition is a REIMBURSED expenditure ONLY.

### **3.7 Local Program Pre-Paid Fees for Other Training Activities Prepayment Policy**

As it pertains to federal (AEFLA) or local matching funds used for professional development, local adult education programs which commit to pay for staff to attend a workshop, institute or

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other state-sponsored event but encounter staff who fail to attend or successfully complete the professional development activity may be asked to repay the expended federal or state fund at the Kansas Board of Regents Adult Education's discretion. If the local program does not receive repayment from the individual, the funds would need to be repaid from the program's local funds and NOT from AEFLA federal or state funds.

### **3.8 Professional Development Resources**

The Literacy Information and Communications System (LINC) is a U.S. Department of Education initiative that aims to expand evidence-based practice in the field of adult education. LINC can provide valuable professional development resources for Kansas adult educators. To help adult educators maximize their use of this free resources, the link to the LINC Quick-Reference Guide is included below:

<https://lincs.ed.gov/publications/pdf/quickreferenceguide.pdf>

**4. Services to Learners**

#### **4.1 Adult Education Activities Provided in Kansas**

The Kansas Board of Regents will award multi-year grants on a competitive basis to eligible providers within Kansas. Grants will enable the eligible providers to develop, implement, and improve adult education and literacy activities in the following categories:

Adult education and literacy activities, which may include adult education, literacy, workplace adult education and literacy activities, family literacy activities, English language acquisition activities, integrated English literacy and civics education, workforce preparation activities, or integrated education and training.

Adult Education (AE) instruction uses a curriculum based on state-adopted challenging content standards to increase an individual's ability to read, write, and speak in English and perform mathematics or other activities necessary for the attainment of a secondary school diploma or its recognized equivalent; transition to postsecondary education and training; and obtain employment.

Literacy activities provide individuals with the instruction necessary to increase an individual's ability to read, write, and speak in English, compute, and solve problems, at levels of proficiency necessary to function on the job, in the family of the individual, and in society.

Workplace adult education and literacy includes adult education and literacy activities offered in collaboration with an employer or employee organization at a workplace or an off-site location that is designed to improve the productivity of the workforce.

Family literacy programs provide activities that are of sufficient intensity and quality to make sustainable improvements in the economic prospects for a family and that better enable parents or family members to support their children's learning needs, and that integrate all of the following activities:

- Parent or family adult education and literacy activities that lead to readiness for postsecondary education or training, career advancement, and economic self-sufficiency.
- Interactive literacy activities between parents or family members and their children.
- Training for parents or family members regarding how to be the primary teacher for their children and full partners in the education of their children.
- An age-appropriate education to prepare children for success in school and life experiences.

English Language Acquisition (ELA) offers instruction in reading, writing, speaking, and comprehension of the English language that leads to attainment of a secondary school diploma or its recognized equivalent, and transition to postsecondary education and training or employment.

Integrated English Literacy and Civics Education (IELCE) education services provided to English language learners who are adults, including professionals with degrees and credentials in their native countries, that enables such adults to achieve competency in the English language and acquire the basic and more advanced skills needed to function effectively as parents, workers, and citizens in the United States.

Workforce preparation provides programs or services designed to help an individual acquire a combination of basic academic skills, critical thinking skills, digital literacy skills, and self-management skills, including competencies in utilizing resources, using information, working with others, understanding systems, and obtaining skills necessary for successful transition into and completion of postsecondary education or training and employment.

Integrated Education and Training provides adult education and literacy activities concurrently and contextually with workforce preparation activities and workforce training for a specific occupation or occupational cluster for the purpose of educational and career advancement.

#### **4.2 Services Provided in English and Other Languages**

Program services to non-native speakers of English may be offered in native languages other than English to provide *emergency or other vital communication*, i.e., information presented during orientations. However, the focus of instruction must be on acquisition of skills in the English language, not on native language skills. Preparation for a high school equivalency test in languages other than English is not permitted with AEFLA funds.

#### **4.3 Adult Education Transition**

##### **4.3.1 Transition to Postsecondary Education or Training (PSE)**

Programs should have a written Postsecondary Education/Training Transition Plan with reasonable resources designated to implement the plan. A high school diploma or its equivalent is no longer a guarantee of employment, much less employment that provides self-supporting wages and benefits. It is imperative that programs are committed to assisting their participants' transitions to programs that enable them to obtain additional education and training, thus, providing their learners the opportunity for self- and family-sufficiency in an ever-increasing high skilled world of work.

##### **4.3.2 Adult Education/Postsecondary Co-enrollment**

While an individual may be co-enrolled in adult education and postsecondary education, guidelines have been established to ensure that educational services are NOT duplicative.

Learners can participate or co-enroll in adult education and technical education simultaneously or sequentially. Co-enrollment in postsecondary education is allowable under the following conditions:

1. Students *who do not have a high school* credential and are enrolled in postsecondary education may qualify for adult education services if they are enrolled in a postsecondary education course that does not duplicate ABE/ASE. For example, an individual cannot be served in adult education if they are taking a general math or English composition at the postsecondary level because these subjects are taught as part of ABE/ASE or GED® preparation. Enrollment in both would be duplication of services. However, an individual who is being served in an adult education program may be enrolled in a postsecondary Career and Technical Education (CTE), physical education, study skills, or psychology class because instruction in these classes would not duplicate the instructional services provided by the adult education program.
2. Students *who have a high school credential but are receiving adult education services based on TABE scores which identify skill deficiencies* may not be enrolled in a postsecondary education course in the same subject area(s) in which they qualified for adult education services (reading, math, and/or writing).

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3. An individual receiving ELA services in an adult education program may be enrolled in postsecondary education but may not be enrolled in an ESOL class for which the post-secondary institution is receiving state aid.

NOTE: Enrollment in postsecondary education is counted as an outcome for Kansas performance-based funding regardless of exit.

### **4.4 Eligible Adults**

Programs must follow the eligibility guidelines as established by WIOA. Students must be at least 16 years of age, and 16 and 17-year-olds must have a disclaimer from their school district of *current residence* (not necessarily the last high school attended) prior to receiving AEFLA services, in compliance with the Compulsory Attendance Act, KSA 72-3119.

(4) Eligible Individual – The term “eligible individual” means an individual –

- A. Who has attained 16 years of age;
- B. Who is not enrolled or required to be enrolled in secondary school under state law; and
- C. Who –
  - i. Is basic skills deficient;
  - ii. Does not have a secondary school diploma or its recognized equivalent, and has not achieved an equivalent level of education; or
  - iii. Is an English language learner

### **Who Qualifies for Adult Education Services?**

In order to qualify for adult education services, one of the following three criteria must be met. Upon enrollment in the adult education program, an eligible individual:

1. Does not have a secondary school diploma or its equivalent.

**OR**

2. Does not have basic reading, writing, or math skills.
  - A. Scores below 622 on a TABE Reading Diagnostic Test; or
  - B. Scores below 637 on a TABE Math Diagnostic Test; or
  - C. Scores below 614 on a TABE Language Diagnostic Test.

**OR**

3. Does not have proficiency in the English language necessary to function in the multiple adult roles of citizen, employee, and family member.
  - A. Scores below 608 on a TABE Listening Diagnostic Test; or
  - B. Scores below 589 on a TABE Reading Diagnostic Test; or
  - C. Scores below 613 on a TABE Writing Test.

**Kansas Adult Education Eligibility Requirements**

**Kansas Education Statute # 72-3120**

**Chapter 72: SCHOOLS**

**Article 31: SCHOOL ATTENDANCE**

**Title: Compulsory school attendance; exemptions.**

**Chapter 72: School**

**Article 11: School Attendance, Curriculum, and Accreditation**

**Statute 72-3120: Compulsory school attendance; exemptions.** (a) Subject to the other provisions of this section, every parent or person acting as parent in the state of Kansas, who has control over or charge of any child who has reached the age of seven years and is under the age of 18 years and has not attained a high school diploma or a general educational development (GED) credential, shall require such child to be regularly enrolled in and attend continuously each school year (1) a public school for the duration of the school term provided for in K.S.A. 72-3115, and amendments thereto, or (2) a private, denominational or parochial school taught by a competent instructor for a period of time which is substantially equivalent to the period of time public school is maintained in the school district in which the private, denominational or parochial school is located. If the child is 16 or 17 years of age, the parent or person acting as parent, by written consent, or the court, pursuant to a court order, may allow the child to be exempt from the compulsory attendance requirements of this section.

(b) If the child is 16 or 17 years of age, the child shall be exempt from the compulsory attendance requirements of this section if: (1) The child is regularly enrolled in and attending a program recognized by the local board of education as an approved alternative educational program; (2) the child and the parent or person acting as parent attend a final counseling session conducted by the school during which a disclaimer to encourage the child to remain in school or to pursue educational alternatives is presented to and signed by the child and the parent or person acting as parent. The disclaimer shall include information regarding the academic skills that the child has not yet achieved, the difference in future earning power between a high school graduate and a high school dropout, and a listing of educational alternatives that are available for the child; or (3) the child is regularly enrolled in a school as required by subsection (a) and is concurrently enrolled in a postsecondary educational institution, as defined by K.S.A. 74-3201b, and amendments thereto. The provisions of this clause (3) shall be applicable to children from and after July 1, 1997 and shall relate back to such date.

(c) Any child who is under the age of seven years, but who is enrolled in school, is subject to the compulsory attendance requirements of this section. Any such child may be withdrawn from enrollment in school at any time by a parent or person acting as parent of the child and thereupon the child shall be exempt from the compulsory attendance requirements of this section until the child reaches the age of seven years or is re-enrolled in school.

(d) Any child who is determined to be an exceptional child, except for an exceptional child who is determined to be a gifted child, under the provisions of the special education for exceptional children act is subject to the compulsory attendance requirements of such act and is exempt from the compulsory attendance requirements of this section.

(e) Any child who has been admitted to, and is attending, the Kansas academy of mathematics and science, as provided in K.S.A. 72-3903 et seq., and amendments thereto, is exempt from the compulsory attendance requirements of this section.

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(f) No child attending public school in this state shall be required to participate in any activity which is contrary to the religious teachings of the child if a written statement signed by one of the parents or a person acting as parent of the child is filed with the proper authorities of the school attended requesting that the child not be required to participate in such activities and stating the reason for the request.

(g) When a recognized church or religious denomination that objects to a regular public high school education provides, offers and teaches, either individually or in cooperation with another recognized church or religious denomination, a regularly supervised program of instruction, which is approved by the state board of education, for children of compulsory school attendance age who have successfully completed the eighth grade, participation in such a program of instruction by any such children whose parents or persons acting as parents are members of the sponsoring church or religious denomination shall be regarded as acceptable school attendance within the meaning of this act. Approval of such programs shall be granted by the state board of education, for two-year periods, upon application from recognized churches and religious denominations, under the following conditions:

(1) Each participating child shall be engaged, during each day on which attendance is legally required in the public schools in the school district in which the child resides, in at least five hours of learning activities appropriate to the adult occupation that the child is likely to assume in later years;

(2) acceptable learning activities, for the purposes of this subsection, shall include parent (or person acting as parent) supervised projects in agriculture and homemaking, work-study programs in cooperation with local business and industry, and correspondence courses from schools accredited by the national home study council, recognized by the United States office of education as the competent accrediting agency for private home study schools;

(3) at least 15 hours per week of classroom work under the supervision of an instructor shall be provided, at which time students shall be required to file written reports of the learning activities they have pursued since the time of the last class meeting, indicating the length of time spent on each one, and the instructor shall examine and evaluate such reports, approve plans for further learning activities, and provide necessary assignments and instruction;

(4) regular attendance reports shall be filed as required by law, and students shall be reported as absent for each school day on which they have not completed the prescribed minimum of five hours of learning activities;

(5) the instructor shall keep complete records concerning instruction provided, assignments made, and work pursued by the students, and these records shall be filed on the first day of each month with the state board of education and the board of education of the school district in which the child resides;

(6) the instructor shall be capable of performing competently the functions entrusted thereto; and

(7) in applying for approval under this subsection a recognized church or religious denomination shall certify its objection to a regular public high school education and shall specify, in such detail as the state board of education may reasonably require, the program of instruction that it intends to provide and no such program shall be approved unless it fully complies with standards therefor which shall be specified by the state board of education.

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If the sponsors of an instructional program approved under this subsection fail to comply at any time with the provisions of this subsection, the state board of education shall rescind, after a written warning has been served and a period of three weeks allowed for compliance, approval of the programs, even though the two-year approval period has not elapsed, and thereupon children attending such program shall be admitted to a high school of the school district.

(h) As used in this section:

(1) "Parent" and "person acting as parent" have the meanings respectively ascribed thereto in K.S.A. 72-3122, and amendments thereto.

(2) "Regularly enrolled" means enrolled in five or more hours of instruction each school day. For the purposes of subsection (b)(3), hours of instruction received at a postsecondary educational institution shall be counted.

**History:** L. 1874, ch. 123, § 1; L. 1903, ch. 423, § 1; L. 1919, ch. 272, § 1; L. 1923, ch. 182, § 1; R.S. 1923, 72-4801; L. 1965, ch. 409, § 1; L. 1968, ch. 356, § 1; L. 1969, ch. 316, § 1; L. 1976, ch. 310, § 1; L. 1980, ch. 217, § 3; L. 1984, ch. 263, § 1; L. 1996, ch. 229, § 121; L. 1997, ch. 157, § 1; Revived and Amend., L. 2004, ch. 185, § 1; L. 2008, ch. 118, § 1; July 1.

### **Sample disclaimer forms from KSDE are included in Appendix B**

Simply put, absent one of the stated exemptions, the law requires that anyone who is 16 or 17 years old be enrolled in school – and if they are enrolled in school, they cannot be allowed to enroll in adult education. The law is in effect at all times, including summer when the public schools may be closed. The learner must not begin classes without a completed disclaimer form. It is the responsibility of the potential adult education learner to get the disclaimer forms completed – not that of the adult education program staff. The disclaimer forms and the counseling session need to be from the school district in which the 16- or 17-year-old resides currently, regardless if the student attended school there. If the 16- or 17-year-old is on an IEP, he/she must disenroll from school, and a disclaimer also needs to be completed. If a 16- or 17-year-old is emancipated (by a court order) or is married, he/she is considered an adult and may sign the disclaimer (no parental or guardian's signature is required).

#### **4.5 Services to Individuals with Non-Immigrant Visas**

Adults may not be required to show proof of residency in Kansas, nor may programs require adults to show a Social Security card, evidence of citizenship, work permit cards, or other evidence of legal permission to reside in the U.S. While programs are encouraged to recruit and serve qualifying adults residing and/or working within Kansas, adults from another state, particularly those residing in communities along the state border, may participate in program services. Newcomers to Kansas from other states do not need to show identification.

**EXCEPTION:** Individuals in the United States on nonimmigrant visas are not eligible for services in adult education programs in Kansas.

#### **4.6 Collaboration with other agencies and business**

Local programs are encouraged to expand the scope and enhance the quality of services to adult learners by collaborating with other agencies and local business/industry partners. These services should be compliant with WIOA law, and adults served in these classes/programs should be counted as AEFLA participants and their records entered into AESIS, where applicable.

Any fee for service monies collected at the local level must be reported as “locally generated” or “program income” and must be reinvested in the adult education program and used only for allowable expenditures under AEFLA. Locally generated funds are not reported as local match. No portion of the local cash match may be generated from AEFLA federal, state, and/or local matching funds.

**NOTE:** AEFLA federal administrative funds (not to exceed 5% of state federal allocation, unless otherwise negotiated), state funds, and local matching funds may be used to meet an adult education program’s responsibilities as a partner in the local one-stop system. However, when determining the adult education program’s contribution to the local one-stop system, adult education’s “fair share” must be based on the percentage of individuals who qualify for adult education services who access the services of the one-stop center – not on the entire operating cost of the one-stop center.

##### **4.6.1 Assessment services provided for other agencies**

Programs are welcome to contract with outside agencies to provide assessments such as TABE or the GED® Ready™ Practice Tests for non-participants in AEFLA funded programs.

##### **4.6.2 GED® Ready™ Practice Testing**

AEFLA programs may provide the Official GED® Ready™ Practice Tests for their enrolled learners. When AEFLA programs provide the GED® Ready™ Practice Tests for AEFLA learners, the practice testing is considered part of the educational process, and the cost is an allowable AEFLA expense.

##### **4.6.3 2014 GED® Testing Fees**

AEFLA funds, other federal funds, state funds, local adult education mill levy funding, or other local funds designated as adult education funds cannot be used to offset the cost of GED® testing for any individual. However, special scholarship funds garnered through appropriate local and/or other support mechanisms may be utilized to offset GED® testing fees. Centers providing such scholarships should provide information for all enrolled students as to the availability of these scholarships, procedures for applying, and selection criteria.

#### **4.6.4 Distinguishing between Adult Education Participants and GED® Testers**

Local adult education programs should distinguish carefully between the two groups, adult education participants and GED® testers, and should not compel adults who do not need or want adult education services to begin the program. According to the U.S. Education Department, adults who do not need adult education services should not be enrolled in the program. It would, therefore, be unethical to enroll adults who do not need the services of the adult education program simply to inflate the program's outcomes.

**5. Policies on Research-Based Practices**

## **5.1 Use of the Proficiency Attainment Model (PAM)**

Programs will follow all seven components of the Proficiency Attainment Model (PAM) described in *The Comprehensive Adult Education Planner* by Daryl Mellard, Ph.D., and David Scanlon, Ph.D., of the University of Kansas, amended in 2016. PAM was developed as a result of federally funded research and describes the following seven essential components of adult education in adult education programs:

- Pre-Enrollment;
- Orientation;
- Assessment;
- Instructional Planning;
- Instruction;
- High School Equivalency;
- Transition Planning;

WIOA legislation calls for instruction "...based on the best practices derived from the most rigorous research available and appropriate, including scientifically valid research and effective educational practice" [WIOA, Section 231 (e)(6)]. The legislation further requires that "programs offer flexible schedules and support services" [WIOA, Section 231 (e)(11)].

Components of PAM may be adapted to best suit the local needs of adult learners. For example, in the area of goal setting, learners who set goals during pre-enrollment or orientation may revisit and change those goals in a later component. Alternatively, activities from the transition component may actually occur much earlier during orientation or instruction.

**6. Policies on Funding**

**6.1 Kansas Adult Education Performance Based Funding Formula**

<b>Funding Formula</b>	
<b>Base</b>	<b>30%</b>
Institutional Grant	17%
Enrollment (3 Year Average)	11%
Need	2%
<b>Performance</b>	<b>70%</b>
Outcomes (3 Year Average)	45%
Measurable Skill Gain Completions	
1,2,7,8 doubled	
3, 4, 5, 6, 9, 10, 11, 12	
Median Wage	
Employed 2nd Quarter After Exit	
Employed 4th Quarter After Exit	
Credential Attainment	
Involvement in Child's Education	
Involvement in Child's Literacy	
Citizenship Skills	
College Readiness	
Left Public Assistance	
Quality Points	25%

**6.2 Core Performance Outcomes**

Kansas uses both federal and state defined performance outcomes for funding purposes.

**Outcome: Measurable Skill Gain**

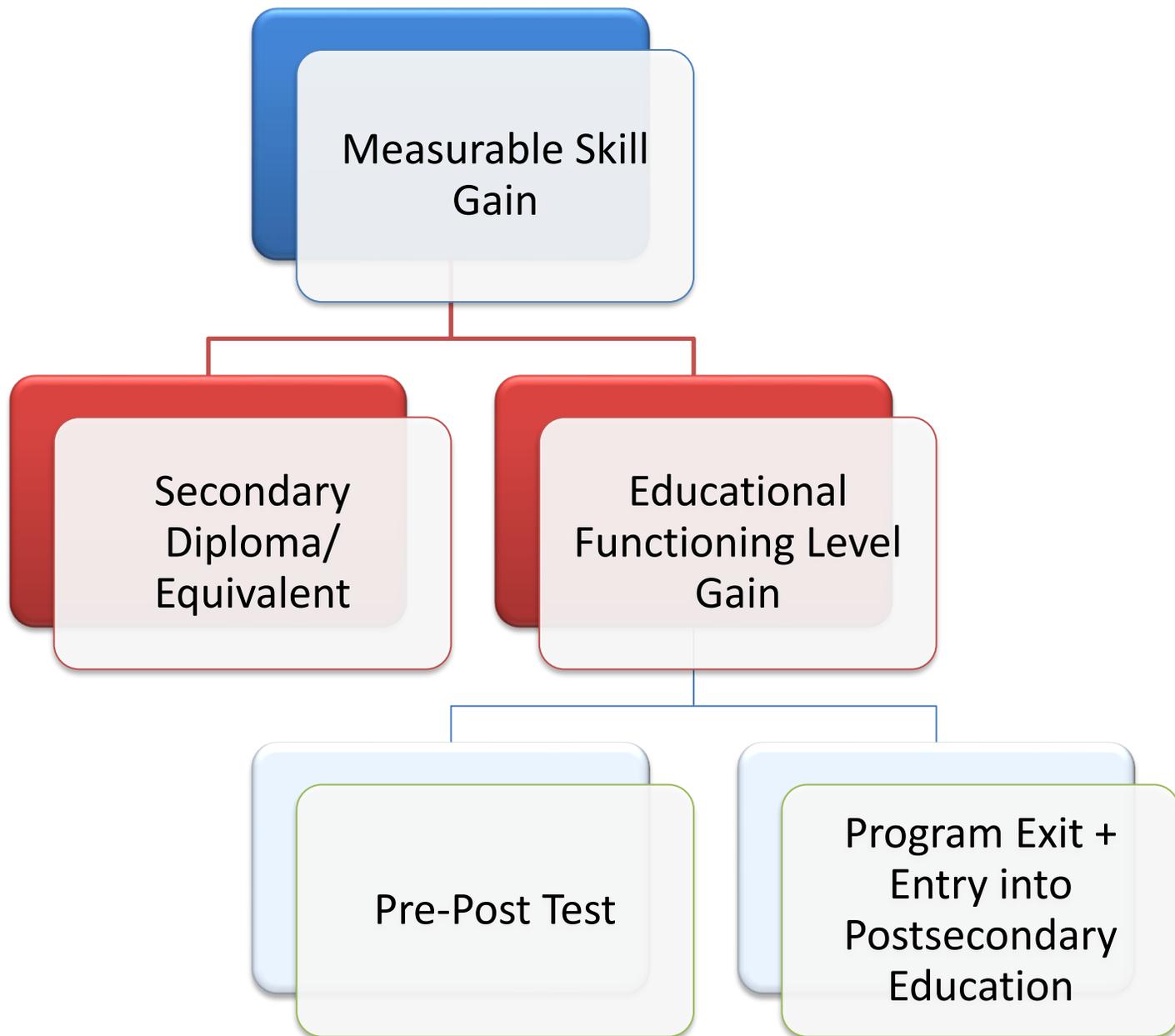
**Denominator (Cohort):** All participants

**Numerator:** Total number of participants achieving a measurable skill gain.

**Definition of Outcome:**

1. Participant completes or advances one or more educational functioning levels from the starting level measured on entry into the program.
  - a. There are four levels for adult basic education (ABE), two for adult secondary education (ASE), and six levels of ESL.
  - b. The program decides the skill areas in which to assess the student based on the student's instructional needs.
2. The participant exits the adult education program and enters postsecondary education within the same program year.
3. A student at any entry level who achieves attainment of their high school equivalency.

**Measurable Skill Gains for Title II Adult Education (A new chart will be added once KBOR has a mechanism in place for collecting data for the new measurable skill gain types.)**



### **Follow-up Measure #1: Employment Rate 2<sup>nd</sup> Quarter after Exit**

**Denominator (Cohort):** Total number of participants who exit during the program year.

**Numerator:** The percentage of participants who are in unsubsidized employment during the second quarter after exit from the program.

**Definition of Outcome:** The number of participants who exited during the reporting period who are found to be employed, either through direct UI wage record match, federal or military employment records, or supplemental wage information, in the second quarter after the exit quarter.

- The exit quarter is the quarter when the participant terminates or has not received instruction for 90 days and is not scheduled to receive further instruction.

**Process for Determining Outcome:**

- Employment is working in a paid, unsubsidized job or working 15 hours or more per week in an unpaid job on a farm or business operated by a family member or the student.
- Outcome is primarily determined through data matching at the state level.
- Outcome may be determined by supplemental wage survey conducted at the local level.

### **Follow-up Measure #2: Median Earnings 2<sup>nd</sup> Quarter After Exit**

**Definition of Outcome:** The median earnings for all participants employed in the second quarter after exit.

**Process for determining outcome:**

Total quarterly earnings, for all participants employed in the second quarter after exit, are collected by either direct wage record match or supplemental wage information. The collected quarterly wage information values are listed in order, from the lowest to the highest value. The value in the middle of this list is the median earnings value, where there is the same quantity of numbers above the median number as there is below the median number. Funding is based on the number of exited participants whose earnings are greater than or equal to the state median wage.

### **Follow-up Measure #3: Employment Rate 4<sup>th</sup> Quarter after Exit**

**Denominator (Cohort):** Total number of participants who exit during the program year.

**Numerator:** The number of participants who are in unsubsidized employment during the fourth quarter after exit from the program.

**Definition of Outcome:** The number of participants who exited during the reporting period who are found to be employed, either through direct UI wage record match, federal or military employment records, or supplemental wage information, in the fourth quarter after the exit quarter.

- The exit quarter is the quarter when the participant terminates or has not received instruction for 90 days and is not scheduled to receive further instruction.

**Process for Determining Outcome:**

- Employment is working in a paid, unsubsidized job or working 15 hours or more per week in an unpaid job on a farm or business operated by a family member or the student.
- Outcome is primarily determined through data matching at the state level.
- Outcome may be determined by supplemental wage survey conducted at the local level.

#### **Follow-up Measure #4: Credential Attainment**

**Denominator (Cohort):** All participants who exited during the program year and were in either a postsecondary education or training program OR in a secondary education program at or above the 9<sup>th</sup> grade level without a secondary school diploma or its equivalent.

**Numerator:** The number of participants who exited during the reporting period who obtained a recognized postsecondary credential during the program or within one year after exit; OR those who were in a secondary education program and obtained a secondary school diploma or its recognized equivalent during the program or within one year after exit and were also employed, or in an education or training program leading to a recognized postsecondary credential within one year after exit.

**Process for Determining Outcome:**

- Follow-up surveys and/or state level data match are used to determine attainment of a recognized postsecondary credential.
- State level data match is the primary method used to determine attainment of a secondary school diploma or its recognized equivalent and subsequent enrollment into postsecondary education or training or entry into employment.
- For this measure a follow-up survey may be used to determine entry into postsecondary education or entry into employment for individuals who have received a secondary school diploma or its recognized equivalent.

#### **Follow-up Measure #5: Effectiveness in Serving Employers**

**Retention (Retention with the same employer):** Percentage of participants who are employed at the same employer in the second and fourth quarters.

**Repeat Business Customers:** Percentage of employers who receive services that use core program services more than once.

**Process for Determining Outcome:**

- Outcome is primarily determined through data matching at the state level.
- Outcome may be determined using data collected through the supplemental wage survey conducted at the local level.

### **6.3 State-defined and Optional Federal Performance Measures**

#### **Achieved Citizenship Skills**

**Denominator (Cohort):** All ELA participants with a goal of obtaining citizenship skills

**Numerator:** The total number of ELA participants who obtain the skills necessary to pass the citizenship exam

**Definition of Outcome:** ELA participant attains the skills needed to pass the U.S. citizenship exam as measured by the CASAS Citizenship skills test.

**Process for Determining Outcome:**

- Participants with the goal of obtaining citizenship skills are pre-tested using the CASAS Citizenship skills test.
- Participants are post tested using the CASAS Citizenship skills test following sufficient instruction.

### **Increased Involvement in Children’s Education**

**Denominator (Cohort):** All participants enrolled in an approved family literacy program

**Numerator:** The total number of participants who increase involvement in education of dependent children

**Definition of Outcome: Participant increases involvement in the education of dependent children under his or her care, including:**

- Helping children more frequently with their school
- Increasing contact with children’s teachers
- Having more involvement in children’s school activities

**Process for Determining Outcome:** Outcome is self-reported by participant, either during follow-up survey, or while still attending class.

### **Involvement in Children’s Literacy Activities**

**Denominator (Cohort):** All participants enrolled in an approved family literacy program

**Numerator:** The total number of participants who increase involvement in education of dependent children

**Definition of Outcome: Participant increases involvement in the literacy-related activities of dependent children under his or her care, including:**

- Reading to children
- Visiting a library
- Purchasing books or magazines for children

**Process for Determining Outcome:** Outcome is self-reported by participant, either during follow-up survey, or while still attending class.

### **College Readiness**

**Denominator (Cohort):** All participants

**Numerator:** The total number of participants demonstrating college readiness

**Definition of Outcome:** Participant demonstrates college readiness through the achievement of one of the following requirements:

- **TABE** scale scores of greater than 596 in reading and 595 in math
- **College Placement** (Accuplacer, Next-Generation Accuplacer, ACT, etc.) scores at or above the level needed to place into:
  - Course immediately before College Algebra, e.g., Intermediate Algebra or course required for achievement of industry recognized credential or college certificate, e.g., Technical Math
  - Course immediately before College Composition, e.g., pre-college composition or course required for achievement of industry recognized credential or college certificate, e.g. Technical Writing
  - No required reading course.
- **GED®** scores with an average of 170.
- **WorkKeys®** scores of 6 on Workplace Documents, 4 on Graphic Literacy, and 6 on Applied Math

**Process for determining outcome:** Applicable testing is used to determine the achievement of the outcome.

### **Left Public Assistance**

**Denominator (Cohort):** All participants

**Numerator:** The total number of participants who left public assistance.

**Definition of Outcome:** Participant stops receiving federal, state, or local government cash payments for which eligibility is determined by a need or income test.

**Process for determining outcome:** Outcome is self-reported by participant, either during follow-up survey, or while still attending class.

#### **6.4 KBOR authority for AEFLA administration**

KBOR is authorized to administer AEFLA federal and matching state or local funds (according to KSA 71-4517, 74-32,254, 74-32,255, and 74-32,256), as well as local mill levy funds designated for adult education (according to KSA 71-617 and 74-32,259). Programs receiving mill levy funds must spend the funds as a match to AEFLA-funded activities, and funds may not necessarily be spent in the same manner as local cash that is not used to match AEFLA funds.

According to relevant educational statutes, funds generated by local mill levy for adult education programs cannot be used to operate a GED® Testing Center nor pay the salaries or partial salaries of GED® examiners, alternate examiners, or support staff.

#### **Kansas Education Statute K.S.A. 74-32,257**

#### **Chapter 74: STATE BOARDS, COMMISSIONS AND AUTHORITIES**

#### **Article 32: STATE BOARD OF REGENTS**

**Title: Establishment and operation agreements with state board; approval of applications and programs.**

**Text:**

The state board may enter into agreements with any board for the establishment and operation of adult basic education programs and any board desiring to secure state and federal funds for the cost of conducting the same shall certify and file an application with the state board for the approval of such adult basic education program. The application shall be on a form prescribed and furnished by the state board, shall contain such information as the state board shall require, and shall be filed on or before July 1 of each year. Approval of the application and the program shall be prerequisite to payment of state and federal funds to any board.

History: L. 1974, ch. 311, § 5; L. 1999, ch. 147, § 118; July 1.

#### **Kansas Education Statute K.S.A. 74-32,254**

#### **Chapter 74: STATE BOARDS, COMMISSIONS AND AUTHORITIES**

#### **Article 32: STATE BOARD OF REGENTS**

**Title: Acceptance of benefits of federal law; administration and supervision by state board; state plan; agreements with federal agencies authorized.**

**Text:**

(a) The state of Kansas does hereby accept the provisions and benefits of federal law relating to adult basic education programs. The state board is hereby designated as the agency for administration of adult basic education programs and for supervision of the administration of adult basic education programs by boards. The state board is authorized to prepare, from time to time amend, and administer the state plan in accordance with state and federal law.

(b) The state board shall enter into agreements with the United States office of education and other agencies of the federal government for the purpose of participation in adult basic education programs provided for by federal law. Any such agreement may contain provisions required or authorized by federal law, so long as the same are not in conflict with the provisions of this act.

History: L. 1974, ch. 311, § 2; L. 1999, ch. 147, § 117; July 1.

**Kansas Education Statute K.S.A. 74-32,255**

**Chapter 74: STATE BOARDS, COMMISSIONS AND AUTHORITIES**

**Article 32: STATE BOARD OF REGENTS**

**Title: State and federal funds; allocation and distribution; where deposited; payments; rules and regulations.**

**Text:**

(a) The state board shall be responsible for the allocation and distribution of state and federal funds for adult basic education programs in accordance with this act and with the state plan. Such moneys (sic) shall be expended only in accordance with and for the purposes specified in federal or state law or the state plan. Federal funds for adult basic education programs shall be deposited in the state treasury. Payments under this act may be made in installments and in advance or by way of reimbursement, with necessary adjustments on account of overpayments or underpayments. The state board shall approve vouchers for disbursements from moneys (sic) in the state treasury for adult basic education programs, and the director of accounts and reports shall draw his warrants thereon in accordance with law.

(b) The state board may adopt rules and regulations for the administration of this act and for the distribution of federal and state funds for adult basic education programs so long as the same are not inconsistent with the provisions of this act.

History: L. 1974, ch. 311, S. 3; July 1.

**Kansas Education Statute K.S.A. 74-32,256**

**Chapter 74: STATE BOARDS, COMMISSIONS AND AUTHORITIES**

**Article 32: STATE BOARD OF REGENTS**

**Title: Basic education programs; establishment and operation by local boards; standards and criteria; cooperative agreements.**

**Text:**

Each board is authorized to establish, conduct, maintain and administer an adult basic education program and such program shall meet standards and criteria set by the state board. Cooperative agreements among boards may be entered into for providing in conformity with the purposes of this act, such programs, facilities, equipment and services as may be necessary or desirable. No such cooperative agreement shall be effective until the same has been approved by the state board which approval shall be granted if such agreement complies with the standards and criteria established by the state board.

History: L. 1974, ch. 311, S. 4; July 1.

**Kansas Education Statute K.S.A. 71-617**

**Chapter 71: SCHOOLS - COMMUNITY COLLEGES**

**Article 6: STATE AID AND FISCAL PROVISIONS**

**Title: Adult basic education; tax levy authorized, limitations, protest; fund, sources; expenses.**

**Text:**

(a) The board of trustees of any community college may levy a tax in each year for a period of not to exceed five (5) years of not to exceed one-fourth (1/4) mill on all taxable tangible property within the district to maintain and operate an adult basic education program at a level approved by the state board. In no event shall the tax levy authorized hereunder be at a rate which will produce an amount in excess of fifty thousand dollars (\$50,000).

Such tax levy shall be in addition to all other tax levies authorized or limited by law. Proceeds from such tax levy shall be deposited in the adult education fund of the community college which fund is hereby established. All moneys received by a community college for adult basic education shall be deposited in the adult education fund. The expenses of a community college attributable to adult basic education shall be paid from the adult education fund.

(b) No tax levy shall be made under authority of this section until a resolution authorizing such a levy is passed by the board of trustees and published once a week for three (3) consecutive weeks in a newspaper having general circulation in the community college district, and such resolution shall specify the millage rate of such tax levy and the period of time for which such tax levy shall be made under authority thereof. After the adoption of such resolution such levy may be made unless, within ninety (90) days following the last publication of the resolution, a petition in opposition to such levy, signed by not less than five percent (5%) of the qualified electors of such community college district, is filed with the county election officer of the county in which the main campus of the community college is located. In the event such a petition is filed, such levy shall not be made without the question of levying the same having been submitted to and been approved by a majority of the qualified electors of the district voting at an election which shall be called for that purpose or at the next general election.

History: L. 1974, ch. 311, S. 8; L. 1974, ch. 312, S. 2; L. 1978, ch. 283, S. 1; L. 1979, ch. 223, S. 2; L.1980, ch. 207, S. 45; July 1.

Cross References to Related Sections: Adult education programs see chapter 72, article 45.

**Kansas Education Statute K.S.A. 74-32,259**

**Chapter 74: STATE BOARDS, COMMISSIONS AND AUTHORITIES**

**Article 32: STATE BOARD OF REGENTS**

**Title: Tax levy authorized; limitations; disposition of proceeds; adult education fund; protest petition.**

**Text:**

(a) Subject to the provisions of subsection (b), the board of any school district may make an annual tax levy for a period of not to exceed five years in an amount not to exceed 1/2 mill upon the assessed taxable tangible property within the school district to maintain and operate an adult basic education program at a level approved by the state board and for the purpose of paying a portion of the principal and interest on bonds issued by cities under authority of K.S.A. 12-1774, and amendments thereto, for the financing of redevelopment projects upon property located within the school district. Proceeds from the tax levy, except for an amount to pay a portion of the principal and interest on bonds issued by cities under authority of K.S.A. 12-1774, and amendments thereto, for the financing of redevelopment projects upon property located within the school district, shall be deposited in the adult education fund of the school district, which fund is hereby established. Notwithstanding any other provision of law, all moneys (sic) received by the school district from whatever source for adult basic education shall be credited to the adult education fund established by this section. The expenses of a school district directly attributable to adult basic education shall be paid from the adult education fund.

(b) No tax levy shall be made under this section until a resolution authorizing the levy is passed by the board and published once a week for three consecutive weeks in a newspaper having general circulation in the school district. The resolution shall specify the millage rate of the tax levy and the period of time for which the tax levy shall be made under authority thereof. After adoption of the resolution, the levy may be made unless, within 90 days following the last publication of the resolution, a petition in opposition to the levy, signed by not less than 5% of the qualified electors of the school district, is filed with the county election officer of the home county of the school district. In the event a petition is filed, the tax shall not be levied without the question of levying the same having been submitted to and approved by a majority of the qualified electors of the school district voting at an election which shall be called for that purpose or at the next general election.

(c) The board of any school district which has made a tax levy authorized under the provisions of this section may initiate procedures to renew its authority to make such a tax levy at any time after the final levy under a current authorization is certified to the county clerk.

History: L. 1974, ch. 311, S. 7; L. 1974, ch. 312, S. 1; L. 1 ch. 52, S. 177; L. 1985, ch. 242, & 1; July 1.

#### **6.4 Education statutes concerning use of AEFLA funds**

##### **Kansas Education Statute K.S.A. 74-32,259**

##### **Chapter 74: STATE BOARDS, COMMISSIONS AND AUTHORITIES**

##### **Article 32: STATE BOARD OF REGENTS**

##### **Title: Tax levy authorized; limitations; disposition of proceeds; adult education fund; protest petition.**

##### **Text:**

(a) Subject to the provisions of subsection (b), the board of any school district may make an annual tax levy for a period of not to exceed five years in an amount not to exceed 1/2 mill upon the assessed taxable tangible property within the school district to maintain and operate an adult basic education program at a level approved by the state board and for the purpose of paying a portion of the principal and interest on bonds issued by cities under authority of K.S.A. 12-1774, and amendments thereto, for the financing of redevelopment projects upon property located within the school district. Proceeds from the tax levy, except for an amount to pay a portion of the principal and interest on bonds issued by cities under authority of K.S.A. 12-1774, and amendments thereto, for the financing of redevelopment projects upon property located within the school district, shall be deposited in the adult education fund of the school district, which fund is hereby established. Notwithstanding any other provision of law, all moneys (sic) received by the school district from whatever source for adult basic education shall be credited to the adult education fund established by this section. The expenses of a school district directly attributable to adult basic education shall be paid from the adult education fund.

(b) No tax levy shall be made under this section until a resolution authorizing the levy is passed by the board and published once a week for three consecutive weeks in a newspaper having general circulation in the school district. The resolution shall specify the millage rate of the tax levy and the period of time for which the tax levy shall be made under authority thereof. After adoption of the resolution, the levy may be made unless, within 90 days following the last publication of the resolution, a petition in opposition to the levy, signed by not less than 5% of the qualified electors of the school district, is filed with the county election officer of the home county of the school district. In the event a petition is filed, the tax shall not be levied without the question of levying the same having been submitted to and approved by a majority of the qualified electors of the school district voting at an election which shall be called for that purpose or at the next general election.

(c) The board of any school district which has made a tax levy authorized under the provisions of this section may initiate procedures to renew its authority to make such a tax levy at any time after the final levy under a current authorization is certified to the county clerk.

History: L. 1974, ch. 311, S. 7; L. 1974, ch. 312, S. 1; L. 1 ch. 52, S. 177; L. 1985, ch. 242, & 1; July 1.

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**Kansas Education Statute K.S.A. 71-614**

**Chapter 71: SCHOOLS - COMMUNITY COLLEGES**

**Article 6: STATE AID AND FISCAL PROVISIONS**

**Title: General fund; transfer authorizations; operating expense; certain expenditures prohibited. Text:**

71-614. General fund; transfer authorizations; operating expense; certain expenditures prohibited. Any lawful transfer of money from the general fund of a community college to the career technical education fund, adult education fund, adult supplementary education fund or motorcycle driver safety fund shall be an operating expense in the year the transfer is made. The board of trustees of any community college may transfer moneys from its general fund to its career technical education fund, adult education fund, adult supplementary education fund or motorcycle driver safety fund. Expenditures for career technical education, adult basic education, adult supplementary education and motorcycle driver safety shall not be made from the general fund of a community college.

History: L. 1973, ch. 274, § 19; L. 1974, ch. 311, § 12; L. 1974, ch. 312, § 3; L. 1979, ch. 223, § 1; L. 1980, ch. 207, § 42; L. 1989, ch. 39, § 4; L. 2011, ch. 97, § 18; July 1.

## **6.5 Budgets and budget reports**

All AEFLA programs must submit an annual budget on forms approved by KBOR staff. The budget must detail proposed expenditures for federal and state funding awarded through the funding formula, local cash match, any available mill levy, and funds generated by adult education services (i.e., Program Income). Programs must submit annual budgets with original signatures by mail or scanned and sent electronically. The budget must reflect adequate fiscal management policies and procedures. **Federal, state, and local funds must be maintained in separate line items to maintain separate identities for reporting and auditing purposes.** Commingling of these separate sources of funding is not allowed.

During a fiscal year, a budget addendum is required when additional funds are awarded. These budget addenda must be submitted to and approved by KBOR staff. Budget revisions that do not result from the receipt of additional funds should reflect change in line items that exceed 10% of the budget category (e.g. federal, state, local).

### **Budget modifications must be approved prior to expenditures.**

In addition, programs are required to submit budget reports and statements of expenditures to KBOR on approved budget report forms at regular intervals. These dates are available on the official KBOR Adult Education Reporting Calendar. Documentation from the host institution's business office, showing separate expenditures for state, federal, and local funds must be submitted with the budget reports. These budget reports must be emailed to KBOR Adult Education at [adulthoodreports@ksbor.org](mailto:adulthoodreports@ksbor.org) as well as the program's reporting liaison. Final budget reports and a final statement of expenditures must be submitted in August following the end of the fiscal year, as required by the KBOR Adult Education Reporting Calendar. Federal or state amounts not **expended** by June 30 of a fiscal year must be returned to KBOR. No carryover is permitted from one fiscal year to the next. Programs need to observe the following maximum or minimum percentages for federal funds:

- A maximum of 5% of federal funds may be spent on administrative costs. Programs may negotiate a higher administrative cost rate if 5% is insufficient;
- A maximum 20% of federal funds may be spent on services to adults in institutions (Corrections).

Maintenance of effort of the local match is required so that the level of local support remains consistent or increases year-over-year. Even if federal funding decreases or if the final total award amount decreases from one fiscal year to the next, the institution supporting the program is required to sustain the level of the local match from the previous year—at a minimum.

Programs are required to submit a Capital Outlay Inventory for each capital outlay item (e.g. equipment, computer software program, or furnishings) costing \$5,000 or more. A program's Capital Outlay Inventory must correspond to reported capital outlay expenditures on the Adult Education Annual Budget Report.

A fiscal year begins on July 1 and ends on June 30. A budget revision may be submitted at any time up to May 30<sup>th</sup>, following approval of the budget for a fiscal year, but **the revised budget must be approved by the KBOR Adult Education staff prior to any expenditure proposed in the budget revision.** A budget modification request is required if a program desires to move funding amounts exceeding 10% of a budget category (e.g. federal, state, local).

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Fall and Spring statement of expenditure reports account for what the program has spent in the first quarter and the first three quarters, respectively. The amounts spent in each report must fall within the total budgeted amounts for each line item. Back up documentation from the host institution's business office must be submitted with each report.

The final budget and statement of expenditures report account for what the program spent during the fiscal year. Documentation from the host institution's business office, showing separate expenditures for state, federal, and local funds must be submitted with the final fiscal report and statement of final expenditures.

Documentation of the local match must be included with the final budget report. Federal or state amounts not spent or encumbered by June 30 of a fiscal year must be returned to KBOR with the final reports for that fiscal year.

Programs are encouraged to first spend local funds then state funds before spending federal funds, *but all funds, **including local cash**, must be spent as approved in the original budget or an approved budget revision.* Local cash matches must be spent in the fiscal year they are reported on the annual budget report. They cannot be carried over from one fiscal year to the next.

**NOTE:** Original annual budgets, revised annual budgets and final statement of expenditures require an original signature and must be scanned and emailed, submitted by mail, or hand delivered to KBOR. The fall and spring reports do not require an original signature and may be submitted as an e-mail attachment.

### **6.6 Policy on Use of AEFLA Funds and Locally Generated Funds**

Adult education services, including adult basic education (ABE), adult secondary education (ASE), English Language Acquisition (ELA), GED® preparation, Integrated English Literacy and Civics Education (IELCE), workplace preparation, and technology skills, must be accessible at no or a minimal charge to all adults who qualify. To offset the costs of consumable instructional materials and equipment and other instructional and support services, local programs may establish policies concerning consistent, *reasonable* fees charged to individuals.

To avoid creating any barriers to AEFLA services, local policies concerning reasonable fees must be consistently set, clearly defined, and published in advance. Programs must also have a plan in place to ensure that fees do not adversely impact the participation of economically-disadvantaged adult learners.

Adult education programs may use AEFLA funding (federal, state, and local matching) to serve only individuals who qualify for adult education services. An adult education program may elect to serve non-qualifying participants as a service to the sponsoring institution. However, when services are provided to non-qualifying participants, the adult education program must determine the cost per participant (or the cost per participant hour) of all participants and then determine the cost for services to non-qualifying individual(s). **The sponsoring institution must reimburse the adult education program for the cost of serving the non-qualifying individual(s).** This reimbursement funding cannot be considered and reported as local matching funds.

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## *Kansas Adult Education Policy Manual*

One hundred percent (100%) of any funds generated using federal, state, and/or local matching AEFLA funds must be reinvested in the AEFLA program. These locally generated funds cannot be considered and reported as local matching funds. However, these locally generated funds must be reported on the quarterly and final annual budget reports—both the amount of locally-generated funds and the line item(s) in which they were expended.

Locally generated funds must be expended during the year in which they were earned. They cannot be rolled to the next fiscal year.

### **6.7 Policy Regarding Use of Professional Development Funds**

Professional development funds must be used from federal AEFLA or local funds. Allowable professional development activities must be linked directly to improving delivery of adult education services. Marketing activities, GED® Test administration training and staff administration salaries are not allowable professional development activities. Federal funds used for professional development activities require a separate budget form and are subject to approval by the Kansas Board of Regents Adult Education Division.

# Kansas Adult Education Policy Manual

FY22 Adult Education Budget Report					
Program Name: _____		Budget Expenditures: 2nd Q _____		Final: _____	
	Federal Funds Awarded	Federal Funds Expended	State Funds Awarded	State Funds Expended	Local Match Funds
<b>ADMINISTRATION (max 5% of federal funds)</b>					
Administrative Salaries & Benefits					
Support Staff Salary & Benefits					
Administrative Building & Maintenance					
Administrative Supplies					
Administrative Capital Outlay (each item \$5,000+)					
Administrative Professional Development					
Other Administrative Expenses					
<b>SUBTOTAL</b>	\$0	\$0	\$0	\$0	\$0
<b>INSTRUCTION</b>					
Instructional Salaries & Benefits					
Instructional Building & Maintenance					
Instructional Supplies					
Instructional Capital Outlay (each item \$5,000+)					
Instructional Professional Development					
Other Instructional Expenses					
<b>SUBTOTAL</b>	\$0	\$0	\$0	\$0	\$0
<b>TOTAL ADMINISTRATION &amp; INSTRUCTION</b>	\$0	\$0	\$0	\$0	\$0
<b>Other:</b>					
State Leadership (Professional Development)					
Special Project Funds					
Corrections					
Career Services					
Training Services					
One-Stop Infrastructure Costs					
Other:					

IELCE Award		
	Federal Funds Awarded	Federal Funds Expended
<b>INSTRUCTION</b>		
Instructional Salaries & Benefits		
Instructional Building & Maintenance		
Instructional Supplies		
Instructional Capital Outlay (each item \$5,000+)		
Other Instructional Expenses		
<b>TOTAL IELCE</b>	\$0	\$0

Program Income Collected: \_\_\_\_\_  
 Program Income Expended: \_\_\_\_\_

Director's Name: \_\_\_\_\_ Date: \_\_\_\_\_  
*Typed name and date signifies approval.*

Authorized Fiscal Officer: \_\_\_\_\_ Date: \_\_\_\_\_  
 Title: \_\_\_\_\_  
*Typed name and date signifies approval.*

Authorized KBOR Representative: \_\_\_\_\_ Date: \_\_\_\_\_

**Adult Education Budget Instructions**

**(This form is used for modifications and final budgets.)**

**Before beginning, please note the following requirements:**

- A maximum of 5% of federal funds may be spent in administration (non-instructional).** Programs may negotiate a higher administrative rate if 5% is prohibitive. Programs may use available state funds for administration as needed, except for professional development. State funds may not be used for professional development expenses.
- A maximum of 20% of federal funds may be spent for corrections** (includes activities in residential correctional, medical, mental, youth, or special institutions).

Input the name of your adult education program in the “**Program**” cell and the director’s name in the “**Director**” cell. This budget form is used for initial budgets, budget modifications, and final budgets. Fill in the date under “**Insert Date**” that corresponds when each budget type was created.

Indicate in the columns the amounts allocated to each line item for federal, state, and local funds, differentiating between administrative and instructional costs. “Administrative” costs are non-instructional costs of administering the adult education program as detailed in 34 CFR § 463.26. **Subtotals** and **Grand Totals** will calculate automatically. Please ensure that the grand totals for federal, state, and local funds match the amounts listed on the **Grant Allocation Notice** for each. Local funds are defined as any in-kind or cash-matching funds from non-federal and non-state sources, such as institutional funds or ABE mill levy. All mill levy funds designated by law for adult education must be used exclusively for adult education services; however, all mill levy funds do not have to be included in the budget in the year collected. Programs must consider maintenance of effort requirements when budgeting local funds.

Any amounts not spent or encumbered by June 30 must be returned to KBOR with final reports.

The **Subtotal** and **Grand Total** amounts will calculate automatically. **Double check the calculations and cross check rows and columns horizontally and vertically.**

On the **Special Projects Funds** line, indicate any funds expended in administration and instruction on KBOR special projects.

On the **Corrections** line, indicate the amount of **instructional costs** proposed for correctional or other residential institutional.

On the **Career Services** and **Training Services** lines, indicate the amount of administration and instruction proposed for career and training services, respectively.

The budget must be signed by the Program Director and Chief Financial Officer

**Initial budgets and budget modifications (or revisions) need signatures; only quarterly budget reports may be submitted with typed signatures. Budgets should be submitted electronically.**

Federal funds are distributed on reimbursement only basis on the 15<sup>th</sup> of each month. Draw requests must be entered by the business office representative in the KBOR Finance Draw System by the 9<sup>th</sup> of the month.

**5% Professional Development for FY22**

Currently, programs are automatically awarded 5% of their federal allocation as a **Professional Development (PD) Leadership Grant**. Programs must spend these funds on professional development activities that contribute to the success of the program and its students. While programs can and should devote other federal and local monies towards meaningful professional development activities, the **PD Leadership Grants** must be listed under the **5% Professional Development** section of the budget and included in the budget detail. Other federal or local funds devoted to professional development should be listed in administration or instruction and accounted for in the budget detail under their respective line items.

**IELCE Budget – IELCE Grantees Only**

The instructions for the IELCE Budget are the same as for the main Adult Education Budget, except they only account for federal IELCE funds issued to grantees under WIOA Section 243.

**Budget Detail**

Programs must submit basic detail for all federal and state budget items, for all programs, that gives a basic explanation of expenditures for a line item. An example would be a \$5,000 line item for federal instructional supplies. The basic detail would need to explain what supplies in particular were being purchased (e.g. \$2,500 for student computer lab, \$2,500 for student assessments). Amounts from the budget sheet will transfer from the detail page automatically

Budget Category	Federal	State	Local Match	Total	Detail (add lines as needed)
<b>Administrative</b>					
Administrative Salaries & Benefits					
Support Staff Salary & Benefits					
Administrative Building & Maintenance					
Administrative Supplies					
Administrative Capital Outlay (each item \$5,000+)					
Administrative Professional Development					
Other Administrative Expenses					
<b>Instructional</b>					
Instructional Salaries & Benefits					
Instructional Building & Maintenance					
Instructional Supplies					
Instructional Capital Outlay (each item \$5,000+)					
Instructional Professional Development					
Other Instructional Expenses					
<b>IELCE</b>					
Instructional Salaries & Benefits					
Instructional Building & Maintenance					
Instructional Supplies					
Instructional Capital Outlay (each item \$5,000+)					
Other Instructional Expenses					
<b>Detail</b>					
State Leadership (Professional Development)					
Special Project Funds					
Corrections					
Career Services					
Training Services					
One-Stop Infrastructure Costs					
Other:					

Programs must submit a budget accounting for all expected expenditures of their Professional Development

## Kansas Adult Education Policy Manual

Leadership Grant. These funds may only be spent on professional development activities allowable under applicable federal and state laws, regulations, policies, and procedures.

### 6.8 Administrative Costs

What activities are considered administrative costs?

An eligible provider receiving a grant or contract under this part may consider costs incurred in connection with the following activities to be administrative costs:

- (a) Planning;
- (b) Administration, including carrying out performance accountability requirements;
- (c) Professional development;
- (d) Providing adult education and literacy services in alignment with local workforce plans, including promoting co-enrollment in programs and activities under title I, as appropriate; and
- (e) Carrying out the one-stop partner responsibilities described in § 678.420, including contributing to the infrastructure costs of the one-stop delivery system.

### 6.9 Allowable and Unallowable Costs

Below is a short list of allowable and unallowable costs under the grant. For a more comprehensive overview over cost allowability, refer to 2 CFR Part 200.403.

Cost	Allowability	Cost	Allowability
Food	Unallowable	Maintenance and Repair	Allowable
Advertising	Allowable with restrictions	Materials, supplies, computers	Allowable
Alcoholic Beverages	Unallowable	Publication and printing	Allowable
Audit Services	Allowable with restrictions	Recruiting (of employees)	Allowable with restrictions
Collections of Improper Payments	Allowable	Relocation of Employees	Allowable with restrictions
Commencement and Convocation	Unallowable	Rent of Real Property/Equipment	Allowable with restrictions
Entertainment	Unallowable	Student Activities	Unallowable
Equipment	Allowable with restrictions	Training and Education	Allowable
Fund Raising	Unallowable	Travel	Allowable with restrictions
Goods or Services – Personal Use	Unallowable		
Lobbying	Unallowable		

In addition to allowability, all costs must be **reasonable** (2 CFR Part 200.404) and **allocable** (2 CFR Part 200.405). Programs cannot spend funds on expenditures that do not meet all **three** criteria.

**[Code of Federal Regulations]**

**[Title 34, Volume 1, Parts 1 to 299]**

**[Revised as of July 1, 2000]**

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**[Page 196]**

**TITLE 34--EDUCATION**

**PART 80--UNIFORM ADMINISTRATIVE REQUIREMENTS FOR GRANTS AND COOPERATIVE AGREEMENTS TO STATE AND LOCAL GOVERNMENTS--Table of Contents**

**Subpart C--Post-Award Requirements**

**Sec. 80.20 Standards for financial management systems.**

Financial Administration

(a) A State must expand and account for grant funds in accordance with State laws and procedures for expending and accounting for its own funds. Fiscal control and accounting procedures of the State, as well as its subgrantees and cost-type contractors, must be sufficient to:

(1) Permit preparation of reports required by this part and the statutes authorizing the grant, and

(2) Permit the tracing of funds to a level of expenditures adequate to establish that such funds have not been used in violation of the restrictions and prohibitions of applicable statutes.

(b) The financial management systems of other grantees and subgrantees must meet the following standards:

(1) Financial reporting. Accurate, current, and complete disclosure of the financial results of financially assisted activities must be made in accordance with the financial reporting requirements of the grant or subgrant.

(2) Accounting records. Grantees and subgrantees must maintain records which adequately identify the source and application of funds provided for financially-assisted activities. These records must contain information pertaining to grant or subgrant awards and authorizations, obligations, unobligated balances, assets, liabilities, outlays or expenditures, and income.

(3) Internal control. Effective control and accountability must be maintained for all grant and subgrant cash, real and personal property, and other assets. Grantees and subgrantees must adequately safeguard all such property and must assure that it is used solely for authorized purposes.

(4) Budget control. Actual expenditures or outlays must be compared with budgeted amounts for each grant or subgrant. Financial information must be related to performance or productivity data, including the development of unit cost information

whenever appropriate or specifically required in the grant or subgrant agreement. If unit cost data are required, estimates based on available documentation will be accepted whenever possible.

(5) Allowable cost. Applicable OMB cost principles, agency program regulations, and the terms of grant and subgrant agreements will be followed in determining the reasonableness, allowability, and allocability of costs.

(6) Source documentation. Accounting records must be supported by such source documentation as cancelled checks, paid bills, payrolls, time and attendance records, contract and subgrant award documents, etc.

(7) Cash management. Procedures for minimizing the time elapsing between the transfer of funds from the U.S. Treasury and disbursement by grantees and subgrantees must be followed whenever advance payment procedures are used. Grantees must establish reasonable procedures to ensure the receipt of reports on subgrantees' cash balances and cash disbursements in sufficient time to enable them to prepare complete and accurate cash transactions reports to the awarding agency.

When advances are made by letter-of-credit or electronic transfer of funds methods, the grantee must make drawdowns as close as possible to the time of making disbursements. Grantees must monitor cash drawdowns by their subgrantees to assure that they conform substantially to the same standards of timing and amount as apply to advances to the grantees.

(c) An awarding agency may review the adequacy of the financial management system of any applicant for financial assistance as part of a pre-award review or at any time subsequent to award.

(Approved by the Office of Management and Budget under control number 1880-0517)

(Authority: 20 U.S.C. 3474; OMB Circular A-102)

[53 FR 8071 and 8087, Mar. 11, 1988, as amended at 53 FR 49143, Dec. 6, 1988]

**7. Data and Accountability**

## **7.1 Local Program Data Responsibilities**

Local programs are responsible for allocating sufficient resources to collect and enter the data necessary to report NRS measures according to state and federal requirements. Programs must utilize valid and uniform procedures as lined out in all applicable state and federal policies and manuals when collecting student data and entering it into AESIS. To ensure that educational gains are standardized, programs must follow the Kansas Assessment Policy. Local programs in Kansas are required to complete a quarterly survey of students utilizing the Kansas Adult Education Follow-Up Collection in AESIS.

Local programs must maintain participant files, including demographic information, information releases, attendance, test scores, certificates, and other evidence about program activities to the extent and in such detail as will accurately reflect participant and program outcomes as laid out in the AESIS Manual. To ensure timely access to accurate data, programs will designate a single point of contact responsible for the entry of valid, accurate learner data, including attendance, into the KBOR Adult Education Data System (AESIS) on a weekly basis, at a minimum, and perform regular internal reviews of the data to ensure accuracy. Programs shall also review AESIS reports and other program information using the Indicators of a Quality Adult Education Program and the Data Validation Checklist throughout the fiscal year to ensure the program is continuously monitoring its effectiveness and efficiency, making improvements where necessary. Programs must ensure that all staff with access to confidential student information acknowledge and abide by federal and state laws governing processing and use of student data. In particular, staff must follow FERPA regulations including, but not limited to securing electronic data, protecting personal passwords, and ensuring that electronic records are encrypted in transit and on storage devices.

### **7.1.1 Data Validation Checklist**

Local programs must submit a quarterly data validation checklist, a copy of which is included on the following page. Due dates for the checklist are established in the Adult Education Program Calendar. The Data Validation Checklist is an opportunity for programs to engage their data on a deeper level, allowing them an opportunity to identify errors or weak points and make corrections.



## **7.2 Record Retention**

All pertinent records and books of accounts related to this award and subsequent awards shall be preserved, by local programs, for a period of five (5) years plus the current year and are subject to the following criteria:

- a. The retention period shall commence from the date of submission of the final expenditure report.
- b. If any litigation, claim, or audit is started before the expiration of the retention period, the records shall be retained until all litigation, claims, or audit findings involving the records have been resolved.
- c. Programs agree to cooperate in any examination and audit under the provisions of the paragraph.

## **7.3 Student Privacy and Data Releases**

### **7.3.1 Student Privacy**

Per 34 CFR Part 765.740:

- (a) Most records on present or past students are subject to the requirements of section 444 of GEPA and its implementing regulations in 34 CFR part 99. (Section 444 is the Family Educational Rights and Privacy Act of 1974.)
- (b) Under most programs administered by the Secretary, research, experimentation, and testing are subject to the requirements of section 445 of GEPA and its implementing regulations at 34 CFR part 98.

Programs and their host institutions are responsible for compliance with all federal privacy acts as they may apply to student records created and maintained as a recipient of adult education grant funding. If programs have any questions concerning FERPA, they should direct these to:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202-4605  
(202) 260-3887 (Telephone)  
(202) 260-9001 (Fax)

### **7.3.2 Data Releases**

On the following page is the data release pertaining to student GED® testing records and data sharing for WIOA joint reporting purposes, respectively. In order to data match with GED Testing Service and our WIOA partners, a student or their guardian must sign and date the form, and the program must keep it on file. Student consent is voluntary and is not required for participation in any programs.

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## Kansas Adult Education Policy Manual

### Use of Personal Data

The Family Educational Rights and Privacy Act (FERPA) and the Kansas Student Data Privacy Act protect the privacy of student education records. With your consent, your data may be shared. Sharing your data may benefit your education and career goals by helping determine eligibility for services and support.

**Instructions:** To grant consent to share data, please check the box in the “Grant Consent” column beside the agency or agencies listed below.

To withdraw previously granted consent, please check the box in the “Withdraw Consent” column.

Participant Name: \_\_\_\_\_

Date	Grant Consent	Withdraw Consent	Agency/Organization
	<input type="checkbox"/>	<input type="checkbox"/>	All agencies listed below
	<input type="checkbox"/>	<input type="checkbox"/>	Kansas Board of Regents, Adult Education Centers, and Kansas Postsecondary Educational Institutions
	<input type="checkbox"/>	<input type="checkbox"/>	Kansas Department of Commerce, including workforce partners receiving federal funds
	<input type="checkbox"/>	<input type="checkbox"/>	Kansas Department for Aging and Disability Services
	<input type="checkbox"/>	<input type="checkbox"/>	Kansas Department for Children and Families
	<input type="checkbox"/>	<input type="checkbox"/>	Kansas Department of Health and Environment
	<input type="checkbox"/>	<input type="checkbox"/>	Kansas Department of Corrections
	<input type="checkbox"/>	<input type="checkbox"/>	Kansas State Department of Education

I understand granting consent allows selected agencies to share my data with one another. Shared data may include, but is not limited to, name, address, social security number, date of birth, GED® exam scores, other test results, transcripts, employment, goals, and outcomes. Shared data may help determine if I qualify for career and training services. My consent also allows these agencies to use my information to prepare reports and evaluate programs.

I understand that I can withdraw consent at any time. To withdraw consent, I may contact the agency or check the “Withdraw Consent” box on a copy of this form and submit it to an agency listed above. I understand that withdrawing consent will stop the selected agencies from sharing my personal data.

I understand that my consent is voluntary. No services will be denied if I do not provide consent.

By signing I acknowledge that I grant consent or withdraw previously granted consent for the sharing of my personal data between the agencies as checked above.

---

Parent/Guardian or Student Signature (as appropriate)

Date

#### **7.4 Monitoring and Program Evaluation Procedures**

As a pass-through entity, Kansas Board of Regents (KBOR) awards federal grant funds to eligible subrecipients for adult education. The responsibilities of pass-through entities are given in Title 2 of the Code of Federal Regulations, Part 200.331, which requires KBOR to evaluate each subrecipient's risk of noncompliance with federal statutes, regulations, and the terms and conditions of the subaward for the purposes of determining the appropriate subrecipient monitoring.

##### **Overall Risk Assessment Process and Special Conditions**

To comply with this requirement, KBOR staff conduct an annual risk assessment of all subrecipients to determine their potential risk of noncompliance. In evaluating the risks posed by the grant recipients, KBOR utilizes a risk-based approach and considers the following:

- Funds Returned/Unspent/Misspent/Not drawn (10 pts)
- Single Audit findings (if single audit required at institution) (10 pts)
- Failure to Meet Performance Targets (10 pts)
- Failure to Meet Deadlines (20 pts)
- Data Reporting Issues (20 pts)
- Change in Essential Personnel (Data, Adult Education, Finance, etc.) (10 pts)
- Noted Violations in EDGAR Regulations (10 pts)
- Not Monitored in Last 4 Years (5 pts)
- Failure to Follow Grant Guidelines (5 pts)
- Public Risk Perception (5 pts)
- New personnel attend KBOR trainings (-5 pts)

##### **Additional Award Conditions (2 CFR Part 200, 200.207)**

When a grantee has a history of failure to comply with the general or specific terms and conditions of a federal award, fails to meet expected performance goals, or is not otherwise responsible, the State may impose additional specific award conditions, such as:

- Requiring monthly receipt review before reimbursement of grant funds
- Requiring additional, more detailed financial reports
- Requiring additional project monitoring
- Requiring the grantee to obtain technical or management assistance
- Establishing additional prior approvals  
Grantee must notify KBOR with documentation of meeting special conditions.
- Documentation associated with condition will be maintained in a special file by KBOR

When a grantee warrants a special condition, the notification will provide structure and communicate the requirements of the special condition.\*

- The nature of the additional requirements
- The reason why the additional requirement is being imposed
- The nature of the action needed to remove the additional requirement
- The time allowed for completing the actions
- The method for requesting reconsideration of the additional requirements imposed

*\*Kansas Board of Regents reserves the right to determine the type of risk assessment by sole point assignment or combination of point assignments and working knowledge of the institution.*

The risk assessment score from the prior grant year determines the special condition completed in the current grant year. If the special condition is not met or exposes further risk, then additional special conditions may be assigned at the discretion of the Kansas Board of Regents.

### **Conditional Compliance**

Once the requirements of the special condition have been met and removal of the condition is recommended, the recipient will be notified immediately. Kansas Board of Regents will maintain documentation of the special condition and what was done to satisfy the requirements for both internal and audit purposes for the U.S. Department of Education.

### **Remedies for Noncompliance (2 CFR 200.338)**

If there is failure to comply with Federal statutes, regulations or the terms and conditions of a Federal award, the Federal awarding agency or pass-through entity may impose additional conditions, as described in 200.207 Specific Conditions. If the Federal awarding agency or pass-through entity determines that noncompliance cannot be remedied by imposing additional conditions, the Federal awarding agency or pass-through entity may take one or more of the following actions, as appropriate in the circumstances.

- Temporarily withhold cash payments pending correction of the deficiency by the non-Federal entity or more severe enforcement action by the Federal awarding agency or pass-through entity.
- Disallow (that is, deny both use of funds and any applicable matching credit for) all or part of the cost of the activity or action not in compliance.
- Wholly or partly suspend or terminate the Federal award.
- Initiate suspension or debarment proceedings as authorized under 2 CFR part 180 and Federal awarding agency regulations (or in the case of a pass-through entity, recommend such a proceeding be initiated by a Federal awarding agency).
- Withhold further Federal awards for the project of program.
- Take other remedies that may be legally available.

### **Risk Assessment Matrix by Category**

#### **Funds Returned/Unspent/Misspent/Not drawn (10 pts)**

Institutions will be assigned point according to the severity of the above violation.

(2 CFR 200.303 (a))

#### **Single Audit findings (if single audit required at institution) (10 pts)**

The Kansas Board of Regents Accounting Department receives a copy of the sub recipient's single audit. If the KBOR accounting office does not receive a copy of the single audit, the institution is contacted to determine the reason for non-compliance. The single audit is then either submitted by the institution or documentation is provided proving that the institution receives less than \$750,000 in federal funds and is not required to have a single audit.

The single audits are reviewed by KBOR accounting personnel and if a letter of findings is part of the audit, KBOR accounting office notifies the Senior Director of Adult & Career Technical Education so that it will be noted on the Quality Assurance matrix. (2 CFR 200.331 (b) (2))

#### **Failure to Meet Performance Targets (10 pts)**

Institutions are assigned points according to the severity of the above violation.

## Kansas Adult Education Policy Manual

### Failure to Meet Deadlines (20 pts)

Institutions are assigned points according to the severity of the above violation. ALL required documents and data must be accurate and submitted by the deadline.

### Data Reporting Issues (20 pts)

Institutions are assigned points according to the severity of the above violation. KBOR Data personnel conduct an internal audit of any institutional issues pertaining to data and submit the report to the Senior Director of Adult & Career Technical Education. KBOR adult education staff conduct data reviews periodically throughout the year.

### Change in Essential Personnel (Data, Adult Education, Finance, etc.) (10 pts)

Institutions are assigned points according to the severity of the above violation.

(2 CFR 200.331 (b) (3))

### Noted Violations in EDGAR Regulations (10 pts)

Institutions are assigned points according to the severity of the above violation.

### Not Monitored in Last 4 Years (5 pts)

The types of reviews consist of Perkins Program Review of Approved Programs, Perkins Data Evaluation and Accountability, Civil Rights Review, Perkins Fiscal Program Review.

### Failure to Follow Grant Guidelines (5 pts)

Institutions are assigned points according to the severity of the above violation.

### Public Risk Perception (5 pts)

Institutions are assigned points according to the severity of the above violation.

### New personnel attend KBOR Perkins Grant management training (-5 pts)

KBOR personnel can recommend removing risk points from the matrix based on the attendance of Perkins grant management training.

<b>KANSAS BOARD OF REGENTS</b>															
<b>AEFLA QUALITY ASSURANCE RUBRIC</b> <small>(Effective 2/1/2017)</small>															
Program	RISK FACTOR	Monitoring visit in last 4 years?	Failure to follow grant guidelines	Data Reporting Issues	Single Audit Findings (if required)	Prior Findings	Funds - Returned/ Unspent/ Misspent	Failure to meet negotiated performance benchmarks	Late, missing or errors on Fiscal or Program Reports	Noted Violations in EDGAR regulations	Change in Essential Personnel (Data, ABE, Finance, etc.)	Total FY 2017 Fed & State Instructional Funds <small>(DO NOT include local match or any PD Leadership funds)</small>	Program total count of learners (FY17)	Cost per student = Column N divided by Column O	FY 2017 Table 4 Ranking (out of "x" total programs)
Total Points		5	10	10	10	5	10	5	10	10	10				

## Kansas Adult Education Policy Manual

### 7.5 Kansas Adult Education Follow-Up Collection

The Workforce Innovation and Opportunity Act requires an increase in data collection and follow-up for adult education programs. As much data as possible will be gathered electronically, such as through a data match using UI Wage data or postsecondary records in the KHEDS database. In the absence of a valid student identifier (e.g. SSN, ITIN) or a positive data match with a third-party data system, data must be collected using follow-up as detailed in TEGL 26-16 and the Kansas Adult Education Policy Manual. This data must be collected on a specific schedule which governs both the time-frame during which data can be collected, and a deadline after which missing data must be recorded as a zero value.

The timeline to begin manual follow-up is listed by performance measure in Table 1 below:

<b>Table 1: Timeline for Commencing Data Collection for Employment-Related Performance Indicators</b>		
<b>Performance Indicator<sup>a</sup></b>	<b>UI Wage Data Becomes Available</b>	<b>Collection of Supplemental Wage Information May Begin<sup>b</sup></b>
<b>Employment Rate – Second Quarter after Exit (including Title I Youth)</b>	During third or fourth quarter after exit	Beginning third quarter after exit
<b>Employment Rate – Fourth Quarter after Exit (including Title I Youth)</b>	During fifth or sixth quarter after exit (first or second quarter, next program year)	Beginning fifth quarter after exit
<b>Median Earnings – Second Quarter after Exit</b>	During third or fourth quarter after exit	Beginning third quarter after exit
<b>Credential Attainment – within 1 Year after Exit</b>	During second or third quarter after exit	Beginning second quarter after exit

The deadlines for collecting manual follow-up information is listed in Table 2 below:

<b>Table 2: Deadlines for Timely Collection of Data for Employment-Related Performance Indicators</b>				
<b>Exit Quarter</b>	<b>Report Employment Rate – 2<sup>nd</sup> Quarter (including Title I Youth) by End of:</b>	<b>Report Employment Rate – 4<sup>th</sup> Quarter (including Title I Youth) by End of:</b>	<b>Report Median Earnings by End of:</b>	<b>Report Credential Attainment (Employment) – within 1 Year after Exit by End of:</b>
First Quarter (Q1) <i>(July 1 – September 30)</i>	Q1, Next Program Year (four quarters later)	Q3, Next Program Year (six quarters later)	Q1, Next Program Year (four quarters later)	Q3, Next Program Year (six quarters later)
Second Quarter (Q2) <i>(October 1 – December 31)</i>	Q2, Next Program Year (four quarters later)	Q4, Next Program Year (six quarters later)	Q2, Next Program Year (four quarters later)	Q4, Next Program Year (six quarters later)
Third Quarter (Q3) <i>(January 1 – March 31)</i>	Q3, Next Program Year (four quarters later)	Q1, Second Program Year After Exit (six quarters later)	Q3, Next Program Year (four quarters later)	Q1, Second Program Year After Exit (six quarters later)
Fourth Quarter (Q4) <i>(April 1 – June 30)</i>	Q4, Next Program Year (four quarters later)	Q2, Second Program Year After Exit (six quarters later)	Q4, Next Program Year (four quarters later)	Q2, Second Program Year After Exit (six quarters later)

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The following table details collection timelines for a student exiting in Q2 of 2021:

	2021				2022				2023			
Performance Measure	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Employment Rate Q2		X			X	X						
Median Earnings Q2		X			X	X						
Credential Attainment		X		X				X				
Employment Rate Q4		X					X	X				
Exit												
Begin Follow-Up												
End Follow-Up												

### 7.5.1 Follow-Up Collection Frequency

Local programs are required to complete the Kansas Adult Education Follow-Up Collection to collect supplemental wage data, postsecondary enrollment information, and credential. These collections are to be conducted quarterly through the Follow-Up Collection of AESIS. Programs must make a good-faith effort to contact the exited students on their follow-up survey and upload that information to AESIS to be used for state and federal reporting.

A new follow-up survey is made available each quarter of the current fiscal year. These surveys auto populate with students for whom second and fourth quarter follow-up must be conducted. The expectation is that programs will complete the current quarters follow-up by the 15<sup>th</sup> of the month following the close of the current quarter. If the 15<sup>th</sup> falls on a weekend or holiday, the due date will be the next business day.

**8. Policies on Services to Individuals with Disabilities**

**8.1 Local policies on services to adults with disabilities must not discriminate nor violate the Americans with Disabilities Act (ADA). Programs are encouraged to establish and share local policies on minimum qualifications for learners with the ability to benefit from adult education services.**

Because programs cannot be discriminatory in any manner in their service to individuals, programs must ensure that they have made a concerted effort to serve all learners effectively. This effort means the program has appropriate materials for all levels, has posted non-discrimination policies as required under the Americans with Disabilities Act (ADA), is physically accessible, does not impose "unreasonable" time limits, provides appropriate accommodations, etc. This does not mean that programs must create "new" programs or provide special "exclusive" services for learners.

Some learners would benefit from having one-on-one instruction; however, a program cannot be expected to provide one-on-one instruction for a learner if the program uses a group instruction model. Having a teacher provide one-on-one services would be unreasonable and cost prohibitive. However, if a program provides one-on-one tutoring for some individuals, it would be discriminatory not to provide one-on-one tutoring for any individual who requested such services and who would most likely benefit from such services.

It is also not unreasonable for a program to emphasize – from the first day of a learner's experience with the program – that adult education is an EDUCATION program and participation in the program requires measurable education or workforce readiness progress that is appropriate for the learner AND is pursued by the learner.

Ideally, the program has developed a very consistent process that is used with each and every learner. This process would include the following steps: teacher/learner identify a reasonable goal(s), teacher/learner work toward the goal(s), teacher/learner measure progress toward the goal(s), teacher/learner revise goal(s), methods, materials, etc. as necessary, teacher/learner monitor progress toward the goal(s), etc. When this process is followed with EVERY learner, the program should have a record that *confirms* that the program is the appropriate placement for the learner or *confirms* that the program is not an appropriate placement for the learner.

If a learner is not making progress because of excessive absences, the program will have a record of the learner's attendance, a record of the counseling session with the learner plaining/reviewing the necessity for consistent attendance and consistent effort in order for the learner to achieve his/her goal(s). With this documentation, it is not unreasonable to "disenroll" a learner when the learner obviously does not (cannot or will not) meet the program's *reasonable* expectations leading to goal attainment.

Similarly, a learner with limited ability must demonstrate progress toward an "appropriate" goal. If the learner cannot/does not/will not demonstrate progress, the program should have a record of the learner's identified goal(s), plan for achieving the goal(s), monitoring of progress toward goal(s), etc. If these elements are in place, and a learner is not making measurable progress toward an appropriate educational goal, then the adult education program is obviously not the appropriate placement (program) for the learner. Even if the learner "is happy in our program," "likes to attend our program," "is developing more appropriate social skills," etc., these are not measurable education/workplace preparation goals, and, while they may be appropriate goals for some programs, they are not (absent from any other measurable education/workforce readiness progress) sufficient reasons for programs to continue to provide services to an individual.

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Following these procedures does not mean that programs must generate excessive additional paperwork. Most programs already have a process for identifying appropriate goals, log of learner attendance/efforts, a learning plan which includes assignments, teacher's comments, learner's reviews of his/her progress, records of teacher/learner joint reviews of progress, etc. Of course, learner handbooks and other orientation materials should state very clearly the expectations of the program – that all learners will identify and work toward an appropriate education/workforce readiness goal and that learners will demonstrate ongoing measurable progress.

For special needs learners – to ensure programs are not being discriminatory – there would not be the same expectation or timeframe, etc., as for learners who did not have special needs. For example, if a learner had a mobility problem and had to depend on public transportation, he/she may not be able to attend the program during inclement weather, so an attendance policy would have to allow for these special circumstances. A learner who has a developmental disability (e.g. intellectual disability, Down's syndrome, autism) may be able to document a learning gain of five points on the TABE only after 160 or more hours of instruction instead of the more typical 70-100 hours of instruction. However, if the learner is showing no learning gains – even on teacher-constructed tests, end-of-chapter tests, etc., and different methods have been tried and proven unsuccessful, then the learner (and perhaps an advocate/aide/parent) needs to be informed that unless measurable progress toward a goal is made by a defined future date, then the learner will no longer be a participant in the program because the program is not an appropriate placement for this learner.

When this process is followed, learners have been given due process, programs have not been discriminatory, and the program has followed a consistent process that documents that concerted efforts were made to help the learner meet his/her education/workplace readiness goal(s).

Programs need to emphasize that while learners may have "other" goals, the federal/state monies are tied to very specific goals, and expenditure of these monies to serve learners whose primary reason for attending the program is not aligned with these federal/state goals is an inappropriate expenditure of funds.

*How long does the learner need to stay out when "disenrolled"?*

If a program is not an appropriate placement for the learner now, then it most likely will not be an appropriate placement six months from now. Of course, for learners who are "disenrolled" because they violated an attendance policy, conduct policy, etc., the program will most likely be an appropriate placement when the learner decides that he/she can adhere to the program's policies. Programs should also have a clearly defined written policy about how long a person will be disenrolled before he/she can apply for readmission and the process for readmission. This does not mean a program "has to" readmit every learner after a certain waiting period. Adult education programs are not required to allow a learner who has been a threat to a teacher, another learner, or equipment and facilities to re-enroll.

In short, it is extremely important that an adult education program has ample *supporting documentation* to negate any claim of discriminatory actions in its services to adult learners. A "paper trail" of the program's honest, well-planned, diligently-executed efforts to serve all learners will support the program's written policy to disenroll learners when the program determines (based on the documented evidence) that this is not an appropriate placement for the learner and continued service to the learner would be a *misuse* of federal and state funding.

**8.2 Adults needing accommodations for disabilities should be identified as early in the learning process as possible. Program staff should refer to *The Proficiency Attainment Model (PAM) and Accommodating Adults with Disabilities in Adult Education Programs* manuals for further information and procedures. Counseling of adult learners should include referral to the most appropriate placement for the learners needs, regardless of disability status.**

In order to "document" a disability, adult education programs should use the Americans with Disabilities Act (ADA) guidelines. Under the ADA broad definitions, program staff can accept several types of documentation of a disability. One of the most common forms of documentation in an educational environment is a self-report from an individual that he/she has been identified as having a special need and served under the Individual with Disabilities Education Act (IDEA), frequently known as "Special Education." Appropriate forms of evidence include an obvious physical disability and/or written confirmation of a disability from an appropriate diagnostician. Program staff should note in the learner's file the type of documentation that was provided.

However, not everyone who says he/she needs accommodations in the learning or testing environment has a disability. Programs should follow up the group enrollment process with one-on-one interviews, especially with learners who self-identify as needing accommodations. This private discussion may provide an environment that is more conducive to soliciting information about why the individual believes he/she needs accommodations to be successful in testing situations. For example, if a learner reports that he received Special Education services in school and that his IEP stated that he should be allowed additional time during testing, this person has a "history of a disability" which is one of the qualifying elements for identification of a disability under ADA. Therefore, this individual would be considered as having a disability for the reporting system.

However, in the private interview setting another learner may report that she will need accommodations because she has dyslexia. When the interviewer questions the learner about her diagnosis, the learner reports that her friend read an article about dyslexia. When the learner and her friend discussed the information provided in the article, they decided that the reason the learner was having trouble reading was because she was dyslexic. The learner also reports she never received Special Education services and that she has never been diagnosed by a professional. While this learner *may* have a specific learning disability, this self-diagnosis and self-reporting of a need for accommodations is not sufficient to identify this person as having a disability.

**9. Policies on Environment**

**9.1 Local policies on appropriate behavior and dress**

Local policies on appropriate behavior and dress should be posted, and programs should get signatures of adults confirming that they have been appropriately informed about the policies. ADA signs explaining non-discrimination policies should be posted on a wall or bulletin board in plain sight. Discrimination on the basis of age or other demographic designator, such as requiring learners of a certain age group to participate in services for that age group, is not permitted.

According to KSA 74-32,262, “(c) Any board may adopt regulations governing the operation of adult education programs. Any board may authorize persons not residents of the district to participate in adult education programs. The teachers and administrators in such adult education programs shall have the same authority over students as is exercised in regular school instruction.”

A sample policy for conduct and dress might include the elements in the following draft. Each local program should have its agency’s legal staff review proposed conduct and dress codes to ensure that the codes are legally defensible and are aligned with the policies of the sponsoring institution.

**<<PROGRAM>> CODE OF CONDUCT**

For everyone to be able to learn well, <<PROGRAM>> asks you to please follow these rules:

1. Be aware of the needs of fellow students.
2. Do not disturb others with unnecessary noise, movement, swearing, or other disruptions.
3. Do not abuse physically or verbally, threaten, hit or mistreat any person.
4. Be courteous to and respectful of staff, other students and their property.
5. Do not use, sell, possess, distribute or be under the influence of narcotics, drugs, or alcohol.
6. Do not be in possession of any item that could be considered to be a weapon.
7. Do not smoke or chew tobacco while in the building or on school grounds.
8. Do not bring children or other persons into the study rooms.
9. No fund raising, buying, or selling is permitted (such as Avon, Amway, or candy from your child’s school).
10. Taking plants or animals into the school requires prior permission from the director.

**<< PROGRAM >> DRESS CODE**

In <<Program>> learners will always:

- Be clean and odor free.
- Wear shoes.

In <<Program>>, learners will not:

- dress in such a way that others are distracted from studying.
- dress in such a way as to be a danger to themselves or others.
- display immoral, obscene, or indecent messages or pictures.
- display messages or pictures promoting violence, gang activity, or drugs (including alcohol and tobacco).

**Failure to follow <<PROGRAM>> Code of Conduct or Dress Code may result in dismissal.**

I have read, or had read to me, and understand this page.

Student Signature \_\_\_\_\_ Date \_\_\_\_\_

Staff Member Signature \_\_\_\_\_ Date \_\_\_\_\_

**9.2 Local Emergency Policies**

Local policies on emergency procedures and treatment should be posted, and programs should get signatures of adults confirming that they have been informed about the policies. Programs should offer regular fire and tornado drills and share procedures in case of bomb threats, life-threatening emergencies, or other disasters in a language that learners can read.

**9.3 Policy on Outreach Sites**

Outreach sites, including those that are in close physical proximity to another outreach site, must meet the same requirements as the main program site. This policy includes performance on measures in the Indicators of a Quality Adult Education Program.

**10. Basic Skills Certification**

**10.1 What is the National Career Readiness Certificate (NCRC)?**

The NCRC is a nationwide initiative that uses WorkKeys®, a national ACT assessment system, to produce a career readiness certificate documenting an individual's skills in the following areas:

**Applied Mathematics:** measures skills used to apply mathematical reasoning and problem-solving techniques to work-related problems.

**Graphic Literacy:** the skills people use when they work with workplace graphics, such as charts, graphs, tables, forms, maps, diagrams, and instrument gauges; and

**Workplace Documents:** measures skills used to read and use written text to do a job such as memos, letters, directions, signs, policies, and regulations.

**The ACT National Career Readiness! Certificate** has the following levels:

**Bronze:** An individual achieving this level possesses core skills for approximately 30 percent of the jobs profiled by WorkKeys®.

**Silver:** An individual achieving this level possesses core skills for approximately 70 percent of the jobs profiled by WorkKeys®.

**Gold:** An individual achieving this level possesses core skills for approximately 90 percent of the jobs profiled by WorkKeys®.

**Platinum:** An individual achieving this level possesses core skills for approximately 99 percent of the jobs profiled by WorkKeys®.

The individual's lowest score on any one test determines the level (bronze, silver, etc.) of certificate awarded.

Platinum = must receive a score of 6 or above on **all** three tests

Gold = must receive a score of 5 or above on **all** three tests

Silver = must receive a score of 4 or above on **all** three tests

Bronze = must receive a score of 3 or above on **all** three tests

(Example: If an individual scores 4 in *Applied Mathematics*, 3 in *Graphic Literacy*, and 5 in *Workplace Documents*, a Bronze certificate is awarded.)

**10.2 What are the benefits to my adult learners and my program?**

The NCRC Certificate, signed by the Governor of Kansas, is beneficial to students in secondary and post-secondary schools who are earning their diploma, degree, or other industry certificate. The NCRC indicates a student is prepared with basic transferable skills and is equipped to learn job-specific skills.

By becoming a partner with the Kansas Department of Commerce and KansasWorks, your program will expand its capacity to educate and prepare a world class workforce that will significantly contribute to the future economic prosperity for Kansas. Partnerships are necessary for achieving this goal. The Kansas Department of Commerce and Kansas Adult Education share common stakeholders – potential and current employees and Kansas businesses/employers – so we need to communicate effectively using a common voice with these stakeholders. The *WORKReady!* Certificate will provide adult learners with an important tool for securing employment or improved employment, and it will provide employers with a means to identify individuals with basic skills who are ready to learn the specific skills for a job.

Another advantage of this partnership to the adult education program is that by helping learners obtain *WORKReady!* Certificates, the program's opportunity for increased performance-based funding improves. Each participant must be entered into AESIS. The participant must have earned the certificate during the fiscal year he/she attended the adult education program.

Examinees with documented physical or learning disabilities who cannot complete the WorkKeys® assessments in the standard time limits, using standard materials, and under standard conditions may, at the discretion of the test administrator, following review of disability documentation, be tested under special conditions and/or using special testing materials available from WorkKeys®. Please refer to the WorkKeys® Test Coordinator Manual for full details.

**IMPORTANT:** Programs may also obtain a list of participants in their program who have received a National Career Readiness Certificate. Adult Education programs do not have to actually do the WorkKeys® testing themselves.

**11. Kansas Assessment Policy**

### **Overview of State Policy**

Assessment is a key component of a successful adult education program. Quality assessment enables programs to accurately inform students about their basic skill levels and establish specific short- and long-term goals instead of relying solely on pre-prescribed curricula. Assessments allow local programs and state agencies to monitor performance across classes and programs to determine the effectiveness of program design, instructor's proficiency, curricula, and materials. Aligning assessments with the National Reporting System's (NRS) Educational Functioning Levels (EFLs) provides the Kansas Board of Regents with reliable performance data for reporting to the U.S. Department of Education's Office of Career Technical and Adult Education (OCTAE) and comparison with other programs and states. In Kansas outcomes measured via assessment make up a portion of the state's Performance-Based Funding Formula, rewarding successful programs with additional funds to carry out adult education activities.

### **Introduction**

The Kansas Adult Education Assessment Policy provides guidance for the use and of approved assessments by local adult education programs. These guidelines align with the requirements of the Office of Career, Technical, and Adult Education (OCTAE) and the National Reporting System (NRS). The assessment policy identifies key areas that support the following for adult basic education, adult secondary education, and English language acquisition (ELA) activities at the local program level:

- Use of appropriate assessment instruments
- Guidelines for test administration, scoring, and reporting of test scores
- Timing of pre- and post-testing of program participants
- Certification of EFL and program completion
- Reporting valid and reliable assessment results
- Staff training and test security requirements for staff that administer assessments and enter assessment data into the Adult Education Student Information System (AESIS)

### **Requirements and Accountability Issues**

To ensure comparability of EFLs across all Kansas programs, each program must use the standardized performance procedures defined by this policy. Failure to follow these procedures will result in the invalid determination of EFLs and produces data that are not comparable across programs, or even within the program. Programs found to be out of compliance with this policy will be placed on corrective action up to and including grant termination.

Assessments approved for use under this policy have met stringent requirements as defined by the NRS and outlined in 34 CFR Part 462. Approved assessments must provide results with a high degree of reliability and validity.

Reliability - The degree of consistency between assessments, or the likelihood that consistent results will be provided by the same test each time the assessment is administered.

Validity - the degree to which an assessment measures the content which it was intended to measure.

### **Purpose and Uses of Assessments**

KBOR requires programs to use standardized assessments and assessment procedures to document placement, progress, and completion for the purpose of meeting state and federal reporting requirements. KBOR understands, however, that informal, teacher-developed assessments, can be used to monitor student learning and provide ongoing feedback to aid improvements in instruction and student learning. KBOR encourages programs to explore the use of informal assessment instruments (e.g. formative and summative assessments) and to seek out professional development regarding the incorporation of all types of assessment into the adult education classroom.

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### Phases of Assessment

#### Initial Assessment

The initial assessment must include pretesting, but programs may also choose to offer other tests which elicit various kinds of information about learners, e.g., learning styles, or career interest inventories. The initial assessment must occur prior to a learner gaining participant status at 12 hours of instruction\* utilizing an NRS and KBOR approved assessment

#### Ongoing Assessment

Once learners are assessed and placed in appropriate classes, ongoing assessment is critical to inform learners and teachers about their progress. Ongoing assessment may be formal (e.g., a written test) or informal (e.g., teacher observation, checklists, etc.). In addition, it is important to ensure that the assessment tools and techniques that are used are aligned with instruction and that instruction is aligned with the assessment tools. The most effective assessment processes will also include a way for learners to self-assess their progress.

Forms of assessment not included on the approved list contained in this document may be used to inform instruction or measure goals not specific to level gains but cannot be used for the purpose of documenting an EFL gain in AESIS. For example, the *CASAS Government and History for Citizenship Test* (Revised 2009) is a standardized instrument used in Kansas to document the attainment of achieving citizenship skills, but it cannot be used to document educational gain.

#### Post testing to determine Educational Gain

Programs must provide intensive instruction and follow-up assessment in the area(s) that best suit a student's needs and will help them in achieving their educational goals. When post tested, a level gain may be recorded in any area where a student completes and/or advances a level of instruction, regardless of the student's recorded initial Educational Functioning Level.

The National Reporting System (NRS) does not require that learners be post tested in areas in which they have had no instruction.

### Summary

Students must be assessed and placed into an EFL using one of the approved assessments listed below at intake, or prior to achieving participant status (12 hours of instruction). Programs are required to administer a locator test, following publisher guidelines, to determine the appropriate pretest to administer, regardless of delivery method (i.e. paper-pencil, computer-based).

Approved assessments and their dates of validity are listed below by program:

Assessment Series	ABE	ASE	ESL	Pretest Approval	Posttest Approval
TABE 11/12				5/14/2017-6/30/2024	5/14/2017-6/30/2024
Reading*	X	X			
Math*	X	X			
Language	X	X			
TABE CLAS-E A/B				7/1/2017-6/30/2019	7/1/2017-6/30/2019
Reading*			X		
Listening*			X		
Writing			X		
Speaking			X		

\* Denotes a required assessment

Questions on assessment requirements and procedures can be directed to:

Hector Martinez	<a href="mailto:hmartinez@ksbor.org">hmartinez@ksbor.org</a>	(785) 430-4283
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### **Approved Assessments**

Only assessments currently approved for use by the U.S. Department of Education, Office of Career, Technical, and Adult Education (OCTAE), and KBOR may be used to determine educational functioning levels (EFLs) and measure educational gains.

These assessments are listed below.

#### Test of Adult Basic Education (TABE)

TABE 11 and 12 Reading

TABE 11 and 12 Mathematics

TABE 11 and 12 Language

#### TABE Complete Language Assessment System – English (CLAS-E)

TABE CLAS-E A and B Listening

TABE CLAS-E A and B Writing

TABE CLAS-E A and B Reading

#### TABE Online Unlimited and TABE Offline Unlimited

Both TABE Online and Offline options are available to the programs at no cost through June 30, 2024.

Programs must ensure that publisher assessment protocols are followed and that the assessment policies and standard operating procedures described below are fully implemented.

### **General Assessment Requirements**

Learning gain is measured through pre- and post-testing as defined by the NRS. Students are initially placed into an EFL based on their performance on an NRS approved assessment. After a set number of instructional hours (described below) participants are assessed using a parallel form of their pretest assessment. If their skills have improved enough to be placed in one or more EFLs higher than their initial placement, EFL gain is recorded for the student.

To best capture learning gain, students must be pretested using an approved assessment and placed into an EFL prior to receiving 12 hours of instruction. Early assessment provides local programs with the knowledge needed to make instructional plans, informs students of their status allowing them to set goals, and provides for the most accurate measurement of learning gain upon post testing.

Unless they indicate a desire to study in only one area, ABE/ASE learners must be assessed in Reading and Mathematics at a minimum. Programs should utilize TABE 11 or 12, levels E, M, D, or A as determined by Locator scores. Learners who indicate they desire to study in only one area may be pretested in only that area. For example, a learner who states that he has passed all but the mathematics portion of a high school equivalency exam and only wants to study mathematics could be pretested only in mathematics.

ESL learners must be assessed at a minimum in reading and listening using CLAS-E, Form A or B, levels 1, 2, 3, or 4 as determined by locator scores. Learners are pretested in multiple skill areas to provide students and program staff with adequate information about their basic skill levels.

**Reading:** When leveling a learner based on a reading score, a valid TABE or CLAS-E Reading test score must be entered in the “Current Tests” page of AESIS. If the learner’s test score is not in the valid range an additional TABE or CLAS-E Reading test must be administered (either at a lower or higher level, depending on whether the individual test score was at the upper or lower end of the scale score range) in order for the learner to achieve a valid diagnostic test score.

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Exception: When a learner's reading skills are so limited that he/she cannot achieve a valid diagnostic test score on the lowest level TABE or CLAS-E Reading test, a score of 0 may be entered as the reading score in the "Current Tests" page of AESIS. A score of 0 may only be entered if the lowest level test was administered and a valid score could not be achieved. The test form on which an invalid score was achieved and the date of testing must be entered in the "Notes" field on the "Current Tests" page of AESIS.

**Mathematics:** When leveling a learner based on a mathematics score, a valid TABE Mathematics test score must be entered into the "Current Tests" page of AESIS. If the learner's test score is not in the valid range, an additional TABE Mathematics test must be administered (either at a lower or higher level, depending on whether the individual test score was at the upper or lower end of the scale score) in order for the learner to achieve a valid diagnostic test score.

Exception: When a learner's mathematics skills are so limited that he/she cannot achieve a valid diagnostic test score on the lowest TABE mathematics test, a score of 0 may be entered as the mathematics score in the "Current Tests" page of AESIS. A score of 0 may only be entered if the lowest level test was administered and a valid score could not be achieved. The test form on which an invalid score was achieved and the date of testing must be entered in the "Notes" field on the "Current Tests" page of AESIS.

**Listening:** When leveling a learner based on a listening score, a valid CLAS-E Listening test score must be entered. If the learner's test score is not in the valid range, an additional CLAS-E Listening test must be administered (either at a lower or higher level, depending on whether the invalid test score was at the upper or lower end of the scale score) in order for the learner to achieve a valid diagnostic test score.

Exception: When a learner's listening skills are so limited that he/she cannot achieve a valid diagnostic test score on the lowest level CLAS-E Listening test, a score of 0 may be entered as the listening score in the "Current Tests" page of AESIS. A score of 0 may only be entered if the lowest level test was administered and a valid score could not be achieved. The test form on which an invalid score was achieved and the date of testing must be entered in the "Notes" field on the "Current Tests" page of AESIS.

**Language or Writing:** When leveling a learner based on writing or language, a valid score derived from the TABE or CLAS-E must be entered.

### Pretesting and Initial Placement

TABE diagnostic tests are used to determine reading, mathematics, and language levels for ABE/ASE learners while CLAS-E diagnostic tests are used to determine reading, writing, and listening skill levels for ESL Learners. To determine the correct pretest level (E, M, D, A or 1, 2, 3, 4) local programs must administer the TABE or CLAS-E Locator. Learners must have completed this process and have valid TABE or CLAS-E diagnostic test scores for determining initial EFL placement *prior to completion of twelve hours* of participation in an adult education program.

By default, learners are placed in an initial Educational Functioning Level (EFL) in AESIS, the Kansas Board of Regents Adult Education management information system, based on the subject area of their lowest scale score. However, if after pretesting a learner discloses a desire to study in a subject that is different from the AESIS-assigned EFL, the EFL can be changed. Changes to the EFL shown in the "Suggested" field in AESIS should be made to match the subject in which the learner desires to study in the "Entered" field on the "Current Tests" tab. If a change is entered, the reason should be documented in the "Notes" field on the same page.

**Note:** Once a learner's initial entry level has been selected, it must not be changed.

CTB/DRC does not specify the length of time a pretest is valid. Learners who "stop out", for 180 days or more, **must** be pretested upon return to the program. Local program staff should avoid placing learners in classes that are either too high or too low, as doing so could have a negative impact on retention and progress. Therefore,

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they must carefully evaluate factors that could affect learners' basic skill needs in deciding whether to administer new pretests to students who have stopped out more than 90 days but less than 180 days. If a student who stopped out for more than 90 days returns for a second period of participation and a new pretest is administered, resulting in a gain based on their pretest from their first period of participation, an EFL gain may be counted for the first period of participation.

Within a single period of participation, a learner's assessment score will roll-over from one program year to the next. If a student "stopped out" and begins a new period of participation in the next program year, the program may roll-over his/her most recent assessment as a pre-test if the scores are less than 120 days old. When placing learners, local programs must refer to the NRS benchmarks for TABE 11 and 12 and CLAS-E below.

<b>Educational Functioning Level</b>	<b>Assessment</b>	<b>Scale Scores</b>
1. Beginning ABE Literacy	TABE 11 & 12	Reading: 300-441 Mathematics: 300-448 Language: 300-457
2. Beginning Basic Education	TABE 11 & 12	Reading: 442-500 Mathematics: 449-495 Language: 458-510
3. Low Intermediate Basic Education	TABE 11 & 12	Reading: 501-535 Mathematics: 496-536 Language: 511-546
4. High Intermediate Basic Education	TABE 11 & 12	Reading: 536-575 Mathematics: 537-595 Language: 547-583
5. Low Adult Secondary Education	TABE 11 & 12	Reading: 576-616 Mathematics: 596-656 Language: 584-630
6. High Adult Secondary Education	TABE 11 & 12	Reading: 617-800 Mathematics: 657-800 Language: 631-800
	<b>Assessment</b>	<b>Scale Scores</b>
<b>Educational Functioning Level</b>	CLAS-E	Reading and Writing: 225-394 Listening and Speaking: 230-407
1. Beginning ESL Literacy	CLAS-E	Reading and Writing: 395-441 Listening and Speaking: 408-449
2. Low Beginning ESL	CLAS-E	Reading and Writing: 442-482 Listening and Speaking: 450-485
3. High Beginning ESL	CLAS-E	Reading and Writing: 483-514 Listening and Speaking: 486-525
4. Low Intermediate ESL	CLAS-E	Reading and Writing: 515-556 Listening and Speaking: 526-558
5. High Intermediate ESL	CLAS-E	Reading and Writing: 557-600 Listening and Speaking: 559-600
6. Advanced ESL	CLAS-E	Reading and Writing: 557-600 Listening and Speaking: 559-600

### Post testing and Program Progress

AESIS will automatically calculate an EFL gain when indicated by the posttest scale scores entered.

TABE and CLAS-E provide alternate test forms and multiple test levels for post testing. Options for post testing include:

- Using the alternate form of the same level test
- Using the next higher level of either the same or alternate form of the test *only when the learner has pretested near the top of the placement level*

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## Kansas Adult Education Policy Manual

- Using the same form as the pretest *if at least 180 days or 120 hours of instruction have passed between the first use and repeated use of the same form*, regardless of whether an alternate form has been used in between.

According to publisher guidelines, learners should be post tested after a minimum of 40 hours for ABE levels 1-4, 30 hours for ASE levels 5-6, and 60 hours for CLAS-E. KBOR recommends post testing between 50 and 60 hours of instruction. There are four exceptions to this policy:

1. Programs may administer a posttest to ABE/ASE learners who have participated in a *minimum* of 40 hours of instruction if they indicate they are leaving the program.
2. Programs may administer a posttest to ESL learners who have participated in a *minimum* of 50 hours of instruction.
3. Programs may administer a posttest to learners with *more than* 50 to 60 hours of instruction if post testing earlier would interfere with the design of a class session. For example, if a class session is scheduled for nine weeks with 12 hours of instruction per week, post testing could occur at the end of the class session.
4. According to publisher guidelines, Adult Secondary Education Low (EFL 5) and Adult Secondary High (EFL 6), learners may be post tested after a *minimum* of 30 hours of instruction. Post testing after 30 hours for level 5 and 6 learners should only be done if they indicate they are leaving the program.

While all programs are expected to posttest a minimum of seventy percent (70%) of program participants each fiscal year, attempting to meet this expectation does not replace the absolute necessity of following all assessment policies and publisher guidelines. Although not all learners will demonstrate a learning gain at 50 to 60 hours, failing to posttest a learner will guarantee that no learning gain is recorded.

When learners' posttest scale scores indicate an educational level gain, AESIS will automatically calculate and account for the completion.

### Training for Administering Assessments

To ensure reliable testing results, every person who administers a TABE assessment, scores a TABE assessment, and/or reports scores for entry into AESIS must use appropriate testing protocol.

- Every test must be administered in a testing environment that is designed to elicit learners' best efforts, i.e., adequate space, appropriate furniture, good lighting, no interruptions, and no distracting sounds.
- All test administrators must use the test administration manual each time they administer any TABE tests.
- Local program directors must monitor testing practices closely to confirm that correct procedure is followed.
- On a quarterly basis, local program directors submit and certify, and KBOR staff verify, the accuracy of the [Data Validation Checklist](#) which includes learner testing information.
- To review individual learner testing information for every program, KBOR staff review learner testing information for twenty-five percent of local programs every quarter.
- Appropriate accommodations must be provided for learners who have disabilities. (See Guidelines for Providing Accommodations below.)

### Guidelines for Accommodations

Local programs must adhere to legislation which addresses testing accommodations for learners with disabilities, including Section 504 of the Rehabilitation Act of 1973, the Individuals with Disabilities Education Act of 2004, the Every Student Succeeds Act of 2015, and the American's with Disabilities Act reauthorized in 2008.

### Local Program Requirements

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- Test administrators must consider the individual needs of the learner when they provide accommodations.
- The responsibility of fulfilling learner's requests for accommodations is that of the local program, not the Kansas Board of Regents or CTB/DRC (TABE).
- Test administrators must follow publisher guidelines.
- The program administering the test must provide any necessary accommodations at no cost to the learners.

### Adult Learner Requirements

- Adult learners with a disability must self-identify.
- Adult learners with disabilities are responsible for providing information on and documentation of their disability.
  1. Documentation may include a medical doctor's report, a diagnostic assessment report from a certified professional, Individual Education Plans (IEPs), records from learners previously served under the Individuals with Disabilities Education Act (IDEA), and/or a report from vocational rehabilitation or other services.

### Accommodations in Standardized Testing

Accommodations which follow publisher guidelines may alter test administrator procedures without changing what the test is intended to measure.

Local test administrators may provide accommodations in test administration procedures or environment for students with documented disabilities without contacting KBOR staff or CTB/DRC.

The following guidelines address methods for administering TABE and CLAS-E assessments using accommodations for learners with documented disabilities. For example:

### Accommodations Not Expected to Influence Student Performance

- Presentation
  1. Use visual magnifying equipment
  2. Use a large-print edition of the test
  3. Use audio amplification equipment
  4. Use markers to maintain place
  5. Have directions read aloud
  6. Use a tape recording of directions
  7. Have directions presented through sign language
  8. Use directions that have been marked with highlighting
- Response
  1. Mark responses in test booklet
  2. Mark responses on large-print answer document
  3. For selected-response items, indicate responses to a scribe
  4. Record responses (except for constructed-response writing tests)
  5. For selected-response items, use sign language to indicate response
  6. Use a computer, Braille writer, or another machine (e.g., communication board) to respond
  7. Use a template to maintain place for responding
  8. Indicate response with other communication devices (e.g., speech synthesizer)
  9. Use a spelling checker except with a test for which spelling will be scored
- Setting
  1. Take the test alone or in a study carrel
  2. Take the test with a small group or different classroom
  3. Take the test at home or in a care facility (e.g., hospital), with supervision
  4. Use adaptive furniture
  5. Use special lighting and/or acoustics

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- Timing/Scheduling
  1. Take more breaks that do not result in extra time or opportunity to study information in a test already begun
  2. Have flexible scheduling (e.g., time of day, days between sessions) that does not result in extra time or opportunity to study information in a test already begun

### Accommodations Which May Impact Student Scores

(should be taken into consideration when interpreting scores) (See the note below concerning accommodations for the Reading test.)

- Presentation
  1. Have stimulus material, questions, and/or answer choices read aloud
  2. Use a tape recorder for stimulus material, questions, and/or answer choices, except for a Reading Test
  3. Have stimulus material, questions, and/or answer choices presented through sign language, except for a Reading test
  4. Use communication devices (e.g. text talk converter), except for a Reading test
  5. Use a calculator or arithmetic tables, except for a Mathematics Computation test
- Response
  1. Use graph paper to align work
- Timing/Scheduling
  1. Use extra time for any timed test
  2. Take breaks that result in extra time for any timed test
  3. Extend the timed section of a test over more than one day, even if extra time does not result
  4. Have flexible scheduling that results in extra time

### Accommodations which Change what is Measured (alters interpretation of test scores)

- Presentation
  1. Use Braille or other tactile forms of print
  2. On a Reading (decoding) test, have stimulus material, questions, and/or answer choices presented through sign language
  3. On a Reading (decoding) test, use a text-talk converter, where the reader is required to construct meaning and decode words from text
  4. On a Reading (decoding) test, use a tape recording of stimulus material, questions, and/or answer choices
  5. Have directions, stimulus material, questions, and/or answer choices paraphrased
  6. For a Mathematics Computation test, use of a calculator or arithmetic tables
  7. Use a dictionary, where language conventions are assessed
- Response
  1. For a constructed-response writing test, indicate responses to a scribe
  2. Spelling aids, such as spelling dictionaries (without definitions), spell/grammar checkers provided, for a test for which spelling and grammar conventions will be scored
  3. Use a dictionary to look up words on a Writing test

Note: It is *not* an appropriate accommodation to *read a TABE or CLAS-E Reading test* to a learner with low literacy skills or blindness. The purpose of a reading test is to assess reading skill levels and to determine the learner's appropriate instructional levels, not to assess knowledge of a subject area.

### Test Forms for Use with Learners with a Disability

- TABE 11/12 Large Print (available in Complete and Survey editions)
- TABE 11/12 Braille (available in Complete and Survey Editions)
- TABE 11/12 Audio Edition (available in Complete and Survey Editions)
- TABE Online
- CLAS-E Large Print

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Contact KBOR staff for specific questions on appropriate accommodation practices for TABE and CLAS-E tests.

### Training and Technical Assistance

- Local programs must ensure that all staff and faculty administering or scoring TABE 11 & 12 complete the How to Plan and Administer TABE 11 & 12 Training Video Workbook and all staff and faculty administering or scoring CLAS-E complete the TABE CLAS-E Staff Development Workbook prior to the first time they administer or score the test. When faculty or staff complete a workbook, the Test Administrator Certification Application must be sent to CTB/DRC and a copy of the Test Administrator Certification must be sent to [adulthoodreports@ksbor.org](mailto:adulthoodreports@ksbor.org).
- New faculty and staff must complete training on the topics listed below within six months of being hired.
  1. NRS policy, accountability policies, and data collection process
  2. Definitions of outcome measures
- Local program directors and coordinators must participate in **yearly** face to face and/or webinar-based training provided by KBOR staff. Topics include:
  1. State assessment policies and procedures, including best practices
  2. NRS policy, accountability policies, and data collection process
  3. Definitions of outcome measures
- Local program directors must ensure that current faculty and staff receive **yearly** training on data collecting, reporting, and analysis, federal and state policies, and outcome measures.
- Local program directors must ensure that faculty and staff participate in refresher training on administering, scoring and interpreting TABE and CLAS-E every **two** years.
- Local program administrators, faculty, and staff may access recorded training sessions on TABE and CLAS-E at any time.
- Local programs must document completed staff training on the “Staff Profile Information” page in AESIS.

### Data Quality

The quality of a program’s data is directly linked to the program’s commitment to adhering to testing policies and procedures. Scoring tests accurately and reporting accurate and valid test scores.

- For every learner, all TABE and CLAS-E test scores, test forms and levels, and dates of testing must be entered into AESIS on the “Current Tests” page.
- For every learner, all invalid test scores, forms and levels, and testing dates must be entered into AESIS in the “Notes” field on the “Current Tests” page.
- A program must never manipulate test scores to achieve learning gains that do not accurately reflect each learner’s EFL and progress in all areas where he/she is working.
- Information about accommodations provided to learners with disabilities during testing must be maintained in the learner’s permanent files.
- Programs must maintain proper documentation of all information entered into AESIS for five years plus the current year.
- All pre-and post-test scores must be entered into AESIS within one week of testing.

### Distance Learners

Programs must administer **approved assessments** to determine EFL gain. This applies to both face-to-face and distance education learners.

### Test Security

Test security is an essential component of standardized testing. Test booklets, self-scoring answer sheets, answer keys, and all other testing materials must be maintained in a secure area.

No individual, workgroup, committee, team, or program may teach or prepare learners to answer specific questions that appear on any TABE or CLAS-E test. Instructors may not review specific test items with learners when discussing test results nor include actual test items or slightly revised test items in any instructional materials.

**12. Policies on Distance Education**

### **12.1 Definitions Related to Distance Education:**

Distance education is a formal learning activity where students and instructors are separated by geography, time or both for the majority of the instructional period. Distance learning materials are delivered through a variety of media including, but not limited to, print, audio recording, videotape, broadcasts, computer software, web-based programs, and other online technology. Teachers support distance learners through communication via mail, telephone, email or online technologies and software. (*National Reporting System Implementation Guidelines, July 2007*)

Note: Programs must have a student-classification policy, consistent with the NRS definition, for participants who receive both distance education and traditional classroom instruction during a program year (such as a blended distance-classroom approach or concurrent enrollment in both types of instruction). The program's student-classification policy must be submitted and approved by KBOR staff prior to offering both distance education and traditional classroom instruction to a student.

Applicable Population: In Kansas Adult Education programs, "distance education" is defined as formal learning where students and instructors are separated by geography, time or both for the majority (greater than 50% of the hours of participation) of the instructional time.

Distance learners are those learners who participate initially in an on-site program, then participate in regularly scheduled reviews, progress testing, etc. through distance learning using distance learning materials delivered through a variety of media including, but not limited to, print, audio recording, videotape, broadcasts, computer software, web-based programs, and other online technology. Only those learners who are working intently on a program of study at a distance from, but under the supervision and with the support of an adult education instructor, may be identified as distance learners. (There is a checkbox on the *AESIS Student Info* tab to identify each program's distance learners.)

### **12.2 Measuring Contact Hours for Learners in Distance Education:**

In order for a *program to identify a learner as a "distance learner"* and report his or her instructional hours generated through distance learning, the following requirements must be met:

1. Students must participate in a face-to-face orientation like any other student.
2. Like all students, students in distance education must have at least 12 hours of contact with the program before they can be counted for federal reporting. For distance learners, contact hours can be a combination of in-person contact and contact through any telephone, video, teleconference or online communication during which student and program staff interact and staff can verify the learner's identity.
3. This initial 12 hours of contact should include the program orientation, determination of the learner's distance learning compatibility, one-on-one advising with goal identification, and TABE Locator testing and pre-testing.
4. TABE Locator, pre-testing, and post-testing must be conducted following the guidelines in the Kansas Assessment Policy. Learners should be post tested after a minimum of 40 hours for ABE levels 1-4, 30 hours for ASE levels 5-6, and 60 hours for CLAS-E. KBOR recommends post testing between 50 and 60 hours of instruction.

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5. A distance learner must participate a minimum of eight hours of adult education instruction per week unless the learner is participating in an IET program that includes other educational hours not counted in AESIS. The minimum eight hours of participation may be proxy hours based on actual clock time confirmed electronically (e.g., Blackboard, Aztec, Edmentum, SkillsTutor), teacher verification, learner mastery, or contact hours that can be a combination of in-person contact and contact through any telephone, video, teleconference or online communication during which student and program staff interact and staff can verify the learner's identity.
  - a. Proxy Hours: Proxy hours are defined as the time distance education students spend engaged in distance education activities, such as using distance education curricula. The hours for each activity are calculated using one of three models:
    - i. Clock-Time: This model assigns contact hours based on the elapsed time a learner is connected to and engaged in an online or standalone software program that tracks time. The software must provide a mechanism to time-out or log out students after a preset period of inactivity.
    - ii. Teacher Verification: This model assigns a fixed number of hours of credit for each assignment based on the teacher's determination of the extent to which a learner engaged in, or completed, the assignment. Contact hours for the teacher verification model are determined and established through a study conducted by the local program according to the following plan:
      1. Distance learning materials/resources are chosen.
      2. A sample of classes tracks how long they spend teaching the content, on a unit-by-unit basis.
      3. Average times for each unit are calculated from sample classrooms and that time is assigned for proxy contact hours for that unit.
      4. Training is conducted for each new set of educational materials added.
    - iii. Learner Mastery: This model assigns a fixed number of hours of credit based on the learner's demonstrated mastery of the content of a lesson. This model requires previous engagement by the student on curriculum and materials related to the test. A high percentage of correct responses on the mastery test earn the credit hours attached to the material.
6. In addition to the 32 hours per month of distance learning described above, a distance learner must interact with instructional or advising staff a minimum of four hours per month. The content of the four hours of interaction per month may include one-on-one advising, review of work completed; and/or TABE post-testing conducted in-person and/or remotely. The interaction may include any contact through telephone, video, teleconference or online communication where student and program staff can interact and where staff can verify the learner's identity.
7. Hours of participation for distance learners should be entered into AESIS.

**Approved Distance Education Curriculum**

The curricular resources listed below have been reviewed and approved for distance education use by KBOR staff. Proxy hours must be recorded and reported using the method indicated for each model.

KBOR staff understand that instead of purchasing a canned product, some programs may have the desire and resources necessary to design their own standards-based distance education curriculum. Prior to recording proxy hours for these courses, programs must submit the following to KBOR staff.

1. The targeted population (program and target levels)
2. Any classroom materials courses were developed around (e.g., McGraw Hill Common Core Achieve)
3. What CCRS Standards are addressed by each lesson
4. The method used to record proxy hours (Clock-time, Teacher Verification, Learner Mastery)

Once submitted, KBOR staff will review and approve courses for use with distance education.

<b>Title</b>	<b>Program</b>	<b>Model</b>
Aztec	ABE/ASE	Clock-time
Burlington English	ELA	Clock-time
Edmentum: PLATO	ABE/ASE	Clock-time
GED Academy	ABE/ASE	Clock-time
GED Connection	ABE/ASE	Teacher Verification
i-Pathways	ABE/ASE	Clock-time
KeyTrain	ABE/ASE	Clock-time
Khan Academy	ABE/ASE	Clock-time, Teacher Verification
Pearson My Lab Series: MyEnglishLab MyFoundationsLab MyMathLab MyReadingLab MyWriting	ABE/ASE	Clock-time
Reading Horizons	ABE/ASE/ELA	Clock-time
Rosetta Stone	ELA	Clock-time
Skills Tutor	ABE/ASE	Clock-time

**13. Appendix A – Documentation of Disabilities and Accommodation Forms**

**Documentation of Disability**

*(To be completed for every learner identified as having a disability)*

Student Name: \_\_\_\_\_ DOB: \_\_\_\_\_

Disability (list all): \_\_\_\_\_

Major life activity limited or restricted (Circle at least one): walking, seeing, hearing, speaking, learning, working, other (explain below)

\_\_\_\_\_

Evidence: \_\_\_\_\_ Self-report; \_\_\_\_\_ Teacher observation; \_\_\_\_\_ IEP or psychological evaluation; \_\_\_\_\_ Letter from medical personnel licensed to diagnose the disability; \_\_\_\_\_ Other (explain below)

\_\_\_\_\_

Name/Address of MD, psychologist, school district professional, and/or other diagnostic professional who conducted testing to determine disability: \_\_\_\_\_

\_\_\_\_\_

Special Strategies Used or Services Provided	Date Initiated or Changed®	Staff Initials	Student Initials

If no special strategies are listed, a reason must be given:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date form completed: \_\_\_\_\_ Completed by: \_\_\_\_\_

Student's signature: \_\_\_\_\_



## **14. Appendix B – Sample Disclaimer Forms**

# PARENT CONSENT AND WAIVER

## FOR CHILD AGE 16 OR 17 TO BE EXEMPT FROM COMPULSORY ATTENDANCE REQUIREMENTS

Check this box if...

This student resides in the district, is not enrolled in the district, and needs verification for a High School Equivalency (GED) program that they are not currently enrolled. If you check this box you do not need to identify the areas of possible inadequate skills below.

I, \_\_\_\_\_, understand that under  
Kansas law, Name of Parent(s) or Person Acting as Parent

\_\_\_\_\_ / \_\_\_\_\_, is required to attend school  
Name of Student (First, Middle, Last) Student's Date of Birth

until he/she receives a high school diploma or High School Equivalency (GED) credential or reaches the age of 18, whichever occurs first.

By not completing high school, \_\_\_\_\_ may have inadequate academic skills to  
Student's First Name achieve

post-secondary success in the following areas:

\_\_\_ Academic Preparation \_\_\_ Cognitive Preparation \_\_\_ Technical Skills \_\_\_ Employability Skills \_\_\_ Civic Engagement

Several studies indicate that over the course of his or her lifetime, a high school dropout earns, on average, about \$300,000 less than a high school graduate. Pursuant to K.S.A. 72-1111, as amended, USD \_\_\_\_\_ encourages \_\_\_\_\_ to remain in school or pursue one of the Board approved educational alternatives which have been provided.

This student is interested in one of the following alternative education programs:

\_\_\_ Alternative High School \_\_\_ Counseling Services \_\_\_ Credit Recovery \_\_\_ Adult Education \_\_\_ ESL Classes \_\_\_ Other: \_\_\_\_\_

Check if statement is true:

This student is not involved in any truancy programs or under any court orders. (Truancy Officer verified)

This student has been presented with the salary impact review and is aware of the possible impact on future earnings.

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I (we) the undersigned hereby give written consent to allow

\_\_\_\_\_,  
Students' First Name

who is  16  17 years of age, to be exempt from the Kansas compulsory attendance requirement and state we have attended the final counseling session conducted by USD \_\_\_\_\_ in which the above information was presented to us.

\_\_\_\_\_  
Signature of Student

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Parent or Person Acting as Parent

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Parent or Person Acting as Parent

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of School Official Conducting Final Counseling Session

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Administrator

\_\_\_\_\_  
Date



KANSAS BOARD OF REGENTS

COMPULSORY ATTENDANCE EXEMPTION FORM

Non-Accredited Private Schools (Home Schooling)

Pursuant to K.S.A 72-1111, as amended, \_\_\_\_\_,  
(Name of Child)

a child who is 16 or 17 years of age, is exempt from the compulsory attendance requirements of the State of Kansas for the reason listed below:

\_\_\_\_\_ The child is exempt pursuant to a court order which is attached to this form.

\_\_\_\_\_ The child will enroll in \_\_\_\_\_.  
(Name of Adult Education Program)

Your child must be officially signed out of their Homeschool in order to pursue their high school equivalency. By signing below you have agreed that \_\_\_\_\_ will pursue their high school equivalency and

(Name of Child)

will no longer attend \_\_\_\_\_.  
(Name of Home School)

The last Public/Private School that the student attended was \_\_\_\_\_  
(Name of School)

located in \_\_\_\_\_. Their last date of attendance at this school was on \_\_\_\_\_.  
(City, State) (Month/Year)

My child has never attended a Public/Private School

We currently live in the \_\_\_\_\_ School District.

Signature of Child: \_\_\_\_\_ Birthdate: \_\_\_\_\_ Date: \_\_\_\_\_

Signature of Parent/Guardian: \_\_\_\_\_ Date: \_\_\_\_\_

Parent Phone Number: \_\_\_\_\_

Signature of Home-School Administrator: \_\_\_\_\_ Date: \_\_\_\_\_  
(If the parent is the Administrator, please sign as Parent & Administrator)