



# UTAH ADULT EDUCATION POLICIES AND PROCEDURES

## A UTAH STATE BOARD OF EDUCATION TECHNICAL ASSISTANCE GUIDE

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## ABOUT THIS GUIDE

This Utah Adult Education Policies and Procedures Guide is intended to create a standardized working environment, aligned to the Utah State Board of Education's (USBE) mission, for the success of all Utah adult education students. The mission of the USBE is to lead "*by creating conditions for student success: advocating for necessary resources, developing policy, and providing effective oversight and support.*" Connected to this mission is an underlying core value of local control. Local control is evidenced by selecting curricular materials, hiring and developing qualified staff, building effective programs that provide for student growth, and utilizing best-practices for continual improvement. Local control will invariably influence program guidance and design. Governing agency policies and procedures may provide answers to additional questions not addressed in this manual.

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

This policies and procedure guide is intended to be a living document. It will be maintained on the [USBE Adult Education website](#) with an attending document that outlines any recent changes. It is expected that program directors will be familiar with the location of this guide and refer to the current version as posted instead of maintaining a printed copy. The guide is designed as a single document to help facilitate electronic search functions.

Modifications to this document may only be made through the USBE Board Standing Committee Meetings and Procedures as outlined in [Board Bylaws](#). Upon review at committee, the document may be recommended for Board approval at the next full Board meeting.

## SECTION 1: ADULT EDUCATION OVERVIEW

Our Mission: We provide transformative, learner-centered, high-quality, evidence-based education that leads to sustainable employment and personal success.

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

State statutes authorizing and guiding adult education can be found here: [Utah Code 53E-10-2](#) and [Utah Code 53F-2-401](#).

Utah State Board of Education rules (Board Rules) governing adult education can be found here: [R277-702](#) and [R277-733](#).<sup>1</sup>

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

Utah Adult Education provides three core services including Adult Basic Education, Adult Secondary Education, and English Language Acquisition as defined below.

### UTAH ADULT EDUCATION CORE SERVICES

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#### *ADULT BASIC EDUCATION (ABE)*

Adult Basic Education is a program of instruction below the 9.0 academic grade level designed to assist individuals in preparing them for post-secondary education and training, future employment, and personal success.

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<sup>1</sup> N.B.: Board Rules are part of the larger Utah Administrative Code and deal with section 277. These rules can be found in two places: the [USB E Administrative Rules webpage](#) or [the Utah Office Administrative Rules webpage](#). Therefore, Board Rule R277-702 refers to the same rule as Utah Admin. Code R277-702. Additionally, it should be noted that the Utah State Board of Education Special Education Rules (SpEd Rules) are part of but distinguished from Board Rules. Though separate, these Rules are incorporated into Board Rule by reference ([see Board Rule R277-750](#)).

## *ADULT SECONDARY EDUCATION (ASE)*

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

## *ENGLISH LANGUAGE ACQUISITION (ELA)*

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

## FEDERAL PROGRAMS

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

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

Three types of federal AEFLA funds are available:

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

- Prisons and Institutions (P&I)—Used for the cost of educational programs for criminal offenders in correctional institutions and for other institutionalized individuals. Priority for program services should be given to individuals likely to leave the correctional institution within five years of participation.
- Integrated English Literacy and Civics Education (IELCE)—Services must include instruction in literacy and English language acquisition and instruction on the rights and responsibilities of citizenship and civic participation. Services must be delivered in combination with integrated education and training activities and prepare English learners for unsubsidized employment in in-demand industries and occupations.

## SECTION 2: ELIGIBILITY

An individual eligible to receive adult education services:

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

Note: Students who academically test at or above the 9.0 grade level in all assessed areas and have already obtained a secondary diploma and/or high school equivalence are not entitled to adult education services.

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

- Any adult not currently holding a secondary diploma, including non-residents;
- Any 17-18-year-old whose class has graduated; or
- Any 16-18-year-old whose class has not graduated and who submits a completed HSE Candidate and Adult Education Eligibility Form.

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



## PROGRAM RESPONSIBILITIES

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- A. Adult education programs must obtain and maintain proof of residency in the student's permanent file, and proof of residency shall be made available to the USBE staff or auditors during program monitoring visits.
  - I. As proof of residency, prospective students must present one of the following nonexpired items, in their name, at the time of registration:
    - a. Utah driver's license
    - b. Utah driver's privilege card
    - c. Utah State ID

OR

  - II. One of the following items if the date on the document is within the past twelve (12) months. If one of the following items is presented, the document must be in the person's name and include the Utah home street address (not a P.O. Box) that is reported in the student's registration:
    - a. Mail received in the person's name from an established business
    - b. Utility bill, phone bill, or work order
    - c. Employer's pay stub
    - d. Written statement on an employer's letterhead defining a job commitment with the prospective student
    - e. Current year automobile registration
    - f. Utah state government agency form letter
    - g. Utah library card
    - h. Rent or mortgage payment statement
    - i. Utah voter registration card
    - j. Utah high school/college transcript or report card
    - k. Tribal correspondence
    - l. Free and Reduced Lunch Application from the prospective student's children's school
    - m. Daycare or nursery school records of the prospective student's children
    - n. K-12 registration demographic card of children enrolled in a Utah school

- o. Consular document from a SLC consulate
  - p. Homeless ID
- III. The following items do not establish residency:
- a. Mail addressed to "Occupant" or "Resident"
  - b. Letters from friends or relatives
  - c. Power of attorney documents
  - d. Personal correspondence addressed to a P.O. Box
- B. Adult education programs must not require proof of residency for students dual-enrolled in a K-12 program, students in residential facilities, or incarcerated students.
- C. Adult education programs must ensure that out-of-school youth have a parent or legal guardian who is a resident of Utah or provide proof of residency themselves.
- D. Adult education programs must charge non-resident students out-of-state tuition and fees equal to the closest post-secondary institution until the student provides proof of Utah residency. Non-resident students from bordering communities who present proof of residency documents from their state are excluded from paying out-of-state tuition.

## SECTION 3: PROGRAM DESIGN

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

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

### PROGRAM RESPONSIBILITIES

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- A. Adult education programs must establish an orientation process that creates a welcoming atmosphere, includes appropriate assessments, identifies barriers, develops strategies for overcoming those barriers (including making referrals to partners within the one-stop centers) and helps students set educational and occupational goals for transition.
- B. Adult education programs must register each student by:
  - I. Gathering and entering into the student information system all required demographic information;
  - II. Having each student sign the Release of Information waiver and Grievance Policy form;
  - III. Obtaining student transcript(s), work history, military information, certifications, etc.; and
  - IV. Obtaining each student's IEP, where applicable.
- C. Adult education programs must establish a process for counseling with each student. The process must include:
  - I. Discussing the student's educational history;
  - II. Setting educational and occupational goals; and
  - III. Assigning appropriate courses that prepare students for postsecondary education and training and/or career options.
- D. Adult education programs must support a comprehensive instructional program for each funded program type.

- I. Adult Basic Education (ABE): Instruction is aligned with the Adult Education College and Career Readiness Standards and incorporates the essential components of reading instruction (e.g., phonemic awareness, phonics, vocabulary development, reading fluency, and reading comprehension).
  - II. Adult Secondary Education (ASE): Instruction is aligned with the Adult Education College and Career Readiness Standards and the program offers all necessary courses for a student to earn an Adult Education Secondary Diploma or its equivalency.
  - III. English Language Acquisition (ELA): Instruction is aligned with the English Language Proficiency Standards for Adult Education and addresses reading, writing, speaking, and listening skills.
- E. Adult Secondary Education credit-bearing courses must be under the direction of a certified teacher. English Language Acquisition instruction must be under the direction of either an ELL endorsed or TESOL credentialed instructor. Adult education programs must have an evaluation process in place [for all adult education personnel](#).
- F. Adult education programs must ensure students earning an Adult Education Secondary Diploma complete the minimum required core credits as established by the Utah State Board of Education in [Board Rule R277-700-6](#).
- G. Adult education programs must accept all transcribed credits from accredited educational institutions as established by the Utah State Board of Education in [Board Rule R277-705-3](#).
- H. Adult education programs receiving state legislative funding and issuing adult education academic credit and Adult Education Secondary Diplomas must maintain accreditation by the regional accrediting agency for the period of time that state legislative funding is granted to the local program. Accreditation is recognized by one of the following methods:
- I. Under the umbrella of an alternative high school as a special purpose school;
  - II. Adult education is a stand-alone program accredited as a special purpose school; or
  - III. Adult education is administered as a department of a high school of the local school district.
- I. Adult secondary education courses offered in an adult education program must be approved by the program's local board of education, have written

course descriptions, and be aligned with the Comprehensive Administration of Credentials for Teachers in Utah Schools (CACTUS) course codes.

- J. Adult education programs must ensure that local policy addresses the process for awarding competency-based credit, when offered.
- K. Adult education programs must not award earned credit for coursework in ELA and ABE classes below grade 9, unless approved by the Local Education Agency (LEA).
- L. Adult education programs must not award additional earned credit for duplicated coursework but may amend a course grade as indicated in [Board Rule R277-717](#).
- M. Local Education Agencies do not have authority to delay or deny access to the GED® even though the student’s class has not graduated.
- N. Adult education programs must designate a GED® Manager and clear alerts for GED® candidates between the ages of 16 and 18 who submit a completed HSE Candidate and Adult Education Eligibility Form. Only state-sponsored adult education programs will have access to GED Manager.
- O. Adult education programs may award students up to 5.0 credits for successfully passing the GED® prior to July 1, 2009, only if the credits for the GED® Test outcomes were transcribed prior to July 1, 2009. Credit for passing the GED® Tests was at the discretion of the local board of education and is to be awarded as follows:

Table 1: Awarding Credit for Passing GED® Tests

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

I. Note: Credit issued for successfully passing the GED® Tests in Spanish or the GED® Tests administered in English and Spanish may not be awarded as Language Arts credit.

P. Adult education programs must ensure that credits awarded by the program meet the following guidelines:

Table 2: Guidelines for Program Credits Awarded

Item	Maximum Number of Credits	Subject Where Credit Can Be Applied	Description
Work experience	4.0 credits maximum	Elective or CTE	1.0 credit for 180 hours (.50 for 90 hours) of continuous, professional employment (W2 or pay stubs)
Professional license or certificate skill training	3.0 credits maximum	Elective or CTE	1.0 credit for every 180 hours of training required for a professional license, or 180 hours of documented achievement of a trade or skill
Military experience	3.0 credits maximum	Individualized Fitness for Life or elective (military basic)	1.50 credit maximum for basic training (Individualized Fitness for Life or elective); 1.0 credit for each 180 hours of other verified military training (not to exceed 1.50 credits) (Form DD214)
College or university	As evaluated by transcript	Appropriate subject area analysis	1.0 credit for each 5 quarter-hours or 1.0 credit for each 3 semester hours
Apprenticeship	3.0 credits maximum	Elective or CTE	1.0 credit for each 72 hours of approved apprenticeship work performed (union or registered work credential)

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

R. Adult education programs must establish transition services that permeate throughout the student’s experience in Adult Education. Transition services must include:

- I. An introduction to and preparation for various careers;
- II. Workforce preparation activities; and
- III. An introduction to and preparation for post-secondary education and training opportunities.

## PROGRAM GUIDANCE

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- A. In addition to required partners, programs are encouraged to utilize additional community partners to expand the resources and opportunities offered to students.
- B. Instruction should be focused on content mastery rather than a predetermined seat time.
- C. Programs should employ, or have access to, an individual familiar with transcribing credit issues such as: duplicate credits, repeat courses, out-of-state transcripts, etc.
- D. Programs may apply transcribed credit to any appropriate graduation area in accordance with local policies and procedures.
- E. Programs should adhere to the state standard of requiring only 24 units of credit for graduation. By doing so, adult education programs are consistent in meeting the needs and goals of the adult learner affording them the opportunity to move forward in reaching employment and further education goals.
- F. Programs may consider creating a policy that requires a minimum number of hours or credits earned in the program prior to awarding a diploma. Any such policy should be approved by the local board of education.
- G. Programs may want to consider post-testing students before awarding a diploma to ensure that students have achieved college and career readiness levels of academic proficiency.
- H. School principals, counselors, and the local adult education programs should work together to assure that potential applicants and parents/guardians are aware of the consequences of pursuing a Utah High School Completion Diploma.
- I. GED® testing applicants are encouraged to seek appropriate accommodations for GED® testing if they qualify.

- J. Programs should ensure adequate and appropriate professional development opportunities are provided to all program staff to ensure quality services are provided to students. Topics might include:
  - I. College and Career Readiness information to enable effective transition counseling;
  - II. Andragogy;
  - III. Standards-based instructional methods; and
  - IV. Program type specific topics (e.g., corrections, Integrated English Literacy and Civics Education (IELCE), Integrated Education and Training (IET)).
- K. Programs should follow the processes established by their governing board for evaluating all staff and providing routine feedback, including coaching and mentoring processes to increase student achievement.
- L. Transitions services could include:
  - I. An introduction to a wide range of substantial post-secondary education and training opportunities. Sample activities may include college fairs, college tours, FAFSA workshops, inviting admissions personnel to program activities, etc.
  - II. An introduction to a variety of employment preparation activities. Sample activities may include job fairs, employer speakers, contextualized instruction, job shadowing, internships, etc.
  - III. Preparation for navigating the future workplace environment by integrating employability skills training throughout all adult education services. This includes explicit instruction in study and organizational skills.
  - IV. Utilization of Keys to Success for exploration of transition opportunities.
- M. Be aware that completion of an Adult Education Secondary Diploma or Utah High School Completion Diploma may affect a student's eligibility to enlist in the armed forces. Programs should obtain updated information from local recruitment centers.
- N. Programs could utilize licensed industry professionals to teach workforce training courses in adult education and hire them as a credentialed part-time teacher when part of a workforce training program.

For additional information on program design, consult the following:



- [Board Rule R277-702](#) Procedures for the Utah High School Completion Diploma
- [Board Rule R277-705-7](#) Adult Education Students

## SECTION 4: ASSESSMENT

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

The assessment policy is designed to provide a detailed explanation of state requirements for assessment. This policy applies to the *required* assessments that all programs use to report a student's Education Functioning Level (EFL) in compliance with state and NRS requirements. Each student's lowest scale score from the pre-test will be used as the EFL for the enrollment period. Programs should use additional diagnostic assessments throughout the learning process. However, local level assessments for instructional purposes are NOT a substitute for standardized assessments required for state and NRS reporting.

### Establishing Entering Educational Functioning Level

Assessment policies and procedures apply to all adult education and literacy programs receiving AEFLA and/or State funding. All students enrolling in adult education should have their EFL determined within the first twelve hours of instruction, using an assessment that has been determined eligible by the Office of Career, Technical and Adult Education (OCTAE) for use in the NRS. Remote testing is an option for students if programs adhere closely to all test publisher guidelines concerning remote testing.

### Approved Standardized Assessments

All tests determined to be suitable for use in the National Reporting System for Adult Education as published in the Federal Register are available for Utah adult education programs. Each assessment must be administered and scored in a standardized manner, as described by the publisher. All approved assessments

have alternative, equivalent forms that must be used in accordance with this policy for pre- and post-testing.

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

- Basic English Skills Test (BEST)
  - BEST Literacy
  - BEST Literacy 2.0 (NRS ESL Levels 1 through 4 only) and
  - BEST Plus 2.0
  - BEST Plus 23.0 (computer-based test only):- Basic English Skills Tests
- Comprehensive Adult Student Assessment System (CASAS):- Comprehensive Adult Student Assessment System
  - -Life and Work Listening and Reading Assessments
  - STEPS Listening and Reading Assessments
- TABE CLAS-E: Test of Adult Basic Education Complete Language Assessment System -- English (TABE CLAS\_E)

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

Currently approved assessments include:

- TABE 11/12: Test of Adult Basic Education (TABE) 11/12
- Comprehensive Adult Student Assessment System (CASAS):- Comprehensive Adult Student Assessment System--
  - Reading GOALS
  - Math GOALS 2
- ACT WorkKeys
  - Workplace Documents (all ABE levels)
  - Applied Math for (ABE levels 2 through 6 only)

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Provisional Educational Functioning Levels

If a pre-test cannot be administered within the first twelve hours, a student may be placed in an appropriate instructional setting based on an assigned Provisional EFL. Local level assessments (standardized or criterion-referenced) for student

instructional purposes are NOT a substitute for standardized assessments required for state and NRS reporting but may be used for establishing a provisional EFL.

## PROGRAM RESPONSIBILITIES

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- A. Adult education programs must ensure all standardized tests are valid. For a test to be valid it must be administered according to the publisher’s test administration protocols by a certified staff member. To ensure valid and reliable testing, all program staff who administer adult education assessments must complete test administrator training as required by the test publisher. Staff members must complete the required training below before administering any NRS approved assessments. Training should be completed at a minimum of every two years. Program directors must submit documentation of completed test administrator training, including a list of persons trained for each assessment used in the program and who conducted the training, to USBE Adult Education personnel during the USBE program review. USBE Adult Education personnel are responsible for reviewing submitted documentation and working with local programs to ensure that tests are administered by appropriately trained personnel in each local program.
  - I. TABE 11/12 (for ABE) test administrator training is available online. Certification candidates must complete training module one and training module two in their entirety for the certificate to generate. The password for both parts is: “tabecertdrc.”
  - II. TABE CLAS-E training should be coordinated through USBE.
  - III. BEST Plus [2.0-2.0 and 3.0](#) (for ELA) training will be provided by appointment. Program directors should contact USBE to schedule training as needed. Program staff administering the BEST Literacy [or BEST Literacy 2.0](#) and BEST PLUS tests must participate in recalibration training every two years after successfully completing the initial training.
  - IV. CASAS training (for programs who have selected the GOALS series for ABE, [and/or the Lifethe Life](#) and Work series, [or the STEPS series](#) for ELA) is available online. Program staff who administer the paper version of the test should complete Module 1: CASAS Implementation Basics and Module 3: CASAS Paper Test Implementation. Program

staff who administer the eTest version should complete Module 1: CASAS Implementation Basics and Module 2: CASAS eTests Implementation.

- B. Adult education programs must ensure an Entering EFL is set for every student. Every student should receive a pretest on an approved standardized assessment for each new period of participation within 12 hours, where possible. If a student was previously enrolled in an adult education program but had 90 days or more of inactivity, the student will need to be pre-tested again when reenrolling in adult education. A verified score report from partner agencies may be entered in the state student information system as a valid assessment within 90 days of administration. A pretest may be administered in a single subject or may include a complete assessment series.
- I. A single-subject test for the TABE includes the locator and the chosen subject test. The locator determines the appropriate level of the subject test to be administered.
  - II. A complete assessment series for the TABE includes the locator, mathematics, language, and reading. The locator determines the appropriate level of each subject test to administer.
  - III. A single-subject test for the CASAS-GOALS includes the appraisal and the chosen subject test. The appraisal determines the appropriate level of the subject test to be administered.
  - IV. A complete assessment series for the CASAS-GOALS includes the appraisal, mathematics, and reading. The appraisal determines the appropriate level of each subject test to administer.
  - V. A single-subject test for the CASAS-Life and Work, [CASAS STEPS](#), or BEST includes either speaking/listening or reading/writing.
  - VI. A complete assessment series for the CASAS-Life and Work, [CASAS STEPS](#), or BEST includes speaking/listening and reading/writing.
  - VII. A single-subject test for the TABE CLAS-E includes either Reading, Listening, and Writing or Speaking.
  - VIII. A complete assessment series for the TABE CLAS-E includes Reading, Listening, and Writing and Speaking.
  - IX. Programs must assign a provisional EFL if pre-testing is not an option.
- C. Adult education programs must adhere to all test publisher guidelines concerning time limits for each subject test given to students.

- D. Adult education programs can only administer a posttest to a student who has received a minimum of 40 contact hours since the last test in that subject area. A single-subject posttest is appropriate for all students, regardless of how they may have been pre-tested.
- E. Adult education programs must retain student assessment protocols, consisting of student's name, date of birth, date of testing, test administrator's name, and scores.
- F. Adult education programs ensure accommodations, as allowed by the test publisher, are made only for students who present a documented disability according to IDEA and Section 504 of the Rehabilitation Act of 1973 ([see Section 9](#) for further information on IDEA and Section 504). When selecting and administering tests to a student with a disability, it is best practice to administer the test in such a fashion that the results will accurately reflect the student's aptitude or achievement level rather than reflecting the student's impaired sensory, manual, or speaking skills. Documentation of a disability must:
  - I. Be prepared by an appropriate professional, such as a medical doctor, school or clinical psychologist, or qualified diagnostician.
  - II. Include a written statement of the diagnosis of the current disability, date of the diagnosis, how the diagnosis was reached, and credentials of the diagnosing professional.
  - III. Include a statement of how the current disability affects a major life activity.
  - IV. Include a statement of how the current disability affects academic performance.
  - V. Include recommendations regarding appropriate accommodations.
- G. Adult education programs must ensure the security of all assessment materials. Program responsibilities include the following:
  - I. Assessment protocols, manuals, scoring norms, etc. must be secured and maintained in a locked cabinet inaccessible to students.
  - II. Duplication of any assessment materials is strictly prohibited without written permission of the respective publishing company.
  - III. All used answer sheets, writing samples, scratch paper, or other testing materials are to be treated as confidential.
  - IV. Defaced assessment materials are to be destroyed by shredding and replaced on an ongoing basis.

- V. Assessment materials are not to be used by the program staff in any manner to develop or create learning materials with the intent of preparing a student for future assessments.
- H. Adult education programs must ensure, as outlined by the assessment publishers, that alternating forms are used for each pre-test and post-test and each subsequent post-test.
- I. Students must be post-tested on the same test they were originally assessed on. For example, if a student is pre-tested using the TABE 11, the participant cannot be post-tested using a CASAS test.
- J. Adult education programs must ensure that a locator test precedes each pre-test administered. Locator tests are not necessary prior to post-testing.
- K. Adult education programs must post-test a minimum of 60% of program participants.

## PROGRAM GUIDANCE

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- A. Programs should use additional diagnostic assessments in support of a student and his/her learning process.
- B. Local level assessments (standardized or criterion-referenced) for student instructional purposes are NOT a substitute for standardized assessments required for state and NRS reporting but may be used for establishing a provisional EFL.
- C. Students with a provisional EFL should be pre-tested using a valid NRS-approved assessment as soon as reasonably possible.
- D. If the student scores at an English Language Learner (ELL) 6 in either speaking/listening or reading/writing at the time of the initial assessment, an ABE assessment should be administered to determine whether the student's academic needs would be better served as an ABE student rather than an ELL student.
- E. Adult education programs strive to post-test all students. Although students become eligible for a posttest after 40 instructional hours, program staff should use professional judgement to determine the appropriate timing for each posttest.
- F. An ELL student whose assessment scores are at the ELL Exit level at any time during the program year should be administered an ABE assessment (including the locator or appraisal) as a diagnostic test to assist both the

student and the staff in designing the student's program focus. For reporting purposes, this student is still considered an ELL student for the remainder of the program year.

- G. Standardized assessments are considered high stakes assessments and must be treated as such. Programs may be held liable for breach of any security by the respective publishing companies.
- H. An EFL may alternatively be set by determining the number of Carnegie credits a student has acquired. Any students needing between 6.01 and 12 credits to graduate could be placed as an ABE 5. Any students needing 6 credits or less to graduate could be placed as an ABE 6.

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



## SECTION 5: FINANCIAL MANAGEMENT

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

Adult Education has two main funding sources:

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

State Adult Education Appropriations

Money appropriated to the Utah State Board of Education for adult education shall be allocated to eligible providers for adult education ([Utah Code 53F-2-401](#)). The total state allocation for adult education is determined by the Utah State Legislature ([Utah Code 53F-2-202](#)). The Utah State Board of Education is responsible for appropriating the state allocation by formula to each provider.

State adult education funds are allocated to providers according to the following distribution:

- A. Providers will be divided into two separate groups: community and correctional. Community programs serve all students besides individuals in the custody of the Utah Department of Corrections. Correctional programs serve only individuals in the custody of the Utah Department of Corrections.
  - I. Ninety percent of the total allocation is distributed using a program's percentage of the allocation based on the previous fiscal year's funding.
  - II. Two percent of the total allocation is distributed to encourage students' transition to postsecondary education and training. These funds are distributed based on a count of students who have entered a postsecondary institution in the USHE system. The count of students is obtained through a data match.
  - III. Five percent of the total allocation is distributed based on a count of Measurable Skills Gains (MSGs), as defined in 34 CFR 463.155(a)(1)(v).

- B. The remaining three percent of the total allocation is distributed to provide flexibility to programs as follows:
  - I. State staff priorities; including full time administrator incentives, new programs, program growth, and any other unforeseen program need as determined by state staff.
  - II. Supplemental grants, as requested by the program. Supplemental grant applications are made available on October 15 for programs that receive less than 1% of the total allocation. Supplemental grant applications are made available for all other programs on November 1 of each program year.
- C. Corrections Education receives a minimum of 15 percent of the total appropriation as per [Utah Code 53F-2-401\(2\)\(c\)](#). This percentage is determined through the total allocation of funds for correctional programs. If the total allocation for correctional programs is less than 15%, adjustments to the percentages described in A(i) above will be made.

## PROGRAM RESPONSIBILITIES

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- A. Adult education programs must maintain documentation of both state and federal fund grants and associated expenditures for three years after the day that the program submits to USBE its last expenditure report for the program year.
- B. Programs must complete a grant application annually.
- C. For students who are enrolled in both K-12 and adult education, the Weighted Pupil Unit (WPU) generated by that student from the K-12 program should be transferred to the adult education program on a pro-rated basis according to time spent in the adult education program. These students are ineligible for adult education funding.
- D. Adult education programs must submit reimbursement requests at least quarterly for all federal and supplemental funds.
  - I. Programs are responsible to adhere to the allowable and unallowable costs associated with the acceptance of federal funds.
  - II. Unclaimed funds will be recaptured by the USBE and reallocated to other AEFLA-funded programs for immediate expenditure.

- E. Programs are responsible to verify actual time and effort spent on any federal program receiving the benefit of effort. This requirement pertains to sub-recipients as well as sub-contractors. As such, programs must:
  - I. Maintain documentation of time for total work the employee is compensated;
  - II. Demonstrate actual personnel costs are charged to each award for employees working on multiple federal awards;
  - III. Prepare time and effort documentation at least monthly that coincides with one or more pay periods;
  - IV. Ensure time and effort documentation is signed by both the employee and the supervisor;
  - V. Submit time and effort documentation semi-annually for State, District, and Indian Tribal programs. Documentation is to be submitted by January and July of the award year validating all time worked from July 1st – June 30th of the grant award year; and
  - VI. Submit monthly personnel activity reports for non-profit organizations and community-based organizations.
- F. Adult education programs may charge students up to \$100 per program year to participate in an adult education program. Programs must establish a specific adult education fee waiver process separate from K-12 as determined by the program's governing board. [Student fee waiver records must be retained for 4 years after the student separates from the program.](#)
- G. Adult education programs must waive all fees for refugee students who have been in the country for less than 5 years. Refugee students would include Cuban/Haitians, Victims of Trafficking, and Afghan/Ukrainian Humanitarian parolees.
- G.H. [Programs must not spend more than 5% of the total program allocation on participant child and dependent care and transportation costs. This limit is imposed as a state limit and not by federal regulation.](#)
- H.I. [Programs must track revenues and expenditures in appropriate accounts according to USBE Financial Operations Chart of Accounts.](#)

## PROGRAM GUIDANCE

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

B. Adult education programs should consider the ability of students to pay fees and adapt any fee waiver process to ensure accessibility for as many students as possible.

C. Programs can identify refugee students by asking the individual. If programs have questions about the validity of the student's claim, documentation can be requested from the student. A variety of valid documents showing refugee status exist, so when in doubt, programs can reach out to the Refugee Services Office for clarity.

~~C.D.~~ Programs can utilize adult education (both state and federal) funds to pay for the costs of child and dependent care and transportation when participants need this assistance to participate in adult education services. These costs must be reasonable, necessary, and allocable to adult education. Programs should take care to utilize other sources of funding to provide child and dependent care and transportation instead of adult education funding, when possible. Costs should be in line with market prices for comparable goods or services. Costs of child and dependent care provided should be limited to the time spent in the adult education program plus travel to and from the site. Transportation costs could include gas cards, ride-sharing gift cards, and funds for the use of public transportation.

~~D.E.~~ To determine the amount of fees applied to federal fund codes, programs should use the following formula:

- I. Total number of federally identified students ÷ total number of all students = %  
% x fees collected = proportionate \$ amount of fees collected

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For additional information on financial management, consult the following:

- [Board Rule R277-733-6](#) State Fund Distribution, Carryover, and Recapture
- [Board Rule R277-733-10](#) Supplemental Awards

## SECTION 6: DATA MANAGEMENT

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

### PROGRAM RESPONSIBILITIES

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- A. Adult education programs must maintain documentation, stored digitally or physically, for each adult education student. Student records must be maintained in a secure manner and accessible to the Utah State Board of Education (USBE) and Office of Career, Technical, and Adult Education (OCTAE) staff at any time for program monitoring and compliance purposes.
- B. Adult education programs must use the student name as listed on government documents in UTopia and on official documents.
- C. Adult education programs must maintain student data privacy in accordance with the [Utah Student Data Privacy Guidebook](#).
- D. Adult education programs receiving adult education state or federal funding must report on the following three types of measures:
  - I. Outcome Measures – Educational gains, entered employment, retained employment, receipt of a Utah High School Completion Diploma or Adult Education Secondary Diploma, placement in post-secondary education or training, and credentials or certificates completed.
  - II. Descriptive Measures – Student demographics, reasons for attending, and student status.
  - III. Participation Measures – Contact hours received and enrollment in instructional programs, such as family literacy or workplace literacy.
- E. Adult education programs must retain attendance rolls for one year after they were created.

E.F. Adult education programs must retain the following records for three years after the end of the program year they were created for student programming and monitoring purposes:

- I. Assessment protocols;
  - II. Copies of all grades and transcripts from other agencies;
  - III. Documentation of awarded credit (e.g., paystubs, W-2s, military form DD214, licenses, GED®);
  - IV. Documentation of earned credit (e.g., credit slips, printouts from learning management systems);
  - V. Proof of Utah residency;
  - VI. Intake form including Release Waiver and Grievance Policy signatures;
  - VII. Copy of the HSE Candidate and Adult Education Eligibility Form for out-of-school youth ages 16-18;
  - VIII. Copy of most recent special education IEP if the student is under the age of 22;
  - IX. Outside psychological, psychiatrist, or medical documentation used in determining education programming accommodations; and
- X. Record of accommodations provided.

G. Adult education programs must retain the following records for seven years after the end of the program year they were created:

- X.I. Grant records, including applications, notice of award, reports, correspondence, and related records.

F.H. Adult education programs must retain the following records in perpetuity:

- I. Student history, including student name, date of birth, parents or guardians (where applicable), and date student entered and exited the school and the number of days in attendance;
- II. Graduation programs;
- III. Record of cumulative transcript of earned and awarded credits, including graduation date; and
- IV. Copies of releases of information requesting or releasing student records.

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

[H.J.](#) Adult education programs must designate a data administrator to ensure timely and accurate data entry into the student information system. Data administrators must participate in state sponsored data administrator training annually.

[H.K.](#) Adult education programs must contact students to collect post-exit indicators as defined in the Workforce Innovation and Opportunities Act (WIOA) Section 116(2)(A) if students are unable to be data matched with partner agencies such as the Department of Workforce Services, the Utah System of Higher Education.

## PROGRAM GUIDANCE

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- A. Student information should be entered into the student information system at least every 14 days. Student information includes:
  - I. Demographics,
  - II. Testing, and
  - III. Attendance.
- B. Programs should regularly engage in deep dive analysis of program data, including disaggregating data to identify groups or individuals in need of additional services or areas in need of improvement.

For additional information on data management, consult the following:

- [EDGAR regulation Part 76 Section 731](#)

## SECTION 7: MONITORING

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

### PROGRAM RESPONSIBILITIES

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

### PROGRAM GUIDANCE

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



For additional information on monitoring, consult the following:

- [Board Rule R277-114](#) Corrective Action and Withdrawal or Reduction of Program Funds

## SECTION 8: DISTANCE LEARNING

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

### PROGRAM RESPONSIBILITIES

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- A. Adult education programs must establish a distance learning policy that outlines:
  - I. Orientation components specific to distance learning;
  - II. Mentoring procedures;
  - III. The contact hour verification model that will be used; and
  - IV. The formula used to determine contact hours for each type of curriculum utilized (where applicable).
- B. Adult education programs must ensure distance learning students participate in an orientation specific to distance learning that includes at least twelve hours of direct contact and covers the following topics:
  - I. Study and organizational skills;
  - II. Program expectations;
  - III. Introduction to the curriculum; and
  - IV. The process for assigning work, setting course completion guidelines, and establishing expectations regarding teacher feedback.
- C. Adult education programs must ensure all [student](#) hours spent [engaging in asynchronous instruction at a distance](#) are entered into the student information system as "[online curriculum independent](#)" hours.
- D. Adult education programs must ensure students are assigned a mentor who monitors student progress and provides consistent communication with the student.
- E. Adult education programs must ensure that, at the completion of each instructional unit, distance learning students complete an appropriate unit culminating exam proctored by an adult educator.

Contact Hours Verification Models

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

A. Teacher Verification Model

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

B. Learner Mastery Model

- I. Student demonstrates unit mastery by testing.
  - a. A panel of experts sets a formula to translate instruction into contact hours.
    1. Example: If the student earns 70% accuracy on questions per a unit of instruction, the panel would equate the score to a certain number of contact hours. Thus, 70% on a Secondary Mathematics unit may equal 10 contact hours; whereas 70% on a Social Studies unit may only equal 6 hours.
  - b. When the student feels they have mastered the material, mastery is demonstrated through an instructional unit test.
  - c. Students testing out of a course of instruction would equate to 50% of the instructional contact hours the student would have generated if the student had completed the course in a traditional instructional approach.

C. Clock Time Model

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

## PROGRAM GUIDANCE

- A. When developing program options, programs should consider that blended learning is more effective than either face-to-face instruction or distance learning.
- B. Programs should structure distance learning to ensure student success through adequate support and teacher interaction, keeping in mind that many distance learning options are designed for independent, self-motivated learners.
- C. Programs should consider a variety of instructional materials to better meet students' needs.
- D. Several of the College and Career Readiness Standards are performance-based and difficult to deliver via distance learning. Programs should consider developing supplemental activities for distance learning courses to ensure students have adequate opportunities to master all College and Career Readiness Standards.
- E. Distance education must have a "learner-centered" approach to teaching. Mentors should have the ability to counsel students as well as connect students to appropriate academic support in each content area.
- F. Distance education credits should not differ from guidelines outlined in [Section 3 - Program Design](#).

## SECTION 9: ADULT EDUCATION STUDENTS WITH DISABILITIES

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

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

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

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

### PROGRAM RESPONSIBILITIES

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- A. Adult education programs must follow the [Utah State Board of Education Special Education Rules](#) for students with disabilities who have not graduated with a credit-based high school diploma. These rules apply to eligible adult education students. The school district is responsible to ensure qualified out-of-school youth participating in the local adult education program receive special education services through a recognized K-12 school and provide the information necessary for special education Self-Contained Resource Attendance Management (SCRAM) reporting purposes. Funding associated with following the above procedure is as follows:
  - I. The district, in compiling and submitting the required SCRAM information for the identified out-of-school youth, will receive the

state-allocated funding as well as the allocated federal IDEA discretionary funds calculated on the district student population.

- II. The district accounting department is responsible for the division of the funds as follows: The district will receive the state special education add-on WPU; The adult education program will receive a prorated portion of the regular WPU for the time the student is enrolled and engaged in the adult education program, up to 990 hours of instruction per fiscal/program year.
  - III. Students must be dual-enrolled in K-12 and adult education. Programs will not receive adult education funding for these students.
- B. Adult education programs must notify the local school district Special Education department of a student who may be eligible for special education services and consult with them for further directions to ensure appropriate educational services are provided.
- C. Adult education programs must meet with an eligible student's IEP team to determine ~~the which~~ services and accommodations ~~to will~~ be provided. The IEP team should consist of:
- I. The student
  - II. A special education teacher
  - III. An adult education teacher
  - IV. A Local Education Agency (LEA) representative who meets the requirements as specified in the Utah Special Education Rules
  - V. A person who is able to interpret the instructional implications of the evaluation results (this may be a member of the team previously described)
  - VI. Others as determined by the student or school program
  - VII. With the consent of the student, a representative of any agency that might be responsible for providing or paying for transition services, which may include, but not be limited to, the Department of Workforce Services or the Division of Rehabilitation Services.
- D. Adult education programs must ensure otherwise qualified individuals with disabilities are not excluded and consider the needs of such persons in determining the services to be provided.
- E. Adult education programs must ensure all program services are accessible and barrier-free in accordance with ADA. This may be accomplished by redesigning equipment, reassigning classes, ensuring pathways to programs

and classes are fully accessible, or providing equitable services at alternate accessible sites.

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

## PROGRAM GUIDANCE

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- A. When a student is no longer eligible for Special Education services under IDEA (upon completion of a high school diploma or reaching the age of eligibility), any needed accommodations should be addressed through Section 504 of the Rehabilitation Act.
- B. If a student self-discloses that he/she has an IEP or a Section 504 accommodation plan, but cannot provide the requested documentation, accommodations should be made in good faith for the student to benefit from the educational experience.
- C. Accommodations made to ensure a program is accessible to a student are the responsibility of the program, not the student.

For additional information on adult education students with disabilities, consult the following:

- [Board Rule R277-750](#) Education Programs for Students with Disabilities

Field Code Changed