

# Adult Education2022–23 Program Instrument

**California Department of Education**

**June 2022**

## I. Involvement

### AE 01: Collaboration, Alignment, and Support Services

1. Eligible provider demonstrates alignment between proposed activities and services and the strategy and goals of the local plan, as well as the activities and services of the one-stop partners. (Title 29, United States Code [29 U.S.C] sections 3123 and 3321[e][4])
	1. Eligible provider’s activities coordinate with other available education, training, and social service resources in the community, such as by establishing strong links with elementary schools and secondary schools, postsecondary educational institutions, institutions of higher education, local workforce investment boards, one-stop centers, job training programs, social service agencies, business, industry, labor organizations, community-based organizations, nonprofit organizations, and intermediaries, for the development of career pathways. (29 U.S.C. Section 3321[e][10])
	2. Eligible provider is responsive to regional needs as identified in the local workforce development plan, and, serving individuals in the community who were identified in such plan as most in need of adult education and literacy activities, including individuals: (i) who have low levels of literacy skills; or (ii) who are English language learners. (29 U.S.C. Section 3321[e][1][A]&[B]).
	3. Eligible provider’s activities offer flexible schedules and coordination with federal, state, and local support services (such as child care, transportation, mental health services, and career planning) that are necessary to enable individuals, including individuals with disabilities or other special needs, to attend and complete programs.
	(29 U.S.C. Section 3321[e][11])

#### Evidence Requests

##### Memorandum of Understanding (MOU)

Abbreviation: MOU

Description: MOUs or formal/informal agreements that demonstrate current collaborations or partnerships with the adult education program.

Item Instructions:

Related Items: AE 01

##### Resource Guide

Abbreviation: RsrcGd

Description: Evidence that demonstrates resources available to adult education students. Resources such as: child care, transportation, counseling, tutoring, etc. Current and prior year.

Item Instructions:

Related Items: AE 01

##### Supplemental Evidence of Collaboration

Abbreviation: SuplmntlEvdncClbrt

Description: Only applies when requested by AE program reviewer. Evidence such as: recent meeting agendas, sign-in sheets, minutes, committee rosters, and community outreach materials. Current and prior year.

Item Instructions:

Related Items: AE 01

##### Umbrella or Separate MOU Relating to Operation of America’s Job Centers of California (AJCC)

Abbreviation: UmbrlMOU

Description: A current, signed MOU with the Local Workforce Development Board (LWDB) that outlines the activities and services of each partner in the overarching AJCC delivery system to support the goals of the local plan.

Item Instructions:

Related Items: AE 01

## III. Funding

### AE 02: Financial Accountability

1. Eligible provider shall expend: (1) not less than 95 percent for carrying out adult education and literacy activities; and (2) the remaining amount, not to exceed 5 percent, shall be used for planning, administration (including carrying out the requirements under 29 U.S.C. Section 3141), professional development (PD), and the activities described in paragraphs (3) and (5) of 29 U.S.C. Section 3322. (29 U.S.C. Section 3323[a])
	1. Whenever a state or outlying area implements any rule or policy relating to the administration or operation of a program authorized under this subchapter that has the effect of imposing a requirement that is not imposed under federal law (including any rule or policy based on a state or outlying area interpretation of a federal statute, regulation, or guideline), the state or outlying area shall identify, to eligible providers, the rule or policy as being imposed by the state or outlying area. (29 U.S.C. Section 3303[c])
	2. Funds made available for adult education and literacy activities shall supplement and not supplant other state or local public funds expended for adult education and literacy activities. (29 U.S.C. Section 3331[a])
	3. Except as specified in California *Education Code* (*EC*) Section 52613, the governing board of a school district shall not impose a charge of any kind for a class in English and citizenship or a class in an elementary subject. A fee charge shall not be made for a class designated by the governing board as a class for which high school credit is granted when the class is taken by a person who does not hold a high school diploma. (*EC* Section 52612[a])
	4. The local financial management system must provide for the effective control and accountability for all funds, property, and other assets. Eligible provider must adequately safeguard all assets and assure that they are used solely for authorized purposes.
	(Title 2, Code of Federal Regulations [2 CFR] Section 200.302[b][4])
	5. Eligible provider must have a system of internal control that provides reasonable assurance that all costs charged to the adult education program are reasonable, necessary, and allowable in accordance with applicable laws and regulations. (2 CFR 200.400—476)
	6. The governing board of each school district shall establish and maintain a historical inventory, or an audit trace inventory system, or any other inventory system authorized by the State Board of Education, which shall contain the description, name, identification numbers, and original cost of all items of equipment acquired by it whose current market value exceeds five hundred dollars ($500) per item, the date of acquisition, the location of use, and the time and mode of disposal. A reasonable estimate of the original cost may be used if the actual original cost is unknown. (EC Section 35168)
	7. Ensure that the LEA properly charges and documents salaries and wages that are reasonable, necessary, and allowable in accordance with applicable program requirements.
	(2 CFR Sections 200.302, 200.430[a] and [i])
	8. Any shared costs or matching funds and all contributions, including cash and third party in-kind contributions, are accepted when such contributions meet all of the following federal criteria, as part of the eligible provider’s cost sharing or matching:
		1. Are verifiable from the non-federal entity’s records;
		2. Are not included as contributions for any other federal award;
		3. Are necessary and reasonable for accomplishment of product or program objectives;
		4. Are allowable under subpart E—cost principles of 2 CFR Part 200;
		5. Are not paid by the federal government under another federal award, except where the federal statute authorizing a program specifically provides that federal funds made available for such program can be applied to matching or cost sharing requirements of other federal programs;
		6. Are provided for in the approved budget when required by the federal awarding agency; and
		7. Conform to other provisions of 2 CFR Part 200, as applicable.

(2 CFR Section 200.306[b])

* 1. Financial records, supporting documents, statistical records, and all other records pertinent to a federal award must be retained for a period of three years from the date of submission of the final expenditure report. The only exceptions are the following:
		1. If any litigation, claim, or audit is started before the expiration of the three-year period, the records must be retained until all litigation, claims, or audit findings involving the records have been resolved and final action taken.
		2. When the non-federal entity is notified in writing by the federal awarding agency, cognizant agency for audit, oversight agency for audit, cognizant agency for indirect costs, or pass-through entity to extend the retention period.
		3. Records for real property and equipment acquired with federal funds must be retained for three years after final disposition.
		4. When records are transferred to or maintained by the federal awarding agency or pass-through entity, the three-year retention requirement is not applicable to the non-federal entity.
		5. Records for program income transactions after the period of performance. In some cases, recipients must report program income after the period of performance. Where there is such a requirement, the retention period for the records pertaining to the earning of the program income starts from the end of the non-federal entity’s fiscal year in which the program income is earned.

(f) Indirect cost rate proposals and cost allocations plans. This paragraph applies to the following types of documents and their supporting records: Indirect cost rate computations or proposals, cost allocation plans, and any similar accounting computations of the rate at which a particular group of costs is chargeable (such as computer usage chargeback rates or composite fringe benefit rates).

* + - 1. If submitted for negotiation. If the proposal, plan, or other computation is required to be submitted to the Federal Government (or to the pass-through entity) to form the basis for negotiation of the rate, then the 3–year retention period for its supporting records starts from the date of such submission.
			2. If not submitted for negotiation. If the proposal, plan, or other computation is not required to be submitted to the Federal Government (or to the pass-through entity) for negotiation purposes, then the 3–year retention period for the proposal, plan, or computation and its supporting records starts from the end of the fiscal year (or other accounting period) covered by the proposal, plan, or other computation.

(2 CFR Section 200.334)

#### Evidence Requests

##### Equipment Inventory Records

Abbreviation: EqpmntInvntyRcrds

Description: Historical inventory list of all equipment purchased for $500 or more per Education Department General Administrative Regulations (EDGAR)/EC requirements and a record of last physical check of items. If no purchases were made, indicate that in a comment.

Item Instructions: AE 02: Provide percentages of Adult Education and Family Literacy Act (AEFLA) funds used, serial numbers, resource codes, location of equipment, and items that were disposed of and how they were disposed. Current and prior three years.

Related Items: AE 02, AE 09, ELC 06, EXLP 08, EXLP 11, CTE 02, EL 06, HE 08, ME 06, CE 14, NorD 04

##### General Ledger

Abbreviation: GnLdgr

Description: Detailed General Ledger for the specific resource code(s) being reviewed. (The General Ledger shall include the date, description, vendor name, and total amount for each expenditure line item).

Item Instructions: AE 02: Specific resource code(s) being reviewed: 3940; 3905; 3913; 3926; and 6391. Current and prior three years.

Related Items: AE 02, FM 01, FM 02, FM 03, FM 05, FM 06, EXLP 09, EXLP 11, EXLP 19, SEI 05, SEI 06, SEI 07, CTE 02, ME 07, ME 08, CE 10, NorD 05

##### In-Kind and Other Non-Federal Expenditures

Abbreviation: InkndNonFdExp

Description: Explain/document how expenditures are calculated and included in final expenditure claim reports (ECRs). Applies only to agencies who claim in-kind and other non-federal expenditures. Current and prior three years.

Item Instructions:

Related Items: AE 02

##### No Fees Policy

Abbreviation: NoFsPlcy

Description: Evidence can include board-approved minutes, catalogs, and brochures indicating no fees. Current and prior year. (No fees of any kind may be collected from students for participation in the Workforce Innovation and Opportunity Act (WIOA) Title II (Public Law 113–128) AEFLA programs.

Item Instructions:

Related Items: AE 02

##### Organizational Charts

Abbreviation: OrgChts

Description: Include names and title of staff and board members reflecting leadership at the district and adult education level. Current year.

Item Instructions:

Related Items: AE 02

##### Sample Board Minutes

Abbreviation: SmplBrdMnts

Description: Applies only to community-based organizations, which include charter schools. Include two samples from each year. Current and prior year.

Item Instructions:

Related Items: AE 02

##### Staff Funding Report

Abbreviation: StfFndRpt

Description: Evidence should reflect funding percentages by resource code for all personnel (including administrators) who dedicate time to the adult education program. Current and prior three years.

Item Instructions: AE 02: See staff funding report resource for additional information/guidance.

Related Items: AE 02

##### Time and Effort Policies and Procedures

Abbreviation: TmEffrtRprtPlcyPrcdrs

Description: LEAs established written policies and procedures for documenting time and efforts of employees that work on federal programs. Current year.

Item Instructions: AE 02: The documentation should include the agency’s specific policies and procedures for documenting actual hours worked, including related internal controls, employee training, reconciliation processes, deadlines, and authority or legal citation. Current Year.

Related Items: AE 02, FM 01, CTE 02, EL 08, CE 13, NorD 06

##### Time and Effort Records

Abbreviation: TmEfrtRcrds

Description: Documentation to support salaries and benefits charged to each program funding source under review in accordance with federal requirements. Records may include personnel activity reports, semiannual certifications, or other equivalent records. Budget estimates do not qualify as support.

Item Instructions: AE 02: Current and prior year. Additional guidance provided under resources.

Related Items: AE 02, FM 01, FM 03, EXLP 09, CTE 02, EL 08, HE 10, ME 09, CE 10, CE 13, NorD 05

##### Supplemental Evidence of Financial Accountability

Abbreviation: SuplmntlEvdncFinAccntblty

Description: Only applies when requested by AE program reviewer. Evidence such as: payroll records, position control report, detailed ledger for object codes 4000 and 5000.

Item Instructions:

Related Items: AE 02

## IV. Standards, Assessment, and Accountability

### AE 03: Data Collection and Program Effectiveness

1. Financial records, supporting documents, statistical records, and all other records pertinent to a federal award must be retained for a period of three years from the date of submission of the final expenditure report. The only exceptions are the following:
	* 1. If any litigation, claim, or audit is started before the expiration of the three-year period, the records must be retained until all litigation, claims, or audit findings involving the records have been resolved and final action taken.
		2. When the non-federal entity is notified in writing by the federal awarding agency, cognizant agency for audit, oversight agency for audit, cognizant agency for indirect costs, or pass-through entity to extend the retention period.
		3. Records for real property and equipment acquired with federal funds must be retained for three years after final disposition.
		4. When records are transferred to or maintained by the federal awarding agency or pass-through entity, the three-year retention requirement is not applicable to the non-federal entity.
		5. Records for program income transactions after the period of performance. In some cases, recipients must report program income after the period of performance. Where there is such a requirement, the retention period for the records pertaining to the earning of the program income starts from the end of the non-federal entity’s fiscal year in which the program income is earned.

(f) Indirect cost rate proposals and cost allocations plans. This paragraph applies to the following types of documents and their supporting records: Indirect cost rate computations or proposals, cost allocation plans, and any similar accounting computations of the rate at which a particular group of costs is chargeable (such as computer usage chargeback rates or composite fringe benefit rates).

* + - 1. If submitted for negotiation. If the proposal, plan, or other computation is required to be submitted to the Federal Government (or to the pass-through entity) to form the basis for negotiation of the rate, then the 3–year retention period for its supporting records starts from the date of such submission.
			2. If not submitted for negotiation. If the proposal, plan, or other computation is not required to be submitted to the Federal Government (or to the pass-through entity) for negotiation purposes, then the 3–year retention period for the proposal, plan, or computation and its supporting records starts from the end of the fiscal year (or other accounting period) covered by the proposal, plan, or other computation.

(2 CFR Section 200.334)

* 1. Eligible provider shall maintain a high-quality information management system that has the capacity to report measurable participant outcomes (consistent with 29 U.S.C. Section 3141) and to monitor program performance. (29 U.S.C. Section 3321[e][12])
	2. Eligible provider shall demonstrate past effectiveness in improving the literacy of eligible individuals, to meet state adjusted levels of performance for the primary indicators of performance (described in 29 U.S.C. Section 3141), especially with respect to eligible individuals who have low levels of literacy. (29 U.S.C. Section 3321 [e][3])
	3. The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. Section 1232g; 34 CFR Part 99) is a federal law that protects the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education.

#### Evidence Requests

##### Data Integrity Reports

Abbreviation: DtIntgrtyRpts

Description: Current and prior year.

Item Instructions:

Related Items: AE 03

##### Federal Table 4

Abbreviation: FdrlTbl4

Description: Current and prior year.

Item Instructions:

Related Items: AE 03

##### Federal Table 5

Abbreviation: FdrlTbl5

Description: Current and prior year.

Item Instructions:

Related Items: AE 03

##### FERPA Policy

Abbreviation: FERPAplcy

Description: Current policy for protecting the privacy of student education records.

Item Instructions:

Related Items: AE 03

##### Social Security Number Consent Form

Abbreviation: SSNCF

Description: Only applies to agencies collecting social security numbers from students. Electronic or physical versions may be submitted as evidence, with explicit language indicating SSN is given by student on voluntary basis.

Item Instructions:

Related Items: AE 03

##### High School Diplomas Awarded

Abbreviation: HghScholDplmsAwrd

Description: Evidence listing high school diplomas awarded. Applies only to agencies with certified high school diploma program. Redact all personally identifiable information or data that could potentially identify a specific student. Current and prior three years.

Item Instructions:

Related Items: AE 03

##### Local Assessment Policy

Abbreviation: LclAsmtPlcy

Description: Signed copy. Where applicable, agencies conducting remote testing must also include Remote Testing Agreement addendum. Current year.

Item Instructions:

Related Items: AE 03

##### Payment Point Summary

Abbreviation: PmtPtSmry

Description: Current and prior three years.

Item Instructions:

Related Items: AE 03

##### Persister Reports

Abbreviation: PrstrRpts

Description: Current and prior year.

Item Instructions:

Related Items: AE 03

## V. Staffing and Professional Development

### AE 04: Staff Qualifications and Professional Development

1. Eligible provider’s activities are delivered by well-trained instructors, counselors, and administrators who meet any minimum qualifications established by the state, where applicable, and who have access to high quality PD, including through electronic means. (29 U.S.C. Section 3321[e][9]). This requirement may be met by complying with the requirements set forth in *EC* Sections 44258 and 44865.

#### Evidence Requests

##### Administrative and Staff Assignments

Abbreviation: AsgmtAdmnStf

Description: Provide list of all adult education staff and their respective assignments. Current and prior year.

Item Instructions: Include specific teaching assignment for instructors.

Related Items: AE 04

##### Duty Statements

Abbreviation: DtyStmnt

Description: An individual employee's duty statement describing responsibilities and activities (cost objectives), as agreed to by employer and employee.

Item Instructions: AE 04: Include job description or duty statements of administrators and staff. Current and prior year.

Related Items: AE 04, FM 01, FM 03, EXLP 11, SEI 05, SEI 07, CTE 02, ME 09, CE 10, CE 11, CE 13, NorD 06

##### Professional Development Records

Abbreviation: PrfsnlDvlpmntRcrds

Description: Documentation of completed professional development relevant to the program which may include, but is not limited to agendas, calendars, certificates, sign-in sheets, minutes, and training materials.

Item Instructions: AE 04: Current and prior year.

Related Items: AE 04, SEI 02, SEI 08, CTE 04

##### Staff Credentials

Abbreviation: StfCrdntls

Description: Provide a sortable spreadsheet of all certificated staff displaying credentials and full staff name including full middle name.

Item Instructions: AE 04: Provide credentials of administrators and instructional staff, with issue and expiration dates and designated subject areas where appropriate. Credentials must be commensurate with current and prior year assignments.

Related Items: AE 04, PE 09, SEI 09, ME 11, CE 08, CE 19

## VI. Opportunity and Equal Education Access

### AE 05: Needs Assessment

1. Eligible provider shall be responsive to regional needs identified in the local plan pursuant to 29 U.S.C. Section 3123, and serving individuals in the community who were identified as most in need of adult education and literacy activities, including individuals who have low levels of literacy skills, or who are English language learners, or eligible individuals with disabilities, including individuals with learning disabilities.
(29 U.S.C. Section 3321[e][1] and [2])
	1. Eligible providers demonstrate a need for additional English language acquisition programs and civics education programs.
	(29 U.S.C. Section 3321[e][13])

#### Evidence Requests

##### Adult Education and Family Literacy Act Program Demographic Reports, Federal Tables 1, 2, and 3

Abbreviation: FdrlTbl123

Description: Current and prior year.

Item Instructions:

Related Items: AE 05

##### Community Demographics Reports

Abbreviation: CmntyDmgrphcsRpts

Description: Commensurate with program offerings and services (e.g., U.S. Census Bureau or other statistically-valid and reliable reports). Current year.

Item Instructions:

Related Items: AE 05

##### English Literacy and Civics Education Needs Assessments

Abbreviation: NeedsAsmtsEngLitCivEd

Description: Applies only to agencies funded for EL Civics. Current and prior year.

Item Instructions:

Related Items: AE 05

##### Civic Objectives and Additional Assessment Plans (COAAPs)

Abbreviation: COAAPs

Description: Evidence of 231 COAAPs selected. Current and prior year.

Item Instructions:

Related Items: AE 05

##### Continuous Improvement Plan (CIP)

Abbreviation: CIP

Description: Approved Continuous Improvement Plan (CIP). Current and prior year.

Item Instructions:

Related Items: AE 05

### AE 06: Serving Individuals with Disabilities

1. Eligible provider will serve eligible individuals with disabilities, including individuals with learning disabilities. (29 U.S.C. Section 3321[e][2])

#### Evidence Requests

##### Americans with Disabilities Act (ADA)/Individuals with Disabilities Education Act (IDEA) Policy

Abbreviation: DsbltsPlcy

Description: Current policies adopted by the provider to accommodate students and staff with disabilities. Procedures to ensure students with individualized educational plans (IEPs) and Section 504 Plans have equitable access to programs, activities, and transitional services.

Item Instructions:

Related Items: AE 06

### AE 07: Intensity, Duration, and Flexible Scheduling

1. Eligible provider’s program is of sufficient intensity and quality, and based on the most rigorous research available, so that participants achieve substantial learning gains. (29 U.S.C. Section 3321[e][5][A])
	1. Eligible provider’s activities offer flexible schedules and coordination with federal, state, and local support services (such as child care, transportation, mental health services, and career planning) that are necessary to enable individuals, including individuals with disabilities or other special needs, to attend and complete programs. (29 U.S.C. Section 3321[e][11])

#### Evidence Requests

##### Class Schedule/Catalog

Abbreviation: ClsSchdCtlg

Description: Current and prior year.

Item Instructions:

Related Items: AE 07, AE 09

##### Course Outlines

Abbreviation: CrsOtlns

Description: Link documents from the current and prior year.

Item Instructions:

Related Items: AE 07, PE 06, PE 07, CTE 03

##### Courses Approved by the Local Board

Abbreviation: BdApvdCrs

Description: Adult Education courses approved by the grantee’s board. Current and prior year.

Item Instructions:

Related Items: AE 07

## VII. Teaching and Learning

### AE 08: Evidence-Based Instructional Practices and Reading Instruction

1. Eligible provider uses instructional practices that include the essential components of reading instruction. (29 U.S.C. Section 3321[e][5][B])
	1. Eligible provider's activities (which include reading, writing, speaking, mathematics, and English language acquisition instruction and delivered by the eligible provider) shall be based on the best practices derived from the most rigorous research available and are appropriate, including scientifically valid research and effective educational practice.
	(29 U.S.C. Section 3321[e][6])

#### Evidence Requests

##### Sample Curriculum

Abbreviation: SmplCrclm

Description: Current and prior year.

Item Instructions:

Related Items: AE 08

##### Sample Instructional Materials

Abbreviation: SmplInstMtrls

Description: Current and prior year.

Item Instructions:

Related Items: AE 08

### AE 09: Effective Use of Technology and Distance Learning

1. Eligible provider’s activities effectively use technology, services, and delivery systems, including distance education in a manner sufficient to increase the amount and quality of learning and how such technology, services, and systems lead to improved performance. (29 U.S.C. Section 3321[e][7])

#### Evidence Requests

##### Class Schedule/Catalog

Abbreviation: ClsSchdCtlg

Description: Current and prior year.

Item Instructions:

Related Items: AE 07, AE 09

##### Equipment Inventory Records

Abbreviation: EqpmntInvntyRcrds

Description: Historical inventory list of all equipment purchased for $500 or more per Education Department General Administrative Regulations (EDGAR)/EC requirements and a record of last physical check of items. If no purchases were made, indicate that in a comment.

Item Instructions: AE 09: Provide percentages of AEFLA funds used, serial numbers, resource codes, location of equipment, and items that were disposed of and how they were disposed. Current and prior three years.

Related Items: AE 02, AE 09, ELC 06, EXLP 08, EXLP 11, CTE 02, EL 06, HE 08, ME 06, CE 14, NorD 04

##### Federal Table 5A

Abbreviation: FdrlTbl5A

Description: Applies only to agencies with distance learning programs. Current and prior year.

Item Instructions:

Related Items: AE 09

### AE 10: Integrated Education and Training

1. Eligible provider’s activities provide learning in context, including through integrated education and training (IET), so that an individual acquires the skills needed to transition to and complete postsecondary education and training programs, obtain and advance in employment leading to economic self-sufficiency, and to exercise the rights and responsibilities of citizenship. (29 U.S.C. Section 3321[e][8]

#### Evidence Requests

##### Program 243 Civic Objectives and Additional Assessment Plans (COAAPs)

Abbreviation: Prgrm243COAAPs

Description: Evidence 243 COAAPs selected. Current and prior year.

Item Instructions:

Related Items: AE 10

##### Evidence of Co-Enrollment

Abbreviation: CEnrlmntEvdnc

Description: Non-TOPSpro Enterprise generated list of students in IET indicating number of students who are co-enrolled in a 243 IET (workforce training) course with English as a Second Language (ESL). Applies only to Section 243 funded agencies. Current and prior year.

Item Instructions:

Related Items: AE 10

##### Integrated English Literacy and Civics Education (IELCE) Report

Abbreviation: IELCE rpt

Description: Applies only to Section 243 funded agencies. Current and prior year.

Item Instructions:

Related Items: AE 10