

ADULT EDUCATION

Program Policies

June 20, 2015



Arkansas Department of Career Education

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Subject: Effective and Efficient Evaluation Calculations

POLICY: According to Arkansas Act 1280 of 2007, Section 30, "All funds that become available for adult education shall first be distributed to those administrative units determined to be operating effective and efficient adult education programs, under criteria established by the Career Education and Workforce Development Board. The criteria shall include the relative efficiency of administration of the program in the counties served and achievement of the federal performance indicators."

To be considered effective and efficient, local adult education programs and literacy councils receiving adult education funds will be required to meet or exceed the percentage of the federal negotiated core indicators as determined by the Deputy Director of Adult Education. Programs not meeting percentage requirement, in the first year will be required to submit an improvement plan. The improvement plan will address each core indicator of performance that was not met and will include measurable objectives for correcting deficiencies during the following year. State program advisors will provide technical assistance to each program submitting an improvement plan and closely monitor programs during the year. Core indicators of performance are defined in the federal Workforce Innovation and Opportunity Act of 2014, Title II, the Adult Education and Family Literacy Act (AEFLA); however, using the core indicators as criteria for effective and efficient evaluations and imposing a minimum score is a state decision.

Programs that do not meet the percentage requirement, of their negotiated core indicators of performance for a second consecutive year will be assigned a state technical assistance team to assist the program in addressing its deficiencies. The team members may include but not be limited to state and local staff, administrators, teachers and students. Quarterly progress reports will be submitted by the program being monitored to the Adult Education Division describing the progress being made to bring the program into compliance with core indicators. Programs not achieving percentage requirement, of their negotiated core indicators of performance for three consecutive years will be submitted to the Career Education and Workforce Development Board for appropriate action prior to continuation of funding.

INFORMATION/RATIONALE: Relevant sections of law and regulation: Arkansas Act 1280 of 2007, Section 30; and federal Workforce Innovation and Opportunity Act of 2014 (P.L. 113-128), Title II, The Adult Education and Family Literacy Act (AEFLA), Sections 116 and 212.

EFFECTIVE DATE: JULY 1, 1991

REVISED DATE: SEPTEMBER 13, 1993

REVISED DATE: APRIL 18, 2003

REVISED DATE: NOVEMBER 15, 2008

REVISED DATE: JUNE 20, 2015

Subject: Service Delivery Area

POLICY: Adult education programs receiving state or federal funding for a designated service area or county are not to cross into counties or other designated service areas where there is an established adult education program without a written memorandum of understanding between the programs. The Adult Education Division must approve this agreement annually.

INFORMATION/RATIONALE: Funding for local adult education programs is based on census data intended for a designated area or county. Funds must be spent in the designated area or county for which the funds were provided. To ensure that each service area or county receives adequate adult education services and to avoid duplication, it is essential that each local program stay within its designated area.

EFFECTIVE DATE: APRIL 18, 2003

REVISED DATE: NOVEMBER 15, 2008

REVISED DATE: JUNE 20, 2015

Subject: Distribution of State Funds

POLICY: According to Arkansas Act 1280 of 2007, Section 30, , “All funds that become available for adult education shall first be distributed to those administrative units determined to be operating effective and efficient adult education programs, under criteria established by the Career Education and Workforce Development. The criteria shall include the relative efficiency of administration of the program in the counties served and achievement of the federal performance indicators. The Career Education and Workforce Development Board shall promulgate rules and regulations for the distribution of funds in accordance with criteria to be determined by the Board. In distribution of funds to local units the board shall consider the literacy rate in each county and performance in meeting state and federal performance indicators. For the purposes of this section, the term ‘literacy rate’ shall be determined by the number of adults completing less than the twelfth grade as reported by the most recent decennial federal census. Unallocated funds will be redistributed based upon need as determined by the Career Education and Workforce Development Board.”

INFORMATION/RATIONALE: Procedures set forth in Arkansas Act 1280 of 2007, Section 30, govern distribution of all state adult education funds.

EFFECTIVE DATE: JULY 1, 1991

REVISED DATE: SEPTEMBER 13, 1993

REVISED DATE: APRIL 18, 2003

REVISED DATE: NOVEMBER 15, 2008

REVISED DATE: JUNE 20, 2015

Subject: Direct and Equitable

POLICY: Direct and equitable access to all federal funds will be provided to local educational agencies, community-based organizations of demonstrated effectiveness, volunteer literacy organizations of demonstrated effectiveness, institutions of higher education, public or private nonprofit agencies, libraries, and public housing authorities, nonprofit institutions that have the ability to provide literacy services to adults and families; or consortia of the agencies, organizations, institutions, libraries, or authorities described according to Section 203 (5) of Title II of the Workforce Innovation and Opportunity Act of 2014 (P.L. 113-128), Adult Education and Family Literacy Act (AEFLA). In order to provide direct and equitable access to all adult education federal funds provided under Title II of the Workforce Innovation and Opportunity Act of 2014 (P.L. 113-128), the Adult Education Division shall award funds on the basis of competitive applications submitted by eligible recipients. Direct and equitable access includes: (1) all eligible providers have direct and equitable access to apply for grants or contracts under this section; and (2) the same grant or contract announcement process and application process is used for all eligible providers in the State.

INFORMATION/RATIONALE:

Relevant sections of federal law and regulation: Workforce Innovation and Opportunity Act of 2014 (P.L. 113-128), Title II, The Adult Education and Family Literacy Act (AEFLA), Sections 231(C) and 203(5).

EFFECTIVE DATE: SEPTEMBER 13, 1993

REVISED DATE: APRIL 18, 2003

REVISED DATE: NOVEMBER 15, 2008

REVISED DATE: JUNE 20, 2015

Subject: Correctional/Institutional Federal Funding

POLICY: Grants for correctional/ institutional education shall be awarded and used according to the guidelines as stated in the Workforce Innovation and Opportunity Act of 2014 (P.L. 113-128). Not more than 8.25% of federal funds allotted to a state for adult education activities shall be used for corrections education and education for other institutionalized adults.

Local program operators will be charged with the responsibility of designing, developing, and implementing instructional programs. Various activities will be undertaken which will be designed to include--but not be limited to--basic education, special correctional and institutional education programs, and English literacy programs.

INFORMATION/RATIONALE:

Relevant sections of federal law and regulation: Workforce Innovation and Opportunity Act of 2014 (P.L. 113-128), Title II, The Adult Education and Family Literacy Act (AEFLA), Sections 222 (a) and 225.

EFFECTIVE DATE: JULY 1, 1991

REVISED DATE: SEPTEMBER 13, 1993

REVISED DATE: APRIL 18, 2003

REVISED DATE: NOVEMBER 15, 2008

REVISED DATE: JUNE 20, 2015

Subject: Tuition, Fees, and Other Charges

POLICY: Adults enrolled in Arkansas adult education programs will not be charged tuition or fees. Adults enrolled in adult basic education will not be required to purchase any books or any other materials needed for participation in the program.

INFORMATION/RATIONALE: The Arkansas State Unified Plan states the strategy to serve those populations most in need will focus on populations as listed in the federal Workforce Innovation and Opportunity Act of 2014 (P.L. 113-128), Title II, The Adult Education and Family Literacy Act (AEFLA), Section and 116 and 224.

EFFECTIVE DATE: SEPTEMBER 13, 1993

REVISED DATE: APRIL 18, 2003

REVISED DATE: NOVEMBER 15, 2008

REVISED DATE: JUNE 20, 2015

Subject: Purchase/Disposal of Equipment

POLICY: Equipment can be purchased by local adult education programs with adult education funds disbursed by the Adult Education Division. Prior to purchasing any equipment with adult education funds, written approval must be secured from the Adult Education Division. The local education agency (LEA) will only use the equipment for the purpose(s) for which it is acquired or for other allowable adult education use.

Once equipment is purchased, inventory procedures as stated in the most current revision of the Adult Education Inventory Control Form are to be followed by local programs. Since the inventory record is of a permanent nature, numbering should continue consecutively, year after year, rather than starting a new series each year. All equipment that is purchased with adult education funds will remain the property of the state Adult Education Division.

Equipment inventories should be updated as equipment is purchased. Current program inventories will be submitted to the Adult Education Division at the end of each program year.

Inventory must be disposed of using the Adult Education Inventory Transfer/Disposal Form. Procedures for inventory transfer/disposal should be in line with the LEA transfer/disposal institutional policies and noted on the form.

INFORMATION/RATIONALE: Programs must have authorization to purchase equipment as needed. In order to track location and use of equipment purchased with adult education funds, proper inventory procedures must be followed.

EFFECTIVE DATE: JULY 1, 1991

REVISED DATE: SEPTEMBER 13, 1993

REVISED DATE: APRIL 18, 2003

REVISED DATE: NOVEMBER 15, 2008

REVISED DATE: JUNE 20, 2015

Subject: Recruitment and Retention Plans

POLICY: Programs receiving state and federal adult education funds will develop and implement recruitment and retention activity plans annually. A special effort will be made to recruit and serve those most in need as defined by the Workforce Innovation and Opportunity Act of 2014 (P.L. 113-128) as low-income students, individuals with disabilities, single parents, displaced homemakers, and individuals with multiple barriers to educational enhancement including those with limited English proficiency. Recruitment/retention activities will include – but not be limited to – a close working relationship with other agencies serving persons eligible for adult education services and efficient utilization of local media. Student retention can be enhanced by follow-up on absenteeism.

INFORMATION/RATIONALE:

Programs receiving state and federal adult education funds must develop and implement recruitment activities so students are aware of available services. In order to ensure that students make substantial learning gains and meet their goals, they must remain in programs long enough to accomplish these gains and goals. While this is a state-imposed requirement, it relates to various definitions and activities under the Workforce Innovation and Opportunity Act of 2014 (P.L. 113-128), Title II, the Adult Education and Family Literacy Act (AEFLA), Section 203 and Section 224.

EFFECTIVE DATE: JULY 1, 1991

REVISED DATE: SEPTEMBER 13, 1993

REVISED DATE: APRIL 18, 2003

REVISED DATE: NOVEMBER 15, 2008

REVISED DATE: JUNE 20, 2015

Subject: Enrollment Policy: Minimum Age Adult Education

POLICY: Arkansas Code Annotated (ACA) § 6-18-201(a), concerning the age for compulsory attendance for school enrollment, is that “Under the penalty for noncompliance as shall be set by law, every parent, guardian, or other person residing within the State of Arkansas having custody or charge of any child age five (5) through seventeen (17) ... shall enroll and send the child to a public, private, or parochial school or provide a home school for the child...”

Under special circumstances, persons 16 or 17 years of age may be enrolled in adult education programs in accordance with Arkansas Act 1659 of 2001 and Act 604 of 2003.

Public schools shall not release a student making application to the school district for a waiver until the adult education program agrees in writing to serve that student. A local school district may grant a waiver of attendance requirement to any student age 16 or 17 to enroll in an adult education program only after all of the following requirements have been met:

- 1) The student makes formal application to the school district for a waiver to enroll in an adult education program;
- 2) After formal application and prior to any further action on the application, the student shall be administered either a Test for Adult Basic Education (TABE) or an official General Educational Development (GED) practice test, or other NRS-approved assessment under standardized testing conditions by a designated K-12 public school official or adult education personnel;
- 3) If administered the TABE test (Level A, current form, Survey or Complete Battery), the student shall score 8.5 or above on all sections. If administered the official GED practice test, the student must score a minimum of 150 on each section and a minimum composite score of 600. If administered another NRS-approved assessment, the student must meet the minimum score for that assessment as outlined in the test publisher’s guidelines.

Note: Such minimum test scores shall not be required of any student who is subject to the attendance requirement of this policy but was not enrolled in any school district during the previous school year;

- 4) The student and the student’s parents, guardians, or persons in loco parentis meet with the school counselor to discuss academic options open to the student;
- 5) The school district determines that the student is a proper candidate for enrollment in adult education, contingent upon approval by the appropriate adult education program;
- 6) The adult education program reviews the student’s school and testing records and agrees to admit the student into the program;
- 7) The adult education program shall report attendance of all 16 and 17 year old enrollees to the sending school district on at least a monthly basis;
- 8) The adult education program shall require for continued enrollment a minimum of 20 hours per week of class attendance and instruction. A minimum of 10 hours of attendance per week shall be required for any student who is employed for 30 hours or more each week;
- 9) The student, the student’s parents, guardians, or persons in loco parentis, and the administrative

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head of the adult education program agree in writing that the student will attend the requisite number of hours per week and maintain appropriate conduct as outlined in the local adult education program student handbook;

- 10) In the event that a more appropriate assessment test or testing and assessment mechanism shall be developed to determine a reasonable level of competency for success at the adult education level, that test or mechanism shall be substituted, with the approval of the Adult Education Division, for the tests required in this policy;
- 11) If the student does not attend class as mandated in this policy or make reasonable progress toward the completion of the adult education curriculum, the student shall re-enroll in the public schools within five days from the date the student is released from the adult education program.

Note: The above requirements shall not apply to students enrolled in a private, parochial, or home school in the state.

Note: Under ACA §6-18-201, any person age sixteen or seventeen who has received a high school diploma or its equivalent as determined by the State Board of Education is not subject to the compulsory attendance requirement.

INFORMATION/RATIONALE: The ages established for compulsory school attendance by Arkansas Act 292 of 1991 are ages five through seventeen, both inclusive. This Act allows, after certain provisions have been met, for persons age 16 or 17 to enroll in adult education programs. Arkansas Acts 1659 of 2001 and Act 604 of 2003 detail the process that must be followed and requirements that must be met to allow persons age sixteen or seventeen to enroll in adult education programs.

Relevant sections of federal law and regulation: Workforce Innovation and Opportunity Act of 2014 (P.L. 113-128), Title II, The Adult Education and Family Literacy Act (AEFLA), Section 203(1)(4). “Adult Education means services or instruction below the post-secondary level for individuals who have attained sixteen years of age; (and) who are not enrolled or required to be enrolled in secondary school under State law.”

EFFECTIVE DATE: MAY 18, 1992

REVISED DATE: SEPTEMBER 13, 1993

REVISED DATE: APRIL 18, 2003

REVISED DATE: NOVEMBER 15, 2008

REVISED DATE: JUNE 20, 2015

Subject: Enrollment Policy:
Private, Parochial or Home School Minimum Age

POLICY: Arkansas Code Annotated (ACA) § 6-18-201(a), concerning the age for compulsory attendance for school enrollment, is that “Under the penalty for noncompliance as shall be set by law, every parent, guardian, or other person residing within the State of Arkansas having custody or charge of any child age five (5) through seventeen (17)... shall enroll and send the child to a public, private, or parochial school or provide a home school for the child....”

Under special circumstances, persons 16 or 17 years of age may be enrolled in adult education programs in accordance with Arkansas Act 1659 of 2001 and Act 604 of 2003.

Students age 16 or 17, enrolled in a private, parochial or home school, who desire to enroll in an adult education program shall meet the following requirements:

- 1) Students shall apply for enrollment to the adult education program;
- 2) If administered the TABE test (Level A, current form, Survey or Complete Battery), the student shall score 8.5 or above on all sections. If administered the official GED practice test, the student must score a minimum of 150 on each section and a minimum composite score of 600. If administered another NRS-approved assessment, the student must meet the minimum score for that assessment as outlined in the Arkansas Adult Education Assessment Policy and Distance Education Guidelines.
- 3) A student who is home schooled shall provide a notarized copy of the notice of intent to home school that was provided to the superintendent of the local school district as required by ACA §6-15-503;
- 4) The student and the student’s parents, guardians, or persons in loco parentis shall meet with the appropriate staff of the adult education program to discuss academic options open to the student;
- 5) The adult education program administrators shall review the student’s school and testing records prior to allowing admission to an adult education program;
- 6) The adult education program shall require, for continued enrollment, a minimum of 20 hours per week of class attendance and instruction. A minimum of 10 hours of attendance per week shall be required for any student who is employed for 30 hours or more each week;
- 7) The student, the student’s parents, guardians, or persons in loco parentis, and the administrative head of the adult education program agree in writing that the student will attend the requisite number of hours per week and maintain appropriate conduct as outlined in the local adult education program student handbook;
- 8) In the event a student does not attend class as mandated in this policy or make reasonable progress toward the completion of the adult education curriculum, the student shall re-enroll in either a public, private, parochial or home school within five days from the date the student is released from the adult education program;
- 9) If a home school student is accepted into an adult education program, the student’s parent, guardian or person standing in loco parentis shall send written notification to the local public school superintendent of their intent to participate in the adult education program.

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Students age 16 or above, enrolled in a private, parochial or home school, who desire to take the General Educational Development Test or other high school equivalency exam shall meet the following requirements:

- 1) Students shall not be required to obtain permission or approval from any official in a public school district before being allowed to take the test;
- 2) A student enrolled in a private or parochial school shall provide a letter from the principal or administrator of the private or parochial school to verify enrollment;
- 3) A student enrolled in a home school shall provide a notarized copy of the notice of intent to home school provided to the superintendent of the local school district as required by ACA§6-15-503.
- 4) A student enrolled in a private, parochial or home school must achieve at least the minimum official General Educational Development practice test scores, or other approved high school equivalency assessment.

Note: Under Arkansas Code Annotated (ACA) §6-18-201, any person age sixteen or seventeen who has received a high school diploma or its equivalent as determined by the State Board of Education is not subject to the compulsory attendance requirement.

INFORMATION/RATIONALE: The ages established for compulsory school attendance by Arkansas Act 292 of 1991 are ages five through seventeen, both inclusive. This Act allows, after certain provisions have been met, for persons age 16 or 17 to enroll in adult education programs. Arkansas Acts 1659 of 2001 and Act 604 of 2003 detail the process that must be followed and requirements that must be met to allow persons age sixteen or seventeen to enroll in adult education programs.

Relevant sections of federal law and regulation: Workforce Innovation and Opportunity Act of 2014 (P.L. 113-128), Title II, The Adult Education and Family Literacy Act (AEFLA), Section 203(1). “Adult Education means services or instruction below the post-secondary level for individuals who have attained sixteen years of age; (and) who are not enrolled or required to be enrolled in secondary school under State law. “

EFFECTIVE DATE: JULY 1, 1991

REVISED DATE: SEPTEMBER 13, 1993

REVISED DATE: APRIL 18, 2003

REVISED DATE: NOVEMBER 15, 2008

REVISED DATE: JUNE 20, 2015

Subject: Standardized Testing Instruments

POLICY: Only the following state, National Reporting System for Adult Education (NRS), and Division of Adult Education and Literacy (DAEL) approved standardized tests will be utilized for pre-test, post-test, and continued student assessment for adult education students: Test of Adult Basic Education; Basic English Skills Test*, and Comprehensive Adult Student Assessment System (Life Skills Assessment for ESL only). Other NRS/DAEL-approved standardized testing instruments, forms and versions may be used with the written approval of the Deputy Director of Adult Education. Different forms of the same test must be used for the pre-test and the post-test. Local programs will pre-test and place all students into an educational functioning level (EFL) at intake or shortly after intake, within the first 12 hours of instruction.

Post-testing of adult learners is to measure performance and completion of an educational functioning level. Within the fiscal year, students should be post-tested after completing the minimum hours of instruction, as outlined by the Arkansas Assessment Policy and Distance Education Guidelines, located on the Arkansas Department of Career Education (Adult Education Division) website. Students should be assessed within 180 calendar days (defined as weekdays, weekends, and holidays) after the previous assessment to reflect a more current measurement of performance.

A complete description of the adult education assessment procedures can be found in the “Arkansas National Reporting System Guidelines.”

INFORMATION/RATIONALE: The levels of performance will be expressed in an objective, quantifiable, and measurable form and will show the progress of the state toward continuously improving in performance. According to the National Reporting System for Adult Education Implementation Guidelines, states must require local programs to measure educational gain with standardized assessments that are appropriate for measuring educational gain within the NRS framework and conform to accepted psychometric standards for validity and reliability.

*refers to all approved versions of the Basic English Skills Test published by the Center for Applied Linguistics

EFFECTIVE DATE: JULY 1, 1991

REVISED DATE: SEPTEMBER 13, 1993

REVISED DATE: APRIL 18, 2003

REVISED DATE: DECEMBER 7, 2006

REVISED DATE: NOVEMBER 15, 2008

REVISED DATE: JUNE 20, 2015

Subject: Reporting of Student Data

POLICY: Any person meeting the minimum age and educational functioning level restrictions as mandated by the Adult Education Division and the state compulsory attendance age requirements (Arkansas Act 1659 of 2001 and Act 604 of 2003) may be reported as a participant in an adult education program provided that either federal or state adult education funds are used to support that individual's participation in the program.

Enrolled Students: An individual is considered enrolled in adult education upon completion of 12 hours of contact. According to the National Reporting System for Adult Education, contact hours may include: hours of instruction or instructional activity the learner receives from the program. Instructional activity includes any program-sponsored activity designed to promote student learning in the program curriculum such as classroom instruction, assessment, tutoring or participation in a learning lab.

Served Students: For state-reporting purposes, an individual is considered served by adult education when the individual has registered to participate in adult education activities and has received at least one contact hour of instruction as defined above.

INFORMATION/RATIONALE: The National Reporting System for Adult Education Implementation Guidelines requires that the Adult Education Division collect and report accurate data which reflects the number of persons whose basic skills education is supported by either federal or state education funds. Local programs must report as a participant any eligible individual whose educational training is supported by adult education.

EFFECTIVE DATE: JULY 1, 1991

REVISED DATE: SEPTEMBER 13, 1993

REVISED DATE: APRIL 18, 2003

REVISED DATE: NOVEMBER 15, 2008

REVISED DATE: JUNE 20, 2015

Subject: Salaries for Adult Education Personnel

POLICY: Effective January 1, 2016, all full-time adult education personnel hired, or rehired after a separation of service shall be paid a starting salary equivalent to the Local Education Agency's (LEA) salary scale, not to exceed \$31.00 per hour using adult education funds. In extenuating circumstances, the LEA has the discretion to exceed this amount by applying for a waiver with the Department of Career Education, Adult Education Division, though approval is not guaranteed. This does not preclude LEAs from using adult education funds to provide future cost of living increases, merit pay, bonuses, etc.

The salary for a part-time administrator is to be determined by the LEA, but will not exceed \$31.00 per hour with adult education funds. The salary for a part-time instructor or one serving as a substitute instructor is to be determined by the LEA, but will not exceed \$28.00 per hour with adult education funds.

Salary for part-time paraprofessionals with adult education funds will not exceed the following:

Paraprofessionals with a high school diploma or equivalent	maximum of \$12.00 per hour
Paraprofessionals with an associate's degree	maximum of \$14.00 per hour
Paraprofessionals with a bachelor's degree	maximum of \$18.00 per hour
Paraprofessionals with a master's degree	maximum of \$20.00 per hour
Paraprofessionals with a doctorate degree	maximum of \$24.00 per hour

Program directors will have the flexibility of setting beginning hourly wage and a system of increasing increments.

Copies of licenses, diplomas, and other credentials must be submitted to the Adult Education Division for approval prior to beginning of employment or expenditure of Adult Education funds. Local Adult Education administrators and licensed personnel are responsible for maintaining current credentials. Adult Education funds may not be expended for personnel once a license expires. There will be no retroactive pay with Adult Education funds once the license is renewed.

INFORMATION/RATIONALE: The Arkansas Adult Education Division requires those employed on a full-time basis be paid a salary equivalent to the LEA salary scale.* In order to attract and retain quality part-time education personnel, it is necessary to pay hourly salaries competitive with those paid to other part-time instructors and paraprofessionals in the LEAs based on education and experience. Additionally, the minimum salary scale for adult education administrators was set using the midpoint of the Fair Labor Standards Act exemption status for School Principal as outlined by the Department of Finance and Administration, Personnel Management job details.

*state requirement

EFFECTIVE DATE: JULY 1, 1991

REVISED DATE: SEPTEMBER 13, 1993

REVISED DATE: APRIL 18, 2003

REVISED DATE: NOVEMBER 15, 2008

REVISED DATE: JUNE 20, 2015

Subject: Full-Time and Part-Time Paraprofessional Qualifications

POLICY: Part-time and full-time paraprofessionals must have a high school diploma, GED or the equivalent. Paraprofessionals may not teach a class unless they meet the qualifications of a full-time or part-time adult education teacher.

INFORMATION/RATIONALE: To ensure that adult education students receive instruction by qualified personnel, the Adult Education Division requires students to be provided instruction by licensed personnel*. Paraprofessionals who do not have the qualifications of full-time or part-time teachers must not assume the role and responsibilities of a licensed teacher.

*state requirement

EFFECTIVE DATE: SEPTEMBER 13, 1993

REVISED DATE: APRIL 18, 2003

REVISED DATE: NOVEMBER 15, 2008

REVISED DATE: JUNE 20, 2015

Subject: Adult Education Director/Coordinator Qualifications

POLICY: All adult education directors/coordinators paid with adult education funds must have a minimum of a master's degree in education, administration, or related field. If not already licensed in adult education, administrators must become licensed in adult education by the Arkansas Department of Education, Professional Licensure, within four (4) years of the date of initial employment as an adult education administrator. It is preferable that the applicant have five years of experience as a teacher and/or administrator in adult education or a related field.

Adult education directors/coordinators not paid with adult education funds must meet the qualifications of the local education agencies' personnel policies. Newly hired adult education directors/coordinators must show academic progression towards adult education licensure annually. It is preferable that the applicant has five years of experience as a teacher and/or administrator in adult education or a related field.

Adult education directors/coordinators not paid with adult education funds must meet the qualifications of the local education agencies' personnel policies.

INFORMATION/RATIONALE: In order for adult education programs to be operated effectively, the Arkansas Adult Education Division requires that administrators have the relevant experience and credentials.*

*state requirement

EFFECTIVE DATE: JULY 1, 1990

REVISED DATE: APRIL 18, 2003

REVISED DATE: NOVEMBER 15, 2008

REVISED DATE: JUNE 20, 2015

Subject: Full-Time Adult Education Teacher Qualifications

POLICY: Full-time Adult Education teachers must hold a current Arkansas Department of Education teacher's license. If teachers do not already have a license in Adult Education, they must obtain an Adult Education additional license within four (4) years of the date of their initial employment as full-time Adult Education teachers. Newly hired adult education teachers must show academic progression towards adult education licensure annually.

INFORMATION/RATIONALE: In order for students to be provided instruction by qualified personnel, the Arkansas Adult Education Division requires that full-time teachers have the appropriate professional teacher training and hold valid Arkansas Department of Education teaching licenses and credentials.*

*state requirement

EFFECTIVE DATE: JULY 1, 1990

REVISED DATE: APRIL 18, 2003

REVISED DATE: NOVEMBER 15, 2008

REVISED DATE: JUNE 20, 2015

Subject: Part-Time Adult Education Teacher Qualifications

POLICY: Part-time Adult Education teachers must hold a current Arkansas Department of Education teacher's license.

INFORMATION/RATIONALE: In order for students to be provided instruction by qualified personnel, the Arkansas Adult Education Division requires that part-time teachers have the appropriate professional teacher training and hold a current Arkansas Department of Education teaching license.*

*state requirement

EFFECTIVE DATE: JULY 1, 1990

REVISED DATE: APRIL 18, 2003

REVISED DATE: NOVEMBER 15, 2008

REVISED DATE: JUNE 20, 2015

Subject: Substitute Adult Education Teacher Qualifications

POLICY: Substitute Adult Education teachers must hold a current Arkansas Department of Education teacher's license. Employment of substitute teachers may not exceed ninety days per fiscal year without written permission from the Deputy Director of Adult Education.

INFORMATION/RATIONALE: In order for students to be provided instruction by qualified personnel, the Arkansas Adult Education Division requires that substitute teachers have the appropriate professional teacher training and hold a current Arkansas Department of Education teaching license.*

*state requirement

EFFECTIVE DATE: NOVEMBER 15, 2008

REVISED DATE: JUNE 20, 2015

Subject: Travel Policy

POLICY: Local programs funded with state or federal adult education funds must adhere to Arkansas Department of Finance and Administration guidelines when requesting travel reimbursement. This includes reimbursement for mileage, lodging, meals, etc. Late registration fees for conferences or workshops are not allowable.

INFORMATION/RATIONALE: The travel policy for state agencies is mandated by the Arkansas Department of Finance and Administration, and the Adult Education Division has adopted these guidelines for local grantees.

EFFECTIVE DATE: APRIL 18, 2003

REVISED DATE: NOVEMBER 15, 2008

REVISED DATE: JUNE 20, 2015

Subject: Workplace Waivers for Adult Education Teachers

POLICY: The Adult Education Division requirement that full-time, part-time, and substitute adult education teachers hold a current teacher's license may be waived for adult education classes taught at a business or industry, when such classes are asked to be created for the employees of that business or industry. If the adult education program director is unable to find a licensed teacher for such classes, he/she may submit a written request for a workplace waiver for a non-licensed instructor to teach the classes. The non-licensed instructor should have sufficient qualifications and experience to teach the workplace classes successfully. The classes should be conducted at the work site, but if there is no space at the work site for such classes, then the classes may be held at an Adult Education site. If the classes end, or if the instructor with the workplace waiver is reassigned to another workplace class, the Adult Education Division should be informed of any changes in the teaching assignment. Waivers will be issued only for the current program year, and new waivers must be applied for each program year.

INFORMATION/RATIONALE: Since there is a shortage of licensed teachers in the state, and because of logistical difficulties finding licensed teachers to work in business and industry, the Adult Education Division may issue waivers for non-licensed instructors to teach workplace adult education classes requested by business and industry.

EFFECTIVE DATE: APRIL 18, 2003

REVISED DATE: NOVEMBER 15, 2008

REVISED DATE: JUNE 20, 2015

**QUESTIONNAIRE FOR FILING PROPOSED RULES AND REGULATIONS
WITH THE ARKANSAS LEGISLATIVE COUNCIL AND JOINT INTERIM COMMITTEE**

DEPARTMENT/AGENCY Arkansas Department of Career Education
DIVISION Adult Education
DIVISION DIRECTOR James Smith
CONTACT PERSON James Smith
ADDRESS #3 Capitol Mall, Little Rock, AR 72201
PHONE NO. (501)682-1970 **FAX NO.** (501)682-1706 **E-MAIL** jim.smith@arkansas.gov
NAME OF PRESENTER AT COMMITTEE MEETING Jim Smith and/or Trena Miles
PRESENTER E-MAIL jim.smith@arkansas.gov

INSTRUCTIONS

- A. Please make copies of this form for future use.
- B. Please answer each question **completely** using layman terms. You may use additional sheets, if necessary.
- C. If you have a method of indexing your rules, please give the proposed citation after “Short Title of this Rule” below.
- D. Submit two (2) copies of this questionnaire and financial impact statement attached to the front of two (2) copies of the proposed rule and required documents. Mail or deliver to:

**Donna K. Davis
Administrative Rules Review Section
Arkansas Legislative Council
Bureau of Legislative Research
One Capitol Mall, 5th Floor
Little Rock, AR 72201**

1. What is the short title of this rule? Adult Education Program Policies Update

2. What is the subject of the proposed rule? Adult Education Program Policy Updates

3. Is this rule required to comply with a federal statute, rule, or regulation? Yes No
From the Workforce Innovation and Opportunity Act (Introduction):

Section 116 of the Workforce Innovation and Opportunity Act (WIOA) establishes performance accountability indicators and performance reporting requirements to assess the effectiveness of States and local areas in achieving

If yes, please provide the federal rule, regulation, and/or statute citation.

positive outcomes for individuals served the core programs.

4. Was this rule filed under the emergency provisions of the Administrative Procedure Act? Yes No
- If yes, what is the effective date of the emergency rule? _____

When does the emergency rule expire? _____

Will this emergency rule be promulgated under the permanent provisions of the Administrative Procedure Act? Yes No

5. Is this a new rule? Yes No
- If yes, please provide a brief summary explaining the regulation. _____

Does this repeal an existing rule? Yes No

If yes, a copy of the repealed rule is to be included with your completed questionnaire. If it is being replaced with a new rule, please provide a summary of the rule giving an explanation of what the rule does.

Is this an amendment to an existing rule? Yes No

If yes, please attach a mark-up showing the changes in the existing rule and a summary of the substantive changes. **Note: The summary should explain what the amendment does, and the mark-up copy should be clearly labeled "mark-up."**

6. Cite the state law that grants the authority for this proposed rule? If codified, please give the Arkansas Code citation. Adult Education and Family Literacy Act of 1998, Title II of the Workforce Investment Act of 1998, Public Law 105-220-August 7, 1998

7. What is the purpose of this proposed rule? Why is it necessary? The purpose is to align the Adult Education Policies with state and federal laws including Arkansas Act 787 (Renaming the Department of Workforce Education and the Workforce Investment Opportunities Act of 2014.

8. Please provide the address where this rule is publicly accessible in electronic form via the Internet as required by Arkansas Code § 25-19-108(b).
http://ace.arkansas.gov/adultEducation/programs/Documents/Adult_Ed_Forms/ArkansasAdultEducationPoliciesProcedures.pdf

9. Will a public hearing be held on this proposed rule? Yes No

If yes, please complete the following:

Date: _____

Time: _____

Place: _____

10. When does the public comment period expire for permanent promulgation? (Must provide a date.)

May 19, 2015 at 4:00 pm

11. What is the proposed effective date of this proposed rule? (Must provide a date.)

June 20, 2015

12. Do you expect this rule to be controversial? Yes No

If yes, please explain. _____

13. Please give the names of persons, groups, or organizations that you expect to comment on these rules?
Please provide their position (for or against) if known.

Adult Education Directors and teachers from local adult education programs and literacy councils.

FINANCIAL IMPACT STATEMENT

PLEASE ANSWER ALL QUESTIONS COMPLETELY

DEPARTMENT Arkansas Department of Career Education
DIVISION Adult Education
PERSON COMPLETING THIS STATEMENT Trenia Miles
TELEPHONE NO. (501)682-1970 **FAX NO.** (501)682-1706 **EMAIL:** jim.smith@arkansas.gov

To comply with Ark. Code Ann. § 25-15-204(e), please complete the following Financial Impact Statement and file two copies with the questionnaire and proposed rules.

SHORT TITLE OF THIS RULE Adult Education Program Policy Update

- 1. Does this proposed, amended, or repealed rule have a financial impact? Yes No

- 2. Is the rule based on the best reasonably obtainable scientific, technical, economic, or other evidence and information available concerning the need for, consequences of, and alternatives to the rule? Yes No

- 3. In consideration of the alternatives to this rule, was this rule determined by the agency to be the least costly rule considered? Yes No

If an agency is proposing a more costly rule, please state the following:

- (a) How the additional benefits of the more costly rule justify its additional cost;

- (b) The reason for adoption of the more costly rule;

- (c) Whether the more costly rule is based on the interests of public health, safety, or welfare, and if so, please explain; and;

- (d) Whether the reason is within the scope of the agency’s statutory authority; and if so, please explain.

4. If the purpose of this rule is to implement a federal rule or regulation, please state the following:

- (a) What is the cost to implement the federal rule or regulation?

Current Fiscal Year

General Revenue _____
Federal Funds _____
Cash Funds _____
Special Revenue _____
Other (Identify) _____

Next Fiscal Year

General Revenue _____
Federal Funds _____
Cash Funds _____
Special Revenue _____
Other (Identify) _____

Total N/A

Total N/A

(b) What is the additional cost of the state rule?

Current Fiscal Year

Next Fiscal Year

General Revenue _____
Federal Funds _____
Cash Funds _____
Special Revenue _____
Other (Identify) _____

General Revenue _____
Federal Funds _____
Cash Funds _____
Special Revenue _____
Other (Identify) _____

Total N/A

Total N/A

5. What is the total estimated cost by fiscal year to any private individual, entity and business subject to the proposed, amended, or repealed rule? Identify the entity(ies) subject to the proposed rule and explain how they are affected.

Current Fiscal Year

Next Fiscal Year

\$ N/A

\$ N/A

6. What is the total estimated cost by fiscal year to state, county, and municipal government to implement this rule? Is this the cost of the program or grant? Please explain how the government is affected.

Current Fiscal Year

Next Fiscal Year

\$ N/A

\$ N/A

7. With respect to the agency’s answers to Questions #5 and #6 above, is there a new or increased cost or obligation of at least one hundred thousand dollars (\$100,000) per year to a private individual, private entity, private business, state government, county government, municipal government, or to two (2) or more of those entities combined?

Yes No

If YES, the agency is required by Ark. Code Ann. § 25-15-204(e)(4) to file written findings at the time of filing the financial impact statement. The written findings shall be filed simultaneously with the financial impact statement and shall include, without limitation, the following:

- (1) a statement of the rule’s basis and purpose;
- (2) the problem the agency seeks to address with the proposed rule, including a statement of whether a rule is required by statute;
- (3) a description of the factual evidence that:
 - (a) justifies the agency’s need for the proposed rule; and

- (b) describes how the benefits of the rule meet the relevant statutory objectives and justify the rule's costs;
- (4) a list of less costly alternatives to the proposed rule and the reasons why the alternatives do not adequately address the problem to be solved by the proposed rule;
 - (5) a list of alternatives to the proposed rule that were suggested as a result of public comment and the reasons why the alternatives do not adequately address the problem to be solved by the proposed rule;
 - (6) a statement of whether existing rules have created or contributed to the problem the agency seeks to address with the proposed rule and, if existing rules have created or contributed to the problem, an explanation of why amendment or repeal of the rule creating or contributing to the problem is not a sufficient response; and
 - (7) an agency plan for review of the rule no less than every ten (10) years to determine whether, based upon the evidence, there remains a need for the rule including, without limitation, whether:
 - (a) the rule is achieving the statutory objectives;
 - (b) the benefits of the rule continue to justify its costs; and
 - (c) the rule can be amended or repealed to reduce costs while continuing to achieve the statutory objectives.