

**281—23.3 (260C) Program administration.** The department, through the division of community colleges, is hereby designated as the agency for administration of state and federally funded adult basic education programs and for supervision of the administration of adult basic education programs. The division shall be responsible for the allocation and distribution of state and federal funds awarded to eligible institutions for adult basic education programs through a grant application in accordance with this chapter and with the state plan.

**23.3(1) *Eligible institutions.*** Adult education and literacy programs may be operated by:

- a. Entities accredited by the Higher Learning Commission and approved by the department; or
- b. Eligible entities as defined by the Adult Education and Family Literacy Act, 20 U.S.C.

Ch. 73, and subsequent federal workforce training and adult education legislation, and approved by the department.

**23.3(2) *Program components.***

a. The eligible institution shall maintain the ability to provide the following adult education and literacy services as deemed appropriate by the community or needs of the students:

- (1) Adult basic education;
- (2) Programs for adults of limited English proficiency;
- (3) Adult secondary education, including programs leading to the achievement of a high school equivalency certificate or high school diploma;
- (4) Instructional services provided by qualified instructors as defined in subrule 23.6(1) to improve student proficiencies necessary to function effectively in adult life, including accessing further education, employment-related training, or employment;
- (5) Assessment and guidance services adhering to the state's assessment policy; and
- (6) Programs and services stipulated by current and subsequent federal and state adult education legislation.

b. Institutions shall effectively use technology, services, and delivery systems, including distance education, in a manner sufficient to increase the amount and quality of student learning and performance.

c. Institutions shall ensure a student acquires the skills needed to transition to and complete postsecondary education and training programs and obtain and advance in employment leading to economic self-sufficiency.

**23.3(3) *Local planning.***

a. Adult education and literacy programs shall collaborate and enter into agreements with multiple partners in the community for the purpose of establishing a local plan. Such plans shall expand the services available to adult learners, align with the strategies and goals established by the state plan, and prevent duplication of services.

b. An adult education and literacy program's agreement shall not be formalized until the local plan is approved by the department. A plan shall be approved provided the plan complies with the standards and criteria outlined in this chapter, federal adult education and family literacy legislation, and the strategies and goals of the state plan as defined in the local plan application.

c. Local plans may be approved by the state for single or multiple years.

**23.3(4) *Federal funding.*** Federal funds received by an adult education and literacy program must not be expended for any purpose other than authorized activities, in the manner prescribed by the authorizing federal legislation.

**23.3(5) *State funding.*** Moneys received from state funding sources for adult education and literacy programs shall be used in the manner described in this subrule. All funds shall be used to expand services and improve the quality of adult education and literacy programs.

a. *Use of funds.* State funding shall be expended on:

- (1) Allowable uses pursuant to the Adult Education and Family Literacy Act, 20 U.S.C. Ch. 73, and subsequent federal workforce training and adult education legislation.
- (2) High school equivalency testing and associated costs.

*b. Restrictions.* In expending state funding, adult education and literacy programs shall adhere to the allowable use restrictions of the Adult Education and Family Literacy Act, 20 U.S.C. Ch. 73, and subsequent federal workforce training and adult education legislation, except for administrative cost restrictions.

*c. Reporting.* All reporting for state funding shall adhere to a summary of financial transactions related to the adult education and literacy program's resources and expenses in a format prescribed by the department. Adult education and literacy programs shall submit quarterly reports to the department on dates to be set by the department. A year-end report shall be submitted to the department no later than October 1.

**23.3(6)** *English as a second language.* In addition to meeting the requirements of subrules 23.3(1) through 23.3(5), English as a second language programs shall adhere to the following provisions.

*a. Application process.* An English as a second language program shall annually submit an application to the department that identifies the need, sets benchmarks, and provides a plan for high-quality instruction.

*b. Distribution and allocation.* The department and the community colleges shall jointly prescribe the distribution and allocation of funding, which shall be based on need for instruction in English as a second language in the region served by each community college. Need shall be based on census, survey, and local outreach efforts and results.

*c. Midyear reporting.* English as a second language programs shall include a narrative describing the progress and attainment of the benchmarks specified in the application described in paragraph 23.3(6)“a.” The report shall be provided to the department midway through the academic year.