

## 2021-2022 Policy Manual

Office of Community Colleges and Workforce Development

**Donna Lewelling**

Interim Director/ABS State Director  
503-947-2428

[donna.j.lewelling@state.or.us](mailto:donna.j.lewelling@state.or.us)

**TBD**

ABE State Leadership Coordinator  
503-373-0014

**Nick Bender**

ABS Education Specialist  
503-947-2423

[nick.bender@state.or.us](mailto:nick.bender@state.or.us)

**Adrienne Ochs, Ph.D**

Oregon GED Administrator™  
503-979-5098

[adrienne.ochs@state.or.us](mailto:adrienne.ochs@state.or.us)

**Kelly Zinck**

Education Team Research Analyst  
503-979-5671

[kelly.zinck@state.or.us](mailto:kelly.zinck@state.or.us)

**Tamy Perkins**

Administrative Specialist  
503-979-5760

[tamyra.d.perkins@state.or.us](mailto:tamyra.d.perkins@state.or.us)

**ABS Team Email Address:**

[hecc.absteam@hecc.oregon.gov](mailto:hecc.absteam@hecc.oregon.gov)

**HECC Finance**

[hecc.finance@hecc.oregon.gov](mailto:hecc.finance@hecc.oregon.gov)

**Oregon ABS Resources**

<https://www.oregon.gov/highered/institutions-programs/ccwd/Pages/abs-resources.aspx>

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**Equity Statement**

Oregon’s diversity is increasingly multifaceted, including racial/ethnic, socioeconomic, cultural, gender, geographic (urban and rural), gender identity and sexual orientation, disability, and age/generational diversity. In administering a Title II program, staff will not discriminate against any person who is a current or potential user of its services on the basis of race, color, ancestry, gender, gender identity, national origin, age, family or marital status, sexual orientation, political or religious affiliation, veteran status, physical or mental disability. The agency will not tolerate any form of discrimination or harassment and endeavors to maintain an inclusive and respectful work environment free of hostility or unprofessional behavior. As a HECC partner, we commit to a climate that empowers all to embrace a culture of diversity, equity, and inclusion as a valued asset in order to achieve equity-driven results.

## 1. OVERVIEW

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This manual contains policies, procedures, and program information for Oregon Adult Basic Skills Program, administered by Oregon's Higher Education Coordinating Commission (HECC), Office of Community Colleges and Workforce Development (CCWD).

In addition to administering Title II pass-through funds, CCWD is responsible for providing leadership, professional development, technical assistance, and program monitoring to assure quality basic skills services for adults across Oregon.

The term adult education, or Adult Basic Skills (ABS) in Oregon, means instruction and education services below the postsecondary level that increase an individual's ability to:

- *Read, write, and speak in English and perform mathematics or other activities necessary for the attainment of a secondary school diploma or its recognized equivalent;*
- *Transition to postsecondary education and training; and*
- *Obtain employment (section 203(1) of WIOA).*

ABS instruction includes reading, writing, math, speaking/listening in English, and adult secondary education, which includes GED® and Adult High School Diploma preparation.

The purpose of ABS in Oregon is to assist adults:

- *In obtaining the knowledge and skills necessary for work, further education, family self-sufficiency, and community involvement;*
- *To become literate and obtain the knowledge and skills necessary for employment and economic self-sufficiency;*
- *Who are parents or family members to obtain the education and skills that:*
  - a. *Are necessary to becoming full partners in the educational development of their children; and*
  - b. *Lead to sustainable improvements in the economic opportunities for their family;*
- *In attaining a secondary school diploma and in the transition to postsecondary education and training, including through career pathways; and*
- *Immigrants and other individuals who are English language learners in:*
  - a. *Improving their:*
    - i. *Reading, writing, speaking, and comprehension skills in English; and*
    - ii. *Mathematics skills; and*
    - iii. *Acquiring an understanding of the American system of Government, individual freedom, and the responsibilities of citizenship (section 202 of WIOA; 34 Code of Federal Regulation (CFR) 463.1).*

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## 2. ADMINISTRATION

### 2.1. CONSORTIA

#### Background

An ABS consortium is a group of organizations, each of which provides ABS services, that jointly applies for funding under a collaborative management structure, and a lead organization which is the fiscal agent. The consortium must have an identified fiscal agent that receives and is responsible for Title II funding. Fiscal agents may redistribute funds to consortium members, but those arrangements must be made locally, not by the state. The redistribution of funds to consortium members does not transfer responsibility from the organization acting as fiscal agent.

A consortium agreement between fiscal agent and member(s) should underscore the mandate to follow all fiscal and programmatic requirements and policies established by the state and federal government. As a condition of membership in a consortium, each member must make a documented contribution toward the cost of Title II activities and services, either as a direct financial contribution or as an in-kind contribution.

#### Policies

1. The lead applicant in a consortium is the fiscal agent and must be responsible for ensuring that each consortium partner member submits required information and complies with all policies, procedures, and regulations.
2. A formal consortium agreement must detail the duties, roles, and responsibilities of each consortium member, specifically relating to approving financial expenditures, performance reporting, participant assessments, and other state and federal requirements. The consortium agreement should be developed collaboratively to ensure all consortium members are aware of the regulations and responsibilities of federal funding.
3. The fiscal agent must be ultimately responsible for the consortium funding, for the accuracy of data collected and reported, and for performance.

### 2.2. LEARNER ELIGIBILITY: AGE, PRIOR EDUCATION, OR SKILL LEVEL

#### Background

A learner who is eligible to receive Title II services is one:

1. *Who has attained 16 years of age;*
2. *Who is not enrolled or required to be enrolled in secondary school under State law; and*
3. *Who:*
  - a. *Is basic skills deficient;*
  - b. *Does not have a secondary school diploma or its recognized equivalent, and has not achieved an equivalent level of education; or*
  - c. *Is an English language learner (section 203(4) of WIOA).*

## Policies

1. Age: Programs must only enroll individuals who are at least 16 years of age and not enrolled or required to be enrolled in secondary school under state law. To be exempt from compulsory attendance, an individual must have an exemption from compulsory attendance signed by the school district and the parent or guardian (see Oregon Administrative Rule (OAR) 581-021-0076).
2. Prior education or skill level: Programs must only enroll individuals who qualify for ABS services due to least one of these conditions:
  - a. They do not have a high school diploma or its recognized equivalent;
  - b. They have not achieved an equivalent (secondary) level of education, as indicated by a scale score of 248 or below on the Comprehensive Adult Student Assessment Systems (CASAS) Reading GOALS, or 235 or below on the CASAS Math GOALS test; or
  - c. They are English language learners, as indicated by a scale score below 235 on the CASAS Life and Works Reading Test, or a scale score below 228 on the CASAS Listening Test, or below 541 on the BEST Plus 2.0 Test.

## 2.3. DISTANCE LEARNING

### Background

CCWD adopted the definition of distance education provided by the National Reporting System (NRS) Implementation Guidelines, July 2007:

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

### Policies

1. Learners who receive both distance instruction and classroom instruction must be classified as either a distance learning student or a traditional classroom learner, not both. The learner must be classified as a distance learning learner if more than 50% of the instructional hours are at a distance.
2. Distance Learning contact hours must be associated with one of three U.S. Department of Education, Office of Career, Technical, and Adult Education (OCTAE) approved distance learning models of instruction:
  - Clock Time Model – Assigns contact hours based on time that learner is engaged in a software program that tracks time.
  - Teacher Verification Model – Assigns a fixed number of hours for each assignment based on teacher determination of the extent to which a learner engaged in, or completed, the assignment.

- Learner Mastery Model – Assigns a fixed number of hours based on the learner passing a test on the content of the lesson.
3. Each ABS program must determine the distance learning model or models of instruction that it will employ for reporting distance learning.
  4. For assessment of learners in distance learning programs, see Section 6 of this manual, Assessment.
  5. Each ABS program must submit an application or indicate that they do not offer a distance learning program that counts distance learners for federal reporting, prior to implementing the course(s). See Oregon ABS Resources web page for the application form.

## 2.4. STAFF QUALIFICATIONS

### Policies

Programs must use the qualifications and processes listed below in hiring or appointing staff in Title-II funded programs.

1. Instructor—Academic Organizations:
  - a. ABS instructors must have at least a Bachelor’s degree in the content area or related field and meet any additional qualifications required by the college or district for faculty in other academic departments.
  - b. Hiring practices for ABS instructors must be documented and must be consistent with those used by the college or district for faculty in other academic departments.
2. Instructor—Non-academic Organizations:
  - a. All ABS instructors must have at least a Bachelor’s degree in the content area or related field and meet any additional qualifications required by the organization.
  - b. Hiring practices for ABS instructors must be documented and must be consistent with those used by the organization for other professional staff.
3. Director or Coordinator—Academic Organizations:
  - a. All ABS directors and/or coordinators must have at least a Master’s degree in education or a related field, three years of experience in an instructional setting, and meet any additional qualifications required by the college or district for administrators in academic departments.
  - b. An exemption may be requested and must be approved by the State ABS Director in writing for those whom the organization feels are qualified to fulfill the duties and responsibilities of Director or Coordinator and have at least 10 years of direct ABS program experience.
  - c. Hiring practices for ABS directors or coordinators must be documented and must be consistent with those used by the college or district for administrators in academic departments.



4. Director or Coordinator—Non-academic Organizations:
  - a. All ABS directors or coordinators must have at least a Bachelor’s degree, three years of experience in an instructional or social service setting, and meet any additional qualifications required by the organization for other administrators who supervise professional staff.
  - b. Hiring practices for ABS directors or coordinators must be documented and must be consistent with those used by the organization for other administrators who supervise professional staff.

### **Guidance**

Programs should consider the qualifications below for all staff:

- Training or coursework in teaching foundational skills;
- Experience working with adults who have deficient basic skills, disabilities, low income, or cultural barriers;
- Proficiency in oral and written English; and
- Competency in the subject area.

### 3.1. WIOA PRIMARY INDICATORS OF PERFORMANCE

#### Background

WIOA aligns performance-related definitions, streamlines performance indicators, integrates reporting, and ensures comparable data collection and reporting across all six core WIOA programs, while also implementing program-specific, such as Title II, requirements related to data collection and reporting. Section 116 of WIOA <https://www.congress.gov/113/bills/hr803/BILLS-113hr803enr.pdf> establishes performance accountability indicators and performance reporting requirements to assess the effectiveness of states and areas in achieving positive outcomes for individuals served by the workforce development system's six core programs.

The joint U.S. Departments of Education and Labor (the Departments) final regulations present a number of provisions designed to improve accountability and transparency within the workforce system, and measure key employment and educational outcomes, as well as program effectiveness in meeting employer needs. WIOA identifies six primary performance indicators for all Titles:

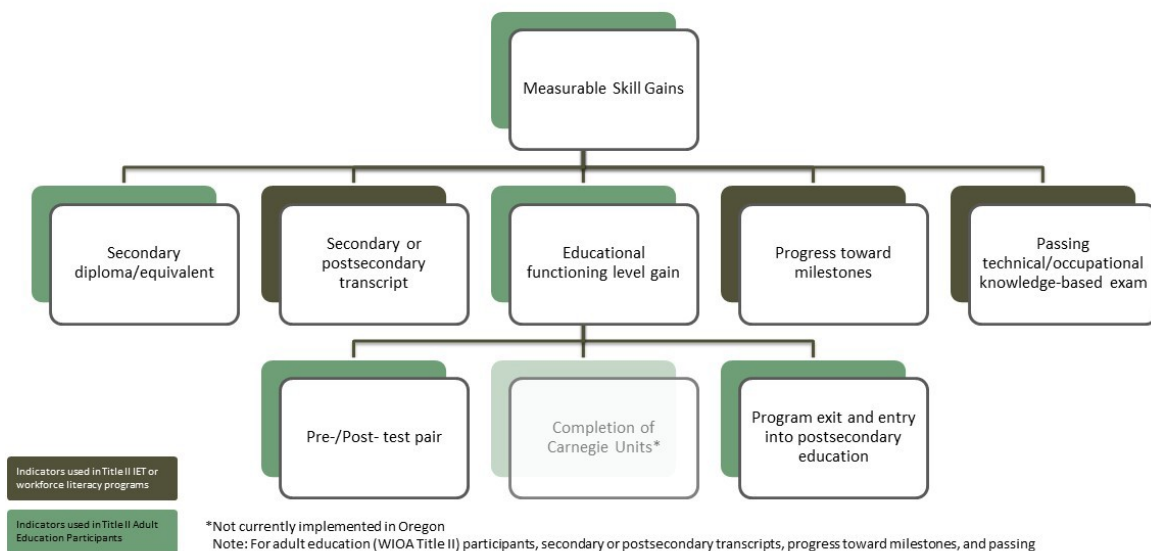
Under section 116(b) (2) (A) of WIOA, there are six primary indicators of performance:

1. *Employment Rate – 2nd Quarter after Exit: The percentage of participants who are in unsubsidized employment during the second quarter after exit from the program;*
2. *Employment Rate – 4th Quarter after Exit: The percentage of participants who are in unsubsidized employment during the fourth quarter after exit from the program;*
3. *Median Earnings – 2nd Quarter after Exit: The median earnings of participants who are in unsubsidized employment during the second quarter after exit from the program;*
4. *Credential Attainment – The percentage of those participants enrolled in an education or training program (excluding those in on-the-job training (OJT) and customized training) who attain a recognized postsecondary credential or a secondary school diploma, or its recognized equivalent, during participation in or within one year after exit from the program. A participant who has attained a secondary school diploma or its recognized equivalent is included in the percentage of participants who have attained a secondary school diploma or its recognized equivalent only if the participant also is employed or is enrolled in an education or training program leading to a recognized postsecondary credential within one year after exit from the program;*
5. *Measurable Skill Gains – (pictured below) The percentage of program participants who, during a program year, are in an education or training program that leads to a recognized postsecondary credential or employment and who are achieving measurable skill gains, defined as documented academic, technical, occupational, or other forms of progress, towards such a credential or employment. Depending on the type of education or training program, progress is defined as one of the following:*
  - a. *Documented achievement of at least one educational functioning level of a participant who is receiving instruction below the postsecondary education level;*

- b. Documented attainment of a secondary school diploma or its recognized equivalent;
  - c. Secondary or postsecondary transcript or report card for a sufficient number of credit hours that shows a participant is meeting the State unit's academic standards;
  - d. Satisfactory or better progress report, towards established milestones, such as completion of OJT or completion of one year of an apprenticeship program or similar milestones, from an employer or training provider who is providing training; or
  - e. Successful passage of an exam that is required for a particular occupation or progress in attaining technical or occupational skills as evidenced by trade-related benchmarks such as knowledge-based exams. (OCTAE Program Memorandum 17-2)
6. Indicators of effectiveness in serving employers – WIOA section 116(b) (2) (A) (i) (VI) requires the Departments to establish a primary indicator of performance for effectiveness in serving employers. The Departments are piloting three approaches designed to gauge how well the workforce system is meeting critical workforce needs of the business community.

The measures that apply to Title II programs include 1, 2, 3, 4 (secondary diploma or its equivalent), and 5 a, b, and c. Individual learner outcomes for all measures, except 5a, are collected and calculated using ABS student data submitted into the TOPSpro Enterprise (Tracking of Programs and Students) database as well as data matching with the Oregon Employment Department, National Student Clearinghouse, GED database and Data for Analysis (D4A), the CCWD web-based data collection and reporting system.

### MSG: WIOA Primary Indicator of Performance



## Sanctions

WIOA identifies sanctions for states and local areas that fail to meet state performance targets. For low performing states after the first year, technical assistance will be provided, including assistance in the development of a performance improvement plan. If a state fails to meet state targets for a second consecutive year, or a state fails to submit a required report for any program year, the percentage of the Governor's reserve will be reduced by 5 percentage points.

If local areas fail to meet local performance targets, WIOA stipulates that the Governor or Secretary of Labor will provide technical assistance which includes a performance improvement plan or modified local plan. If a local area fails to meet local performance measures for a third consecutive year, they are subject to corrective actions, which may include:

- The development of a reorganization plan that consists of appointing a new local board;
- Prohibiting the use of eligible providers and one-stop partners identified as not meeting performance targets; and
- Any other actions the Governor determines are appropriate.

## Policies

1. Programs must annually collect the necessary data to track and accurately report program performance on the WIOA primary performance indicators.
2. Programs must submit required reports to meet state and federal deadlines.
3. Programs must meet annual performance targets. (For information about consequences of not meeting targets, see Section 8 of this manual, Monitoring.)

## 3.2. FEDERAL TARGETS

### Background

Each year OCTAE negotiates the primary indicator targets with CCWD. These targets represent performance levels that Oregon is expected to meet for the following program year. OCTAE requires each state to submit an annual performance report through the National Reporting System (NRS).

WIOA Primary Indicators of Performance								
Oregon Performance Targets and Actual State Performance								
	2018-2019		2019-2020		2020-2021		2021-22	
Measurable Skill Gains	Target	Actual	Target	Actual	Target	Actual	Target	Actual
ABE Level 1 (ABE Beginning Literacy)	47%	50%	49%	33%	51%	TBD	51.5%	TBD
ABE Level 2 (ABE Beginning Basic Education)	51%	50%	53%	30%	54%	TBD	54.5%	TBD
ABE Level 3 (ABE Intermediate Low)	44%	48%	46%	30%	48%	TBD	48.5%	TBD
ABE Level 4 (ABE Intermediate High)	41%	44%	42%	34%	44%	TBD	44.0%	TBD
ABE Level 5 (ASE Low)	52%	54%	54%	38%	55%	TBD	55.0%	TBD
ABE Level 6 (ASE High)	42%	40%	44%	40%	45%	TBD	45.0%	TBD
ESL Level 1 (ESL Beginning Literacy)	43%	52%	45%	43%	47%	TBD	47.5%	TBD
ESL Level 2 (ESL Beginning Low)	50%	60%	52%	49%	54%	TBD	54.5%	TBD
ESL Level 3 (ESL Beginning High)	50%	57%	52%	46%	53%	TBD	53.5%	TBD
ESL Level 4 (ESL Intermediate Low)	45%	50%	47%	38%	49%	TBD	49.5%	TBD
ESL Level 5 (ESL Intermediate High)	39%	48%	41%	34%	43%	TBD	43.5%	TBD
ESL Level 6 (ESL Advanced)	20%	27%	21%	19%	23%	TBD	23.5%	TBD

Core Follow Up Outcome Measures				
	2020-2021		2021-22	
Performance Measure	Target	Actual	Target	Actual
Employment Second Quarter after exit	39.7%	TBD	39.9%	TBD
Employment Fourth Quarter after exit	22.0%	TBD	22.2%	TBD
Median Earnings Second Quarter after exit	\$3,530	TBD	\$3,535	TBD
Attained a Postsecondary Credential, or Secondary School Diploma/Recognized Equivalent while enrolled or within one year of exit	17.2%	TBD	17.4%	TBD

### Policy

Programs may be asked to negotiate local levels of performance (performance targets) with CCWD for each of the WIOA six primary performance indicators based on the State adjusted levels of performance.

## 3.3. PERFORMANCE-BASED FUNDING

### Background

In consultation with the Oregon Council for Adult Basic Skills Development (OCABSD), CCWD developed a Performance-Based Funding Model (PBFM) to incentivize continuous improvement of program quality, effectiveness, and learner success. The tool was developed during the 2018-19 program year, reviewed and refined during the 2019-20 program year, and implemented beginning with the 2020-21 program year.

**Total Federal Grant Allocation** = Title II Federal Allocation + IELCE

**Title II Federal Allocation** = State Admin (5%) + State Leadership (12.5%) + Local Grant (82.5%)

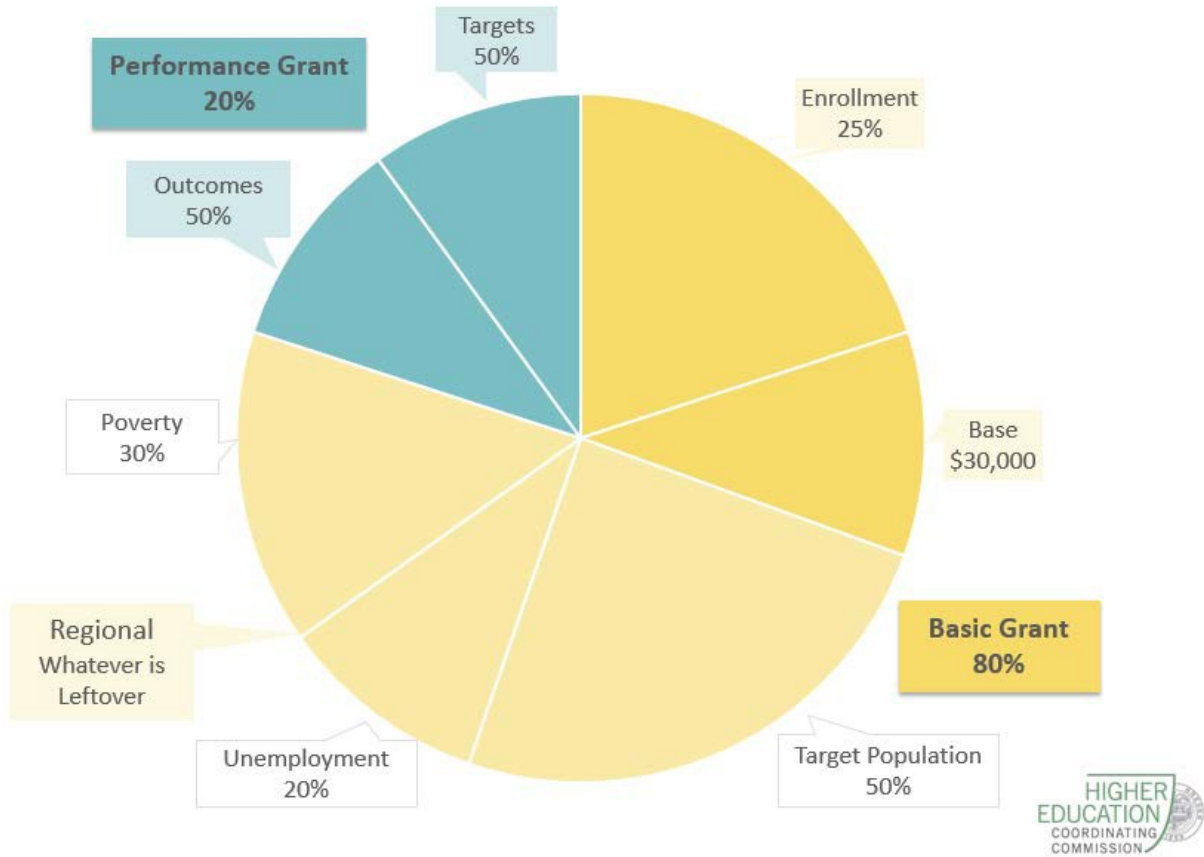
**Local Grant** = State Corrections Set Aside + Basic Grant + Performance Grant

**Basic Grant** = Base Allocation + Enrollment Allocation + Regional Funding

**Regional Funding** = Target Population (50%) + Unemployment (20%) + Poverty (30%)

**Performance Grant** = Outcomes (50%) + Targets (50%)

# PBFM Local Grant Allocation



## Base Allocation

The 2021-22 Base Allocation is \$30,000 per provider.

## Enrollment Allocation

The 2021-22 Enrollment<sup>1</sup> Allocation is based on a three year enrollment average (program years 2017-18 through 2019-20). Using the three year enrollment average, Enrollment funding is calculated based on each program’s percentage of the total statewide enrollment.

## Regional Allocation

The 2021-22 Regional Allocation amount is divided among three weighting factors: Target Population (50%), Unemployment (20%), and Poverty (30%). The Regional Allocation formula uses county level data from the U.S. Census Bureau American Community Survey (ACS), Portland State University (PSU) Population Research Center, and the Oregon Employment Department (OED) to calculate the number of individuals in each of the three weighting factors in each county.

<sup>1</sup> Enrollment is the number Participants with 12+ contact hours and an assigned EFL (e.g. via pre-test), as shown on NRS Table 4.

County level data is compiled into local workforce board regions and the dollar amount for each of the three weighting factors calculated for each workforce region. Providers are assigned to a workforce region (if a provider has multiple locations, the main location is used to determine workforce region). If there is more than one provider in a workforce region, then the three year average enrollment is used to calculate the percentage of enrollees each provider serves in that region. Using the percentage of enrollees each provider serves, Regional funding is calculated for the Target Population, Unemployment, and Poverty factors.

### **Performance Allocation**

Of the total amount for Performance funding, 50% is reserved for Outcomes and 50% is reserved for Targets. Outcomes metrics are weighted most heavily (3 points each) in the funding model and include: Employment in the second quarter after program exit; Employment in the fourth quarter after program exit; Earning a secondary credential or recognized equivalent; or Entering postsecondary. For each Outcomes metric, program performance is measured against the state goal: if a program meets or exceeds the state goal in a category, then points are earned. Outcomes funding is calculated based on each program's portion of the total points earned statewide.

Similarly, Targets metrics are weighted and include: Pre-/Post-Test Pair Percentage (2 points); Measurable Skill Gain at ABE Levels 1-6 (1 point each level); and Measurable Skill Gain at ELS Levels 1-6 (1 point each level). For each Targets metric, program performance is measured against the state goal: if a program meets or exceeds the state goal in a category, then points are earned. Targets funding is calculated based on each program's portion of the total points earned statewide.

The 2021-22 funding is based on 2019-20 performance.

### **Policies**

1. The State ABS Team will use a Performance-Based Funding Model (PBFM) to determine funding levels for Oregon's WIOA TII sub-recipients.



## 4. PROFESSIONAL DEVELOPMENT

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### 4.1. PROFESSIONAL DEVELOPMENT

#### Background

Participation in professional development opportunities of proven effectiveness is essential to ensure that administrators, instructional staff, volunteers, advisors, and support staff are knowledgeable about the quality indicators included in the WIOA 13 Considerations, and best practices in ABS instruction, policies, procedures, and services.

#### Policies

1. Programs must assure that staff complete the required professional development activities listed below.
2. Programs must set aside funds to offer relevant professional development for administrators, instructors, advisors/navigators, data professionals, and support staff to implement an effective Title II program.
3. Programs must develop a professional development plan to promote and support individual staff development and program improvement. The plan must outline the requirements for all staff evaluation.

**PLEASE REFER TO THE CHART ON THE FOLLOWING PAGES FOR  
PROFESSIONAL DEVELOPMENT REQUIRED COMPONENTS**

Professional Development Required Components	Requirements by position	Training frequency	Format
<b>Assessment- Please refer to 6.5 for additional Testing Certification information</b>			
CASAS Test Administrator-Initial and Recertification	CASAS test administrators	Every 3 years, prior to administering anyCASAS Test	Online from CASAS <a href="https://www.casas.org">https://www.casas.org</a>
CASAS eTest Coordinator	One CASAS eTest administrator per testing site	Once at set-up of site,prior to administering anyCASAS eTest	
CASAS eTest Proctor	All CASAS eTest proctors	Once, prior to proctoring a CASAS eTest	
CASAS Test Administrator (Remote Proctoring)	All CASAS remote proctors	Once, prior to proctoring a CASAS remote eTest	
BEST Plus 2.0 Test Administrator - Initial Training	BEST Plus 2.0 test administrators	Once, prior to administering any BEST Plus 2.0 Test	In person or virtually; contact <a href="mailto:hecc.absteam@hecc.oregon.gov">hecc.absteam@hecc.oregon.gov</a>
BEST Plus 2.0 Test Administrator -Recalibration	BEST Plus 2.0 Test administrators	Annually	Program should contact <a href="mailto:aea@cal.org">aea@cal.org</a> for materials and instructions
BEST Plus 2.0 Virtual Test Administrator (training as per CAL guidelines)	BEST Plus 2.0 Virtual test administrators	Once, prior to administering any BEST Plus 2.0 test virtually	Program should contact <a href="mailto:aea@cal.org">aea@cal.org</a> for materials and instructions

Professional Development Required Components	Requirements by position	Training frequency	Format
<b>NRS Online Training Modules</b>			
NRS Online Training Modules, NRS Data Flow Using NRS Data	Data professionals, Instructors and Directors	Once, during pre or in-service orientation	<a href="https://nrsweb.org/training-ta/online-courses">https://nrsweb.org/training-ta/online-courses</a>
TOPSpro Enterprise Basics Online Training Packet	Data professional	Once, immediately after hire	Online from CASAS <a href="https://www.casas.org">https://www.casas.org</a>
OCABSD Data Meeting	Data Professional Instructors and Directors	Annually	In person or online
Monthly Online Meetings and Assigned Activities	Data professional	Monthly	Online with CCWD
<b>Oregon Adult College and Career Readiness Standards- OACCRS</b>			
OACCRS Foundation Training OACCRS Orientation Adult Education Module	All lead instructors/local OACCRS leads and program administrators	Within 90 days of date hired unless otherwise noted	<a href="#">Online Oregon ABS Resources pages or facilitated training.</a> <a href="mailto:hecc.absteam@hecc.org">Contact hecc.absteam@hecc.org</a> <a href="#">on.gov to schedule</a>
		Full time instructors within year 1	
		Part-time instructors before the end of year 2	
Professional Learning Communities	All program administrators and instructors	Ongoing	Online and/or in person
<b>Program Administration</b>			
OCABSD Quarterly Meetings	Director/administrator	Quarterly	In person or online
CCWD Monthly Directors Calls	Director/administrator	Monthly	Online with CCWD

## 5. CURRICULUM, INSTRUCTION, AND LEARNER SUPPORT SERVICES

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### 5.1. OREGON ADULT COLLEGE AND CAREER READINESS STANDARDS

#### Background

OCTAE emphasized the importance of content standards by requiring that states describe how they align their content standards for ABS with the “*State-adopted challenging academic content standards, as adopted under section 1111(b)(1) of the Elementary and Secondary Education Act of 1965, as amended (20 U.S.C. 6311(b)(1)).*” Oregon uses the national College and Career Readiness Standards for Adult Education (CCRS). The CCRS are aligned with the Common Core State Standards and the Oregon Academic Content Standards for K-12. As certain elements of the former Oregon specific standards (OALS) were considered to be a useful complement to the national standards, these elements were incorporated into the CCRS resource documents for use in Oregon, and the required standards for implementation in ABE/ASE classrooms are therefore referred to as the Oregon Adult College and Career Readiness Standards (OACCRS).

As of Program Year 2020-2021, ESL programs will transition from use of the Oregon Adult Learning Standards to use of the national English Language Proficiency Standards (ELPS).

The OACCRS provide detailed information for instruction and are aligned with the Education Functioning Levels (EFLs) as defined by OCTAE and reported through the NRS. They are also aligned with the CASAS GOALS series which is approved for assessment purposes in Oregon. (See Section 6.1 of this manual, Standardized Assessments for NRS Reporting, for information regarding approved and required assessments.)

The goal of OACCRS and ELPS is to support learners in developing the skills and knowledge they need to meet their goals as family members, workers, community members, and lifelong learners. The OACCRS articulate a clear continuum of transferable skills that can guide instruction, assessment, and accountability; provide a common language and consistent expectations across institutions; and serve as a basis for statewide professional development and program improvement. Information regarding the Oregon Adult College and Career Readiness Standards will be posted on the CCWD website when available.

Training materials for OACCRS can be found on the CCWD website.

Information regarding the national College and Career Readiness Standards can be found at: <https://lincs.ed.gov/publications/pdf/CCRStandardsAdultEd.pdf>

## Policy

Implementation of the OACCRS must be evident in Title II-funded programs as noted below.

(For professional development requirements by activity and role specific to OACCRS, see Section 4.1 of this manual, Professional Development.)

Program Component	Evidence	Due Date
Contact	Name/contact information of designated Local OACCRS Lead submitted to CCWD	Submit by October 15, 2021
Professional Development	Annual OACCRS training plan for 2022-2023	Submit by June 30, 2022
	Annual OACCRS training plan approved by CCWD leadership team	Approved by CCWD July 30, 2022
Program	OACCRS apparent in: Job descriptions and qualifications, evaluation for instructional administrators and faculty, orientation or other training or non-instructional staff, staff meeting agendas and notes	<p>May 31, 2022</p> <p>For all curriculum, instruction, advising and support services, and IET documentation due May 31, 2022, please complete form provided by CCWD confirming that program is in compliance and all documents are on file and available for inspection if requested. Do not submit original documents. (Form can be found on the Oregon ABS Resources website.)</p>
Curriculum	Institutionally approved curriculum description (course outlines, core learning outcomes, course content and outcome guides, etc.)	
	Teacher-developed curriculum descriptions (syllabi, course outlines, lesson plans etc.)	
	Criteria for instructional resource selection, Articulation with credit courses including course placement	
Instruction	OACCRS apparent in learner orientation content, Course levels, and Tracking of student progress	
Advising and Support Services	OACCRS integrated into advising protocols and Intake and tracking forms	

IET	<p>OACCRS apparent in common learning objectives for all IET components:</p> <ul style="list-style-type: none"> <li>• ABS</li> <li>• Workforce Preparation</li> <li>• Workforce Training</li> <li>• OACCRS used for placement in, and descriptions of, Career Pathways</li> </ul>
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## 5.2. ESSENTIAL COMPONENTS OF READING INSTRUCTION

### Background

WIOA (section 231 (e)) requires that states consider the extent to which an eligible provider uses instructional practices that include the essential components of reading instruction in awarding Title II grants. The Adult Education and Family Literacy Act (Title II) states that the term “*essential components of reading instruction*” has the meaning given the term in section 1208 of the *Elementary and Secondary Education Act of 1965 (20 U.S.C. 6368)* which is explicit and systematic instruction in:

- *Phonemic awareness;*
- *Phonics;*
- *Vocabulary development;*
- *Reading fluency, including oral reading skills; and*
- *Reading comprehension strategies.*

The Student Achievement in Reading (STAR) program, which was created by OCTAE to assist states and local programs in making systemic and instructional changes required to improve the reading achievement of intermediate-level adult learners, defines the components:

- Alphabetic (which includes phonemic awareness, phonics, and decoding) is the process readers use to identify words. Readers must rely on alphabetic knowledge and decoding skills to read unfamiliar words.
- Fluency is the ability to read with efficiency and ease (speed and accuracy). Without fluency, readers attend more to decoding than to understanding the meaning of what they are reading. When word and sentence reading are automatic and fluent, readers can concentrate more fully on understanding and connecting sentences and paragraphs, which enables them to create meaning from the text.
- Vocabulary is the body of words whose meanings a person knows and understands. Vocabulary knowledge— specifically, the depth, breadth, and flexibility of a person’s knowledge about words—is a primary predictor of reading success.
- Reading comprehension is the process and product of understanding text, and requires a high level of metacognitive engagement with text.

## **Policies**

1. Programs must incorporate the essential components of reading instruction into program activities.
2. Programs must use the relevant OACCRS/ELPS Reading Standards.

## **5.3. SERVING LEARNERS WITH DISABILITIES**

### **Background**

The accountability standards in the 1998 Workforce Investment Act included the Rehabilitation Act Amendments of 1998 to improve access to adult programs and achieve employment outcomes for learners with disabilities. Other legislation addresses provisions related to testing accommodations for learners with disabilities, including the ADA Amendments of 2008, Section 504 in the Rehabilitation Act of 1973, the Individuals with Disabilities Education Improvement Act of 2004, and the No Child Left Behind Act of 2001. These laws ensure equal access for all learners in education programs, including learners with disabilities. Accommodations provide an opportunity for learners to demonstrate their skills and ability. The accommodations may alter delivery of instruction without changing the content.

The Workforce Innovation and Opportunity Act (WIOA) reaffirms the intent of the previous acts, and further specifies individuals with temporary disabilities, such as pregnancy, as well as identifying specific disabilities such as dyslexia and Attention Deficit/Hyperactivity Disorder (AD/HD) as eligible for accommodation and as priorities for education and training.

### **Policies**

1. Programs must provide fully accessible services and ensure that these services meet reasonable criteria according to federal and state law and the policies of their organization.
2. Programs must require that adult learners with disabilities are responsible for requesting accommodations and for submitting documentation of their disability.
3. Programs must follow their organization's policy regarding services to individuals with disabilities.
4. Programs must provide accommodations at no cost to the learner.
5. Programs must provide learners with the same disabilities services as other individuals receiving educational services in the organization, including assessment, counseling, advising, and provision of reasonable accommodations, assistive technology, and other accommodations available to other learners.
6. Programs must provide the same accommodations for testing as they do for instruction and as documented in a learner's education plan.

## Guidance

Programs may provide other accommodations to any and all learners without need for documentation of disability. These accommodations could include magnifiers, slot paper, straight edged rulers, colored overlays, etc.

## Program Activities

### 5.4. ADULT BASIC EDUCATION (ABE)

#### Background

“Adult Basic Education” means instruction designed for an adult whose Educational Functioning Level (EFL) is equivalent to a particular ABE literacy level described in the NRS EFL table in the **Measures and Methods for the National Reporting System (NRS) for Adult Education**, OMB Control Number: 1830–0027 (henceforth known as NRS Implementation Guidelines).

#### Policies

1. Programs must use Title II funds for allowable ABS activities that target eligible individuals. Programs must provide at least one of the following three primary activities: ABE and ASE, ESL, and/or IET.
2. Implementation of the OACCRS/ELPS must be evident in ABE curriculum and instruction.

### 5.5. ADULT SECONDARY EDUCATION (ASE)

#### Background

“Adult Secondary Education” means instruction designed for an adult whose EFL is equivalent to a particular ASE literacy level described in the NRS EFL table in the NRS Implementation Guidelines.

#### Policies

1. Programs must use Title II funds for allowable ABS activities that target eligible individuals. Programs must provide at least one of the following three primary activities: ABE and ASE, ESL, and/or IET.
2. Implementation of the OACCRS /ELPS must be evident in ASE curriculum and instruction.

### 5.6. CAREER PATHWAYS

#### Background

There are multiple definitions of Career Pathways. According to WIOA, the term “career pathway” means a combination of rigorous and high-quality education, training, and other services that:

- a. *Aligns with the skill needs of industries in the economy of the State or regional economy involved;*
- b. *Prepares an individual to be successful in any of a full range of secondary or postsecondary education options, including apprenticeships registered under the Act of August 16, 1937 (commonly known as the “National*



*Apprenticeship Act”*; 50 Stat. 664, chapter 663; 29 U.S.C. 50 et seq.) (referred to individually in this Act as an “apprenticeship”, except in section 171);

- c. *Includes counseling to support an individual in achieving the individual’s education and career goals;*
- d. *Includes, as appropriate, education offered concurrently with and in the same context as workforce preparation activities and training for a specific occupation or occupational cluster;*
- e. *Organizes education, training, and other services to meet the particular needs of an individual in a manner that accelerates the educational and career advancement of the individual to the extent practicable;*
- f. *Enables an individual to attain a secondary school diploma or its recognized equivalent, and at least one recognized postsecondary credential; and*
- g. *Helps an individual enter or advance within a specific occupation or occupational cluster (WIOA section 3).*

The Oregon State Plan for WIOA includes the following working definition of Career Pathways:

*Career pathways are sequences of high-quality education, training, and services connected to industry skill needs. Career pathways have multiple entry and exit points that allow individuals to achieve education and employment goals over time. Career Pathways may include apprenticeships, on the job training, industry recognized credentials, non-credit training and certificates, credit certificates, and degrees.*

The Oregon Pathways Alliance, established with support from the Governor’s Employer Workforce fund and the Oregon Workforce and Talent Development Board (formally the Oregon Workforce Investment Board), is a collaboration of all Oregon Community Colleges. It defines career pathways as:

*Career Pathways are linked education and training services and student supports that enable individuals, often while they are working, to secure industry relevant certification and advance over time to higher levels of education and employment in a given occupation or industry sector.*

Currently, Oregon community colleges offer more than 400 Career Pathway certificate programs. These certificates are defined in Oregon statute as being 15 – 44 credit certificates that are completely contained within an Associate of Applied Science degree or one-year certificate. This means a working learner can continue to make progress toward a higher-level credential without losing time or money having to take classes that are required in the higher-level credential but different from those in the Career Pathway certificate.

## **Policy**

Career pathways used in Integrated Education and Training must at least include the components listed in the WIOA definition.

## **5.7. CORRECTIONS EDUCATION**

### **Background**

Corrections Education services are educational programs, such as ABE, ASE, ESL, and peer tutoring, for criminal offenders in correctional institutions and other institutionalized individuals.

## Policies

1. Corrections programs must use Title II funds in accordance with section 225 of WIOA for educational programs for criminal offenders in correctional institutions and the education of other institutionalized individuals, including academic programs for ABE and ASE, ESL, Peer Tutoring, IET, and/or Career Pathways.
2. Corrections programs must give priority to individuals who are likely to leave a correctional institution within five years of participation in the program.
3. Implementation of the OACCRS/ELPS must be evident in corrections education curriculum and instruction.

## 5.8. ENGLISH AS A SECOND LANGUAGE (ESL)

### Background

“English as a Second Language” means instruction designed for an adult whose EFL is equivalent to a particular ESL proficiency level described in the NRS EFL table in the NRS Implementation Guidelines. ESL and English Language Acquisition (ELA) refer to the same instructional program.

### Policies

1. Programs must use Title II funds for allowable ABS activities that target eligible individuals. Programs must provide at least one of the following three primary activities: ABE and ASE, ESL, and/or IET.
2. Implementation of the English Language Proficiency Standards, or OACCRS must be evident in ESL curriculum and instruction in accordance with CCWD guidance.

## 5.9. FAMILY LITERACY

### Background

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

- a. *Parent or family adult education and literacy activities that lead to readiness for postsecondary education or training, career advancement, and economic self-sufficiency;*
- b. *Interactive literacy activities between parents or family members and their children;*
- c. *Training for parents or family members regarding how to be the primary teacher for their children and full partners in the education of their children; and*
- d. *An age-appropriate education to prepare children for success in school and life experiences (section 231(d) of WIOA; 34 CFR 463.30).*

Family Literacy is an optional ABS activity.

## Policies

1. Programs must not use funds for the purpose of supporting or providing programs, services, or activities to individuals who are not eligible individuals as defined in the Act, except that such agency may use such funds for such purpose if such programs, services, or activities are related to family literacy activities. Prior to providing family literacy activities for individuals who are not eligible individuals, an eligible provider must attempt to coordinate with programs and services that do not receive funding under this title (34 CFR 463.20 (c)).
2. Implementation of the OACCRS/ELPS must be evident in Family Literacy curriculum and instruction.

## 5.10. INTEGRATED EDUCATION AND TRAINING (IET)

### Background

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

An IET program must include three components:

#### 1. ABS activities as described in 34 CFR 463.30.

The term “adult education and literacy activities” means programs, activities, and services that include:

- a. Adult education;
- b. Literacy;
- c. Workplace adult education and literacy activities;
- d. Family literacy activities;
- e. English language acquisition activities;
- f. Integrated English literacy and civics education;
- g. Workforce preparation activities; or
- h. Integrated education and training.

#### 2. Workforce preparation activities as described in 34 CFR 463.34.

Workforce preparation activities include activities, programs, or services designed to help an individual acquire a combination of basic academic skills, critical thinking skills, digital literacy skills, and self-management skills, including competencies in:

- a. Utilizing resources;
- b. Using information;
- c. Working with others;
- d. Understanding systems;

- e. Skills necessary for successful transition into and completion of postsecondary education or training, or employment; and
- f. Other employability skills that increase an individual's preparation for the workforce.

**3. Workforce training for a specific occupation or occupational cluster which can be any one of the training services defined in section 134(c) (3) (D) of the Act**

Training services may include—

- a. Occupational skills training, including training for nontraditional employment;
- b. On-the-job training;
- c. Incumbent worker training in accordance with subsection (d)(4); or
- d. Programs that combine workplace training ABS.

In order to meet the requirement that the ABS activities, workforce preparation activities, and workforce training be integrated, services must be provided concurrently and contextually such that—

- a. Within the overall scope of a particular integrated education and training program, the ABS activities, workforce preparation activities, and workforce training;
- b. Are each of sufficient intensity and quality, and based on the most rigorous research available, particularly with respect to improving reading, writing, mathematics, and English proficiency of eligible individuals;
- c. Occur simultaneously; and
- d. Use occupationally relevant instructional materials.
- e. The IET program has a single set of learning objectives that identifies specific ABS content, workforce preparation activities, and workforce training competencies, and the program activities are organized to function cooperatively. (34 CFR 463.37)

Programs must meet the requirement that the IET program is for the purpose of educational and career advancement if the ABS component of the program is aligned with the state's content standards for ABS and the IET program is part of a career pathway. (34 CFR 463.38)

**Policies**

1. Programs must use Title II funds for allowable ABS activities that target eligible individuals. Programs must provide at least one of the following three primary activities: ABE and ASE, ESL, and/or IET.
2. Programs must offer IET activities (section 203(11) of WIOA; 34 CFR 463.35-.38) to learners in at least one EFL and at least one site no later than the third year of the five-year cycle which begins July 1, 2017.
3. Implementation of the OACCRS/ELPS must be evident in IET curriculum and instruction.

## **5.11. INTEGRATED ENGLISH LITERACY AND CIVICS EDUCATION (IELCE)**

### **Background**

IELCE means education services provided to English Language Learners (ELLs) who are adults, including professionals with degrees and credentials in their native countries that enable such adults to achieve competency in the English language and acquire the basic and more advanced skills needed to function effectively as parents, workers, and citizens in the United States.

Such services must include instruction in literacy and English language acquisition and instruction on the rights and responsibilities of citizenship and civic participation, in combination with IET activities (see WIOA section 243(a)).

### **Policies**

1. Programs that receive funding under section 243 must be designed to prepare adults who are ELLs for, and place them in, unsubsidized employment in in-demand industries and occupations that lead to economic self-sufficiency, and integrate with the local workforce development system and its functions to carry out the activities of the program.
2. IELCE programs must include:
  - a. Instruction in literacy and English language acquisition and instruction on the rights and responsibilities of citizenship and civic participation; and
  - b. IET activities, that must include ABE/ASE and/or ESL, Workforce Preparation, and Workforce training for a specific occupation or occupational cluster (34 CFR 463.73 )
3. Implementation of the OACCRS/ELPS must be evident in IELCE curriculum and instruction.

## **5.12. WORKFORCE PREPARATION**

### **Background**

Workforce preparation activities include activities, programs, or services designed to help an individual acquire a combination of basic academic skills, critical thinking skills, digital literacy skills, and self-management skills, including competencies in:

- a. Utilizing resources;
- b. Using information;
- c. Working with others;
- d. Understanding systems;
- e. Skills necessary for successful transition into and completion of postsecondary education or training, or employment; and
- f. Other employability skills that increase an individual's preparation for the workforce.

### **Policies**

1. Programs must offer Workforce Preparation activities (section 203(17) of WIOA; 34 CRF 463.34) no later than the third year of the five-year cycle which begins July 1, 2017. Programs

must offer Workforce Preparation concurrently with another activity such as ABE, ASE, ESL IET, or IELCE and be consistent with the organizational requirements for those activities.

2. Implementation of the OACCRS/ELPS must be evident in workforce preparation curriculum and instruction.

## **5.13. WORKPLACE ADULT EDUCATION**

### **Background**

Workplace Adult Education can only be offered by programs funded to offer ABE, ASE or ESL. Workplace Adult Education activities will be offered by programs in collaboration with an employer or employee organization at a workplace or an offsite location. Workplace Adult Education activities include ABE, ASE, or ESL content which addresses the improvement of the productivity of the workforce.

### **Policy**

Implementation of the OACCRS/ELPS must be evident in Workplace Adult Education curriculum and instruction.

### Background

Federal regulation 34 CFR 442.40-41 requires that states have an assessment policy that identifies the pre- and posttest procedures that eligible providers must use to measure the EFL placement and gain of ABE, ASE, and ESL learners. CCWD is responsible for ensuring that programs follow uniform federal data collection policies and procedures and for implementing accountability requirements, which include:

- Facilitating ongoing professional development of staff;
- Providing technical assistance to programs;
- Implementing quality control and monitoring procedures to ensure that local data procedures are accurate and complete;
- Establishing and maintaining a state database that includes an individual learner record system employing a relational database for programs;
- Establishing statewide uniform methods for a learner assessment system;
- Documenting state learning gains on the EFLs;
- Analyzing assessment results to identify trends and anomalies;
- Setting annual performance targets for EFLs; and
- Including performance outcomes in the annual funding formula.

The assessment policies in this section support:

- The use of appropriate assessment instruments;
- Appropriate test administration, scoring, and reporting of test scores;
- Appropriate use of test results to inform instruction and improve programs;
- The training of staff on assessment; and
- The reporting of valid and reliable assessment results and related accountability information to local, state, and federal funding sources.

### 6.1. STANDARDIZED ASSESSMENTS FOR NRS REPORTING

#### Policies

1. Programs must, in addition to complying with Federal assessment rules and Oregon assessment policies, create and maintain local assessment procedures.

Local assessment procedures must include the following:

- a. A complete and current list of all certified test administrators. (Assessment certifications and dates of certification should be available to CCWD upon request.)
- b. Documentation of testing procedures, including:
  - i. Who notifies instructors when students are eligible to posttest;
  - ii. When to notify instructors that students are eligible to posttest;

- iii. How instructors communicate when students are ready to posttest; and
- iv. Who makes the final decision whether a student posttests.

Programs must make local assessment procedures available to CCWD and OCTAE upon request.

2. Programs must report on the NRS measures according to state and federal requirements, including:
  - a. Complying with the federal and state-defined procedures for assessing learners for placement in EFLs and assessing progress using valid, standardized procedures to ensure comparability across programs; and
  - b. Reporting accurate data in TOPSpro Enterprise.

3. Scoring and alignment with NRS levels:  
 Programs must use scaled scores provided in conversion charts by CASAS and the Center for Applied Linguistics (CAL) for state and federal reporting and when communicating with learners about their progress. Programs must not use raw test scores for these purposes.

4. Learners to be assessed and reported:

Programs must assess all learners receiving Title II services and include assessment data in TOPSpro Enterprise.

5. OCTAE-approved assessment instruments for accountability use in Oregon are pictured below.

Test	Series	Appraisal & Locator Forms	Reading forms	Math forms	Listening forms	Speaking forms	Computer forms	Approved until
<b>CASAS</b>	<b>Reading GOALS</b>	900R (paper-based) 104R (eTest)	Levels A, B, C, D (901 – 908) <b>ABE/ASE only</b>				eTests	February 5, 2025
<b>CASAS</b>	<b>Math GOALS</b>	900M (paper-based) 104M (eTest)		Levels A/B & C/D 913-914 & 917-918) <b>ABE/ASE only</b>			eTests	March 7, 2023
<b>CASAS</b>	<b>Life and Work</b>	80 * eTests CAT	Levels A, AX, B, C, D (81-188) <b>ESL only</b>		Levels A-C, (981L – 986L) <b>ESL only</b>		eTests	February 2, 2023
<b>BEST</b>	<b>Plus 2.0</b>					Forms D, E, and F ESL only	Computer-adaptive version forms D, E, and F	February 2, 2023

\*ESL Oral Screening Interview may be used to determine if a Form 80 Appraisal is appropriate for non-native English speakers.



6. Appraisal or locator tests:

Initial placement with a CASAS appraisal or locator gauges a learner’s reading, math, and listening comprehension. Oregon requires the use of CASAS appraisals or locators to ensure that appropriate decisions are made regarding educational placement and appropriate pretest form to administer. Appraisals and locators cannot be used as a pretest or to measure learner progress. The CASAS test administration manual includes specific recommendations about which level of pretest to administer based on the appraisal or locator test score. The appraisal is built into the pretest of the computer-adaptive version of the test (CAT), but is a separate test for both the paper and computer-based (CBT) versions of the test. There is no appraisal for BEST Plus 2.0. The CASAS Locator and Appraisal are different, though they have the same purpose of determining the appropriate pretest at intake. Locator tests generally comprise 12 items and can take up to 15 minutes. Appraisals comprise 28 items and usually take up to 30 minutes. Programs may choose to use either the locator or the appraisal test based on what is determined to be in the best interest of the student. Programs must use the CASAS appraisal or locator tests for the skill areas indicated below.

CASAS Appraisal Tests			
Skills Area	ABE/ASE Reading	ABE/ASE Math	ESL Reading & Listening
Appraisal	900R	900M	Form 80
Locator	104R	104M	102R-089L

7. Pretests:

- a. Programs in Oregon must pretest learners in reportable skill areas to establish a baseline against which progress will be measured and to evaluate their educational needs. The required skill area for ABE/ASE is reading. Math is a reportable skill area, but it is not required for either state or federal reporting. Prior to receiving instruction in math, students must be pretested using CASAS for placement purposes, and subsequently posttested after receiving a minimum of 40 hours of instruction.
- b. The required skill area for ESL is reading. Listening and speaking are reportable skill areas, but are not required for either state or federal reporting.
- c. Pretests must be administered within the first 12 hours after program entry.

Exceptions:

- i. If a student has passed one or more GED® subject tests, the local program can decide if that GED® test exempts the student from pretesting in that subject (e.g. passed GED® math means student doesn’t have to pretest in math.) Local programs must outline which GED® test(s) negate which CASAS pretest(s) in the local assessment policy manuals.

- ii. Students who have previously tested at the highest level (Level 6) do not need to be retested in that subject, even if the test is from a previous year. Local programs must have a record of that student testing at the highest level.

8. Program Year 2021-2022:

a. During the COVID-19 pandemic, a local program may use other assessment methods to provisionally assign an EFL for the purpose of placing students into the NRS when an approved NRS test cannot be administered. Local programs must administer NRS-approved pre-tests as soon as feasible and adjust the initial provisional EFL placement based on the pretest score. In the case of pre- and post-testing, a participant cannot achieve an MSG if the participant's EFL placement was provisionally assigned using an informal assessment method.

9. Posttests:

- a. Programs must posttest learners in the same skill areas as pretests to measure academic progress (i.e., programs cannot use a reading pretest and a math posttest).
  - i. Learners must only be posttested in subject areas in which they received instruction.
  - ii. Per CASAS guidelines and Oregon Title II requirements, learners must receive at least 40 hours of instruction before being posttested. It is recommended that programs conduct posttesting at the end of a semester, term, quarter, or other substantial block of instruction if learners have received at least 40 hours of instruction. However, the CASAS *recommendation* is that students should receive between 70 and 100 hours of instruction before being posttested, therefore professional judgment should be exercised as to whether students are ready to test after the required 40 hours, or whether it would be in the students' interest to wait until the recommended number of hours has been reached. Exceptions may be allowable with documentation. Please contact CCWD for guidance.

Per the test publisher's guidelines, a minimum of 60 hours of instruction is required before posttesting with BEST Plus 2.0 and posttesting after 80-100 hours of instruction is recommended where possible. It is also recommended that programs conduct posttesting at the end of a semester, term, quarter, or other substantial block of instruction if learners have received at least 60 hours of instruction. However, not all students may be ready for BEST Plus 2.0 posttesting at 60 hours. After the 60 hour minimum has been reached, professional judgement should be exercised in order to determine when it is most appropriate to test students, up to the recommended maximum of 100 hours.

- iii. Learners must not receive the same version/form of a test two testing sessions in a row.

10. Test scores outside the range:

- a. If a learner achieves a score on a CASAS pretest which is potentially inaccurate because the learner's skills exceed the upper limits of the test (displayed in the CASAS system as a conservative estimate or "diamond" score), the learner must be re-tested with a test from the next higher level within a week of the initial pretest. The new assessment score replaces the conservative estimate score and the replaced test record should be deleted from the database.
- b. If a learner achieves a conservative estimate (diamond) score on an appropriate level CASAS posttest, the learner has sufficiently demonstrated skill gain and should not be re-tested until the next scheduled assessment cycle. At the next scheduled assessment cycle the learner must receive a test from the next higher CASAS level.

11. Uniform test administration times: Programs must follow the test publisher's requirements for the maximum amount of time allowed for testing.

- a. CASAS Appraisal: no more than 30 minutes.
- b. CASAS Life and Work pre/posttests: 60 minutes per test.
- c. CASAS Reading GOALS pre/posttests Level A: 60 minutes; Levels B, C, D: 75 minutes.
- d. CASAS Math GOALS pre/posttests Levels A/B: 60 minutes; Levels C/D: 75 minutes
- e. BEST Plus 2.0 tests are not timed.

12. Periods of Participation:

### Background

A Period of Participation (PoP) begins when a student enters a program and becomes reportable when a student has 12 or more contact hours. The PoP ends when the student leaves the program and goes for 90 days without services or scheduled services (i.e. exits the program). Students who remain enrolled across program years/multiple program years do not need to requalify as participants.

A Measurable Skill Gain (MSG) will be applied to a previous PoP if a student exits without posttesting, then reenters for a subsequent PoP, is tested at re-entry, and demonstrates a level gain. However, an MSG cannot be retroactively applied to a prior program year. Any test given at re-entry will be used as a pre-test for the subsequent PoP. A gain will also be counted for a prior PoP if the student exits with insufficient hours to posttest but achieves enough hours after re-entering to be eligible to posttest.

### Policies

- i. If a student is absent for 90 days or more but accumulated enough hours during the previous PoP to be eligible to posttest, the student must be tested on re-entry.
- ii. If a student is absent for 90 days or more and did not accumulate enough hours during the previous PoP to be eligible to posttest, the program may determine that it is still in the student's best interest to retest upon re-entry. However, the program must submit a detailed pedagogic justification for testing a student who has accumulated fewer than the minimum required number of hours (as outlined by published testing guidelines) to CCWD via secure file transfer.

If the student has been absent for 120 days or more, the student must be tested on reentry regardless of how many hours he/she accumulated during a previous PoP.

Note: CCWD will use data to monitor students who are tested at under the minimum required number of hours and carry out random sampling to verify that required documentation has been submitted.

Days of Absence			
Absence	0-89 days	90-119	120+ days
<b>Testing protocol</b>	Programs may use previous tests	<ul style="list-style-type: none"> <li>Programs may choose to retest the student (if student has enough hours to test) or continue with previous tests</li> <li>If a program retests a student with fewer hours than the test publisher's minimum, the program must submit a pedagogic justification to CCWD via secure file transfer</li> </ul>	<ul style="list-style-type: none"> <li>Programs must retest the student upon returning</li> <li>If a program retests a student with fewer hours than the test publisher's minimum, the program must submit a pedagogic justification to CCWD via secure file transfer</li> </ul>

12. Required pre-/posttest match percentages:

Program must have a pre-/posttest match rate as prescribed in the table below. Percentages are based on the number of Title II Participants reported in the federal NRS tables.

Program Activity	Pre-/Posttest Match Rate				
	Actual 2018-2019	Actual 2019-2020	Goal 2020-2021	Actual 2020-21	Goal 2021-22
ABE	55%	45%	57%	TBD	52%
ASE	40%	23%	46%	TBD	34%
ESL	72%	64%	73%	TBD	68%
Total	59%	47%	60%	TBD	55%

## **6.2. ASSESSMENT OF LEARNERS IN DISTANCE LEARNING PROGRAMS**

### **Policy**

Oregon's Assessment Policy applies to all Oregon ABS learners whether they are enrolled in face-to-face or distance education. Assessments are generally conducted through face-to-face interaction with a trained test administrator in a secure setting. However, assessments may be proctored remotely, provided they are conducted in accordance with the test publisher's (OCTAE approved) guidelines. Programs wishing to administer CASAS assessments remotely must complete an Agency Agreement with CASAS and individual proctors must sign a Proctor Agreement. Please see Section 6.5 (below) for state training and certification requirements for remote proctors.

Those learners defined as distance learners with 12 or more hours of instruction will be reported on NRS Tables 4C and 5A.

## **6.3. ACCOMMODATIONS USING CASAS ASSESSMENT FOR LEARNERS WITH DISABILITIES**

### **Background**

The following policies address methods for administering CASAS assessments using accommodations for learners with documented disabilities. The suggested accommodations include accommodations in test administration procedures and use of appropriate CASAS test forms.

### **Policies**

1. Program responsibility: Test administrators must consider the individual needs of the learner when they provide accommodations. The responsibility of fulfilling learner requests for accommodations is that of the program, according to their organization's policy.
2. Use of appropriate CASAS test forms:
  - a. Test administrators must use an appropriate test form that best meets the learner's goals and manner of receiving and reporting information. Most learners with a disability can take some form of a CASAS test. CASAS provides large-print versions of all tests. Large-print tests and CASAS eTests are examples of test forms often used for learners with documented disabilities based on need as well as for all learners.
  - b. Programs must contact CASAS to obtain permission before changing the test format locally if the test form is not currently available from CASAS. CASAS requires approval because changes in test format affect the standardization and statistical measures for the test. CASAS will provide advice regarding appropriate accommodations that are not currently available to test administrators.

## **6.4. ACCOMMODATIONS USING BEST PLUS 2.0 ASSESSMENT FOR LEARNERS WITH DISABILITIES**

### **Policy**

There are no accommodations for BEST Plus 2.0. Learners who cannot speak are exempt from taking BEST Plus 2.0.

## **6.5. CERTIFIED TEST ADMINISTRATION**

### **Policies**

1. Test administrators must be certified by both the testing company and CCWD before administering or scoring any assessment instrument used for state and federal accountability reporting. Training for each state-approved assessment is required to ensure accurate use of tests and interpretation of learner results, and to maintain the integrity and quality of the assessment process. See the Assessment Certification Process chart below.
2. CASAS test administrators, eTest site coordinators, and eTest proctors must complete applicable CASAS certification trainings. Test administrators conducting assessments via remote proctoring must complete trainings as recommended by test publishers.
3. BEST Plus 2.0 test administrators must complete an in-person or virtual BEST Plus 2.0 Initial Certification training offered by a state trainer.
4. In addition to the instrument-specific trainings, test administrators, coordinators, and proctors must complete the Oregon Assessment Certification that includes NRS policy, Oregon assessment and accountability policy, and data collection processes and procedures.
5. Test administrators must review the Test Administration Manual prior to the start of a new academic year, or prior to administering an assessment if they do not administer the assessment regularly.
6. Program directors are responsible for determining and providing sufficient numbers of certified test administrators and eTest proctors to meet state assessment and accountability requirements and program assessment needs.
7. Programs must submit an Online Site Agreement with CASAS at launch of eTest and TOPSpro Enterprise implementation, and a supplement to provide location and contact information if/when a program wishes to reconfigure and/or add testing sites.
8. Programs must identify one Point of Contact and one TOPSpro Enterprise (TE) Enhanced user (has full access to all TE functions) per program (see CASAS policy). This can be the same person or two different people.
9. The TE Enhanced user must manage other users' access to the account. The TE Enhanced user must review the Users Lister at least annually, and add to and/or disable or delete user accounts as staff change.

Assessment Certification Requirements			
Required Training	Who needs the training	Certification frequency	Format
BEST Plus 2.0 Initial Certification	All who administer the test Please note: additional training is required for virtual administration of test (see publisher's guidelines)	Once prior to administering any Best Plus 2.0 tests	In-person or virtual training by state approved trainer
BEST Plus 2.0 Scoring Recalibration	All who administer the test	Annually	Local program responsibility. Staff views Scoring Refresher videos and scores Recalibration exercise. Materials available from cal.org
CASAS Initial Certification	All who administer the test (Please note: additional training is required for remote proctoring of test (see publisher's guidelines)	Once before administering any CASAS test	CASAS Implementation Training. Go to <a href="http://training.casas.org/">http://training.casas.org/</a> and select the appropriate modules (Modules 1 & 2 for eTests and Modules 1 & 3 for Paper Tests)
CASAS Recertification	All who administer the test	Every 3 years	CASAS Implementation Training. Go to <a href="http://training.casas.org/">http://training.casas.org/</a> and select the appropriate module (Modules 1 & 2 for eTests and Modules 1 & 3 for Paper Tests)
Oregon-Assessment Certification	All who administer the test	Every 3 years	Compete Oregon Assessment signature page*
CASAS eTest Coordinator Certification	At least one person per testing site	Once	eTest Coordinator Certification is available online from CASAS
CASAS eTest Proctor Certification	All who administer eTests (eTest coordinators do not need Proctor Training)	Once	eTest Proctor Certification is available online from CASAS
CASAS Remote Proctor Certification	All who administer CASAS tests remotely	Once before administering any CASAS test remotely	Remote Proctor Certification is available online from CASAS. Please note: all remote proctors must take eTest proctor training first and sign a proctor agreement with CASAS before remotely proctoring tests

Assessment Certification Requirements			
Required Training	Who needs the training	Certification frequency	Format
BEST Plus 2.0 Initial Certification	All who administer the test Please note: additional training is required for virtual administration of test (see publisher's guidelines)	Once prior to administering any Best Plus 2.0 tests	In-person or virtual training by state approved trainer
BEST Plus 2.0 Scoring Recalibration	All who administer the test	Annually	Local program responsibility . Staff views Scoring Refresher videos and scores Recalibration exercise. Materials available from cal.org
CASAS Initial Certification	All who administer the test (Please note: additional training is required for remote proctoring of test (see publisher's guidelines)	Once before administering any CASAS test	Implementation Basic Training available online from CASAS
CASAS Recertification	All who administer the test	Every 3 years	Beyond Implementation Basics Training available online from CASAS
Oregon-Assessment Certification	All who administer the test	Every 3 years	Compete Oregon Assessment signature page*
CASAS eTest Coordinator Certification	At least one person per testing site	Once	eTest Coordinator Certification is available online from CASAS
CASAS eTest Proctor Certification	All who administer eTests (eTest coordinators do not need Proctor Training)	Once	eTest Proctor Certification is available online from CASAS
CASAS Remote Proctor Certification	All who administer CASAS tests remotely	Once before administering any CASAS test remotely	Remote Proctor Certification is available online from CASAS. Please note: all remote proctors must take etest proctor training first and sign a proctor agreement with CASAS before remotely proctoring tests

\*See Appendix 10.3 of this manual for assessment Certification Procedures.



## **6.6. ASSESSMENT INTEGRITY AND SECURITY**

### **Policies**

1. Programs must follow the Test Administration Manual published by CASAS and the Test Administrator Guide published by CAL. Programs must maintain copies of the appropriate administration manuals for all assessments used at every testing site.
2. The program director must safeguard all standardized assessment materials, including testing booklets and answer sheets that contain marks or responses.
3. Certified test administrators must sign a test security agreement.
4. CASAS and BEST Plus 2.0 assessment data, along with registration and attendance data, must be entered into TOPSpro Enterprise within 30 days of collection.
5. Programs must use the following quality control procedures to verify that appropriate assessment procedures have been followed:
  - Data integrity checks;
  - System logic to prevent inappropriate assessments being entered;
  - Filtering of incorrect scale score gains;
  - Data verification procedures;
  - Validating and editing data policies and procedures;
  - Record retention according to policy;
  - Timely training for program administrators;
  - Annual recertification requirements for test administrators;

## **6.7. PURCHASING PROCEDURES FOR EACH ASSESSMENT**

### **Policy**

Only certified administrators may order CASAS and CAL assessments authorized for use in Oregon from CASAS and CAL for their programs.

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## 7. DATA COLLECTION AND MANAGEMENT

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### 7.1. DATA PRIVACY AND SHARING

#### Background

##### Personally Identifiable Information

Title II programs must comply with the Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. 1232g), a federal privacy law administered by the U.S. Department of Education. FERPA and its implementing regulations (34 CFR part 99) seek to protect the privacy of students' education records and afford parents and eligible students certain rights to inspect and review education records, to seek to amend these records, and to consent to the disclosure of personally identifiable information (PII) from education records. The general rule under FERPA is that PII from education records cannot be disclosed or shared without written consent. For the full text of 20 U.S.C. 1232g, see the Office of the Law Revision Counsel's United States Code web page.

"Personally Identifiable Information," according to FERPA, includes, but is not limited to:

1. *The student's name;*
2. *The name of the student's parent or other family members;*
3. *The address of the student or student's family;*
4. *A personal identifier, such as the student's social security number, student number, or biometric record;*
5. *Other indirect identifiers, such as the student's date of birth, place of birth, and mother's maiden name;*
6. *Other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty; or*
7. *Information requested by a person who the educational agency or institution reasonably believes knows the identity of the student to whom the education record relates.*

##### State-Level Data Matching

Under the Audit or Evaluation Exception in FERPA, states are allowed to share data for the purpose of data matching to carry out an audit or evaluation of federally supported education programs, or to inform or comply with federal legal requirements that relate to those programs. To meet federal reporting requirements, CCWD shares (i.e. data matches) personally identifiable information from ABS students with outside organizations such as the Oregon Employment Department. This data matching allows the State of Oregon to report on ABS outcomes measures such as employment and entry into postsecondary education for Title II students, a requirement of WIOA. PII sent to outside organizations is either returned to CCWD or destroyed upon completion of data matching.

##### Data Sharing Among Programs

TOPSpro Enterprise includes a function that allows data sharing between programs to use if a student transfers programs. At such time, the new program can run the TOPSpro Enterprise data sharing wizard and import the student's information, if the student signed an Authorization for

Release of Information form that included permission to share information among programs. See Appendix 10.1 for an example Authorization for Release of Information form.

### **Prior Written Consent**

Prior written consent is established when an eligible student or parent (for students under age 18) signs and dates a statement that:

- Specifies the records that may be disclosed;
- States the purpose of the disclosure; and
- Identifies the party to whom the disclosure may be made.

### **Social Security Numbers**

Neither WIOA nor the Joint WIOA Final Rule allows or requires states to request or require SSNs as a condition of program participation or for receipt of any form of financial assistance. As such, program eligibility under WIOA is not contingent on the provision of a SSN. Additionally, depriving such an individual of service would be in violation of the Privacy Act of 1974, which establishes a code of fair information practices that govern the collection, use, dissemination, and maintenance of information about individuals contained in systems of federal records. Specifically, sec. 7(a)(1) of the Privacy Act (5 U.S.C. 552a Note, Disclosure of Social Security Number) provides that unless the disclosure is required by federal statute, *“It shall be unlawful for any Federal, State, or Local government agency to deny to any individual any right, benefit, or privilege provided by law because of such individual’s refusal to disclose his social security account number,”* (55838 Federal Register/Vol. 81, No. 161/Friday, August 19, 2016/Rules and Regulations).

Student consent is voluntary and is not required for participation in any programs or services.

### **Policies**

1. Programs must provide an opportunity for students to consent or decline release of their information by informing students, in writing, that their personal and confidential information will only be shared with their written consent. See Appendix 10.1 of this manual for an example of an Authorization for Release of Information form.
2. Programs must only run the TOPSpro Enterprise data sharing wizard and import the student’s information if the student signed an Authorization for Release of Information form that included permission to share information among programs.
3. Programs must inform students, in writing, of students’ ability to revoke consent to release information. See Appendix 10.2 of this manual for an example of a Revocation for Release of Information form.
4. Programs are prohibited from sharing personal confidential information or records if the student declines to give or revokes prior written consent.
5. Programs must not deny services to students who do not authorize release of information.

6. Programs must inform students that declining to share information will not affect their eligibility for services.
7. Programs must keep the signed and dated consent forms and revocation forms on file in accordance with record retention policies.
8. Programs must indicate in TOPSpro Enterprise the consent status of all students.

## 7.2. DATA COLLECTION

### Background

Procedures for how to use TOPSpro Enterprise for data collection and management can be found in the document titled *TOPSpro Enterprise Basics* on the CASAS website. Procedures unique to Oregon can be found in *TOPSpro Enterprise Procedures Manual: Oregon-Specific Procedures* on the ABS website.

### Policies

1. Data Elements: When a student enters the program, programs must attempt to collect the following student data elements:
  - Student First and Last Name (alphabetic characters only);
  - Student Middle Initial (used for data matching with the National Student Clearinghouse);
  - Student Email (the one that the student actually checks);
  - Social Security Number;
  - Gender;
  - Date of Birth;
  - Highest Years of School;
  - Highest Diploma;
  - Ethnicity;
  - Race;
  - Native Language;
  - Date of Entry into Program;
  - Instructional Program;
  - Long term (primary) and short term goal (secondary);
  - Special Program;
  - Employment Barriers;
  - Class Number;
  - Personal Status;
  - Labor Force Status; and
  - GEDID (as available).

Note: Definitions for each of these data elements can be found in the *WIOA Data Dictionary* created by CASAS. See section 12.4 of this manual, Resources.

2. Programs must only use alphabetic characters for First Name, Middle Name, and LastName. Quotations, parentheses, and hyphens are not permitted.
3. For each student, programs must enter a unique student identification number (i.e. studentID) used consistently on all TOPSpro Enterprise forms. This may be the local agency-assigned number (e.g. college ID number).
4. Frequency: Programs must input all collected student data into TOPSpro Enterprise within 30 days of collection.
5. Social Security Numbers:
  - a. Programs must attempt to gather SSNs from students.
  - b. Eligible Title II students must be served even if they decline to disclose their SSNs.
  - c. Programs must not use a student's social security number as the student's assigned identification number (i.e., student ID).

Note: Title II participants will be included in the denominator for performance measures regardless of whether they have provided their SSN for data match or not. Incarcerated learners who remain incarcerated after exit are exempt from all indicators except for Measurable Skill Gains.

6. Contact Hours:
  - a. Programs must collect instructional time in accordance with the NRS definition of actual "contact hours." The NRS defines contact hours as follows:

*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.*

*Contact hours for distance learners can be a combination of actual contact and contact through telephone, video, teleconference or online communication, where student and program staff can interact and through which learner identity is verifiable. --Student Participation Measure #1: Contact Hours (page 48 of the NRS Implementation Guide)*
  - b. Distance Learning contact hours must be associated with one of three distance learning models of instruction that are approved by OCTAE. For details, see section 6.2 of this manual, Assessment of Learners in Distance Learning Programs.
  - c. The State of Oregon considers orientation, including online orientation, to be a program-sponsored activity designed to promote student learning, thus qualifying for contact hours if it meets all of the following criteria:
    - Has a curriculum;

- Lasts a minimum of two hours outside of testing; and
- Includes more than one student for an in-person orientation.

7. Learner goals:

a. Programs must record learners' short term (primary) and long term (secondary) goals on the entry record.

- Short-term goals are learner goals that can be accomplished within 3 months.
- Long-term goals are goals that can be accomplished by the end of their time in the ABS program.

b. Goals must be chosen by the student (e.g. the program may not automatically select "Improve English Skills" as the short-term goal for all ESL students).

8. Programs must not use "Improve Basic Skills" for a short-term goal. Programs may use "Improve English Skills" as a short-term goal.

9. Programs must not use "Improve Basic Skills" or "Improve English Skills" for student long-term goals.

10. Frequency: Programs must update or confirm all data elements collected when a student returns after an absence of 90 or more days. Their return is considered a new entry into the program.

Note: Programs are not required to retest a student after an absence unless the absence is 120 days or more. For policies related to Periods of Participation, student absence, and testing, see section 6.1.11 of this manual, Standardized Assessments for NRS Reporting.

## 7.3 DATA ENTRY AND UPDATES

### Policies

1. Programs must enter data into TOPSpro Enterprise within 30 days of collection. Programs are strongly encouraged to enter data more frequently.
2. Programs must enter Test Record information into TOPSpro Enterprise within 30 days to document educational gains.
3. Programs must enter updates to student records into TOPSpro Enterprise within 30 days.
4. Programs must enter Provider Information into TOPSpro Enterprise and identify the location as "Oregon" in order to activate appropriate programming for federal reporting.

## 7.4 PROXY RECORDS

### Background

Students are considered retained from one program year to the next if they enroll within 90 days of their last program attendance. Because Title II student data is collected during an academic year but reported according to a program year, the TOPSpro Enterprise proxy function allows programs to

carry forward student records that meet specific criteria into the subsequent program year. When the TOPSpro Enterprise proxy function is initiated by a user, TOPSpro Enterprise will look for a “trigger” in the current program year. A trigger could be an Entry, an Update, or a Test record in the new program year. When one or more triggers are found, TOPSpro Enterprise will create proxies. The TOPSpro Enterprise proxy function provides an auditable activity log that identifies records as proxies, differentiated from records created by manual entry or scanning.

Programs may use the proxy record function in TOPSpro Enterprise to carry forward records from the previous program year to the current program year. Please refer to the *TOPSpro Enterprise Procedures Manual: Oregon-Specific Procedures* for instructions on how to proxy records.

Records between April 1 and June 30 may be proxied forward to the next program year as long as students have activity in TOPS by October 15 of that calendar year.

### **Policy**

Programs are prohibited from manually creating any student records for use as proxy records in a subsequent program year by erasing or otherwise altering any previously completed Scantron form or mimicking a similar process by manual data entry.

## **7.5 DATA STORAGE FOR SECURITY**

### **Policies**

1. Programs must maintain a secure data system to protect the confidentiality and privacy of students. Data (paper and electronic) must be housed in a secure location. Access to electronic data must be restricted with an individualized user password. Access to paper data must be physically locked.
2. Programs must assign dedicated staff to be responsible for maintaining the records in the TOPSpro Enterprise database.
3. Programs must allow access to all Title II student files by CCWD and/or U.S. Department of Education staff for audit purposes.

## **7.6 RETENTION OF STUDENT RECORDS**

### **Policies**

1. Programs must retain complete original student records, both paper and electronic, for Title II program participants for three years from the end of the grant or the length of time required by their own record archiving policy, whichever is longer.
2. Programs must maintain electronic databases for 10 years or the length of time required by their own archiving policy, whichever is longer.

## 7.7 DATA QUALITY CONTROL

### Policies

1. Programs must monitor the quality of their data using the data validation features of the TOPSpro Enterprise software to check for missing or inaccurate data or to compare various data elements to each other to ensure they make sense. The *TOPSpro Enterprise Procedures Manual: Oregon Specific Procedures*<sup>2</sup> resource outlines procedures for data clean-up, data integrity checks, and data validation. Programs must employ these data validation features at least once each quarter and are strongly encouraged to do so more frequently.
2. Programs must correct any incorrect data found during data validation and inspection within 30 days. Data errors found during the state data audit process must also be corrected and a written confirmation of corrections sent to the ABS Team email address: [hecc.absteam@hecc.oregon.gov](mailto:hecc.absteam@hecc.oregon.gov) within 30 days.
3. Programs must not alter data to falsify test scores, goals, or any other data. Changing data after the outcome is achieved is considered fraud.
4. Local data professionals and staff must update the data quality checklist annually in order to improve data processes and quality.

## 7.8 DATA QUALITY STAFF TRAINING

See Section 4.1 of this manual, Professional Development.

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<sup>2</sup> Available on the Oregon ABS Resources webpage, <https://www.oregon.gov/highered/institutions-programs/ccwd/Pages/abs-resources.aspx>.



## 8. MONITORING FOR RISK MANAGEMENT AND PROGRAM IMPROVEMENT

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### 8.1 RISK MANAGEMENT

#### Background

Uniform Guidance (2 CFR 200.331) mandates that CCWD conduct program monitoring of Title II programs. The purpose of monitoring is to ensure that programs use federal awards for authorized purposes in compliance with the laws, regulations, and provisions of the grant agreement and that performance goals are achieved. Programs are expected to be responsive to CCWD's technical assistance efforts, which may include meetings, workshops, and trainings. As recommendations arise from technical assistance, programs are expected to implement them in a timely manner. CCWD will take the steps outlined below to monitor programs.

CCWD will—

STEP 1: Communicate to programs their responsibilities related to compliance with federal and state award terms and conditions.

- a. Provide grant requirements in Oregon's Title II Request for Grant Applications;
- b. Conduct training for new and continuing programs; and
- c. Describe responsibilities and compliance requirements in the Oregon ABS Policy Manual.

STEP 2: Annually assess risk of programs. 2 CFR 200.331(b)

- a. See the policy in section 8.2 of this manual, Risk Assessment.

STEP 3: Monitor programs to ensure compliance with federal regulations and with award terms and conditions.

- a. See the policy in section 8.3 of this manual, State Monitoring Activities.

STEP 4: Set a plan of corrective action and technical assistance for those areas out of compliance.

- a. See the policy in section 8.4 of this manual, Plans of Corrective Action and Technical Assistance.

### 8.2 RISK ASSESSMENT

#### Background

Risk assessment is a part of the process used to manage risk by evaluating the level of risk associated with the grant-funded programs. In order to annually assess risks, certain factors have been identified which may affect the level of risk for each provider.

Program improvement is a continuous process for the benefit of our learners. It is also a requirement under the Government Performance and Results Modernization Act of 2010, reflected in WIOA Section 116 (b)(3)(A)(v), which requires states to negotiate with the U.S. Department of Education to set performance targets annually for the WIOA primary measures of performance. The targets increase annually, not just over the previous year's performance, but also over the previous years' targets. The principal factor for program improvement is performance

accountability. Performance accountability includes the effectiveness of programs in achieving the WIOA targets as well as effectiveness in interim measures, e.g., posttest rates and data quality.

## Policy

CCWD will complete a local program assessment for each local program. CCWD will review each local program's assessment and discuss any ratings with each local program's leadership. Based on CCWD's assessment of risk and performance, programs must follow the steps below:

In areas where factors indicate *highest* risk, programs will:

- a. Submit a program improvement plan with timelines for improving specific, agreed-upon risk and performance factors in the following year(s).
- b. Work with state staff to plan and implement technical assistance, including targeted professional development.

In areas where factors indicate *moderate* risk or moderate need for performance improvement, programs will:

- a. Submit a program improvement plan with timelines for reducing or eliminating specific, agreed-upon risk or performance factors in the following year(s).
- b. If appropriate, work with state staff to plan and implement technical assistance, including targeted professional development.

In areas where factors indicate *low* risk or lowest need for performance improvement, programs will:

- a. Submit a program improvement plan with timelines for reducing or eliminating specific, agreed-upon risk or performance factors in the following year(s).
- b. If appropriate, work with state staff to plan and implement technical assistance, including targeted professional development.

## 8.3 STATE MONITORING ACTIVITIES

### Background

CCWD performs regular monitoring of all programs as well as targeted monitoring based on risk assessment and program performance.

### Policy

CCWD may use the following monitoring documents and tools to ensure proper compliance with grant requirements and promote achievement of performance goals and targets. Programs must provide required routine reports in a timely manner, respond to requests for specific information, and participate in other monitoring activities as required.

Programs must submit the following annually:

1. Final Financial Status Report (FFSR);
2. Federal Table 7, Adult Education Personnel by Function and Job Status; and
3. Federal NRS Tables (through TOPSpro Enterprise).

Programs must complete the following quarterly:

1. Updated provider contact lists- (Updated at OCABSD Quarterly meetings);
2. TOPSpro Enterprise Data Integrity Reports; and
3. Other TOPSpro Enterprise reports as requested.

Programs must complete or respond to the following as appropriate:

1. Routine communication;
2. Records of professional development and meeting attendance;
3. Review of invoices from programs and questions regarding expenditures as submitted;
4. On-site reviews of program operations; and
5. Verification that program is audited as required by 2 CFR 200 Subpart F—Audit Requirements.

After monitoring, CCWD will do the following, as appropriate:

1. Maintain documentation of monitoring efforts;
2. Provide feedback to the program that cites strengths as well as areas for improvement;
3. Provide training and/or technical assistance;
4. Issue a management decision for audit findings pertaining to the federal award (2 CFR 200.521);
5. Follow up and ensure that the program takes timely and appropriate action on all deficiencies pertaining to the Title II award detected through audits, on-site reviews, and other means;
6. Consider whether the results of monitoring indicate conditions that necessitate adjustments to the program's operations; and/or
7. Consider taking enforcement action against noncompliant programs (2 CFR 200.338).

## **8.4 PLANS OF CORRECTIVE ACTION AND TECHNICAL ASSISTANCE**

### **Background**

During monitoring, items of non-compliance are identified as findings. Development and implementation of corrective action plans ensure the correction of findings, increase program quality, and minimize the potential for future findings. Corrective action plans should include further technical assistance or training to help programs achieve the stated objectives (2 CFR 200.331(g) (h), 2 CFR 200.338).

### **Policy**

When findings arise, programs must develop corrective actions plan(s) that:

- a. Identify the findings to be corrected
- b. Identify specific actions with timelines
- c. Obtain approval of the State ABS Director
- d. Continue taking corrective action until the plan is completed and the State ABS Director releases the program from the plan

If the corrective actions do not result in program compliance, CCWD may impose additional conditions, as described in 2 CFR 200.207 Specific conditions.

If CCWD determines that noncompliance cannot be remedied by imposing additional conditions, CCWD may take one or more of the following actions, as appropriate:

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

## 9. FINANCIAL INFORMATION

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### Laws and Regulations

Funds for Title II grants are provided from the U.S. Department of Education (ED) under CFDA 84.002.A, Adult Education – State Grant Program to the Higher Education Coordinating Commission (HECC), Office of Community Colleges and Workforce Development (CCWD), as the eligible agency.

Title II programs are authorized by the Workforce Innovation and Opportunity Act (Public Law 113-128 (29 U.S.C. Sec. 3101, et. seq.)) (WIOA) of 2014, Adult Education and Family Literacy Act (Title II). Regulations and guidelines governing programs are codified in the Code of Federal Regulations (CFR), Title 34 CFR Parts 461, 462, 463 et al. and Title 2 CFR 200—Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance).

It is the responsibility of all Title II funded programs to ensure appropriate stewardship of federal funds entrusted to them. Under Title II and Uniform Guidance regulations, programs must maintain financial management systems that provide accurate, complete, and current disclosure of the revenues and expenditures supporting the WIOA Title II program. To meet this requirement, programs must have adequate accounting practices and procedures, internal controls, audit processes, and cost allocation procedures in place. Programs are responsible for managing the day-to-day operations of grant-supported activities to assure that all funding requirements of this award are in compliance with applicable federal regulations.

### Grant and Financial Information

#### 9.1 ALLOWABLE ACTIVITIES

Federal regulation (34 CFR 463.20(b),(c3)) requires programs to use Title II funds to establish or operate programs that provide adult basic skills (ABS) activities for eligible individuals only, unless a program is providing activities that are related to Family Literacy. Prior to providing Family Literacy activities for individuals who are not eligible individuals, a program must attempt to coordinate with programs and services that do not receive funding under Title II. Allowable ABS activities include: a) Adult Basic Education and Adult Secondary Education activities; b) English as a Second Language (ESL) activities; c) Family Literacy activities; d) Workforce Preparation activities; e) Workplace Adult Education activities; f) Integrated Education and Training (IET); and g) Integrated English Literacy and Civics Education (IELCE).

#### 9.2 ALLOWABLE COSTS

All expenditures submitted for reimbursement under this grant must be for proper and efficient administration of the ABS program. An allowable cost must be reasonable (2 CFR 200.404) and allocable (2 CFR 200.405) to the Title II program and not shifted from another program or project. Allowable costs are determined by federal regulations.

Pursuant to Uniform Guidance, *except where otherwise authorized by statute, costs must meet the following general criteria in order to be allowable under federal awards:*

- a. *Be necessary and reasonable for the performance of the federal award and be allocable thereto under these principles;*
- b. *Conform to any limitations or exclusions set forth in these principles or in the federal award as to types or amount of cost items;*
- c. *Be consistent with policies and procedures that apply uniformly to both federally-financed and other activities of the non-federal entity;*
- d. *Be accorded consistent treatment. A cost may not be assigned to a federal award as a direct cost if any other cost incurred for the same purpose in like circumstances has been allocated to the federal award as an indirect cost;*
- e. *Be determined in accordance with generally accepted accounting principles (GAAP), except, for state and local governments and Indian tribes only, as otherwise provided for in this part;*
- f. *Not be included as a cost or used to meet cost sharing or matching requirements of any other federally-financed program in either the current or a prior period. See also 2 CFR 200.306 Cost sharing or matching paragraph (b); and*
- g. *Be adequately documented (2 CFR 200.403).*

### **9.3 UNALLOWABLE COSTS**

Unallowable costs are strictly prohibited under Title II. *Payments made for costs determined to be unallowable by either the federal awarding agency, cognizant agency for indirect costs, or pass-through entity, either as direct or indirect costs, must be refunded (including interest) to the Federal Government in accordance with instructions from the federal agency that determined the costs are unallowable unless federal statute or regulation directs otherwise (2 CFR 200.410).* Explicitly disallowed costs (2 CFR 420-475) include:

- a. Bad debt;
- b. Cost of construction or purchase of facilities or buildings;
- c. Lobbying;
- d. Sectarian worship, instruction, or proselytization;
- e. Light refreshments;
- f. Promotional items and memorabilia;
- g. Advertising costs that are not specifically related to the grant program;
- h. Commencement and convocation costs;
- i. Contributions and donations;
- j. Learner activity costs unless specifically provided for in the grant award.

## 9.4 CAPITAL OUTLAYS

Capital outlays are defined as any item with a useful life in excess of one year and a per-unit cost of \$5,000 or more. (This is the federal definition of “equipment.”)

All capital outlays purchased with Title II funds must be approved by CCWD prior to purchase. If specific capital outlays are not included on the original grant budget, programs must submit a Budget Amendment Request for CCWD approval prior to purchase.

Costs for capital outlays that will be used by programs other than ABS must be split based upon the percentage of use by the ABS program and other program(s).

### Purchased Items – Tracking

All non-consumable items purchased with grant funds shall remain the property of the program. Items with a per-unit acquisition of \$5,000 or more and a useful life in excess of one year must be under inventory control.

### Purchased Items – Disposal of Items

The price initially paid for an item determines into which of the following categories it falls.

#### *Equipment (Capital Outlays)*

When an ABS program no longer has a use for equipment that had an original per unit acquisition cost of \$5,000 or more and a useful life in excess of one year, the program must contact CCWD before disposing of the equipment. Programs must not sell or surplus the equipment before consulting with CCWD. Federal regulation requires the program to contact the federal agency where funding originates to request disposition instructions. CCWD will assist with this.

*Disposition of the equipment will be made as follows, in accordance with Federal awarding agency disposition instructions:*

- a. Items of equipment with a current per unit fair market value of \$5,000 or less may be retained, sold or otherwise disposed of with no further obligation to the Federal awarding agency;*
- a. Except as provided in 2 CFR 200.312 Federally-owned and exempt property, paragraph (b), or if the Federal awarding agency fails to provide requested disposition instructions within 120 days, items of equipment with a current per-unit fair-market value in excess of \$5,000 may be retained by the non-Federal entity or sold. The Federal awarding agency is entitled to an amount calculated by multiplying the current market value or proceeds from sale by the Federal awarding agency's percentage of participation in the cost of the original purchase. If the equipment is sold, the Federal awarding agency may permit the non-Federal entity to deduct and retain from the Federal share \$500 or ten percent of the proceeds, whichever is less, for its selling and handling expenses;*
- b. The non-Federal entity may transfer title to the property to the Federal Government or to an eligible third party provided that, in such cases, the non-Federal entity must be entitled to compensation for its attributable percentage of the current fair market value of the property; and*

- c. *In cases where a non-Federal entity fails to take appropriate disposition actions, the Federal awarding agency may direct the non-Federal entity to take disposition actions (see 2 CFR 200.313).*

### **Supplies**

When an ABS program no longer has a need for supplies with an aggregate value of more than \$5,000, *the non-Federal entity must retain the supplies for use on other activities or sell them, but must, in either case, compensate the Federal Government for its share. The amount of compensation must be computed in the same manner as for equipment (2 CFR 200.314).*

## **9.5 SUPPLEMENT NOT SUPPLANT**

*Funds made available for adult education and literacy activities under this title shall supplement and not supplant other state or local public funds expended for adult education and literacy activities (section 241(a) of WIOA).*

“Supplement, not supplant” means the federal funds are intended to augment or increase, not replace, monies that would have been used if the federal funds had not been available. In other words, federal funds may not free up state or local dollars for other purposes, but should create or augment programs to an extent not possible without federal funds.

## **9.6 MATCH**

### **Background**

Oregon must provide, to the federal government, *a non-federal contribution in the amount that is not less than 25 percent of the total amount of funds expended for adult education and literacy activities in the State (section 222(b) (1) (b) of WIOA).* *Non-federal contributions may be provided in-cash or in-kind, fairly evaluated, and must include only non-federal funds that are used for adult education and literacy activities in a manner that is consistent with the purpose of this title (section 222(b)(1),(b)(2) of WIOA).*

### **Policies**

1. In Oregon, there are no state-allocated funds designated as a match to Title II; therefore, programs must provide a non-federal contribution in an amount equal to or greater than 25 percent of the total amount of federal funds expended for ABS activities. This non-federal contribution is reported on the annual proposed budget at the beginning of the year and again on the Final Financial Status Report at the end of the fiscal year.
2. On annual proposed grant budgets, programs must describe how at least 25 percent of non-federal funds will be spent. Programs do not need to explain how the entire maintenance of effort funding will be spent in the grant application.

### **Guidance**

Below is an example for calculating minimum match for a program with a \$75,000 Title II grant award.

- \$75,000 grant award amount ÷ 3 = \$25,000



A program with a \$75,000 grant award must spend at least \$25,000 from non-federal funds on ABS activities. This means a total of \$100,000 must be spent: 75 percent from the grant and 25 percent from non-federal funds.

## 9.7 MAINTENANCE OF EFFORT

### Background

WIOA (section 241(b)) requires that Oregon demonstrate to the federal government that the total statewide fiscal effort for ABS programming is not less than 90 percent of the fiscal effort of prior years. In other words, *Maintenance of Effort* demonstrates how well the state maintains its commitment to provide resources for ABS from year to year, rather than relying exclusively on federal funds. If CCWD were not able to demonstrate that Oregon maintained the same fiscal effort as before, the state would lose a proportionate part of its federal Title II funding. That loss of federal funds would reduce the grant awards to programs.

### Policy

In Oregon, there are no state-allocated funds designated as maintenance of effort for Title II; therefore, programs must use local funds (e.g., local and/or state funds) to meet an annual maintenance of effort.

## 9.8 PROGRAM INCOME: FEES, TUITION, AND OTHER PROGRAM INCOME

### Background

Program income is defined *as gross income earned by the non-federal entity that is directly generated by a supported activity or earned as a result of the federal award during the period of performance except as provided in 2 CFR 200.80*. Program income revenues for Title II-funded programs include learner fees, fees for services (tuition), and user or rental fees. OCTAE requires that all tuition and/or fees established by programs be necessary and reasonable, and not impose a barrier to the participation of disadvantaged persons that the program is designed to serve.

Further guidance from OCTAE *allows states to use the "addition" option described in Uniform Guidance so that funds earned may be added to the grant and "used for the purposes and under the conditions of the grant agreement."* Under this language, *local providers charging fees must use the program income generated by federal adult education funds for: allowable costs to the federal adult education program; expanding available resources for adult education; workplace literacy, English language acquisition; and, adult secondary education. Federal regulations also prohibit state or local programs from counting "tuition and fees collected from students toward meeting matching, cost sharing or maintenance of effort requirements of a program"* (2 CFR 200.307 and OCTAE *Frequently Asked Questions on ABE State Grant Administration*).

## Policies

1. Program income from tuition and fees must:
  - a. Be governed by the terms of the agreement between CCWD and programs of WIOA Title II funds;
  - b. Be applied and used to pay for expenditures as soon as possible after the income is received and prior to the expenditure of the grant funds; and
  - c. Be accounted for in program records using a separate account and using approved methods of calculating, using, reporting, and applying program income as defined in 2 CFR 200.307.
2. Programs or their sponsoring organization must have a policy that allows for the collection of fees, tuition, or other program income. The program policy must address:
  - a. Why the tuition, fees, or other charges will be implemented, including necessity and reasonableness;
  - b. How adverse effects on economically disadvantaged learners will be avoided, including a waiver policy;
  - c. Who will be charged tuition and/or fees and the process the applicant will follow to assure that the provisions of the fee structure are applied to all learners equitably;
  - d. The sources for other program income, if applicable;
  - e. How the program income will be spent to support the ABS program and how it will be expended equitably among program activities; and
  - f. How the program will follow organizational processes for the accounting and reporting of program income.
3. Programs must complete and submit a Program Fees Plan as part of the CCWD annual reporting requirements (see the annual ABS Master Calendar), which includes:
  - a. Program areas for which the fee is charged (ABE/ASE, ESL, etc.);
  - b. The amount of the fee and what it pays for;
  - c. The amount of the fee that can be waived;
  - d. The eligibility criteria for waivers;
  - e. The process for obtaining waivers, including who decides or grants the waiver and the deadline for applying for waivers;
  - f. The source of funding for waivers;
  - g. The number of waivers available annually;
  - h. The number of waivers used in the past year; and
  - i. Program policy that allows for the collection of fees, tuition, or other program income. (See section 9.8 of this manual, Program Income Policy No. 2.)
4. Programs must report all program income on the Final Financial Status Report. The report must include the total amount of program income collected and spent, and must show that program income earned was entirely expended during the program year with no balance remaining. Program income may not be carried over into future grant years.

## 9.9 COST SHARING

### Background

*Infrastructure costs: All one-stop partners, whether they are required partners or additional partners, must contribute to infrastructure costs of the one-stop centers based on proportionate use and relative benefits received. A partner's contribution must be an allowable, reasonable, necessary, and allocable cost to the program, consistent with the Federal Cost Principles set forth in the Uniform Guidance. The required one-stop partners must provide access to their programs through the comprehensive centers and contribute to the infrastructure costs of those centers. Infrastructure costs under the Local funding mechanism and State funding mechanism are to be paid from Federal funds made available for local administration (WIOA sec. 233(a) (2) and 34 CFR 463.25 and 463.26(e)). Non-Federal resources that are cash, non-cash, or third-party in-kind contributions may also be used. The Federal funds available for activities other than local administration may not be used for such costs. For the State funding mechanism, other funds made available by the State may be used.*

*Additional Costs: One-stop partners must share in additional costs, which must include applicable career services, and may include shared operating costs and shared services that are necessary for the general operation of the one-stop center.*

**Career Services:** *One-stop partners must ensure that at least some career services, described in WIOA sec. 134(c) (2), are provided at the one-stop center. Additional requirements regarding career services may be found at WIOA sec. 121(b)(1)(A)(i), (c)(2)(A)(ii), (e)(1)(A), and (i)(1), 20 CFR 678.760, 34 CFR 361.760, and 34 CFR 463.760. Please also see a detailed discussion about the provision of career services at the one-stop centers in the General Guidance for the American Job Center Network in the Operation of One-Stop Centers, issued jointly by DOL and ED, via DOL's TEGL, ED's OCTAE Program Memorandum, and ED's Rehabilitation Services Administration's Technical Assistance Circular.*

**Shared Operating Costs and Shared Services:** *One-stop partners also may share other costs that support the operations of the one-stop centers, as well as the costs of shared services. The costs of shared services may include initial intake, assessment of needs, appraisal of basic skills, identification of appropriate services to meet such needs, referrals to other one-stop partners, and business services (WIOA sec. 121(i)(2), 20 CFR 678.760, 34 CFR 361.760, and 34 CFR 463.760). As discussed in more detail in the section pertaining to personnel costs above, such costs also may include personnel expenses associated with a shared welcome desk or greeter directing employers and customers to the services or staff that are available in that one-stop center.*

*(OCTAE Program Memorandum 17-3: Infrastructure Funding of the One-Stop Delivery System)*

### Policy

Title II-funded programs are required partners of the one-stop delivery system in Oregon. As such, they must pay a proportionate share of the infrastructure and additional costs of the local workforce centers. For 2020-2021, CCWD will negotiate shared costs on behalf of local providers.

## 9.10 TIME AND EFFORT REPORTING

Federal regulation (CFR 200.430) requires employees whose salaries are charged to a federal grant to keep time and/or effort reports to substantiate the charges. Time and effort documentation

demonstrates that charges for salaries and wages reflect the actual work effort expended, not proposed or budgeted efforts.

## **9.11 OREGON ABS ASSURANCES**

### **Policy**

Programs must annually submit signed Oregon ABS Assurances. The assurances reflect the program's understanding of, and agreement to comply with, all terms and conditions of WIOA, Title II, and state ABS program rules and regulations.

## **9.12 FEDERAL CERTIFICATIONS**

Programs must submit an annual Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion— Lower-Tier Covered Transactions and Certification Regarding Lobbying. These documents reflect the program's understanding of, and agreement to comply with, all terms and conditions of the federal assurances. By signing the form, a program agrees that it is not debarred or suspended or otherwise excluded from or ineligible for participation in federal assistance programs under Executive Order 12549, "Debarment and Suspension" and that the program will not contract with a subcontractor that is debarred or suspended. The program also agrees that no federally appropriated funds have been paid or will be paid, by or on behalf of the program, to any person for lobbying.

## **9.13 RECORDS RETENTION**

### **Policy**

Programs must maintain all financial records relating to the Title II program in accordance with GAAP. In addition, programs must maintain any other records, books, documents, papers, plans, records of shipments and payments, and writings of the program, whether in paper, electronic or other form, that are pertinent to Title II, in such a manner as to clearly document the program's performance. All financial records, other records, books, documents, papers, plans, records of shipments and payments, and writings of programs whether in paper, electronic or other form, that are pertinent to Title II, are collectively referred to as "Records." CCWD, the Oregon Secretary of State's Office and the federal government will have access to all Records to perform examinations and audits and make excerpts and transcripts. Programs will retain and keep accessible all Records for the longest of:

- a. Six years following final payment and termination of the Title II grant;
- b. The period as may be required by applicable law, including the records retention schedules set forth in OAR Chapter 166; or
- c. Until the conclusion of any audit, controversy or litigation arising out of or related to this Agreement.

## 9.14 INSURANCE

Federal regulation requires that programs *must, at a minimum, provide the equivalent insurance coverage for real property and equipment acquired or improved with federal funds as provided to property owned by the non-Federal entity (2 CFR 200.310)*. Programs must ensure that all sub-contractors maintain the minimum levels of insurance.

## 9.15 RIGHTS TO MATERIALS

Materials that originate from WIOA funds shall be “works for hire” as defined by the U.S. Copyright Act of 1976 and shall be owned by ED. Materials shall include, but are not limited to, reports, documents, pamphlets, advertisements, books, magazines, surveys, studies, computer programs, films, tapes, and/or sound reproductions. Ownership includes the right to reproduce, publish, use, and copyright these materials (34 CFR 80.34).

## 9.16 PUBLIC ANNOUNCEMENTS, DISCLOSURE OF FEDERAL FUNDING

Programs funded in whole or in part with federal grant money must credit the federal government for the federal government's portion of the financial support. *When issuing statements, press releases, or other documents describing this project, the program shall clearly state:*

1. *The dollar amount of federal funds for the project;*
2. *The percentage of the total cost of the project financed with federal funds; and*
3. *The percentage and dollar amount of the total costs of the project financed by non-governmental sources (Stevens Amendment).*

Programs must comply with these conditions under Division H, Title V, Section 505 of Public Law 113-76, Consolidated Appropriations Act, 2014.

## 9.17 NONDISCRIMINATION

Programs must adhere to federal and state nondiscrimination laws. Pursuant to Oregon Revised Statutes Chapter 659a, no individual shall be excluded from participation, denied the benefits of, subjected to discrimination under, or denied employment in the administration of or in connection with any such program because of *race, color, national origin, sex (includes gender, pregnancy and sexual harassment), sexual orientation, religion, age (18 or older), marital status, physical/mental disability, injury, family relationship, and retaliation on the basis of having opposed an unlawful employment practice.*

## 9.18 TRANSPARENCY ACT

The Federal Funding Accountability and Transparency Act (FFATA) exists to increase transparency and improve the public’s access to federal government information. As a result, FFATA requires that subaward data be reported for all new federal grants and:

1. CCWD must report federal grants of \$25,000 or more;

2. Programs must have a Dun and Bradstreet (D&B) Data Universal Numbering System (DUNS) Number as a universal identifier;
3. If the college, consortium, or community-based organizations (CBO) does not already have a DUNS number, they must obtain one from D&B by telephone (currently 866–705–5711) or online (currently at <http://fedgov.dnb.com/webform>);
4. Colleges, consortia, and CBOs must be registered in the federal government’s System for Award Management (SAM); and
5. Colleges, consortia, and CBOs must report the names and total compensation of each of its most highly compensated executive if, in the subgrantee’s preceding fiscal year, the subgrantee received:
  - a. 80 percent or more of its annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and
  - b. \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts), and Federal financial assistance subject to the Transparency Act (and subgrantees); and
  - c. The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings [www.sec.gov/answers/excomp.htm](http://www.sec.gov/answers/excomp.htm).) (Public Law 110—252 FFATA Legislation)

## 9.19 FISCAL MONITORING

### Background

The purpose of fiscal monitoring is to ensure that programs use federal awards for authorized purposes in compliance with the laws, regulations, and provisions of the grant agreement.

### Policy

1. CCWD will regularly monitor fiscal records to ensure that programs have complied with the following federal and state requirements:
  - a. Financial accounting system is adequate and uses GAAP;
  - b. Policies, procedures, and internal controls are written, adequate, and followed;
  - c. Expenditures are appropriately documented, recorded, allocated, and allowable;
  - d. Program adheres to policies regarding the allowable and unallowable costs associated with federal funds;
  - e. Personnel time and activities are appropriately documented and allocated;
  - f. Quarterly reimbursement requests are submitted on time;
  - g. Financial reports are on time, accurate, and supported by accounting records;

- h. Match (cash and in-kind) is appropriately documented, recorded, and is at least 25 percent of the Title II grant allocation;
- i. Maintenance of effort is appropriately documented, recorded, and is not less than 90 percent of the fiscal effort of prior years;
- j. Title II funds are not used to supplant other state or local public funds expended for ABS activities;
- k. Unless negotiated with and approved by CCWD, administrative expenses are no more than five (5) percent of the total Title II grant allocation or the state-negotiated rate;
- l. Indirect charges are at or below the restricted indirect rate;
- m. Program income is reported and documented as required by state policy;
- n. Federal funds are expended by June 30 of the grant award year;
- o. Title II section 243, Integrated English Literacy and Civics Education, funds are only used for that purpose; and
- p. Title II section 225, Corrections Education, funds are only used for that purpose.

## 9.20 AUDITS

Auditing is a management tool for evaluating whether program operations are executed economically, efficiently, and effectively. Audits of grant programs should be conducted on a regular basis. Federal regulation requires that:

1. A non-federal entity that expends \$750,000 or more in federal awards during the fiscal year must have an independent single or program-specific audit conducted for that year; and
2. A non-federal entity that expends less than \$750,000 during the non-federal entity's fiscal year in federal awards is exempt from federal audit requirements for that year, except as noted in Uniform Guidance, 2 CFR 200.503, but records must be available for review or audit by appropriate officials of the federal agency, pass-through entity, and Government Accountability Office (2 CFR 200 Subpart F).

### Policy

1. Programs must submit a copy of the audit report to CCWD within the earlier of 30 calendar days after receipt of the auditor's report(s), or nine months after the end of the audit period (2 CFR 200.512(a)).

## 9.21 TERMINATION

A Title II grant award may be terminated by CCWD upon giving notice in writing to the program at least thirty (30) days in advance of the date of termination. If the grant is terminated for any reason, all reports and data gathered by the program prior to termination will, at the option of CCWD, become the property of CCWD. If termination occurs, reimbursement to the program will be made based upon the work performed prior to the effective date of termination as mutually agreed upon by both parties. Final adjustments, either payments or refunds, will also be mutually agreed upon by both parties.



In the event funding from State, federal, or other sources is withdrawn, reduced, or limited in any way after the effective date of the grant award and prior to normal completion, CCWD may terminate the grant without the thirty-day notice requirement, subject to renegotiation at CCWD's discretion under those new funding limitations and conditions.

## **Budget Activities**

### **9.22 INSTRUCTION AND ADMINISTRATION**

#### **Policy**

Programs must submit an annual budget to CCWD for each year of the Title II grant award. The budget must detail proposed expenditures for federal and non-federal funding. The two primary budget categories are instruction and administration. Each primary budget category has several individual cost categories.

#### **Instructional**

Instructional costs are activities and costs associated with, and that directly benefit, instruction and/or when there is direct contact with learners. A program may consider costs incurred in connection with the following activities to be instructional costs:

- a. Salaries and benefits for teachers and instructional assistants directly involved in instructional delivery of education activities;
- b. Textbooks and technology used for instruction;
- c. Repair, maintenance, and replacement of instructional supplies used in the program;
- d. Other direct learner support costs which may include at the same percentage (that the grant represents) of the entire ABS budget:
  - Maintenance and operational expenses;
  - Rents or leases of non-agency owned facilities;
  - Childcare support services while adult learners are attending classes;
  - Transportation to/from classes for ABS learners;
  - Resources for instructional activities;
  - Recruiting and assigning teachers and learners;
  - Assessing learners' skills;
  - Curriculum development; and
  - Incorporating Oregon Adult and Career Readiness Standards into ABS curriculum and delivery.

#### **Administration**

Administrative costs are those non-instructional costs that are considered reasonable, necessary, and allowable, and are costs associated with overall project management. A program may consider costs incurred in connection with the following activities to be administrative costs:

- a. Planning, including planning and working with workforce partners;



- b. Administration, including carrying out performance accountability requirements;
- c. Professional development;
- d. Coordination regarding administrative record keeping;
- e. Developing policies for support services among different departments/agencies;
- f. Recruiting and supervising staff and volunteers other than teachers and learners;
- g. System-wide assessment activities (not individual learner assessment);
- h. Providing ABS services in alignment with local workforce plans, including promoting co-enrollment in programs and activities under Title I, as appropriate; and;
- i. Carrying out the one-stop partner responsibilities described in 34 CFR 678.420, including contributing to the infrastructure costs of the one-stop delivery system.

If expenses are for administrative activities, as defined above, they must be budgeted as administration even if the expenses are for personnel coded to the instructional budget.

## 9.23 COST CATEGORIES

### Policy

Based on the budget activities above, programs must determine how much of each activity's expenses will be budgeted in each cost category (also known as a "budget category"). The following provides an overview of each cost category.

### Salaries, Wages, and Benefits

Salaries, wages, and benefits associated with grant activities.

### Books and Supplies

Books and supplies to be used by personnel budgeted to the instructional category and other necessary goods and services needed for instruction.

### Goods and Services

Goods and services to be used by personnel budgeted to the instructional category and other necessary goods and services needed for instruction. Typical items would include supplies and materials, assessment materials, printing, telephone, copying and fax, equipment (less than \$5,000 per unit cost), utilities, rentals and leases of copy machines, and interagency agreements (contracts between two or more public entities).

**Instructional:** classroom supplies, paper, printing

**Administration:** office supplies, postage

The cost of any items purchased that will not be used exclusively for Title II activities must be split among all of the activities' funding sources.

### Travel

Travel costs include expenditures related to allowable grant activities such as transportation, meals, hotel, and other expenses associated with traveling. Reimbursement for travel costs must be within

State of Oregon travel rates and regulations which can be found in the *Oregon Accounting Manual's Statenide Travel Policy*.

***Instructional Travel:*** Instructional staff travel to off-campus class locations

***Administrative Travel:*** Instructional staff travel to meetings or professional development trainings

### **Equipment (Capital Outlays) and Building Rental/Utilization**

Capital outlays are those items with a useful life in excess of one year and a per-unit cost of \$5,000 or more. (This is the federal definition of “equipment.”) All capital outlays purchased with funds from this grant must be approved by CCWD prior to purchase. If specific capital outlays are not included on the original grant budget, programs must submit a Budget Amendment Request for approval prior to purchase.

Building rental or utilization of space costs in support of Title II instructional activities must be calculated at or below fair market value (FMV). Programs must verify that costs are at or below FMV in the budget narrative.

### **Indirect Costs and Restricted Indirect Cost Rate**

Indirect costs are expenses that can be attributed to the running of an organization and the activities it performs, but are not readily identified with a particular grant, contract, project function, or activity. Examples of indirect costs include light, maintenance, library, heating, accounting, and other administration expenses that cannot be clearly allocated to an individual program. Therefore, indirect cost rates are used to proportionately distribute those costs to each benefiting program and activity.

The “Restricted Indirect Cost Rate” is required for federal grant programs, such as Title II, *with a statutory requirement prohibiting the use of federal funds to supplant non-federal funds (34 CFR 76.563)*. Federal regulations 34 CFR 76.564 through 76.569 apply to these programs.

Restricted indirect cost rate formula:

1. *An indirect cost rate for a grant covered by 34 CFR 76.563 or 34 CFR 75.563 is determined by the following formula:*

$$\text{Restricted indirect cost rate} = (\text{General management costs} + \text{Fixed costs}) \div (\text{Other expenditures})$$

2. *General management costs, fixed costs, and other expenditures must be determined under 34 CFR 76.565 through 76.567.*
3. *Under the programs covered by 34 CFR 76.563, a subgrantee of an agency of a State or a local government (as those terms are defined in 2 CFR 200.90 and 200.64, respectively), or a grantee subject to 34 CFR 75.563 that is not a State or local government agency may use:*
  - a. *An indirect cost rate computed under paragraph (a) of this section; or*

- b. *An indirect cost rate of eight percent unless the Secretary determines that the subgrantee or grantee would have a lower rate under paragraph (a) of this section.*
4. *Indirect costs that are unrecovered as a result of these restrictions may not be charged directly, used to satisfy matching or cost sharing requirements, or charged to another Federal award (34 CFR 76.564).*

Using the restricted indirect cost rate:

1. *Under the programs referenced in 34 CFR 76.563, the maximum amount of indirect costs under a grant is determined by the following formula:*

*Indirect costs = (Restricted indirect cost rate) × (Total direct costs of the grant minus capital outlays, subgrants, and other distorting or unallowable items as specified in the grantee's indirect cost rate agreement);*

2. *If a grantee uses a restricted indirect cost rate, the general management and fixed costs covered by that rate must be excluded by the grantee from the direct costs it charges to the grant (34 CFR 76.569).*

## 9.24 ADMINISTRATIVE CAP AND SET-ASIDES

### Background

Federal regulation (34 CFR 463.25) requires that not more than five (5) percent of a local grant award can be expended to administer a grant under Title II. In cases where five (5) percent is too restrictive to allow for administrative activities, CCWD, as the eligible agency may increase the amount that can be spent on administration. In such cases, the program must negotiate with CCWD to determine an adequate level of funds to be used for non-instructional purposes.

### Policy

Programs may petition CCWD and negotiate a waiver to increase the amount that can be spent on administration to carry out any of the necessary and reasonable tasks associated with Accountability (i.e., implementing, maintaining, operating and/or reporting learner demographic and performance data); Program Improvement (i.e., professional development); and one-stop partner cost sharing responsibilities.

Requests for an increase in the administrative cap must:

1. Be submitted with the program's annual proposed budget as an Accountability Set-Aside and/or Program Improvement Set-Aside (includes professional development), or one-stop partner cost sharing. If applying for multiple grants, the Set-Asides may only be requested for one grant (e.g., Comprehensive Grant, Corrections Grant, or IELCE Grant);
2. Describe the unique and specific activities for the proposed increase; and
3. Include an assurance that the additional administrative funds will be tracked separately.

## **9.25 BUDGET AMENDMENTS**

### **Background**

Programs must submit an annual budget to CCWD for each year of the Title II grant award. During the course of a year, a budget amendment may be required.

### **Policy**

CCWD approval of a revised budget is required if there is more than a ten (10) percent variation in expenditure levels for any individual budget cost category. To request changes to the grant budget, programs must submit a Budget Amendment Request. Amendments must be submitted and approved by CCWD before funds can be expended for new projects or activities.

## **9.26 ACCOUNTING AND INVOICING**

### **Policies**

1. Programs must use generally accepted accounting principles.
2. Federal and non-federal funds must be maintained in separate accounts in order to maintain separate identities for reporting and auditing purposes. Programs must not commingle these separate sources of funding.
3. Programs must maintain books, records, documents, and other evidence pertaining to the costs and expenses of implementing the Title II grant to the extent and in such detail as will accurately reflect all gross costs, direct and indirect, of labor materials, equipment, supplies, services, and other expenses. These records and financial statements are subject to inspection, review, reproduction, and/or audit by CCWD.
4. Funds for the Title II grant can only be claimed on a reimbursement basis. No payments in advance of or in anticipation of goods or services provided under this grant can be requested or paid. Programs must report all charges for the current period.
5. Grant reimbursements are contingent upon satisfactory completion and submission of all program requirements. Grant payments to providers will be delayed until all required submissions are up-to-date. If required submissions are persistently delinquent, CCWD reserves the right to terminate the provider's grant.
6. Programs must submit reimbursement requests quarterly using the CCWD Reimbursement Request form and in accordance with the schedule shown below.

Expenses Incurred	Invoice no later than	Submission
Q1: July 2021 – September 2021	October 29, 2021	Email completed and signed request to <a href="mailto:hecc.finance@hecc.oregon.gov">hecc.finance@hecc.oregon.gov</a> and <a href="mailto:hecc.absteam@hecc.oregon.gov">hecc.absteam@hecc.oregon.gov</a>
Q2: October 2021 – December 2021	January 31, 2022	Email completed and signed request to <a href="mailto:hecc.finance@hecc.oregon.gov">hecc.finance@hecc.oregon.gov</a> and <a href="mailto:hecc.absteam@hecc.oregon.gov">hecc.absteam@hecc.oregon.gov</a>
Q3: January 2022 – March 2022	April 30, 2022	Email completed and signed request to <a href="mailto:hecc.finance@hecc.oregon.gov">hecc.finance@hecc.oregon.gov</a> and <a href="mailto:hecc.absteam@hecc.oregon.gov">hecc.absteam@hecc.oregon.gov</a>
Q4: April 2022 – June 2022	August 9, 2022	Email completed and signed request to <a href="mailto:hecc.finance@hecc.oregon.gov">hecc.finance@hecc.oregon.gov</a> and <a href="mailto:hecc.absteam@hecc.oregon.gov">hecc.absteam@hecc.oregon.gov</a>

## 9.27 ANNUAL FINANCIAL REPORTING

### Policy

Programs must complete annual financial reports, including an annual proposed budget and Final Financial Status Report that identify all federal Title II funds as well as allowable non-federal resources, in-kind contributions, and program income used to support ABS activities. Programs must not count tuition and fees collected from learners toward meeting Title II matching, one-stop cost sharing, or maintenance of effort requirements related to the Title II grant award.

Financial Report	Due Date	Submission
Proposed Budget for year beginning July 1, 2021 and ending June 30, 2022	June 15, 2021	Email completed and signed budget or budget revisions to <a href="mailto:hecc.absteam@hecc.oregon.gov">hecc.absteam@hecc.oregon.gov</a>
Final Financial Status Report	August 23, 2021	Email completed and signed report to <a href="mailto:hecc.absteam@hecc.oregon.gov">hecc.absteam@hecc.oregon.gov</a>

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## 10.1 EXAMPLE FORM: AUTHORIZATION FOR RELEASE OF INFORMATION

*Name of educational entity/program providing services:*

The Family Educational Rights and Privacy Act (FERPA) of 1974 affords certain rights to students concerning the privacy of, and access to, their educational information. FERPA allows, and the Title II Adult Basic Skills programs will collect, for federal reporting purposes, personal identifiable information (PII) and educational information to enter into the Tracking of Programs and Students (TOPS) database. This database stores educational progress information and student information for the Workforce Innovation and Opportunity Act (WIOA). Additionally, the Office of Community Colleges and Workforce Development is allowed by FERPA to collect and release personal identifiable and educational information for purposes of data matching for federal WIOA reporting and for educational research. This information includes Social Security Numbers and student ID numbers. Individuals may choose to consent to the release of their educational information for other purposes.

Completing and signing the form below allows the Adult Basic Skills program to collect and release other student information as described below, for the purpose described below.

### **Authorization for Release of Information**

**Student Information:** Please print clearly.

ID number: \_\_\_\_\_

Social Security Number: \_\_\_\_\_

Name: \_\_\_\_\_  
Last name First name MI

Mailing Address: \_\_\_\_\_  
Street City State Zip

Email: \_\_\_\_\_

**Specific information to be released:**

- Personal identifiable information (PII)
    - Name,
    - Address,
    - Birthdate,
    - Social Security Number (SSN) or Identification (ID) number.
  - Education information
    - Educational records,
    - Test results,
    - Attendance,
    - Occupation,
    - Employment training, and
    - Education goals and outcomes.
- If you sign this form indicating authorization to release your information, your information will be shared with WIOA partners including, but not limited to, the Oregon Higher Education Coordinating Commission, the Oregon Employment Department, the Oregon Department of Human Services, and the Oregon Department of Vocational Rehabilitation.
- If you sign this form indicating authorization to release your information, your information can be shared with another Oregon Adult Basic Education program should you choose to transfer programs.

I consent to release the above information to the organizations listed above and understand that my consent is voluntary and is not required for my participation in any programs or services. I also understand that I can revoke my consent at any time by completing the Revocation for Release of Information form (see Appendix 10.2).

\_\_\_\_\_  
Student name printed

\_\_\_\_\_  
Student signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Parent name printed, if Student is under age 18

\_\_\_\_\_  
Parent signature, if Student is under age 18

\_\_\_\_\_  
Date

I do not consent to release my personal or educational information.

\_\_\_\_\_  
Student name printed

\_\_\_\_\_  
Student signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Parent Name printed, if Student is under age 18

\_\_\_\_\_  
Parent signature, if Student is under age 18

\_\_\_\_\_  
Date



## 10.2 EXAMPLE FORM: REVOCATION FOR RELEASE OF INFORMATION

*Name of educational entity/program providing services:*

The Family Education Rights and Privacy Act of 1974 (FERPA) states that a student must authorize in writing the release of his/her educational records. Students may revoke the consent to release education records to previously authorized requestors in writing. Please complete this form to revoke consent to release education records.

Student name: \_\_\_\_\_ Date of birth: \_\_\_\_\_

Student ID: \_\_\_\_\_

This form serves as your signed revocation of consent for Valley Community College to release the indicated educational records to the individual or entity identified below. One form is required per authorized individual. If you wish to reinstate this individual's authorization, you will need to fill out another *Authorization for Release of Information* form. Please fill out this form on-line, print, sign, and return to ABC office. Once received, the document will be processed in 2 to 3 business days.

I, \_\_\_\_\_, the undersigned, hereby revoke the authorization for Valley Community College to release my educational records to the designated individual or entity listed below:

Individual/Entity

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

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

By signing this revocation, I am reinstating my rights of nondisclosure of my student records under FERPA to the person or entity specifically listed herein. This executed FERPA Revocation Form will be in effect and retained in my student records from the date indicated below until I notify Valley Community College of a change by filling out another *Authorization for Release of Information* form.

Student signature \_\_\_\_\_ Date \_\_\_\_\_

Please submit this form to ABC Office.

Valley Community College  
123 SW ABC Street  
Valley High, Oregon

## 10.3 STATE ASSESSMENT CERTIFICATION PROCEDURES

### CASAS-Comprehensive Adult Student Assessment System and BEST Plus 2.0

Oregon policy requires staff and faculty to be certified before administering assessments for NRS Reporting (see HECC ABS Policy Manual Section 6.5 on page 37). State Assessment Certification comprises the completion of the required CASAS or BEST Plus 2.0 training and familiarization with Oregon assessment policies and procedures. Test administrators proctoring assessments virtually must also complete required remote proctor/virtual administrator training.

#### CASAS Training

**CASAS Implementation Training** provides participants with a basic understanding of the CASAS System. Participants learn how to administer CASAS appraisals and pre-and post-tests, interpret test results, and use curriculum support materials to enhance instruction and workforce readiness.

**Part 1: CASAS Training Modules are available Online at: <http://training.casas.org/>**

1. Complete the CASAS Training Module and generate your Certificate of Completion. (Please note: CCWD does NOT need a copy of your certificate. This is for your records only).



**Part 2.** After you have received your Certificate of Completion from CASAS:

1. Read the following material from the HECC ABS Policy Manual:  
<https://www.oregon.gov/highered/institutions-programs/ccwd/Pages/abs-resources.aspx>
  - Section 6.1, Standardized Assessment for NRS Reporting
    - Oregon Assessment Chart
    - Required assessments and hours of instruction
  - Section 6.5, Certified Test Administration
2. Complete the Oregon Assessment Certification Signature Page (included at the end of this document) and send to [hecc.absteam@hecc.oregon.gov](mailto:hecc.absteam@hecc.oregon.gov).

Once the CASAS training and the signature form is completed, your certification is good for 3 years from the date on your CASAS certificate.

## Recertification

Individuals must renew their Implementation training certification every 3 years by registering and completing the appropriate modules from [training.casas.org](http://training.casas.org), and again complete Oregon Assessment Signature page and submit to [hecc.absteam@hecc.oregon.gov](mailto:hecc.absteam@hecc.oregon.gov).

## BEST Plus 2.0 - Adult ESL Assessments

In order to administer BEST Plus 2.0 assessments, the Center for Applied Literacy (CAL) requires certification. To be certified, you must attend a face-to-face or virtual training lead by a state approved trainer. These trainings are held in late spring or early summer each year as needed. Completion is approved by the trainer at the conclusion of the training.

The Oregon Assessment Certification process to administer BEST Plus 2.0 Assessments involves the following steps:

1. Complete the training
2. Read the following material:
  - Section 6.1, Standardized Assessment for NRS Reporting
    - Oregon Assessment Chart
    - Required assessments and hours of instruction
  - Section 6.5, Certified Test Administration
3. Complete the Oregon Assessment Certification Signature Page and email to [HECC.ABSTeam@HECC.oregon.gov](mailto:HECC.ABSTeam@HECC.oregon.gov)

## BEST Plus 2.0 Recalibration

Individuals whose administer BEST Plus 2.0 must recalibrate their BEST Plus 2.0 assessment scoring with others in their department annually. The Recalibration Activity is available from the Center for Applied Linguistics, [www.cal.org](http://www.cal.org), and is the responsibility of local programs. Records of recalibration activities must be kept with the program's training records per Section 6.1 of the HECC ABS Policy Manual.

If you have questions, please contact:

Tamy Perkins, [hecc.absteam@hecc.oregon.gov](mailto:hecc.absteam@hecc.oregon.gov) 503-947-2427, regarding process  
Kelly Zinck, [kelly.zinck@hecc.oreogn.gov](mailto:kelly.zinck@hecc.oreogn.gov) regarding policy



**OREGON ADULT BASIC SKILLS  
WIOA TITLE II  
ADULT EDUCATION AND LITERACY GRANT**

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**OREGON ASSESSMENT SIGNATURE PAGE**

Return your signed form to [HECC.abs.team@HECC.oregon.gov](mailto:HECC.abs.team@HECC.oregon.gov) (Note: You do NOT need to send a copy of your certificate)

I, \_\_\_\_\_, have read and understand the following  
(Print Name)

document: **Oregon ABS Policy Manual, Sections 6.1 and 6.5**, and completed the following training:

- |                                                                        |                           |
|------------------------------------------------------------------------|---------------------------|
| <input type="checkbox"/> <b>Module 1</b> - CASAS Implementation Basics | Date of Certificate _____ |
| <input type="checkbox"/> <b>Module 2</b> - CASAS eTest Implementation  | Date of Certificate _____ |
| <input type="checkbox"/> <b>Module 3</b> - Paper Test Implementation   | Date of Certificate _____ |
| <input type="checkbox"/> CASAS Remote Testing Proctor                  | Date of Certificate _____ |
| <input type="checkbox"/> <b>BEST Plus 2.0</b> Administrator Training   | Date of Certificate _____ |

\_\_\_\_\_  
Signature Title

\_\_\_\_\_  
College/Institute

\_\_\_\_\_  
ABS Program Director / Signature

\_\_\_\_\_  
Date Signed

\_\_\_\_\_  
Work Email of staff that Completed Training

## 11. DEFINITIONS

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**ADULT EDUCATION\* or ADULT BASIC SKILLS.**—The term “adult education” or “adult basic skills” (in Oregon) means academic instruction and education services below the postsecondary level that increase an individual’s ability to—

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

**ADULT EDUCATION AND LITERACY ACTIVITIES.\***—The term “adult education and literacy activities” means programs, activities and services that include adult education, literacy, workplace adult education and literacy activities, family literacy activities, English language acquisition activities, integrated English literacy and civics education, workforce preparation activities, or integrated education and training.

**ADULT BASIC EDUCATION (ABE).\*\***—The term “Adult Basic Education” means instruction designed for an adult whose educational functioning level is equivalent to a particular ABE level described in the National Reporting System educational functioning level table in the Implementation Guidelines.

**ADULT SECONDARY EDUCATION (ASE).\*\***—The term “Adult Secondary Education” means instruction designed for an adult whose educational functioning level is equivalent to a particular ASE level described in the National Reporting System educational functioning level table in the Implementation Guidelines.

**COMMUNITY-BASED ORGANIZATION.\***—The term “community-based organization” means a private nonprofit organization (which may include a faith-based organization), that is representative of a community or a significant segment of a community and that has demonstrated expertise and effectiveness in the field of workforce development.

**CONCURRENT ENROLLMENT OR CO-ENROLLMENT.\*\***—The terms “concurrent enrollment or co-enrollment” refer to enrollment by an eligible individual in two or more of the six core programs administered under WIOA.

**CONTENT DOMAINS, CONTENT SPECIFICATIONS, OR NRS SKILLAREAS.\*\***—The terms “content domains, content specifications, or NRS skill areas” mean, for the purpose of the National Reporting System, reading, writing, and speaking the English language, mathematics, problem solving, English language acquisition, and other literacy skills as defined by the Secretary.

**CORE PROGRAMS.**—The Core Programs under WIOA are Adult and Dislocated Worker Employment and Training (Title I), Youth (Title I), Adult Education and Literacy (Title II), Wagner-Peyser (Title III), and Vocational Rehabilitation (Title IV).

**CORRECTIONAL INSTITUTION.\***— The term “correctional institution” means any—

- Prison
- Jail
- Reformatory
- Work farm
- Detention center
- Halfway house
- Community-based rehabilitation center
- Any other similar institution (a thru g) designed for the confinement or rehabilitation of criminal offenders

**DIGITAL LITERACY.\*\***—The term “digital literacy” means the skills associated with using technology to enable users to find, evaluate, organize, create, and communicate information.

**EDUCATIONAL FUNCTIONING LEVELS (EFLs).\*\***—The term “educational functioning levels” means the six ABE/ASE levels and six ESL levels, as provided in the NRS Guidelines.

**EFL DESCRIPTORS.\*\***—EFL descriptors are entry-level descriptors and are illustrative of what a typical student functioning at that level should be able to do. They are not a full description of skills for a particular level.

**ELIGIBLE AGENCY.\***—The term “eligible agency” means the sole entity or agency in a State or an outlying area responsible for administering or supervising policy for adult education and literacy activities in the State or outlying area, respectively, consistent with the law of the State or outlying area, respectively.

**ENGLISH AS A SECOND LANGUAGE (ESL) ACTIVITIES.**—In Oregon, ESL activities are the same as English Language Acquisition activities or programs.

**ENGLISH LANGUAGE LEARNER.\***—The term “English language learner” when used with respect to an eligible individual, means an eligible individual who has limited ability in reading, writing, speaking, or comprehending the English language, and—

- a. Whose native language is a language other than English, **or**
- b. Who lives in a family or community environment where a language other than English is the dominant language.

**INDIVIDUALS WITH BARRIERS TO EMPLOYMENT.\***— The term “individuals with barriers to employment” means members of one or more of the following populations:

- a. Displaced homemakers;
- b. Low-income individuals;
- c. Indians, Alaska Natives, and Native Hawaiians, as such terms are defined in section 166;
- d. Individuals with disabilities, including youth who are individuals with disabilities;

- e. Older individuals;
- f. Ex-offenders;
- g. Homeless individuals (as defined in section 41403(6) of the Violence Against Women Act of 1994 (42 U.S.C. 14043e–2(6))), or homeless children and youths (as H. R. 803—10 defined in section 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(2)));
- h. Youth who are in or have aged out of the foster care system;
- i. Individuals who are English language learners, individuals who have low levels of literacy, and individuals facing substantial cultural barriers;
- j. Eligible migrant and seasonal farmworkers, as defined in section 167(i);
- k. Individuals within 2 years of exhausting lifetime eligibility under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.);
- l. Single parents (including single pregnant women);
- m. Long-term unemployed individuals; and
- n. Such other groups as the Governor involved determines to have barriers to employment.

**IMPLEMENTATION GUIDELINES: Measures and Methods for the National Reporting System (NRS) for Adult Education.** \*\*— (OMB Control Number: 1830–0027) (also known as NRS Implementation Guidelines) posted on the Internet at: [www.nrsweb.org](http://www.nrsweb.org).

**INSTITUTION OF HIGHER EDUCATION.**—The term “institution of higher education,” as referenced in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001), means an educational institution in any State that—

- a. Admits as regular students only persons having a certificate of graduation from a school providing secondary education, or the recognized equivalent of such a certificate;
- b. Is legally authorized within such State to provide a program of education beyond secondary education;
- c. Provides an educational program for which the institution awards a bachelor's degree or provides not less than a two-year program that is acceptable for full credit toward such a degree;
- d. Is a public or other nonprofit institution; and
- e. Is accredited by a nationally recognized accrediting agency or association, or if not so accredited, is an institution that has been granted pre-accreditation status by such an agency or association that has been recognized by the Secretary for the granting of pre-accreditation status, and the Secretary has determined that there is satisfactory assurance that the institution will meet the accreditation standards of such an agency or association within a reasonable time.

**LITERACY.\***—The term “literacy” means an individual’s ability to read, write, and speak in English, compute, and solve problems, at levels of proficiency necessary to function on the job, in the family of the individual, and in society.

**NATIONAL REPORTING SYSTEM (NRS)** \*\*—The National Reporting System (NRS) is the accountability system for the federally-funded, State-administered adult education program. It addresses the accountability requirements of the Adult Education and Family Literacy Act, Title II of WIOA. The NRS Implementation Guidelines: Measures and Methods for the National Reporting System (NRS) for Adult Education are posted at: [www.nrsweb.org](http://www.nrsweb.org).

**OREGON ASSESSMENT CERTIFICATION-** To be certified to administer CASAS and BEST Plus 2.0 tests in Oregon, test administrators must complete the trainings for those instruments. In addition, they must read assigned sections of the Oregon Policy Manual, sign a form that verifies that they have read the passages, and return the signature page to CCWD. See instructions in Appendix Section 10.

**PEER TUTORING.** \*\*—The term “peer tutoring” means an instructional model that utilizes one institutionalized individual to assist in providing or enhancing learning opportunities for other institutionalized individuals. A peer tutoring program must be structured and overseen by educators who assist with training and supervising tutors, setting educational goals, establishing an individualized plan of instruction, and monitoring progress.

**POSTSECONDARY EDUCATIONAL INSTITUTION.** \*— The term “postsecondary educational institution,” means—

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

**RE-ENTRY AND POST-RELEASE SERVICES.** \*\*—The terms “re-entry and post-release services” mean services provided to a formerly incarcerated individual upon or shortly after release from a correctional institution that are designed to promote successful adjustment to the community and prevent recidivism. Examples include education, employment services, substance abuse treatment, housing support, mental and physical health care, and family reunification services.

**SECRETARY.** \*— The term “Secretary,” means the Secretary of Education.

**TRAINING SERVICES.** \*— The term “training services,” as referenced in section 134(c) (3) of WIOA, may include:

- Occupational skills training, including training for nontraditional employment;
- On-the-job training;
- Incumbent worker training;
- Programs that combine workplace training with related instruction, which may include cooperative education programs;
- Training programs operated by the private sector;
- Skill upgrading and retraining;



Entrepreneurial training;

Transitional jobs;

Job readiness training provided in combination with the services above;

Adult education and literacy activities, including activities of English language acquisition and integrated education and training programs, provided concurrently or in combination with the services above; and

Customized training conducted with a commitment by an employer or group of employers to employ an individual upon successful completion of the training.

*\* represents WIOA*

*\*\*represents 34 CFR 462, 463*

*\*\*\*represents National Reporting System for Adult Education*

### Policy Resources

#### 12.1 OREGON

##### **Oregon Adult Basic Skills TOPSpro Enterprise Procedures Manual: Oregon-Specific Procedures**

<https://www.oregon.gov/highered/institutions-programs/ccwd/Pages/abs-resources.aspx>

##### **Oregon Administrative Rules**

<https://secure.sos.state.or.us/oard/ruleSearch.action>

##### **Unified State Plan for Oregon**

<http://www.oregon.gov/owib/Pages/State-Plan.aspx>

##### **Local Workforce Development Area Plans (click *Planning Regions* heading, then click on individual local workforce areas for local documents)**

<https://www.oregon.gov/workforceboard/workforcesystem/Pages/Local%20Workforce%20Development%20Boards.aspx>

##### **Oregon Accounting Statewide Travel Policy**

<https://www.oregon.gov/das/Financial/Acctng/Pages/Travel.aspx>

#### 12.2 FEDERAL

##### **Division of Adult Education and Literacy**

<https://www2.ed.gov/about/offices/list/ovae/pi/AdultEd/index.html>

##### **Office of Career, Technical, and Adult Education**

<https://www2.ed.gov/about/offices/list/ovae/index.html>

##### **Federal Register 34 CFR Parts 461, 462, 463 et al. Programs and Activities Authorized by the Adult Education and Family Literacy Act (Title II of the Workforce Innovation and Opportunity Act); Final Rule**

<https://ecfr.federalregister.gov>

##### **Uniform Guidance**

<https://www2.ed.gov/policy/fund/guid/uniform-guidance/index.html>

## **Workforce Innovation and Opportunity Act**

[https://www.doleta.gov/wioa/eta\\_default.cfm](https://www.doleta.gov/wioa/eta_default.cfm)

## **Family Educational Rights and Privacy Act (FERPA)**

<https://www2.ed.gov/policy/gen/guid/fpco/ferpa/index.html>

## **12.3 ASSESSMENT**

### **Center for Applied Linguistics (CAL) – BEST Plus 2.0**

<https://www.cal.org>

### **Comprehensive Adult Student Assessment Systems (CASAS)**

<https://www.casas.org>

## **12.4 TOPSPRO ENTERPRISE**

### **TOPSpro Enterprise Basics Online Training**

<http://training.casas.org/>

### **TOPSpro Enterprise WIOA Data Dictionary**

[https://www.casas.org/docs/default-source/caacct/wioa-data-dictionary-2020-21.pdf?sfvrsn=655205a\\_38](https://www.casas.org/docs/default-source/caacct/wioa-data-dictionary-2020-21.pdf?sfvrsn=655205a_38)

## **12.5 NATIONAL REPORTING SYSTEM**

### **NRS Implementation Guidelines**

<https://nrswb.org/resource/nrs-guidelines>

### **NRS Training Courses**

<https://nrswb.org/training-ta>

### **NRS Educational Functioning Level Descriptors**

<https://nrswb.org/policy-data>

### **College and Career Readiness Standards for Adult Education**

<https://lincs.ed.gov/professional-development/resource-collections>

### **English Language Proficiency Standards for Adult Education**

<https://lincs.ed.gov/professional-development/resource-collections>

### **Standards in Action**

<https://sites.ed.gov/octae/2015/03/25/ccr-standards-in-action/>

## **12.6 ADULT BASIC SKILLS**

### **Adult Numeracy Initiative (ANI)**

<https://lincs.ed.gov/resource-collection>

### **Career Pathways Training and Support Center**

<https://lincs.ed.gov/programs/acp>

### **Career Pathways – Workforce GPS**

<https://careerpathways.workforcegps.org>

### **Career Pathways – Perkins Collaborative Resource Network**

<https://cte.ed.gov>

### **Center for Adult English Language Acquisition**

<https://www.cal.org/what-we-do/projects/caela>

### **Coalition on Adult Basic Education**

<https://coabe.org>

### **Council for Advancement of Adult Literacy**

<http://www.caalusa.org>

### **Digital Literacy**

<https://lincs.ed.gov>

### **English Language Learners University (ELL-U)**

<https://lincs.ed.gov/state-resources/federal-initiatives/ell-u>

### **EDTech World Remote ESOL Project**

[Edtech.worlded.org/remote-esol-project/](https://edtech.worlded.org/remote-esol-project/)

### **IELCE**

<https://lincs.ed.gov/program/building-opportunities-ielce>

### **Institute of Education Sciences**

<https://ies.ed.gov/>

**Integrated Basic Education and Skills Training Programs (I-BEST)**

<http://www.cal.org/aea/bp/>

**Integrated Education and Training (IET)**

<http://www2.ed.gov/about/offices/list>

**Integrated Education and Training – CLASP**

<https://www.clasp.org/publications/report/brief/integrated-education-training-iet-defined>

**Learning to Achieve**

<https://lincs.ed.gov/programs/learningtoachieve/materials.html>

**Literacy Information and Communication System (LINCS)**

<http://www.literacy.org/>

**National Association for Adults with Special Learning Needs (NAASLN)**

<http://naasln.org/>

**National Center for Families Learning**

<http://www.familieslearning.org/>

**National College Transition Network**

<http://www.collegetransition.org/home>

**National Coalition for Literacy**

[http://www.national-coalition-literacy.org/National-Reporting-System-\(NRS\)](http://www.national-coalition-literacy.org/National-Reporting-System-(NRS))

**National Skills Coalition**

<http://www.nationalskillscoalition.org/>

**Northstar Digital Literacy Project**

<http://digitalliteracyassessment.org/index.php>

**Oregon Teachers of English to Speakers of Other Languages (ORTESOL)**

<http://www.ortesol.org/>

**ProLiteracy**

<http://www.proliteracy.org/>

**Re-Entry Education**

<https://lincs.ed.gov/reentryed/>

**Reentry Resource Center**

<https://nationalreentryresourcecenter.org>

**Student Achievement in Reading (STAR)**

<https://lincs.ed.gov/state-resources/federal-initiatives/student-achievement-reading>

**Teaching Excellence in Adult Literacy (TEAL – Math and Writing)**

<https://nrsweb.org/policy-data/nrs-ta-guide>

### **Teacher Effectiveness**

<https://lincs.ed.gov/state-resources/federal-initiatives/teacher-effectiveness>

### **United States Citizenship and Immigration Services (USCIS)**

<https://www.uscis.gov/citizenship>

### **VALUEUSA**

<https://valueusa.org>

### **WeLearn**

<https://welearn.org/#/>

### **Workplace Education Program in the Quick Guide to the NRS**

<https://nrsweb.org/policy-data/nrs-ta-guide>

### **World Education**

[www.worlded.org](http://www.worlded.org)

## **12.7 WORKFORCE DEVELOPMENT SYSTEM**

### **National Skills Coalition**

<https://www.nationalskillscoalition.org>

### **Oregon Workforce and Talent Development Board**

<https://www.oregon.gov/workforceboard/Pages/index.aspx>

### **Oregon Workforce Partnership**

<http://www.oregonwfpartnership.org/>

### **Oregon Employment Department's Workforce and Economic Research Division**

<https://www.qualityinfo.org>

### **U.S. Department of Labor Employment and Training Administration (DOLETA), WIOA Resources**

<https://www.dol.gov/agencies/eta/wioa>

### **WIOA in Oregon**

<https://www.wioainoregon.org>

### **Workforce GPS**

<https://www.workforcegps.org>