



# **Employment Preparation Education**

## **(EPE) State Aid Manual**

*2017*

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## **SECTION 100 INTRODUCTION**

In 1984, the New York State Legislature enacted the Employment Preparation Education Program (EPE) to provide State aid to public schools and Boards of Cooperative Educational Services (BOCES) to support adult education programs. The EPE program supports over 200,000 adults annually with more than \$90 million supporting adult literacy instruction for these students served by New York's public schools and BOCES. Statutory authority for EPE can be found under Sections 207 and 3602, Subsection 24 of Education Law and Sections 168.1-5 of the Regulations of the Commissioner of Education.

In 1995, the legislature amended the EPE legislation and EPE funds were capped at \$96.18 million. This manual was developed as a guide for EPE program administrators to assure compliance with the legislation.

### **101 – Definition of EPE**

EPE is a program that provides state aid to public school districts and BOCES that offer educational programs for adults leading to a high school diploma or a High School Equivalency diploma. To be eligible to generate EPE aid students must be 21 years of age or older without a U.S. high school diploma.

The school or BOCES must submit for NY State Education Department (NYSED) approval a comprehensive plan of service detailing the programs that will be provided, the number of students to be served and the number of contact hours that are anticipated to be generated on an annual basis. The successful applicant will be given permission by the NYSED to generate an annual allocation which may be modified at an interim point. Reimbursement for EPE educational services provided is based on the number of contact hours that have been generated. A contact hour is defined as 60 minutes of instruction provided by a District or BOCES employed certified teacher per section 168.2(c) of the regulations of the Commissioner. For example, if one teacher has ten students in a class for one hour, ten contact hours would be generated. The teacher must be an employee of the school district or BOCES claiming the funds (ie. on the LEA payroll.) Reimbursement for contact hours will be calculated using NYSED's data management information system, Adult Student Information System and Technical Support (ASISTS). Any school district or BOCES that meets the criteria for new EPE programs will receive funding.

Educational agencies receive reimbursement based on a state aid formula that establishes an annual contact hour rate. EPE funds must be spent on the EPE program. EPE aid is one of several funding streams available to support educational programs for adults.

### **EXCEPTIONS TO STUDENT ELIGIBILITY REQUIREMENTS**

- Students who are 21 years of age or older and have been issued an Individualized Education Plan (IEP) prior to 2014 or the NYS Career Development and Occupational Studies (CDOS) Commencement Credential.

- In 2001, New York State amended EPE legislation to allow the Commissioner of Education to set aside up to \$2.5 million to serve individuals 21 and above who have a high school diploma or a High School Equivalency diploma but "fail to demonstrate basic educational competencies" (section 168.6(b) of the regulations of the Commissioner).<sup>1</sup> These students with a high school diploma or High School Equivalency diploma must score below Level 5 (below 9.0 Grade Level Equivalent) of the National Reporting System (NRS) for adult education on the approved NYSED assessments in either reading or math. These funds and students must be reported and tracked separately in ASISTS. Payments in excess of the amount identified in the award letter may be paid if funds are available, but in no instance will more than ten percent of a claim be paid for students with a high school diploma or equivalency. Successful applicants, however, are only guaranteed the percentage of your total allocation indicated in the award letter.

## **SECTION 200**

### **PROGRAMS THAT GENERATE EPE AID**

Programming eligible to generate EPE state aid are as follows:

1. Traditional adult literacy instruction
2. High school credit courses
3. Distance Learning adult education programs
4. Workplace literacy
5. Career & Technical Education (CTE)
6. Work Experience programs

### **201 - TRADITIONAL ADULT LITERACY INSTRUCTION**

Traditional adult literacy instruction must occur in a classroom setting and be taught by a certified teacher (Section 406) employed by the school district or BOCES. EPE aid is generated based on student contact hours or seat time. The following is a list of programs included in this category:

#### **Academic Programs**

- **Adult Basic Education** – Instruction in reading, mathematics, verbal and written communication for students reading below the ninth-grade level.
- **High School Equivalency (HSE) Test Preparation** – Instruction for students reading at the ninth-grade level or above that is specifically designed to prepare the student for the HSE test leading to a High School Equivalency diploma
- **English Language Acquisition (ELA)** – Instruction in listening, reading, oral and written communication for adults with limited English proficiency.
- **National Work Readiness Credential (NWRC)** – The NWRC is a national certification of an individual's readiness for entry-level work as defined by employers. It is the first assessment for entry-level workers to provide a universal, transferable,

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<sup>1</sup> This exception is not allowed if the set-aside is not part of the annual State budget.

national standard for work readiness. This program must be delivered as prescribed by NYSED.

- **Family Literacy** – Family Literacy Programs incorporate activities that include interactive literacy activities between parents and their children. In both types of programs, to generate EPE aid, the parents must be EPE eligible and attend teacher led instruction. Stand-alone non-academic programs are not allowed. A minimum of 50 percent of the course content in classes in which a student is enrolled in a given week must be academic.
- **Previously Known as Computer Literacy Programs-** these programs are no longer stand-alone programs; computer instruction must either be contextualized with the academic program or agencies should seek approval for an adult Career and Technical Education operating for less than 100 hours. Submissions for approval for new or modified adult Career and Technical Education program should follow the directions in Section 204.

**Traditional Adult Education Programs- Academic Programs** - A minimum of 50 percent of course content in classes in which a student is enrolled in a given week must be academic. This policy does not apply to adult Career and Technical Education programs.

## 202 - DISTANCE LEARNING ADULT EDUCATION PROGRAMS

Distance Learning programs are those that are not conducted in a traditional classroom format. Traditional classroom instruction should be encouraged whenever possible. Only Distance Learning programs approved by the NYSED in the successful applicant's comprehensive plan of service may be used to generate EPE aid. Eligible school districts and BOCES must have prior approval from NYSED to offer a Distance Learning program. Required information includes: intake process and format, assessments, record keeping, documenting student activities, documenting teacher time, determining progress and completion, Distance Learning teacher training, and program duration.

Refer to the *Program Manager and Instructor Guide to Distance Learning* for a list of approved Distance Learning programs and all other Distance Learning policies:

[http://www.acces.nysed.gov/common/acces/files/aapp/documents/Distance\\_Learning\\_Guide%20Revised%20-%207-24-2013-Ver2.pdf](http://www.acces.nysed.gov/common/acces/files/aapp/documents/Distance_Learning_Guide%20Revised%20-%207-24-2013-Ver2.pdf)

The following is a list of NYSED approved Distance Learning programs and the student populations they are geared toward:

### Distance Learning Programs

- **NEDP** (National External Diploma Program): NRS Levels 5 & 6 in both reading and math. Students also must achieve a minimum of 236 (reading) and 230 (math) on the CASAS generalized assessment
- **GRASP** (Giving Ready Adults a Study Program): NRS Levels 5 & 6 (also includes students with reading level of 8.0 Grade Level Equivalent (GE) until further notice)

- **Crossroads Café:** NRS Level 4 and above
- **SMART** (Skills To Make Adults Ready To Succeed): Grade Equivalent 4 - 6 in reading

### **202.1 IN-PERSON TUTORING**

Students enrolled in Distance Learning programs may receive up to three hours of in-person tutoring per week. These hours are claimed at the traditional rate. These hours must be documented in ASISTS.

### **203 - HIGH SCHOOL CREDIT COURSES**

Any high school credit-bearing course in which an adult (21 years of age and over) participates can be used to generate EPE aid; the course must be taught by a teacher with K-12 certification in the area appropriate for the specific class. Each school district or BOCES is responsible to comply with Commissioner's Regulations and Education Department policy for awarding high school credit. High school credit courses are credit-bearing courses in which adults can participate in pursuit of a high school diploma. Each school district or BOCES is responsible to comply with Commissioner's Regulations and NYSED policy for awarding high school credit.

### **204 – CAREER & TECHNICAL EDUCATION (CTE) COURSES**

Career & Technical Education courses may be used to generate EPE. The courses must be at least 100 hours in length and taught by a teacher with appropriate adult or K- 12 certification. These programs must provide adequate training needed for the student to obtain employment in the designated career category. Each of these courses must be approved by NYSED. A copy of any CTE course outline/curricula must be submitted and retained by NYSED (Section 409.1) Applicants desiring to offer adult CTE courses supported by EPE (in part or whole) which are less than 100 hours in length must request a waiver each year the program is to be offered. Curricula should only be provided when there are significant changes to the previously approved course.

### **205 - WORK EXPERIENCE PROGRAM**

Work Experience programs are unpaid, structured and supervised work activities/tasks for a maximum of 50 weeks in a public or private, profit or not-for-profit setting that enhance and support a written Education and Employment Plan (EEP) for the adult student. In addition to the on-site work experience, the program must include traditional classroom education comprising of at least 30 percent of the total program hours. To increase the likelihood of employment upon completion, however, a maximum of 50 percent of the classroom hours may be dedicated to job related activities. Agencies must submit the program design and curricula for the Work Experience program as part of the comprehensive plan of service (see section 403). There is a lifetime enrollment limit of 50 weeks per student.

### **206- ADDITIONAL ISSUES CONCERNING THE GENERATION OF EPE**



### **206.1- Intake**

In order to generate EPE state aid, students must go through an intake process that includes: standardized assessment (see Adult Education Programs and Policy (AEPP) website for NRS manual assessment practices at <http://www.acces.nysed.gov/aepp/>), the completion of an Individual Student Record Form (ISRF) used for NRS and ASISTS purposes, the development of Education and Employment Preparation Plans (EEP) for individual students and any other testing as appropriate to assist the teacher in developing an education plan for the student. This must include screening for learning disabilities. All the above activates generate EPE aid. It is important that each hour spent by the student in the intake process is documented. It is not sufficient to identify a block of time as a standard period (e.g. a 5-hour standard intake assessment block) and recording student's attendance in real time. In ASISTS, the word "Intake" must appear in the class code for recording all intake hours.

Students generate EPE aid through an intake process when they begin with a program. Should the student be exited through ASISTS, if that same student returns for a second Period of Participation (POP) within the same fiscal year, the program must provide another intake process aimed specifically at updating the student's record. The time spent in a subsequent second or possibly third intake process must be recorded in Instructional Activities coded as POP 2 Intake or POP 3 Intake.

The contact hours for developing, modifying and updating EEPs can generate EPE aid when the time is provided by a teacher working directly with a student and documented accordingly. These hours are coded in ASISTS as "Traditional".

### **206.2- EPE in County Correctional Facilities**

EPE aid can only be generated by programs operating within eligible school districts and county and municipal correctional facilities. EPE programs may not be operated in federal prisons or in New York State Department of Corrections and Community Supervision.

### **206.3- HSE Testing**

Students who have taken the HSE test in the United States are eligible to generate EPE aid until they have been notified that they have attained a High School Equivalency diploma. Programs should document efforts to obtain this information for audit purposes (e.g. record of phone calls). Contact hours cannot be generated by HSE testing. (unless a waiver has been approved by NYSED as per section 306.3)

### **206.4- Co-enrollment in Traditional and Distance Learning Programs**

Students may not be co-enrolled in traditional and Distance Learning programs. The exception to this is the three hours per week of tutoring that can be offered (Section 202.1).

## **SECTION 300**

### **EPE AID CALCULATION AND REIMBURSEMENT**

#### **301 - STATE FORMULA**

##### **301.1 - School District Formula**

The EPE aid formula is based on district wealth. A pupil wealth ratio is calculated based on the actual valuation of property in the district per pupil divided by the State average actual valuation per pupil.

EPE aid rates for individual districts are calculated based on data on file on May 15th of the base year and applied to the subsequent program year; the rates are published in August of each fiscal year. EPE aid is not subject to transition aid provisions, meaning that EPE aid is generated in addition to all other State aid received by the district. Information on current EPE rates and aid calculation for BOCES and school districts can be found at the State aid web site at <http://stateaid.nysed.gov/>.

##### **301.2 - BOCES Formula**

The pupil wealth ratio for BOCES is calculated using the aggregate actual valuation and total wealth pupil units for all component districts.

#### **302 - TRADITIONAL FORMULA**

The traditional EPE formula is used for all students attending programs described as Traditional, Career & Technical Education, and High School Credit. This also applies to the classroom component of Work Experience and for the tutoring portion of Distance Learning. All of these hours must be fully documented (Section 410). Reasonable breaks are allowed. Start and end times of class, however, must remain the same regardless of whether breaks are taken. For example, if a class is scheduled to run from 9:00 a.m. to 12:00 noon, it must run that full time even if no breaks are taken.

#### **303 - DISTANCE LEARNING FORMULA**

Claiming EPE aid in Distance Learning programs is based on the number of packets a student returns completed. Each packet that is returned and completed is recorded as a “2” in the students attendance record in ASISTS; when the student completes a second packet in the same month, a “4” is recorded in that month for attendance signaling that two packets were completed and returned. There are two months each year when it is possible for three packets to be completed and returned in the same month. In those two months only, if the student has returned three completed packets, a “6” would be recorded. ASISTS will automatically multiply each 2, 4, or 6 by six hours to calculate the total number of contact hours that will be reimbursed to the program for the completed packets. All Distance Learning programs conform to a two-week packet model in which a teacher assigns two weeks worth of work for a student.

Packets can be paper or electronic depending on the Distance Learning program. Approval for each type of program rests with NYSED. Refer to the *Program Manager and Instructor Guide to Distance Learning Manual* for more details.

Reimbursement for the Distance Learning formula is also based on teacher time dedicated to developing the packets for students:

- The maximum number of instructional hours (hours that a teacher can claim for work with an individual student) that is allowed is 30 minutes (.5 hours) per week for each actively enrolled student. Therefore, a teacher that works 40 hours per week is able to create packets for a total of 80 students.
- Documentation of student work must be kept for work completed in each packet. The first two packets developed for a student are exempt from this requirement. Should a student not return either of the first two packets and exits the program, the program may record 9999 as attendance for that student. This cue will credit the program for the two packets without including the student in the National Reporting System.
- Regardless of the record in ASISTS, programs must conform to the requirements for record keeping in Distance Learning programs as outlined in section 303.

### **303.1 - Active Enrollment**

Critical to the Distance Learning formula calculation is the application of the term active enrollment. The term represents the actual number of students in a given week that fulfill the requirements. The number of students enrolled in the program may be higher than the active enrollment. The active enrollment may vary from week to week because not all students enrolled will complete required work every two weeks.

Work assigned by the teacher is prescribed by the curriculum design of the particular program the student is enrolled. Completion of this work is necessary for a student to be counted as actively enrolled in a given week. The 2 or 4 that is required in ASISTS may only be recorded upon receipt of the completed packet from the student.

These programs are designed so that each student completes a packet representing two weeks work. The instructor receives, corrects and sends packets on a two-week cycle. For paper packets, the physical packet travels from the student to the teacher via the library mail system, the postal service, or, in some cases, they are hand delivered. The preparation and sending of a new packet to a Distance Learning student after the previous packet has been received and corrected enables the agency to consider the student as active for two weeks. Students can never be considered active by virtue of a phone contact alone.

For any student that has been screened and deemed eligible for Distance Learning programming, the program staff may prepare the first two Distance Learning packets and record a "4" representing those two packets in ASISTS regardless of whether the student returns either of the first two packets. However, if the student does not respond after

receiving the second packet and therefore is considered "inactive" in the program, the "4" that was previously entered into ASISTS should be deleted and the cue 9999 entered in its place. By doing so, the program will continue to be eligible for EPE reimbursement for the 24 contact hours that were represented by the "4" but the student will not count on any NRS reporting documents. Chapter 5 of the *Program Manager and Instructor Guide for Distance Learning*.

NOTE: Enrollment in Distance Learning is NOT allowed for students pre testing in the lowest two levels of either ABE or ESL.

### **303.2 National External Diploma Program (NEDP)**

The National External Diploma Program (NEDP), administered through Comprehensive Adult Student Assessment Systems (CASAS), is an assessment program that allows adults to demonstrate transferable skills for which a High School Equivalency (HSE) diploma (as per CR. 100.8) is awarded as approved by the New York State Board of Regents in May, 2016. NEDP is a flexible, self-directed, web-based program where the reading, writing, math, and workforce readiness skills of participants are assessed through a series of tasks to earn a NYS HSE diploma. Tasks are meant to demonstrate high school level skills that parallel job and life situations. Participants work independently on a computer and meet with an advisor/assessor from the EPE funded program on a regular basis. NEDP is aligned to the Career and College Readiness Standards. The NEDP program does not require students to take any timed, high-stakes tests. However, NEDP sets a minimal entry requirement of performing at the Adult Secondary Education Low instructional level. (9.0 Grade Level Equivalent in both reading and math on the TABE test as well as attaining cut scores set by the CASAS assessment.) Programs interested in offering NEDP should contact the HSE department at NYSED.

### **303.3- Calculating Contact Hours to be Reimbursed from Distance Learning Programs**

#### **Identifying Active Enrollment**

Using the criteria from Section 303.1, identify the number of students that fulfill the requirements for being considered "active".

#### **Calculate Maximum Number of Students per Week**

In any given week, the number of packets created by a teacher cannot exceed the number of real time hours the teacher is paid to work. This calculation is spread over a two week period. For example, if a teacher works a 30 hour week, then a maximum of 30 packets may be generated in that week for 30 students. In week two, the teacher may then create 30 more packets for 30 different students. Within that two week period, a teacher, working 30 hours per week, may generate a total of 60 packets for 60 students.

#### **EPE that can be claimed is calculated as follows:**

Multiply the allowable number of packets by 6. This will determine the number of EPE contact hours that can be claimed. Each completed packet is recorded as a "2" under the attendance roster in ASISTS for that teacher and student. Distance

learning classes in ASISTS must be coded correctly so these calculations are completed automatically. Programs that are approved by NYSED to provide distance learning must consult with their ASISTS support contact for further direction on coding of these classes.

**Allowable Instructional Hours x 12 = EPE Contact Hours**

**Example** - Active enrollment of 20 students and the teacher worked 10 or more hours in any given week:

- Active enrollment of 20 x maximum allowable instructional hours per student of .5 = 10 teacher hours.
- Multiply maximum teacher hours of 10 x 12 = 60 total EPE contact hours that can be claimed providing each of the 10 students returned completed packets.
- Multiply total EPE hours that can be claimed of 60 x agency's EPE rate (hypothetical rate for this example) of \$7.00 per hour = \$420 in EPE aid that can be claimed.

So the maximum this agency could claim for 10 students would have been \$420 (10 students x .5 x 12 x \$7.00) if the teacher had worked five hours that week.

### 303.4- Two-Week Cycle Formula

In Distance Learning programs, (with the exception of NEDP see below), students submit their completed assignments every two weeks. The student is considered actively enrolled for two weeks every time a two-week packet is completed and returned. A new packet is developed by the teacher and exchanged for the completed packet returned by the student. A student may take longer than the prescribed two weeks to complete a packet, however the packet is counted as two weeks of completed work regardless. The maximum number of contact hours claimed must equal the total number of packets returned multiplied by 12.

#### Claiming EPE contact hours for NEDP:

- Hours are claimed for a one-time only intake assessment (TABE and CASAS) to determine student readiness for NEDP. Reimbursement uses the traditional EPE formula and should be recorded in a traditionally coded class named as "Intake".
- Hours are claimed for the NEDP orientation. Enter a 1 (one) for attendance in the week when the orientation occurs; the 1 (one) will automatically reflect 6 contact hours in ASISTS.
- Hours may be claimed for weekly Face-to-Face Generalized Assessment sessions. Enter a 1 (one) for attendance in the week when the meeting occurs; the 1 (one) will automatically reflect 6 contact hours in ASISTS. This should happen only once.
- When the NEDP program staff have completed a review of a student's work in each of eight competency categories and it is determined that the student has successfully mastered the competencies associated with each category, the program will claim ten

(10) contact hours for that completed category. These ten hours will be recorded in a traditionally coded class in ASISTS. When a student has mastered the competencies associated with all eight (8) categories, the program will have earned a total of eighty (80) contact hours.

Eight Competency Categories\*

1. Cultural Literacy
2. Health Literacy
3. Civic literacy and Community Participation
4. Geography and History
5. Consumer Awareness
6. Financial Literacy
7. Science
8. 21<sup>st</sup> Century Workplace

- 6 (six) hours per week are claimed for continued Face-to-Face Assessment if the Portfolio Reviewer has determined that all competencies are not demonstrated at 100 percent mastery. Enter a 1 (one) in ASISTS. Process continues until the second and Final Portfolio Review is conducted.
- Students enrolled in the NEDP can receive a maximum of 6 (six) hours per week for tutoring. These hours are recorded in ASISTS and coded as a traditional class. Tutoring instruction cannot be provided by NEDP staff who serve as the assessor/advisor to the student.

\* For programs interested in the National External Diploma Program (NEDP) contact the NYSED High School Equivalency office of AEPP.

### **303.5- Exceptions**

In specific cases, exceptions have been made in the areas of Distance Learning program design and delivery. Only approved pilots may be offered. Any deviation from the Distance Learning program models must have NYSED approval in writing. Approval must be requested annually. (see Program Managers and Instructors Guide for Distance Learning)

### **304 - WORK EXPERIENCE FORMULA**

Work Experience programs consist of classroom instruction and work experience. A minimum of 50 percent of the time spent each week in a Work Experience program must be in a traditional academic program as described in section 201. The academic and Work Experience components should be treated separately for the purpose of planning and claiming EPE aid. The classroom component should be incorporated into the traditional section of the plan and claimed in the traditional section of the claim form (see Appendix II). The component that takes place on the work site should be planned and reported in the Work Experience sections. A lifetime maximum of 50 weeks total of Work Experience is allowed per student. Classroom instruction generates EPE at the full contact hour rate. Work Experience generates EPE aid at the 50 percent contact hour rate. All agencies wishing to operate a Work Experience program must submit material described in Section 205.

## **305 - EPE REIMBURSEMENT**

### **305.1 - Reimbursement Schedule**

EPE aid is reimbursement for services rendered in the previous period. The first period runs from July 1 through December 31. The second period runs from January 1 through June 30. All contact hours to be reimbursed must be entered into the ASISTS database (except for certain adult CTE hours, approval must be provided by NYSED).

The ASISTS database freezes program data in February and September on a date determined by NYSED annually. A SA 160.1 printed from ASISTS for the first period must be faxed or emailed on a date set by NYSED in February. Within ten business days the original SA160.1 must be signed by the Superintendent or District Superintendent and must be received by the adult education program office. Payments will be paid after April 1 by the State Aid office. In addition, the program must project the number of contact hours for the entire fiscal year through June 30<sup>th</sup>. NYSED then adjusts each program's allocation based on these figures in mid-March.

Beginning March of 2017, NYSED will expect all EPE funded programs to enter into ASISTS all EPE eligible attendance from January and February by March 15. This is an effort on the part of NYSED to re-allocate excess contact hours.

Beginning FY2017-18, NYSED will undertake a second reallocation process to ensure that all EPE funding is spent appropriately. NYSED will identify any EPE funded programs that are "at risk" for possible significant decreases/increases in student attendance. These programs will be notified and will be required to record all attendance for January and February in ASISTS by April 1. NYSED will review these program's data a second reallocation. This new process will enable programs to use re-allocated funding to provide instruction to students prior to the close of the fiscal year. Big 5 School Districts (New York City, Yonkers, Syracuse, Rochester, Buffalo) will automatically be included in this second reallocation process.

A SA 160.2 claim form for the second period must be faxed or emailed by a date in September set by NYSED. Within ten business days an original SA160.1 must be signed by the Superintendent or District Superintendent and must be received by the adult education program office. The second claim will be paid after October 1 by the State Aid office. Claims received after the due dates may not be reimbursed.

### **305.2 - State Budget Allocation**

Of the total statewide allocation of EPE funds, only 25 percent is paid on first period claims. Agencies applying for reimbursement for first period EPE claims will only receive a prorated portion of the available funding. After the second period claim is

filed and processed, two payments will be made, one for the balance of the first period claim and one for the entire second period claim.

### 305.3 - Reimbursement Method

Forms SA160.1 and SA160.2 are used to claim EPE aid for the first and second periods respectively (see Appendix II for copies of the form and instructions). These forms require contact hours generated by students without a high school diploma or the equivalent (Part I) to be reported separately from those generated by students with a high school diploma or equivalent (Part II).

- **Form SA160.1** - requests information on contact hours and enrollment in each approved component, for the period July 1 through December 31. Information is also requested on the **projected** amount of EPE contact hours to be generated **for the entire year**. It is important for programs to accurately project for the total number of contact hours they anticipate generating for the entire year. These projections are used by NYSED to reallocate available contact hours to programs that anticipate exceeding their originally allocated contact hours.
- **Both the SA160.1 and SA160.2** claim forms are generated out of the ASISTS data system. All allowable EPE contact hours will be captured on these forms. If the final amount calculated out of ASISTS does not match the program's expectation for EPE generation, programs should seek assistance from their technical support staff at ASISTS.
- When additions are made to the first reporting period, if entered after the February 15<sup>th</sup> deadline, allowable hours will be added to the SA160.2 in the amendment column. (See example below)

	Components	Claim Form 1/1/2010 - 6/30/2010		Amendments 7/1/2009 - 12/31/2009		Net Claim 1/1/2010 through 6/30/2010 +/- Amendments	
		Contact Hrs	Enrollment	Contact Hrs	Enrollment	Contact Hrs	Enrollment
Line 1	Traditional Adult Education	52.00		507.00	0.00	559.00	7.00
Line 6	TOTAL	52.00	7	507.00	0.00	559.00	7.00

- All additions to the first reporting period made after the February deadline must be explained in the EPE Amendment Log located in ASISTS (see screen shot below for location of the EPE log)



The image shows a navigation menu for the ASI system. The menu items are: Home, Program Information, Student Information, Instructional Activity, and Management Reports. A dropdown menu is open under 'Program Information', showing options: Agency Information, Personnel Information, Staff Development, and Edit EPE Amend Log. The 'Edit EPE Amend Log' option is circled in red. Below the menu is a form titled 'Add EPE Log' with a 'New Amendment' section. The form contains the following fields:

Date of Amendment	<input type="text"/>
Staff Making Change	<input type="text"/>
Category Changed	<input type="text" value="v"/>
Nature of Change	<input type="text"/>
Reason for Change	<input type="text"/>
Line Affected on Claim Form	<input type="text" value="v"/>
Expected Change in Hours	<input type="text"/>

At the bottom right of the form are buttons for 'Insert', 'Cancel', and 'Close'.

### 305.4 Claims in Excess of Allocation

Often an agency will have a higher level of enrollments or greater attendance than was allocated and will generate more EPE aid than was approved in the annual application or approved through the SA160.1 interim report. In these instances, agencies are encouraged to submit the claim for the total amount of EPE aid generated. Should EPE funds remain after all claims are processed in a fiscal year, these funds will be used to reimburse agencies that have exceeded their EPE aid allocation. There is no guarantee that contact hours in excess of the initial or revised allocation will be reimbursed.

### 305.5 Revenues and Expenditures

EPE law does not allow agencies to receive more revenue in a fiscal year than they expend. Should this occur, NYSED is required to reduce the following year's EPE aid. After the payment of the final claim, NYSED State Aid office sends out a Final Expenditure Report for Employment Preparation Education Programs for the prior year. Upon receipt of the information, revenues are compared against expenditures. If the revenues exceed the expenditures, an overpayment will be generated. The superintendent or district superintendent will be notified of the overpayment and allowed a period of time to contest the calculation. If a response is not received within the allotted timeframe, the overpayment will be deducted from the second claim of the following year. An agency may arrange to reimburse NYSED directly rather than have the overpayment deducted from the next period claim.

### **305.6 Use of ASISTS to Generate EPE Claims**

ASISTS must be used to calculate the amount of EPE aid that can be claimed. Agencies may, however, claim less than the contact hours calculated by ASISTS for reasons such as not having enough expenditures to match revenues.

## **306 - ADDITIONAL ISSUES CONCERNING EPE AID CALCULATION**

### **306.1 - Collaboration with Volunteer Tutor Organizations**

In no instance can a volunteer tutor generate EPE aid. A volunteer tutor is defined as someone who is providing instruction but receives no compensation. In a traditional setting, a volunteer tutor can work with an adult student in the classroom while a certified teacher is in the same room and overseeing the lesson. In a Distance Learning setting, a volunteer tutor can work with adult students while they are completing their packets of instruction. In both cases, it is the certified teacher working with the student that generates EPE aid. No additional EPE aid is generated by the use of volunteer tutors. The traditional or Distance Learning programs must be approved and should stand alone with or without the involvement of the tutor (i.e. the program is not dependent on the involvement of the tutor for instruction.) No special approval is required to use volunteer tutors as part of an approved traditional or Distance Learning program.

### **306.2 - In-Person Tutoring**

If the instructor does provide in-person tutoring during the hours allotted for an approved Distance Learning program, no additional EPE may be claimed. Only three hours of tutoring is allowed in a week. Appropriate documentation of attendance is required (Section 410).

### **306.3 - HSE Testing**

HSE testing cannot generate EPE aid. If NYSED determines that there is a severe shortage of public HSE testing in a region of the state, then NYSED may grant an annual waiver to an EPE provider who is both

- a) a public testing center, AND
- b) operates an adult HSE preparation program.

Such waiver will allow the EPE provider to generate EPE hours on eligible HSE preparation students referred from their own preparation program, public testers, or HSE preparation students referred from other preparation programs in their local proximity. The limit for generation of EPE hours is .3 of 1.0 percent (.3 percent) of the EPE providers' prior years' EPE allocation (to calculate maximum HSE reimbursement, take .003 times the program's EPE contact hour allocation). Such waiver will also allow the EPE provider to claim EPE expenses for HSE test administration. Both this policy and any approved waivers will be reviewed by NYSED annually. If the TASC Readiness Assessment is administered during the traditional classroom instruction, EPE can be generated.

NOTE: The limit for generation of EPE hours is .3 of 1.0 percent (.3 percent) of the EPE providers' prior years' EPE allocation. An example: EPE contact hours = 1,000 the waiver would allow up to  $10,000 \times .003 = 30$  contact hours meet the criteria for this waiver.

## **SECTION 400 EPE PROGRAM REQUIREMENTS**

### **401 - GENERAL REQUIREMENTS**

Employment Preparation Education programs, other than high school courses, must meet the following general requirements:

- All curricula must follow NYSED established frameworks. This means that curricula should be consistent with the College and Career Readiness Standards and targeted towards the achievement of National Reporting System goals. Curricula should be maintained on site.
- Instruction will be individually prescribed and paced in each class.
- The following program requirements pertain to all English speaking students:
  - All will be given assessment tests in reading and mathematics to determine their approximate skill level.
  - Those who are deficient in basic skills will be provided instruction in reading, mathematics, and written communication.
  - All will be given standardized achievement tests which report scores in Grade Level Equivalents and which have forms for re-testing at required intervals, or other such instruments approved by the Commissioner of Education.
  - Agencies are required to have a policy for students suspected of having a learning disability and all new staff must attend the Learning to Achieve professional development offered through the Regional Adult Education Network (RAEN).

- Individual student folders will be easily accessible to students and teachers, and will include information concerning attendance, testing and program needs. A student's file, however, may be in more than one location depending on the location of the service received. This file consisting of all of a student's records must be accessible for review and verification. The mandatory elements of a student's file include:
  - Individual Student Record Form (ISRF) issued annually by NYSED
  - Assessment score sheets (for all pre and post-tests)
    - BEST 2.0 score sheet or electronic report (individual by student)
    - BEST Literacy scoring booklet
    - TABE test score sheet
    - TASC Readiness Assessment score sheet (if applicable)
  - Americans with Disabilities Act declaration
    - Original signature from student
  - Education and Employment Plan (EEP)
    - Customized to student's entry literacy levels and goal selection
    - Updated at least quarterly
- To protect student privacy, all personal information, including data found on the Individual Student Record Form (ISRF) must be kept in a secure location and not available to the public.
- Agencies must request a waiver annually from NYSED as referenced in Appendix III.
- At least 150 hours of instruction per year will be made available to individual students. This means that students in ABE, HSE or English Language Acquisition (ELA) classes must have at least 150 hours of instruction available to them in a school year.
- Education and Employment Plans (EEP) must be developed for individual students to address educational, employment or personal goals. This means that all EPE students must be assessed according to the guidelines found in the NRS manual on the AEPP website.
- Each staff member (professional, clerical, and data) serving in the Employment Preparation Education program will complete a minimum of twelve hours of professional development provided through NYSED's RAEN system. This applies to individuals employed both full and part-time for the entire academic year.
- New teachers and administrators must attend programs offered by the RAEN specifically designed for working with the adult population.
- All students in academic programs must receive a pretest within the first 12 hours and must be post-tested.
  - Students must be pre and post-tested on the TABE 9 – 10 series for ABE students and the BEST 2.0 (or subsequently BEST Literacy – see NYSED assessment policy) for ESL students.
- All students will be post-tested at intervals necessary to determine status and progress. The following intervals are recommended:
  - Students in a class that meets for six to nine hours or less per week should be post- tested between 40 and 60 instructional hours;
  - Students in a class that meets ten or more hours per week should be post-tested between 60 and 80 instructional hours;
  - Students in a volunteer tutorial program should be post-tested at least

every 30 instructional hours.

In no instance can EPE aid be claimed for students in academic programs who are not pre-tested before 35 hours or are not post-tested before 300 hours after the pre-test.

ASISTS will automatically deduct these hours from the total number of hours that can be claimed.

- Programs will submit required data to the State Education Department consistent with the National Reporting System (NRS) for adult education. All programs must use ASISTS for this purpose.

## **402 - OTHER REQUIREMENTS**

### **402.1 - High School Equivalency (HSE) Preparation Students**

In addition to the general requirements, the following program requirements pertain to all HSE preparation students:

- HSE preparation students will not begin instruction specifically designed to prepare them for the HSE test unless they have scored at the 9.0 level or higher on the TABE test.
- Beginning July 1, 2017, students will only be referred to the HSE test if they have a score from the TASC Readiness Assessment recorded in ASISTS.

### **402.2 - Facility Requirements**

Because EPE programs are designed to meet community needs, EPE programs may be offered in a number of different kinds of facilities. This includes locations such as churches, synagogues, libraries, community based organizations, civic centers, etc. It is necessary that the program be a part of the Comprehensive Plan of a BOCES or school district and that the teachers are only employed by that agency and certified for the purposed of generating EPE (Section 406). Four conditions apply to facilities used for instruction supported by EPE aid:

- The facility will be covered by fire and liability insurance.
- It will meet all applicable State or local fire and safety standards.
- It will have heating, lighting, and ventilation that are conducive to learning.
- The facility will be accessible to students with disabilities.

### **402.3 - General Requirements for Distance Learning Programs**

While Distance Learning programs provide the flexibility for students to participate who may not otherwise be able to, the administration of these programs requires scrupulous record- keeping. The EPE manual is not intended to provide all of the information needed to operate any of these programs. Information regarding these programs is available through the RAEN and in the Program Managers Instructional Guide. There are several requirements that all Distance Learning programs must adhere to:

- All teachers must be certified and have specific and appropriate training available through the RAEN (Section 406). For continuity and to maintain a consistent level of quality, it is recommended that program administrators also participate in Distance Learning training.
- All Distance Learning programs must have the following components: an intake process, the development of an Education and Employment Plan (EEP), and a procedure for reviewing the student work and progress.
- A student roster must be maintained containing the names of all enrollees.
- Student logs must be kept indicating the hours that students worked at home for each packet/subject area/pre-recorded episode.
- The instructor must maintain a record of all assignments completed by all students on the roster.
- The teacher must keep detailed records of hours of instruction provided (i.e. reviewing, correcting, or handling student materials, planning, etc.) and other activities as well as a record of all student packets reviewed.
- All testing must be done in person, this pertains to BOTH pre and post testing.

#### **402.4 - General Requirements for Work Experience Programs**

The following requirements apply to all Work Experience programs:

- The total of classroom hours plus the hours of Work Experience must be no more than 20 hours per week. Programs offering between 21 and 40 hours per week of combined classroom and work activities must request annually a waiver (Section 416). Total program hours cannot exceed 40 hours per week.
- All students must have an EEP developed and in their folders (Section 206.1).
- Classroom instruction must be at least 30 percent of the total program hours.
- Classroom instruction must be traditional academic programs (Section 201), however, to provide the student with employment readiness, up to half of the classroom hours can be devoted to job club activities such as resume construction, job seeking skills (interview and employment soft skills).
- All Work Experience components must be coordinated, supervised or directed by an individual who meets state and local requirements for teacher certification. This individual must visit the site at a minimum of one time per week.
- The student must be supervised while on the work site by an appropriate individual (employee, manager, owner, etc.) who will monitor the student's progress towards specific skills and goals, and will be responsible for recording the student's daily attendance.
- Student folders must be kept documenting Work Experience attendance and related information such as work site visits and student progress.
- A system must be in place to track job placements resulting from the Work Experience program.
- All contact hours must be documented including individual student names,

- dates and hours generated.
- All programs must be approved (Section 403.1).
- At the end of the Work Experience program, all students should have attained the employment/program goals stated in the material submitted for approval.
- Participation in Work Experience programs has a lifetime enrollment limit of 50 weeks per student.

### 403 - COMPREHENSIVE PLAN OF SERVICE

Every school district and BOCES seeking to operate an EPE program must submit to the Education Department's Adult Education Programs and Policy (AEPP) Team a comprehensive plan of service that includes information regarding major programs that will be offered and information regarding program effectiveness. Specifically, the comprehensive plan includes:

- **Cover Sheet** with an original signature of the Superintendent or the Chief Administrative Officer;
- **Program Component Worksheets** with projected enrollment and contact hours for each program component for which the agency is seeking approval and projected outcomes for the Work Experience component;
- **EPE Program Component Summary Sheet** which provides the total number of projected students and contact hours for each component (reentered from the individual Program Component Worksheets), the projected EPE aid to be generated, and projected expenditures for the year;
- **Statement of Assurances** signed by the Superintendent or the Chief Administrative Officer certifying that the agency will meet all EPE program requirements, and
- **Other information** that may be required based on new or emerging NYSED priorities or requirements.

#### 403.1 - EPE Comprehensive Plan of Service Approval Process

In approving the comprehensive plan of service, NYSED staff evaluate the following:

- The effectiveness of the proposed program components based on past program data using the National Reporting System performance measures as compared to NYS benchmarks.
- The likelihood that CTE programs achieve employment outcomes for adults (this review does not constitute approval of curricula);
- The support for educational initiatives and priorities identified by the Department;
- Geographic accessibility of programs and lack of duplication in any region (Geographic Range Policy Section 416); and
- The assurance that program expenditures will meet or exceed the

projected revenues from all sources.

Based on this review, approval will be granted to agencies to claim a total number of contact hours for the program year in the approved program component areas. This approval sets a cap on the total amount of EPE aid that can be claimed so that the statewide limit will not be exceeded. Agencies may be requested to provide clarification or additional information before receiving a formal approval letter for all program components contained within their application.

#### **403.2 - First Time Applicants**

A school district or BOCES applying for EPE aid for the first time must submit a complete application and the following in narrative form:

- A summary of the agency's overall adult education program within the district (not including community education)
- An evaluation plan for determining the effectiveness of all program components
- A professional development plan including coordination with the RAENs
- A description of student intake, assessment and evaluation procedures
- A description of the plan to coordinate programming regionally to assure maximum effectiveness and to avoid duplication of services
- Support for educational initiatives identified annually by the NYSED AEPP Team (see current application)
- Signed Statement of General Assurances demonstrating compliance with required program and fiscal reporting

The following must be submitted as appropriate:

- Copies of locally developed curriculum for Career & Technical Education courses
- A list of teachers who have completed Distance Learning training
- A narrative describing the agency's Work Experience component.

#### **403.3 - Amending the Comprehensive Plan of Service**

Only those programs which have received approval of their comprehensive plan of service are eligible to generate EPE. Should an agency decide to offer programs in addition to those initially approved, an amended comprehensive plan may be submitted at any time. NYSED regional staff should be contacted prior to submitting the revised plan (see current application for list of regional staff). New programs are subject to the same approval process as the initial plan submission.

#### **403.4 - Approval for Increased EPE Aid**

Increases in EPE allocations are made by NYSED AEPP so that final claims do not exceed available funds. For this reason, EPE funds are reallocated at the time the interim report is submitted as part of the first period claim (see Appendix II). At that time, funds that become available because agencies are not meeting their EPE



generation targets are reallocated to agencies that are exceeding their projections. Under special circumstances, agencies may apply for approval to receive additional funding. This generally involves some unanticipated circumstance that creates an increased demand for EPE programs at some point in the program year. Examples of this might include: the influx of a new population needing services; the closing of an existing program providing services in the vicinity of the applicant; the opening of a new business in the area that requires preparation of local residents prior to hiring; etc. Agencies are not guaranteed approval of their request and should only proceed after they have received written approval from NYSED.

## **404 – EXPENDITURES**

### **404.1 - EPE Generation versus Expenditures**

There is a difference between the activities and program components that generate EPE aid and activities and program components for which EPE may be expended. Part 168.4 of Commissioner's Regulations defines allowable expenditures for EPE State aid as follows:

"Employment Preparation Education program funds may be spent only for personal services, employee benefits, equipment, supplies and materials, contractual services, travel expenses, professional development and training, and other such expenditures approved by the Commissioner. Such expenditures shall be made only for Employment Preparation Education Program purposes."

### **404.2 - EPE Program Definition**

Under part 168.2 of Commissioner's Regulations, Employment Preparation Education Programs are defined as:

"Programs leading to a secondary credential for individuals who are at least 21 years of age and who have not received a high school diploma or high school equivalency diploma. Such programs may include, but are not limited to: day or evening programs which provide instruction in basic education, life skills, High School Equivalency examination preparation, English as a second language, and regular credit-bearing high school courses."

In many instances, EPE State aid alone cannot support the full cost of such programming. Programs are encouraged to integrate multiple funding sources to support comprehensive adult education programs. To the extent that such funds are integrated at the local level and can be clearly shown to serve one or more EPE eligible adults in approved programs, these programs shall be considered, for purposes of EPE expenditures to be the "EPE program". This means that the activities, salaries and program components for which EPE aid is expended (may include items such as non-instructional services, etc.) do not have to be identical to those that generate EPE aid as long as:

- Expenditures are made for adult education programs provided by the district or BOCES that lead to a high school diploma or High School Equivalency diploma or other approved programs as defined in the Commissioner's Regulations, and
- EPE-eligible adults are served in such programs. In classes in which non-eligible and eligible students are mixed, EPE expenditures must be prorated to reflect the proportional contact hours of instruction provided to adult education students (Section 404.6).

#### **404.3 - Additional Expenditure Requirements**

In addition, the following applies to the use of EPE aid:

- Monies generated have to be spent in the current fiscal year. They cannot be applied to the next year or saved for future investments or transferred to another account. Generally, expenditure is incurred upon delivery of the merchandise or service. Encumbrances for undelivered goods or services do not qualify as expenditures.
- Aid received cannot exceed an amount which exceeds the total cost of the EPE program.

#### **404.4 - Expenditures/Revenues Compared**

After the EPE Claim Form SA160.2 is submitted annually each year, a comparison is made by the NYS Education Department's State Aid office of revenues and expenditures in the previous fiscal year (see Appendix II). If revenues exceed expenditures, the agency must reimburse NYSED for the difference. In most cases, this amount is deducted from the second period claim in the subsequent year; as the second payment is usually the larger and cash flow will be affected less. A notification of this overpayment is sent out from the State Aid office after the reconciliation is made. It is possible for the agency to pay back the overage directly. Information regarding this will be received with the notification.

#### **404.5- Prorating Expenditures**

One of the most important bookkeeping procedures is prorating EPE expenditures. Since EPE funds can only be spent on the EPE program, it is essential that this can be demonstrated.

The most common instances where prorating is needed are:

- Equipment or materials are shared by an adult education program and a K-12 program, typically computers or non-consumables.
- A program is comprised of both EPE eligible and non-EPE eligible students.

The preferable way to prorate expenditures is to calculate the percentage

of contact hours for non-EPE eligible students in the program and apply funding sources other than EPE to that percentage of each cost category. For example, if in a given program 50 percent of the students are under the age of 21, 50 percent of the teacher's salary, supplies and materials, utility costs, rent, computer costs etc., should be paid from a non-EPE source such as the Welfare Education Program (WEP) or Workforce Investment Opportunities Act (WIOA) Title II funds. It is not necessary to prorate each cost in each class to reflect the percentage of EPE eligible and non-eligible students in that class. For example, in a program consisting of several classes, EPE may be expended on non-eligible students in a particular class as long as funds other than EPE are expended in another part of the program on expenses that legitimately could have been charged to EPE.

It is also acceptable to prorate based on the entire cost of the program. The entire cost of the program must be calculated and, in the example above, 50 percent of the total cost would be paid by EPE funds. For example, if the entire cost of the program was \$100,000, and 50 percent of the students were EPE-eligible, the agency may wish to pay \$50,000 in teacher salaries from EPE and the balance of costs from other sources. In this method it is essential that the calculation includes all program costs. Receipts or salary records must be available to demonstrate the cost. A reasonable formula must be used to calculate the portion of the entire cost that can be attributed to EPE students. This is done by comparing total contact hours or hours of use (in the case of equipment) and the portion of contact hours or use by EPE eligible students. Where expenditures are prorated between EPE eligible and non-eligible students, it will be necessary to record contact hours for both groups of students.

Prorating may also be necessary when other funding sources are blended to support a class. Sources such as FTE, WIOA Titles I and II, and tuition are often used to support students in EPE programs. The same prorating formula is used to ensure that EPE funds do not supplant the other funding sources. Prorating is also necessary for administrative costs. In programs where staff perform administrative tasks for both EPE and non-EPE programming, the cost of support staff time, supplies and materials, etc. charged to EPE must be documented and prorated to the percentage of time spent specifically on EPE program related tasks or activities.

#### **404.6 - Serving Non-eligible Students**

Frequently, agencies encounter students that are not eligible to generate EPE aid but are in need of educational services. Funding for this population is limited, so these students are often enrolled in an existing adult education class supported by EPE aid. The number of students that are in this category should be kept to a minimum and may not exceed ten percent of the enrollment in the EPE-funded class.

#### **404.7 - Expenditures by Program Area**

If a school district or BOCES offers several program areas (i.e., traditional, Distance Learning, high school credit, Work Experience and Career and Technical Education), the ratio of revenue generated versus costs incurred will vary. Some areas may generate revenues in excess of the cost of the program while others may generate less than the cost. In general, EPE funds generated by one program area should be used to support that area. When these costs have been met, the balance may be reallocated to other EPE program areas.

## **405 - SPECIFIC ALLOWABLE EXPENDITURES**

### **405.1 - Equipment Expenditures**

All equipment, including computer equipment and software, purchased with EPE funds must be used to support EPE programs provided by the district or BOCES. Computer equipment purchased with EPE funds that is not made available to EPE-eligible students or held in storage is not an allowable expenditure. Any license fees for computers not in use, software license fees or software package costs that are in excess of current adult education program needs are also not allowable expenditures. In all cases, school districts and BOCES must be able to document that expenditures are related to the EPE program (i.e., available to and being used by EPE-eligible students as part of the adult education program leading to a diploma or the equivalent). A detailed and updated inventory of all equipment and software purchased with EPE funds should be maintained on file at the local level.

### **405.2 - Indirect Cost**

According to the NYSED's **Fiscal Guidelines for Federal and State Aided Grants**, (<http://www.oms.nysed.gov/cafe/guidance/guidelines.html>) indirect costs can be broadly defined as central administrative costs and certain other costs associated with the organization that are incurred in connection with a project but that cannot be disaggregated (e.g., payroll preparation, central purchasing). An indirect cost rate may be established that, when applied to the direct cost of EPE program, generates an amount to be used in support of such central administration costs.

Indirect costs for EPE must be claimed through the use of the Department's restricted indirect cost rate. The direct cost base to establish the restricted indirect cost is calculated the same for EPE as for an FS10 budget. Indirect cost rates for school districts are computed annually by the Department on the basis of data contained in each district's Annual Financial Report, and range from one to seven percent. Only these rates, which are computed by the Department, may be used to determine EPE eligible indirect cost expenditures by school districts and BOCES. These rates indicate the maximum allowable indirect costs. Schools may opt to claim less indirect costs, allowing more money to be used for other budget categories.

### **405.3 - Interest on Loans**

The interest on loans that are taken out to cover EPE cash flow needs is not an allowable EPE expenditure. This is consistent with the requirements for all adult education funding administered by NYSED.

#### **405.4 - Professional Development**

All professional development activities should be consistent with the NYSED's plan to improve instruction. Professional development received from the RAEN is at no cost to programs receiving EPE state aid. EPE funds may be used to support the cost of professional development for teachers and administrators of EPE programs approved/required by NYSED. Detailed records should be maintained regarding all expenditures including training content, travel, lodging, meals, fees, etc. While it is required that teachers receive a minimum of twelve hours of professional development from the RAEN each year, agencies are encouraged to provide more. This includes both part and full time staff (professional, clerical, and data).

#### **405.5 - HSE Test Administration**

EPE funds may not be used to support the administration of the HSE test. Assessment for test readiness is an allowable expenditure unless the program has been given an approved waiver. Administration of the TASC Readiness Assessment in the course of regular classroom instruction is an allowable expense.

#### **405.6 - Child Care**

EPE providers are encouraged to seek other sources for child care for the time when parents are attending EPE programming. Child care for the children of EPE eligible students is an allowable expense only in very specific circumstances and with prior approval by NYSED. Records must be kept documenting that the children in care are the children of EPE eligible students while they are attending class. If the children of EPE eligible students make up only a portion of the total children in child care, than EPE funds can be used only to support the prorated share of the total cost.

#### **405.7- Food and Incidentals**

EPE providers must seek other funds for food, beverages, and incentives such as gift cards. EPE funds may be used to pay for the cost of certificates of achievement and/or promotional brochures such as HSE graduation ceremonies.

#### **405.8– Marketing**

The costs of brochures, fliers, mailings, and radio and television ads are allowable expenses for the promotion of the EPE program, to recruit EPE eligible students, and to be used at community outreach activities.

#### **405.9- Community Education**

EPE funds cannot be used to support the cost of community education programs. Community education programs are those that are not designed to lead to employment or a high school diploma or equivalent or are not approved by the Commissioner as part of the comprehensive plan of service. This includes any of the related costs of community education such as administration, utilities, rent, etc. Community education programs are defined as avocational subjects which involve instruction in recreational or leisure-time activities and which are not offered to: prepare students for a diploma or a high-school equivalency diploma; assist students to read, write or understand English Language Acquisition; or provide entry-level occupational training.

#### **405.10– Transportation**

EPE providers are must seek other funds for transportation such as the local Department of Social Services. EPE funds may be used to pay reasonable costs for student transportation. This may include tokens, the cost of a van or bus, or cab fare.

#### **405.11- Support Services**

While case management that is not related to intake, assessment and the preparation of an individual employment or education plan does not generate EPE aid, it is an allowable EPE expense. This includes case management to assist the student in making the transition to work. Case manager time spent with EPE students must be clearly documented in ASISTS.

#### **405.12- General Program Costs**

A general program cost directly attributable to an EPE program that is not precluded in this document can be an acceptable EPE program expenditure. This includes the cost of building maintenance, cleaning supplies, telephone use, capital improvement and repair, paving, utilities, building lease, security costs, etc. Depreciation should not be considered a program cost. All of these expenses must be documented as for the EPE program only or prorated with adequate documentation.

#### **405.13- Audit Exceptions**

Payments made to the Education Department based on audit disallowances of EPE contact hours or EPE expenditures are not acceptable EPE expenditures.

### **406 - TEACHER REQUIREMENTS**

EPE aid can only be generated by a certified teacher (Adult Education certified or K-12 certified). Teachers who hold a valid provisional, permanent, initial or professional New York State teacher certificate in any subject/grade/title are able to generate EPE aid in any EPE program area. All other EPE program teachers must have appropriate adult education

certification <http://www.acces.nysed.gov/aepp/adult-education-teacher-certification> For EPE generation purposes, agencies that are able to document that teachers have applied for an adult education certificate and are pending approval will be able to claim EPE aid for instruction provided by that teacher.

#### **407 - Adult Education Instructor Certification Titles**

The following titles have been developed which distinguish adult education instruction from other pre-kindergarten, kindergarten and grades one through twelve instructional certificate titles and are designed primarily for purposes of generating EPE funds:

- **Adult Education Instructor/Literacy and HSE Preparation Instructor**- This title applies to teachers in the following areas: ABE, HSE test preparation; family literacy; NEDP; GRASP.
- **Adult Education Instructor/English Language Acquisition Instructor**- This title applies to teachers in English Language Acquisition programs, both traditional and Distance Learning.
- **Adult Education Instructor/Assessment** - This title applies to staff that provide intake assessment, evaluation, and the preparation of education and employment plans.
- **Adult Education Career and Technical Education (CTE) Instructor** - This title refers to teachers of short-term vocational training in non-certified occupational areas. It also can be used in certified occupational areas in cases where the teacher does not have appropriate secondary certification.
- **Adult Education Instructor/Work Experience Instructor**- This title applies to teachers conducting EPE-funded Work Experience programs. Individuals teaching in more than one of these areas need only be certified in their primary area of adult education instruction or have provisional, permanent, initial, or professional New York State teacher certification.

Teachers of EPE instruction in continuing education programs holding valid adult education certificates with equivalent or similar titles to those noted above need not apply for a newly titled certificate. Upon expiration of such certificates and at the time of their renewal, applicants should request adult education certification using the titles noted above.

#### **408 - Certification Renewals**

Teachers holding a valid provisional, permanent, initial or professional New York State teachers certificate need not apply for renewal or for adult education certification. All other teachers that hold certificates as an Adult Education Instructor must apply every three years for renewal. When a teacher gains employment in a different district before the certificate expires, it is not necessary to have a new application signed by the new superintendent until the previous certificate expires.

Application must be done on-line at <http://www.highered.nysed.gov/tcert/teach/login.html>.

##### **408.1 - Teachers of Distance Learning Programs**

In addition to certification, teachers of Distance Learning programs must have specific and appropriate training for the Distance Learning program to generate EPE. This training is available through each of the seven RAEN offices.

Agencies wishing to offer Distance Learning programs for the first time may be approved provisionally as part of their comprehensive plan. These new programs may not generate EPE aid until a teacher has received the NYSED approved Distance Learning training. If a teacher leaves an agency that has been offering Distance Learning, the agency may still offer the Distance Learning program providing the new teacher was trained by the previous teacher and that the new teacher is enrolled in the next training session available through the RAEN. This is done to allow continuity of a program since Distance Learning training is not always immediately available. In no case will training by a previous teacher substitute for the NYSED approved training beyond this single exception. Permission to offer the program pending training will be considered on a case by case basis.

## **409 - PROGRAM APPROVAL**

### **409.1 – Career and Technical Education (CTE) Programs**

To be approved for EPE funding, Career and Technical Education courses must be at least 100 hours long and provide sufficient training to enable the completer to obtain employment in the field. Agencies wishing to have CTE courses approved to generate EPE funding must submit the following:

- course title
- course hours
- an annual waiver request if the course is less than 100 hours
- a complete curriculum including enough detail to ensure that the course is not avocational and provides sufficient training to enable students to obtain employment
- a description of all program components
- hours in each component or module
- description of hands-on or clinical components
- text and other materials used
- assessment methodologies including tests of basic skills, pre and post-tests, and tests of occupational skills attainment
- need in the local labor market for persons trained in this field preferably citing labor market information, and
- if a pre-existing program, evidence that course completers have been successful in obtaining employment

Until the specific course is approved in writing and the teacher has appropriate certification, EPE cannot be generated. Approval is not necessary in subsequent years provided none of the elements of the course is changed including the title and the number of hours.

Additional approval is needed if there is any change in the program. Evidence of



course approval should be kept on file for audit purposes. Programs that are identical to credit bearing secondary CTE courses are automatically approved to generate EPE.

#### **409.2 - Work Experience Programs**

For approval of a Work Experience programs, the following must be submitted:

- a curriculum which includes the traditional courses the student will take (agencies must be approved for all traditional components that are part of the Work Experience program). This includes a description of job club activities if offered.
- a description of the work site experience
- a description of the supervision process
- a description of the record keeping process
- the hours of each program component
- a plan to collect evidence that program completers have obtained a job, have gained job competencies or met specified goals

In subsequent years, approval is not needed as long as the program elements have not changed from the original approved model.

#### **409.3 - Distance Learning Programs**

All Distance Learning programs must be approved by NYSED in a program's EPE annual application.

Agencies wishing to be approved to offer a Distance Learning program not listed in the Program Managers and Instructors Guide for Distance Learning must submit a detailed proposal to the appropriate regional adult education staff person and the AEPP Distance Learning Coordinator. The pilot proposal will be reviewed by NYSED. The pilot proposal should include the following information:

- name
- purpose
- population and size of program
- curriculum
- materials
- teacher preparation/role
- course structure
- documentation
- a plan to evaluate program outcomes
- projected number of students, and
- the process for identifying active students
- if in-person tutoring is offered, describe how it will be offered outside the Distance Learning instructional hours claimed.

If commercially developed materials are used, provide a description of how effectiveness will be demonstrated and how the materials will be adapted for adult students. Pilot programs may be approved for a maximum of three years pending an annual review of the program evaluation. If the evaluation indicates that the program is effective, it may be approved on a permanent basis. For more information, refer to the Program Manager and Instructor Guide for Distance Learning.

#### **409.4 Traditional Programs**

Agencies may seek approval to offer a traditional program not included in the EPE application. Requests to offer new traditional programs not currently approved should be made well in advance of the program year in which the agency wishes to offer the program; the submission request to offer a new traditional program should not be submitted as part of the annual EPE application process. Agencies may be approved on a permanent or pilot basis. Programs approved on a pilot basis will be annually evaluated on the students' success to achieve goals consistent with the NRS core measures at which time they may be approved permanently. Agencies must submit the following detailed information regarding the proposed program:

- curriculum
- materials
- teacher certification
- expected outcomes consistent with NRS core measures, and
- projected number of students

### **410 - RECORDS AND DOCUMENTATION**

#### **410.1 – General**

Commissioner's Regulations require that every student served in an EPE program have an individual student folder that is easily accessible to the student and to the teacher. The folder should contain information concerning registration, attendance, testing, and individual program needs. At a minimum, registration information must be dated and include the student's name, class attendance including dates and times, the student's date of birth, and the student's diploma status. The EPE amendment of 1995 requires that each folder must also contain an Education and Employment Plan (EEP). The EEP should specify the school year covered.

Attendance records can be kept in a central location but must be clearly identified in the students' folder. Original attendance records, each signed by the respective teacher, should be kept for not less than seven years.

#### **410.2 - Attendance in Classroom Programs**

The EPE program provides reimbursement to agencies based on their own report of reimbursable services rendered to adult students. For this reason, there must be a clear audit trail from the contact hours reported on the SA160.1 and SA160.2 forms to student attendance in the classroom. This applies to all traditional programs as well as high

school credit courses, CTE courses, and the classroom component of the Work Experience program. The requirements for documenting the onsite Work Experience can be found in Section 304. In each of these programs, contact hours must be clearly documented. Any overstated or undocumented contact hours will be questioned upon audit and revenues may be reduced accordingly. The district or BOCES must maintain classroom attendance rosters of all students who attend EPE programs. Documentation must clearly support reported contact hours and compliance with requirements regarding maximum class size (20) and the maximum number of class hours per week (20). All variances (see waivers section below) must be approved annually and in writing by NYSED. These attendance rosters must be signed by the teacher assigned to the class.

### **Attendance Policy**

Because EPE State Aid reimburses the school or BOCES for contact hours of service already provided, it is essential that agencies document student attendance accurately. Attendance must be documented so that every hour of attendance claimed for every student can be verified. Attendance rosters must be certified by the classroom teachers. Documentation must be kept on file for audit purposes. All agencies receiving EPE state aid must have a written attendance policy. In the best interest of each district or BOCES, their internal attendance policy should align with the attendance policy as outlined in this manual and the annual EPE application. This must include the policy on rounding, absenteeism, and enrollment.

Beginning July 1, 2016, all EPE funded programs must begin rounding student contact hours based on a new, standardized half-hour rounding policy. This policy is as follows:

### **Standardized Half-Hour Rounding Policy**

All programs must follow this protocol. The policy is that all rounding for EPE contact hours must be done on a half-hour schedule. This rounding can be up or down depending upon whether the student arrives late or leaves early or both.

The following chart demonstrates examples of how to round up or down as contact hours are entered into attendance documents and then entered into ASISTS. All programs must round their student contact hours based on this policy and enter the hours manually in ASISTS.

In addition, programs are required to maintain documentation of this rounding. The following chart is a sample of how the half hour rounding should be maintained:

<b>Time Class Scheduled</b>	<b>Time Student arrives to class</b>	<b>Round Up or Down</b>	<b># of contact hours to record for attendance roster providing the student remains in class until 12:00 pm</b>
9:00 am – 12:00 pm	9:01 am – 9:14 am	9:00 am	3 hours
	9:15 am – 9:30 am	9:30 am	2.5 hours
	9:31 am – 9:44 am	9:30 am	2.5 hours

	9:45 am – 10:00 am	10:00 am	2 hours
<b>Time Class Scheduled</b>	<b>Time Student leaves class</b>	<b>Round Up or Down</b>	<b># of contact hours to record for attendance roster providing the student entered the class on time at 9:00 am</b>
9:00 am – 12:00 pm	11:00 am 11:14 am	11:00 am	2 hours
	11:15 am – 11:30 am	11:30 am	2.5 hours
	11:31 am – 11:44 am	11:30 am	2.5 hours
	11:45 am – 12:00 pm	12:00 pm	3 hours

Case Management must be a minimum of 15 minutes in order for the program to claim the full 30 minutes per the rounding policy above.

### **Electronic Attendance**

Programs have the option of recording **attendance data electronically** in ASISTS. In addition, should the program wish to record and maintain student attendance records electronically, the following protocols **must be followed**:

- Program provides an Excel electronic attendance spreadsheet to each teacher per class
- Teacher records daily attendance on the Excel spreadsheet, electronically
- Teacher certifies the spreadsheet at the conclusion of each **week** with their electronic signature. An electronic signature is a statement in an email indicating for example, *I certify that this email and its attachments are accurate.*
- When data has been verified by central administration and entered into ASISTS, the electronic Excel spreadsheet is locked with password protection and stored on a server maintained by the adult education program
- Electronic spreadsheets must be saved and stored for a minimum of seven (7) years.

### **Contact Hour/Attendance Data in ASISTS:**

Contact hours must be entered into ASISTS by the end of the following month.  
Example: September contact hours must be entered no later than October 31<sup>st</sup>.

### **Quarterly data in ASISTS**

Programs must enter all other data in ASISTS on a quarterly basis.

Quarter I (7/01-9/30) data entered and reviewed by 10/31;

Quarter II (10/01-12/31) data entered and reviewed by 1/31;

Quarter III (1/01-3/31) data entered and reviewed by 4/30;

Quarter IV (4/01-6/30) data entered and reviewed by 7/31

### **411 - Burden of Proof**

The burden of proof for producing the necessary documentation to ensure accuracy and compliance with the Commissioner's Regulations rests on the provider. To avoid audit

exceptions, agencies must have annual written approval from the AEPP team of any interpretations, annual waivers or informal understandings about how the district or BOCES can generate or use EPE.

## **412 - Attendance Rosters**

Typically, attendance rosters are kept in the classroom where the teacher notes the number of hours of attendance on a daily basis. These attendance rosters need to be retained to support claimed EPE contact hours. The classroom teacher verifies that the attendance is accurate each time the roster is filled out. The original documentation used to create the ASISTS attendance records must be certified (signature) by the teacher and retained for records retention purposes.

The regulations allow for an employee other than a teacher, who is in a position appropriate for the keeping of records, to verify attendance. The person verifying attendance must be in a position to observe student attendance on a daily basis. Since EPE reimbursement is based on each hour of attendance, it is required that attendance be recorded in hour or smaller blocks rather than in blocks of two hours or more. Attendance records should be kept in ink and "white out" is not permitted. Original attendance records should be kept for six years plus the current year for a total of seven years.

## **413 - Unique Student Identifier**

Educational agencies receiving funding to operate adult education programs are encouraged to collect the Social Security numbers for students. Any forms or files that contain student social security numbers must be secured in a locked cabinet. ASISTS automatically assigns a unique student identifier which eliminates problems occurring when more than one student has the same name.

### **413.1 Records Retention**

Programs should refer to Records Retention and Disposition Schedule ED-1 from the New York State Archives available at:

[http://www.archives.nysed.gov/a/records/mr\\_pub\\_ed1.shtml](http://www.archives.nysed.gov/a/records/mr_pub_ed1.shtml) for complete information regarding records retention.

Please note that any record that would be necessary to document the generation of contact hours for audit purposes should be kept for six years plus the current fiscal year for a total of seven years. This includes but is not limited to:

- Attendance rosters (Section 412)
- Demographic information and all other information included in the Individual Student Record Form.
- Evidence of student eligibility
- Evidence of teacher certification
- Evidence of course approval
- Evidence of follow-up goals established
- Evidence that students made gain or achieved established goals

(includes test scores but not actual tests. Also includes evidence of response to survey for follow-up measures.)

- The physical ISRF
- Actual standardized test score sheets (TABE, BEST 2.0, BEST Literacy)

The following can be discarded when the student exits from the program:

- The Education and Employment Plan (EEP)
- All samples of student work

For Distance Learning programs, the primary auditable documents are teacher logs showing the completion of packets and the assignment of new packets. This should have complete detailed information regarding the contents of the packets, the student's work on the packet and information on the new packet prepared. These should be kept for six years plus the current year for a total of seven years.

#### **413.2 - Record Keeping in Distance Learning Program**

Distance Learning programs generate EPE aid based on instructional hours (see Section 303). Four key items that must be documented:

- Active enrollment must be documented. A record must be kept of the receipt, correction, and preparation and sending of required work. The subject matter and specific lessons completed as well as student performance on the assigned work should also be noted. Dates must be maintained indicating when the packet was returned.
- In all Distance Learning programs, ongoing records of work assigned to and completed by the student must be kept. A new teacher should be able to step in, if necessary, and be able to continue the work begun by the previous teacher.
- Unless active enrollment is documented, maximum allowable instructional hours cannot be established.
- Actual hours that a teacher works as part of the instructional process must be documented. The actual hours that the teacher worked on the Distance Learning program must be able to be determined from the records. If a teacher's time involves duties other than teaching the Distance Learning program, the records should show the hours spent on the various duties. The actual hours of work by the teacher generates EPE aid up to the maximum established by the active enrollment.
- Hours of intake and assessment need to be kept in the same detail as traditional classroom programs (Section 206.1) and can be claimed at the traditional rate.
- Hours of tutoring (up to 3 hours per week) need to be kept in the same detail as traditional classroom programs and can be reimbursed at the traditional rate.

In addition, Distance Learning programs require that the student keep a record of the time spent at home on their lessons, but the student's time spent working at home is not considered an auditable activity.

### **413.3 - Record Keeping in Work Experience Programs**

In the traditional component of Work Experience programs, attendance records must be maintained as with any classroom program (Section 410.2). In addition, each student folder must contain records documenting Work Experience attendance, a record of site visits by the supervising teacher, and information regarding student participation and progress.

## **414 - PROFESSIONAL DEVELOPMENT**

Each agency receiving EPE aid must provide all staff (professional, clerical, and data), both full and part time, with a minimum of 12 hours of professional development related to the development and organization of programs for adults. A professional development plan must be submitted with the initial application for EPE funding. The plan must include a description of how professional development will be coordinated with the local RAENs. Any program not meeting the student outcomes established as part of the National Reporting System may be required to subscribe to additional professional development in identified areas to improve student performance.

## **415 – WAIVERS**

### **415.1 - Traditional Program Annual Waivers (see Appendix III)**

Under Part 168 of the Commissioner's Regulations, no class register should have more than 20 students (total students on the class register including both EPE-eligible and non-eligible students) unless a waiver is approved. In general, an average daily attendance of 20 or less should be maintained. Classes should operate at least six but not more than 20 hours per week, unless otherwise approved by the Commissioner of Education. To receive an annual waiver of these requirements, the following information should be submitted in writing to the AEPP Team.

Waivers must be requested annually:

- The **maximum** number of students who will be on the class register or the **maximum** number of hours the class will operate each week. Waivers will not be granted for a class roster to exceed 35 students or for more than 40 hours each week. In cases where a waiver is requested to provide instruction for fewer than six hours per week, the **minimum** number of hours must be identified.
- The annual waiver request should indicate how a high level of quality would be maintained with an increase of students. Innovative approaches to ensuring student success are encouraged (e.g., individualized instruction, team teaching and instructional aides).
- An assurance that student outcomes would not be adversely affected and

strategies for assuring the successful achievement of student outcomes should be described.

- The request must describe plans for generating other resources to support the program so that class size can be reduced.

These waiver requests must be submitted for approval annually.

#### **415.2 - Over-enrollment**

A number of agencies have requested permission to over-enroll (i.e. enroll more than 20 students) in a class during the first two weeks in order to achieve an acceptable average daily attendance. In such instances, written waivers are not required as long as the enrollment does not exceed the established approved number of students on the roster by the beginning of the third week. In all cases, it is the responsibility of agencies to fully document enrollment and attendance of EPE-eligible students. These waiver requests must be submitted for approval annually.

#### **415.3 – Career and Technical Education Course Waivers**

Career and Technical Education courses supported by EPE are required to be at least 100 hours in length and must provide sufficient training so that a student completing the course will have the requisite skills to obtain employment in the field. The minimum 100 hour requirement may be waived only if it can be demonstrated that the course provides sufficient training for entry-level employment in the field and that the program has a satisfactory record of employment for program completers. The request for a waiver should be submitted along with the curriculum for review. This curriculum does not have to be submitted annually but the request for a waiver must be submitted for approval annually.

Under no circumstances should a verbal assurance be considered a valid waiver; all waiver requests must be approved in writing and on an annual basis.

### **416 - GEOGRAPHIC RANGE POLICY**

#### **416.1 - Traditional Programs Operated by BOCES in Component and non-Component School Districts**

BOCES may operate a program physically located in any school district within a component school district boundaries without written permission from the district. If a school district within a BOCES demonstrates to NYSED that the BOCES program is offering duplicative services of the district, then the BOCES will no longer be able to provide services within the boundaries of that school district. A BOCES may operate a program physically located in another BOCES district, or any neighboring school district outside their component school boundary only with an NYSED approved EPE Geographic MOU between the BOCES District Superintendent and the superintendent of the school district in which the program will be located. This MOU will be approved for three years and must be updated annually as part of the BOCES EPE application. The template for the



MOU is found in Appendix IV. If a program choose to terminate this service, a phase out plan must be developed; the plan must be approved by NYSED to ensure that continuous services are provided. Any prior arrangements made for geographic arrangements are null and void.

#### **416.2 - Traditional Programs Operated by a Component School District when the BOCES also operates a Traditional Program**

Both the BOCES and component school district may operate a traditional program unless it can be demonstrated to NYSED that the program is duplicative of services and there is no demand for programming.

#### **416.3 - Traditional Programs operated by School Districts in another District**

If a school district wishes to operate a program physically located within the boundaries of another school district, the school district operating the program must complete an NYSED approved EPE Geographic MOU between the superintendents of the districts. This MOU will be approved for two years and must be updated annually as part of the EPE application of the operating school district. The template for the MOU is in Appendix IV. Programming may be terminated at any time, however a phase out plan must be developed and approved by NYSED to ensure that services are provided.

#### **416.4 - Non New York State Residents**

Students who do not reside in New York State cannot generate EPE aid; only students residing in a school district in New York State can generate this State Aid.

#### **416.5 - Dispute Resolution**

In cases where a BOCES and a school district both wish to operate a traditional program physically located in the school district within the BOCES supervisory district, the school district may indicate the program is not needed and may be adversely affecting their program. In this case, the complaint should be brought to the attention of NYSED. NYSED will review the substance of the complaint. Under the authority given to the NYSED by Education Law section 3602(f), the issue will be reviewed and, taking into consideration program performance, the comprehensive plans of service of both agencies will be evaluated to determine if one or both agencies are the most appropriate provider of services.

#### **416.6 - Other Geographic Range Issues**

- **Intake Process** - Students should only participate in Distance Learning programs if they are unable to attend traditional programs. The agency providing Distance Learning is responsible to fully inform students of traditional programs and services available in their area of residence. The intake process for Distance Learning programs must be consistent with the intake process for traditional programs offered by the agency. It is imperative that only appropriate students be enrolled. All potential

Distance Learning students must be given the Project Ideal intake survey. Distance Learning students must be able to work independently and have access to technology including a computer and a phone.

- **Written Permission Format** – Written permission for an agency operating within the boundaries of another district, or for students to participate in Distance Learning programs offered by agencies located in a district other than the one in which he/she resides need not be done annually. Written permission can be withdrawn at any time by the agency in which the program is being offered or, for Distance Learning programs, the district in which the student resides. When permission is withdrawn, the agency providing the program will have 90 days or until current students exit, whichever is longer, to end the program. This permission can be in any format including but not limited to: a release, a Cooperative Service (CoSer), a memorandum of agreement (MOA), or a memorandum of understanding (MOU). It should contain at a minimum:
  - A description of the services being provided
  - For traditional programs, the location of the programs
  - Description of the target population
  - Approximate number of students proposed to be served
  - The signature of both superintendents

When a school district or BOCES asks for permission in writing to operate a program located in another district or, for Distance Learning, to serve students residing in another district, if a response is not received within four weeks from the postmarked date, it will be assumed that permission is granted. Previous written agreements are still valid.

- **Regional Distance Learning Committees** – NYSED will convene regional committees on an as needed basis, comprised of all Distance Learning providers in each of the seven RAEN areas chaired by the RAEN Directors to review the need and availability of Distance Learning programs in the region. These committees will make recommendations to the NYSED Technology Group regarding the level and type of Distance Learning programs offered throughout the region.

#### **417 - STATEMENT OF GENERAL ASSURANCES**

A Statement of General Assurances signed by the District Superintendent of each school district or BOCES receiving EPE Aid must be submitted with each year's application. This document (see Appendix I) requires the District Superintendent to agree to comply with all of the statutory requirements of the EPE Program. These requirements are also contained within the text of this manual in appropriate sections.

#### **418- EPE AND OTHER FUNDING SOURCES**

While some EPE programs operate exclusively using EPE aid funding, most use EPE aid in combination with a range of different resources. The most common sources are:

- Workforce Innovation Opportunities (WIOA) Act Title II
- the New York State Welfare Education Program (WEP) targeted to public assistance recipients, and
- local resources.

The WIOA and WEP programs are competitive and the dates of RFP release vary from year to year. Agencies should periodically consult the NYSED AEPP website at: <http://www.acces.nysed.gov/procurement.html>

Care must be taken in allocating costs when funding sources are combined. EPE funds must be spent on programs for EPE eligible students.

## **419 – Fees and Tuition**

### **419.1 - Fees**

A number of agencies, primarily those with low EPE rates and high costs, have asked whether fees can be charged to the student. Usually, these fees are labeled "registration fees" or "material fees." It is permissible to charge a nominal fee to support the high cost of intake or to replenish supplies. Agencies should be mindful that the eligible population is largely low-income, receiving public assistance, unemployed, or underemployed. NYSED does not encourage charging tuition for any program supported by EPE, *with the exception of CTE programs*, which tend to be more expensive to operate than the amount reimbursed by EPE. The use of fees to help support the cost of programs should never prevent a potential student from receiving needed services.

Combining funding sources to cover the actual expenses of operating a program is acceptable. It is acceptable to charge tuition to generate additional revenue. If the combined total of the tuition plus the EPE aid plus all other sources of revenue for the program, however, exceeds the actual cost for the year, then the excess EPE must be returned to NYSED.

### **419.2 - Tuition**

Although tuition may be charged to students in EPE programs. Programs using EPE funds are not required to provide all services free of charge to participants. New York State Education law specifically mentions tuition as one source of bridging the gap between aid and cost. Although tuition may be charged, the NYSED AEPP Team recommends that whenever possible, literacy and basic education programs be provided free of charge to participants because a high percentage of the population served by these programs have low incomes.

Agencies should be mindful that the eligible population is largely low-income, receiving public assistance, unemployed, or underemployed. NYSED does not encourage charging tuition for any program supported by EPE, *with the exception of CTE programs*,

which tend to be more expensive to operate than the amount reimbursed by EPE. The use of fees to help support the cost of programs should never prevent a potential student from receiving needed services.

Combining funding sources to cover the actual expenses of operating a program is acceptable. It is acceptable to charge tuition to generate additional revenue. If the combined total of the tuition plus the EPE aid plus all other sources of revenue for the program exceeds the actual cost for the year, then the excess EPE must be returned to NYSED.

#### **420- Coordinated Programs with Community Colleges**

Several community colleges and BOCES and school districts have coordinated programs combining EPE State Aid and Non-credit Remedial FTE funding. It may be possible for EPE funds to be generated if the teacher is employed by the school district and the arrangement has been approved by NYSED. These arrangements are reviewed and approved on a case by case basis by NYSED management.

Combining funding sources to cover the actual expenses of operating a program is acceptable. It is acceptable to charge tuition to generate additional revenue. However, if the combined total of the tuition plus the EPE aid plus all other sources of revenue for the program exceeds the actual cost for the year, then the excess EPE must be returned to SED. Funds received by the school district or BOCES on a contractual or fee-for-service basis in this arrangement must be considered a part of the total revenues for that school year.

#### **421- Equipment Disposal**

Equipment (items with a per unit value greater than \$5,000) purchased with EPE funds should be disposed of in the following way:

- If the equipment is disposed of, a receipt must be kept of the disposal.
- If the equipment is given to a charitable organization, a receipt must be obtained.
- If the equipment is sold, a receipt of the sale must be kept as well as evidence that the revenue from the sale is being used on the EPE program. Used equipment must be sold at fair market value. Proceeds from sale of assets should be included as EPE revenues (or a portion of the proceeds if the asset was originally only partially allocated to the EPE program).
- If the equipment is traded in, the receipt of purchase must be kept indicating the trade-in value.
- If equipment purchased with EPE funds is transferred to a non-EPE non-adult education program, or if an EPE program closes, equipment purchased with EPE funds can be used by the school district or BOCES if the school reimburses SED for the fair market value of the equipment. If the equipment is disposed of as indicated above, any profit resulting from the sale of used equipment must be returned to the State Education Department.

#### **422- Education and Employment Plan (EEP) Requirements**

All students in the EPE program must have an Education and Employment Plan (EEP) prepared for them and on file in a central location. At a minimum, the EEP should contain all testing information, student goals that are established consistent with the National Reporting System (NRS) for adult education, an individually prescribed instructional program designed to meet the established goals, and a record of goal attainment.

## APPENDIX I

### STATEMENT OF GENERAL ASSURANCES Employment Preparation Education Program

The Superintendent or Chief Administrative Officer of the applying agency certifies that:

- The officer signing the application is officially empowered to act on behalf of the agency.

For the Employment Preparation Education (EPE) programs, other than credit-bearing high school courses, the following program approval requirements will be met:

- A curriculum approved by NYSED will be used.
- Instruction will be individually prescribed and paced in each class.
- Education and Employment Preparation plans will be developed for individual adult students.
- Individual student folders will be in a central location such that students and teachers can access them. The folders must include information concerning:
  - Attendance
  - Individual Student Record Form (ISRF) issued annually by NYSED
  - Assessment score sheets (for all pre and post-tests)
    - BEST 2.0 score sheet or electronic report (individual by student)
    - BEST Literacy scoring booklet
    - TABE test score sheet
    - TASC Readiness Assessment score sheet (if applicable)
  - Americans with Disabilities Act declaration
    - Original signature from student
  - Education and Employment Plan (EEP)
    - Customized to student's entry literacy levels and goal selection
    - Updated at least quarterly
- Class registers may not exceed 20 students unless a written waiver is granted by NYSED.
- Classes will operate at least six and not more than 20 hours per week, unless a written waiver is granted by NYSED. Written waivers will not be granted for more than 40 hours per week.
- A total of at least 150 hours of instruction will be made available to individual students.
- Each professional staff member serving in the Employment Preparation Education programs will attend a minimum of twelve hours of professional development annually offered by the Regional Adult Education Network.
- English-speaking students will be given NYSED assessments in reading and mathematics to determine their approximate skill level.

- English-speaking students in need of basic skills will be provided instruction in reading, mathematics, verbal and written communication.
- English-speaking students will be given NYSED approved assessments which do have forms for post-testing as per NYSED assessment policy.
- Students with limited English proficiency will be given NYSED approved assessment before being placed in appropriate level instructional programs.
- Students with limited English proficiency will be provided instruction in listening, reading, verbal and written communication.
- Students with limited English proficiency will be given NYSED approved assessments which do have forms for post-testing as per NYSED assessment policy.
- Each ABE and ASE student must be pre and post tested in person on the NYSED approved assessment in both Math and Reading.
- Students preparing for the High School Equivalency test will be referred to the test when they demonstrate readiness, as indicated by the readiness assessment or other NYSED approved instrument.
- Programs will submit required data to NYSED via the electronic data system ASISTS on a quarterly basis.
- Scores from the readiness assessment must be recorded in ASISTS and on the T-TAF when referring students to the High School Equivalency test.

Agencies will apply minimum requirements for program administration and data staff per the requirements below:

- \$100,000 or less - programs must have at least a .25 FTE administrator and data staff
- \$100,001 - \$160,000 – programs must have at least a .3 FTE administrator and data staff
- \$160,001 - \$220,000 – programs must have at least a .4 FTE administrator and data staff
- \$220,001 - \$300,000 – programs must have at least a .5 FTE administrator and data staff
- \$300,001 – \$380,000 – programs must have at least a .6 FTE administrator and data staff
- \$380,001 - \$460,000 – programs must have at least a .7 FTE administrator and data staff
- \$460,001 - \$540,000 – programs must have at least a .8 FTE administrator and data staff
- \$540,001 - \$620,000 – programs must have at least a .9 FTE administrator and data staff
- \$620,001 and over – programs must have at least a 1.0 FTE administrator and data staff

Administrator and teacher qualifications will be governed by Part 157.1 of the Regulations of the Commissioner of Education.





## APPENDIX II

### EMPLOYMENT PREPARATION EDUCATION (EPE) STATE AID CLAIM

#### FORM SA160.1 and SA160.2 INSTRUCTION SHEET

These claim forms are automatically completed by the ASISTS database. Agencies that generate Adult CTE hours that are not captured by ASISTS may enter those numbers manually. The ASISTS generated SA 160's must include an original signature of the District Superintendent or the Superintendent. However, a copy must be faxed with or without a signature to meet the deadline as long as a copy with an original signature follows.

#### **Part 1. Cover Page populated by ASISTS**

#### **Part 2. Claim Form, Interim Projections and Enrollment Distribution for Students without a High School Diploma or Equivalent**

The SA- 160.1 is used to claim EPE Aid for the period July 1 through December 31, and is due in February. The due date is scheduled annually and announced by NYSED. The SA- 160.2, for the period January 1 through June 30, is due in September. The due date is scheduled annually and announced by NYSED. Claims received after the due date may not be processed or paid.

**The interim projections are the methodology by which NYSED reallocates EPE contact hours. It is imperative that the interim projections are included and represent the entire year.**

Agencies projecting a higher generation of EPE contact hours on the SA 160.1 are not automatically approved to receive an increase in EPE State Aid. Reallocations of EPE State Aid, within the funds available statewide, will be considered after all Interim Projections have been reviewed. Agencies will be notified in writing.

#### **Part 3. Claim Form, Interim Projections and Enrollment Distribution for Students with a High School Diploma or Equivalent**

The same information is reported in Part 3 as in Part 2, but for those students that have been awarded a high school diploma or equivalency, but “fail to demonstrate basic education competencies”. If total contact hours claimed for these students exceeds 3 percent of the total claimed the additional funds may not be paid.

This is a sample SA 160.1 as it appears in ASISTS. Each program must populate this report directly from

**Employment Preparation Education State Aid Claim Form SA 160.1**

**Part 2. Claim Form and Interim Projections for Students without a High School Diploma or Equivalent**

	Components	Claim Form July -December		Full Year Projections** July -June	
		Contact Hours	Enrollment	Contact Hours	Enrollment
Line 1	Traditional Adult Education				
Line 2	Distance Learning Education				
Line 3	Adult Occupation Education				
Line 4	Work Experience				
Line 5	TOTAL				

SAMPLE

Line 6	Additional Adult Career & Technical Education not tracked in ASISTS				
	TOTAL				

**Agency Name:**

**SED ID:**

**Program Manager:**

**Telephone:**

**Address:**

**Superintendent Name (Please Print):** \_\_\_\_\_

**Superintendent Signature:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**Employment Preparation Education State Aid Claim Form SA 160.1**

**Part 2. Claim Form and Interim Projections for Students with a High School Diploma or Equivalent**

	Components	Claim Form July - December		Full Year Projections** July - June	
		Contact Hours	Enrollment	Contact Hours	Enrollment
Line 1	Traditional Adult Education				
Line 2	Distance Learning Education				
Line 3	Adult Occupation Education				
Line 4	Work Experience				
Line 5	<b>TOTAL</b>				

Line 6	Additional Adult Career & Technical Education not tracked in ASISTS				
	<b>TOTAL</b>				

**Agency Name:**

**SED ID:**

**Program Manager:**

**Telephone:**

**Address:**

**Superintendent Name (Please Print):** \_\_\_\_\_

**Superintendent Signature:** \_\_\_\_\_

**Date:** \_\_\_\_\_

## Appendix III

**WAIVER WORKSHEET FOR  
ADULT EDUCATION CLASSES**
*Found in the EPE Application*

Waiver	Criteria	Request by Program
Class Size	Indicate the <b>maximum</b> number of students expected to be enrolled in the class. Indicate projected Average Daily Attendance (ADA). (Request for classes with registers exceeding <b>20</b> students but not larger than <b>35</b> )	Max # of students per class = _____ Projected ADA per class = _____
	Explanation for need of increase in class size:	
	Assurances that class quality and expected educational outcomes will not be adversely affected:	
Class Hours	Indicate the minimum or maximum # of hours the class will operate. (waivers will not be granted for classes meeting for more than 40 hours per week)  Waivers for classes meeting less than six hours per week must be requested.	Min # of hours per class = _____ (Justification narrative entered below)  Max # of hours per class = _____ (Justification narrative entered below)
	Justification Narrative for Min # of hours:	
	Justification Narrative for Max # of hours:	
Career & Technical Education Classes	Indicate the CTE classes less than 100 hours	# of CTE classes with < 100 hours = _____ (Identification and narrative description entered below)
	Identification and narrative description	
	Identification and narrative description	
TASC Testing	Waiver to generate EPE contact hours on eligible HSE preparation students referred from their own preparation program, or public testing students, or HSE preparation students referred from other preparation programs in their local proximity.	Amount of waiver request = _____  (limit for generation of EPE hours is .3 of 1.0 percent (.3 percent) of the EPE providers' prior years' EPE allocation)
	Justification for waiver request:	
	Waiver to allow the EPE provider to claim EPE expenses for HSE test administration.	Amount of waiver for expense request = _____  (limit for generation of EPE hours is .3 of 1.0 percent (.3 percent) of the EPE providers' prior years' EPE allocation)
	Justification for waiver request:	

## Appendix IV

### Geographic Range

#### Memorandum of Understanding

*This MOU must be completed when a BOCES is proposing to operate a traditional adult literacy program in a neighboring BOCES or in a school district outside their component school districts. NYSED must approve the MOU before any services are provided.*

Date of Request: \_\_\_/\_\_\_/\_\_\_

Program Year: \_\_\_\_\_

Name of BOCES proposing to operate the program: \_\_\_\_\_

Name of Adult Education Manager/Coordinator:

Phone:

Email:

Component School Districts served: \_\_\_\_\_

BOCES District Superintendent: \_\_\_\_\_

Name:

Address:

Phone

Email:

<p><b>In the spaces below, list the neighboring BOCES or school district where services are proposed (exact address).</b>  <b>Please note the intended BOCES or school district must be adjacent to the host school or BOCES boundaries.</b></p>	
	<p><b>Does this school district provide any adult education literacy services?</b>  <input type="checkbox"/> Yes    <input type="checkbox"/> No</p>
	<p><b>Does this school district provide any adult education literacy services?</b>  <input type="checkbox"/> Yes    <input type="checkbox"/> No</p>
<p><b>In the space below, list the location of the proposed BOCES facility (exact address)</b></p>	
<p><b>Services the BOCES is proposing to provide:</b></p>	<p><input type="checkbox"/> ABE  <input type="checkbox"/> ASE  <input type="checkbox"/> ESL</p>
<p><b>Number of classes to be provided at the proposed site</b></p>	<p>_____ ABE</p>

		___ ASE ___ ESL	
<b>School District Superintendent contact information:</b>  <b>Name:</b> <b>Address:</b> <b>Phone:</b> <b>Email:</b>			
<b>Please list below the time range for each class and total number of potential contact hours planned</b>			
Proposed Class Type	Start and End Time	Potential contact hour accrual per semester/year	Anticipated # of students
<input type="checkbox"/> ABE <input type="checkbox"/> ASE <input type="checkbox"/> ESL			
<input type="checkbox"/> ABE <input type="checkbox"/> ASE <input type="checkbox"/> ESL			
<input type="checkbox"/> ABE <input type="checkbox"/> ASE <input type="checkbox"/> ESL			
<input type="checkbox"/> ABE <input type="checkbox"/> ASE <input type="checkbox"/> ESL			

\_\_\_\_\_ BOCES agrees to provide adult literacy services within the school

district \_\_\_\_\_ from July 1, \_\_\_\_\_ through June 30, \_\_\_\_\_ (NYSED will approve up to a three year time frame).

\_\_\_\_\_  
 Signature BOCES District Superintendent

\_\_\_\_\_  
 Date

\_\_\_\_\_ School District Superintendent agrees to have the

\_\_\_\_\_ BOCES provide adult literacy services as prescribed above.

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**Signature School District Superintendent**

**Date**

Any prior arrangements made for geographic arrangements are null and void.

THIS SECTION RESERVED FOR NYSED:

Approved: