


U.S. Department of Education

# 2020 New State Directors Training

## The Basics of AEFLA Grants Management

December 7-15, 2020





# Funding Local Programs: Running an AEFLA Competition Under WIOA

Stephanie M. Washington, Area II Coordinator

### Poll Question #1

When is your State's next AEFLA Competition?

### Poll Question #2

Did your State host an AEFLA competition in PY 2020?

1. Yes
2. No

### Poll Question #3

Were you a part of your State's AEFLA competition team for the most recent competition?

1. Yes
2. No

# Objectives

- Identify the statutory and regulatory provisions affecting the State's process for funding local programs with AEFLA funds.
- Identify eligibly criteria for prospective students.
- Discuss the ways organizations can demonstrate effectiveness.
- Identify other relevant grant procedures for funding local programs
- Review the appeals process.



(a) STATE DISTRIBUTION OF FUNDS.—Each eligible agency receiving a grant under section 211(b) for a fiscal year—  
(1) shall use not less than 82.5 percent of the grant funds to award grants and contracts under section 231 and to carry out section 225, of which not more than 20 percent of such amount shall be available to carry out section 225.



## Section 231 Grants and Contracts for Eligible Providers

- Grants and Contracts
- Required Local Activities
- Direct and Equitable, Same Process;
- Special Rule
- Considerations

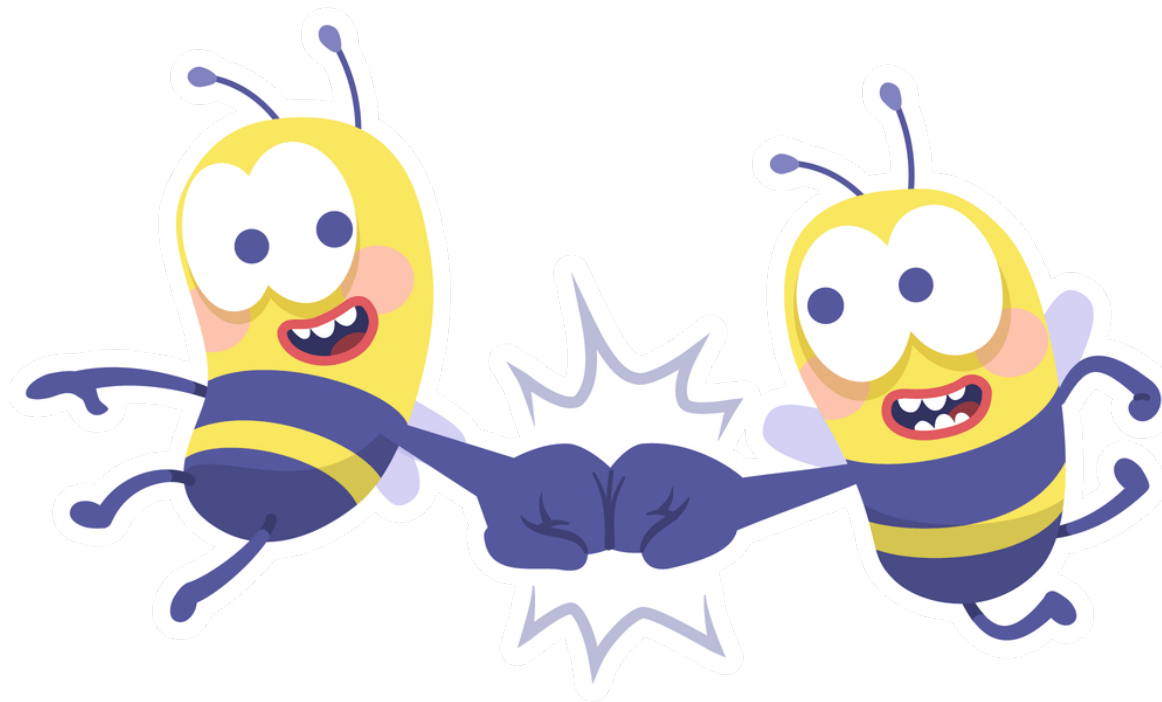




- **The Seven Rules**
- Process State must follow when making awards (463.20)
- Process to determine the extent of alignment with local workforce plan (463.21)
- What must be included in the application (463.22)
- Who is eligible to apply (463.23)
- Establishing demonstrated effectiveness (463.24)
- Local administrative costs (463.25)
- Activities considered local administrative costs (463.26)

# Process States Must Follow When Making Awards

States must award competitive multiyear grants or contracts to eligible providers...to enable eligible providers to develop, implement, and improve adult education and literacy activities.



When conducting a competitive grant program, the eligible provider must ensure:

- All eligible providers have direct and equitable access to apply for and compete for grants or contracts
- The same grant/contract announcement and application process is used for all eligible providers
- The State must use the 13 considerations found in 34 CFR 463.20(d)

The State must establish within its grant/competition a process that provides for the submission for all applications for funds under AEFLA to appropriate local boards.

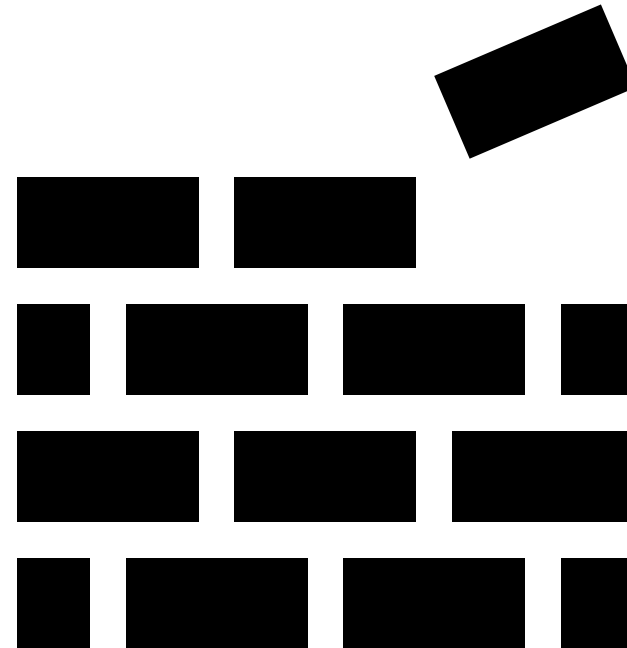


## Process for alignment

- Submission of the applications to the appropriate local board for its review for consistency with the local plan within the appropriate timeframe.
- An opportunity for the local board to make recommendations to the eligible agency to promote alignment with the local plan.
- The eligible agency must consider the results of the review in the local board in determining the extent to which the application addresses the required considerations in 34 CFR § 463.20.

# What must be included in an application

- ✓ How funds will be spent
- ✓ Description of cooperative arrangements
- ✓ How the it will provide services in alignment with local plan, including promoting co-enrollment programs under title I
- ✓ How it will meet adjusted levels of performance and collect performance data
- ✓ How it will fulfill one-stop partner responsibilities
- ✓ Description of how it will provide services to meet the needs of eligible individuals
- ✓ Information that addresses the 13 considerations
- ✓ Documentation of activities related to local board review



The state of having the right to do or obtain something through the satisfaction of the appropriate conditions (Oxford Dictionary)

In context of WIOA: “Who is eligible to apply for a grant or contract for adult education and literacy activities?” (34 CFR § 463.23)

## Who is eligible to apply

An organization that has demonstrated effectiveness in providing adult education and literacy activities is eligible to apply for a grant or contract. These organizations may include, but are not limited to:





# Who is eligibility to apply

- a) A local educational agency;
- b) A community-based organization or faith-based organization;
- c) A volunteer literacy organization;
- d) An institution of higher education;
- e) A public or private nonprofit agency;
- f) A library;
- g) A public housing authority;
- h) A nonprofit institution that is not described in any of paragraphs (a) through (g) and has the ability to provide adult education and literacy activities to eligible individuals;
- i) A consortium or coalition of the agencies, organizations, institutions, libraries, or authorities described in any of paragraphs (a) through (h); and
- j) A partnership between an employer and an entity described in any of paragraphs (a) through (i).



### 34 CFR Part 463 Preamble

“34 CFR § 463.24 further permits other organization types, even if not specifically listed, to apply if they meet the **demonstrated effectiveness** requirement.”



## How is Demonstrated Effectiveness Established?

An eligible provider must demonstrate past effectiveness by providing performance data on its record of improving the skills of eligible individuals, particularly eligible individuals who have low levels of literacy, in the content domains of:

- **reading,**
- **writing,**
- **mathematics,**
- **English language acquisition,**
- **and other subject areas relevant to the services contained in the State's application for funds.**

An eligible provider must also provide information regarding its outcomes for participants related to:

- **employment,**
- **attainment of secondary school diploma or its recognized equivalent, and**
- **transition to postsecondary education and training.**

# Two Ways to Demonstrate Effectiveness

## Previously Funded

- Provide performance data under section 116



34 CFR §463.24(b)

## Not Previously Funded

- Provide data on past effectiveness in serving basic skills deficient eligible individuals
- Include evidence of success in achieving outcomes
- Content domains reading, writing, mathematics, English language acquisition, other subjects
- Employment, attainment of secondary diploma, transition to postsecondary

- State eligible agency has flexibility to determine an acceptable level of past performance the applicant must meet.
- State eligible agency has flexibility to determine the minimum number of years of data applicants are required to submit.

The State Eligible Agency must determine if the consortium **as a whole**, meets the eligibility criteria of demonstrated effectiveness.

**Each** consortium member must:

- provide data on its demonstrated effectiveness
- qualify as an eligible provider of demonstrated effectiveness



## Local administrative cost limits

- Not more than 5% of a local grant to an eligible provider can be expended to administer a grant or contract under title II.
- In cases where 5% is too restrictive to allow for administrative activities, the eligible provider must negotiate with the state eligible agency to determine an adequate level of funds to be used for non-instructional purposes.



## Activities considered local administrative costs

1. Planning
2. Administration including carrying out performance requirements
3. Professional development
4. Providing AEL activities in alignment with local plans
5. Carrying out one-stop partner activities, including contributing to infrastructure costs of one-stop



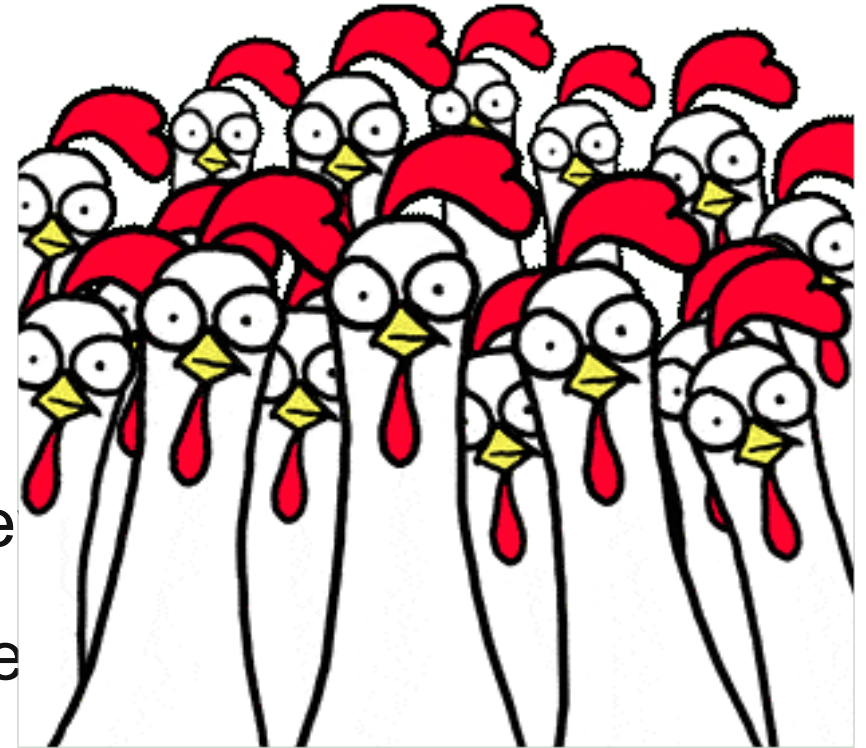
## Appeals (State Educational Agency Only)

- Under EDGAR 34 CFR § 76.401, a State Educational Agency (SEA) shall provide an opportunity for a hearing either before or after disapproving an AEFLA application
- An unsuccessful applicant can request hearing within 30 days of action by the SEA
- The SEA must hold hearing within 30 days of receipt of request
- The SEA must issue written ruling no later than 10 days after the hearing
- If the SEA upholds its decision, an applicant has 20 days to appeal to the federal Secretary of Education



# Key processes

- ✓ Forming your team
- ✓ Developing a timeline, with key dates
- ✓ Drafting RFP and scoring guidelines
- ✓ RFP dissemination and outreach
- ✓ Recruiting reviewers and managing the re
- ✓ Sending applications to local boards for re
- ✓ Post-panel and award procedures
- ✓ Appeals



# Monitoring and Administration Branch

**Karla Ver Bryck Block, Branch Chief**

**202-245-6836, [Karla.VerBryckBlock@ed.gov](mailto:Karla.VerBryckBlock@ed.gov)**

## Area Coordinators

- **Chunee Boston, Area I, 202-245-6733, [Chunee.Boston@ed.gov](mailto:Chunee.Boston@ed.gov)**
- **Stephanie Washington, Area II, 202-245-6952, [Stephanie.Washington@ed.gov](mailto:Stephanie.Washington@ed.gov)**
- **Sharon Harrington, Area III, 202-245-7709, [Sharon.Harrington@ed.gov](mailto:Sharon.Harrington@ed.gov)**
- **Kathy Killian, Area IV, 202-245-6147, [Kathy.Killian@ed.gov](mailto:Kathy.Killian@ed.gov)**

## Management Program Analyst

**Kenneth Kalman, 202-245-7529, [Kenneth.Kalman@ed.gov](mailto:Kenneth.Kalman@ed.gov)**

