



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF CAREER, TECHNICAL, AND ADULT EDUCATION

DIVISION OF ADULT EDUCATION AND LITERACY

May 12, 2020

Dr. Katy Anthes  
Commissioner of Education  
Colorado Department of Education  
201 East Colfax Ave., Room 500  
Denver, CO 80203

Dear Dr. Anthes:

This letter is to inform you of the results of the recent monitoring visit to the Colorado's Department of Education Office of Adult Education Initiatives (CDE) conducted by the Office of Career, Technical, and Adult Education (OCTAE). OCTAE conducts monitoring visits to States to ensure compliance with and improved performance under the Adult Education and Family Literacy Act (AEFLA), Title II of the Workforce Innovation and Opportunity Act (WIOA) the Education Department General Administrative Regulations, and the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards. OCTAE conducted the monitoring visit to CDE from November 19 – 21, 2019.

The purposes of visits to States are to: (1) ensure that States meet AEFLA requirements; (2) improve the quality of Federally funded activities; (3) provide assistance in identifying and resolving accountability problems; and (4) ensure the accuracy, validity, and reliability of data collection and data reporting as well as policies and procedures for program accountability. OCTAE used the *State Review Protocol* to guide the process and reviewed the State plan and other relevant State documents in preparation for and during the visit. OCTAE staff conducted interviews with State and local officials, program staff, workforce development partners, and observed classroom practices while onsite.

OCTAE reviewed the content of the attached report during the exit interview with State staff on November 21, 2019. The attached report addresses: (1) the areas necessitating corrective actions because these findings represent noncompliance with the requirements of AEFLA, as noted in its *Findings and Required Actions* section; (2) suggestions for improved practices and results, as noted in its *Recommendations* section; and (3) procedures for your responses to OCTAE, as noted in its *Submission of Corrective Action Plan* (CAP) section.

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*The Department of Education's mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.*

CDE must submit a CAP for the required actions related to noncompliance identified in the *Findings and Required Actions* section of the attached report. The CAP must: (1) be submitted to OCTAE, within 45 calendar days of receipt of this letter and report, as dated by our electronic transmission to your agency; and (2) address the following for each item in the *Findings and Required Actions* section of the report:

- strategy(ies) for implementation;
- evidence of completion;
- target date for completion;
- staff assignments; and
- date completed or status pending.

**Due to the widespread effect of the COVID-19 pandemic, OCTAE is providing flexibility to States that cannot meet this timeline because of the pandemic. Should CDE require more than 45 days, please contact Stephanie Washington to discuss additional time.**

OCTAE also encourages CDE to consider and adopt the program improvement recommendations included in the monitoring report.

Thank you for the assistance and cooperation provided by your staff during our review. If you need additional information, please contact Stephanie Washington at (202) 245-6952 or [Stephanie.Washington@ed.gov](mailto:Stephanie.Washington@ed.gov).

Sincerely,



Cheryl L. Keenan  
Director  
Division of Adult Education and Literacy

Enclosure

cc: Danielle Ongart  
Karla Ver Bryck Block  
Stephanie M. Washington

**United States Department of Education  
State Program Review and Technical Assistance Report  
Colorado Department of Education  
November 19 – 21, 2019**

Staff from the United States Department of Education’s Office of Career, Technical, and Adult Education (OCTAE) conducted a targeted program review and technical assistance visit to the Colorado Department of Education (CDE) from November 19 through November 21, 2019. This report addresses the implementation of the Adult Education and Family Literacy Act (AEFLA), title II of the Workforce Innovation and Opportunity Act (WIOA), by CDE. The findings, required actions, and recommendations are based on reviews of State documents, meetings with State officials and program staff, interviews with local program directors, and observations of classroom practices. The review team used the *State Review Protocol* to guide the review process.

CDE must address the requirements of WIOA, by submitting a Corrective Action Plan (CAP) for the required actions contained in this report. Responses to recommendations, while optional, are strongly encouraged.

**Findings and Required Actions**

**Finding 1: CDE’s Integrated English Literacy and Civics Education (IELCE) program is not compliant with the federal statutory requirements.**

**Relevant sections of law and regulation:** Section 243 of WIOA; 34 CFR Part 463, Subpart G

**Required Action 1(a):** CDE must develop a plan and timeline to ensure that all subrecipients receiving IELCE program funds are providing integrated English literacy and civics education in combination with integrated education and training (IET). CDE must also submit evidence to OCTAE that the plan has been implemented.

**Required Action 1(b):** CDE must incorporate into its AEFLA monitoring, a process for monitoring local IELCE subrecipients on the requirements of the IELCE program.

**Discussion:** From funds made available under WIOA section 243, States are required to carry out integrated English literacy and civics education in combination with IET activities. The federal review team visited two IELCE-funded programs and discovered that both subrecipients provided integrated English literacy and civics education, but only one of the programs offered IELCE in combination with IET. Discussions with CDE staff further indicated that the IET component was unevenly implemented amongst IELCE grant recipients, with some programs much farther along than others with development and implementation of IET activities. CDE must develop a plan to ensure that all IELCE subrecipients are trained and carrying out the requirements of the program and monitor them to ensure that the IELCE program requirements are being implemented. Monitoring IELCE subrecipients on this requirement would allow CDE to plan and deliver technical assistance, as well as ensure compliance by following up with corrective actions.

**Finding 2: CDE incorrectly reported training expenditures on its PY 2016-2017 and PY 2017-2018 Statewide Performance Reports (SPR).**

**Relevant sections of law and regulation:** Section 203(11) of WIOA; 34 CFR §§ 463.35-463.38

**Required Action 2(a):** CDE must submit actual training expenditures associated with IET on the 2017 Federal Financial Report (FFR) and the initial 2018 FFR.

**Required Action 2(b):** CDE must submit documentation to substantiate actual training expenditures.

**Required Action 2(c):** CDE must develop and provide guidance to subrecipients to ensure that local providers understand how to identify and report expenditures for training services.

**Required Action 2(d):** CDE must track all AELFA IET expenditures and report them correctly on subsequent FFRs and SPRs.

**Discussion:** OCTAE Program Memorandum 17-2, Table C identifies specific services that are classified as training services for the AEFLA program. IET is classified as a training service and is required to be reported on the FFR and SPR, if AEFLA funds are used to support those services. While CDE reported zero IET enrollments in PY 2017-18 and 2018-19, the federal review team noted that CDE reported training expenditures (\$38,038 and \$57,355 respectively) on the PY 2017-18 and 2018-19 SPRs. Through interviews with State staff, the federal team learned that CDE misinterpreted “training costs” and incorrectly reported them. The State must ensure that its final 2017 FFR accurately reflects the amount of AEFLA funds used for IET expenditures, track the expenditures going forward, and report them correctly on subsequent FFRs and SPRs.

### **Recommendations**

**Recommendation 1: CDE is strongly encouraged to work with local providers to review student outcome data for continuous improvement.**

CDE has implemented a monthly monitoring process with their local providers to ensure student data is valid, reliable, and compliant. Each month, local providers are required to check their LACES monitoring dashboards and revise any data discrepancies. If data errors are not corrected, the local provider is placed on a two-week program improvement plan and must correct data errors by the end of the month. During the program review, the federal team observed and heard from local providers that the monthly data review is time consuming and program staff did not have enough time to analyze their data for program quality improvement. CDE should continue to monitor subrecipients’ data for validity and accuracy, however CDE is also encouraged to analyze educational outcomes across all local providers to further understand where additional technical assistance is needed for program quality improvement. Specifically, local providers requested additional support for reviewing their program’s Measurable Skills Gain scores, more in depth training with the use of the LACES system, and more opportunities to

learn from their colleagues in the field. Additionally, CDE is encouraged to consider the burden of monthly data review process for local providers that consistently have high quality data to allow those programs to focus on continuous improvement of program quality.

**Recommendation 2: CDE is encouraged to focus State leadership resources to provide high quality professional development and technical assistance designed to improve instruction and educational outcomes for adult learners.**

Section 223 of WIOA requires State eligible agencies to use AEFLA funds for State leadership activities to develop or enhance the adult education system. CDE uses AEFLA funds to carry out the required activities, however, CDE is encouraged to increase their focus of State leadership activities to provide high quality professional development programs and technical assistance to the subrecipients. Currently, CDE uses State leadership funds to support the Colorado Adult Education Professional Association's "mini conference", COABE's Virtual Conference, CDE's College and Career Readiness Standards meeting, and various topic-specific webinars. Additionally, CDE provided a two day in-person training on the use of LACES and the National Reporting System data reporting requirements. Subrecipients could also request topic specific technical assistance from CDE. However, subrecipients and CDE staff both identified that more technical assistance opportunities and professional development was needed to sustain high quality adult education programs throughout the State.

**Recommendation 3: CDE is encouraged to strengthen its monitoring instrument to ensure that subrecipients are carrying out their one-stop roles and responsibilities.**

Federal regulation 34 CFR § 463.415(b) requires State eligible agencies to serve as the one-stop partner program to the comprehensive one-stop. However, the State eligible agency may designate its one-stop partner roles and responsibilities to the adult education program in the local area. CDE designated its one-stop partner roles and responsibilities, in which the subrecipient was responsible for negotiating the Memorandum of Understanding (MOU) and infrastructure funding agreement (IFA) with the local workforce board and partner programs. The federal team reviewed evidence indicating that the subrecipients carried out the MOU and IFA negotiation process. The federal team also examined the monitoring tools developed and implemented by CDE and found that the documents met the compliance standards and CDE has been conducting an extensive and robust on-site monitoring review of subrecipients. However, after reviewing the monitoring protocol and interviewing State staff, the review team encourages CDE to strengthen their monitoring tools by adding additional items in the area of the fulfillment of the roles and responsibilities of a one-stop partner. Adding this to the monitoring instrument would develop a more useful tool that would guide CDE in planning and delivering technical assistance, as well as determining the eligible provider's compliance with these one-stop requirements.

**Recommendation 4: CDE is encouraged to issue timely grant award letters to AEFLA subrecipients in order to ensure continuity of adult education services.**

CDE awarded new three-year AEFLA grants to 23 subrecipients to begin services on July 1, 2017. In the subsequent years, if the local programs completed all annual reporting requirements

CDE would issue the continuation awards for program years two and three. However, CDE experienced delays in issuing continuation grant award letters for the next two program years. During PY 2018, CDE issued grant award letters between August 17 and October 10, 2018; and the PY 2019 grant award letters were issued between August 19 and November 4, 2019. The delay in issuing grant award letters could potentially impact local programs by not starting their services on time, decreased student enrollments and potentially lapsing federal funds. CDE's Office of Adult Education Initiatives and Office of Grants Fiscal is encouraged to work together to ensure that local programs receive their AEFLA awards in a timely manner to avoid delays in the provision of adult education services.

### **Submission of a Corrective Action Plan (CAP)**

CDE must email a CAP based on this report to [Karla.VerBryckBlock@ed.gov](mailto:Karla.VerBryckBlock@ed.gov) and [Stephanie.Washington@ed.gov](mailto:Stephanie.Washington@ed.gov), within 45 calendar days of receipt of this report, as dated on our electronic mailing to the State agency. However, due to the widespread effect of the COVID-19 pandemic, OCTAE is providing flexibility to States that cannot meet this timeline because of the pandemic. Should CDE require more than 45 days, please contact Stephanie Washington to discuss additional time.

The CAP must address how CDE plans to address the required actions. Responses to each required action must contain: strategies, evidence of action completed, date of completion, assigned staff, and status of the action. Although States are not required to do so, we strongly encourage your State to include actions for the recommendations of this report in the CAP.

Thank you for a very informative review and technical assistance visit. We look forward to continuing our work with you, as we prepare every adult for a successful future.

*U.S. Department of Education Review Team*

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