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MEMORANDUM

TO: Vermont Adult Education and Literacy (AEL) Providers, Vermont School Superintendents and High School Principals

FROM: Robin Castle, State Director of Adult Education and Literacy *nta*
Jess DeCarolis, Division Director, Personalization and Flexible Pathways *(JD)*

SUBJECT: ALERT: Compliance Notice Regarding Graduation of Unenrolled Non-HSCP Students

DATE: November 1, 2018

It has come to the attention of the Vermont Agency of Education that AEL students have graduated from high schools when:

- 1) they are not special group enrolled in the High School Completion Program and
- 2) they have graduated based on AEL Providers' recommendation and assertion of meeting PBGRs.

This practice is counter to federal and state law, state policy and AEL grant agreements; does not serve the interests of Vermont learners; and places both public schools and AEL providers at risk. Any AEL providers and schools engaging in this practice must cease and desist immediately.

Below we have outlined:

1. Clarifications regarding enrollment/unenrollment and eligibility for services;
2. Expectations to adhere to program policy as outlined in grant agreements; and
3. Potential consequences for non-compliance for AEL providers and high schools.

Enrollment in high school and eligibility for AEL provider services

According to 16 V.S.A. Subchapter 2, Flexible Pathways to Secondary School Completion, students enrolled in high school can participate in the High School Completion Program in accordance with state policy (see HSCP Manual). Any student enrolled in a high school who is receiving services from an AEL provider must be either: a) funded through the High School Completion Program, or b) paid for by the school as part of a contracted service arrangement. The Workforce Innovation and Opportunity Act (WIOA) details the eligibility requirement of individuals receiving adult education services funded through federal and state AEL grants, including that eligible individuals cannot be enrolled in a secondary school.

Unenrolled from high school and eligibility for AEL provider services

Unenrolled students may receive services through AEL grant funds and/or the High School Completion Program, as described below.

For those students with skills below the secondary level (National Reporting System [NRS] levels 5 and 6):

AEL providers may submit prior approval requests for reimbursable services and special group enrollment through the HSCP. Students can then receive a combination of services funded through both AEL grant funds and the HSCP appropriation as they work to develop secondary level skills in reading, writing and math.

For those students with skills at the secondary level or above:

Once students have been assessed at NRS 5 or 6, they may be special group enrolled in the HSCP and may receive their diploma from the partnering high school when the graduation requirements have been met as outlined in the students' Graduation Education Plan. These plans are the formal agreement between the AEL provider and the high school that indicate compliance with the High School Completion Program as outlined in state policy, and indicate an assurance between the AEL provider and the high school that HSCP students have received the requisite instruction, supports and assessment to earn the partner school's diploma.

High school personnel should be aware that when reviewing HSCP personalized learning plans and letters of plan completion (i.e., recommendation for graduation) sent by the AEL provider prior to graduation (known as Graduation Education Plans or Graduation Plans), it is important to note:

- that the student may not yet be special group enrolled in the HSCP. It is incumbent upon AEL providers to communicate fully the status of the student's enrollment in the HSCP;
- the educational functioning levels of students and their grade level equivalents (see table below);
- the high school enrollment status of the student. In order to be reported as enrolled to the Vermont Agency of Education, the student must be taking at least one course at the high school;
- the quality and rigor of the educational activities in the PLP;
- the alignment of PLP educational activities with standards and proficiencies of the partnering high school's graduation requirements; and
- the materials and evidence of completion presented with the letter of completion and recommendation for graduation.

NRS Level	Educational Functioning Level	Grade Level Equivalents
1	Beginning ABE Literacy	0 – 1.9
2	Beginning Basic Education	2 – 3.9
3	Low Intermediate Basic Education	4 – 5.9
4	High Intermediate Basic Education	6 – 8.9

5	Low Adult Secondary Education	9 – 10.9
6	High Adult Secondary Education	11 – 12.9

The National Reporting System Levels are determined through federally-approved assessments, such as the Tests of Adult Basic Education (TABE) and Comprehensive Adult Student Assessment Systems (CASAS). Assessments are given in the content areas of reading, writing, and math.

It is the expectation that students are functional at a minimum of NRS 5 in all three areas prior to graduating from high school. Per HSCP policy, students demonstrating a basic skill deficiency (NRS 4 or lower), only have access to special group enrollment in HSCP with prior approval from the Vermont Agency of Education.

Compliance with AEL grant agreements

As a grantee receiving both AEL federal and state funds, providers must follow the requirements that relate to serving eligible students. Both AEL providers and high schools bear the responsibility of ensuring high-quality access to educational services that lead to a diploma for adult students.

For students seeking a high school diploma, services must be available per the grant agreements, specifically as outlined in the following excerpted requirements:

[Subrecipient will:]

- Align services with the Adult Education and Literacy (AEL) vision, mission, and common practice as established by the State;
- Expend budgeted funds in accordance with included requirements, federal and state regulations, and approved budget;
- Provide skills instruction that is of sufficient intensity and duration and:
 - Offers structured and sequential programming in each of the following contexts:
 - basic literacy for lowest level (NRS 1-2) learners;
 - goal-oriented educational services for intermediate and higher level (NRS 3-6) learners;
 - transition to high school credential programs;
 - High School Completion Program.
 - Engages learners in ongoing assessment and documentation of their skill gains;
 - Is provided by trained and qualified instructional staff.
- Provide student skill assessments and credentials through:
 - High School Completion Program in compliance with state statute, policy, and structures for earning a high school diploma.
- Provide guidance and coaching, and support services that support student persistence and progress, including:
 - Ongoing educational planning that actively guides and sequences learning activities;

- o Services that help learners transition into post-secondary education, training and the workforce.
- Special Conditions and Requirements of This Agreement:
 - o Applicant agrees to operate in a unified, statewide AEL system and that all work under this funding will be in full compliance with the AEL vision, mission and common practice, policies, and procedures defined by the State, and federal legislation governing AEL.
 - o Activities supported by this funding are necessary, reasonable, and allowable.
 - o Funding must be used to establish or operate programs that provide adult education and literacy activities [. . .]

Potential consequences of non-compliance for AEL providers and high schools

AEL providers are not diploma-issuing entities, and so must partner with Vermont secondary schools to provide students who meet HSCP requirements with a credential. **AEL providers are not authorized to recommend that a diploma be issued outside of the High School Completion Program.** To do so would undermine the credibility of AEL providers, undermine the validity of the high school's graduation requirements and diploma, and present serious equity concerns. The interest of the State is to ensure that high quality services are provided to all eligible students so that they are prepared for college, career and civic life.

The AOE will use its authority to terminate existing grant agreements or decline to enter into new/renewed agreements with AEL providers who fail to meet these expectations.