

# Federal Adult Education Provider Grant Application Workshop

*December 8, 2016*

## Overview of the Workforce Innovation and Opportunity Act (WIOA) Regulations

### Adult Education and Literacy Activities

§463.30 What are adult education and literacy programs, activities, and services?

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

1. Adult education,
2. Literacy,
3. Workplace adult education and literacy activities,
4. Family literacy activities,
5. English language acquisition activities,
6. Integrated English literacy and civics education (IEL/Civics),
7. Workforce preparation activities, or
8. Integrated education and training (IET).

### Definitions

### BASIC SKILLS DEFICIENT

The term ‘‘basic skills deficient’’ means, with respect to an individual—

(A) who is a youth, that the individual has English reading, writing, or computing skills at or below the 8th grade level on a generally accepted standardized test; or

(B) who is a youth or adult, that the individual is unable to compute or solve problems, or read, write, or speak English, at a level necessary to function on the job, in the individual’s family, or in society.

### CAREER PATHWAY

The term ‘‘career pathway’’ means a combination of rigorous and high-quality education, training, and other services that—

(A) aligns with the skill needs of industries in the economy of the State or regional economy involved;

(B) prepares an individual to be successful in any of a full range of secondary or postsecondary education options, including apprenticeships registered under the Act of August 16, 1937 (commonly known as the ‘‘National Apprenticeship Act’’; 50 Stat. 664, chapter 663; 29 U.S.C. 50 et seq.) (referred to individually in this Act as an ‘‘apprenticeship’’, except in section 171);

(C) includes counseling to support an individual in achieving the individual’s education and career goals;

(D) includes, as appropriate, education offered concurrently with and in the same context as workforce preparation activities and training for a specific occupation or occupational cluster;

(E) organizes education, training, and other services to meet the particular needs of an individual in a manner that accelerates the educational and career advancement of the individual to the extent practicable;

(F) enables an individual to attain a secondary school diploma or its recognized equivalent, and at least 1 recognized postsecondary credential; and

(G) helps an individual enter or advance within a specific occupation or occupational cluster.

### CONCURRENT ENROLLMENT OR CO-ENROLLMENT

Refers to enrollment by an eligible individual in two or more of the six core programs administered under the Act.

### CORRECTIONAL INSTITUTION

The term ‘‘correctional institution’’ means any—

(A) prison;

(B) jail;

(C) reformatory;

(D) work farm;

(E) detention center; or

(F) halfway house, community-based rehabilitation center, or any other similar institution designed for the confinement or rehabilitation of criminal offenders.

### CRIMINAL OFFENDER

The term ‘‘criminal offender’’ means any individual who is charged with or convicted of any criminal offense.

### DIGITAL LITERACY

Means the skills associated with using technology to enable users to find, evaluate, organize, create, and communicate information.

### ELIGIBLE INDIVIDUAL

The term ‘‘eligible individual’’ means an individual—

(A) who has attained 16 years of age (17 years in Minnesota due to compulsory age of attendance in K-12, according to state statute);

(B) who is not enrolled or required to be enrolled in secondary school under State law; and

(C) who—

(i) is basic skills deficient;

(ii) does not have a secondary school diploma or its recognized equivalent, and has not achieved an equivalent level of education; or

(iii) is an English language learner.

### ENGLISH LANGUAGE ACQUISITION

§463.31 What is an English language acquisition program? [Page 181]

The term “English language acquisition program” means a program of instruction—

1. That is designed to help eligible individuals who are English language learners achieve competence in reading, writing, speaking, and comprehension of the English language; and
2. That leads to--

(i)(1) Attainment of a secondary school diploma or its recognized equivalent; and

(2) Transition to postsecondary education and training; or

(ii) Employment.

§463.32 How does a program that is intended to be an English language acquisition program meet the requirement that the program leads to attainment of a secondary school diploma or its recognized equivalent and transition to postsecondary education and training or leads to employment?

To meet the requirement in §463.31(b) a program of instruction must:

1. Have implemented State adult education content standards that are aligned with State-adopted challenging academic content standards, as adopted under the Elementary and Secondary Education Act of 1965, as amended (ESEA) as described in the State’s Unified or Combined State Plan and as evidenced by the use of a State or local curriculum, lesson plans, or instructional materials that are aligned with the State adult education content standards; or
2. Offer educational and career counseling services that assist an eligible individual to transition to postsecondary education or employment; or
3. Be part of a career pathway.

### ESSENTIAL COMPONENTS OF READING

The term “essential components of reading instruction” means explicit and systematic instruction in—

(A) phonemic awareness;

(B) phonics;

(C) vocabulary development;

(D) reading fluency, including oral reading skills; and

(E) reading comprehension strategies. [Every Student Succeeds Act](https://www.gpo.gov/fdsys/pkg/BILLS-114s1177enr/pdf/BILLS-114s1177enr.pdf), SEC. 9215 (c), p. 365.

### INDIVIDUAL WITH A BARRIER TO EMPLOYMENT

The term ‘‘individual with a barrier to employment’’ means a member of 1 or more of the following populations:

(A) Displaced homemakers.

(B) Low-income individuals.

(C) Indians, Alaska Natives, and Native Hawaiians, as such terms are defined in section 166.

(D) Individuals with disabilities, including youth who are individuals with disabilities.

(E) Older individuals.

(F) Ex-offenders.

(G) Homeless individuals (as defined in section 41403(6) of the Violence Against Women Act of 1994 (42 U.S.C. 14043e–2(6))), or homeless children and youths (as defined in section 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(2))).

(H) Youth who are in or have aged out of the foster care system.

(I) Individuals who are English language learners, individuals who have low levels of literacy, and individuals facing substantial cultural barriers.

(J) Eligible migrant and seasonal farmworkers, as defined in section 167(i).

(K) Individuals within 2 years of exhausting lifetime eligibility under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.).

(L) Single parents (including single pregnant women).

(M) Long-term unemployed individuals.

(N) Such other groups as the Governor involved determines to have barriers to employment.

### INTEGRATED EDUCATION AND TRAINING

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

### INTEGRATED ENGLISH LITERACY AND CIVICS EDUCATION

The term ‘‘integrated English literacy and civics education’’ means education services provided to English language learners who are adults, including professionals with degrees and credentials in their native countries, that enables such adults to achieve competency in the English language and acquire the basic and more advanced skills needed to function effectively as parents, workers, and citizens in the United States. Such services shall include instruction in literacy and English language acquisition and instruction on the rights and responsibilities of citizenship and civic participation, and may include workforce training.

### PEER TUTORING

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

### RE-ENTRY AND POST-RELEASE SERVICES

Means services provided to a formerly incarcerated individual upon or shortly after release from a correctional institution that are designed to promote successful adjustment to the community and prevent recidivism. Examples include education, employment services, substance abuse treatment, housing support, mental and physical health care, and family reunification services.

### TRAINING SERVICES

Training services may include—

(i) occupational skills training, including training for nontraditional employment;

(ii) on-the-job training;

(iii) incumbent worker training in accordance with subsection (d)(4);

(iv) programs that combine workplace training with related instruction, which may include cooperative education programs;

(v) training programs operated by the private sector;

(vi) skill upgrading and retraining;

(vii) entrepreneurial training;

(viii) transitional jobs in accordance with sub-section (d)(5);

(ix) job readiness training provided in combination with services described in any of clauses (i) through (viii);

(x) adult education and literacy activities, including activities of English language acquisition and integrated education and training programs, provided concurrently or in combination with services described in any of clauses (i) through (vii); and

(xi) customized training conducted with a commitment by an employer or group of employers to employ.

### WORKFORCE PREPARATION

§463.34 What are workforce preparation activities?

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

1. Utilizing resources;
2. Using information;
3. Working with others;
4. Understanding systems;
5. Skills necessary for successful transition into and completion of postsecondary education or training, or employment; and
6. Other employability skills that increase an individual’s preparation for the workforce.

## Additional Federal Guidance for ABE Programs in Corrections

§463.60 What are programs for corrections education and the education of other institutionalized individuals?

(a) Authorized under section 225 of the Act, programs for corrections education and the education of other institutionalized individuals require each eligible agency to carry out corrections education and education for other institutionalized individuals using funds provided under section 222 of the Act.

(b) The funds described in subsection (a) must be used for the cost of educational programs for criminal offenders in correctional institutions and other institutionalized individuals, including academic programs for—

(1) Adult education and literacy activities;

(2) Special education, as determined by the eligible agency;

(3) Secondary school credit;

(4) Integrated education and training;

(5) Career pathways;

(6) Concurrent enrollment;

(7) Peer tutoring; and

(8) Transition to re-entry initiatives and other post-release-services with the goal of reducing recidivism.

§463.61 How does the eligible agency award funds to eligible providers under the program for Corrections Education and Education of other Institutionalized Individuals?

(a) States may award up to 20 percent of the 82.5 percent of the funds made available by the Secretary for local grants and contracts under section 231 of the Act for programs for corrections education and the education of other institutionalized individuals.

(b) The State must make awards to eligible providers in accordance with subpart C.

§463.62 What is the priority for programs that receive funding through programs for Corrections Education and Education of other Institutionalized Individuals?

Each eligible agency using funds provided under Programs for Corrections Education and Education of Other Institutionalized Individuals to carry out a program for criminal offenders within a correctional institution must give priority to programs serving individuals who are likely to leave the correctional institution within five years of participation in the program.

§463.63 How may funds under programs for Corrections Education and Education of other Institutionalized Individuals be used to support transition to re-entry initiatives and other post release services with the goal of reducing recidivism?

Funds under Programs for Corrections Education and the Education of Other Institutionalized Individuals may be used to support educational programs for transition to reentry initiatives and other post-release services with the goal of reducing recidivism. Such use of funds may include educational counseling or case work to support incarcerated individuals’ transition to re-entry and other post-release services. Examples include assisting incarcerated individuals to develop plans for post-release education program participation, assisting students in identifying and applying for participation in post-release programs, and performing direct outreach to community-based program providers on behalf of re-entering students. Such funds may not be used for costs for participation in post-release programs or services.

## Federal Competitive Application

### Federal AEFLA Competitive Provider Grant Application Proposal

The Minnesota Department of Education (MDE), Minnesota’s AEFLA agency, proposes to implement a competitive process for distributing federal AEFLA funds, which is required under WIOA, and allows eligible entities to compete for these funds by showing their proven success in providing adult literacy services and by indicating how their programming aligns to and addresses the 13 considerations.

#### Proposal Details

1. The title of the application will be **Federal Adult Basic Education Provider Competitive Grant (WIOA Section 231 funds)**.
2. **Application Process**: This will be a competitive grant that will be posted and promoted publically on the state department of education electronic grants management (EGMS) website. Applications will be submitted electronically as an emailed document (in Word format). The applications selected will need to be submitted to the Minnesota Department of Education SERVS (Statewide Electronic Record Verification System) for allocating funds via cost reimbursement.
3. **Eligible Providers**: Entities that can apply could include current ABE consortia or an organization that has demonstrated effectiveness in providing adult education and literacy activities that may include:
   1. a local educational agency;
   2. a community-based organization or faith-based organization;
   3. a volunteer literacy organization;
   4. an institution of higher education;
   5. a public or private nonprofit agency;
   6. a library;
   7. a public housing authority;
   8. a nonprofit institution that is not described above and has the ability to provide adult education and literacy activities to eligible individuals;
   9. a consortium or coalition of the agencies, organizations, institutions, libraries, or authorities described above; and
   10. a partnership between an employer and an entity described above.
4. **Federal ABE funding will be competed separately from state ABE funding**, but state-funded ABE consortia are encouraged to apply for federal funds. All ABE consortia (regardless of state/federal funding mix) will be required to adhere to federal accountability measures and policies. State-funded ABE programs can continue to apply for and receive state ABE funding, even if they are not awarded or choose not to apply for federal funding.
5. **Fund-Matching Requirement**: Applicants will be required to match proposed federal AEFLA funding at a minimum level of 1:1 from a stable, ongoing source, e.g. state ABE funding, foundation funding, local funding or other funding. Higher scores will be given to entities that can dedicate proportionately higher amounts of funding for ABE activities.
6. **Intent to Apply**: The Minnesota Department of Education will publish an “intent to apply” on the MDE website and potential grantees will be asked to submit an “intent to apply.” The received letters of intent will be sent directly to the Minnesota Department of Education. The numbers and list of applicants will be forwarded to local workforce development boards (WDB’s) so they will know how many proposals to expect in each region. This will allow MDE and local WDB’s to plan their review processes. MDE will provide review templates to each local board that prioritizes the sections of the application that cover collaboration and alignment with local and regional workforce development plans.
7. **Application content** will be based on the 13 considerations, as specified in WIOA. Additional questions and considerations will be identified as “state” priorities or questions.
8. **Coverage**:  Each awarded grantee will identify a **geographic area of service**, as defined by school district boundaries, unless they focus on a **unique population** not served by other ABE programs in the region or state. Not all geographic areas of service in a region are guaranteed federal ABE funding.
9. Applications will be sorted and **evaluated by workforce development area (WDA) regions**. At least one (but not limited to one) applicant will be awarded funding in each region. Multiple awarded applicants are possible in each region. Regions will include:
   1. Central Minnesota
   2. Metropolitan Area-East
   3. Metropolitan Area-West
   4. Northeast Minnesota
   5. Northwest Minnesota
   6. Southeast Minnesota
   7. Southwest Minnesota
   8. Statewide Special Populations, including Incarcerated Individuals in State Corrections/Prisons, People with Disabilities, Homeless Individuals and/or Other Special Populations
10. **Local Workforce Development Reviews**: All applications will be submitted to the Minnesota Department of Education. Applicants will identify their local workforce development board(s). In the Statewide Special Population region, MDE will send applications to the GWDC. Within 5 business days, the Minnesota Department of Education will send the applications to reviewers and to the local workforce development boards (WDB’s). The local WDB’s will be asked to review the AEFLA provider applications for their geographic area and provide feedback that will be used by the review teams in the in-person session. Local WDB’s will have an estimated 3-4 weeks to read the applications and provide feedback for review teams on how well the AEFLA provider application aligns to the local workforce development plan as well as strengths, recommendations and questions about the application. Feedback will be documented on a form provided by the Minnesota Department of Education. The form will be submitted via email. The local WDB feedback will be provided to the application reviewers for the in-person review session and to the applicants. Both the reviewers and the Minnesota Department of Education will use the information to make funding recommendations and selections.
11. **WDA regional review teams** will include multiple (3-4) local ABE staff from other regions, at least one state ABE staff, and potentially one or two other representatives from partner entities, like one-stops or local Workforce Development Boards. In preparation for the review, reviewers will be offered training and technical assistance from the Minnesota Department of Education. Each review team will receive the local application and the local and regional workforce development plan. Individual reviewers will have an estimated 4 weeks to read and score the applications for the region they are assigned. After the individual review period, all reviewers will convene at the Minnesota Department of Education for an in-person group review at which they receive the local workforce development board application review feedback. In the group review, they will discuss individual feedback, compare results, address questions and issues, and determine a collective score and rationale.
12. **IEL/Civics** (WIOA Section 243) will continue to be a separate two-year grant competition.
13. **Corrections Education Funding** (WIOA Section 225) will be competed in two ways:
    1. State Correctional AEFLA Programming will compete under Statewide Special Populations (Region H).
    2. Local and county correctional programming will compete in the local region (Regions A-G), depending on where they are located geographically.
14. **State ABE database**: Each ABE grantee (state and/or federally funded) is expected to contract for the state ABE database (MIS) services.
15. **Reporting and Ongoing Applications**: Beyond 2017, there will be an annual joint federal and state application process and report (with Table A, 7, 13, etc.) due June 1. Applications will ask applicants to identify whether they receive “federal ABE funding” and/or “state ABE funding.” Additional federal reports will be due August 1 through the state ABE database (MIS). In addition to the annual application, all ABE grantees, regardless of funding source, will need to complete a reauthorization application once every 5 years.
16. **Grantee Authorization**: State will award multi-year grants renewable annually and distributed based on the formula for distributing federal AEFLA funds while WIOA is in effect. Grantees will be renewed annually as long as funds are available; local grantees comply with state and federal grant expectations including program quality, fiscal reporting, performance reporting expectations and/or grant assurances; until WIOA is reauthorized; and/or until the Minnesota Department of Education chooses to compete the federal funds again.

### Proposed Application Narrative Questions

Each application must include a narrative component in this document that includes the following sections:

## Section 1: Executive Summary

This component of the application should **briefly** describe the proposed Adult Basic Education (ABE) program, including:

1. Geographic area of service, or special population served (state priority)
2. Brief overview of current services, student population and key initiatives or partnerships (state priority)

## Section 2: Need and Target Populations

Identify the targeted group(s) who will benefit from the program activities along with how the need was determined. Include the following:

1. Specific data about the targeted population benefiting from the program, noting how the program intends to serve those most in need, including individuals with low levels of literacy and English language learners.
2. Evidence of need for English language acquisition and civics education programming, and how the program activities will meet those needs.

## Section 3: Provider Educational Capacity

Describe your agency’s capacity for and commitment to administering high quality Adult Basic Education services. Provide the following:

1. Evidence of organization’s past effectiveness and current capacity in improving the literacy of and outcomes for eligible adults, including English language learners, individuals with low levels of literacy, and adults with disabilities, including learning disabilities. Example indicators could include educational level gains, educational outcomes, diploma attainment, postsecondary placement, certification completion, job placement, etc.
2. Indication of how staff, including instructors, counselors, administrators and volunteers, meet minimal qualifications established by the state, such as licensure, test administration certification, and distance learning training.
3. Evidence that staff have access to high quality professional development, including through electronic means.

## Section 4: Educational Quality

Describe the educational services available through your program. Clearly indicate how your programming does the following:

1. Overview of activities and services proposed, including adult education, literacy, workplace adult education and literacy, family literacy, English Language Acquisition, Workforce preparation, Integrated Education and Training, and/or Integrated Education and Technology.
2. Provide sufficient intensity and quality to allow students to make substantial learning gains.
3. Align to best practices derived from the most rigorous research available and appropriate, including scientifically valid research and effective educational practice.
4. Use instructional practices that include the essential components of reading instruction.
5. Integrate the state’s content standards for Adult Basic Education (state priority), which have been identified as the College and Career Readiness Standards for Adult Education (CCRS), the Academic, Career and Employability Skills (ACES) Transitions Integration Framework and the Northstar Digital Literacy Standards, as evidenced by:
   1. Descriptions of staff training on each set of content standards
   2. Multi-year content standards implementation plan, and
   3. Examples of how the program’s curriculum and instruction are based on the state’s ABE content standards.

## Section 5: Collaboration and Contextualization

Describe how your program collaborates with other entities, aligns to regional needs and provides contextualized instruction. Include the following:

1. Evidence of alignment to local or regional needs as outlined by local workforce boards and/or partners in the workforce development plans, including how applicant will promote concurrent enrollment with programs in Title I.
2. Evidence of alignment between activities and strategy/goals of local one-stop partners.
3. Description of ABE activities that offer learning in context, including through integrated education and training, so that an individual acquires the skills needed to transition to and complete postsecondary education and training programs, obtain and advance in employment leading to economic self-sufficiency, and to exercise the rights and responsibilities of citizenship.
4. Description of the organization’s career pathway programming for participants, including past experience and ongoing activities (state priority).
5. Description of how programming is developed in coordination and collaboration with other educational, training, and social service resources in the community. Partner entities could include elementary schools and secondary schools, postsecondary educational institutions, institutions of higher education, local workforce development boards, one-stop centers, job training programs, social service agencies, business, industry, labor organizations, community-based organizations, nonprofit organizations, and intermediaries.

## Section 6: Program Resources

Describe the resources that enhance students’ capacity to access and succeed in programming, available, including technology resources and flexible programming. Indicate the following:

1. Description of use of technology, including distance learning, to enhance programming and increase the quality of learning, and how such technology, systems and services lead to improved performance.
2. Description of the proposed program’s flexible schedules and coordination with Federal, State, and local support services (such as child care, transportation, mental health services, and career planning) that are necessary to enable individuals, including individuals with disabilities or other special needs, to attend and complete programs.
3. Confirmation of use of or willingness to use the state ABE database, which can collect and report measurable participant outcomes and monitor program performance.
4. Capacity to sustainably match federal funding with equal or greater amounts of other funding from state, local, organizational or other sources (state priority).
5. History of fiscal management procedures and audits.

### Selected Proposed Assurances

The applicant by submitting the application to the state, certifies they have read all application documents including any revised documents and agree to comply with all applicable federal, state and local laws, ordinances, rules and regulations, public policies herein and all others applicable.

**2. Use of Funds**

The use of funds shall be limited to that portion identified in the application materials and the attached application and by any applicable state or federal laws. Funds may not be used for gifts or novelty items (unless individually and specifically approved by the state) or for payments to vendors displaying exhibits for their profit. Funds may not be used to pay for or support other projects that are not identified in this application. Funds may not be used for the benefit of state employees, which includes, but is not limited to, reimbursement for any of their expenditures, including travel expenses, alcohol purchases, costs of registration fees for training sessions or educational courses presented or arranged, payments to state employees for presentations at workshops, seminars, etc., whether on state time, vacation time, leave of absence or any other non-work time.

A. The grantee, in the conduct of activities under this award, shall submit such reports as may be required by written instructions of the state within the times required by it. The state shall withhold funding if reporting requirements are not met in a complete, accurate and timely manner. The grantee must promptly return to the state any unexpended funds that have not been accounted for in a accepted financial report to the State due at grant closeout.

B. The grantee shall present reports to the Commissioner of the Department of Education (COMMISSIONER) or state’s Authorized Representative. At the COMMISSIONER’S discretion, the reports may be presented at departmental, legislative, other state agency or public meetings where the grantee shall be available to explain the project and to respond to questions.

C. Reimbursement for travel and subsistence expenses actually and necessarily incurred by grantee in performance of this project will be paid provided that the grantee shall be reimbursed for travel and subsistence expenses in the same manner and in no greater amount than in the current “Commissioner’s Plan,” promulgated by the Commissioner of Minnesota Management & Budget (MMB), and grantee will only be reimbursed for travel and subsistence outside the state of Minnesota if it has received prior written approval for such out-of-state travel from the State. Exceptions to these travel rates are those that may be negotiated with the University of Minnesota. The current Commissioner’s Plan can be viewed: [Access this link to obtain current maximum expense reimbursement rates](http://www.mmd.admin.state.mn.us/commissionersplan.htm) or at (http://www.mmd.admin.state.mn.us/commissionersplan.htm)

**Financial and Administrative Assurances**

***A. Allowability of Costs.***

The allowability of costs for federal funding incurred under this award shall be determined in accordance with the procedures and principles given in the federal Office of Management and Budget (OMB) circulars relocated to 2 CFR, Part 200.

For all funds, no claim for materials purchased in excess of budget categories or program services not specifically provided for in this award by the grantee will be allowed by the state unless approved in writing by the state. Such approval shall be considered to be a modification of the award. There may be additional limitations on allowable costs which shall be noted in the award.

A grantee hosting a meeting or conference may not use federal grant funds to pay for food for attendees unless it is necessary and reasonable to accomplish legitimate meeting, conference business or approved grant activities. Budget allocations for food must be approved by MDE. Example: A working lunch might be allowable to ensure full participation by attendees and if training continues during the lunch. Funds may not be used for entertainment, alcohol purchases or gifts. Refer to the applicable federal uniform guidance for cost principle information.

A meeting or conference hosted by a grantee and charged to the grant must not be promoted as a U S Department of Education conference.

1. ***Records.*** The grantee shall maintain books, records, documents and other evidence pertaining to the costs and expenses of implementing this application to the extent and in such detail as will accurately reflect all gross costs, direct and indirect, of labor materials, equipment, supplies, services and other costs and expenses of whatever nature. The grantee shall use generally accepted accounting principles. The grantee shall preserve all financial and cost reports, books of account and supporting documents and other data evidencing costs allowable and revenues and other applicable credits under this award which are in the possession of the grantee and relate to this award, for a period of no less than six years and the respective federal requirements where applicable.

All pertinent records and books of accounts related to this award and subsequent awards shall be preserved by the grantee for a period of six years subject to the following criteria:

1. The six-year retention period shall commence from the date of submission of the final expenditure report.
2. If any litigation, claim or audit is started before the expiration of the six-year period, the records shall be retained until all litigation, claims or audit findings involving the records have been resolved.
3. The grantee agrees to cooperate in any examination and audit under the provisions of this paragraph.

***B. Examination.***

The state or its representative or the federal administering department (when applicable) shall have the right to examine books, records, documents and other evidence and accounting procedures and practices, sufficient to reflect properly all direct and indirect costs and the method of implementing the award. The grantee shall make available at its office and at all reasonable times before and during the period of record retention, proper facilities for such examination and audit.

***C. State and Federal Audits.***

Under Minnesota Statutes, section 16B.98, Subdivision 8, the grantee’s books, records, document, and accounting procedures and practices relevant to this grant are subject to examination by the state and/or the state auditor or legislative auditor, as appropriate, for a minimum of six years from the end of this grant agreement, receipt and approval of all final reports, or the required period of time to satisfy all state retention requirements, whichever is later. If federal funding, all grantees are subject to retention requirements related to audits.

If the grantee (in federal OMB Circular language known as “subrecipient”) receives federal assistance from the state of Minnesota, it will comply with the applicable single audit requirements. The grantee will provide copies of the single audit reporting package upon request.

**Additional Program-Specific Assurances**

* 1. Any amendment to an award must be in writing and will not be effective until it has been executed and approved by the same parties who executed and approved the original grant award, or their successors in office.
  2. When a grant includes the production of a report or other publication and this publication may be posted on the MDE Website, that document must adhere to all MDE Communication’s policies, available upon request from the Communication’s Division.
  3. The grantee assures that if the award involves federal funding the reimbursement of expenditures is in compliance with all program provisions, relevant provisions of the Cash Management Improvement Act of 1990 (Public Law 101-453) as amended by the CMIA of 1992 (Public Law 102-589), codified at 31 U.S.C. 6501 and 31 U.S.C. 6503; all current Office of Management and Budget circulars and cost principles principles, with the current Federal Education Department General Uniform Administrative Regulations, Part 200 or other applicable code of federal regulations applicable to this federal reimbursement request.
  4. Grantee if a political subdivision of the state and funded with federal dollars, will consider the federal Resource Conservation and Recovery Act of 1976 in all procurement transactions. The objectives of the Resource Conservation and Recovery Act (RCRA) are to protect human health and the environment from the potential hazards of waste disposal, to conserve energy and natural resources, to reduce the amount of waste generated, and to ensure that wastes are managed in an environmentally sound manner.
  5. Federal grant recipients, subrecipients and their grant personnel are prohibited from text messaging while driving a government owned vehicle, or while driving their own privately owned vehicle during official grant business, or from using government supplied electronic equipment to text message or email when driving. Recipients must comply with these conditions under Executive Order 13513, “Federal Leadership on Reducing Text Messaging While Driving”, October 1, 2009.
  6. The grantee shall cooperate with the state when enforcing applicable Minnesota Office of Grants Management policies and statutes.
  7. Grantees funded with federal funding must follow 200.308, Revision of Budget and Program or as approved in the Official Grant Award Notification (OGAN) or other award documentation.
  8. Non-federal entities with federal grants must implement internal control processes as referenced in CFR 200.61 and 200.62.
  9. Non-federal entities with federal grants will take reasonable measures to safeguard protected personally identifiable information as well as any information that the federal awarding agency or pass-through designates as sensitive. Refer to federal regulation 200.303, Protected Personally Identifiable Information means as individual’s first name or first initial and last name in combination with any one or more types of information such as social security number, credit card numbers, place of birth.
  10. The non-federal entity using federal funding when contracting must take all necessary affirmative steps to assure that minority businesses, women’s business enterprises and labor surplus area firms are used when possible. Refer to 200.321 for more information.
  11. Grantee and their subrecipients of federal grant funds will adopt the requirements in the Code of Federal Regulations at 2, CFR 175.15 (b) pertaining to Trafficking in Persons.  These requirements are incorporated into this grant award. A grant may be terminated for any violation of these provisions by the grantee, its employees or its subrecipients.
  12. Grantees and subcontractors receiving grants exceeding $100,000 must comply with all applicable standards, orders, or requirements under Section 306 of the Clean Air Act, Section 508 of the Clean Water Act and Environmental Protection Agency regulations (40 CFR, part 15).
  13. The non-federal entity or applicant for a federal award must disclose, in a timely manner, in writing to the federal awarding agency or pass-through entity all violations of federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the federal award. Failure to make required disclosures can result in any of the remedies described in 200.338 Remedies for noncompliance, including suspension and debarment.
  14. If the initiative is federally funded with an award from the federal Office of Education, grantees must follow all other applicable uniform guidance under 2 CFR, Part 200 as applicable.
  15. The grantee must promptly return to the state any unexpended funds that have not been accounted for in a financial report to the state due at grant closeout.
  16. The grantee shall comply with any and all provisions of the Family Educational Rights to Privacy Act of 1974 (FERPA).
  17. Grantees will provide information to MDE, upon request and in a timely fashion to accommodate MDE’s reporting under the Federal Funding Accountability and Transparency Act. Prior to an award, propose grantees must provide, upon request any documentation necessary for MDE to conduct their risk assessment.
  18. Grantees will submit reports and comply with the terms as outlined in the Official Grant Award Notification (OGAN) or other award document.
  19. Will submit an accurate program performance report no later than June 1 each year that presents required student participation information over the time period from May 1 through April 30 and student outcome data from July 1 through June 30 in a timeline and format specified by MDE-ABE;
  20. Will seek reimbursement under Title II of the Federal Workforce Innovation and Opportunity Act (WIOA) only for expenditures that supplement, and do not supplant, monies that are, or should be, available from other sources;
  21. Will use fiscal control and fund accounting procedures that ensure proper disbursement of, and accounting for, all monies paid under this application. School districts must use the UFARS accounting system and all other entities receiving federal ABE funding must report expenditures using UFARS accounting codes;
  22. Adhere to additional ABE program-specific expectations, including:

1. Will not request federal ABE aid to subsidize the costs of programming for ineligible students, including those enrolled in K-12 services, those under the age of compulsory secondary education attendance, or those not needing ABE services as identified by the Workforce Innovation and Opportunity Act (WIOA).
2. Has vested control and administration of ABE funds provided under this application in the applicant agency and its designated fiscal agent, and will use those funds solely for ABE purposes under the authorizing legislation (M.S. 124D.52); See language in 124D.52 Subd. 1. (d) regarding purposes.
3. All teachers employed by a public school district will hold a valid Minnesota K-12 teacher's license and ESL teachers hold a K-12 teacher's license or have a postsecondary degree (or MDE-approved equivalent) in English as a Second Language.
4. Will comply with the MDE-ABE Contact Hour Policy document which establishes allowable procedures and definitions regarding the counting and reporting of student contact hours;
5. Will develop and implement a Memorandum of Understanding (MOU) with the local workforce development one-stop center;
6. Will file the written consortium agreement as prescribed by law with the MDE-ABE office;
7. Will contract for data management and reporting services for the Minnesota ABE database and will maintain information in the management and reporting system that is up-to- date according the quarterly benchmarks established in Minnesota Reporting Requirements found online at: <http://www.mnabe.org/program-management/accountability-nrs>)
8. The grantee will maintain an electronic (email) communications system that provides two-way communications between the consortium management and the state ABE office.
9. The grantee will provide updated delivery site and program information at least annually to the State Adult Literacy Hotline and will provide additional updates as programming changes occur (including changes in schedule, site locations, programs offered, etc.)
10. The ABE manager or his/her designee will attend each of the following MDE-ABE events:
    1. Fall ABE Manager’s Meeting;
    2. Spring ABE Grant Application Workshop;
    3. Annual state ABE database training; and
    4. June ABE Consortium Narrative Reauthorization Application Review – once every five years (e.g.- must participate in the June 2018 review of FY 2018-19 applications if submitting a narrative in 2019)
11. The grantee will collaborate with one-stop center services, to develop an appropriate and proportionate amount of administrative funds available under the Workforce Investment Act to maintain the one-stop system, including the payment of the infrastructure costs for the one-stop centers, in accordance with the methods agreed upon by the local board and described in the memorandum of understanding or the determination of the Governor regarding one-stop infrastructure funding.
12. The grantee will help to develop a process for participation and representation with local workforce board representation and participation with regional and state boards, upon request or as appropriate.
13. The consortium will comply with all requirements in federal law and state statute, all policies, rules and regulations promulgated by the federal Office of Career, Technical and Adult Education (OCTAE) and/or the Minnesota Department of Education (MDE) – Adult Basic Education (ABE) office.