

**WEST VIRGINIA**  
**SECRETARY OF STATE**  
**KEN HECHLER**  
**ADMINISTRATIVE LAW DIVISION**

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**FILED**  
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Form #5

OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE

**NOTICE OF AGENCY ADOPTION OF A PROCEDURAL OR INTERPRETIVE RULE  
OR A LEGISLATIVE RULE EXEMPT FROM LEGISLATIVE REVIEW**

AGENCY: West Virginia Board of Education TITLE NUMBER: 126

CITE AUTHORITY: W.Va. Const., Art. XII, §2 and W.Va. Code §18-9A-2

RULE TYPE: PROCEDURAL \_\_\_\_\_ INTERPRETIVE \_\_\_\_\_

EXEMPT LEGISLATIVE RULE X

CITE STATUTE(S) GRANTING EXEMPTION FROM LEGISLATIVE REVIEW

W.Va. Code §§29A-3B-1, et seq.; W.Va. Board of Education v. Hechler  
180 W.Va. 451; 376 S.E.2d 839 (1988)

AMENDMENT TO AN EXISTING RULE: YES X, NO \_\_\_\_\_

IF YES, SERIES NUMBER OF RULE BEING AMENDED: 57

TITLE OF RULE BEING AMENDED: Guidelines for Compliance with Adult  
Education Programs and Computation for Adults Enrolled Under the School Aid  
Formula, Adults in Net Enrollment (2420)

IF NO, SERIES NUMBER OF NEW RULE BEING ADOPTED: \_\_\_\_\_

TITLE OF RULE BEING ADOPTED: \_\_\_\_\_

THE ABOVE RULE IS HEREBY ADOPTED AND FILED WITH THE SECRETARY OF STATE. THE  
EFFECTIVE DATE OF THIS RULE IS March 22, 1998.

Cynthia E. Evans  
Cynthia E. Evans  
Director, Legal Services

\$3.40

**EXECUTIVE SUMMARY**  
**WEST VIRGINIA BOARD OF EDUCATION**

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**POLICY NUMBER AND TITLE:** Policy 2420  
Guidelines for Adult Education Programs

**POLICY COMMENT PERIOD ENDS:** January 16, 1998

**BACKGROUND:**

Policy 2420 was originally developed in 1989 following Senate Bill 14 providing for educational reform. The policy describes the shared responsibility of the State Board of Education and local boards of education to utilize public schools for education and workforce development for the adult population.

**Purpose:**

This policy provides guidance, technical assistance and assurance of compliance with legislative intent and state code. It includes an emphasis on life-long learning, family literacy, provision to serve adults in vocational education under the secondary school aid formula and the essential elements for the operation of Adult Basic Education programs.

**Major revision highlights**

- \* Learning as a life-long goal
- \* Consumer-oriented disclosure of program content
- \* Adults under the secondary formula
- \* Essential elements for the operation of Adult Basic Education programs

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FEB 20 3 45 PM '98

TITLE 126  
PROCEDURAL RULE  
BOARD OF EDUCATION

OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE

SERIES 57

GUIDELINES FOR COMPLIANCE WITH ADULT EDUCATION PROGRAMS AND  
COMPUTATION FOR ADULTS ENROLLED UNDER THE SCHOOL AID FORMULA,  
ADULTS IN NET ENROLLMENT (2420)

**§126-57-1. General.**

1.1. Scope. – Today's world demands a well educated workforce, technically literate and poised for change. Family literacy should be re-enforced as a goal of our society. Learning must become a life-long goal and part of our every day life. Therefore, the West Virginia Board of Education and county boards of education have a shared responsibility to offer adult education programs in cooperation with employers, community groups and community colleges.

1.2. Authority. – West Virginia Constitution, Article XII, Section 2; West Virginia Code §18-9A-2.

1.3. Filing Date. – February 20, 1998.

1.4. Effective Date. – March 22, 1998.

**§126-57-2. Adult Vocational-Technical Programs.**

2.1. All adults who enter technical centers should be assessed. Persons enrolled in technical education, not possessing a high school diploma or a General Education Development (GED) diploma, must successfully complete the GED test or the External Diploma Program before the technical education center may confer a certificate.

2.1.1. The intake process for adults should include full disclosure of:

- a. exact course title
- b. number of hours of instruction to be provided
- c. main learning goals and objectives
- d. national certification to be earned with disclosure of any waiting periods or

work requirements to sit for the exam

e. articulation available

2.1.2. New adult vocational technical education classes of 400 hours or more must be submitted to the Division of Technical and Adult Education Services for approval, regardless of funding source.

2.1.3. New one-year certificate vocational technical programs must be approved by the Division of Technical and Adult Education Services and the West Virginia Joint Commission for Vocational-Technical-Occupational Education.

2.2. Adult training programs should be offered in viable occupational areas.

2.3. Local county personnel should work closely with area employers to provide quality training and retraining programs for employees.

2.4. Technical education centers are encouraged to include one-year certificates in Community College articulation agreements.

2.5. Class schedules and offerings should be designed to meet customer needs .

2.6. Counties should include adults in secondary technical programs when daytime schedules and enrollments permit.

2.7. Vocational-technical education facilities staff should actively recruit adults, especially from targeted groups such as veterans, economically disadvantaged and single parents.

2.8. Vocational-technical education facilities should participate in financial aid programs.

2.9. Vocational-technical education facilities should offer assessment, remediation, counseling and placement services as components of adult programs.

**§126-57-3. Funding Sources.**

3.1. The West Virginia Board of Education will fund adult programs up to levels of funding available from State and Federal sources.

3.2. Schools will be assured of tuition and fees being paid if students receive financial assistance.

3.3. Tuition that is received for classes will be used to start new classes and maintain currently established classes. "Any funds accruing from such tuition shall be credited to adult education in the current expense fund of the county board of education and reported each year as of June thirtieth in the manner required for other financial reports of the board." W.Va. Code §18-5-19b.

3.4. As described in, W.Va. Code §18-9A-2, counties will receive funding through school state aid formula monies for adults enrolled in secondary vocational programs.

3.4.1. All West Virginia adults qualify for technical training except under the following circumstances:

a. Adults enrolled in other federal/state training programs and/or financial aid programs, such as Job Training Partnership Act (JTPA), Migratory Education, Pell Grant, etc.

b. Adults who obtain financial assistance from any federal or state financial aid program, while enrolled under the school aid formula through W.Va. Code §18-9A-2, immediately become ineligible under the school aid formula and are responsible for full payment of tuition and fees.

**§126-57-4. Adult Basic Education (ABE): Essential Elements.**

4.1. Adult Basic Education (ABE) programs will provide instruction in foundational skills related to employment, family, educational, civic and personal goals.

4.2. Each ABE program will develop a planning document that specifies program goals and objectives and is regularly reviewed and revised.

4.3. Each ABE program will develop and utilize a needs assessment system to determine the type of course offerings, preferred locations and class scheduling most appropriate to meet the needs of the community.

4.4. ABE programs will develop a system for obtaining continual community input and coordination to ensure that services are relevant, to avoid duplication of effort and to create a smooth transition of services for the adult learner.

4.5. ABE programs will target student recruitment activities toward adults most in need of educational and life skill services.

4.6. Curriculum and instruction will be geared to a variety of student learning styles and levels of student needs.

4.7. Emphasis will be placed on the use of technology as an instructional tool and a learning skill for participant use.

4.8. Adults with special learning needs will be identified and provided with appropriate accommodations for learning.

4.9. Community support services will be identified and utilized to meet the adult learner's needs.

4.10. ABE classes will be located in facilities that are safe, handicapped-accessible and conducive to learning.

4.11. Adult learners will be assisted to improve in foundational skills that: (1) support their educational needs; (2) enhance existing strengths; (3) enable them to function more effectively in their roles as worker, parent and citizen; and (4) prepare them for further education or training.

4.12. A data collection system will be utilized to document and record participant achievement.

4.13. ABE program instructors will participate in an ongoing process for professional development that considers the specific needs of its staff and adult learners.

4.14. A continuous improvement process will be executed to ensure that all services are of the highest quality and meet standards of accountability.

**POLICY 2420**  
**Guidelines for Adult Education Programs**  
**Comment Log**  
**December 18, 1997 - January 16, 1998**

Date Received	Submitted by	Comment	Response
12/10/97	Philip Noll, Area Education Coordinator, RESA VIII, 109 S. College St., Martinsburg, WV 25701	126-57-3 Funding Sources * Need for certified personnel * Funding for JTPA, etc. should come through State Department of Education * Questioned involvement of external agencies; i.e. Community Based Organizations in Technical Skill Training	Agree Agree Agree and support better coordination of state agencies and community based organizations
12/11/97	Lynn Overking, Licensed Practical Nursing Program, Monongalia County Technical Center, 1000 Mississippi St., Morgantown, WV 26505	126-57-2 Adult Vocational Technical programs * Need for improved articulation with college health occupations programs. (LPN to RN)	WV Department of Education is working with WV Board of Directors and the WV Joint Commission for Vocational-Technical-Occupational Education to improve acceptance of credit earned through vocational programs by the State College System.
12/16/97	William A. Sherwood, Director Technical and Adult Education, Mercer County Schools, 1397 Stafford Drive, Princeton, WV 24740	126-57-2 Adult Vocational Training Programs 2.1 GED/Testing Center * Supports completion of GED before enrolling at tech center 2.1.2 Program Approval * Questions need for approval at state level 2.1.3 Program Approval * Questions need for approval at state level 2.4 Questions need for articulation with community colleges 3.3 Supports local control of tuition monies collected for reinvestment in the Adult Education program 4.12 Desires further explanation of new data (MIS) system for ABE 4.14 Desires further information of ABE continuing improvement process	Agree Necessary to assure compliance with federal financial aid programs WV State Code requires the approval of one-year certificate programs to prevent unnecessary duplication of programs with community colleges. Articulation provides additional opportunity for students furthering their education. Agree Federal funds require certain data to be gathered and reported. Technical assistance will be provided through teacher training and technical assistance from state and regional ABE personnel based on indicators of program quality.

12/12/97	Christine N. Carder, Adult Education Director, Ohio County Schools, Wheeling Park High School, 1976 Park View Road, Wheeling, WV 26003	<p>126-57-2 Adult Vocational Training Programs</p> <p>2.8 Financial Aid Programs *Must all centers participate even if they have few/small programs?</p> <p>2.9 Must all vocational technical programs provide services in assessment, counseling, etc. regardless of size of the programs.</p> <p>2.1 Questions need for GED requirements for issuance of technical certificate.</p> <p>4.8 Adults with Learning Disabilities Who will pay for accommodations?</p>	<p>No - This program is optional and recommended for centers with medium to large programs.</p> <p>Counties may provide assessment in cooperation with the office of Employment Security, Adult Basic Education and/or secondary counselors. The service is highly recommended.</p> <p>Either a high school diploma or a GED is considered to be the "base" requirement for employers, colleges, etc. The policy requires high standards for issuance of vocational technical certificates.</p> <p>WV Department of Education has cooperative agreements with Vocational Rehabilitation and LEA counselors and will allocate funds for accommodations. Accommodation must be documented and reasonable.</p>
12/12/97	Melinda Hamilton, Adult Advisor, Monongalia County Technical Education Center, 1000 Mississippi St., Morgantown, WV 26505	<p>126-57-2 Adult Vocational Technical Programs</p> <p>2.1 Assessment * Supports assessment of adult students</p> <p>2.1.1.(b) * Supports disclosure of certificates to be received and all requirements including, work and/or provides for some National Certification processes.</p> <p>* Supports vo-tech centers participation in Title IV Financial Aid programs.</p>	<p>Agree</p> <p>Agree</p> <p>Agree</p>

## FISCAL NOTE WORKSHEET

(Submit 4 Copies)

ORD NO \_\_\_\_\_ DRAFT NO \_\_\_\_\_ BILL NO \_\_\_\_\_ RESOLUTION NO \_\_\_\_\_

SUBJECT Policy 2420: Guidelines for Adult Education Programs FUND \_\_\_\_\_

SOURCE OF REVENUE:  GENERAL FUND  SPECIAL  OTHER (SPECIFY) \_\_\_\_\_

COST OF ESTIMATE BASED ON:  AN ORIGINAL ESTIMATE  BUDGET BILL  OTHER (SPECIFY) \_\_\_\_\_

INCOME ESTIMATE BASED ON:  AN ORIGINAL ESTIMATE  BUDGET BILL  OTHER (SPECIFY) \_\_\_\_\_

SHOW OVER-ALL EFFECT IN ITEMS 1 AND 2 & GIVE EXPLANATION OF BREAKDOWN BY FISCAL YEAR INCLUDING LONG-RANGE EFFECT

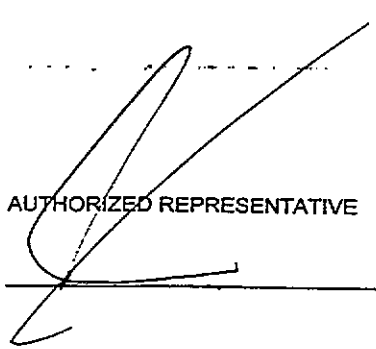
EFFECT OF PROPOSAL	ANNUAL		FISCAL YEAR		
	INCREASE	DECREASE	CURRENT	NEXT	THEREAFTER
1. ESTIMATED TOTAL COST	\$ -0-	\$ -0-	\$ -0-	\$ -0-	\$ -0-
PERSONAL SERVICES CURRENT EXPENSES REPAIRS/ALTERATIONS EQUIPMENT OTHER	\$	\$	\$	\$	\$
ESTIMATED TOTAL REVENUES	\$ -0-	\$ -0-	\$ -0-	\$ -0-	\$ -0-

EXPLANATION OF ABOVE ESTIMATES (INCLUDING LONG-RANGE EFFECT):

AGENCY

West Virginia Department of Education

AUTHORIZED REPRESENTATIVE



October 28, 1997