

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

Form #5

Do Not Mark In this Box

FILED  
NOV 8 1987  
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: West Virginia Code 18-2-5 and 18-7-1

RULE TYPE: PROCEDURAL  INTERPRETIVE

EXEMPT LEGISLATIVE RULE   
CITE STATUTE(S) GRANTING EXEMPTION FROM LEGISLATIVE REVIEW  
Chapter 29A-1-3

AMENDMENT TO AN EXISTING RULE: YES , NO

IF YES, SERIES NUMBER OF RULE BEING AMENDED: \_\_\_\_\_

TITLE OF RULE BEING AMENDED: \_\_\_\_\_

IF NO, SERIES NUMBER OF NEW RULE BEING ADOPTED: 190

TITLE OF RULE BEING ADOPTED: Coordination of Literacy Programs for  
Disposition and Use of Adult Literacy Funds

THE ABOVE RULE IS HEREBY ADOPTED AND FILED WITH THE SECRETARY OF STATE. THE  
EFFECTIVE DATE OF THIS RULE IS Nov 8, 1987

WEST VIRGINIA PROCEDURAL RULES  
WEST VIRGINIA BOARD OF EDUCATION  
CHAPTER 18-2  
SERIES 7232

Title: Coordination of Literacy Programs for Disposition and Use of Adult Literacy Funds

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Section 1. General

1.1 Scope - These procedural rules establish the activities within the Adult Literacy Education Program and the use and disposition of Adult Literacy Education Program Funds.

1.2 Authority - West Virginia Code 18-2-5 and 18-7-1

1.3 Filing Date - September 8, 1987

1.4 Effective Date - November 2, 1987

Section 2. Funding the Adult Literacy Education Program Fund

2.1 The financing of the Adult Literacy Education Program Fund will be derived from a voluntary checkoff and contribution designation on state personal income tax return forms of a portion or all of a taxpayer's refund. Contributions can be made any time during the year by mailing a check to the Adult Literacy Education Program Fund, West Virginia Department of Education, 1900 Washington Street, East, Charleston, West Virginia 25305. This financing shall be supplemental to any existing revenues, legislative appropriations, private or public grants, gifts or bequests made available for this purpose.

2.2 In accordance with the West Virginia Code 18-2-5 and 18-7-1 the State Tax Commissioner shall determine by the first day of July of each year the total amount of monies from the state personal income tax checkoff and contributions designated for the Adult Literacy Education Program Fund. The State Tax Commissioner shall report that amount to the State Treasurer who shall credit the monies in an account of the West Virginia Board of Education designated "Adult Literacy Education Program Fund."

Section 3. Use of Funds

3.1 The Adult Literacy Education Program is designed to provide functionally illiterate adults more opportunities to improve the quality of their own lives. Functional illiteracy relates to the inability of an individual to use reading, writing, and computational skills in every day life situations. For example, functionally illiterate adults are unable to fill out

an application, read a medicine bottle or a newspaper, assist their children with school work, et cetera. In short, when confronted with printed materials, such people cannot function effectively.

3.2 Identification and recruitment of persons over the age of twenty-one who are deficient in their basic literacy skills.

3.3 Establishment of a literacy outreach program using tutors and teachers to educate individuals at locations convenient to the adult learners, including, but not limited to work sites, schools, libraries, churches and community centers. The literacy outreach program shall be designed to assist persons in achieving a level of functional literacy or high school equivalency skill levels.

3.4 Expansion of adult basic education programs.

3.5 Increase the number of full-time and part-time volunteer tutors and teachers to provide these services.

3.6 Coordination of the efforts of the West Virginia Department of Education, other appropriate state agencies and volunteer groups.

#### Section 4. Application Procedures

4.1 Eligible applicants for Adult Literacy Education Program Funds are local education agencies, and public or private nonprofit agencies, organizations, and institutions.

4.2 Beginning July 1, 1987, all application requests for Adult Literacy Education Program Funds will be made on application forms provided by the West Virginia Adult Literacy Coalition (WVALC). The address for this organization is: West Virginia Adult Literacy Coalition, P.O. Box 5622, Huntington, WV 25703. All completed application forms are submitted to the WVALC.

4.3 After the WVALC evaluates the application form, it will forward the application form and its written recommendation of the project to the Assistant State Superintendent of Schools, West Virginia Department of Education (WVDOE), Bureau of Vocational, Technical and Adult Education. The WVALC will give written notice to the applicant once the application form and its written recommendation have been forwarded to the WVDOE.

4.4 WVDOE will consider the WVALC written recommendation and other factors such as unnecessary duplication, the past performance record of the organization, future impact upon adults, costs/student, funds available and practicality. The WVDOE will then, in turn, forward its recommendation to

Sec. of State  
Leg. Rule 18-2  
Series 7232, Section 4

the West Virginia Board of Education. If the project is approved by the West Virginia Board of Education, the project will be funded.

4.5 Any organization that requests funding will be notified by the WVDOE as to the acceptance or rejection of their application.

4.6 Up to seventy-five percent of the funds for approved projects will be advanced quarterly. Twenty-five percent of the funds may be forwarded after receiving the third quarter report and a determination has been made that all funds will be expended by the end of the project.

4.7 All funds not expended at the conclusion of the project must be returned to the WVDOE. The funds will remain in the Adult Literacy Education Program Fund.

4.8 The application must contain an agreement between the applying organization and the local county board of education. The agreement designates that the board of education for the county will act as the fiscal agent of the funds.

4.9 All Adult Literacy Education Program Funds will be forwarded to the fiscal agent under program code 6-X-00.

#### Section 5. Reporting

5.1 Monitoring of projects may be accomplished by an on site evaluation and/or by required narrative and financial reports. The WVDOE requires quarterly narrative reports from those receiving funds. Funding may be withheld unless proper reports are submitted not later than fifteen days after the end of each quarter. (Due September 15, January 15, April 15, and July 15).

5.2 The WVDOE shall supply the West Virginia Board of Education a report of activities and expenditures conducted within the Adult Literacy Education Program Fund not later than the December meeting of the appropriate year.

5.3 The West Virginia Board of Education shall furnish the Legislature with a report of activities and expenditures conducted within the Adult Literacy Education Program Fund not later than the fifteenth day of January of each year.

5.4 Local boards of education shall observe reporting procedures as described in the "Handbook of School Finance." Boards of education will submit quarterly financial reports by the dates listed in 5.1 with the exception of the last quarter which will be due not later than September 30.

APR 11 1988



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STATE OF WEST VIRGINIA  
SECRETARY OF STATE  
Charleston 25305

TO: Brent Thomson, Bd of ED

FROM: RICH O. HARTMAN, DIR. ADMIN. LAW DIV.

DATE: April 9, 1988

THE ATTACHED RULE(S) RECENTLY FILED BY YOUR AGENCY HAVE BEEN ENTERED INTO THE COMPUTER. PLEASE REVIEW AND PROOF AND RETURN WITH ANY CORRECTIONS. IF THERE ARE NO CORRECTIONS PLEASE SIGN THIS MEMO AND RETURN TO THIS OFFICE. YOU WILL BE SENT A FINAL VERSION OF YOUR RULE(S) FOR YOUR RECORDS.

PLEASE RETURN EITHER THE CORRECTED RULE OR THIS FORM WITHIN TEN (10) WORKING DAYS OF THE DATE YOU RECEIVED THIS REQUEST. CALL IF YOU HAVE ANY QUESTIONS.

*Series 190*

THE ATTACHED RULE(S) HAVE BEEN REVIEWED AND ARE CORRECT.

SIGNED: \_\_\_\_\_

TITLE OF PERSON SIGNING: \_\_\_\_\_

DATE: \_\_\_\_\_

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THE ATTACHED RULE(S) HAVE BEEN REVIEWED AND NEEDS CORRECTED. THESE CORRECTIONS HAVE BEEN MARKED.

*(1 correction marked in Red on pg. 2)*  
*GFH*

SIGNED: George F. Draen

TITLE OF PERSON SIGNING: Coordinator of ABE

DATE: April 12, 1988