



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF CAREER, TECHNICAL, AND ADULT EDUCATION

PROGRAM MEMORANDUM OCTAE 20-4

DATE: April 17, 2020
TO: State Directors of Adult Education
FROM: Scott Stump /s/
Assistant Secretary
RE: Adult Education and Family Literacy Act and COVID-19 – Frequently Asked Questions, Part 2

Purpose

The purpose of this memorandum is to provide clarification, flexibilities, and support to States as they seek to provide continuity of services under the Adult Education and Family Literacy Act (AEFLA) for participants during the COVID-19 pandemic.

Earlier COVID-19 FAQ Document

Please see Office of Career, Technical, and Adult Education (OCTAE) [Program Memorandum 20-3: Adult Education and Family Literacy Act and COVID-19 – Frequently Asked Questions](#)¹ issued on March 30, 2020, for previously-released responses to questions.

Frequently Asked Questions

Q1. We expect that turbulence in program delivery will result in a lower rate of testing and consequently affect measurable skill gains outcomes. Does OCTAE have any guidance for State offices on the types of flexibilities States have in evaluating local level performance, as this will impact State performance as a whole?

As indicated here and further below (see Q2), OCTAE is providing flexibility to States in revising their assessment policies to provide for testing exemptions related to the national emergency and COVID-19 pandemic. In addition, OCTAE encourages States to examine their own State-imposed policies that may impact local providers to determine if those policies should be modified during the COVID-19 pandemic. For example, if a State has a performance-based funding formula that includes factors on enrollment or performance outcomes, this may

¹ OCTAE Program Memorandum 20-3: Adult Education and Family Literacy Act and COVID-19 – Frequently Asked Questions is available at: <https://www2.ed.gov/about/offices/list/ovae/pi/AdultEd/octae-program-memo-20-3.pdf>.

adversely affect future funding of programs due to program closures or inability to test distance education students. Likewise, a State may have set performance targets with its local providers that may be adversely affected by the COVID-19 pandemic. OCTAE recognizes that State-imposed policies such as these assist States in achieving their Federal performance goals. However, OCTAE clarified in Question 1 of Program Memorandum 20-3 that it will not calculate performance success or failure based on Program Year (PY) 2019 data. States may take this into consideration when reviewing State-imposed requirements that may have an adverse impact on local providers who are experiencing the widespread impact of the COVID-19 pandemic.

Q2. May a State revise its PY 2019 approved assessment policy currently in effect to allow exceptions to testing for students in distance education programs who are unable to be tested due to the COVID-19 pandemic?

Yes, a State may revise its approved assessment policy for PY 2019 to allow local programs to exempt students enrolled in distance education programs from pre- and post-testing if a local program is unable to conduct testing due to the widespread effect of the COVID-19 pandemic and given the national emergency. Any such exemption that a State makes must contain the specific time frame that the COVID-19-related exemption is in place and contain guidelines for identifying students who are exempted from testing for COVID-19 related purposes.

Q3. Is a State required to submit an assessment policy that has been revised to allow testing exceptions because of the COVID-19 pandemic to OCTAE for approval prior to implementing it?

No, a State is not required to submit its PY 2019 assessment policy for approval of a revision that allows testing exceptions for distance learning students due to the COVID-19 pandemic. In accordance with 2 CFR § 200.407, because of the widespread impact of the COVID-19 pandemic, the Department is allowing OCTAE's prior approval of a State's revisions to its PY 2019 assessment policies to suffice for this limited purpose, without requiring each State to submit such a revision to OCTAE for approval. This prior approval only pertains to revisions to approved PY 2019 policies that expire on June 30, 2020.

Q4. In response to COVID-19, will OCTAE allow grantees to delay program exit for participants when services are delayed or canceled or there are challenges completing follow up activities?

Grantees should continue to provide participants with the services they need and must continue to exit participants in accordance with the definition of "exit" in the Workforce Innovation and Opportunity Act (WIOA) joint final rule (34 CFR § 463.150(c)(1)) and OCTAE's related performance guidance on the definition of "exit." That definition requires that there be no plan to provide a participant with future services. In light of this, grantees have a few options for serving and exiting AEFLA participants, despite challenges caused by the COVID-19 pandemic. These options include the following:

- Continue to provide services through distance learning.

- Schedule future planned services for participants whose services have been disrupted due to COVID-19. For example, if a local program cancels adult education classes for the remainder of the program year but plans to resume classes in the fall, the fall classes for these participants can be considered “future planned services,” and the program would not have to exit the participant.
- Exit participants who no longer are in need of services and do not have ongoing services or future planned services.

Q5. Does the statistical adjustment model address the extreme circumstances such as what we are experiencing now with COVID-19?

Title I of WIOA requires the U.S. Departments of Labor and Education (Departments) to use statistical adjustment models to adjust for changes in economic conditions and participant characteristics when establishing and adjusting levels of performance. Once states submit PY 2020 and PY 2021 indicator data (on October 1 of 2021 and 2022, respectively), performance indicators will be re-estimated using the actual participant characteristics and economic conditions for the states to calculate the adjusted levels of performance. At that time, the impact of COVID-19 will be reflected in the participant and State employment predictor values when performance indicators are re-estimated. It is too soon to estimate the extent to which the models can address the effects of COVID-19 through this approach. The Departments will closely monitor the impact of COVID-19 and the related national emergency upon grantee performance and service delivery and will ensure objectively fair performance assessments.