

MEMO

To: CAEAA members and CA adult education administrators

From: John Werner, CAEAA State President

Date June 1, 2021

RE: California Adult Education Administrators Association (CAEAA) recommendation to Adult Education Programs and LEAs regarding the use of funds apportioned to Local Education Agencies (LEAs) pursuant to California's [AB86 COVID-19 relief and school reopening, reporting, and public health requirements. \(2021-2022\)](#) and federal ESSER and GEER fund issuance.

New State Funds for COVID-19 impact mitigation:

AB86 was approved by the Governor of California and Chaptered by the Secretary of State on March 5, 2021. This Assembly Bill should not be confused with AB86 from 2014 which established the regional adult education consortia . This new bill has a familiar bill number as bill numbers are recycled from year to year.

Many Local Educational Agencies, LEAs, have already taken action or are designing plans to leverage funds apportioned in accordance with AB86. Adult education programs are eligible recipients of these revenues and may benefit from use of these funds to support work with adult populations.

Specifically, and taken directly from the education code, as enacted (bold font added for emphasis):

Funds may be used to support individuals served by local educational agencies, including, but not limited to, those enrolled in a childcare program, California state preschool program, kindergarten, any of grades 1 to 12, inclusive, and **adult education programs**, and shall be expended for any of the following purposes:

(1) Addressing learning loss or accelerating progress to close learning gaps through the implementation, expansion, or enhancement of learning supports that begin before the start of the

school year and the continuation of intensive instruction and supports into the school year.

(2) Extending the instructional school year by making adjustments to the academic calendar, increasing the number of instructional minutes provided during each week of school day, or taking any other action that increases the amount of instructional time or services provided to pupils based on their learning needs.

(3) Providing additional academic services for pupils, such as diagnostic assessments of pupil learning needs, intensive instruction for addressing gaps in core academic skills, additional instructional materials or supports, or devices or connectivity for the provision of in-classroom and distance learning.

(4) Providing integrated pupil supports to address other barriers to learning, such as the provision of health, counseling, or mental health services, professional development opportunities to help teachers and parents support pupils in distance-learning contexts, access to school breakfast and lunch programs, or programs to address pupil trauma and social-emotional learning.

(5) Addressing health and safety concerns, including, but not limited to, purchasing public health testing, personal protective equipment, supplies to sanitize and clean the facilities and school buses of a local educational agency, and for other related needs.

LEAs modifying collective bargaining agreements with unions, or engaging temporary or long term compensation agreements with employees should use the same revenue sources to support their adult education programs as they will use to satisfy the terms of their agreements with their unions for other, non-adult, education programs. LEAs should not anticipate that their adult education programs will leverage other revenue sources to satisfy those agreements. Plainly, adult schools should not be expected to satisfy any agreements made by a LEA as a result of this new apportionment with CAEP revenues or any other adult education specific revenues. LEAs have been given new and special funds to address the impacts of COVID-19 and should leverage those funds to satisfy COVID-19 impact mitigation and to satisfy collective bargaining agreement actions. AB86 related apportionment, as noted in the education code above, may and should be used to support adult education.

Existing Federal Funds for COVID-19 Impact Mitigation:

ESSER and GEER funds may and should be used to serve adults, including English learners, who are eligible to be served under the Adult Education and Family Literacy Act.

Per the [FAQ published 5/26/2021](#), ESSER and GEER funds may be used in adult education for activities that support adult learner populations.

These activities include:

IDEA defines “assistive technology device” as any item, piece of equipment, or product system, whether acquired commercially off the shelf, modified, or customized, that is used to increase, maintain, or improve the functional capabilities of a child [learner] with a disability. The term does not include a medical device that is surgically implanted, or the replacement of such a device. 34 CFR § 300.5.43

- Conducting outreach activities to re-enroll eligible adults who may have discontinued their attendance due to the COVID-19 pandemic;
- Providing career counseling for eligible adults who suffered job loss as a result of the COVID-19 pandemic;
- Purchasing technology (including laptops, Wi-Fi hotspots, or tablets) that enable adult learners to access virtual instruction;
- Professional development for adult education instructors in the effective implementation of online learning;
- Providing instruction to improve digital literacy of adult learners, including English learners, to improve digital access and inclusion;
- Assessing the skills and educational progress of adult learners using virtual assessment tools; and
- Accessing PPE and cleaning and disinfecting classrooms used during the regular school day so that they may be used for adult education and literacy activities in the evening.