



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF CAREER, TECHNICAL, AND ADULT EDUCATION

January 26, 2021

Katy Anthes, Ph.D.
Commissioner of Education
Colorado Department of Education
201 East Colfax Avenue, Room 500
Denver, CO 80203

Dear Dr. Anthes:

Thank you for the Corrective Action Plan (CAP) that the Colorado Department of Education (CDE) established as a result of the virtual monitoring review conducted on October 18 through October 19, 2018. After monitoring CDE's implementation of the CAP, the Office of Career, Technical, and Adult Education (OCTAE) has determined that all required actions have been satisfactorily completed. This CAP is now closed.

Finding 1: CDE incorrectly applied demonstrated effectiveness to determine an applicant's eligibility to apply for funding.

This action is complete. CDE submitted to OCTAE for review their Request for Applications (RFA) and timeline for awarding grants to new AEFLA subrecipients in December 2019. After OCTAE's review and approval, CDE conducted a new grant competition in Spring 2020 and notified subrecipients of their award on July 24, 2020. In the RFA, CDE required that all applicants address the demonstrated effectiveness requirements as described in 34 CFR § 463.24, in order to determine if applicants were organizations of demonstrated effectiveness and, therefore, eligible for funding consideration.

Finding 2: CDE did not include all 13 considerations in the selection criteria in the grant application used for scoring applications and awarding grants to subrecipients.

This action is complete. CDE submitted the revised RFA to OCTAE and received approval on January 22, 2020. The updated RFA included all 13 considerations as described in section 231(e) of WIOA. Additionally, CDE submitted to OCTAE for review and approval the frequently asked questions (FAQ) document which described how applicants may apply for AEFLA funding. CDE also provided technical assistance webinars in Spring 2020 and the information was posted on the CDE website.

400 MARYLAND AVE. SW, WASHINGTON, DC 20202
www.ed.gov

The Department of Education's mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.

Finding 3: CDE did not maintain sufficient documentation of its application review procedures, in accordance with the requirements of Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance).

This action is complete. CDE issued a memo to staff on August 24, 2020 documenting the records retention procedure for AEFLA digital and paper records as described in Uniform Guidance 2 CFR § 300.333. CDE will retain program year (PY) 2017 – 2020 competition, local program, and financial files through December 31, 2024 and the PY 2020-2024 files through December 31, 2028.

Finding 4: CDE did not properly identify State-imposed requirements and misidentified a federal requirement in its grant application materials.

This action is complete. CDE properly identified all State-imposed requirements in the approved January 2020 RFA. Additionally, CDE provided grant award letter exhibit A to subrecipients in September 2019. Exhibit A corrects misidentified federal requirements and clarifies the State-imposed requirements in the PY 2018-2019 continuation application.

Finding 5: CDE violated the AEFLA direct and equitable access requirements by requiring that applicants request a State-determined minimum funding level in the PY 2017 grant application in order to be considered eligible.

This action is complete. CDE did not establish a minimum funding level with the PY 2020 RFA. Therefore, CDE did not violate the direct and equitable access requirements for the new PY 2020 competition.

Finding 6: CDE did not issue grant award notifications to subrecipients in accordance with the requirements of the Uniform Guidance.

This action is complete. For the PY 2019-2020 continuation awards, CDE issued grant awards letters and grant award notifications to subrecipients in September 2019. The updated award letter and award notification included all the requirements of the Uniform Guidance including the federal restricted indirect cost rate and local indirect cost rate if applicable. CDE clarified indirect cost information in the grant award letter exhibit A which was also provided to subrecipients in September 2019.

Finding 7: CDE improperly stated indirect cost terminology in its FAQs document.

This action is complete. CDE submitted to OCTAE for review and approval AEFLA competition FAQs. The FAQs corrected indirect cost guidance including the definition, allowability, and how indirect costs are calculated. After the FAQs were approved, CDE shared the guidance through competition webinars and posted the FAQs on the CDE website.

We appreciate your consideration and detailed response to the monitoring report. CDE's diligence in implementing the CAP enhanced program quality and student achievement to strengthen Colorado's adult education service delivery system. Please feel free to contact me should you have any questions.

Sincerely,

A handwritten signature in blue ink that reads "Cheryl L. Keenan". The signature is written in a cursive style and is contained within a thin black rectangular border.

Cheryl L. Keenan
Director
Division of Adult Education and Literacy

cc: Danielle Ongart
Karla Ver Bryck Block
Stephanie M. Washington