

HB 421

SENATE EDUCATION

EXHIBIT NO. 1

DATE 3-7-11

BILL NO. HB 421

Adult Basic Literacy Education or ABLE

***ABLE serves between five and six thousand Montana adults yearly in basic skills such as reading, writing, math, and English as a second language. It assists citizens preparing to take the General Education Development Exam or the GED. ABLE also tutors adults in career specific skills and guides them toward careers or higher levels of training.**

***Adults 18 and over are eligible as are 16 and 17 year olds who are not enrolled in a high school program.**

***There are 20 programs in the state with 36 satellite sites.**

***ABLE is funded by a \$1,000,000 Workforce Investment Grant and \$525,000 state general fund money.**

***The 20 programs must reapply yearly for funding. Refunding decisions are based on proven success and students served.**

Reason for a Request to Change the Law

State Adult Basic Education law is not aligned with Federal law. Therefore, the House Bill 421's purpose is to bring the state law into compliance with federal law. Presently, all 20 programs are funded by the Workforce Investment federal grant. But, 5 programs are in conflict with state law and are not able to share in the state money utilized as the required match of the federal grant. These programs are conducted by libraries and community based organizations which presently are not allowed to receive funds under Montana law. The alignment will correct this problem. The bill requires no additional money. The programs are located in and conducted by:

**Havre
Livingston
Deer Lodge
Anaconda
Hamilton**

**Human Resource Development Council
Community Health Partners
Powell County Library
Hurst Library
Bitterroot Literacy Volunteers of America**

Below is the section from the Workforce Investment Act of 1998 that defines adult education and who can be providers.

SEC. 203. DEFINITIONS.

In this subtitle:

(1) *ADULT EDUCATION*- The term `adult education' means services or instruction below the postsecondary level for individuals--

(A) *who have attained 16 years of age;*

(B) *who are not enrolled or required to be enrolled in secondary school under State law; and*

(5) *ELIGIBLE PROVIDER*- The term `eligible provider' means--

(A) *a local educational agency;*

(B) *a community-based organization of demonstrated effectiveness;*

(C) *a volunteer literacy organization of demonstrated effectiveness;*

(D) *an institution of higher education;*

(E) *a public or private nonprofit agency;*

(F) *a library;*

(G) *a public housing authority;*

(H) *a nonprofit institution that is not described in any of subparagraphs (A) through (G) and has the ability to provide literacy services to adults and families; and*

Section of state law for proposed change:

0-7-702. Authorization to establish adult education programs. The trustees of a district or community college district may establish and operate an adult education program at any time of the day when facilities and personnel are available. An adult education program may provide both adult basic education and secondary general education development, ~~K-12~~ career and ~~vocational/~~technical education, vocational-technical education, American citizenship education, including courses in the English language and American history and government, or any other areas of instruction approved by the trustees.

20-7-712. Adult basic education fund and its distribution. (1) To encourage adult basic education, the legislature may appropriate funds to the superintendent of public instruction for the support of adult basic education programs in any school district, community college district, ~~or accredited~~ tribal college, public library, community based organization or a consortium of such organizations located in Montana.

(2) The superintendent of public instruction shall direct the distribution of funds appropriated by the legislature for adult basic education. The trustees or authorized representative of any eligible recipient may apply to the superintendent for funds for its adult basic education program ~~courses~~. The financial administration ~~and~~, accounting ~~and~~ reporting of adult basic education funds must be ~~the same as that of adult education~~ in accordance with policies established by the office of public instruction.