

12 Contra Costa Adult Education Consortium

Fiscal Declaration - Consortium Approved

Consortium Name: 12 Contra Costa Adult Education Consortium

Funding Channel: Direct Funded

Narrative: In 2022-2023, CCCAEC developed both its annual and three-year plan. When developing the three-year plan, CCCAEC reflected on accomplishments and challenges from the previous plan and identified the following goals: (1) Optimize learning and clarify career pathways to support student success; (2) Increase equitable access to CCCAEC member services; (3) Continue to align data/reporting process across the Consortium; (4) Enhance capacity to support seamless transitions; (5) Engage in data-informed quality improvement efforts to improve consortium outcomes and (6) Strengthen internal and external Consortium partnerships. For its annual adult education plan, CCCAEC prioritized (1) Optimize learning and clarify career pathways to support student success; (4) Enhance capacity to support seamless transitions; and (3) Subregionally strengthen internal and external Consortium partnerships to optimize referral opportunities for adult learners. CCCAEC member agencies continue to make progress towards both the annual and three-year plan and consistently review the goals in bi-monthly board meetings. The Consortium Manager has developed an annual plan tracker to capture updates on the annual plan at the sub-regional level and discuss it in board meetings to ensure planned allocations remain consistent with the annual and three-year plan. Through its established annual budget development process, facilitated by the CCCAEC Budget and Fiscal Workgroup, the CCCAEC reviewed and approved the funding needs of each member to ensure that allocations are appropriate to support member programming and implement annual and three-year strategies and activities. The budget development process also included thorough review and planning of Common Costs to ensure appropriate resources are available to support Consortium administrative and operational needs.

Changes: The CCCAEC's 2023-24 CFAD has changes in funding amounts to all members from their 2022-2023 CFAD allocation. The CCCAEC's allocation for the FY 2023-2024 is \$18,163,912 which includes a COLA of 8.13% and is an increase of \$1,365,689 from the previous year's allocation amount. The State approved COLA of 8.13% has been applied proportionally to all CCCAEC members' budget requests. Please see the table below for a detailed accounting of the CCCAEC's fiscal year 2023-2024 allocations. The CCCAEC members developed and approved the 2023-2024 CAEP allocation budget through the annual budget development process as outlined in the CCCAEC's budget agreement document. The final allocation budget outlined in this CFAD was approved by board-designated voting members at the CCCAEC Steering Committee, a public meeting on April 27, 2023.

Member Allocations

Member Name	(2023-24)	(2022-23)	(2021-22)
Acalanes Union High	\$702,035	\$641,756	\$594,348
Antioch Unified	\$1,254,386	\$1,146,682	\$1,061,976
Contra Costa CCD	\$736,363	\$673,137	\$623,412
Contra Costa Co. Office of Education	\$1,131,717	\$1,034,545	\$958,121
Liberty Union High	\$1,355,942	\$1,239,518	\$1,147,953
Martinez Unified	\$1,973,828	\$1,804,350	\$1,671,061
Mt. Diablo Unified	\$4,500,568	\$4,114,138	\$3,810,222
Pittsburg Unified	\$3,283,352	\$3,001,436	\$2,779,717
West Contra Costa Unified	\$3,225,721	\$2,948,753	\$2,730,925
Total Allocated to Members	\$18,163,912	\$16,604,315	\$15,377,735
Total CAEP Funds	\$18,163,912	\$16,798,224	\$15,764,090
Total Remaining	\$0	\$193,909	\$386,355

Carryover Threshold

Input a percentage of carryover that your consortium agrees will be considered an excessive amount.

Should a member, or members, exceed this carryover percentage upon certification of their Q4 report, they will be flagged as non-compliant with the AB 1491 legislation. One year of non-compliance does not carry a penalty. However, should the same member, or members, have two consecutive years of non-compliance the consortium may agree, by majority vote, to reallocate an amount that does not exceed the carryover to other members.

A consortium does have the ability to opt-out. To do so, simply toggle the carryover threshold button to the off position.

Carryover Threshold Off

Consortia Report on Governance Compliance of Rules and Procedures v.2

1. Have all community college districts, school districts, county offices of education, or any joint powers authority, located within the boundaries of the adult education region been allowed to join the consortium as a member? *

Yes

2. Have all members committed to reporting any funds available to that member for the purposes of education and workforce services for adults and the uses of those funds? *

Yes

3. How will the available funds be reported and evaluated? *

All CCCAEC member agencies will submit quarterly expenditure reports through NOVA in compliance with CAEP requirements.

In addition, the CCCAEC Budget and Fiscal Workgroup, consisting of representation from all funded member agencies, will review and monitor member expenditure progress on an ongoing basis through review of quarterly expenditure reports and regular member updates provided at Workgroup meetings. As defined in the CCCAEC Budget and Fiscal Agreement:

“The Budget and Fiscal Workgroup will use the three-year plan, annual plan, CAEP student data, and other resources available to evaluate program needs as identified to meet the needs of the community; current levels and types of services; funds provided to members; and member effectiveness.”

4. How will you assure that each member of the consortium is represented only by an official designated by the governing board of the member? *

CCCAEC Member agencies will be subject to the consortium’s Governance Procedures Agreement, adherence to which is a component of the CCCAEC member effectiveness. The agreement specifically states that voting member representatives seated on the CCCAEC Steering Committee must be one of the following: County Superintendent, District Superintendents, Contra Costa Community College District Chancellor, and Community College Presidents, or their official designees. If a member institution must change their representative to the Steering Committee, it is expected that verification of a new individual’s designation by its institution’s and/or district’s appropriate governing board be communicated before voting privileges are bestowed to that individual.

Accounting for extenuating circumstances in which a member representative cannot attend a Steering Committee meeting, the CCCAEC Governance Agreement provides the following guidance:

- 8. All Adult Education member institutions are encouraged to have a board-appointed Alternate to represent the member institution in the event that the Steering Committee member cannot be in attendance. Alternates should review the meeting agenda and previous meeting minutes prior to the meeting, as well as receive briefing from the Steering Committee member.

The CCCAEC has historically convened a Governance Workgroup charged with monitoring, evaluating, and refining governance procedures. The Governance Workgroup maintains a pulse on relevant procedures and reconvenes and as needed to review and refine governance procedures.

5. How will you assure that each member of the consortium participates in any decision made by the consortium? *

As stated in the CCCAEC’s Consortium Governance Agreement, decisions at the Steering Committee level require the establishment of a quorum of member representatives:

- 6. A quorum will consist of fifty percent of the colleges and CCCCD (2) and fifty percent of the Adult School member institutions and CCCOE (4), plus one from any member organization.
- 7. Decisions will then be subject to a vote providing that a quorum is present.

If there is a pattern of absences at the Steering Committee level (without a voting alternate in place), the member would be in violation of the CCCAEC’s established member effectiveness agreement, triggering a process of progressive intervention and potential escalation.

6. What will be the relative voting power of each member? *

Other

6.1 (Other) If selected "Other" in Question 6, use the space below to describe the relative voting power of each member. If not applicable, leave question blank. *

As stated in the CCCAEC governance agreement document:

5. The voting power of each member will be one vote from each adult school institution, two votes per college, one vote for the Contra Costa Community College District and one vote for the Contra Costa County Office of Education. Each member's vote will be recorded and included in the minutes.

7. How will decisions be approved? *

50% +1 vote

8. How did you arrive at that decision-making model? *

Items that are brought to the Steering Committee are often updates from work groups and task forces. CCCAEC has specialized work groups and task forces that focus on specific issues and/or oversee administrative processes (e.g. Budget and Fiscal Workgroup). These groups bring forward informed recommendations to the Steering Committee. As a result, most voting items at the Steering Committee level move forward with nearly unanimous approval. However, understanding that this level of consensus is not always achievable, the CCCAEC will accept a simple majority vote (50% +1) as approval.

9. How will proposed decisions be considered in open, properly noticed public meetings of the consortium at which members of the public may comment? *

All consortium decision-making will occur at regularly scheduled Steering Committee meetings or special sessions as needed to address pressing items. All Steering Committee meetings are open to the public and publicly posted both at member sites and on the CCCAEC's website. Steering Committee agendas articulate all items intended for Committee discussion and specifically denote voting items. The Committee adheres to Robert's Rules of Order and thus, as a matter of process, opens the meeting floor for discussion and comment before a vote is held. To ensure compliance and ongoing improvement, each meeting includes a report out from a "Process Observer" who evaluates and provides feedback on adherence to established meeting procedures.

10. Describe how will you provide the public with adequate notice of a proposed decision and consider any comments submitted by members of the public. *

As stated within the CCCAEC's Governance Procedure Agreement:

4. All CCCAEC Steering Committee meetings shall be publicly noticed with proposed agendas a minimum of 72 hours prior to meeting dates. Minutes with documents introduced at public meetings shall be publicly available and posted within ten (10) days after meeting dates.

A public comment agenda item will continue to be included in all Steering Committee meetings to provide members of the public an opportunity to give input related to agenda items as well as topics not included in the agenda. Public comments made during the meeting will be documented within the meeting minutes. Public comments submitted to the Consortium Management team in advance of the meeting will be shared (i.e., either read aloud or included as an appendix item if in document form) so that it may be entered into the Steering Committee's meeting record.

While Steering Committee members cannot directly respond to members of the public making comments, their input will be considered during the Steering Committee discussion.

11. Describe how comments submitted by members of the public will be distributed publicly. *

As stated earlier, public comments submitted to the Consortium Management team in advance of the meeting will be shared (i.e., either read aloud or included as an appendix item if in document form) so that it may be entered into the Steering Committee's meeting record. Public comments made during the Steering Committee will be recorded in the meeting minutes.

Draft meeting minutes will be posted to the CCCAEC website within ten days of the meeting, final meeting minutes will be posted after approved in the subsequent Steering Committee meeting.

12. Describe the process by which the consortium will solicit and consider comments and input regarding a proposed decision from other entities located in the adult education region that provide education and workforce services for adults. *

Members of the CCCAEC maintain robust networks of organizations and individual stakeholders across the continuum of adult education, social service, workforce, justice, industry, and healthcare domains. When appropriate and relevant to proposed decision-making and/or Committee learning, the Committee will draw upon the expertise and perspectives of its stakeholder network through a) the individual perspectives and recommendations shared during public comment by non-voting members of the Steering Committee; and/or b) through agendaized informational report-outs/trainings/presentations conducted by outside stakeholders and subject matter experts at the invitation of the Committee.

The CCCAEC, as part of its three-year plan, has adopted a strategy of strengthening internal and external partnerships and will explore opportunities to increase engagement and input from outside entities during Steering Committee meetings.

13. How will you determine approval of a distribution schedule pursuant to Section 84913? *

CCCAEC has developed the following process as part of its Budget & Fiscal Agreement which it will use to determine the distribution schedule:

- Section III, 1: Budget and Fiscal Workgroup will automatically roll member CFAD allocations from year to year in compliance with CA Education Code section 84914
- Section III, 2: Members will automatically receive their proportional COLA amount, if COLA is allocated in the state budget. COLA amounts will be based on the previous year's allocation amounts, in accordance with state guidance.
- Section III, 4d: One-time allocation adjustments will be funded using carry-over from members that did not fully expend the previous year's budget. Member carry-over equates to remaining funds from the previous year minus eligible reserve for economic uncertainty (REU) funds
- Section III, 6: The Budget and Fiscal Workgroup will recommend a common cost budget to the Steering Committee on an annual basis.

14. Has the consortium A) designated a member to serve as the fund administrator to receive and distribute funds from the program or B) chosen to have a funds flow directly to the member districts based upon the approved distribution schedule? *

B) chosen to have funds flow directly to the member districts based upon the approved distribution schedule

15. How will members join, leave, or be dismissed from the consortium? *

Within both its Member Effectiveness Agreement and Budget and Fiscal Agreement, the CCCAEC articulates duties and expectations that must be adhered to by all members of the CCCAEC. If a member is determined to be ineffective, both guidance documents specify protocols for progressive intervention, eventually reaching a point of outreach to CAEP and potential decision before the Steering Committee regarding their ability to retain member status.

At present the CCCAEC does not have a formal process in place that articulates the process for either a new member joining the CCCAEC or a current member leaving. Moving forward, the CCCAEC Governance Work Group may convene to review this area and develop necessary processes. Until that point, any inquiries regarding new membership or requests to depart the Consortium will be reviewed, discussed, and voted upon in a transparent fashion at a Steering Committee meeting, utilizing the CCCAEC's established decision-making structure.

16. What is the consortium's defined "excessive" member carryover percentage threshold? *

In its Budget and Fiscal Agreement, under Section IV: Member Effectiveness, CCCAEC has defined a progressive reallocation to address carryover funds (see below). The Budget & Fiscal Workgroup will spend time in the 2023-2024 fiscal year to monitor carryover and will then identify a strategy for member carryover. This strategy will include a percentage threshold for members. Once the strategy is identified, the workgroup will bring this to the Steering Committee for discussion and approval. The strategy will be implemented ahead of the 2024-2025 CFAD preliminary allocation in Spring 2024.

Current Process

First Fiscal Year: If a member is unable to spend the allocation within the designated timeline according to State guidelines, the Consortium will notify the member and its Superintendent that it is at-risk:

- 1) Unspent funds will be eligible for possible one-time reallocation to other members within the consortium in accordance with Section III: Allocation and Reallocation of Funds and member will be held harmless.

Second Time (consecutive): If a member is unable to spend the allocation within the designated timeline according to State guidelines, the Consortium will notify the member and its Superintendent that it is at-risk:

- 1) Unspent funds will be eligible for possible one-time reallocation to other members within the consortium in accordance with Section III: Allocation and Reallocation of Funds.
- 2) The member's next fiscal year consortium allocation will be reduced by 10% of the current allocation.
 - a) Members must be in "good standing" to be eligible for any additional/new CAEP funds.
 - b) All Members will be eligible for Cost of Living Adjustment – COLA.

Third time (consecutive): If a member is unable to spend the allocation within the designated timeline, according to State guidelines, the Consortium will notify the member and its Superintendent that it is at-risk:

- 1) Unspent funds will be eligible for possible one-time reallocation to other members within the consortium in accordance with Section III: Allocation and Reallocation of Funds.
- 2) The member's next fiscal year consortium allocation will be progressively reduced by an additional 10% of the current allocation.

Subsequent times: Same process as steps above. If additional new funds are available, member can petition to be reinstated after being in "good standing" defined as "having spent consortium allocation within the designated year" for a minimum of two (2) consecutive years.

17. Please explain how the consortium will monitor and administer carryover funds. What is the consortium's technical assistance and reasonable intervention process? What additional bylaws do you have that govern carryover? *

As discussed in the previous question (question #16), the Consortium has adopted as part of its Member Budget Agreement a defined policy to govern carryover (see question for Q16 for relevant excerpt).

18. How does your consortium define member effectiveness? *

The CCCAEC has developed, refined, and adopted a comprehensive Member Effectiveness Agreement that affirms member effectiveness standards articulated by the CA Department of Education and the CA Community Colleges Chancellor's Office (AEBG Fiscal Management Guide, Performance Year 2017-2018, Section 7). Within this framework member effectiveness is as defined by adherence to the following requirements:

- 1. Each member must participate in completing and updating the Annual Plan Template.
- 2. AEBG member funds must be expended within the seven program areas, and services provided must be consistent with the plan.
- 3. Each member must participate in completing and updating the 3-year Consortia Plan, including any amendments
- 4. Member expenditures of CAEP funds must align with the objectives of the consortium's annual plan as approved by the regional consortium board.
- 5. Members participate in consortium/public meetings.
- 6. Members participate in consortium final decisions.

- 7. Members report student level enrollment data and outcomes for quarterly and final reporting.
- 8. Members must share information on programs offered, and the resources being used to support the programs.
- 9. Members provide services that address the needs identified in the adult education plan.
- 10. Members file financial expenditure and progress reports with the regional consortium and input financial data in the state reporting system.

Furthermore, the CCCAEC's Budget and Fiscal Agreement identifies fiscal policies, detailed protocols, and submission timelines that members must adhere to as components of member effectiveness. Established expectations and detailed processes have been developed under the following domains:

- Participation at Budget/Fiscal Workgroup Meetings
- Annual Budget Development
- Carry-Over Policy
- Additional fund requests
- Budget change requests

19. What bylaws does your consortium have addressing member effectiveness? *

As discussed in the previous question (Q18), the CCCAEC articulates expectations around member effectiveness comprehensively within its Consortium Member Effectiveness Agreement. The agreement identifies progressive intervention steps in the case of member noncompliance. See below for related protocols excerpted from Member Effectiveness Agreement:

3) For instances in which a member is determined to be ineffective for reasons unrelated to budget and fiscal matters, the following process of progressive intervention will be observed:

- a) Concerns related to potential member ineffectiveness should be directed to Consortium Management
- b) Consortium Management alerts consortium co-chairs of member ineffectiveness
- c) Consortium co-chairs meet with appropriate Steering Committee Member
- d) If conference does not result in improvement, Consortium Management alerts the consortium co-chairs and they send a formal letter to the appropriate Steering Committee Member (Exhibit A).
- e) If member is unresponsive or does not comply with the Member Effectiveness Guidelines within specified timeline, the consortium co-chairs send a letter to the member's Superintendent/Chancellor/President and copy the Steering Committee Member (Exhibit B).
- f) In the event that the Superintendent/Chancellor/President is non-responsive or that the corrective action plan does not adequately address the member's ineffectiveness, the consortium co-chairs add the item to the upcoming Steering Committee agenda for the purpose of informing the committee of the situation and inviting the members to vote to determine whether the CAEP Technical Assistance Provider (TAP) should be notified of the member's non-compliance.

The Member Effectiveness Agreement also specifies that in all matters of non-compliance related to fiscal priorities, budget spend down rates, and the application of CAEP funding to activities in the annual and/or three-year plan, the Budget/Fiscal Workgroup will determine appropriate action in accordance with the CCCAEC.

The CCCAEC Budget and Fiscal workgroup defines "ineffective member" in its "Member Effectiveness Guidance and Agreement" including "reasonable interventions" that will be implemented as needed.

20. Does the consortium have a formal document detailing its work beyond the questionnaire? *

Yes

20.1 (Yes) Use the space below to provide a link to the formal document. *

CCCAEC Governance Procedures

CCCAEC Member Effectiveness Guidance and Agreement

CCAEC Budget and Fiscal Agreement

Member Agencies

Member Agency	Member Type	Contact	Phone
Acalanes Union High	High School District	Steven France	(925) 280-3945
Antioch Unified	Unified School District	Cynthia Hunt	(925) 779-7500 ext: 42354
Contra Costa CCD	District	Kelly Schelin	(925) 229-6826
Contra Costa Co. Office of Education	County Office of Education (COE)	Hilary Dito	(925) 942-5357
Liberty Union High	High School District	Guy Rognlien	(925) 634-2589
Martinez Unified	Unified School District	Suzanne Murphy	(925) 335-5803
Mt. Diablo Unified	Unified School District	Vittoria Abbate	(925) 685-7340 ext: 6711
Pittsburg Unified	Unified School District	Lisa Williams	(925) 473-2403
West Contra Costa Unified	Unified School District	Connie Pekedis	

Certification & Assurances



By clicking "Approve" on the approval cards below, you are certifying the CFAD as well as confirming that you and ALL consortium members agree to the Assurances listed below.

Assurances

Membership & Decision-Making

- I certify that any community college district, school district, or county office of education, or any joint powers authority consisting of community college districts, school districts, county offices of education, or a combination of these, located within the boundaries of the adult education region shall be permitted to join the consortium as a member (EC 84905 (a) (b)). (See Membership Box above).
- I certify that only members as described above (and in EC 84905) are allowed to join my consortium as members and participate in decision making and approvals whether in a public meeting, or via the NOVA planning, budgeting & expense reporting system.
- I certify that as a condition of joining a consortium, as a member, I shall commit to reporting any funds (as described in EC 84916) available to that member for the purposes of education and workforce services for adults and the uses of those funds through the annual Program Area exercise in NOVA for reporting leveraged funds, and instructional hours.
- I certify that as a member of the consortium my district shall be represented only by an official designated by the governing board of the member (EC 84905 (c)).
- I certify that as a member of the consortium, I shall participate in any decision made by the consortium (EC 84905 (d)(1)(A)).
- I certify that all decision made by the consortium and its members is final (EC 84905 (d)(1)(F)).
- I certify that I will adhere to the consortium rules and procedures and, as agreed upon by the consortium members, to any additional by-laws, charters, etc.

Public Meetings

- I certify that a proposed decision is considered at an open, properly noticed public meeting of the consortium at which members of the public may comment (EC 84905 (d)(1)(B)).
- I certify that the consortium has provided the public with adequate notice of a proposed decision and considered any comments submitted by members of the public, and any comments submitted by members of the public have been distributed publicly (EC 84905 (d)(1)(C)).
- I certify that the consortium has requested comments regarding a proposed decision from other entities located in the adult education region that provide education and workforce services for adults (EC 84905 (d)(1)(D)(i)).
- I certify that the consortium has requested comments regarding a proposed decision from other entities located in the adult education region that provide education and workforce services for adults (EC 84905 (d)(1)(D)(i)).
- I certify that the consortium has considered input provided by pupils, teachers employed by local educational agencies, community college faculty, principals, administrators, classified staff, and the local bargaining units of the school districts and community college districts before it makes a decision (EC 84905 (d)(1)(E)).
- I certify that in addition to the meeting requirements listed in EC 84905, and as agreed upon by the consortium members, that I will follow the public meeting requirements listed in the Ralph M. Brown Act as the Brown Act applies to the governing body of any "local body created by state or federal statute." (Ed. Code, section 54952.)

Reporting Requirements

- I certify that I will participate in completing and updating any consortium long range and/or short range planning efforts and/or budget work plans (EC 84906, 84914(a)).
- I certify that all CAEP expenses have been expended in the CAEP seven program areas, and services provided are consistent with the 3-year plan, the annual plan, and my district's work plan & budget as submitted in NOVA (EC 84913 (1-7), 84906, 8914(a)).
- I certify that my expenditures of CAEP funds match the objectives/activities included in the annual plan and the member work plan (EC 84906, 84914(a)).
- I certify that my expenditures of CAEP funds adhere to the allowable uses of funds as identified in the CAEP Fiscal Management Guide.
- I certify that I will report student level enrollment data and outcomes as prescribed by the State CAEP Office (EC 84920).

- I certify that I will share financial expenditure and progress reports with the members of my regional consortium.
- I certify that I understand that as a member if I do not meet any of these items I have certified, I will be deemed an ineffective member which may result in a loss or reduction of CAEP funding (EC 84914(b)).
- I certify that all CAEP expenses have been expended only for the education of persons 18 years of age or older (EC 84901(a)).

Acalanes Union High - Member Representative

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Approved by Steven France

04/28/2023 10:53 AM PDT

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04/28/2023 02:19 PM PDT

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04/28/2023 11:07 AM PDT

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04/28/2023 10:57 AM PDT

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04/28/2023 12:00 PM PDT

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04/28/2023 10:54 AM PDT

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04/28/2023 12:39 PM PDT

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04/28/2023 10:57 AM PDT

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