

California Adult Education Program : CFAD : 2022-23 Produced: Apr 28, 2022, 09:04 PM UTC Brian Stanley

41 Pasadena Area Consortium

Fiscal Declaration - Consortium Approved

Consortium Name: 41 Pasadena Area Consortium

Funding Channel: Direct Funded

Justification: Pasadena Area Consortium member Representatives discussed this action at multiple Board meetings and determined to change the disbursement method primarily for the sake of efficiency. The CCD has served as the fiscal agent and the process to distribute funds to members was onerous and inefficient. The non-CCD members still have not received any CAEP funds for the 2021-22 Program Year. Member Representatives are confident direct funding will improve efficiency of CAEP fund distribution.

Narrative: The Pasadena Area Consortium (PAC) has selected numerous Metrics in Three Year Plan and funding allocation is consistent with member efforts to improve on them. Metrics include: increased total Participation for English Learners, increased number of diplomas / equivalencies achieved, increased Gains in Educational Functioning Levels (EFL), and increased transition to postsecondary institutions. PAC member Reps engaged in transparent, public discussions about how funding allocations will be best used to achieve these Metric increases. Funding is consistent with the Annual Plan and the Three Year Plan. If allocation amounts need to change, PAC member Reps are comfortable utilizing the amendment process in a transparent and public manner.

Changes: PAC members changed Consortium's disbursement method from Fiscal Agent to Direct funded. Allocation amounts were changed in a transparent and public manner to account for the COLA in funds.

Member Allocations

Member Name	(2022-23)	(2021-22)	(2020-21)
Pasadena Area CCD	\$874,838	\$814,838	\$858,549
Pasadena Unified	\$861,281	\$772,604	\$743,974
Temple City Unified	\$355,860	\$350,000	\$350,000
Total Allocated to Members	\$2,091,979	\$1,937,442	\$1,952,523
Total CAEP Funds	\$2,091,979	\$1,986,119	\$1,908,812
Total Remaining	\$0	\$48,677	-\$43,711

Consortia Report on Governance Compliance of Rules and Procedures v.1

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? *

PAC members will report all funding sources as required by law. The mechanism for this report will be the Program Area Reporting in NOVA.

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? *

The PAC Bylaws stipulate that member Representatives must be approved by the governing Board of the member. Any member Representative not approved would be violating the Bylaws. PAC member Reps will determine a way to demonstrate proof of compliance that will not be onerous.

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

The Calendar of Board meetings is agreed upon by the Board well in advance. Member Representatives will know well in advance when meetings will occur and attendance is mandatory. All PAC member Reps take Board attendance and deliberations very seriously. Board Rep absences are very infrequent and only occur for emergencies.

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

1 member = 1 vote

7. How will decisions be approved? *

by majority vote of 51%

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

PAC member Representatives just completed a months-long process of updating the consortium Bylaws. In those discussions it was determined:

- Member Representatives will attempt to reach unanimous decisions by consensus as directed by our guiding principles. However, if a clear consensus cannot be obtained, decisions will be reached by a majority vote. Each Member of the Board has one Representative and each Representative will be entitled to one vote per motion. Voting by "Alternate" is permitted. Thus, the consortium has a 1 member = 1 vote structure and only requires a simple majority to approve decisions (though unanimity is preferred).

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

The Calendar of PAC Board meetings is agreed upon by the Board well in advance and made public on the PAC website. All PAC Board meetings are held in public at the CCD member institution and all agendas provide an opportunity for the public to comment on items on the agenda and items not on the agenda.

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. *

All agendas and minutes are posted on the PAC website in accordance with the Brown Act (72 hours in advance) and stakeholders from all member institutions are invited to attend. In compliance with AB361, all meetings are held with a teleconference link for the public to attend. All agendas provide an opportunity for the public to comment on items on the agenda and items not on the agenda.

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

Public comments are currently not requested to be in writing, but comments made at meetings will be included in the meeting minutes which are on the PAC website.

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. *

PAC members interact with numerous stakeholders, including Department of Social Services, American Job Centers of California, the Department of Rehabilitation, and Community Based Organizations (such as Homeboy Industries, et. al.) through the course of pursuing the consortium mission. These stakeholders are invited to PAC Board meetings and are encouraged to comment upon agenda items. These organizations were also involved in the Three Year Plan planning process.

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

As stated in Article I, Section 3, Clause iii of the PAC Bylaws, PAC Members will work together, ethically and fairly, to allocate financial resources and achieve efficiency in meeting the needs of PAC students and achieving its Purpose (to efficiently use California Adult Education Program (CAEP) funds to provide adults in its region with educational programs as specified by California AB104).

The PAC understands that it will receive an annual consortium-wide allocation of state CAEP funds. The PAC recognizes that distribution of these funds to PAC Members is guided by Local Control Funding principles and that the Members collectively collaborate to distribute these consortium-wide CAEP funds such that Members have adequate funding to work individually and achieve the consortium Purpose.

The PAC Executive Board (as defined in Article III in its Bylaws) will be the body that collectively determines individual Member Allocation of CAEP funds (herein referred to as "Allocation"). Individual Member Administration must recognize Allocations are determined collectively and collaboratively guided by Local Control Funding principles to achieve the PAC purpose and must minimize influence and interference upon Executive Board determination of Member Allocation. The PAC Members commit to determining Member Allocation in a transparent manner using reasonable data such as student enrollment and performance.

The Board will determine final CAEP Allocation publicly at a PAC Board meeting (as described in Article VI, Section 1) the month before the CAEP Consortium Fiscal Agent Declaration (herein "CFAD") is due to the state.

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? *

Membership to the PAC is governed by and complies with all current California State legislation, specifically AB104.

Institutions participating as members to the PAC are afforded all rights and responsibilities as outlined by California legislation. The Members of the PAC include the following organizations:

- a. Pasadena Area Community College District (PACCD)

- b. Pasadena Unified School District (PUSD)
- c. Temple City Unified School District (TCUSD)

As required by PAC Bylaws, member institutions can voluntarily leave the consortium but must provide written notice thirty (30) days prior to vacating membership. Any Member that voluntarily chooses to leave the consortium must return its annual Allocation of CAEP funds to the fiscal agent within 15 days of the effective date of leaving. The PAC Executive Board (described in Article IV) will determine how to redistribute the Allocation returned by the departing Member.

The decision to add a new Member requires a two-thirds majority vote.

The decision to remove a current Member requires each Representative (as defined in Article IV, Section 1 of the PAC Bylaws) to obtain the acknowledgement and approval from the Superintendent/President of the Member institution. Vote for approval to remove a Member must be a two-thirds majority.

16. How does the consortium monitor and administer carryover funds? *

PAC members monitor carryover funds through quarterly expenditure reports in NOVA.

- By the 2022-23 Program Year, carryover amounts greater than 15% of a Member's total Allocation indicate Member ineffectiveness.
- In the first year of excessive carryover, Member must provide a detailed plan as to how the carryover will be spent and the Executive Board must approve the plan. This is considered Intervention Year 1.
- If the carryover exists after Intervention Year 1, the Member is deemed ineffective.

17. What bylaws do you have that governs carryover? *

Article IV, Sections 1 and 2 of the PAC Bylaws govern member carryover:

Member Effectiveness will be measured by carryover amounts.

- By the 2022-23 Program Year, carryover amounts greater than 15% of a Member's total Allocation indicate Member ineffectiveness.
- In the first year of excessive carryover, Member must provide a detailed plan as to how the carryover will be spent and the Executive Board must approve the plan. This is considered Intervention Year 1.
- If the carryover exists after Intervention Year 1, the Member is deemed ineffective.

Once deemed ineffective, the PAC Board may reduce a Member's Allocation.

18. How does your consortium define member effectiveness? *

Article IV, Section 1 of the PAC Bylaws: Definition of Member Effectiveness

Member Effectiveness is primarily defined as a Member's ability to consistently meet the Assurances outlined above in Article III, Section 3. A Member is deemed "ineffective" if the Member consistently fails to meet CAEP Assurances (per the legislative requirements of California Educational Code 84900 – 84920) and reasonable interventions to improve Member Effectiveness have not resulted in improvements. The most critical of the above assurances are:

- Program Area Reporting of leveraged funds and instructional hours (this certification is due annually on 12/1)
- Quarterly expenditure reporting (Q1, Q2 (includes close out), Q3, & Q4)
- Plan Certification – 3-year plan, annual plan, and member work plan
- CFAD and Governance Certification (currently due May 2nd)
- Quarterly student data reporting into TOPSPro Enterprise (Q1, Q2, Q3, & Q4)

In addition to timely reporting in regards to the above reporting deadlines, Member Effectiveness will be measured by carryover amounts.

- By the 2022-23 Program Year, carryover amounts greater than 15% of a Member's total Allocation indicate Member ineffectiveness.
- In the first year of excessive carryover, Member must provide a detailed plan as to how the carryover will be spent and the Executive Board must approve the plan. This is considered Intervention Year 1.
- If the carryover exists after Intervention Year 1, the Member is deemed ineffective.

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

Article IV: Member Effectiveness and Member Removal extensively addresses member effectiveness.

In Article IV, Section 2: Reduction of Member Allocation:

The Board may reduce a Member's Allocation for the following reasons:

- Members have mutually agreed upon an Amendment to Annual Member Allocation so that one Member can better meet the PAC Purpose.
- The Member no longer wishes to provide services consistent with achieving the PAC Purpose and the PAC Annual Plan.
- The Member is not providing educational programs and services consistent with achieving the PAC Purpose and the PAC Plans.
- The Member is not expending CAEP funds in a manner that adheres to the allowable uses of funds as identified in the CAEP Fiscal Management Guide.
- The Member is consistently not meeting the requirements of Member Effectiveness as defined in Section 1 of this Article and is thus deemed "ineffective" in providing services that address the PAC Purpose. Reasonable interventions to improve Member Effectiveness have not resulted in improvements.

A simple majority vote is all that is required to reduce a Member's Allocations. The consortium may reduce the Member's Allocation for the current year or reallocate the Member's Allocation for the following program year.

If the Executive Board reduces Allocation for the current year, the Member must return Allocation to the fiscal agent within 15 days of written notification of forfeiture of funds. The Executive Board will determine how to redistribute reallocated Allocation funds.

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. *

chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/viewer.html?pdfurl=https%3A%2F%2Fpacadulthood.com%2Fwp-content%2Fuploads%2F2022%2F04%2FPAC-Bylaws-Final-REVISED-and-Approved-Act-22-07-3-18-22.pdf&chunk=true

Member Agencies

Member Agency	Member Type	Contact	Phone
Pasadena Area CCD	District	Dr. Francisco Suarez	
Pasadena Unified	Unified School District	Brian Stanley	(626) 720-2466
Temple City Unified	Unified School District	Robert Westgate	(626) 548-5101

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)).

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Approved by Brian Stanley

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Approved by Robert Westgate

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