

California Adult Education Program : CFAD : 2023-24 Produced: Mar 20, 2023, 06:45 PM UTC Nate Sachdeva

## 48 San Diego Adult Education Regional Consortium

### Fiscal Declaration - Consortium Approved

**Consortium Name:** 48 San Diego Adult Education Regional Consortium

**Funding Channel:** Direct Funded

**Narrative:** The SDAERC is using an annual allocation method based on a percentage split that was developed by the Consortium when first formed by the original two member agencies: San Diego Community College District's (SDCCD) noncredit institutional San Diego College of Continuing Education (SDCCE) and San Diego Unified School District's (SDUSD) Adult Education division. In January of 2021, San Diego Continuing Education added "College" to its title which was approved by the Board of Trustees. This split includes 75% of the Consortium allocation to SDCCD and 25% of funds to SDUSD AE. This allocation takes into consideration the size of the Adult Education programs offered by each member in terms of the number/percentage of students. This data shows that SDCCE is currently serving approximately 98% of the Consortium's total headcount being reported to CAEP. Additionally, the SDAERC has acknowledged funding levels needed to maintain and sustain AE programming with SDUSD. The SDAER planned allocation to members is based upon the budgeted and planned expenditures that utilize funds efficiently and that are justifiable and reasonable. Note that the partnership between CAEP Consortium member agencies has been established on a historic "Delineation of Function Agreement from 1979. This agreement defined the cooperative working relationship between districts for the adult education and training programs. CFAD Allocation Notes: Due to changes in allocation in PY 20/21 with the Governors budget, CFAD is showing a deficit. However, please refer to the Fiscal Allocation section in NOVA. This matches the consortiums records. No changes in allocation distribution methodology has occurred.

**Changes:** No Changes

### Member Allocations

Member Name	(2023-24)	(2022-23)	(2021-22)
San Diego CCD	\$4,305,166	\$3,935,515	\$3,644,794
San Diego Unified	\$1,435,056	\$1,311,838	\$1,214,931
<b>Total Allocated to Members</b>	<b>\$5,740,222</b>	<b>\$5,247,353</b>	<b>\$4,859,725</b>
<b>Total CAEP Funds</b>	<b>\$5,740,222</b>	<b>\$5,308,633</b>	<b>\$4,981,822</b>
<b>Total Remaining</b>	<b>\$0</b>	<b>\$61,280</b>	<b>\$122,097</b>

### 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? \*

No

**1.1 (No) Could you please address why not? \***

To be revisited. These entities, including San Diego County Office of Education and the LWDB, San Diego Workforce Partnership, are invited to all SDAERC meetings. However to date these entities have not been invited as a voting member funded or unfunded.

Note: As it has been explained in the past years, SDCOE does not provide Adult Education Services however, this may need to be revisited in the case of JCCS institutional services for the juvenile justice system.

**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? \***

Per Bylaws:

The SDAERC is responsible for reviewing and approving CAEP funding disbursement and the allocation methodology for each Member Agency. SDAERC Member Agencies are direct funded meaning the state disperses funding directly to each agency rather than through a designated consortium fiscal agent.

Each Member Agency is required to report member level budgets and expenditure reports pertaining to the Adult Education Plan submitted per state guidelines. The SDAERC has fiscal oversight responsibilities for these budget plans and expenditure levels, including review and approval.

Each Member Agency shall be required to review and adhere to the state issued Allowable Uses for AEBG Funds.

Each member agency ensures overall expenditures are reported with action items for approval of expenditures quarterly at Consortium Meetings.

**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? \***

Per Bylaws:

Designated Representatives: Each Member Agency will be represented by an individual designated ("Designated Representative") via the approval of the respective District Governing Board as evidenced by agenda items and minutes.

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

There will be equal representation from each Member Agency that shall include at least: two (2) Administrators, and one (1) Faculty/Instructor for a minimum required number of six (6) Designated Representatives with voting responsibilities.

Member Agency Representative Qualifications: While each Member Agency's District Governing Board shall be responsible for determining who represents their institution on the SDAERC, as guidance it is recommended that nominees be able to effectively participate in the necessary decisions made by the SDAERC. Therefore it is recommended that Designated Representatives be individuals with the following qualifications: able to represent the broad interests of the Adult Education Programs for their institution, knowledgeable about their respective institutional efforts, knowledgeable about the needs of students from a student services and/or instructional context, and given the authority by executive administrative leadership to make decisions pertaining to SDAERC efforts.

The Designated Representatives are responsible for reporting and informing their respective Member Agency and district leadership with information and updates pertaining to the SDAERC.

**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? \***

Through adoption of Bylaws

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

See SDAERC website maintained by Consortium Director and SDCCE Consortium costs: <https://sdcce.edu/organization/special-projects-and-grants/sdaerc>

Per Bylaws:

Public Meeting Requirements: As a local body created by state statute and per state guidance, the SDAERC falls under the purview of two public meeting requirements: 1) Ralph M. Brown Act and 2) the public meeting sections of California Education Code, which require that SDAERC actions and deliberations be conducted openly.

Posting of Meeting Agendas: SDAERC meeting notices shall be posted in accordance with the Ralph M. Brown Act that requires a meeting agenda be posted at least 72 hours in advance of a meeting. The agenda shall contain a brief general description of each agenda item including items to be discussed in closed session. The agenda shall specify the time and location of the meeting and shall be posted in a location that is freely accessible to members of the public as well as posting on the Member Agency's website. In addition, Agendas shall be sent via email to each Designated Representative.

Accessibility of Meetings: If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability, as required by the Americans with Disabilities Act of 1990.

Regular Meetings: The SDAERC shall meet a minimum of four times per year for Regular Meetings. As a best practice the SDAERC may choose to meet on a bi-monthly basis (every other month) at a regularly designated day, time and place.

Annual Meeting Calendar: It is recommended as a best practice that the SDAERC be presented with and adopt an annual meeting calendar of Regular Meetings. Regular Meetings can be rescheduled or cancelled based on the purview of the SDAERC.

**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. \***

See SDAERC website maintained by Consortium Director and SDCCE Consortium costs: <https://sdcce.edu/organization/special-projects-and-grants/sdaerc>

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

There is a distribution list maintained by Consortium Director and SDCCE consortium costs.

See SDAERC website maintained by Consortium Director and SDCCE Consortium costs: <https://sdcce.edu/organization/special-projects-and-grants/sdaerc>

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**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. \***

Public Comment is a component of each public agenda

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

Per annual CFAD approval

**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? \***

Per Bylaws:

Resignations: A Designated Representative is allowed to resign from the SDAERC. In doing so, they are asked to provide minimum of a 60-day-notice in writing to the SDAERC in order to allow for a new Designated Representative to be nominated for District Governing Board review and approval.

Removal: A Member Agency's executive leadership and/or District Governing Board may remove a Designated Representative immediately, however minimum of a 60-day written notice to the SDAERC is recommended.

Should a Designated Representative no longer hold employment with a Member Agency's organization or should they change jobs in which they are no longer working in an adult education capacity, they shall automatically be removed as a Designated Representative on the SDAERC and the Member Agency shall appoint a new representative.

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

Bylaws will be revised to include these definitions in Spring of 2023. Forming a SDAERC bylaw workgroup was discussed at March 16th SDAERC Meeting.

**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? \***

Bylaws will be revised to include these definitions in Spring of 2023. Forming a SDAERC bylaw workgroup was discussed at March 16th SDAERC Meeting.

**18. How does your consortium define member effectiveness? \***

Per bylaws there are several items related to effectiveness below. In addition, the Consortium conducts an annual effectiveness survey which is presented for discussion.

Code of Conduct: SDAERC Designated Representatives are asked to commit to professional conduct befitting of a public education institution and taking into consideration the responsibilities for the oversight of public funding and the adult education public education services in the region. Conflict of Interest: Designated Representatives shall not have a personal conflict of interest in any matters in which they influence and/or take action on an SDAERC decision. Should a conflict of interest arise, the Designated Representative is required to disclose all material facts of a potential or actual conflict in order to discuss potential solutions, recuse themselves from decision making, and/or develop a plan of action to alleviate the potential conflict. No Designated Representative shall have a personal financial interest in any contract or action taken by the SDAERC.

Representative Effectiveness: Should questions arise related to a particular Designated Representative's effectiveness the following steps will be taken: Communicate concerns to highest ranking Member Agency Designated Representative; and/or Communicate concerns in writing to the full SDAERC; and/or Communicate concerns to the Member Agency's highest level executive administrator.

Should one or more of the above actions be taken without resolution, it is upon the SDAERC, by vote, and/or individual Designated Representatives, to request a meeting with the highest ranking executive administrator of the Member Agency for which the Designated Representative works to request to negotiate a solution/resolution. If there is still no resolution, written communication and/or an appeal requesting a resolution, signed by at least three (3) Designated Representatives, shall be submitted to highest level executive administrator and the District Governing Board for a reconsideration of the Designated Representative's appointment.

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

Data Oversight: The SDAERC has responsibility for reviewing and analyzing student level data and using the information to determine the effectiveness of Member Agencies and the SDAERC as a whole in meeting the intent of AEBG including the effectiveness in meeting the adult education needs in the region.

Data Reporting: Each Member Agency is required to report and submit student data on a quarterly basis per state guidelines. At a minimum student data reporting includes a variety of aggregated student demographic, program enrollment, services and outcomes information including specific metrics related to: total adults served, demonstration of improved literacy skills, completion of high school diplomas and equivalencies, completion of post-secondary certificates, degrees and/or training, placement into jobs and improved wages.

The SDAERC may set additional performance and/or accountability metrics and reporting measures that are not part of state requirements.

**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. \***

Consortium Website: <https://sdcce.edu/organization/special-projects-and-grants/sdaerc>

Bylaws:

<https://sdcce.edu/sites/default/files/sdaerc/SDAERC%20Governance%20Charter%20FINAL%20Approved%202018.pdf>

Consortium Effectiveness Survey (PY 22/23):

<https://sdcce.edu/sites/default/files/sdaerc/%2845%29%202022%20SDAER%20Consortium%20Effectiveness%20Report.pdf>

## Member Agencies

Member Agency	Member Type	Contact	Phone
San Diego CCD	District	Kelly Henwood	(619) 388-4896
San Diego Unified	Unified School District	Nate Sachdeva	(619) 813-6490

## 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)).

**San Diego CCD - Member Representative**

**Kelly Henwood**  
Special Projects Manager  
khenwood@sdccd.edu  
(619) 388-4896

**Mark Nesbit**  
Accounting Supervisor  
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**Cynthia Giammarinaro**  
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**Tina King**  
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**Jacqueline Sabanos**  
Vice President, Administrative Services  
jsabanos@sdccd.edu  
(619) 388-4872

Approved by Kelly Henwood

03/20/2023 10:01 AM PDT

**San Diego Unified - Member Representative**

**Nate Sachdeva**  
Program Manager  
nsachdeva@sandi.net  
(619) 813-6490

**Sarah Vielma**  
Director, College, Career and Technical Education  
svielma@sandi.net

Approved by Nate Sachdeva

03/20/2023 11:45 AM PDT



California  
Community  
Colleges

