

CAEP  
CFAD

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## 48 San Diego Adult Education Regional Consortium

CONSORTIUM APPROVED

2024-25

### Fiscal Declaration - Consortium Approved

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

**Funding Channel:** Direct Funded

**Narrative:** The San Diego Adult Education Consortium (SDAERC) uses an annual allocation based on a member agency percentage (%) split developed by the Consortium when first formed by the original two Member Agencies: San Diego Community College District's (SDCCD) noncredit institution, San Diego College of Continuing Education (SDCCE) and San Diego Unified School District's (SDUSD) Adult School (SDAS). This split continues to include 75% of the Consortium allocation to SDCCD/SDCCE and 25% to SDUSD/SDAS. The SDAERC Member Agency allocations take into consideration the size of the Adult Education programming offered by each agency in terms of the number/percentage of CAEP instructional program students. SDAS offers three CAEP Instructional Programs, ABE, HSDP and HSEP. SDCCE offers 5 of the 7 CAEP Instructional Programs including ABE, ASE, ESL/Citizenship, CTE, and Adults with Disabilities (DSPS). The SDAERC has also acknowledged funding levels needed to maintain and sustain Adult Education programming offered by each Member Agency. The use of CAEP funds are focused on: CAEP Instructional Programs, strategies and activities that are part of the SDAERC 3-Year and Annual Plans. In addition, CAEP funding are utilized when three primary criteria are met: 1. Substantiate that the cost was necessary and reasonable for proper and effective administration of the allocations, 2. The cost must be allocable to the funding source activities, and 3. The cost must not be a general expense required to carry out the consortia member's overall responsibilities (i.e. not supplanting). The history of the partnership between SDAERC Member Agencies was established in 1979 per a "Delineation of Function Agreement". This agreement defined the cooperative working relationship between districts for adult education and training programs.

**Changes:** No Changes

### Member Allocations

Member Name	(2024-25)	(2023-24)	(2022-23)
San Diego CCD	\$4,341,498	\$4,305,166	\$3,935,515
San Diego Unified	\$1,447,166	\$1,435,056	\$1,311,838
<b>Total Allocated to Members</b>	<b>\$5,788,664</b>	<b>\$5,740,222</b>	<b>\$5,247,353</b>
<b>Total CAEP Funds</b>	<b>\$5,788,664</b>	<b>\$5,745,005</b>	<b>\$5,308,633</b>
<b>Total Remaining</b>	<b>\$0</b>	<b>\$4,783</b>	<b>\$61,280</b>

### 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 carryover legislation (EC 84914). 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? \***

Per SDAERC Bylaws, currently under revision:

Section VI: Fiscal Oversight and Allocations: Fiscal Oversight: The SDAERC is responsible for reviewing and approving AEBG 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.

Section IV Fiscal Reporting: 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 CAEP Funds. All allowable costs must be in the SDAERC 3-Year and Annual approved plans and meet three primary criteria:

- Substantiate that the cost was necessary and reasonable for proper and effective administration of the allocations.
- The cost must be allocatable[MS1] [KH2] [KH3] to the funding source activities.
- The cost must not be a general expense required to carry out the consortia member’s overall responsibilities (i.e. not supplanting).

Section IV Excessive Carry Over: Consortium Members Agencies are direct funded, the SDAERC will monitor budget expenditures quarterly and annually at public SDAERC meetings. Excessive Carryover Definition: Excessive carryover is defined as the percentage of allocated funds that a member has carried forward from one fiscal year to the next beyond a specified percentage threshold. The threshold for excessive carryover is set at 20% of the member's annual allocation within the Consortium.

**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 SDAERC Bylaws, currently under revision:

Section X Designated Representatives:

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. There will be equal voting representation from each Member Agency. This shall include at least: two (2) Administrators, and one two (2) Faculty/Instructor/Counselor for a minimum required number of eight (8) Designated Representatives with voting responsibilities.

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. Term of Service: Designated Representatives shall not have limits on the length of term in which they serve unless a replacement is determined by the District’s Governing Board and/or on the recommendation of a Member Agency’s executive administrator.

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

Per SDAERC Bylaws, currently under revision:

Section XI Attendance Proxy & Interim Appointments

Attendance: Designated Representatives are asked to attend all SDAERC meetings. Regular attendance by representatives is crucial to the effectiveness of the SDAERC. Should a Designated Representative fail to attend the majority (less than half) of SDAERC meetings on an annual basis, the SDAERC may, via a 50% plus one vote, recommend to the Member Agency the removal of the Designated Representative. There shall be no distinction between excused and non-excused absences. Proxy: Designated Representatives are allowed to assign a “Proxy” in a limited number of occurrences [KH1] on an annual basis. A Proxy must be designated per meeting only when a Designated Representative cannot attend a meeting requiring a vote. A Proxy designee allows for voting on an action item whereby a Designated Representative delegates his/her voting power to another individual to enable a vote in his/her absence. The Proxy designee must be an employee of the Member Agency with knowledge of SDAERC intent and must be named in writing by the Designated Representative as a Proxy for that meeting.

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

1 member = 1 vote

**7. How will decisions be approved? \***

50% +1 vote

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

Per SDAERC Bylaws, currently under revision:

Section XVI: Decision Making Processes, Quorum & Voting: Decision-Making: The SDAERC shall continue to operate on a decision-making model utilizing consensus. The SDAERC shall engage in discussion of topics, including those requiring action, to assist in developing a decision that is acceptable for all Member Agency Designated Representatives and in the best interest of the SDAERC’s intent. If, for any reason, consensus cannot be reached through discussion, then the SDAERC can choose one of two actions: 1) move an action for vote, which will then require a majority vote of 50% plus one to approve an item, or 2) make a motion to assign a subgroup to explore options for a solution and present these for consideration and action by the full SDAERC.

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

Per SDAERC Bylaws, currently under revision:

Section XIV Meetings: 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.

The SDAERC is a Brown Act-abiding consortium. Under AB 2249, the quorum must be present in person at a single, publicly accessible location. Individual voting members may participate remotely with notice. Voting members requesting remote participation MUST provide reason to do so, being either "just cause" or "emergency circumstances."

**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. \***

Per SDAERC Bylaws, currently under revision:

Section XIV Meetings: Posting of Meeting Agendas: SDAERC meeting notices shall be posted in accordance with the Ralph M. Brown Act that which requires a meeting agenda to 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 posted on the Member Agency's website. In addition, agendas shall be sent via email to each Designated Representative.

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

Per SDAERC Bylaws, currently under revision:

Section XIV Meetings Public Comment: Comments submitted by members of the public will be distributed publicly and included as part of the official meeting minutes. Comments submitted online will use the SDAERC Public Comment form. All meetings are recorded and posted online on the consortium webpage.

**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. \***

SDAERC continue to collaborate and invite the San Diego County Office of Education, City of San Diego Library system and the Local Workforce Investment Board, San Diego Workforce Partnership, to SDAERC meetings as guests. Note: to date these entities have not requested to join the SDAERC as a voting member. Additionally, the Distribution List for the SDAERC maintains numerous constituencies of Member Agencies as well as public entities and nonprofit organizations. This includes distributing the SDAERC Newsletter as well as direct invitations to SDAERC meetings.

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

The SDAERC with a quorum at a regularly scheduled meeting will approve a distribution schedule pursuant to Section 84913 that aligns with the SDAERC Three-Year Plan and Annual Plan. Funding will be distributed based on the seven AB104 instructional programs.

**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 SDAERC Bylaws, currently under revision:

Section XIII Code of Conduct, Conflict of Interest, & Designated Effectiveness:

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 act 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:

1. Communicate concerns to the highest-ranking Member Agency Designated Representative; and/or
2. Communicate concerns in writing to the full SDAERC; and/or
3. 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 the highest-level executive administrator and the District Governing Board for a reconsideration of the Designated Representative's appointment.

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

Excessive Carryover Definition: Excessive carryover is defined as the percentage of allocated funds that a member has carried forward from one fiscal year to the next beyond a specified percentage threshold. The threshold for excessive carryover is set at 20% of the member's annual allocation within the Consortium.

Excessive Carryover: In the review of expenditure, should there be carryover funds from year to year that are deemed "excessive," each member of the Consortium shall report their carryover amount to the Consortium quarterly.

**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? \***

Each member agency of the Consortium shall report their carryover amount to the Consortium at the end of each quarter.

The Consortium shall review the carryover amounts of each member quarterly and notify any member agency whose carryover exceeds the percentage threshold of 20%.

If a member exceeds the percentage threshold for carryover in one fiscal year, the Consortium may require the member to submit a written plan detailing how the excess carryover amount will be spent, including timelines, or how the member will redistribute the excessive carryover funds to another member.

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

Each Member Agency shall be required to review, acknowledge, and agree to adhere to the state issued General Assurances as well as approval of any changes to SDAERC Governance as set forth herein.

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

Per SDAERC Bylaws, currently under revision:

Section IX Data Oversight and Reporting: 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 CAEP, including the effectiveness in meeting the adult education needs in the region.

Section III Administrative Oversight: The SDAERC shall engage in the evaluation of effectiveness at least annually. The SDAERC shall determine criteria for evaluating the effectiveness of Member Agencies and the Consortium as a whole, including the ability to meet AEBG CAEP requirements. Per state guidance, this should include, at a minimum, a review of the following: administrative oversight comparing the Adult Education Plan submitted to the state with each Member Agency’s student data reports, demonstrated ability to address program effectiveness in order to meet community needs, current levels and types of services, cost-effectiveness, and other overall effectiveness measures as determined by the SDAERC.

**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. \***

<https://sdcce.edu/sites/default/files/sdaerc/2023%20SDAER%20Consortium%20Effectiveness%20Survey.pdf>  
<https://sdcce.edu/organization/special-projects-and-grants/past-consortium-effectiveness-survey-archive>

## 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**  
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Approved by Minou Spradley

05/01/2024 10:53 AM PDT

**San Diego Unified - Member Representative**

**Nate Sachdeva**

Program Manager  
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**Sarah Vielma**

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Approved by Nate Sachdeva

04/29/2024 10:12 AM PDT



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