

California Adult Education Program : CFAD : 2023-24 Produced: May 2, 2023, 04:29 PM UTC Eric Grabel

51 South Bay Consortium for Adult Education

Fiscal Declaration - Consortium Approved

Consortium Name: 51 South Bay Consortium for Adult Education

Funding Channel: Direct Funded

Narrative: Per California Adult Education Program requirements, the planned allocations are consistent with SBCAE's annual plan, which in turn is aligned with the active Three Year Regional Plan for Adult Education. The annual plan will be approved by the SBCAE Steering Committee in a formal public governance meeting, and Steering Committee members are responsible and accountable to align their CAEP allocations with the objectives in the annual and three year plan through the budget submission and approval process in NOVA. Furthermore, in accordance with the SBCAE Charter, members will provide regular updates on expenditures, and their alignment with the annual and three year plan, at public Steering Committee meetings. Allocations made explicitly to support consortium-wide needs will be included in this regular budget review cycle. SBCAE's member effectiveness committee critically reviews allocations and expenditure alignment with the plan. The committee presents findings and recommendations to the Steering Committee at formal public meetings. This process of transparent fiscal accountability, conducted at formal public governance meetings, will ensure allocations are used consistent with the active annual and three year plan

Changes: No Changes

Member Allocations

| Member Name | (2023-24) | (2022-23) | (2021-22) |
|-----------------------------------|---------------------|---------------------|---------------------|
| Campbell Union High | \$4,314,302 | \$3,943,866 | \$3,643,266 |
| East Side Union High | \$8,433,123 | \$7,690,752 | \$7,076,320 |
| Metropolitan Education District | \$3,248,212 | \$2,969,312 | \$2,749,965 |
| Milpitas Unified | \$998,494 | \$912,760 | \$845,334 |
| San Jose-Evergreen CCD | \$1,423,152 | \$1,319,241 | \$1,277,356 |
| Santa Clara Unified | \$2,417,172 | \$2,209,627 | \$2,046,400 |
| West Valley-Mission CCD | \$548,364 | \$501,280 | \$464,250 |
| Total Allocated to Members | \$21,382,819 | \$19,546,838 | \$18,102,891 |
| Total CAEP Funds | \$21,382,819 | \$19,775,111 | \$18,557,714 |
| Total Remaining | \$0 | \$228,273 | \$454,823 |

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 *

20%

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? *

Available funds will be reported following state & local financial system guidelines. Consortium members are required to complete fiscal reports in NOVA following the established CAEP reporting cycle. Fiscal reports in NOVA will be reviewed and certified by consortium co-chairs (one representative from each system: adult schools and community colleges). Consortium member effectiveness subcommittee of the SBCAE Steering Committee will periodically review and analyze member fiscal reporting and regularly report findings and recommendations to the Steering Committee. Members will also periodically provide financial reports to the Steering Committee.

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 the SBCAE Charter, Steering Committee members, both primary and alternate, are required to be approved by the governing board of their district. The consortium keeps a record of board appointments. SBCAE Charter language: Each of the five member school districts is represented by one representative and one alternate. Each of the community college districts, with two colleges each, is represented by two members and their alternates. At all meetings nine representatives (primary or alternate), formally approved by each member's Board, will represent the member institutions. Member districts will select voting representatives through locally established processes, but all representatives are formally appointed to the Steering Committee by the governing boards of their districts'. Each member's district is solely responsible for who represents it.

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

As described in the SBCAE Charter, all members of the consortium are represented at Steering Committee meetings by their board approved representatives. Decisions are only made when a quorum is present.

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

1 institution = 1 vote (thus giving districts with multiple institutions multiple votes)

7. How will decisions be approved? *

Other

7.1 (Other) If selected "Other" in Question 7, use the space below to describe how decisions will be approved. If not applicable, leave question blank. *

Generally approved by Consensus. If consensus not reached, it will be approved by 2/3 majority vote.

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

Given the collaborative nature of the consortium-model and in order to promote maximum member engagement, the consortium instituted a consensus based decision-making model. Every effort will be made to achieve consensus before a conflict-resolution process will be invoked. SBCAE's decision-making model is described as follows in the SBCAE charter:

All Steering Committee members commit to Decision-making through consensus. Discussion of issues continues until all members are able to accept a decision. If, for any reason, consensus is not reached: a) The Co-Chairs from each system (K-12 adult schools and the community colleges districts) will be charged to negotiate a solution. b) The two Co-Chairs will bring back a resolution to the Steering Committee for consensus. c) If there is still no consensus, the Co-Chairs will call for a formal vote, requiring a two-thirds majority to pass.

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 Steering Committee meetings are public meetings at which members of the public are invited to comment. Meetings are pre-calendared for the program year, and meeting dates are posted on the consortium website. Per Brown Act regulations, each meeting agenda will be noticed at least 72 hours in advance via the website. Public comment is a standing agenda item on Steering Committee meeting agendas. The consortium will adhere to Brown Act requirements for public meetings, and Brown Act training will be provided periodically to committee members.

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 Steering Committee meetings will be noticed at least 72 hours in advance per current Brown Act regulations. Meeting date, time, location and meeting agendas will be posted on the consortium's website: <https://sbcae.org/governance/steering-committee/>

Public comment will be considered at each meeting.

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

Following Steering Committee approval, meeting minutes, including public comment, will be made available to the public on the consortium website: <https://sbcae.org/governance/steering-committee/>

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. *

Such entities will include but not necessarily be limited to, local public agencies, departments, and offices, particularly those with responsibility for local public safety and social services; workforce investment boards; libraries; and community-based organizations.

The South Bay Consortium for Adult Education takes pride in utilizing every opportunity to seek input from other providers in the regional education and workforce development ecosystem. SBCAE is formally represented on the governance board of work2future, one of the two workforce development boards active in the consortium's service area. Both workforce boards, as well as a number of other community partners such as public libraries and community based organizations, participate in SBCAE's monthly community partner meetings and referral network. Partners are also invited to attend steering committee meetings, and provide input during SBCAE's Three Year and annual planning processes.

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

The annual CFAD process includes assurance from members to spend allocated funds in alignment with the consortium's three year and annual plans. Objectives, strategies and activities in these plans are in alignment with allowable program areas as described in Section 84913. The CFAD approval process will also include line-item detail of administrative and consortium-wide costs, not to exceed 5 percent of funds allocated in a given fiscal year.

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? *

At the inception of the consortium, all K-12 districts operating adult education programs and all community college districts in the service area were invited to join the South Bay Consortium for Adult Education. In the event a new 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 would be established, this entity will be invited to join the consortium.

SBCAE will follow EdCode & CAEP fiscal management guidance regarding leave or dismissal of members.

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

Carryover funds are monitored by the consortium co-chairs as part of the regular fiscal reporting cycle and consortium-level certification process. Going forward, in the next three year planning period, members will set targets regarding percentage of available funds spent. Per CAEP guidelines, members are expected not to exceed 20% of carryover in any fiscal reporting period. A formal process for administering carryover funds will be developed as part of SBCAE's 2022-2025 regional plan for adult education.

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? *

Per CAEP guidelines, members are expected not to exceed 20% of carryover in any fiscal reporting period. A formal process (bylaws) for administering carryover funds will be developed as part of SBCAE's 2022-2025 regional plan for adult education.

18. How does your consortium define member effectiveness? *

SBCAE adheres to the definition of member effectiveness as described in the CAEP Fiscal Management Guidelines:

The CDE and CCCC0 have identified the following to indicate member effectiveness:

- Each member must participate in completing and updating the Annual Plan Template.
- CAEP member funds must be expended within the seven program areas, and services provided

- Each member must participate in completing and updating the 3-year Consortia Plan, including
- Member expenditures of CAEP funds must align with the objectives of the consortium's annual
- Members participate in consortium/public meetings.
- Members participate in consortium final decisions.
- Members report student level enrollment data and outcomes for quarterly and final reporting
- Members must share information on programs offered, and the resources being used to support
- Members provide services that address the needs identified in the adult education plan.
- Members file financial expenditure and progress reports with the regional consortium and in

SBCAE Steering Committee consented to review member effectiveness definition and metric development as part of the 2022-2025 regional plan.

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

The SBCAE Charter describes the role and responsibilities of Steering Committee members as follows:

It is intended that the Steering Committee members leverage their experiences, expertise, and insight as representatives of their respective member districts. Steering Committee members are not directly responsible for managing annual activities, but provide support and guidance for those who do. Thus, individually, Steering Committee members should:

- Have a comprehensive understanding of the strategic implications and outcomes of the Plan and the annual activities.
- Understand and support the intent of the AB104 and A 2098 legislation.
- Be an advocate for broad regional and institutional support for the outcomes of the Plan.
- Have a deep understanding of the region and its adult education, immigrant integration, and workforce development needs.
- Take appropriate effort regularly to review the status of the annual activities.
- Represent their member district's interests, but the region's need for comprehensive adult education services will take priority.
- Ensure the annual activities meet the requirements of the state, the SBCAE Plan, and key stakeholders.
- Help balance conflicting priorities and resources.
- Provide guidance to the SBCAE Co-Chairs. • Solicit and consider ideas and issues raised by community partners, faculty, students and other stakeholders.
- Be the conduit of ideas and information about topics needed to be discussed at Steering Committee meetings; presenting topics for Steering Committee meetings to the Co-Chairs.
- Check adherence of annual activities to standards of best practice both within their member districts and in a wider context.
- Foster positive communication outside of the Steering Committee regarding the annual activities and the Plan's progress and outcomes.
- Report and evaluate member services whose outcomes may help achieve the Plan's objectives. Such service may include, but not be limited to, funding from WIOA Title II, Carl Perkins, non-credit adult education and other grants.
- Adhere to compliance deadlines for fiscal and student-level data reporting.

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://acrobat.adobe.com/link/review?uri=urn:aaid:scds:US:56dce9d9-9e4d-3220-bf30-5ef989206f71>

Member Agencies

| Member Agency | Member Type | Contact | Phone |
|---------------------------------|--|-------------------------|--------------------------|
| Campbell Union High | High School District | Dr. Usha Narayanan | (408) 626-6402 ext: 2601 |
| East Side Union High | High School District | Traci Williams | (408) 928-9310 |
| Metropolitan Education District | Regional Occupation Center/Program (ROC/P) | Kiran Grewal | (408) 723-6704 |
| Milpitas Unified | Unified School District | Giuliana Brahim | (408) 635-2692 ext: 4556 |
| San Jose-Evergreen CCD | District | Jonathan Camacho CMA | (408) 918-5108 |
| Santa Clara Unified | Unified School District | Christine Berdiansky | (408) 423-3503 |
| West Valley-Mission CCD | District | Eric Grabiell | (408) 741-2137 |

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)).

Campbell Union High - Member Representative

Usha Narayanan

Director

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Approved by Dr. Usha Narayanan

05/01/2023 04:18 PM PDT

East Side Union High - Member Representative

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Director

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Approved by Traci Williams

05/01/2023 04:20 PM PDT

Metropolitan Education District - Member Representative

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05/01/2023 04:28 PM PDT

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Approved by Priti Johari

05/02/2023 09:05 AM PDT

San Jose-Evergreen CCD - Member Representative

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05/02/2023 09:11 AM PDT

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Approved by Carrie Casto

05/01/2023 04:11 PM PDT

West Valley-Mission CCD - Member Representative

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Approved by Eric Grabiel

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