

California Adult Education Program : CFAD : 2023-24 Produced: Apr 28, 2023, 02:04 AM UTC Debbie Vanschoelandt

62 South Orange County Regional Consortium (SOCRC)

Fiscal Declaration - Consortium Approved

Consortium Name: 62 South Orange County Regional Consortium (SOCRC)

Funding Channel: Direct Funded

Narrative: The South Orange County Regional Consortium voted unanimously at their Executive Committee meeting held on Monday, April 24, 2023, to continue with the Direct Funded fiscal administration model and to distribute the Cost-of-Living Adjustment according to the percentage of allocation for each service-provider agency to total allocation. The baseline allocation prior to the addition of the COLA, was the continuance of the prior year's allocation. Per statute, no funded member is receiving less than the prior year allocation. Based on the mission and vision statements, members created overarching goals, objectives and action steps that are included in the annual plan and are directly related to the member allocation. As outlined in the consortium bylaws, which were amended in September 2022, all service provider agencies will present budget expenditure and service provision updates on a quarterly basis at the SOCRC General Membership meetings.

Changes: No Changes

Member Allocations

Member Name	(2023-24)	(2022-23)	(2021-22)
College and Career Advantage	\$505,004	\$461,665	\$418,956
Irvine Unified	\$614,993	\$562,183	\$513,444
Irvine Valley College	\$562,364	\$514,124	\$468,268
Laguna Beach Unified	\$134,825	\$123,341	\$100,926
Saddleback College	\$3,025,293	\$2,765,444	\$2,599,574
Tustin Unified	\$1,070,916	\$978,899	\$905,166
Total Allocated to Members	\$5,913,395	\$5,405,656	\$5,006,334
Total CAEP Funds	\$5,913,395	\$5,468,784	\$5,132,115
Total Remaining	\$0	\$63,128	\$125,781

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? *

Funded agency representatives will provide a quarterly fiscal report to the general membership as outlined in the SOCRC bylaws, prior to the certification of the quarterly expense reports for the consortium. In quarterly report, members will indicate whether they are using CAEP funds, or any other source of funds, such as Workforce Innovation and Opportunity Act, Local Control Funding Formula, Community College apportionment/general fund, other State/Federal grant funds, and any other funding used to support Adult Education programs. The reports will include how much funding is spent to date, what the funds are being spent on, staffing levels, and student enrollment levels. If a member is below the quarterly threshold for expenditures, they will provide an explanation for how the agency will be on track to achieve eighty percent fund expenditure by the end of the fourth quarter. The explanation may also include anticipated carryover in excess of the twenty percent threshold to be combined with future fiscal year funds for a capital expense.

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 consortium requires that before a new representative is acknowledged as the voting member for an agency and assumes voting privileges at the General Membership or Steering Committee meetings, the responsible school district must provide documentation in the form of Board resolution and meeting minutes that the Board of Education/Trustees has taken action at a properly noticed public meeting to appoint the new representative as a voting member of the SOCRC, who represents the interest and action of the school district.

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

In 2022/23, SOCRC members voted to move from four (quarterly) voting meetings, to the ability to have action items at each monthly meeting of the General Membership. Members approve the meeting schedule at the January meeting of the General Membership and are provided adequate notice of each meeting and agenda in advance of the monthly meetings. Action items, where voting members are expected to participate are clearly identified. If voting members are not able to make the meeting, a proxy is identified by the school board for the purpose of ensuring a quorum and voting at the meeting.

Additionally, the SOCRC identified five effectiveness measures for members in the bylaws updated at the September 2022 meeting that indicate participation in monthly meetings as a measure of effectiveness. This is reinforced in the draft of the member effectiveness self-evaluation tool that will be tested in fall 2023. The SOCRC has developed an internal system for

technical assistance for members who are not satisfactorily meeting the member effectiveness measurements, including attendance at monthly General Membership Meetings.

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? *

The consortium members used the consensus model for decision making during the 2014/15 planning process under the previous AB86 grant for Adult Education programs to plan the transition to consortium-based governance and programming.

As part of the annual review of the consortium's bylaws in 2022, consortium members agreed that votes or decisions would remain a simple majority. Language is included in Article III: Meetings, Section 7: Voting

"Decisions shall be reached by a simple majority vote. Proxy voting shall be permitted, as long as there is documentation provided that shows that the person who is the representative proxy vote has been approved by the member organization's governing board and paperwork identifying the proxy representative is on file with the consortium at time of the vote. In the event of a designee change, new documentation will be submitted by the member agency identifying the organization's governing board approved representative and approved proxy, prior to the newly designated agency representative or proxy voting on any Steering Committee or Consortium General Membership agenda items."

Maintaining one vote per member is contingent upon effective and consistent participation in the work of the Consortium. The Steering Committee will evaluate the effectiveness of member participation.

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 SOCRC will continue the practice of properly noticing meetings that include business and governance of the consortium per the Brown Act standard of 72 hours notice, prior to the start of the meeting. Notice will include an itemized agenda that clearly identifies which items are for discussion (no voting), action (voting), regular business, or agency reports. Where appropriate, particularly for action items, a description of the decision to be made, plus any supporting documentation such as budgets or reports shall also be attached to the agenda. Agendas will be posted on the SOCRC website, as well as through the regular posting process for each agency of the SOCRC.

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. *

Each agenda will describe the process used for public comment and allocate time at the beginning of the agenda to bring forward areas of interest or concern to the public that are not included in any of the posted agenda items. If the public wishes to comment on items on the agenda, time will be designated after the members have had a discussion and before a vote or decision is made. If the public is commenting on a discussion item, those comments will be included in the minutes of the meeting and can be referred to during future meetings where a decision will be made, but consortium members cannot vote or make decisions on items that have been identified as discussion only.

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

All comments made by the public during publicly noticed meetings shall be entered into the formal minutes of the meeting, which are approved at a subsequent General Member meeting. Minutes will also be archived on the SOCRC website under the governance tab in order to be publicly available at any time.

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. *

During the initial AB86 planning process, the SOCRC cultivated a list of interested parties and community partners into an email group. The consortium has sent the agendas to this group in accordance with Brown Act notice and reporting requirements. Since 2015, consortium members have cultivated new partnerships and some entities who were initially interested in adult education programs have closed or their focus has changed.

To more accurately reflect current partners, education providers, and workforce service agencies, staff at member agencies will review and update the list of public or governmental entities, community-based organizations, workforce development partners, and internal departments who may have an interest in the business of the SOCRC. Meeting notices and agendas will be sent to the agency or organization representatives to encourage community participation.

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

The SOCRC went through an extensive three-month process of reviewing, updating and approving bylaws for the consortium in the 2020/21 program year. Because the consortium changed fiscal administration models in May 2021 ahead of the 2021/22 program year, a great deal of time was spent on how the consortium would handle fiscal decisions, and in particular the distribution or allocation of funding for the 2021/22 program year and beyond. This process is written into the consortium's bylaws and includes a provision that the distribution schedule will be approved at the April meeting prior to the submission of the CFAD.

The following language appears in the consortium's bylaws in Article I, Section 4: Funding

"The SOCRC recognizes it is responsible for approving the amount of CAEP funding each service providing member receives as required by legislation. The consortium will annually approve base funding to each Adult Education member at the funding level of no less than the prior year CAEP allocation provided by the state. The consortium will also annually approve any CAEP COLA allocation, if provided, per state guidelines. This annual approval is subject to funding and funding guidelines provided by the State."

"Mandated and contract negotiated cost increases of each individual district will be considered first in developing the annual budget before CAEP funding is considered for other projects as identified in the consortium's annual plan."

The consortium now conducts an annual review of their bylaws to ensure that the bylaws reflect the ideology and practices of the organization, as well as uphold the laws of the State of California in relation to the funding and program regulations.

The SOCRC will hold a retreat in September 2023 for its members to go over the proposed changes to the bylaws and discuss how it will potentially impact members of the consortium. The retreat will also provide opportunity to review and discuss the self-evaluation process that resulted from changes to Ed Code for CAEP programs, with specific focus on AB1491.

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? *

The consortium currently does not include specific language in their by-laws that addresses how a member may join or leave the consortium. The bylaws were updated to include language for the dismissal of consortium members that mirrors language within AB1491. It more specifically addresses the reduction or elimination of funding after technical assistance.

Language that addresses new members or members who desire to leave the consortium will be added during the bylaw review for 2023/24.

The following reflects the current language regarding membership in the consortium from Article II, Membership:

Section 4: Non-voting membership: The Executive Committee shall have the authority to establish and define non-voting categories of membership. Other organizations serving adults in the SOCRC region may be invited to participate in the consortium as non-voting members.

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

AB 1491 authorizes a consortium to reduce a member's allocation by no more than the amount of the member's carryover, if the member has excessive carryover for at least two consecutive fiscal years beginning with the 2023–24 fiscal year. Please note, there is no percentage threshold mandated in AB1491 that is specific to member carryover. As a result, individual consortia are able to define "excessive" as a specific percentage of any unspent funds from the prior fiscal year

The consortium has not determined or defined a specific excessive carryover percentage at this time. This will be discussed during the review of the bylaws and voted on at the September 2023 General Membership Meeting. SOCRC will include the excessive carryover percentage in the 2024 CFAD.

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? *

If one year of carryover is determined, the consortium must offer members technical assistance to help prevent them from having two consecutive fiscal years of carryover funds.

Language regarding technical assistance for members is referred to in Article IV, Consortium General Membership; Section 5, member effectiveness:

Service-providing members who receive CAEP funding will be required to report on their expenditures and carryover on a quarterly basis when expense reports are due to the State. Additionally, funded members will report on program hours, program expenditures, and student success measures on an annual basis.

Members may be subject to technical assistance through SOCRC and placed into a monitoring period if they have not met one or more of the member effectiveness criteria outlined below for a period of at least twelve months.

Technical assistance may include any or all of the following:

- Notice sent to agency representative and district superintendent outlining area(s) of non-compliance
- Measures necessary to regain compliance with SOCRC and CAEP regulations
- Regular monitoring of expenditures
- Regular monitoring of student success achievements

If a member who is in technical assistance is unable to meet the obligations of SOCRC and CAEP funding requirements after a twelve-month monitoring period, additional actions may be taken including the following:

- Extension of technical assistance monitoring period
- Reduction in amount of annual allocation
- Removal from being a service provider

The Executive Committee may recommend that a member be removed as a service-provider for non-performance of duties after the member has gone through at least eighteen (18) months of technical assistance without remediation in the deficient areas. A decision to remove a member for non-performance requires a two-thirds vote (7 out of the 10 members). The Executive Committee will send notification of potential action to the agency representative and superintendent of the school district outlining the actions taken by SOCRC technical assistance, areas of non-compliance, and the date of the Consortium General Membership meeting at which the removal of the member from service provision will be addressed.

18. How does your consortium define member effectiveness? *

The SOCRC spent a great deal of time deliberating about what member effectiveness should look like and defines member effectiveness in their bylaws in Article IV, Consortium General Membership; Section 5, member effectiveness:

Member effectiveness will be defined as

- 1) regular attendance and participation at monthly Consortium General Membership meetings;
- 2) participation in and contribution to the development of the annual and three-year plan;
- 3) meeting the student success goals of the three-year and annual plans;
- 4) financial expenditures aligned to annual and three-year plan goals and CAEP guidelines;
- 5) funds expended in a timely manner in accordance with AB 1491

Additionally, the SOCRC instated a member effectiveness subcommittee to develop a self-evaluation tool that will be completed annually and shared at a General Membership meeting in the fall. The subcommittee also developed the quarterly fiscal reporting tool and a tool to assess facilities, classrooms, equipment and technology. All of the tools will assist members in determining and demonstrating that they are meeting the member effectiveness standards.

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

The bylaws include a new section on member effectiveness. SOCRC used specific language from AB1491 that addresses reduction in funding in relation to member effectiveness. Member effectiveness will be defined as

- 1) regular attendance and participation at monthly Consortium General Membership meetings;
- 2) participation in and contribution to the development of the annual and three-year plan;
- 3) meeting the student success goals of the three-year and annual plans;
- 4) financial expenditures aligned to annual and three-year plan goals and CAEP guidelines;
- 5) funds expended in a timely manner in accordance with AB 1491

AB 1491 amends Sections 84901 and 84914 of the California Education Code AB104, Article 9, relating to Adult Education. Members must not have a carryover balance that exceeds twenty (20) percent annually.

Service-providing members who receive CAEP funding will be required to report on their expenditures and carryover on a quarterly basis when expense reports are due to the State. Additionally, funded members will report on program hours, program expenditures, and student success measures on an annual basis.

Members may be subject to technical assistance through SOCRC and placed into a monitoring period if they have not met one or more of the member effectiveness criteria outlined above for a period of at least twelve months. Technical assistance may include any or all of the following:

- Notice sent to agency representative and district superintendent outlining area(s) of non-compliance
- Measures necessary to regain compliance with SOCRC and CAEP regulations
- Regular monitoring of expenditures
- Regular monitoring of student success achievements

If a member who is in technical assistance is unable to meet the obligations of SOCRC and CAEP funding requirements after a twelve-month monitoring period, additional actions may be taken including the following:

- Extension of technical assistance monitoring period
- Reduction in amount of annual allocation
- Removal from being a service provider

The Executive Committee may recommend that a member be removed as a service-provider for non-performance of duties after the member has gone through at least eighteen (18) months of technical assistance without remediation in the deficient areas. A decision to remove a member for non-performance requires a two-thirds vote (7 out of the 10 members). The Executive Committee will send notification of potential action to the agency representative and Superintendent of the school district.

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://southorangeadulthood.org/wp-content/uploads/2022/09/Approved-ByLaws_9.26.22.pdf

Member Agencies

Member Agency	Member Type	Contact	Phone
Capistrano Unified	Unified School District	Brittany Casey	(949) 489-7216
Irvine Unified	Unified School District	Dr. Rebecca Roberts	(949) 936-7405
Irvine Valley College	College	Debbie Vanschoelandt	(949) 367-8310
Laguna Beach Unified	Unified School District	Dr. Chad Mabery	(949) 497-7700
Saddleback College	College	Dr. Karima Feldhus	(949) 582-4326
Saddleback Valley Unified	Unified School District	Kim Thomason	(949) 580-3441
South Orange County CCD	District	Roxanne Metz	
Tustin Unified	Unified School District	Christine Matos	(714) 730-7395
Coastline ROP	Regional Occupation Center/Program (ROC/P)	Dr. Brian Dozer	(949) 429-2222
College and Career Advantage	Regional Occupation Center/Program (ROC/P)	Dr Paul Weir	(949) 234-9476
Orange County Department of Education	County Office of Education (COE)	Fatinah Judeh	(714) 349-3073

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)).

Capistrano Unified - Member Representative

Brittany Casey

Principal, Capistrano Union High School

bhcasey@capousd.org

(949) 489-7216

Approved by Brittany Casey

04/25/2023 02:45 PM PDT

Coastline ROP - Member Representative

Brian Dozer

Superintendent

bdozer@coastlinerop.net

(949) 429-2222

Approved by Dr. Brian Dozer

04/25/2023 02:44 PM PDT

College and Career Advantage - Member Representative

Paul Weir

Executive Director CCA

ppweir@capousd.org

(949) 234-9476

Approved by Dr Paul Weir

04/26/2023 08:14 AM PDT

Irvine Unified - Member Representative

Rebecca Roberts

Director of Alternative Education

rebeccaroberts@iusd.org

(949) 936-7405

Approved by Dr. Rebecca Roberts

04/25/2023 02:57 PM PDT

Irvine Valley College - Member Representative

Debbie Vanschoelandt

Dean, Career & Continuing Education, and Integrated Design, Engineering and Automation

dvanschoelandt@ivc.edu

(949) 367-8310

Approved by Debbie Vanschoelandt

04/27/2023 07:04 PM PDT

Laguna Beach Unified - Member Representative

Chad Mabery

Assistant Superintendent

cmabery@lbusd.org

(949) 497-7700

Approved by Dr. Chad Mabery

04/26/2023 09:09 AM PDT

Orange County Department of Education - Member Representative

Fatinah Judeh

Coordinator

fjudeh@ocde.us

(714) 349-3073

Approved by Fatinah Judeh

04/26/2023 06:29 PM PDT

Saddleback College - Member Representative

Karima Feldhus

Executive Dean, Extended Learning

kfeldhus@saddleback.edu

(949) 582-4326

Approved by Dr. Karima Feldhus

04/25/2023 02:43 PM PDT

Saddleback Valley Unified - Member Representative

Kim Thomason

District Coordinator, College and Career Readiness

kimberly.thomason@svusd.org

(949) 580-3441

Approved by Kim Thomason

04/27/2023 09:14 AM PDT

Tustin Unified - Member Representative

Christine Matos

cmatos@tustin.k12.ca.us

(714) 730-7395

William Nedderson

Coordinator

wneddersen@tustin.k12.ca.us

(714) 730-7395

Approved by William Nedderson

04/26/2023 11:55 AM PDT



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