

California Adult Education Program : CFAD : 2023-24 Produced: May 1, 2023, 05:35 AM UTC Vernon Moore

63 South Bay Adult Education Consortium/Southwestern

Fiscal Declaration - Consortium Approved

Consortium Name: 63 South Bay Adult Education Consortium/Southwestern

Funding Channel: Fiscal Agent

Fiscal Agent: Sweetwater Union High

Narrative: The 2023-2024 allocations were discussed among the consortium advisory committee, which has achieved consensus to forward the allocations to the Consortium Directors Council for approval. The allocations closely align with the original allocation percentages determined at the beginning of the first three year planning cycle. Consortium level funding includes shared expenses such as salaries/benefits of the Consortium Project Director and Administrative Assistant, shared professional development, and shared consortium activities. Fiscal agent admin funds are to cover costs incurred by Sweetwater Union High School District to serve as the fiscal agent of the consortium, and are calculated at 5% of the shared consortium budget. Member and consortium activities will be detailed in the 2023-2024 annual plan, and will be consistent with the 2022-2025 three year plan. Sweetwater Union High School District will remain fiscal agent for the consortium, as they have been since the 2016-2017 fiscal year. The Consortium Directors Council reviewed the recommendations of the advisory committee, and voted to approve the following allocations.

Changes: No Changes

Member Allocations

Member Name	(2023-24)	(2022-23)	(2021-22)
Coronado Unified	\$269,483	\$247,078	\$228,843
Southwestern CCD	\$572,650	\$523,749	\$485,065
Sweetwater Union High	\$16,886,974	\$15,436,016	\$14,295,717
Total Allocated to Members	\$17,729,107	\$16,206,843	\$15,009,625
Total CAEP Funds	\$17,729,107	\$16,396,110	\$15,386,731
Total Remaining	\$0	\$189,267	\$377,106

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 and evaluated through the annual Program Area Reporting tool in NOVA. This requires members to enter all leveraged funds in support of CAEP programs and services.

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? *

South Bay Adult Education Consortium/Southwestern Rules and Procedures require that a Member of the consortium be represented only by an official designated by the Governing Board of the Member. Representatives shall be appointed by the Governing Board of each Consortium Member (Coronado Unified School District, Southwestern Community College District, or Sweetwater Union High School District).

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

The designated representatives from each Member shall serve on the Consortium Directors Council (CDC), the Consortium's decision-making body on issues pertaining to CAEP and adult education in the region. A quorum necessary to the transaction of business at any meeting (voting on actions) of the CDC shall consist of a designated representative of each Member of the Consortium. Representatives of two Members of the Consortium will be considered a quorum only for the purposes of review and discussion of items for later action. Each Member Governing Board will appoint one representative and alternate(s) to ensure that a quorum is available for each scheduled meeting of the CDC.

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

1 member = 1 vote

7. How will decisions be approved? *

by consensus

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

The decision-making model was first developed through collaborative discussions at the AB86 Steering Committee meetings, then refined through the CAEP Advisory Committee.

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 CDC will conduct its business in public. Meetings will be open and public, and all persons will be permitted to attend. The CDC prescribes a reasonable written meeting protocol in its Rules and Procedures document to help ensure that a meeting is conducted effectively without unnecessary disruption. This protocol shall be announced at the opening of the meeting. Regular meetings of the CDC shall be open to the public, be accessible to persons with disabilities, and be held at a Member facility, as scheduled in accordance with the requirements of AB104. A notice identifying the location, date and time of each meeting of the CDC shall be posted outside the adult education office of each Member and on the Consortium's website at least 72 hours prior to the meeting and shall remain posted until the day and time of the meeting. No business other than that indicated in the notice may be transacted or discussed. The Consortium Staff shall submit an agenda, which includes reports and recommendations, to each member of the CDC at least four working days prior to the scheduled meeting of the CDC. Members of the public may place matters directly relating to the South Bay Adult Education Consortium/Southwestern business on the agenda of the South Bay CDC meetings, and members of the public may address the CDC regarding items on the agenda as such items are taken up. Persons seeking to place items on the agenda must submit a written description of the item to the Consortium Staff. Speakers must adhere to the subject provided in writing. The request to be placed on the agenda must be in accordance with deadlines set by the Consortium staff for preparation of agenda materials. The Consortium staff will schedule the items on the next meeting agenda if public notice requirements can be met. Members of the public submitting items on the agenda will be allotted three (3) minutes to address the CDC on the item.

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. *

Agendas for CDC meetings will allow for two types of public comment periods. The first is a general audience comment period, which is the part of the meeting where the public can comment on any item of interest that is within the subject matter jurisdiction of the local agency. The second type of public comment period is the specific comment period pertaining to items on the agenda. These specific comment periods on agenda items will occur prior to the CDC's consideration of that item. The CDC will place general audience comment period at the beginning of the agenda where the public can comment on agenda and non-agenda items. Each speaker will be restricted to three minutes of public testimony. The topic of the public's comments must be within the subject matter jurisdiction of the Consortium or the member of the public will not be allowed to speak for three minutes. These Rules and Procedures preclude a speaker from disrupting, disturbing or otherwise impeding the orderly conduct of public meetings. The Agenda for each meeting will include information about accommodations available to members of the public who are unable to attend the CDC meeting but would like to submit comments for review by the Council members. These accommodations may include submitting written comments by email to Consortium staff, to be read during the public comment period. Members of the public seeking accommodations shall be requested to contact the Consortium staff to determine the method to submit comments that addresses their need for accommodation. Consortium staff will read any comments received through these accommodations at the public meetings of the CDC during the public comment period. The public has the right to videotape or broadcast a public meeting or to make a motion picture or still camera recording of such meeting. However, the CDC may prohibit or limit recording of a meeting if the CDC finds that the recording cannot continue without noise, illumination, or obstruction of a view that constitutes, or would constitute, a disruption of the proceedings. Written materials distributed during a CDC meeting and prepared by the CDC staff will be available for public inspection at the meeting. If it is distributed during the meeting by a member of the public, it will be made available for public inspection after the meeting.

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

A record of all transactions of the CDC shall be recorded and kept on file in the office of the fiscal agent of the South Bay Adult Education Consortium/Southwestern as the permanent official record. The minutes shall, at a minimum, be open to inspection by the public during regular office hours. For convenience, the South Bay Adult Education Consortium/Southwestern will make every effort to provide the CDC agendas, minutes, policies and procedures on the

consortium website. Any audio or video tape record of an open and public meeting that is made, for whatever purpose, by or at the direction of the CDC is a public record and is subject to inspection by the public consistent with the requirements of the Public Records Act. The Consortium will not destroy the tape or film record of the open and public meeting for at least 30 days following the date of the taping or recording. Inspection of the audiotape or videotape will be made available to the public for free on equipment provided by the Consortium Members. If a member of the public requests a duplicate of the audio or videotape, the CDC will provide such copy. The action of the CDC shall be recorded in accordance with Section 72121 (a) of the Education Code. Minutes shall be taken at all of those meetings, recording all actions taken by the CDC. The minutes are public records and shall be available to the public.

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. *

An Advisory Committee consisting of two representatives working in adult education from CUSD, six representatives from SUHSD and six representatives from SWC will research, review and discuss matters of concern to the South Bay Adult Education Consortium/Southwestern, and will make recommendations for action to the CDC. The Advisory Committee (taking on the role of the AB86 Steering Committee) works to consensus through discussion; the majority rules when consensus cannot be reached. Consortium staff will invite partners to attend the Advisory Committee and CDC meetings. Partners will be emailed agendas as they are released, and Consortium staff will solicit comments from partners to be shared at meetings. A schedule of CDC meetings and Advisory Committee meetings will be developed and shared with partners. Consortium staff will maintain close contact with partners, and will encourage them to attend meetings or submit written comments. In addition, interested faculty, teachers and staff, and members of the public will be encouraged to attend CDC and Advisory Committee meetings.

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

The distribution schedule will be drafted by the CAEP Implementation Team in collaboration with Consortium staff and with technical support as needed from the fiscal agent. The distribution schedule will align with requirements described in Section 84913, and will be reported in the CFAD. The Advisory Committee will work to consensus to forward a recommended distribution schedule to the CDC. The CDC will vote on the distribution schedule and CFAD at a public meeting. Any subsequent changes to the distribution schedule will be made in the form of an Allocation Amendment, following the same approval process as the CFAD. A quorum necessary to the transaction of business at any meeting (voting on actions) of the CDC shall consist of a designated representative of each Member of the Consortium. Representatives of two members of the Consortium will be considered a quorum only for the purposes of review and discussion of items for later action. Decisions about the Consortium Three-Year Plan, Annual Plan and budget allocations shall be approved by consensus.

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? *

A) designated a member to serve as the fund administrator to receive and distribute funds from the program

15. How will members join, leave, or be dismissed from the consortium? *

All members of the South Bay Adult Education Consortium/Southwestern are required to participate in the Consortium under AB104. Therefore, members will not leave or be dismissed as long as they receive designated adult education funds.

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

The consortium's defined excessive member carryover percentage threshold is 20%.

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? *

The consortium will monitor members' expenditure progress at the March 2024 Advisory Committee meeting. At that time, Q2 will have been certified, and members will provide a check in by reviewing their Q2 expenditure reports at the meeting. The

consortium will review 2023-2024 expenditures at the September 2024 Advisory Committee meeting, once Q4 expenditures are certified. Members will have the opportunity to provide a spending plan to the CDC for remaining active funds. The CDC will convene shortly after Q4 is certified to determine if a member is in need of technical assistance to prevent excessive carryover in the second year (2024-2025). Technical assistance will include regular member spending update meetings with the consortium project director in addition to technical assistance from CAEP TAP, as needed.

18. How does your consortium define member effectiveness? *

As described in the annual CAEP MOU, Member District shall be responsible for monitoring their own activities and providing the Fiscal Agent and the state CAEP Office with all information required in order to fulfill the responsibilities of State reporting. This includes any necessary student participation data, expenditure documentation, and any CAEP information necessary for the successful completion of CAEP mandated reports, performance measures, and program outcomes. Member District will designate a person/persons with proper authority to certify all information submitted to the Fiscal Agent and the state CAEP Office. Member District acknowledges and accepts all responsibility for program-related expenditures and will certify that expenditures are in compliance with the approved objectives, rules and regulations that govern the CAEP program. Furthermore, Member District will be liable for any disallowed costs, should they arise. Member District is required to enter expenditures by major object code and a corresponding summary of activities into NOVA (nova.cccco.edu), the state reporting system. This will be submitted on a quarterly basis according to the deadlines set by the state CAEP Office.

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

CDC decision-making responsibilities include approval of an adult education plan (pursuant to Section 84906 of AB104) and approval of a funding distribution schedule (pursuant to Section 84913 of AB104). The CDC may change allocations of AB104 funding if the CDC representatives find any one of the following findings related to the Member for which the distribution would be reduced:

- (A) The Member no longer wished to provide services consistent with the adult education plan.
- (B) The Member cannot provide services that address the needs identified in the adult education plan.
- (C) The Member has been ineffective in providing services that address the needs identified in the adult education plan, including having excessive carryover for at least two consecutive fiscal years beginning with the 2023-24 fiscal year, and each fiscal year thereafter, and reasonable interventions have not resulted in improvements.

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. *

SBAEC Governance Rules and Procedures

Member Agencies

Member Agency	Member Type	Contact	Phone
Coronado Unified	Unified School District	Dr. Megan Battle	(619) 522-8900
Southwestern CCD	District	Isabelle Saber	(619) 482-6337
Sweetwater Union High	High School District	Dr. Vernon Moore	(619) 691-5533

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)).

Coronado Unified - Member Representative
<p>Megan Battle Director of Learning megan.battle@coronadousd.net (619) 522-8900</p>
Approved by Dr. Megan Battle
04/25/2023 02:38 PM PDT

Southwestern CCD - Member Representative
<p>Isabelle Saber VP of Academic Affairs isaber@swccd.edu (619) 482-6337</p>
Approved by Isabelle Saber
04/24/2023 03:24 PM PDT

Sweetwater Union High - Member Representative
<p>Vernon Moore</p>

Chief of Educational Equity and Support Services

vernon.moore@sweetwaterschools.org

(619) 691-5533

Approved by Dr. Vernon Moore

04/30/2023 10:35 PM PDT



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