



SAEC BOARD MEETING AGENDA

May 2, 8:00am – 9:30am

College of the Sequoias: Sequoia Room 1

Co-Chairs: Brent Calvin and Yolanda Valdez

1. Opening Business

Call to Order

Establish Quorum

Welcome and Introductions

2. Approval of Minutes –April, 2023

[SAEC Board Meeting Minutes 04.11.23.docx](#)

3. Public Comment: General public comment on any Consortium related topic may be heard at this time. The Board asks that any public comment on an item listed on today's agenda be addressed at the time the item comes up for discussion by the Board. Pursuant to SAEC Policy the Board may limit individual comments to no more 3 minutes and individual topics to 20 minutes. Please begin your comments by stating your name.

4. Information item

4.1. N/A

5. Action Items

5.1. SAEC Report on Consortium Governance 2023/24

5.1.1. [Board Agenda Item 5.1 SAEC Report on Consortium Governance 2023.24.docx](#)

5.1.2. [Board Agenda Item 5.1 Supporting Document: SAEC Report on Consortium Governance 2023.24.docx](#)

5.2. SAEC Memorandum of Understanding 2023/26

5.2.1. [Board Agenda Item 5.2 SAEC Memorandum of Understanding 2023.26.docx](#)

5.2.2. [Board Agenda Item 5.2 Supporting Document: SAEC Memorandum of Understanding 2023.26.docx](#)

5.3. SAEC Fiscal Allocation Declaration (CFAD) 2023/24

5.3.1. [Board Agenda Item 5.3 SAEC Fiscal Allocation Declaration 2023.24.docx](#)

5.3.2. [Board Agenda Item 5.3 SAEC Fiscal Allocation Declaration 2023.24 Supporting Document.pdf](#)

6. Adjournment

6.1. Next Meeting: 08/01/23, 8:00AM-9:30AM in person at COS, Sequoias Room 1

SAEC Consortium Board Meeting Minutes

April 11, 2023, 8:00am – 9:00am

College of the Sequoias: Sequoia Room 1

Co-Chairs: Brent Calvin and Yolanda Valdez

In Attendance:

Brian Brazier, Corcoran Joint Unified School District; Dr. Sergio Chavez, Farmersville Unified School District; George Eddy, Exeter Unified School District; Laura Gonzales, Woodlake Unified School District; Victoria Guzman, Cutler-Orosi Adult School; Heather Keran, Hanford Adult School; Amalia Lopez, Lindsay Adult School; Barbara Marshall, Sequoias Adult Education Consortium; Lori Morton, Tulare Adult School; Tami Olson, Visalia Adult School; Adam Peck, WIB; Maria Reveles, Proteus, Inc; Tom Rooney, Lindsay Unified School District; Victor Rosa, Hanford Joint Unified High School District; Jonna Schengel, College of the Sequoias; Kirk Shrum, Visalia Unified School District; Yolanda Valdez, Cutler-Orosi Joint Unified School District; Lucy Van Scyoc, Tulare Joint Union High School District; Arturo Villarreal, Farmersville Adult School; John Werner, Sequoias Adult Education Consortium

	Discussion Topic	Outcome	Action
1	Opening Business		
1.1	Call to Order	<ul style="list-style-type: none">Called to order by Yolanda Valdez at 8:03am	
1.2	Establish Quorum	<ul style="list-style-type: none">Quorum Established	
1.3	Welcome and Introductions		
2	Review and approval of meeting minutes:	<ul style="list-style-type: none">Minutes from February 7, 2023	<ul style="list-style-type: none">Motioned to approve minutes by Victor Rosa, Hanford Joint Unified High School DistrictSeconded by Tom Rooney, Lindsay Unified School DistrictVote: All approved None opposed Motion Carried
3	Public Comment	<ul style="list-style-type: none">No Comments	
4	Information Items		

<p>4.1</p>	<p>Lindsay Adult School Member Effectiveness Report – Amalia Lopez, Principal of Alternative Education, Lindsay Unified School District</p>	<ul style="list-style-type: none"> ● PowerPoint presentation by Lindsay Adult School <ul style="list-style-type: none"> ➤ Current programs <ul style="list-style-type: none"> ▪ Adult Basic Ed, Adult Secondary Education and English as a Second Language ➤ Program structures <ul style="list-style-type: none"> ▪ 1 Coordinator, 4 Learning Facilitators, 1 Testing/Enrollment Technician, 2 Instructional Aides, 1 Part Time SAEC Navigator, Support from Evening Digital Learning Specialists ▪ Blended learning with classroom and online teaching ➤ 2022-2023 Funding ➤ Programs focus <ul style="list-style-type: none"> ▪ WIOA, WASC, and schoolwide learning outcomes ▪ They have personalized learning plans and continue to focus on literacy, language and mathematical skills ➤ 2022/2023 WIOA Continuous Improvement Plan (CIP) <ul style="list-style-type: none"> ▪ Showed plans they have completed and those not yet met ➤ Personalized Learning Plans (PLPs) – Template ➤ Maintain or increase enrollment in all program areas <ul style="list-style-type: none"> ▪ Not quite where they were last year ▪ Beginning ESL is popular ➤ Increased literacy rates <ul style="list-style-type: none"> ▪ HSD course credit completions ▪ Literacy gains ➤ School is WASC accredited ➤ All SAEC program areas have implemented aligned curriculum <ul style="list-style-type: none"> ▪ Aztec, Edgenuity, CASAS and Burlington English ➤ Next steps in program improvement <ul style="list-style-type: none"> ▪ Day and night classes ▪ Digital Learning Specialist will be teaching in the evenings ▪ Will put together a Student Advisory Committee 	
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<p>4.2</p>	<p>Cutler-Orosi Adult School Member Effectiveness Report – Victoria Guzman, Principal of Alternative Education, COJUSD</p>	<ul style="list-style-type: none"> ● PowerPoint presentation by Cutler-Orosi Adult School <ul style="list-style-type: none"> ➤ Morning and evening programs <ul style="list-style-type: none"> ▪ In person and on-line ➤ Locations ➤ Advertisements of courses offered ➤ Student enrollment data and trends <ul style="list-style-type: none"> ▪ Upward trends on student enrollment ➤ Increased literacy rates <ul style="list-style-type: none"> ▪ Not as high as they would like but the year is not over ➤ WASC Accreditation <ul style="list-style-type: none"> ▪ Self-study visit will take place April 22-24 ➤ All programs areas will have implement aligned curriculum <ul style="list-style-type: none"> ▪ Edgenuity, Aztec, Burlington English ➤ Total leveraged funds <ul style="list-style-type: none"> ▪ WIOA grant, CALWORKS, Perkins, LCFF, Fees, K12 Adult Ed Jail Funds, Contract Services ➤ Barriers <ul style="list-style-type: none"> ▪ Low literacy levels, work schedules, transportation, teacher have other jobs, evening child care ➤ Training and goals <ul style="list-style-type: none"> ▪ Good PLC ▪ Effective teaching strategies ▪ Content specific training ▪ Evening childcare ▪ Transportation 	
<p>4.3</p>	<p>Farmersville Adult School Member Effectiveness Report – Arturo Villarreal, Principal of Alternative Education, FUSD</p>	<ul style="list-style-type: none"> ● PowerPoint presentation by Farmersville Adult School <ul style="list-style-type: none"> ➤ Location <ul style="list-style-type: none"> ▪ Small school with a few programs ➤ Current programs <ul style="list-style-type: none"> ▪ Adult Basic Education/Adult Secondary Education, English as a Second Language, Career Technical Education (Building & Construction Trades) ▪ Offered Tue-Wed-Thurs. 5:00-8:00pm ➤ 2022-2023 Updates <ul style="list-style-type: none"> ▪ All new staff <ul style="list-style-type: none"> ○ Principal, ESL GED and CTE instructors, office clerk, FAS Navigator and childcare 	

		<ul style="list-style-type: none"> ▪ Expanded GED program in Spanish ▪ All students provided district laptop devices ▪ WASC accredited ▪ Program expansion, CTE child care program ➤ Total leveraged funds <ul style="list-style-type: none"> ▪ 27% of budget is contribution by Farmersville Unified School District (LCFF) ▪ 51% CAEP ▪ 22% WIOA ➤ Enrollment Trends <ul style="list-style-type: none"> ▪ Currently have 66 students ▪ CTE – offering a program in conjunction with high school diploma ▪ CTE had 2 components ➤ Literacy rates <ul style="list-style-type: none"> ▪ Small in numbers but showing gains ➤ WASC Accredited ➤ SAEC program have aligned curriculum <ul style="list-style-type: none"> ▪ Aztec, Edgenuity, CASAS, Burlington English 	
4.4	SAEC Draft 2023/24 Governance Documents Review (first read) – John Werner	<ul style="list-style-type: none"> ● SAEC draft report on Consortium Governance 2023/24 <ul style="list-style-type: none"> ➤ Minor edits for flow ➤ Process <ul style="list-style-type: none"> ▪ Sunrise at SAEC Board on 04/11/23 ▪ SAEC Board action on 05/02/23 ▪ Local LEA Boards take individual action ● SAEC Memorandum of Understanding 2023/206 <ul style="list-style-type: none"> ➤ Date changes ➤ Beneficiary guarantee amounts ➤ SAEC Office guarantee amount ➤ Added carry-over language ➤ Changed the organizational structure infographic to reflect change in committee structure and relationships ➤ Process <ul style="list-style-type: none"> ▪ Sunrise at SAEC Board on 04/11/23 ▪ SAEC Board action on 05/02/23 ▪ Local LEA Boards take individual action 	

		<ul style="list-style-type: none"> ● Signed Consortium Governance Docs and MOU need to be turned into the SAEC office ● SAEC Preliminary Fiscal Allocation Declaration 2023/24 <ul style="list-style-type: none"> ➤ Rebenched in 2021/22 ➤ Preliminary COLA is 8.13% ➤ SAEC Board action on 05/02/23 – day after it is due ➤ May Revised and June statute date effect on the SAEC process <ul style="list-style-type: none"> ▪ May need a CFAD amendment in late June 	
5	Action Items		
5.1	Cutler-Orosi Purchase Request for a school vehicle – Brent Calvin or Yolanda Valdez	<ul style="list-style-type: none"> ● Voting to approve Cutler-Orosi being able to purchase a school vehicle with their CAEP budget <ul style="list-style-type: none"> ➤ Transportation has been a barrier for students ➤ Borrowing a vehicle has had conflicts ➤ Policy for Adult Ed is to have SAEC Board approve these type of purchases ➤ Purchase not to exceed \$60,000 	<ul style="list-style-type: none"> ● Motioned to approve purchase of vehicle not to exceed \$60,000 by George Eddy, Exeter Unified School District ● Seconded by Laura Gonzales, Woodlake Unified School District ● Vote: All approved None opposed Motion Carried
5.2	Adjournment	<ul style="list-style-type: none"> ● Next meeting 05/02/2023 at 8:00am <ul style="list-style-type: none"> ➤ In person at COS, Sequoias Room 1 ● Adjourned meeting at 9:02am 	

SEQUOIAS ADULT EDUCATION CONSORTIUM
OFFICE OF THE DIRECTOR

Encl. No. 5.1

Board Meeting Date of May 2, 2023

TO: Sequoias Adult Education Board
FROM: John Werner, Executive Director
PREPARED BY: John Werner, Executive Director
APPROVED BY: John Werner, Executive Director
PRESENTED BY: John Werner, Executive Director

AGENDA TITLE: SAEC Report on Consortium Governance 2023/24

AGENDA SECTION:

Public Comment

Information Items: Public Interest Announcements/ Reports/Review/Status
Updates/Recognitions/Board Discussion

Action Items: Board Discussion/Action

BACKGROUND/SUMMARY:

SAEC must update the documents which describe how the consortium is structured and governed to maintain alignment with changing law and policy. SAEC annually updates its Report on Consortium Governance to reflect governance changes.

CONTRACT CHANGES:

N/A

RECOMMENDED ACTION:

N/A

FINANCIAL IMPACT:

N/A

ALIGNS TO SAEC IMPLEMENTATION PLAN:

SAEC governance and fiscal documents will maintain alignment with education code and CAEP policy.



CALIFORNIA
ADULT EDUCATION
PROGRAM



Consortia Report on Governance Compliance of Rules and Procedures 2023/24

Consortium Name:

Sequoias Adult Education Regional Consortium (SAEC)

Fiscal Agent or Fiscal Coordinator:

Visalia Unified School District

Consortium Point Person (or person submitting this document):

Name:

John Werner

Consortium Role:

Consortium Executive Director

E-Mail:

sequoiasadulreddirector@gmail.com

1. Have all community college districts, school districts, or county offices 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 been allowed to join the consortium as a member?

In accordance with CAEP policy and education code, all eligible organizations within the boundaries of the region have been allowed to join the Sequoias Adult Education Consortium (SAEC) as members. The Consortium is comprised of the following members: Alpaugh Unified School District, Corcoran Unified School District, Cutler-Orosi Joint Unified School District, Exeter Unified School District, Farmersville Unified School District, Lindsay Unified School District, Hanford Joint Union High School District, Tulare Joint Union High

School District, Visalia Unified School District, Woodlake Unified School District, and Sequoias Community College District.

Furthermore, all agencies participating in the Sequoias Adult Education Consortium as a member, have agreed to the current year SAEC Memorandum of Understanding (MOU) and their governing board has taken action to approve the current year SAEC MOU. The SAEC Consortium Report on Governance and Compliance of Rules and Procedures (this document) and the SAEC MOU serve, together as the governing policy of SAEC. These two documents, together, define the governance rules and procedures of the consortium.

There are several small districts that at one time offered Adult Education programs, but due to decreases in funding, were eliminated. This left geographic gaps in the offerings of Adult Education. To address this gap in service provision, MEMBER districts without adult schools (BENEFICIARY MEMBER) will contract with MEMBER districts that have adult schools (PROVIDER MEMBER) to provide courses at school sites such as elementary, middle, and high schools for the adults in the BENEFICIARY MEMBER's community. This strategy leverages existing resources such as the administrative capacity of existing Adult Education programs and trained teachers from existing programs. Also, resources (e.g. classroom space, meeting space, computers, internet access, locally controlled funds, and support staff, other services such as after school programs that could provide childcare) that BENEFICIARY MEMBER districts without adult schools have to offer will be leveraged to support the provision of Adult Education. Furthermore, PROVIDER MEMBERS with adult schools agree to guarantee a portion of their CAEP allocation and related portion of their WIOA Title II: AEFLA grant funds (supplemental funding and to be determined in accordance with WIOA Title II: AEFLA funding award timelines) to service delivery on behalf of the BENEFICIARY MEMBER(S).

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? How will the available funds be reported and evaluated?

In accordance with CA education code, all eligible organizations within the boundaries of the region have been allowed to join the Sequoias Adult Education Consortium (SAEC) as members. The Consortium is comprised of the following members: Alpaugh Unified School District, Corcoran Unified School District, Cutler-Orosi Joint Unified School District, Exeter Unified School District, Farmersville Unified School District, Lindsay Unified School District, Hanford Joint Union High School District, Tulare Joint Union High School District, Visalia Unified School District, Woodlake Unified School District, and Sequoias Community College District. All members have committed to reporting any funds available to that member for the purpose of education and workforce services for adults and the uses of those funds. Members annually declare fund availability and use to the SAEC Board.

3. 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 shall keep track of the date its members were officially designated by their local Boards of

Education and keep copies of the local board minutes as evidence, which will be archived. If an official designation is a Consent Item that is voted on, a copy of the Board Agenda that shows the designation as a Consent Item, as well as the minutes, will be provided and kept on file by SAEC. Each member must have one official-designated member. The officially designated member representative will represent the interests of the member agency and vote in SAEC Board decisions on behalf of the member agency. SAEC Board meeting attendance and vote participation of the official designee will be recorded and archived by SAEC. Alternate or proxy designees may not be assigned.

4. How will you assure that all members of the consortium shall participate in any decision made by the consortium?

The Consortium recognizes the benefits from full and active participation by all members in the decision-making process and implementation of SAEC Plans. Therefore, a calendar of meetings and each meeting agenda will be sent to members in advance. Agendas will be posted on the Consortium website. Email notification and reminders will be sent to all members. Minutes from meetings will be distributed to members and posted to the Consortium website. Agencies participating in the SAEC have agreed to act in accordance with applicable law, the SAEC Annual Plans, and SAEC Three Year Plan. SAEC Members participate annually in shared, or peer-to-peer monitoring for member effectiveness, adherence to SAEC Plans, and CAEP performance measured outcomes.

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

e.g. 1 member = 1 vote

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

e.g. Other (e.g., votes proportionate to adult students served)

Each member Board of Education will designate a voting representative to the Consortium Board and ensure attendance at and participation at regular Consortium meetings. Each member district with fewer than 5,000 students will be allowed one vote. Each member district with more than 5,000 students will be allowed 2 votes. A simple majority of members present constitutes a quorum. All issues to be voted on shall be decided by a simple majority of those present at the meeting in which the vote takes place.

6. How will decisions be approved?

e.g. by majority vote of 51%, or 50% +1 vote, or $\frac{2}{3}$ of votes

e.g. by consensus

All Consortium meetings shall be conducted in accordance with the SAEC Governance policies and all applicable laws. A simple majority of members of the Consortium constitutes a quorum. A simple majority will be needed for the passage of any motion. The vote of each official-designated member shall be recorded as cast. A roll call vote shall be taken in the event of a split vote on any decision. The names of the members

making and seconding each motion shall be recorded in the Consortium minutes.

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

SAEC decisions have been arrived at by those processes described in this governance document. The decision-making model described above was used to choose the model.

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

The Consortium encourages all interested persons to attend monthly meetings and to address the Consortium concerning any item on the agenda or within the Consortium's jurisdiction.

The SAEC Board will act in accordance with the Brown Act of 1953 as contained in section 54950 et seq. of the California Government Code.

The following rules are intended to facilitate a presentation to the Consortium:

A. For matters not listed on the agenda:

- I. Any individual who wishes to address the Consortium on any item of interest to the public that is within the subject matter jurisdiction of the Consortium and not listed on the agenda may do so under the item on the agenda entitled "Public Comments."
- II. Without taking action, Consortium members may briefly respond to statements made or questions posed by the public about items not appearing on the agenda.
- III. In keeping with its right to determine the length of time to be allotted to agenda items, the Consortium has determined that the overall time to be allowed for the agenda item entitled "Public Comments" shall not exceed three (3) minutes per person, and a total time of 20 minutes, unless there are extenuating circumstances, in which case the Consortium may extend the overall time limit.

B. For matters listed on the agenda: a person who wishes to address the Consortium may do so by completing a brief form (including name, address, and agenda item). Upon recognition, the person should state his or her name and may address the Consortium. The order of public comments on the agenda item will be determined by the order received.

C. Individuals shall be allowed up to three (3) minutes to address the Consortium on each agenda item or during the general public comments, unless there are extenuating circumstances, in which case the Consortium may extend the time limit for individual remarks.

9. Describe how will you provide the public with adequate notice of a proposed decision and consider any comments submitted by members of the public?

The Sequoias Adult Education Consortium recognizes the benefits that are derived when input from the public is included as part of a transparent decision-making process, and will act in accordance with the Brown Act of 1953 as contained in section 54950 et seq. of the California Government Code. The Members will include the public in Consortium activities and programs whenever appropriate. The Consortium will provide the public with adequate notice of a proposed decision and consider any comments submitted by members of the public. Monthly meetings will include a designated time for public comment. Agendas will be posted on the Consortium website, and emailed in advance to Consortium members and partners. Consortium members are encouraged to post the agendas at their individual web sites.

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

A summary of comments submitted by members of the public will be recorded in the meeting minutes and distributed publicly on the Consortium website.

11. 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.

Community partners and other entities are invited and encouraged to participate in all Consortium meetings. SAEC's founding partners include Tulare County Workforce Investment Board, Tulare County Library, Tulare County Department of Health and Human Services, C-SET, Proteus, ABLE Industries, Kings County Department of Health and Human Services, Kings County Workforce Investment Board.

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

Fiscal Decision Making, Voting: The Sequoias Adult Education Consortium will annually approve the distribution schedule pursuant to Section 84913 with a simple majority vote. In accordance with the SAEC Governance policies, a simple majority vote will be needed for the passage of any motion. The vote(s) of each official designated member shall be recorded as cast. A roll call vote shall only be taken in the event of a split vote on any decision. The names of the members making and seconding each motion shall be recorded in the Consortium minutes. The distribution schedule will follow the funding priorities as specified in the SAEC Comprehensive Regional Plan ("3 Year Plan") and applicable law.

Pursuant to CA Education Code 84914, the SAEC Board shall approve annually a distribution schedule that includes the following:

- A. The amount of funds to be distributed to each member of the consortium for that fiscal year.
- B. A narrative justifying how the planned allocations are consistent with the adult education plan.
- C. Previous Year Allocation Basis: For any fiscal year for which the chancellor and the Superintendent allocate an amount of funds to the consortium equal to or greater than the amount allocated in the prior fiscal year, the amount of funds to be distributed to a member of that consortium shall be equal to or greater than the amount distributed in the prior fiscal year, unless the consortium makes at least one of the following findings related to the member for which the distribution would be reduced:
 - 1. The member no longer wishes to provide services consistent with the adult education plan.
 - 2. The member cannot provide services that address the needs identified in the adult education plan.
 - 3. The member has been consistently ineffective in providing services that address the needs identified in the adult education plan and reasonable interventions have not resulted in improvements
- D. COLA: For any year for which the chancellor and the Superintendent allocate an amount of funds, to include an increase of funds, as determined by a Cost-of-Living Adjustment (COLA) as determined in the Governor's Final Budget, to the consortium more than the amount allocated in the prior year, the amount of funds to be distributed to a member of that consortium may be increased by a percentage equal to the percentage by which the total amount of funds allocated to the consortium increased. Increases in allocation to the consortium due to COLA shall be allocated to consortium members at the same percentage of increase as the percentage increase to the consortium. For example, a 4% increase in consortium allocation may result in each funded member receiving a 4% increase in member allocation. COLA shall be calculated as an ongoing percentage increase and not a lump sum payment. Member allocation increases caused by COLA shall be ongoing and considered part of a member's base fund allocation subject to CA Education Code 84914. Any member may self elect to forgo receipt of COLA or a portion of their funding.
- E. Decreased Consortium Allocation: For any year for which the chancellor and the Superintendent allocate an amount of funds to the consortium less than the amount allocated in the prior year, the amount of funds to be distributed to a member of that consortium shall not be reduced by a percentage greater than the percentage by which the total amount of funds allocated to the consortium decreased, unless the consortium makes at least one of the following findings related to the member for which the distribution would be reduced further:
 - 1. The member no longer wishes to provide services consistent with the adult education plan.
 - 2. The member cannot provide services that address the needs identified in the adult education plan.
 - 3. The member has been ineffective in providing services that address the needs identified in the adult education plan and reasonable interventions have not resulted in improvements.
- F. Above-base Funding, non-COLA: For any year for which the chancellor and Superintendent

allocate an amount of funds to the consortium greater than the amount allocated in the prior year and the increased amount is not a net result increase of a COLA, then those funds shall be subject to an above-base increase to the consortium's allocation. Above-base allocation shall be allocated to members at the discretion of the SAEC Board and pursuant to the SAEC Above-base Fund Allocation process described below.

1. Above-base funds shall be awarded to members.
2. Above-base funds shall be awarded based a number of criteria:
 - i. Above-base fund allocations will be included with a member's annual allocation as described in the Consortium Fiscal Administration Declaration (CFAD).
 - ii. Increases to consortium allocation as a result of COLA are not above-base funds and not subject to the above-base fund criteria.
 - iii. Any other fund resources beyond CAEP funds received by the consortium, or a member, are not above-base funds and not subject to the above-base fund criteria.
 - iv. Above-base funds may be used for ongoing expenditures if the increase to consortium allocation will also be ongoing. If the increase to consortium allocation is a one-time increase in the form of an above-base fund increase, then the member may only receive a one-time above-base allocation increase.
 - v. Above-base funds shall be used to implement strategies in one or more CAEP program areas and to address one or more CAEP objectives: identify and fill gaps, provide professional development, transition students, and accelerate student transitions.
 - vi. Strategies which utilize above-base funds must demonstrate alignment with the SAEC Three Year Plan, SAEC Annual Plan, and the corresponding member's annual plan.
 - vii. Above-base funds will be awarded on the basis that they will be used to implement a specific strategy. If the member fails to implement the strategy effectively, or decides not to implement the strategy, or decides that they can no longer implement the strategy, the increase in that member's allocation as a result of receiving an above-base fund increase will end and the member's annual allocation will return to an amount minus those above-base increases. This will also apply to any COLA increases to those above-base funds over time. Those funds will be subject to redistribution amongst SAEC members for other above-base strategy implementation. Any member who accepts an above-base allocation agrees to this upon acceptance of such an allocation increase.
 - viii. Above-base fund allocations will be prioritized by the SAEC Leadership Committee, with input from the SAEC Executive Director, and recommended to the SAEC Board for a final fund allocation decision.
 - ix. The SAEC Leadership Committee will use a rubric for ranking above-base funding resource requests. The rubric criteria shall be:

1. the funding request is linked to the SAEC Three Year Plan through its associated actions,
 2. the request clearly describes how the strategy will address a community of need and the actions of the strategy will have a positive effect on that community,
 3. data supports the rationale for the strategy and resource request,
 4. the request demonstrates potential to realize appropriate and attainable CAEP Program outcomes through clear action steps
 5. the request application is complete and follows the prescribed process for application
- x. Member process for requesting above-base fund increases to their annual allocation:
1. The member will submit an application for above-base funds. At a minimum, the application must include:
 - a. a title of the strategy,
 - b. the above-base fund amount requested,
 - c. a description of the target population and how the strategy will address their needs,
 - d. identification of activities and measurable goals to address community needs & improve student outcomes
 - e. as applicable, at least one of the following:
 - i. a description of activities to improve integration of services among and including, but not limited to alignment of intake / placement for adults seeking education and workforce services, program mapping, and alignment of curriculum and standards
 - ii. a description of activities to improve transitions into postsecondary education and the workforce
 - iii. a description of approaches to prototype new strategies and evaluate their effectiveness
 - f. a description of how data be used to evaluate progress and measure effectiveness,
 - g. a description of other funds (if any) in addition to the requested above-base funds to be leveraged on the strategy,
 - h. a completed Logic Model which describes the strategy goal, the problems sought to address, inputs, activities, outputs, immediate (short-term) outcomes, intermediate outcomes, long-term outcomes/impacts and describes assumptions and external factors.
 - i. a list of progress indicators (at least 1, no more than 5) in the form of SMART (Specific, Measurable, Attainable, Realistic, and Time-bound) objectives by which the member and consortium will assess progress and impact during the

implementation of the strategy. These objectives should map directly to the Logic Model activities, outputs, and/or outcomes.

- xi. Above-base fund allocations are revocable by majority consortium vote.
- xii. Above-base fund expenditures must comply with state law and the CAEP program assurances and allowable expenditures.

13. 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?

The Sequoias Adult Education Consortium has designated the Visalia Unified School District to serve as the fiscal coordinator and the role and responsibilities of the SAEC fiscal coordinator are described in the SAEC Memorandum of Understanding. SAEC follows a direct funding fiscal model.

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

The Consortium will adhere to the membership guidelines as defined by education code, the SAEC Report on Governance Compliance of Rules and Procedures and the SAEC Memorandum of Understanding.

Considerations for dismissal from the Consortium include:

- The member no longer wishes to provide services consistent with the adult education plan;
- The member cannot provide services that address the needs identified in the adult education plan; or
- The member has been ineffective in providing services that address the needs identified in the adult education plan, and reasonable interventions have not resulted in improvement.

In addition to the considerations specified in education code:

- Regular attendance is expected at monthly Consortium meetings. Each designated Member representative is expected to attend every SAEC Board meeting.

General SAEC Board Meeting Attendance:

A member may miss not more than five (5) meetings in a fiscal year. After a third (3rd) absence, the SAEC Executive Director shall notify the Member Designee, the AEBG Program Monitor, and the SAEC Board Co-Chairs shall prepare a written notice detailing the SAEC governance rule regarding attendance, a record of the designee's attendance, and corrective action. At a meeting of the fourth (4th) absence, the written notice shall be read into the official SAEC Board minutes as an information item and delivered via United States Postal Service to the Member Agency's Governing Board and the AEBG Program Monitor with a Domestic Return Receipt. At a meeting of the fifth (5th) absence, the SAEC Board shall take official action to dismiss the Member Agency from the Consortium for Member ineffectiveness and failure to attend. The terms and conditions

described above shall pertain to general SAEC Board meeting attendance in a fiscal year regardless of absence sequence or absences in series.

Chronic or Consecutive Absenteeism:

In the event that a Member designee is absent from four (4) or more consecutive SAEC Board meetings, the Member Agency will forfeit their participation and membership in the Consortium by default.

Four (4) or more consecutive absences from SAEC Board meetings demonstrates that the Member Agency is not effective. Member effectiveness shall not be limited solely to SAEC Board meeting attendance. After the second (2nd) consecutive absence, the SAEC Executive Director shall notify the Member Designee, the AEBG Program Monitor, and the SAEC Board Co-Chairs shall prepare a written notice detailing the SAEC governance rule regarding attendance, a record of the designee's attendance, and corrective action. At the meeting of the third (3rd) consecutive absence, the written notice shall be read into the official SAEC Board minutes as an information item and delivered via United States Postal Service to the Member Agency's Governing Board and the AEBG Program Monitor with a Domestic Return Receipt. At the meeting of the fourth (4th) consecutive absence, the SAEC Board shall take official action to dismiss the Member Agency from the Consortium for Member ineffectiveness and failure to attend.

- Dismissal from or admission to the Consortium shall be accomplished with a simple majority vote from the Consortium.
- If the member initiates leaving the Consortium, SAEC will require the member's Governing Board approval.
- If the Consortium initiates dismissal, the Consortium will inform the member's Superintendent and Governing Board and follow due process.
- SAEC Members may be dismissed from SAEC for failure to demonstrate member effectiveness.
- If the Consortium dismisses a Member, the Consortium Executive Director shall notify the AEBG Project Monitor immediately.
- A record of intervention steps and dismissal actions shall be kept in the official minutes of Consortium Board Meetings.
- Dismissal from the Consortium is final and shall remain in effect for the remainder of the applicable or current 3 year planning period.

15. Does the consortium have a formal document detailing its working beyond the questionnaire?
(Please provide a link)

At this time, the Consortium relies on MOUs that outline basic governance rules and have been voted on by each member's Board of Education.

Consortium Member Signature Block

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SEQUOIAS ADULT EDUCATION CONSORTIUM
OFFICE OF THE DIRECTOR

Encl. No. 5.2

Board Meeting Date of May 2, 2023

TO: Sequoias Adult Education Board

FROM: John Werner, Executive Director

PREPARED BY: John Werner, Executive Director

APPROVED BY: John Werner, Executive Director

PRESENTED BY: John Werner, Executive Director

AGENDA TITLE: SAEC Memorandum of Understanding 2023/26

AGENDA SECTION:

Public Comment

Information Items: Public Interest Announcements/ Reports/Review/Status
Updates/Recognitions/Board Discussion

Action Items: Board Discussion/Action

BACKGROUND/SUMMARY:

The Sequoias Adult Education Consortium has been formed, in accordance with California Adult Education Program policies and applicable state laws, to develop a regional plan to improve the delivery of adult education in the legislated program areas and to address existing gaps in programs and services. 2023/26 will be the ninth year the consortium will receive funding. Each funding year requires the consortium to renew its MOU to reflect the agreed upon participation and principles for governance. The 2023/26 SAEC MOU will be in force from July 1, 2023 through June 30, 2026 and will supersede previous MOUs. Member LEA Boards will need to take action to approve the MOU after the SAEC Board has taken action to approve it. Once the Local LEA Board has approved the MOU, the Local LEA Board President and the LEA Superintendent (or lead administrative officer from the LEA to SAEC) must sign the MOU and return a signed copy to the SAEC Executive Director.

The SAEC Draft MOU 2023/26 can be found at: [Board Agenda Item 4.4.2 Supporting Document: SAEC Draft Memorandum of Understanding 2023.26.docx](#)

CONTRACT CHANGES:

N/A

RECOMMENDED ACTION:

N/A

FINANCIAL IMPACT:

N/A

ALIGNS TO SAEC IMPLEMENTATION PLAN:

The MOU stands as evidence that the SAEC Members intent to work together toward the mutual goal of collaborating to form the Sequoias Adult Education Consortium and implement the SAEC Regional Three Year Plan.

AMENDED MEMORANDUM OF UNDERSTANDING 2023/26
SEQUOIAS ADULT EDUCATION CONSORTIUM

This Memorandum of Understanding shall stand as evidence that the following districts intend to work together toward the mutual goal of collaborating to meet the goals of the Sequoias Adult Education Consortium (SAEC), hereafter referred to as the Consortium or SAEC, interchangeably, to improve the delivery of adult education in the Sequoias Adult Education Consortium Region. This agreement is entered into between the following School Districts, hereafter referred to as MEMBERS.

- Alpaugh Unified School District
 - College of the Sequoias
 - Corcoran Joint Unified School District
 - Cutler-Orosi Joint Unified School District
 - Exeter Unified School District
 - Farmersville Unified School District
 - Hanford Joint Union High School District
 - Lindsay Unified School District
 - Tulare Joint Union School District
 - Visalia Unified School District
 - Woodlake Unified School District
1. Visalia Unified School District shall serve as the Consortium Fiscal Coordinator of California Adult Education Program (CAEP) funds received by the Consortium and/or its members, hereafter referred to as FISCAL COORDINATOR.
 2. Term: The term of this MOU shall become effective as of July 1, 2023 and shall expire June 30, 2026 and shall apply to the 2023-2024 fiscal year allocations (California Adult Education Program Year 8).
 3. Cost of Services: The MEMBER shall be directly apportioned the sum declared in the SAEC Fiscal Administration Declaration as approved by the Sequoias Adult Education Consortium Board for the current program year and in accordance with Sections 84900-84920 of the California Education Code. Funds provided under this agreement shall be used in accordance with applicable laws and the provisions herein.
 4. Leveraging of Regional Resources: MEMBERS agree to disclose amounts received from other resources that may be used to address the California Adult Education Program and current or applicable Sequoias Adult Education Consortium Three Year Plan program areas and objectives. Furthermore, MEMBERS agree to leverage resources, in addition to any CAEP funds they may receive, to enhance the region's adult education delivery system and to do so in a coordinated effort with the Consortium. Additionally, there are several small districts that at one time offered Adult Education programs, but due to decreases in funding, were eliminated. This left geographic gaps in the offerings of Adult Education. To address this gap in service provision, MEMBER districts without adult schools (BENEFICIARY MEMBER) will contract with MEMBER districts that have adult schools (PROVIDER MEMBER) to provide courses at school sites such as elementary, middle, and high schools for the adults in the BENEFICIARY MEMBER's

community. This strategy leverages existing resources such as the administrative capacity of existing Adult Education programs and trained teachers from existing programs. Also, resources (e.g. classroom space, meeting space, computers, internet access, locally controlled funds, and support staff, other services such as after school programs that could provide childcare) that BENEFICIARY MEMBER districts without adult schools have to offer will be leveraged to support the provision of Adult Education. Furthermore, PROVIDER MEMBERS with adult schools agree to guarantee a portion of their AEBG allocation and related portion of their WIOA Title II: AEFLA grant funds (supplemental funding and to be determined in accordance with WIOA Title II: AEFLA funding award timelines) to service delivery on behalf of the BENEFICIARY MEMBER(S). To date, the following resources have been and will continue to be leveraged and will continue at the levels of effort as described below:

PROVIDER MEMBER Cutler-Orosi Joint Unified School District will provide adult education services to BENEFICIARY MEMBER Woodlake Unified School District. Cutler-Orosi Joint Unified School District, in good faith, guarantees the use of \$62,260 in 2023-2024 of their total AEBG allocation to provide adult education services in Woodlake.

PROVIDER MEMBER Corcoran Joint Unified School District will provide adult education services to BENEFICIARY MEMBER Alpaugh Unified School District. Corcoran Joint Unified School District, in good faith, guarantees the use of \$18,569 in 2023-2024 of their total AEBG allocation to provide adult education services in Alpaugh.

PROVIDER MEMBER Visalia Unified School District will provide adult education services to BENEFICIARY MEMBER Exeter Unified School District. Visalia Unified School District, in good faith, guarantees the use of \$46,794 in 2023-2024 of their total AEBG allocation to provide adult education services in Exeter.

Any portion of unspent funds held by a PROVIDER MEMBER for the provision of services to a BENEFICIARY MEMBER shall continue to be held until December of the following fiscal year for the benefit of the BENEFICIARY MEMBER. In the event that funds (effort) cannot be fully expended by December of the following fiscal year to the benefit of the BENEFICIARY MEMBER by a PROVIDER MEMBER, and after both MEMBERS have agreed upon a plan of action that will provide relief to the PROVIDER DISTRICT, with the guidance of the Consortium Director, and with full disclosure during a Consortium Board Meeting, the PROVIDER MEMBER may leverage those funds in another manner consistent to the goals of the AEBG, applicable laws, policies, and the SAEC plans.

Carry-Over:

In accordance with Sections 84901 and 84914, Sequoias Adult Education Consortium shall follow state law and policies in its treatment of carry-over from one fiscal year to the next as follows:

(a) As a condition of receipt of an apportionment from the program, a consortium shall approve a distribution schedule that includes both of the following:

(1) The amount of funds to be distributed to each member of the consortium for that fiscal year.

(2) A narrative justifying how the planned allocations are consistent with the adult education plan.

(b) (1) For any fiscal year for which the chancellor and the Superintendent allocate an amount of funds to the consortium greater than the amount allocated in the prior fiscal year, the amount of funds to be distributed to a member of that consortium shall be equal to or greater than the amount distributed in the prior fiscal year, unless the consortium makes at least one of the following findings related to the member for which the distribution would be reduced:

(A) The member no longer wishes 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 consistently 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 2022–23 fiscal year, and each fiscal year thereafter, and reasonable interventions have not resulted in improvements.

(2) For any fiscal year for which the chancellor and the Superintendent allocate an amount of funds to the consortium less than the amount allocated in the prior fiscal year, the amount of funds to be distributed to a member of that consortium shall not be reduced by a percentage greater than the percentage by which the total amount of funds allocated to the consortium decreased, unless the consortium makes at least one of the following findings related to the member for which the distribution would be reduced further:

(A) The member no longer wishes 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 2022–23 fiscal year, and each fiscal year thereafter, and reasonable interventions have not resulted in improvements.

(c) A distribution schedule shall also include preliminary projections of the amount of funds that would be distributed to each member of the consortium in each of the subsequent two fiscal years. The preliminary projections shall not constitute a binding commitment of funds.

(d) (1) For purposes of this section, a finding made by a consortium shall require a majority vote of its membership.

(2) A consortium that makes a finding by majority vote pursuant to subparagraph (C) of paragraph (1) of subdivision (b) or subparagraph (C) of paragraph (2) of subdivision (b) based on a member having excessive carryover for at least two consecutive fiscal years may reduce the member's allocation by no more than the amount of the member's carryover.

(e) (1) A consortium with carryover from one or more prior fiscal years exceeding 20 percent shall be required to submit a written expenditure plan, including future corrective actions to reduce the consortium's carryover to below 20 percent, to the chancellor and the Superintendent.

(2) For each fiscal year that a consortium has carryover of more than 20 percent, the chancellor and the Superintendent shall prescribe and assign technical assistance to that consortium to ensure that adequate adult education services are provided to the region in proportion to the region's available funding.

(3) The chancellor and the Superintendent shall ensure that the consortium funding remains dedicated to that consortium's region.

5. Eligible Member: A MEMBER is a member in good standing, as defined by California Education Code Sections 84900-84920 and the SAEC Governance Document, of the Consortium and agrees to maintain its membership and participation in the Consortium. Failure to maintain its membership in the consortium and demonstrate effectiveness will result in a loss of funding and membership status. In signing this Memorandum of Understanding, the Member understands that member status in the Consortium and funding may be terminated for failure to demonstrate effectiveness as described herein, in Education Code Section 84900-84920, and in the SAEC Governance Document. This MOU shall serve as first notice.
6. General: The Sequoias Adult Education Consortium has been formed, in accordance with Sections 84900-84920 of the California Education Code to develop a regional plan to improve the delivery of adult education and address existing gaps in programs and services. Funds apportioned shall be used only for supporting the following adult education programs designed for adult education students in the following areas:
 - A. Programs in elementary and secondary basic skills, including programs leading to a high school diploma or high school equivalency certificate.
 - B. Programs for immigrants eligible for educational services in citizenship, English as a second language, and workforce preparation.
 - C. Programs for adults, including, but not limited to, older adults, that are primarily related to entry or reentry into the workforce.
 - D. Programs for adults, including, but not limited to, older adults, that are primarily designed to develop knowledge and skills to assist elementary and secondary school children to succeed academically in school.
 - E. Programs for adults with disabilities.
 - F. Programs in career technical education that are short term in nature and have high employment potential.
 - G. Programs offering preapprenticeship training activities conducted in coordination with one or more apprenticeship programs approved by the Division of Apprenticeship Standards for the occupation and geographic area.
7. Mutuality, Shared Leadership, and Collaboration: The Consortium's governance and decision-making processes are based on recognition of and respect for the interrelationships of the districts and their constituent groups. The commitment to this principle is demonstrated in the following ways:
 - Members of the Consortium publicly acknowledge the importance of participatory governance and the rewards to all for collaborative participation.
 - Members will vote to select co-chairs annually for the Consortium Board to ensure shared leadership between the Community College system and the K-12 Education system.
 - Members agree to participate and provide input throughout the implementation process to ensure shared leadership.
8. Member Role and Participation: This principle supports the use of democratic processes to ensure that the voices of all MEMBERS are included. Any MEMBER of the consortium can bring items and issues to the consortium as a whole. In order for this principle to be

fully implemented, all members of the consortium are asked to fulfill the following responsibilities of Consortium membership:

- Each MEMBER Board of Education will designate a voting representative to the Consortium Board and ensure attendance at and participation at regular Consortium meetings. Each MEMBER district with fewer than 5,000 students will be allowed one vote. Each MEMBER district with more than 5,000 students will be allowed 2 votes. A simple majority of MEMBERS present constitutes a quorum. All issues to be voted on shall be decided by a simple majority of those present at the meeting in which the vote takes place.
 - Only the designated representative officially appointed by Member District Governing Board through action may represent the interests of that Member District. Proxy voting and alternate designees are not permissible. Member District designated representatives must be present to cast a vote in SAEC decisions. Member District designated representatives must act in accordance with the Brown Act and all applicable laws with regards to SAEC business and decisions.
 - MEMBERS will vote on items concerning fiscal and implementation decisions.
 - Each MEMBER will provide data and information relevant to adult education as needed for the implementation, assessment, and revision of a regional plan and annual plans.
 - Each MEMBER will agree to participate as necessary in the implementation process including participation as needed in sub-groups and or committees.
 - MEMBERS agree that in the interest of the Consortium and key stakeholders they will function as a team member with other MEMBERS of the group, follow through on tasks, report meeting outcomes back to key stakeholders within their organizations, work toward common understanding and consensus in an atmosphere of respect, support the implementation of recommendations once group consensus is reached, and welcome change and innovation.
9. Community Partnerships: Partner organizations identified by the Consortium through an application process will be invited to participate in Consortium meetings and activities. They are recognized as valuable stakeholders and partners in the implementation of educational services for Adults. Partnership does not convey monetary, in-kind contribution, legal, or liability obligations between the Sequoias Adult Education Consortium, its Board, its members, or other Partners and nothing in the Partnership Agreement shall be construed to indicate such. Specifically, the Partnership relationship or a Partnership agreement does not express, imply, convey, inure, or otherwise establish an exclusive partnership agreement between SAEC, its members, partners, and/or any organization, entity, or agency. The SAEC Partners agree to indemnify, defend, and hold harmless the Sequoias Adult Education Consortium, its Board, and its members in any action arising against the Partner. The SAEC Board reserves the right to terminate any partnership(s) at any time without cause. Termination of partnership(s) will be effective immediately upon SAEC Board action. Partners reserve the right to terminate partnership without cause and such termination shall be effective immediately upon delivery of either written or verbal notice by the Partner to the SAEC Board at a regularly scheduled SAEC Board meeting.
10. Committees: The SAEC Executive Director may create committees as needed which may serve in an advisory capacity to the Executive Director. In addition to the Leadership Committee, additional committees based on current program areas and

as advisory to the SAEC Executive Director provide input, perspective, and guidance to the Executive Director. The three current committees are the Adults with Disabilities Committee, the Adult Basic Education/Adult Secondary Education ABE/ASE Committee, and the English as a Second Language (ESL) Committee. Additional committees may be added as needed. These committees are comprised of and open to educators, industry experts, partner representatives, and other representatives from all stakeholders with an interest in promoting adult education efforts in the region.

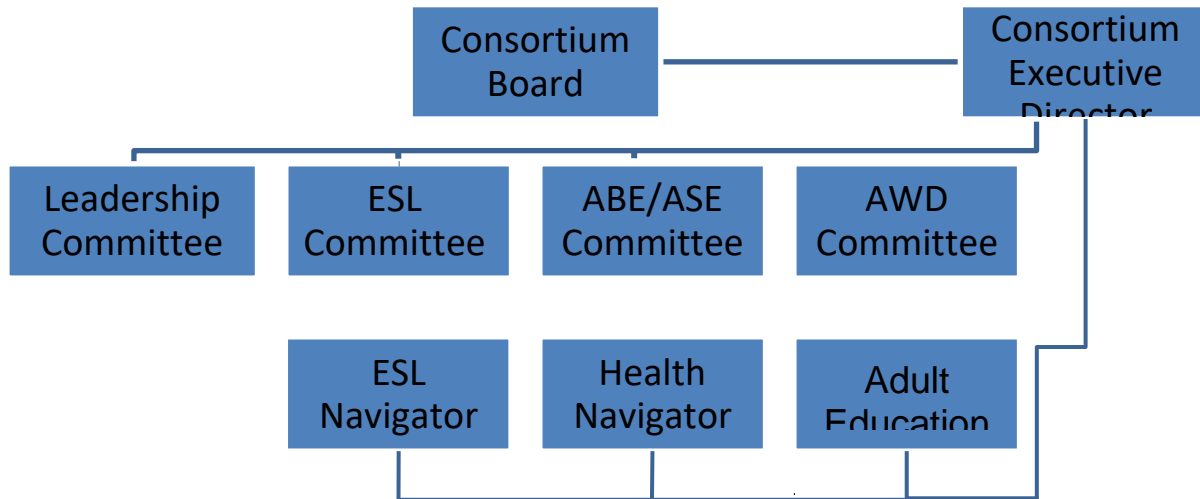
11. Transparency: The Consortium values transparency and strives to maintain an open and honest approach to decision-making, operations and communication. Everyone who will be impacted by a decision is encouraged to be involved in shaping the recommendation. The commitment to this principle is demonstrated by adherence to the Brown Act.
12. Fiscal Administration of Consortium: SAEC utilizes a direct funding model in accordance with Sections 84900-84920 of the California Education Code. Each year the SAEC Board takes public action to approve the Consortium Fiscal Administration Declaration which declares direct funding levels received by MEMBERS on a yearly basis.

Fiscal Coordinator Role and Responsibilities: The Fiscal Coordinator (FC) will be identified to the State as the fiscal coordinator on behalf of the Sequoias Adult Education Consortium. The Fiscal Coordinator shall be responsible for the submission of the Consortium Fiscal Administration Declaration (CFAD) to the California Community College Chancellor's Office according to an allocation schedule recommended by the Consortium Executive Director and approved by the Consortium Board. The Fiscal Coordinator shall not amend the CFAD approved by the Consortium Board. The Fiscal Coordinator will be responsible for:

- Acting as the employer of record for all consortium staff which will implement the Regional Integrated Service Delivery System (RISDS).
- Contracting and coordinating with MEMBER districts to maintain the governance structure and systems of the Consortium through the RISDS strategy.
- Fiscal reporting to the State as required by the CAEP
- Compliance with State requirements for administration of the CAEP

The Fiscal Coordinator shall receive in its allocation and hold separate from its regular adult education program, and from other funds, \$721,152 for the implementation of the Regional Integrated Service Delivery System and the maintenance of Consortium staff. The Consortium Executive Director shall determine the annual budget for this amount in accordance with the SAEC Regional Plan, the SAEC Annual Plans and applicable laws.

13. Organizational Structure and Staffing:



Consortium Executive Director: The Consortium Executive Director is employed by the Fiscal Coordinator based upon the recommendation of the Consortium Board. The Executive Director reports to Consortium Board and has day-to-day responsibilities for the organization, including carrying out the organization's goals and policies. The Executive Director will attend all board meetings, report on the progress of the organization, answer questions of the board members and carry out the duties described in the job description. The board can designate other duties as necessary.

Adult Education Navigators: The Adult Education Navigators are hired by the Fiscal Coordinator and supervised by the Consortium Executive Director. Each Navigator will have specialty knowledge in a Program Area. The Navigators will be well-trained and have a strong understanding of the Adult Education programs at both the SAEC Adult Schools and COS as well as the resources available at Partner organizations. These Navigators would be charged with representing the SAEC at regional locations and would be tasked with managing Program Area collaboration in all seven Program Areas as well as acting as liaisons between all agencies.

14. **Allowable Expenses:** Funds may only be expended on allowable costs as defined in Sections 84900-84920 of the California Education Code, and in accordance with the Sequoias Adult Education Consortium Regional Plan (Consortium Three Year Plan) and the Sequoias Adult Education Consortium Annual Plan for the 2022-2023 program year. Failure to comply with the provisions of this MOU, applicable laws, and the Consortium Plans may result in the reduction of funding to the MEMBER, loss of funding to the MEMBER, and/or the reallocation of a portion or all of the MEMBER'S funds to other SAEC MEMBERS. A reduction, loss, or reallocation of funding shall affect only the current fiscal year unless a permanent reduction, loss, or reallocation is determined appropriate by the SAEC Board. All changes to MEMBER allocations and funding levels will be made in accordance with applicable law and the SAEC Governance policies and procedures. Indirect may not exceed 5% or the Member's approved indirect rate, or whichever is the lower of the two.

15. Records and Audit: In accordance with the CAEP policy and CA education code, the SAEC Regional Plan, and the SAEC Annual Plan for the 2022-2023 program year, the MEMBER agrees to provide fiscal records and measures of effectiveness performance data to the FISCAL COORDINATOR on a quarterly basis. Both FISCAL COORDINATOR and MEMBERS shall maintain complete and accurate records with respect to the services rendered and the costs incurred under this agreement.
16. Compliance with Law: All parties shall provide services in accordance with applicable Federal, State, and local laws, regulations and directives. With respect to employees, parties shall comply with all laws and regulations pertaining to wages and hours, state and federal income tax, unemployment insurance, Social Security, disability insurance, worker's compensation insurance, and discrimination in employment.
17. Indemnification: FISCAL COORDINATOR and MEMBERS shall hold each other harmless, defend and indemnify their respective agents, officers and employees from and against any liability, claims, actions, costs, damages or losses of any kind, including death or injury to any person and/or damage to property, arising out of the activities of the FISCAL COORDINATOR or MEMBERS or their agents, officers and employees under this agreement. This indemnification shall be provided by each party to the other party regarding its own activities undertaken pursuant to this Agreement, or as a result of the relationship thereby created, including any claims that may be made against either party by any taxing authority asserting that an employer—employee relationship exists by reason of this Agreement, or any claims made against either party alleging civil rights violations by such party under Government Code section 12920 et seq. (California Fair Employment and Housing Act). This indemnification obligation shall continue beyond the term of this Agreement as to any acts of omissions occurring under this Agreement or any extension of this Agreement.
18. Amendments: This agreement may be amended by mutual agreement in writing by the parties.
19. Termination: Either party may terminate the Agreement without cause by giving thirty (30) calendar days advanced written notice to the other party.

College of the Sequoias

Sequoias Adult Education Consortium Memorandum of Understanding
Signature Page

The College of the Sequoias Board has voted to approve the Sequoias Adult Education Consortium Memorandum of Understanding.

Board of Trustees President

Date

Brent Calvin, President
College of the Sequoias

Date

Alpaugh Unified School District

Sequoias Adult Education Consortium Memorandum of Understanding
Signature Page

The Alpaugh Unified School District Board has voted to approve the Sequoias Adult Education Consortium Memorandum of Understanding.

Board of Education President

Date

Troy Hayes, Superintendent
Alpaugh Unified School District

Date

Corcoran Joint Unified School District

Sequoias Adult Education Consortium Memorandum of Understanding
Signature Page

The Corcoran Joint Unified School District Board has voted to approve the Sequoias Adult Education Consortium Memorandum of Understanding.

Board of Education President

Date

Eduardo Ochoa, Superintendent
Corcoran Joint Unified School District

Date

Cutler-Orosi Joint Unified School District

Sequoias Adult Education Consortium Memorandum of Understanding
Signature Page

The Cutler-Orosi Joint Unified School District has voted to approve the Sequoias Adult Education Consortium Memorandum of Understanding: Apportionment Agreement.

Board of Education President

Date

Yolanda Valdez, Superintendent
Cutler-Orosi Joint Unified School District

Date

Exeter Unified School District

Sequoias Adult Education Consortium Memorandum of Understanding
Signature Page

The Exeter Unified School District Board has voted to approve the Sequoias Adult Education Consortium Memorandum of Understanding.

Board of Education President

Date

George Eddy, Superintendent
Exeter Unified School District

Date

Farmersville Unified School District

Sequoias Adult Education Consortium Memorandum of Understanding
Signature Page

The Farmersville Unified School District Board has voted to approve the Sequoias Adult Education Consortium Memorandum of Understanding.

Board of Education President

Date

Dr. Sergio C. Chavez, Superintendent
Farmersville Unified School District

Date

Hanford Joint Union High School District

Sequoias Adult Education Consortium Memorandum of Understanding
Signature Page

The Hanford Joint Unified School District Board has voted to approve the Sequoias Adult Education Consortium Memorandum of Understanding: Apportionment Agreement.

Board of Education President

Date

Victor Rosa, Superintendent
Hanford Joint Union High School District

Date

Lindsay Unified School District

Sequoias Adult Education Consortium Memorandum of Understanding
Signature Page

The Lindsay Unified School District Board has voted to approve the Sequoias Adult Education Consortium Memorandum of Understanding.

Board of Education President

Date

Tom Rooney, Superintendent
Lindsay Unified School District

Date

Tulare Joint Union School District

Sequoias Adult Education Consortium Memorandum of Understanding
Signature Page

The Tulare Joint Union School District has voted to approve the Sequoias Adult Education Consortium Memorandum of Understanding.

Board of Education President

Date

Lucy Van Scyoc, Ed. D, Superintendent
Tulare Joint Union School District

Date

Visalia Unified School District

Sequoias Adult Education Consortium Memorandum of Understanding
Signature Page

The Visalia Unified School District has voted to approve the Sequoias Adult Education Consortium Memorandum of Understanding: Apportionment Agreement.

Board of Education President

Date

Kirk Shrum, Superintendent
Visalia Unified School District

Date

Woodlake Unified School District

Sequoias Adult Education Consortium Memorandum of Understanding
Signature Page

The Woodlake Unified School District Board has voted to approve the Sequoias Adult Education Consortium Memorandum of Understanding.

Board of Education President

Date

Laura Gonzalez, Superintendent
Woodlake Unified School District

Date

Board Meeting Date of May 2, 2023

TO: Sequoias Adult Education Board
FROM: John Werner, Executive Director
PREPARED BY: John Werner, Executive Director
APPROVED BY: John Werner, Executive Director
PRESENTED BY: John Werner, Executive Director
AGENDA TITLE: SAEC Fiscal Allocation Declaration 2023/24

AGENDA SECTION:

Public Comment

Information Items: Public Interest Announcements/ Reports/Review/Status
Updates/Recognitions/Board Discussion

Action Items: Board Discussion/Action

BACKGROUND/SUMMARY:

The SAEC Consortium Fiscal Administration Declaration (CFAD) reporting enumerates and describes required elements for the Consortium Fiscal Administration Declaration. The CFAD is the process whereby the SAEC consortia members agree upon whether to designate a fiscal administrator or choose direct funding. Additionally, this is the process for members to agree upon their allocations for the 2023/24 fiscal year.

CONTRACT CHANGES:

N/A

RECOMMENDED ACTION:

N/A

FINANCIAL IMPACT:

\$11,789,618.00

ALIGNS TO SAEC IMPLEMENTATION PLAN:

The SAEC CFAD aligns the distribution of funds to the SAEC Regional Comprehensive Plan and Annual Plan.

California Adult Education Program : CFAD : 2023-24 Produced: Apr 26, 2023, 06:02 PM UTC John Werner

57 Sequoias Adult Education Consortium (SAEC)

Fiscal Declaration - Draft

Consortium Name: 57 Sequoias Adult Education Consortium (SAEC)

Funding Channel: Direct Funded

Narrative: All SAEC member base fund allocations were originally aligned with our consortium's first 3-year, comprehensive plan in 2015/16. That plan identified gaps in the regional adult education system and strategies which would fill those gaps, accelerate students towards goal attainment, create transitions for students to next program and/or work, and leverage regional resources. Currently, California Education Code § 84914(b)(1) states that, "[f]or any fiscal year for which the chancellor and the Superintendent allocate an amount of funds to the consortium greater than the amount allocated in the prior fiscal year, the amount of funds to be distributed to a member of that consortium shall be equal to or greater than the amount distributed in the prior fiscal year, unless the consortium makes at least one of the following findings related to the member for which the distribution would be reduced: (A) The member no longer wishes 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 consistently ineffective in providing services that address the needs identified in the adult education plan and reasonable interventions have not resulted in improvements. Since 2015, all SAEC members have wished to provided services consistent with the adult education plan(s), have been able to provide services that address the needs identified in the adult education plan(s), and have been consistently effective in providing services that address the needs identified in the adult education plan(s). Furthermore, until the 2021/22 Program Year, no SAEC funded member has wished to have their allocation decreased, or desired to relinquish a part of their allocation. In 2021/22 College of the Sequoias released a portion of their allocation and that amount was allocated to small member districts.

Changes: No Changes

Member Allocations

Member Name	(2023-24)	(2022-23)	(2021-22)
Corcoran Joint Unified	\$289,471	\$264,616	\$245,069
Cutler-Orosi Joint Unified	\$306,904	\$280,553	\$259,828
Farmersville Unified	\$69,369	\$63,415	\$58,729
Hanford Joint Union High	\$861,465	\$787,497	\$729,324
Lindsay Unified	\$110,130	\$100,675	\$93,237
Sequoias CCD	\$235,791	\$215,546	\$199,624
Tulare Joint Union High	\$3,572,872	\$3,266,096	\$3,024,825
Visalia Unified	\$6,343,616	\$5,798,935	\$5,370,563
Total Allocated to Members	\$11,789,618	\$10,777,333	\$9,981,199
Total CAEP Funds	\$11,789,618	\$10,903,193	\$10,231,970
Total Remaining	\$0	\$125,860	\$250,771

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? *

The Sequoias Adult Education Consortium will annually approve the distribution schedule pursuant to Section 84913 with a simple majority vote. In accordance with the SAEC Governance policies, a simple majority vote will be needed for the passage of any motion. The vote(s) of each official designated member shall be recorded as cast. A role call vote shall only be taken in the event of a split vote on any decision. The names of the members making and seconding each motion shall be recorded in the Consortium minutes. The distribution schedule will follow the funding priorities as specified in the SAEC Comprehensive Regional Plan ("3 Year Plan") and applicable law.

The Sequoias Adult Education Consortium has designated the Visalia Unified School District to serve as the fiscal coordinator and the role and responsibilities of the SAEC fiscal coordinator are described in the SAEC Memorandum of Understanding. SAEC follows a direct funding fiscal model.

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? *

Individual member district LEAs appoint one designee to serve as their member representative on the SAEC board.

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

The Consortium recognizes the benefits from full and active participation by all members in the decision-making process and implementation of SAEC Plans. Therefore, a calendar of meetings and each meeting agenda will be sent to members in advance. Agendas will be posted on the Consortium website. Email notification and reminders will be sent to all members. Minutes from meetings will be distributed to members and posted to the Consortium website. Agencies participating in the SAEC have agreed to act in accordance with applicable law, the SAEC Annual Plans, and SAEC Three Year Plan. SAEC Members participate annually in shared, or peer-to-peer monitoring for member effectiveness, adherence to SAEC Plans, and CAEP performance measured outcomes

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

Other

6.1 (Other) If selected "Other" in Question 6, use the space below to describe the relative voting power of each member. If not applicable, leave question blank. *

The Consortium shall keep track of the date its members were officially designated by their local Boards of Education and keep copies of the local board minutes as evidence, which will be archived. If an official designation is a Consent Item that is voted on, a copy of the Board Agenda that shows the designation as a Consent Item, as well as the minutes, will be provided and kept on file by SAEC. Each member must have one official-designated member. The officially designated member representative will represent the interests of the member agency and vote in SAEC Board decisions on behalf of the member agency. SAEC Board meeting attendance and vote participation of the official designee will be recorded and archived by SAEC. Alternate or proxy designees may not be assigned.

7. How will decisions be approved? *

50% +1 vote

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

SAEC decisions have been arrived at by those processes described in this governance document. The decision-making model described above was used to choose the model.

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 Consortium encourages all interested persons to attend monthly meetings and to address the Consortium concerning any item on the agenda or within the Consortium's jurisdiction.

The SAEC Board will act in accordance with the Brown Act of 1953 as contained in section 54950 et seq. of the California Government Code.

The following rules are intended to facilitate a presentation to the Consortium:

A. For matters not listed on the agenda:

I. Any individual who wishes to address the Consortium on any item of interest to the public that is within the subject matter jurisdiction of the Consortium and not listed on the agenda may do so under the item on the agenda entitled "Public Comments."

II. Without taking action, Consortium members may briefly respond to statements made or questions posed by the public about items not appearing on the agenda.

III. In keeping with its right to determine the length of time to be allotted to agenda items, the Consortium has determined that the overall time to be allowed for the agenda item entitled "Public Comments" shall not exceed three (3) minutes per person, and a total time of 20 minutes, unless there are extenuating circumstances, in which case the Consortium may extend the overall time limit.

B. For matters listed on the agenda: a person who wishes to address the Consortium may do so by completing a brief form (including name, address, and agenda item). Upon recognition, the person should state his or her name and may address the Consortium. The order of public comments on the agenda item will be determined by the order received.

C. Individuals shall be allowed up to three (3) minutes to address the Consortium on each agenda item or during the general public comments, unless there are extenuating circumstances, in which case the Consortium may extend the time limit for individual remarks.

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. *

The Sequoias Adult Education Consortium recognizes the benefits that are derived when input from the public is included as part of a transparent decision-making process, and will act in accordance with the Brown Act of 1953 as contained in section 54950 et seq. of the California Government Code. The Members will include the public in Consortium activities and programs whenever appropriate. The Consortium will provide the public with adequate notice of a proposed decision and consider any comments submitted by members of the public. Monthly meetings will include a designated time for public comment. Agendas will be posted on the Consortium website, and emailed in advance to Consortium members and partners. Consortium members are encouraged to post the agendas at their individual web sites.

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

A summary of comments submitted by members of the public will be recorded in the meeting minutes and distributed publicly on the Consortium website.

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. *

Community partners and other entities are invited and encouraged to participate in all Consortium meetings. SAEC's founding partners include Tulare County Workforce Investment Board, Tulare County Library, Tulare County Department of Health and Human Services, C-SET, Proteus, ABLE Industries, Kings County Department of Health and Human Services, Kings County Workforce Investment Board.

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

Fiscal Decision Making, Voting: The Sequoias Adult Education Consortium will annually approve the distribution schedule pursuant to Section 84913 with a simple majority vote. In accordance with the SAEC Governance policies, a simple majority

vote will be needed for the passage of any motion. The vote(s) of each official designated member shall be recorded as cast. A role call vote shall only be taken in the event of a split vote on any decision. The names of the members making and seconding each motion shall be recorded in the Consortium minutes. The distribution schedule will follow the funding priorities as specified in the SAEC Comprehensive Regional Plan ("3 Year Plan") and applicable law.

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 will adhere to the membership guidelines as defined by education code, the SAEC Report on Governance Compliance of Rules and Procedures and the SAEC Memorandum of Understanding.

Considerations for dismissal from the Consortium include:

- The member no longer wishes to provide services consistent with the adult education plan;
- The member cannot provide services that address the needs identified in the adult education plan; or
- The member has been ineffective in providing services that address the needs identified in the adult education plan, and reasonable interventions have not resulted in improvement.

In addition to the considerations specified in education code:

- Regular attendance is expected at monthly Consortium meetings. Each designated Member representative is expected to attend every SAEC Board meeting.

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

SAEC monitors member annual expenditures through the NOVA reporting system.

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? *

none

18. How does your consortium define member effectiveness? *

A member in good standing is one that upholds and abides by the SAEC three year plan.

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

SAEC maintains a report on consortium governance and memorandum of understanding.

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://docs.google.com/document/d/11RyFeE6RwkWNaz8gt_-MzkloNCo_WRU/edit

Member Agencies

Member Agency	Member Type	Contact	Phone
Corcoran Joint Unified	Unified School District	Brian Brazier	(559) 992-8885 ext: 7012
Cutler-Orosi Joint Unified	Unified School District	Yolanda Valdez	(559) 528-4763
Hanford Joint Union High	High School District	Dr. Victor Rosa	(559) 503-5901 ext: 3103
Sequoias CCD	District	Brent Calvin	
Tulare Joint Union High	High School District	Lucy Van Scyoc Tulare Joint Union High School District	(559) 688-2021
Visalia Unified	Unified School District	Kirk Shrum	
Alpaugh Unified	Unified School District	Mr. Troy Hayes	(559) 949-8413
Exeter Unified	Unified School District	George Eddy	(559) 592-9421
Farmersville Unified	Unified School District	Sergio Chavez Ed.D.	(559) 592-2010 ext: 1111
Lindsay Unified	Unified School District	Tom Rooney Lindsay USD	(559) 562-5111 ext: 5109
Woodlake Unified	Unified School District	Laura Gonzalez Woodlake Unified	(559) 564-8081 ext: 8112

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)).

No approver contacts.



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