



Bylaws of the Sonoma County Adult Education Consortium

Updated and approved January 17, 2024

ARTICLE I-NAME, PURPOSE, PRINCIPLES AND FUNDING

Section 1.1: Consortium Name

The name of the organization shall be the Sonoma County Adult Education Consortium (herein referred to as the "SCAEC").

Section 1.2: Purpose of Consortium

Mission Statement: The Sonoma County Adult Education Consortium provides a variety of free/low cost educational options for adults throughout Sonoma County, regardless of prior school experience, to increase financial and personal growth.

The purpose of the SCAEC is to create and implement programs to serve adults, 16 and over, in the categories listed below, by developing an Annual Plan that outlines the services to be provided as specified by State legislation, AB 104, Article 9:

- i. Adult Basic Education.
- ii. Adult Secondary Education and workforce preparation, including high school diploma and equivalency preparation.
- iii. English as a Second Language/EL Civics, which includes Integrated English Language and Civics Education (IELCE)
- iv. Career and Technical Education
 - Short Term CTE
 - Workforce Preparation Programs
 - Pre-apprenticeship
- v. Knowledge and skills to assist elementary and secondary school children to succeed academically in school
- vi. Adults with Disabilities

Section 1.3: Guiding Principles of Collaborative Practice

The SCAEC values collaboration amongst its members to achieve the goals and objectives of the Annual Plan:

- i. The SCAEC places the highest value on student achievement of academic and personal goals.



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- ii. Adult education programs will be open to all without discrimination. Access and success must never be compromised.
- iii. The SCAEC members will work cooperatively to develop the Annual Regional Adult Education Plan that provides academic programs and support services to adults to prepare them to transition to the workforce and higher education.
- iv. The SCAEC will work together ethically and fairly to allocate financial resources and achieve efficiency in meeting the needs of SCAEC students.
- v. The SCAEC will share responsibility and accountability for all projects and programs offered by service providers including defined student outcomes.
- vi. The SCAEC will respect individual institutional autonomy and seek collaborative and efficient solutions that avoid bureaucracy.

Section 1.4: Funding

The SCAEC operates under a direct funding model.

- i. The SCAEC recognizes that members and partners have multiple revenue streams that directly or indirectly support the individual institutions and programs developed to meet the goals and objectives of the Annual Plan. At the first meeting of each new school year, all service providing members will submit to the Oversight Committee, a common spreadsheet (template to be provided by the Consortium Director), with the total amount of funding and anticipated expenses by fiscal category.
- ii. The SCAEC recognizes that the State will authorize an annual allocation of funding from AB 104, Article 9, hereafter known as California Adult Education Programs (CAEP) funding. Any Cost of Living Adjustments (COLA) to the funding will be distributed by vote of the Oversight Committee, or by formula from the State.
- iii. The SCAEC will approve member allocations and the budget at the May meeting of the Oversight Committee each year. The Oversight Committee may request information and/or discussion items regarding the budget prior to the May meeting.
- iv. The SCAEC members receiving funding as service providers recognize that all allocations must be spent in accordance with the laws set forth in AB 104, Article 9, and the Consortium's Annual Plan.



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- v. Funding is allocated only to the service provider agencies. Proposals to reduce or redistribute funding may be made by any Oversight Committee member.
- vi. Any agency who is a member of the Consortium may submit to become a service provider by sending a formal request for funding to the Director. The Director will distribute the request to all Oversight Committee members and shall place it as an Agenda item on the next scheduled Oversight Committee meeting after the request is received. The agency requesting new funding must provide a plan for the redistribution of Consortium funds. The Oversight Committee will discuss and vote on the request.
- vii. All votes to redistribute funding shall be unanimous, after considering the input of the Service Providers.

ARTICLE II – MEMBERSHIP

Section 2.1: Membership Complies with State Law

Membership of Adult Education Consortia is governed by State legislation as outlined in AB 86 and AB 104, Article 9. Membership of the SCAEC will comply with all laws identified previously.

Section 2.2: SCAEC Members

Education agencies who are participating members of the Consortium are afforded all rights and responsibilities as outlined by California legislation. The current members of the SCAEC include the following education agencies:

Petaluma Adult School	(Service Provider)
Santa Rosa City Schools	
Santa Rosa Junior College	(Service Provider)
Sonoma County Office of Education	(Service Provider)
Sonoma Valley Unified School District	
Windsor Unified School District	



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Section 2.3: Partner Agencies

The SCAEC members may develop partnerships with local agencies throughout Sonoma County to provide support services for programs operating under the Annual Plan. Those agencies may be invited to participate on the Oversight Committee as a Partner Agency, but will not have a voting seat on the Committee. All proposals to invite Partner Agencies to join the SCAEC must be approved through a simple majority vote of the Oversight Committee.

Section 2.4: Members Leaving or Addition of New Members

Members can voluntarily leave the consortium but must provide written notice sixty (60) days prior to vacating membership. Any member that voluntarily chooses to leave the Consortium must return the balance of its allocation to the Consortium within 15 days of the effective date of leaving, or as stipulated in Article IX, Section 1. The SCAEC Oversight Committee (described in Article III) will determine how to redistribute the allocation returned by the departing member.

Any agency who is not a member of the Consortium may submit to become a member by sending a formal request to the Director. The request will be placed on the next Oversight Committee agenda. The agency requesting to become a member must provide the reasons for wanting to join the Consortium. If the request also includes funding, the requesting agency must provide a plan for the redistribution of Consortium funds. The Oversight Committee will discuss and vote on the request. The decision to add a new voting member requires a two-thirds majority vote.

Section 2.5: Removal of Members for non-performance

Members of the Consortium may be removed for non-performance, per AB104, Section 39, Article 9, Non-performance includes any one or more of the following:

- i Failure to attend Oversight Committee meetings (members can only miss two meetings per fiscal year). ADD: The official representative of a member agency may send a pre-designated proxy to attend and participate at a regularly scheduled meeting with notice sent to the Director via email. If a proxy representative attends the meeting, it will **not** count as one of the two allowed absences as outlined above. If no proxy is sent or notice given of non-attendance for two meetings, the Director will contact the official representative to discuss continued membership. An agreement will be reached and shared with the entire membership.



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- ii Failure to provide services as planned.
- iii Failure to meet enrollment and completion standards as agreed in the Annual Plan
- iv Failure to spend budget as agreed in the Annual Plan

Target enrollments and rates are monitored by the service providers and presented to the Oversight Committee (OVC). After presentation of the data, the OVC may recommend to take action against a member for information presented in the report. If a recommendation from the OVC is brought forward for a member to potentially be removed for non-performance of duties, the decision requires a two thirds majority vote. The OVC is then required to instruct the Director to send notification of potential action to the agency Representative and Superintendent. The agency must respond to the letter of potential action within 30 days, and will have one semester to complete corrective action on the item(s) listed as the reason for potential removal. If the item(s) is not addressed or corrected within the semester, further action up to and including removal of the agency by the Oversight Committee can occur. Vote for approval to remove a member must be a two-thirds majority.

ARTICLE III – OVERSIGHT COMMITTEE

Section 3.1: Composition and Responsibility of the Oversight Committee

Each of the organizations listed in **Article II, Section 2.2** will appoint a Representative (herein referred to as "Representative") to serve as a voting participant on the SCAEC Oversight Committee. Each SCAEC member will have one Representative serving on the Committee and all Representatives are expected to abide by the Bylaws of the SCAEC. Each member Representative is expected to know adult education and college systems, processes, and budgetary issues that could affect the Consortium.

The Oversight Committee is responsible for overall policy and direction of the consortium. The Oversight Committee votes on issues the SCAEC members deem critical to achieving the purpose of the Consortium. The Oversight Committee must make all reasonable efforts to include member, partner, and public input and dialogue when deliberating and voting upon issues put before the Committee.

Section 3.2: Appointment to the Oversight Committee, Terms and Compensation

The Representative to the Oversight Committee must be appointed and approved by the agency's Board of Trustees/Education., which determines the Representative's term of service. The



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Representative must be employed by the member institution while serving on the Committee. The Oversight Committee must retain a record of Representative approval by the member agency Board in the form of a resolution approved by that Board. The Representative will serve as the designee of the member agency for all policy directives and votes.

Representatives receive no compensation to serve on the Oversight Committee.

Section 3.3: Voting and Decision Approval

Each service provider agency shall have two votes on the Oversight Committee. Each non-service provider member agency shall have one vote on the Oversight Committee.

In the instance where a Representative is not able to be present for an Oversight Committee Meeting (whether in person or via ZOOM) where a vote is to be taken, the Representative shall send the predesignated proxy (herein referred to as 'Proxy') to vote on behalf of the member agency. Notification of use of a Proxy must be delivered to the Director or Secretary of the Oversight Committee prior to the start of the meeting. The name of each members' predesignated proxy will be shared with the committee, and the Secretary shall maintain a list of said proxies. Voting will occur in person, at a Zoom meeting or electronically by e-mail in case one of the representatives or their designated proxy is unable to attend the meeting.

All decisions under the jurisdiction of the Oversight Committee will be decided by a simple majority vote, unless otherwise indicated in these by-laws. **A full unanimous vote is required by state law to approve the annual CFAD, allocation amendments, Annual Plan, and Three-year plan.** It is recommended that whenever possible, representatives strive for unanimous decisions as a demonstration of Consortium cohesion and collaboration.

Section 3.4: Officer and Duties

There shall be one officer of the Oversight Committee, the Chair, who will be appointed by a simple majority vote of the Oversight Committee Representatives. Every two years, at the first Oversight Committee meeting of the new fiscal year, the Committee members will elect the Chair. Their duties are as follows:

- i. The Chair will preside over the Oversight Committee meetings. The Director will determine the topics for the meeting agenda with input from all of the Representatives on the OVC. This will be facilitated by the Director sending out the draft agenda two weeks prior to the scheduled meeting, with input from the representatives due back to the Director no later than one week prior to the meeting. The Director will then finalize the agenda and send it back to the OVC representatives.



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- ii. The Chair will sign all Consortium documents that require signature of a Consortium Representative.
- iii. The Director will act as Chair in the Chair's absence, but will not be allowed to vote on Oversight Committee agenda items.

ARTICLE IV - STAFF

Section 4.1: Consortium Director

The SCAEC shall operate under the guidance of a Regional Director who provides the following support for the Oversight Committee and Consortium service providers:

- i. Stays current in all legislation, policy and practice of the State of California, California Community College Chancellor's Office, and the California Department of Education regarding Adult Education Programs.
- ii. Submits all data and accountability reporting documentation to the proper State agency, and certifies CAEP documents and budgets in a timely manner.
- iii. Provides leadership in the development of the Three-year Plan and the Annual Plan, including mission and vision for the Consortium.
- iv. Works with the Oversight Committee to develop agendas for meetings.
- v. Provides updates to the Oversight Committee members regarding program development and implementation, student success, outreach activities, legislative information, and data/accountability reporting.
- vi. Maintains a website for the Consortium under the address www.socoadulted.org

The Director shall be hired by the Sonoma County Junior College District (SCJCD). This is necessary, as the SCJCD serves the entire county, while the Petaluma City Schools District employees only serve within the attendance area boundary of the school district. This position will serve both the College and the Consortium. The SCJCD shall have the right to set the salary and benefits for the position, as well as assign duties specific to the College.

In the event that the Director leaves the position, the SCJCD shall rehire the position within 90 days, or appoint an Interim Director in consultation with the Chair of the Oversight Committee. The position must be rehire within 180 days of the last day of work for the Director. The Chair of the Oversight Committee shall be apprised of the recruitment and interview process for the new Director, and shall represent the interests of the SCAEC on the hiring panel.



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Section 4.2: Other Consortium Staff

The Regional Director for the SCAEC may hire additional staff members to support administrative, outreach, fiscal, and reporting requirements of the Consortium. Staff members shall be hired by the Sonoma County Junior College District (SCJCD). This is necessary, as the SCJCD serves the entire county, while the Petaluma City Schools District employees only serve within the attendance area boundary of the school district. Any Adult Education staff member positions will serve both the College and the Consortium. The SCJCD shall have the right to set the salary and benefits for the positions, as well as assign duties specific to the College.

ARTICLE V – MEETINGS

Section 5.1: Service Provider Meetings

Regular Service Provider meetings are critical to the success of the SCAEC in supporting students and initiatives of the Consortium. Service Provider meetings will be held on a QUARTERLY basis at the SRJC Adult Education Department Offices, or via ZOOM unless otherwise specified. All members and partners will be notified of the meetings in a reasonable timeframe and are expected to be present and engaged in the process to review and support program initiatives and student achievement set forth under the Annual Plan.

Section 5.2: Oversight Committee Meetings

All SCAEC Oversight Committee meetings will occur every other month during the school year and will be open to the public. The Director and Oversight Committee members will develop a six-month calendar of meetings that will contain location, dates, and times of all meetings. This calendar will be posted on the SCAEC website.

The Director is responsible for providing the finalized meeting Agenda 72 hours in advance of the meeting.

Section 5.3: Notice of meetings

At least 72 hours prior to a public Oversight Committee meeting, the agenda shall be posted at the hosting member's main office, at each member agency's district office, and on the Consortium web site in a location easily accessible by the public.

Section 5.4: Quorum

For meetings of the SCAEC, a quorum shall be a simple majority of the members. Meetings may still be held without a quorum for purpose of presentation or discussion. However, no actions or voting may take place without a quorum.



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Section 5.5: Voting

As stated in **Article I, Section 1.3, clause iv**, SCAEC members will work together, ethically and fairly to allocate financial resources and achieve efficiency in meeting the needs of SCAEC students. Allocation deliberations during Oversight Committee meetings are expected to be thoughtful and professional. Members are required to provide a rationale for requesting an Allocation. A Committee vote for allocation of new funds can be approved by simple majority of the Oversight Committee.

Section 5.6: Minutes of Oversight Committee

The Director is responsible for providing minutes for all regularly scheduled or special meetings of the Oversight Committee. The Director can employ Staff to complete minutes for each meeting. The minutes will be included in the following meeting's agenda and posted on the Consortium's website, once approved.

Section 5.7: Special Meetings

Special meetings of the Oversight Committee can be called by the Chair, or by simple majority of Committee members. Special meetings shall have a minimum of a 24-hour notice to the public and Committee members prior to the meeting.

ARTICLE VI – ADVISORY BODIES

Section 6.1: Advisory Formation

The Oversight Committee may create advisory bodies as needed to carry out the Annual Plan of the Consortium. Advisories will operate under the direction of the Oversight Committee and will be coordinated by Consortium Staff.

All advisory meetings will have minutes of the proceedings that are shared with the Oversight Committee.

ARTICLE VII – FISCAL YEAR

Section 7.1: Fiscal Calendar

The fiscal calendar for the SCAEC shall follow the same academic/fiscal year as the SCAEC member agencies and shall run from July 1 through June 30.



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ARTICLE VIII – ACCOUNTANCY MODEL

Section 8.1: Direct Funding and Conditions to Change Accountancy Model

In a vote of the Oversight Committee members in April 2016, the SCAEC selected the Direct Funding model of accountancy for the Consortium. Any Oversight Committee member can request a vote to change the accountancy model. The request will be provided in writing to the Director with a stated reason for requesting the change and will be placed on the following Oversight Committee meeting agenda. A simple majority vote is required to change from Direct Funding to a Fiscal Agent. Any change in accountancy method will be put into place in the next fiscal year.

ARTICLE IX – ALLOCATION OF ADULT EDUCATION FUNDING

Section 9.1: Distribution of Funding

As stated in **Article I, Section 1.3, clause iv**, SCAEC members will work together, ethically and fairly, to allocate financial resources and achieve efficiency in meeting the needs of SCAEC students.

After the initial distribution of funding, any additional allocation coming from the State in terms of COLA or other increase in funding, shall be distributed to the service provider members as agreed by vote of the Oversight Committee.

Section 9.2: Funded Member Responsibilities

Funded service-providing members will be required to report on their expenditures and carryover, class offerings and enrollment, staffing levels, and student success measures on a quarterly basis when expense reports are due to the State.

Section 9.3: Reduction of Member Allocation

The Oversight Committee may reduce a member's allocation for the following reasons:

- i. The member no longer wishes to provide services consistent with achieving the SCAEC Purpose and the Annual Plan.
- ii. The member cannot provide services that address the needs identified in the Annual Plan.
- iii. The member has been consistently ineffective in providing services that address the needs identified in the SCAEC Annual Plan and reasonable interventions have not resulted in improvements.



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The member must return any unused allocation to the Consortium within 15 days of written notification of forfeiture of funds. As outlined in **Article I Section 1.4, clause vii**, the Oversight Committee will determine how to redistribute forfeited allocation funds with Service Provider input.

ARTICLE X - MEMBER EFFECTIVENESS

Consortium Effectiveness Criteria

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

- a. Consortium carryover is calculated based upon the combined carryover of all funded members of the SCAEC
- b. Any carryover funding that exceeds the twenty percent threshold in one or more prior fiscal years shall be determined as excessive carryover.
- c. A consortium that has been deemed by the Chancellor and Superintendent to have excessive carryover is required to submit a written expenditure plan to the State.
- d. A consortium with excessive carryover shall be subject to Technical Assistant from the State as outlined below in Section 10.1 Technical Assistance.

Section 10.1 Technical Assistance

a. Consortium technical assistance

If a consortium is found to have excessive carryover for at least one prior fiscal year, they shall be assigned to technical assistance by the Chancellor and Superintendent. The technical assistance provider is selected by the State and their purpose is to ensure the effective use of funds as specified by California Education Code and to ensure that the consortium is able to provide adequate adult education services while not exceeding the twenty percent carryover threshold.

b. Member technical assistance

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

Technical assistance may include but is not limited to any of the following steps and supports:



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1. Notice sent to agency representative and district superintendent outlining area(s) of noncompliance
2. Measures necessary to regain compliance with SCAEC and CAEP regulations
3. Regular monitoring of member effectiveness areas that are out of compliance and were included in the notice to the school district.
4. Members who are not in compliance with the excessive carryover requirement may be required to develop and implement an Excessive Carryover Reduction Plan in order to meet member and consortium excessive carryover limits.

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

- i. Extension of technical assistance monitoring period
- ii. Reduction in funding not to exceed the amount of excessive carryover from the prior fiscal year
- iii. Removal from being a service provider

ARTICLE XI-PROCESS TO APPROVE AND AMEND BYLAWS

Section 11.1: Process to Approve Bylaws

The process of creating Bylaws for the SCAEC will be conducted by the Director at the request and guidance of the Oversight Committee. The Bylaws will first be reviewed as a discussion item and then approved at the next meeting of the Oversight Committee to give the public adequate time for input.

Section 11.2: Process to Amend Bylaws

The Bylaws of the Sonoma County Adult Education Consortium may be altered or amended by the Oversight Committee at any meeting by a simple majority vote, provided that notice of the proposed Bylaws change was sent to each member agency and Oversight Committee Representative at least seven days prior to the Oversight Committee meeting.