

## Consortia Report on Governance Compliance of Rules and Procedures

*Download and save this Word document, open it and fill in the various fields, print the completed form, sign, scan and email to the AB86 inbox: ab86@cccco.edu. Due by October 31, 2015 or sooner so that we can accept your 15-16 annual plan, consortium allocation schedule, budget, and 1<sup>st</sup> Quarter expenditure report.*

Consortium Name:

Planning Grant Fiscal Agent Name (for tracking purposes only):

Consortium Point Person (or person submitting this document):

Name:

Consortium Role:

E-Mail:

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?

Yes. The boundaries of the South Bay Consortium match the boundaries of the Southwestern Community College District. The South Bay Consortium includes three Members: Sweetwater Union High School District (SUHSD), Coronado Unified School District (CUSD), and Southwestern Community College District (SWC). No other community college district, school district, or county office of education, or any joint powers authority consisting of these institutions is located within the boundaries of the South Bay Consortium. The San Diego County Office of Education was invited to join, but declined, indicating that they do not provide adult education services within the boundaries of the South Bay Consortium.

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?

Yes, each Member of the South Bay Consortium has 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. An AB104/adult education project liaison from each Member district will report available funds to the fiscal agent. The fiscal agent will collate the funding information and provide it to the Consortium

Directors Council (the decision-making body) for review and evaluation.

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?

South Bay Consortium Rules and Procedures (document attached) require that a Member of the consortium be represented only by an official designated by the Governing Board of the Member. Representatives shall be appointed by the Governing Board of each Consortium Member (Sweetwater Union High School District, Coronado Unified School District, or Southwestern College Community College District). The Governing Board of each member will appoint a representative and alternate(s) to ensure that votes can be taken as needed.

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

The designated representatives from each Member shall serve on the Consortium Directors Council (CDC), the Consortium's decision-making body on issues pertaining to AB104 and adult education in the region. The SWC representative will chair the CDC meetings in Year 1.

A quorum necessary to the transaction of business at any meeting (voting on actions) of the CDC shall consist of a designated representative of *each* Member of the Consortium. Representatives of two Members of the Consortium will be considered a quorum only for the purposes of review and discussion of items for later action. Each Member Governing Board will appoint one representative and alternate(s) to ensure that a quorum is available for each scheduled meeting of the CDC.

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)

The decision-making process of this Consortium reflects the shared governance expectations of each Member district, wherein voting should adequately represent districts' constituent groups. For matters concerning the funding for the Consortium as a whole, Sweetwater Union High School District has three (3) votes, Coronado Unified School District has one (1) vote, and Southwestern College Community College District has three (3) votes on decisions facing the CDC.

For matters concerning the Maintenance of Effort (MOE) funding, each Member that receives MOE funding directly from the state shall have full jurisdiction over the MOE funding it receives, subject to the Consortium's three-year plan and annual action plan. In the event that MOE funding is rolled into the Consortium funding, the CDC will review and establish vote allocations at a public meeting.

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

The CDC will seek consensus in decisions, but if consensus cannot be reached, decisions about the Consortium Three-Year Plan, Annual Plan and budget allocations shall be approved by a majority vote of four of the seven Member votes. A majority vote of those CDC members present shall suffice for such actions that do not require a specified number of affirmative votes (approval of the Three-Year Plan, Annual Plan and budget allocations). In the event of a tie vote, the motion at issue shall lose. No action shall be taken by secret ballot. The CDC will publicly report any action taken in open session and the vote or abstention of each individual member present.

The CDC will make decisions in a two-step process. The proposed decision will be presented at a first meeting, during which staff reports will be reviewed and the matter at hand discussed. Voting on actions will be taken at a second meeting, with the opportunity for comments between the two meetings.

A quorum necessary to the transaction of business at any meeting (voting on actions) of the CDC shall consist of a designated representative of each Member of the Consortium. Representatives of two Members of the Consortium will be considered a quorum only for the purposes of review and discussion of items for later action. Each Member Governing Board will appoint one representative and two alternates to ensure that a quorum is available for each scheduled meeting of the CDC.

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

The decision-making model was developed through collaborative discussions at the AB86 Steering Committee meetings. The Steering Committee developed the attached Consortium Rules and Procedures, which were reviewed and approved by the CDC.

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 CDC will conduct its business in public. Meetings will be open and public, and all persons will be permitted to attend. The CDC prescribes a reasonable written meeting protocol in its Rules and Procedures document to help ensure that a meeting is conducted effectively without unnecessary disruption. This protocol shall be announced at the opening of the meeting.

Regular meetings of the CDC shall be open to the public, be accessible to persons with disabilities, and be held at a Member facility, as regularly scheduled in accordance with the requirements of AB 104. A notice identifying the location, date and time of each regular meeting of the CDC shall be posted outside the adult education office of each Member and on the Consortium's website at least 72 hours prior to the meeting and shall remain posted until the day and time of the meeting.

Special meetings may be called by the Chair or by a majority of the members of the CDC. Notice of such meetings shall be posted at least 24 hours before the time of the meeting. No business other than that indicated in the notice may be transacted or discussed.

The Consortium Staff shall submit an agenda, which includes reports and recommendations, to each member of the CDC at least four working days prior to the scheduled meeting of the CDC, except as provided in the attached CDC Rules and Procedures, Section II.B. The CDC agenda is comprised of the Table of Contents (with a brief description of the session) and the individual CDC reports.

Members of the public may place matters directly relating to South Bay Consortium business on the agenda of South Bay CDC meetings, and members of the public may address the CDC regarding items on the agenda as such items are taken up. Persons seeking to place items on the agenda must submit a written description of the item to the Consortium Staff. Speakers must adhere to the subject provided in writing. The request to be placed on the agenda must be in accordance with deadlines set by the Consortium staff for preparation of agenda materials. The Consortium staff will schedule the item on the next regular meeting agenda if public notice requirements can be met.

Members of the public submitting items on the agenda will be allotted three (3) minutes to address the CDC on the item.

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?

Agendas for regular meetings will allow for two types of public comment periods. The first is a general audience comment period, which is the part of the meeting where the public can comment on any item of interest that is within the subject matter jurisdiction of the local agency. The second type of public comment period is the specific comment period pertaining to items on the agenda. These specific comment periods on agenda items will occur prior to the CDC's consideration of that item.

The CDC will place a general audience comment period at the beginning of the agenda where the public can comment on agenda and non-agenda items. The CDC will have a public comment period for consent calendar items before the body acts on the consent calendar. Each speaker will be restricted to three minutes of public testimony. The topic of the public's comments must be within the subject matter jurisdiction of the Consortium or the member of the public will not be allowed to speak for three minutes. These Rules and Procedures preclude a speaker from disrupting, disturbing or otherwise impeding the orderly conduct of public meetings. The use of profanity may be a basis for stopping a speaker.

The Agenda for each meeting will include information about accommodations available to members of the public who are unable to attend the CDC meeting but would like to submit comments for review by the Council members. These accommodations may include submitting written comments by mail or email to Consortium staff, to be read during the public comment period. Members of the public seeking such accommodations shall be requested to contact the Consortium staff to determine the method to submit comments that addresses their need for accommodation. Consortium staff will read any comments received through these accommodations at the public meetings of the CDC during the public comment period.

The public has the right to videotape or broadcast a public meeting or to make a motion picture or still camera record of such meeting. However, the CDC may prohibit or limit recording of a meeting if the CDC finds that the recording cannot continue without noise, illumination, or obstruction of a view that constitutes, or would constitute, a disruption of the proceedings.

Written materials distributed during a CDC meeting and prepared by the CDC staff will be available for public inspection at the meeting. If it is distributed during the meeting by a member of the public, it will be made available for public inspection after the meeting.

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

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

Any audio or video tape record of an open and public meeting that is made, for whatever purpose, by or at the direction of the CDC is a public record and is subject to inspection by the public consistent with the requirements of the Public Records Act. The Consortium will not destroy the tape or film record of the open and public meeting for at least 30 days following the date of the taping or recording. Inspection of the audiotape or videotape will be made available to the public for free on equipment provided by the Consortium Members. If a member of the public requests a duplicate of the audio or videotape, the CDC will provide such copy. The CDC may charge a fee to cover the cost of duplication.

The action of the CDC shall be recorded in accordance with Section 72121(a) of the Education Code. Minutes shall be taken at all of those meetings, recording all actions taken by the CDC. The minutes are public records and shall be available to the public.

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.

An Advisory Committee consisting of two individuals working in adult education from CUSD, six representatives from SUHSD and six representatives from SWC will research, review and discuss matters of concern to the South Bay Consortium, and will make recommendations for action to the CDC. The Advisory Committee representatives shall be named by the CDC representative from each Member. The Advisory Committee (taking on the role of the AB86 Steering Committee) works to consensus through discussion; the majority rules when consensus cannot be reached.

Consortium staff will invite partners to attend the Advisory Committee and CDC meetings. Partners will be emailed or mailed agendas as they are released, and Consortium staff will solicit comments from partners to be shared at meetings. A schedule of quarterly CDC meetings and bi-monthly to monthly Advisory Committee meetings will be developed a year in advance and shared with partners so they can calendar the meeting dates for the year. Consortium staff will maintain close contact with partners, and will encourage them to attend meeting or submit written comments. In addition, interested faculty, teachers and staff, and members of the public will be encouraged to attend CDC and Advisory Committee meetings.

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

The distribution schedule will be drafted by the AEBG implementation team in collaboration with Consortium staff, consultants and with technical support as needed from the fiscal agent.

The CDC will make decisions about the distribution schedule in a two-step process. The proposed

decision will be presented at a first meeting, during which staff reports will be reviewed and the matter at hand discussed. Voting on actions will be taken at a second meeting. Public comment periods will be available at each meeting and by request for accommodations between the two meetings.

A quorum necessary to the transaction of business at any meeting (voting on actions) of the CDC shall consist of a designated representative of each Member of the Consortium. Representatives of two Members of the Consortium will be considered a quorum only for the purposes of review and discussion of items for later action.

Decisions about the Consortium Three-Year Plan, Annual Plan and budget allocations shall be approved by a majority vote of four of the seven member votes.

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?

Southwestern College will serve as the South Bay Consortium Fiscal Agent. The Fiscal Agent is responsible for budget management, hiring and payment of Consortium staff and consultants, and the timely submission of all required reports.

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

All members of the South Bay Consortium are required to participate in the Consortium under AB 104. Therefore, members will not leave or be dismissed as long as they receive designated adult education funds.

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

Please see file named 15-238-063\_Southwestern \_10\_31\_15\_Governance Rules and Procedures.

Consortium Member Signature Block

Name:

Consortia Member:

Email:

Date:

Signature Box:

Name:

Consortia Member:

Email:

Date:

Signature Box:

Name:

Kevin Nicolls

Consortia Member:

Coronado Unified School District

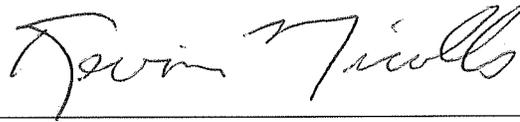
Email:

[Kevin.nicolls@coronadousd.net](mailto:Kevin.nicolls@coronadousd.net)

Date:

10/28/15

Signature Box:

A handwritten signature in cursive script that reads "Kevin Nicolls". The signature is written in black ink on a white background within a rectangular box.