



SOUTH BAY CONSORTIUM *for* ADULT EDUCATION

Opening doors for adult learners

Bylaws

PREFACE

These bylaws were adopted by the Steering Committee by Steering Committee action on March 8, 2024. Subsequent to this date all revisions and additions shall be followed in parenthesis by the date of adoption.

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Article I. Definitions

For purposes of these bylaws:

1. "Consortium" refers to SBCAE
2. "Steering Committee" is used to refer to the decision-making body.
3. "Adult" means a person 18 years or older.
4. "Notice(d)" means included on a regular Steering Committee meeting agenda and posted in compliance with the Brown Act.
5. "Consensus" is defined as a generally accepted opinion or decision among a group of people.
6. "GC" refers to California Government Code.
7. "EC" refers to California Education Code.

Article II. Name

The name of this organization shall be the South Bay Consortium for Adult Education or more commonly referred to as SBCAE. The SBCAE office is currently located at Campbell Adult and Community Education (CACE), 1224 Del Mar Ave, San Jose CA 95128. Phone number 408-692-5230.

Article III. Purpose and Vision

SBCAE is a consortium of 2 community college districts and 5 adult schools (K-12 districts) that works with regional partners to align educational opportunities for adult learners in order to promote upward social and economic mobility in the South Bay region.

Our Guiding Principles are to:

- focus on the needs of adult education students first
- work with transparency and inclusion with all stakeholders
- embrace collaboration and partnership to have a positive collective impact on our region
- explore expansion and innovation in adult education services in the region
- seek other community partnerships and connections to leverage resources and achieve better outcomes
- commit to ideas, decisions and practices that anticipate the future needs for adult learners in our region.

Funds are used to support the following seven program areas as outlined in AB104:

1. Programs in elementary and secondary basic skills, including programs leading to a high school diploma or high school equivalency certificate.
2. Programs for immigrants eligible for educational services in citizenship, English as a second language, and workforce preparation.
3. Programs for adults, including, but not limited to, older adults, that are primarily related to entry or reentry into the workforce (Workforce Preparation).
4. 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.
5. Programs for adults with disabilities.
6. Programs in career technical education that are short term in nature and have high employment potential.
7. Programs offering pre-apprenticeship training activities conducted in coordination with one or more apprenticeship programs approved by the Division of Apprenticeship Standards for the occupation and geographic area.

Article IV. Membership

A. Members

1. Consortium member districts include: Campbell Union High School District
East Side Union High School District
Metropolitan Education District
Milpitas Unified School District
Santa Clara Unified School District
San Jose Evergreen Community College District
West Valley Mission Community College District
2. Any organization or institution receiving funding from the State of California for delivery of adult education as described in Assembly Bill 104, Article 9, Section 84905, and operating within the SBCAE region, shall be permitted to join the Consortium as a member. To become a member:
 - a. The district superintendent, chancellor, or executive officer of such organization must provide a written request to the Steering Committee, including verification of the funding described in EC 84905(b).
 - b. A representative must be appointed by the board of the new institution or organization. Verification of approval of this appointment must be presented to the Steering Committee in the form of approved board meeting minutes.
 - c. Requests for membership shall be reviewed and membership shall be approved at a noticed and agenda'd public meeting by the Steering Committee.
 - d. Once appointed, the district representative shall work with representatives to incorporate and align their district with SBCAE's regional comprehensive plan.

3. Any member may elect to leave the Consortium through a written request by the district superintendent, chancellor, or the agency's executive officer. Any member leaving the consortium shall:
 - a. Provide written notice to the Steering Committee no later than March 31st in time for the next fiscal year's CFAD allocation.
 - b. All unconsumed funds will be returned to the Consortium as approved by the Steering Committee.
4. Dismissal from the Consortium shall follow in alignment with AB104 and Education Code Section 84914

B. Member Rights and Responsibilities

1. Rights of members
 - a. Members have the right to participate in the decision-making process for development of regional adult education plans.
 - b. Members have the right to participate in determining the allocation of Consortium funding.
2. Responsibilities of Members
 - a. Members shall adhere to laws and regulations governing adult education programs and services outlined in Education Code 84900-84920, including submission of annual budget and work plans and reporting requirements for expenditures and student data.
 - b. Members shall agree to implement the current regional 3-year and annual plans.
 - c. Member districts shall designate representatives to serve on the Steering Committee and represent the interests of the member organization. Designation shall be in writing and formally approved by the governing board of each institution.
 - d. Members shall actively participate in Consortium meetings and the decision-making process for development of regional adult education programs and services.
 - e. Members must follow the Consortium's bylaws, and abide by AB104 legislative member requirements and California Education Code.
 - f. Consortium membership alone does not guarantee funding. Failure to follow these requirements can result in corrective action, including reduction in CAEP funding.
 - g. Each individual member district is directly funded from the state, on condition of submission of the annual Consortium Fiscal Administration Declaration (CFAD) by the consortium.
 - i. Each member district is responsible for complying with federal, state, program, and district guidelines, which includes adhering to reporting deadlines in accordance with AB104 regulations and government and education codes.
 - ii. Each member district must ensure all expenses are consistent with the *Adult Education Fiscal Management Guide: Allowable Uses of Adult Education Program Funds* distributed by CAEP program office.
 - iii. Additionally, all expenses need to be in alignment with SBCAE's active Three Year Regional Plan for Adult Education.

Article V. Governance and Decision-making

A. Governing Structure

1. The Steering Committee, as outlined in Article VI, provides direction and oversight to the Consortium.
2. The Steering Committee Co-Chairs, one representing the Adult School membership and one representing the Community College membership, preside over Steering Committee meetings and ensure compliance with relevant laws and regulations.
3. Under the direction of the Steering Committee Co-Chairs, the Consortium Director and Consortium Staff, coordinate the development and implementation of SBCAE's Three Year and Annual Plans
4. A Consultation Council, comprised of representatives appointed by leadership of the Community College Academic Senates and certificated and classified bargaining units from member districts, will be convened to participate in the consortium's annual decision-making, evaluation and planning process.
5. Faculty Networking Groups (FNGs) help carry out the South Bay Consortium for Adult Education (SBCAE)'s mission and legislative mandates, support implementation of SBCAE's Three Year Regional Plan for Adult Education and subsequent Annual Plans, and amplify academic voice in the consortium's operations.
6. Project Teams advance special projects in alignment with the active Three Year and Annual Plans.
7. Each member agency is required to use their CAEP allocation to hire at least one FTE or equivalent Transition Specialist.

B. Decisions

1. The Steering Committee makes final decisions about work plans, allocates funding, and adopts policies and procedures necessary for compliance with AB 104 and EC 84900-84920.
2. When making final decisions the Steering Committee shall use input from staff, working groups, partner organizations, and the public. Input shall be provided in accordance with the Brown Act.
3. The Steering Committee uses consensus as a first approach to decision-making.
4. If, for any reason, consensus is not reached:
 - a. The Co-Chairs from each system (K-12 adult schools and the community college districts) will be charged to negotiate a solution.
 - b. The two Co-Chairs will bring back a resolution to the Steering Committee for consensus.

- c. If there is still no consensus, the Co-Chairs will call for a formal vote, requiring a two-thirds majority to pass.
5. For purposes of voting, each adult school and college has one vote, and Steering Committee members or their alternate must be “present” at the meeting to cast a vote. For purposes of this item, “present” may include teleconferencing provided that compliance with Brown Act is met (GC54953).
6. Pursuant to EC 84906(F), decisions are final.

Article VI. Steering Committee

A. Membership

Each of the five member school districts is represented by one representative and one alternate. Each of the community college districts, with two colleges each, is represented by two members and their alternates. At all meetings nine representatives (primary or alternate), formally approved by each member's Board, will represent the member institutions. Member districts will select voting representatives through locally established processes, but all representatives are formally appointed to the Steering Committee by the governing boards of their districts'. Each member's district is solely responsible for who represents it.

B. Co-Chairs

The Steering Committee will be chaired by two Co-Chairs, one representing the Community College membership and the other representing the Adult School membership. Co-Chairs will serve a term of three years, with a maximum of two consecutive terms.

Co-Chairs will be confirmed as part of the annual funding allocations process each Spring, and their term shall start on July 1st of the same year. To the extent possible, selection of new Co-Chairs will happen on a staggered schedule to ensure continuity. When a Co-Chair position is up for election, active Co-Chairs will put out a call for nominations by February to fill open seats. Any primary Steering Committee member can self-nominate, or nominations can be put forward by representatives of the Community College or Adult School membership, as applicable for the seat to be filled. Names will be placed on a ballot and elections will happen at large during formal Steering Committee meetings before CFAD approval. When vacancies occur, an interim co-chair will be appointed to finish out the term. Interim appointments will not count towards term limits.

Co-Chairs' compensation will be determined by the Steering Committee based on needs/current situation (as part of CFAD). [Co-chair Roles and Responsibilities](#)

C. Role of a Steering Committee Member

It is intended that the Steering Committee members leverage their experiences, expertise, and insight as representatives of their respective member districts. Steering Committee members are not directly responsible for managing annual activities, but provide support and guidance for those who do. Thus, individually, Steering Committee members should:

- Have a comprehensive understanding of the strategic implications and outcomes of the Plan and the annual activities.
- Understand and support the intent of the AB104 and AB2098 legislation.
- Be an advocate for broad regional and institutional support for the outcomes of the Plan.
- Have a deep understanding of the region and its adult education, immigrant integration, and workforce development needs.
- Take appropriate effort regularly to review the status of the annual activities.
- Represent their member district's interests, but the region's need for comprehensive adult education services will take priority.
- Ensure the annual activities meet the requirements of the state, the SBCAE Plan, and key stakeholders.
- Help balance conflicting priorities and resources.
- Provide guidance to the SBCAE Co-Chairs.
- Solicit and consider ideas and issues raised by community partners, faculty, students and other stakeholders.
- Be the conduit of ideas and information about topics needed to be discussed at Steering Committee meetings; presenting topics for Steering Committee meetings to the Co-Chairs.
- Check adherence of annual activities to standards of best practice both within their member districts and in a wider context.
- Foster positive communication outside of the Steering Committee regarding the annual activities and the Plan's progress and outcomes.
- Report and evaluate member services whose outcomes may help achieve the Plan's objectives. Such service may include, but not be limited to, funding from WIOA Title II, Carl Perkins, non-credit adult education and other grants.
- Adhere to compliance deadlines for fiscal and student-level data reporting. 5

D. Meeting Protocols

1. The Steering Committee will meet regularly and publicly. The Steering Committee will assure that all meetings will follow the guiding principles below and comply with the directives of the state office of the Adult Education Program, the AB104 Legislation, and the Brown Act:
 - a. Public meetings with public comment solicited, both written and in person;

- b. Decision-making meeting notices and agendas posted on the SBCAE website and disseminated to established lists of community partners, stakeholders and interested public; agendas and supporting materials are made public no later than seventy-two hours before the public meetings.
 - c. Announcing meetings, and inviting public comment, through the members' own communication channels and protocols, and on the SBCAE website;
 - d. Posting meeting minutes and other supporting documents on the SBCAE website.
 - e. All Steering Committee will follow Brown Act protocols, whether as regular steering committee meetings or Formal Public Meetings.
2. The Steering Committee meets regularly as required to monitor progress toward, and other issues relating to, the annual activities and the Plan's implementation.
 3. At all Steering Committee meetings members' alternate representatives may be designated as the member's formal representative.
 4. All practices of regular Steering Committee meetings, the dissemination of agendas, notice of time and place of meetings, and assuring access to the public to attend and give comment on meeting agenda items, will comply with Brown Act directives. Meeting agendas and supporting documents will be disseminated to all interested parties with the explicit intention of eliciting public comment.
 5. The Co-Chairs co-facilitate the Steering Committee meetings, with agendas for all meetings developed jointly by the Co Chairs and other SBCAE support staff. Any topic may be suggested directly to the Co-Chairs for Steering Committee meetings. Topics presented to the Co-Chairs by members' formal representatives or the Consultation Council will be placed on meeting agendas in as timely a fashion as possible.
 6. The Steering Committee may also delegate some oversight responsibilities to other staff and groups, including but not limited to faculty workgroups, transition-specialists and counselors, community-based partners, and others, all of whom may confer in ad hoc meetings.
 7. Members of both the colleges and the adult schools may need to meet separately to address issues unique to each system. Regular reports from these ad hoc groups will be agendized and discussed in the regularly held Steering Committee meetings.

Article VII. Meetings

A. Regular Meetings

1. The Steering Committee shall hold regular meetings at a time and on dates determined by the Board on or before the last meeting of each year.

2. Meeting dates and times are posted on the Consortium website and made available to the public in board packets published on the website.
3. Locations for the meetings shall be within the region at one of the member district sites. Meetings locations are posted on the Consortium website and made available to the public in the board packet.
4. The Steering Committee may cancel, reschedule, delay or relocate scheduled meetings as necessary.
5. Board agendas, containing a brief general description of each item of business to be transacted or discussed at the meeting, are posted to the Consortium website, at the meeting location, and distributed to each member district for posting, at least 72 hours prior to the time of a Regular Meeting (in compliance with GC Section 54954 and 54956).
6. All meetings shall operate in compliance with the Brown Act (GC 54954) and include an opportunity for public comment.
7. Meeting minutes are made available in the following meeting's board packet and after official approval on the Consortium website.

B. Special Meetings

1. Special meetings may be called by the Co-Chairs or by the majority of the Steering Committee at a duly noticed board meeting. The purpose of the meetings shall be stated and specified in the agenda.
2. The agenda for a special meeting shall be posted at least 24 hours prior to the meeting.
3. No other business, other than noted in the posted agenda, should be considered during the special meeting (in accordance with GC 54956).

C. Emergency Meeting

Emergency meetings may be called in compliance with GC 54956.5.

D. Closed Session

1. The Steering Committee may hold a closed session in compliance with GC 54956. These meetings shall be noticed, agendaized, and conducted in compliance with the Brown Act.
2. Although these items are not typically under the purview of the Steering Committee, closed sessions are only permitted for the specific purposes listed below:
 - a. To discuss "pending litigation" with agency attorneys
 - b. To consider the appointment, employment, evaluation, discipline, or dismissal of a public employee. (Not general staffing)
 - c. Employee complaints or charges
 - d. Meetings regarding threats to security of public buildings or essential public services
 - e. Student matters such as discipline or records challenges

E. Quorum

1. Five Steering Committee members shall constitute a quorum for the transaction of business. If a quorum is not present within 20 minutes of the posted start time, those present may adjourn the meeting to a specified time.

F. Public Participation

1. Except as specifically exempted by law, all meetings of the Steering Committee shall be open and public. Unless otherwise protected by applicable law, all Steering Committee records shall be open to public inspection. (GC 54950-54963)
2. Every agenda for regular meetings shall provide an opportunity for members of the public to directly address the Steering Committee on any item of interest to the public, before or during the legislative body's consideration of the item at the time specified and agendized for public comment, unless otherwise determined by the Steering Committee.
3. Those interested in offering a public comment will do so at the meeting during the public comment section. There are no sign-ups in advance of the meeting. Speakers shall be taken on a first-come first-serve basis when doors open, with a maximum of 10 speakers.
4. Public comment may be submitted in writing by emailing the Co-Chairs prior to the start time of the Steering Committee meeting. Public comments received in writing will be shared with Steering Committee members during the Public Comment item on the agenda.
5. Unless otherwise determined by the Steering Committee, the following agreements pertain to speakers. Speakers shall be given no more than 3 minutes to address the Board. An additional 3 minutes may be provided when translation is required or an accommodation is necessary. Speakers shall be given a single appearance at any given meeting.
6. With regard to public comments, Steering Committee members may take no action and no discussion shall be undertaken on any item not appearing on the posted agenda, except that Board Members may briefly respond to statements made or questions posed by persons exercising their public testimony rights.
7. Request for a disability related modification or reasonable accommodation shall be made at least 48 hours in advance by calling the office.
8. Request for translation should be made at least 48 hours in advance by calling the office.
9. The Steering Committee may schedule a workshop as part of a regular or special meeting. The Co-chairs may allow for expanded participation by the public and other stakeholders. Participation details shall be provided at the start of the workshop.
10. Meeting materials distributed to the Steering Committee are available for public inspection during the meeting and within 5 working days after the meeting at <http://sbcae.org>.
11. The Steering Committee agenda is posted at least 72 hours in advance as addressed in Article VII.A(5) and in compliance with the Brown Act (GC 54954 and 59456).

Article VIII. Consortium Director and Staff

A. Consortium Support Staff

1. Consortium staff will officially be employed at the member district(s) in which the funds have been allocated and approved.
2. When new staff are added, the Steering Committee shall stipulate the district employer of record.
3. The Steering Committee may decide to change the employer of record for consortium staff. When this occurs, funds allocated to the position will move to the new employer of record.
4. Support staff shall follow working procedures, policies, calendar, and contract of the employer district of record.
5. Job descriptions of support staff shall be approved by the Steering Committee.
6. Although Consortium staff are employees of the employer of record and follow the evaluation and reporting lines of said district, the Steering Committee may provide recommendations and considerations to the member district Board representative regarding the employee, as long as such comments are made in compliance with the Brown Act (GC 54950-54963), including protecting employee privacy (GC 54954.5).
7. Adding, removing, or re-locating Consortium support staff should be done in consultation with the Steering Committee.
8. The following are the Consortium Support Staff positions: [\(Position descriptions\)](#)
 - a. Consortium Director
 - b. Data Analyst/Data Team
 - c. Community Partnership Specialist
 - d. Web/Tech Specialist
 - e. Adults with Disabilities Specialist

Article IX. Consultation Council

1. A Consultation Council, comprised of representatives appointed by leadership of the Community College Academic Senates and certificated and classified bargaining units from member districts, will be convened to participate in the consortium's annual decision-making, evaluation and planning process.
2. The Consultation Council will be comprised of 18 members, representing the following areas: One representative from each of the four Community College Academic Senates (4 representatives), One representative from the certificated bargaining unit of each of the seven districts. (7 representatives), One representative from the classified bargaining unit of each of the seven districts. (7 representatives),
3. The SBCE Co-Chairs will meet and confer with the SBCE Consultation Council quarterly.

4. The Consultation Council will be charged with selecting one representative from each system to attend Steering Committee meetings as ex officio, non-voting members. Consultation Council representatives to the Steering Committee will serve a term of three years, with a maximum of two consecutive terms.
5. The Consultation Council will be responsible for informing the Co-Chairs of who those representatives are in a timely manner so that agendas and supporting documents may be shared with them as they are shared with all Steering Committee members.
6. It is the responsibility of Consultation Council representatives attending Steering Committee meetings to report back to their constituencies.

Co-Chairs

1. At the initial meeting of the networking group (first meeting after July 1), the group members shall select two group co-chairs.
2. For purposes of equity, each co-chair should represent a different system (adult school and community college).
3. The recommended term of service shall be, but not limited to, two school years or until another co-chair is selected. For reasons of continuity, it is recommended to alternate the appointment of the adult school and community college representatives.
4. It is recommended that co-chairs shall be compensated by their adult school/community college at the rate of as set by the steering committee, per program year for their leadership responsibilities. Compensation will be in accordance with each institution's policy and guidelines.
5. *Responsibilities of Co-Chairs:*
 - Work together to facilitate the group.
 - Provide general coordination of the networking group.
 - Solicit topics and create the agenda.
 - Provide agendas and summary minutes to networking group members and SBCAE leadership.
 - Keep groups on track with activities aligned with the Three-Year and Annual Plans.
 - Prepare materials, reports, and presentations to the Steering Committee as requested.
 - Maintain rules of order and norms during meetings and in communications.
 - Facilitate communication and action between in-person meetings.
 - Coordinate with the SBCAE leadership team.
 - Onboard new networking group members as needed.

Article X. Faculty Networking Groups

A. Description

Faculty Networking Groups (FNGs) 1) provide an opportunity for cross consortium networking and best practice sharing, 2) help carry out the South Bay Consortium for Adult Education's

(SBCAE)'s mission, 3) support implementation of SBCAE's Three Year Regional Plan for Adult Education and subsequent Annual Plans, and 4) amplify academic voice in the consortium's operations.

There are four Faculty networking groups, aligned with AB104 program areas:

- ABE/ASE: Adult Basic Education/Adult Secondary Education (Basic Skills)
- AWD: Adults with Disabilities
- CTE: Career Technical Education
- ESL: English as a Second Language

B. Responsibilities

1. Networking and relationship building. Sample activities: Best practice sharing, develop or maintain communication tools such as email groups, shared documents or networking group pages on sbcae.org, inform the planning of annual consortium-wide professional development day
2. Promote cross-system understanding. Sample activities: Provide presentations on programs, services and student population, inform the networking group of system-specific developments (ex AB705, Guided Pathways, Strong Workforce Program, Immigrant Integration, CCRS, ...), conduct site visits
3. Work towards program alignment. Sample activities: Asset mapping: develop and/or update alignment charts ex. ESL levels alignment chart, develop student journey maps, flow charts

C. Membership

1. Each SBCAE member adult school (5) and community college (4) provides two representatives to each networking group, for a total of 18 members per networking group. 2.

At the beginning of each school year, Steering Committee members shall provide the Consortium leadership with a list of members for each networking group. These adult school/community college staff members shall be invited to the networking group meetings and be included in networking group communications.

3. Networking group members may serve multiple terms and participate in multiple groups at the discretion of their adult school/community college. The term of service shall be a minimum of two school years.
4. Networking group members may be changed at any time at the discretion of their adult school/community college. In the event a networking group member leaves mid-year, the Steering Committee members from that adult school/community college have an option to amend their representative list and submit it to SBCAE leadership.
5. Networking group members shall be compensated for their time and participation in FNGs at the discretion of their school/college.
6. *Expectations of FNG Members*
 - Attend and actively participate in networking group meetings

- Disseminate networking group information back to own school/college: peers and administrators
- Respond to information/participation requests from networking group, co-chairs or SBCAE leadership

D. Co-Chairs

1. At the initial meeting of the networking group (first meeting after July 1), the group members shall select two group co-chairs.
2. For purposes of equity, each co-chair should represent a different system (adult school and community college).
3. The recommended term of service shall be, but not limited to, two school years or until another co-chair is selected. For reasons of continuity, it is recommended to alternate the appointment of the adult school and community college representatives.
4. Co-chairs shall be compensated by their adult school/community college at the rate of as set by the steering committee, per program year for their leadership responsibilities. Compensation will be in accordance with each institution's policy and guidelines. (Per the approved action item at the 4/28/2023 SBCAE Steering Committee meeting)
5. *Responsibilities of FNG Co-Chairs:*
 - Work together to facilitate the group.
 - Provide general coordination of the networking group.
 - Solicit topics and create the agenda.
 - Provide agendas and summary minutes to networking group members and SBCAE leadership.
 - Keep groups on track with activities aligned with the Three-Year and Annual Plans.
 - Prepare materials, reports, and presentations to the Steering Committee as requested.
 - Maintain rules of order and norms during meetings and in communications.
 - Facilitate communication and action between in-person meetings.
 - Coordinate with the SBCAE leadership team.
 - Onboard new networking group members as needed.

Article XI. Program Area Project Teams

1. Project Teams will be determined each year, typically in the March-April timeframe, in alignment with the goals of the three year and annual plan.
2. Upon determination of needed Project Teams, the Co-Chairs and Director will initiate a call for participants to all Steering Committee members. Steering Committee members will recruit participants within their agency and inform the Director of their participation.
3. Project Team participants will be compensated at the discretion of the individual member district to which they are employed.
4. Project teams are limited in scope and have clear, annual, outcomes.

5. Project teams are composed of a cross-section of stakeholders with representation from both community college and adult education, to include: administrators, faculty, classified staff, counselors/transition specialists, students, partner organizations, employers, and subject matter experts.
6. Provide regular updates and make recommendations to the Steering Committee.

Article XII. Transition Specialists

A. Position & Consortium Expectations

1. Each member agency is required to use their CAEP allocation to hire at least one FTE or equivalent Transition Specialist.
2. When vacancies occur, every effort will be made to fill the position as soon as possible.
3. Transition Specialists (TS) will focus on the goals and needs of adult education students first, and will consider educational options and pathways at all member agencies when advising students.
4. All TS are expected to attend and actively participate in monthly TS meetings.
5. Co-Chairs, 1 representing the adult school membership and 1 the community college membership will be elected by the group. Co-Chairs will serve a 2 year term. Co-Chairs plan and facilitate monthly meetings and plan professional development for the group.
6. All TS are expected to track referrals and case management notes in My Professional Center (formerly Community Pro Suite), or any other data management system the consortium deems necessary.
7. Co-chairs shall be compensated by their adult school/community college at the rate of as set by the steering committee, per program year for their leadership responsibilities. Compensation will be in accordance with each institution's policy and guidelines.

B. Role & Responsibilities

1. Provide guidance and assistance for students in the English as a Second Language (ESL), High School Diploma, High School Equivalency, Career Technical Education, and Adult Basic Education Programs.
2. Facilitate the achievement of career and academic goals following AB104 requirements.
3. Work under the direction of the consortium Director and/ or designated Administrator in the implementation of the South Bay Consortium for Adult Education (SBCAE) regional transition plans and goals.
4. Meet regularly with other Transition Specialists from SBCAE member institutions to develop regional systems to facilitate transition among adult schools, community colleges and other community-based organizations.

5. Build collaborative relationships with community-based organizations and other public agencies in order to provide additional support services for students.
6. Collaborate with community colleges, adult schools, the regional workforce development systems, local businesses, library, and other community organizations to facilitate students' transition to college, or internship/ employment opportunities.

Article XIII. Fiscal Management

A. Annual Budget

1. Each individual member district is directly funded from the state as approved by the steering committee as part of the CFAD.
2. Consortium wide expenses shall be included in the CFAD allocation for the district-of record. This budget includes the Project Director and staff members outlined in Article VIII, office operating expenses, as well as funding for Consortium-related activities.
3. Any member district may receive additional funds for consortium-wide expenses, pursuant to Steering Committee approval. These funds may be transferred to another member district as deemed necessary.
4. If a consortium wide position changes from one member district to another, the funding of that position moves to the new district.
5. Districts-of-record for Consortium employees shall follow the guidelines stipulated in Article VIII.A.

B. Special Projects Funding

1. Innovation Funds -
 - a. SBCAE member agencies request consortium funds for innovation projects, above and beyond their base CAEP allocation. Projects must comply with CAEP fiscal management guidance, be aligned with the active consortium three year plan and fall in one of these categories:
 - i. Program development & implementation
 - ii. Student equity & success
 - iii. Capacity building
 - iv. Innovation projects

- b. In order to receive innovation funding, the agency should not have rollover funds that are equal to or in excess of the amount requested.

C. AB 1491 Funding Utilization Policy

The AB 1491 Funding Utilization Policy aims to ensure the efficient and effective use of allocated funds by member agencies. By establishing spending requirements, review processes, and mechanisms for the allocation of carryover funds, this policy promotes transparency, accountability, and innovation in the implementation of AB 1491 initiatives.

Member Responsibilities

Member agencies are responsible for ensuring compliance with the spending requirements outlined in the AB 1491 Funding Utilization Policy. Member agencies must spend a minimum of 80% of their annual allocation within the fiscal year. Failure to meet spending requirements or submit a satisfactory carryover plan may result in penalties or a reduction of future allocations. Member agencies must maintain accurate records of expenditures and submit reports in NOVA. Records should be kept for audit purposes and made available for review upon request. This policy will be reviewed periodically to ensure alignment with legislative requirements and best practices.

Accountability and Review Process:

1. Expense Review Timeline
 - a. An expense review of member agencies' utilization of funds will be conducted annually in October.
 - b. The review will assess expenditure levels and adherence to spending requirements.
2. Carryover Plan Submission Requirement
 - a. Member agencies failing to spend at least 80% of their annual allocation will be required to submit a detailed plan outlining how they intend to spend the carryover funds.
 - b. Plans must be submitted to the steering committee by November 1st.
 - c. Should the consortium exceed the 20% carryover threshold for a fiscal year per AB 1491 carryover compliance regulations outlined in Ed. Code 84914, a Written Expenditure Plan will be required and the consortia will be assigned Technical Assistance.
3. Mid-Year Review
 - a. A mid-year review of member agencies' spending progress through quarter two will take place during the third quarter (Q3) of the subsequent fiscal year.
 - b. The mid-year review aims to evaluate spending trends and provide assistance or adjustments as needed.
4. Allocation of Carryover Funds

- a. Member agencies that fail to meet the 80% spending requirement for the second year in a row will have carryover funds in excess of the spending requirement allocated to the innovation fund.

Article XIV. Data Sharing

The Steering Committee will produce, approve and oversee appropriate memoranda of understanding or data sharing agreement addressing the sharing of student data among members, and/or with community partners. The committee will assure that all memoranda of understanding are within the authority of the consortium to engage in, are aligned to the data sharing policies of each member district, and when personal information about students is shared, protecting the rights to privacy as addressed in the Family Educational Rights and Privacy Act (FERPA) or, when applicable the Health Insurance Portability and Accountability Act (HIPAA).

Article XV. Parliamentary Authority

The Steering Committee complies with Brown Act (GC 54950-63) and follows basic parliamentary procedures, including making a motion, 2nd, discussion, and voting (when consensus is not reached by the steering committee). Any rules of order and procedures specified in these bylaws shall be followed until amended or new rules are adopted. Furthermore the Steering Committee is bound by the Brown Act, and policies set forth in AB 104 legislation, California Education Code, California Government Code, and local control guidelines and ratifications of individual member-districts. In the event of a discussion on points of order which are unresolved in these bylaws, the Steering Committee shall resolve issues by consensus or majority agreement.

Article XVI. Amendments

These bylaws may be amended at any time. Proposed amendments shall be noticed in a Steering Committee Meeting agenda and posted in compliance with the Brown Act. Amendments can be made at regular or special open meetings. Amendments shall be passed with a majority vote, as long as a quorum is reached. Amendments shall be noted in this document by a date following the amendment.

References

Note:

Government Code 54959: Any Board member who attends a meeting where action is taken in violation of the Brown Act, and where the member intends to deprive the public of information which the member knows or has reason to know the public is entitled, is guilty of a misdemeanor.

Legislative

- [Full AB86 Legislative Text](#)
- [Full AB 104 Legislative Text](#)
- [Full AB2098 Legislative Text](#)
- [AB 104 SEC. 39. Article 9 \(commencing with Section 84900\) : Adult Education Block Grant](#)
- <https://caladulted.org/>
- <https://caladulted.org/ConsortiumDirectory>

California Adult Education Program

- <https://caladulted.org/>
- [CAEP Fiscal Management Guide](#)

Brown Act

- Office of the Attorney General, The Brown Act: Open Meetings for Local Legislative Bodies 2003 (still source document)
<https://oag.ca.gov/sites/all/files/agweb/pdfs/publications/brownAct2003.pdf>
- Brown Act Summary provided by law firm that works with many schools, charters, and districts in California.
http://www.lozanosmith.com/docs/resources/Brown_Act_Summary.pdf
- AEBG alignment with the Brown Act <https://caladulted.org/DownloadFile/177>

March 8, 2024: Bylaws adopted by the Steering Committee

February 2, 2024: Second draft was presented

December 8, 2023: First draft was presented to the Steering Committee.

September - December, 2023: SBCAE Member Effectiveness Committee researched consortium bylaw models and created draft SBCAE bylaws.