

North Central Adult Education Consortium

Governance Charter, Operational Guidelines, and Bylaws

Section 1: Name

The name of the organization shall be North Central Adult Education Consortium (NCAEC).

Section 2: Purpose

The North Central Adult Education Consortium (NCAEC) Executive Committee has been organized by established agreement with member school boards, and the Yuba Community College District, for the purposes of delivering adult education as described in Assembly Bill 104, Section 39, Article 9, Section 84900; Adult Education Block Grant. The Executive Committee consists of an approved executive level representative from each of the participating member agencies who are responsible to set policy and carry out the activities and duties established by AB 104 Adult Education Block Grant, and to establish the principles by which the consortium will operate. Executive level representatives are approved by the member agency Board of Trustees, School Board, or the respective Governing Board of each member agency.

The North Central Adult Education Consortium (NCAEC) was established under AB 86 in 2015, to develop and implement a comprehensive plan to serve the educational needs of adults throughout the five-county region; Colusa, Lake, Sutter, Yolo and Yuba counties.

Section 3: Guiding Principles

The North Central Adult Education Consortium has adopted the following principles to guide the consortium at-large in our efforts to provide adult learners in all counties with the prospect to participate in high quality education, and career training opportunities within the seven program areas established by AB 104.

NCAEC Principles

- Regional perspective that is student centered
- Inclusion
- Transparency
- Shared decision making

Section 4: Consortium Membership

The Chancellor or Superintendent, with the advice of the Executive Director, shall approve, for each consortium, rules and procedures that adhere to all of the following conditions: Any community college district, K-12 school district, COE, or JPA or a combination of these, located within the boundaries of the adult education region shall be permitted to join the consortium as a member.

The consortium membership is comprised of nine educational agencies/districts, Colusa County Office of Education, Konocti Unified School District, Lake County Office of Education, Sutter County Office of Education, Woodland Joint Unified School District Adult School, Yolo County Office of Education, Yuba County Office of Education, and Yuba Community College District (Yuba College and Woodland Community College).

Adopted April 16, 2019

Amended October 15, 2024

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Membership in NCAEC is governed by current California State legislation, AB 104. A member of the consortium shall be represented only by an executive official designated by the Governing Board of the member. Official board approval must happen prior to becoming a member, and an official Memorandum of Understanding must be signed and approved.

As a condition of joining and participating in the consortium, a member must be willing to commit to adhering AEBG General Assurances (2019-20) established by the AEBG program office. Each agency may designate one representative from their District who may represent them as a voting member on the Consortium Governing Board (Executive Committee).

1. Proxy Representation: Agencies within NCAEC may send a proxy representative to serve as a voting member at meetings, with a maximum limit of two times within the fiscal year.
2. Voting Limit: Once an agency exceeds the proxy limit of two times within the year, the agency's vote will not be counted as subsequent meetings. Please refer to section 7 regarding voting for further clarification on voting procedures.
3. Exception: At the April Executive meeting, a proxy representative's vote will not be allowed to count in place of the district representative. This exception is due to the approval of the CFAD.

Membership in the consortium is voluntary. Members may voluntarily depart the consortium and members can be dismissed by the Governing Board (Executive Committee). Reasons for voluntary departure or dismissal are outlined in AB 104 AEBG Allowable Uses and may also be based on member effectiveness/adherence to consortium expectations as described in AEBG General Assurances 2017-18 (briefly outlined below):

1. A member no longer wishes to provide services consistent with standards established in AB 104, Section 39, Article 9, Section 84900.
2. The member cannot provide services that address the needs identified in the adult education plan.
3. A member may be dismissed from the consortium by a majority rule of the governing board if 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, as measured by the Member Effectiveness section of the AEBG General Assurances.

Failure to meet the requirements listed in the AEBG General Assurances (2017-18) may result in a determination of non-compliance and lead to partial or complete loss of Consortium and / or Member funding.

Section 5: Consortium Governance Structure

Executive Committee:

The Executive Committee is responsible for the overall policy and direction of the Consortium. The Executive Committee will be comprised of the member organizations' officials designated by the local governing boards of each member organization or the elected Superintendent. Official Governing Board approved members are expected to participate.

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Executive Committee Officers:

There shall be the following officers: Chairperson, Vice-Chairperson, and Secretary.

Role Description: Chairperson

Work in collaboration with the Consortium Coordinator/Director to establish the meeting agendas. The Chair shall preside at all meetings of the Executive Committee.

Role Description: Vice-Chairperson

Assist the Chairperson, and in his/her absence serve as the Chairperson.

Role Description: Secretary

Consortium Coordinator/Director serves as the Secretary. The Secretary will work with the Chair to distribute meeting documents, agendas, minutes, and coordinate meeting logistics.

The term of office is limited to one year. No person may serve more than two consecutive terms in one officer position. Elections will be held at the second meeting of each year. New terms will begin at the first meeting of the new calendar year. Delegates or proxy representatives may not serve in place of the Executive Committee officers.

Fiscal Agent:

Role Description: A designated member to serve as the fund administrator to receive and distribute funds from the program and to host the Consortium Lead Coordinator/Director. A fiscal agent acts as a banker. It processes expenses related to the grant as agreed upon by the Executive Committee. It certifies that the grant expenditures have been prepared in accordance with applicable federal and state laws and regulations. It works with the Executive Committee to implement fiscal decisions made by the Executive Committee. Not a voting member.

Consortium Lead Coordinator:

Role Description: Single point of contact that the state will contact for information over the course of the funding period. The individual who will be responsible for the fiscal management of the grant funding and reporting. The individual who will facilitate consortium meetings and collaboration, responsible for report submission, data collection and communication between the consortium and state. Not a voting member.

Consortium Members:

Role Description: Individuals who have been identified and official approved by District Governing Board to be Consortium members for their District. Voting members.

Consortium Partners:

Role Description: Non-voting community partners who work collaboratively toward the consortium's goals and objectives.

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Section 6: Meetings

All consortium Governing Board (Executive Committee) meetings will follow Roberts Rules of Order. All action items are taken to vote, include approvals of agendas, minutes of meetings, and budgets. Notice of meetings will be at least 72 hours in advance, the agenda for the meeting shall be posted at each member's main office and/or on the website of each Consortium member.

Regular planning meetings of the members and invited partners shall be held as needed, at a time and place designated by the Chair.

Decision making/status meetings, there will be a minimum of four meetings of the Executive Committee annually, open to the public, taking place in the months of August, October, January and April at a time and location which will be designated by the Chair and approved by the Executive Committee. At the meeting in October, the Executive Committee shall elect a Chair and Vice-chair. At these meetings, the Executive Committee will receive reports on the activities of the Consortium members in relations to the annual and three-year plans and budget and expenditures to date. Opportunities will be provided for public comment.

Special Meetings, may be called by the Chair, or by a simple majority of the Executive Committee.

Quorum: For meetings of the NCAEC, a quorum shall be a simple majority of the Executive Committee (at least 5 of 9 voting members present). Meetings may still be held without a quorum for the purpose of presentation or discussion. However, no actions or voting may take place without a quorum.

Section 7: Voting

Consortium members have an equal vote, with the exception of Yuba Community College District (YCCD). YCCD will have two official members, each representing a college and each with one vote, affording the consortium partners the opportunity to reflect potential differences between the two major sub-regions within the geographical boundaries of the consortium. All other participating consortium district members will be 1 member = 1 vote. Executive committee proxy votes will be counted a maximum of two times per fiscal year per agency except at the April Executive Committee Meeting.

The Executive Committee will use a shared leadership strategy. A consensus decision-making process will be used by the Executive Committee. In instances when consensus cannot be achieved, decision will be reached by a simple majority vote (5 out of 9 members in favor to pass a measure). Decisions are final upon voting.

Section 8: Member Effectiveness

In order for members to be effective members per NCAEC, the following shall apply:

- Member provides services that address the needs identified in NCAEC's Adult Education Plan
- Members report their quarterly spending within NOVA, timely and accurately

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- Members establish their quarterly spending guidelines in NOVA
- Member's spending guidelines outlining the expected expenditures of allocated funds should result in no more than 20% carryover at the end of the fiscal year. ("Carryover" means the amount of unspent adult education program funds from the prior fiscal year, certified on or before September 1 of the current fiscal year, expressed as a percentage of the prior fiscal year's allocation)
- Members shall not maintain excessive carryover for more than two consecutive fiscal years beginning with the 2022-23 fiscal year, and each fiscal year thereafter, and reasonable interventions have not resulted in improvements.
- Members submit their Program Area Reporting timely and accurately

Section 9: Funding and Fiscal Year

NCAEC recognizes members have multiple revenue streams that directly or indirectly support the purpose of the consortium. NCAEC recognizes that it will receive an annual allocation of funding from the California Adult Education Program (CAEP) which was formally called the Adult Education Block Grant (AEBG). The consortium will allocate annually funding for members in accordance with AEBG Program Allowable Uses, AEBG Program Guidelines, and AEBG General Assurances, and budgets developed and approved by the Executive Committee.

1. The fiscal year of NCAEC shall run from July 1 to June 30.
2. For any fiscal year for which CAEP allocates an amount of funds to NCAEC greater than the amount allocated in the prior fiscal year, the amount of funds to be distributed to a member shall be equal to or greater than the amount distributed in the prior fiscal year, unless
 - 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 as evidenced by maintaining excessive carryover for more than two consecutive years.
3. Excessive Carryover
 - a. Excessive Carryover is defined as 20% or more of the member's allocation per NCAEC.
 - b. If a member is unable to spend their allocation within 12 months, the Consortium Lead will contact the agency members and provide technical assistance.
 - c. Members who continue to demonstrate excessive carryover from the previous fiscal year will be required at 18 months to develop and present a 6-month budget plan to expend funds. This will be presented to the Leadership and Executive Committees. This budget plan must be submitted prior to Quarter 4 of the second fiscal year.
 - d. Excessive carryover not spent within two years shall be subject to redistribution to other members.
 - e. The reduction of a member's allocation, and the redistribution plan shall be decided by majority vote of the NCAEC Executive Committee.

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- f. The member's allocation shall not be reduced by more than the amount of the member's excessive carryover.
- g. If a member's allocation is reduced, the member will receive their full allocation the subsequent year.
- h. Voting members of the consortium may consider extenuating circumstances for a member whose allocation may be reduced and deem they be granted amnesty one time, as long as the consortium is not placed at risk of excessive carryover.

Section 10: Amendments

The Bylaws may be altered or amended at any properly published meeting of the consortium by two-thirds vote of the total consortium membership, provided that notice of the proposed change has been sent to each Consortium member at least 7 days prior to the meeting.

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Consortium Member Signature Block

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AEBG

PARTNERING FOR A STRONG
CALIFORNIA WORKFORCE

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Date Adopted and or Amended:



AEBG

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Date Adopted and or Amended:



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