



Bylaws of the South Orange County Regional Consortium

ARTICLE I — GENERAL PROVISIONS

Section 1: Name

The name of the organization shall be South Orange County Regional Consortium (SOCRC).

Section 2: Purpose

The purpose of SOCRC is to implement the comprehensive plan developed through the AB 86 Adult Education Consortium Planning Grant and revisions to the plan, required every three years, to provide programs to adults within the service region, as specified under California legislation AB104, Article 9, Adult Education Programs.

Section 3: Guiding Principles

SOCRC Vision Statement:

The South Orange County Regional Consortium seeks to provide inclusive and accessible instructional programs that enhance students' knowledge and skills in a meaningful way to contribute to our diverse community.

SOCRC Mission Statement:

Members of the South Orange County Regional Consortium work collaboratively to provide the highest level of instruction, student support, and guidance for programs that promote exploration and empower students to overcome challenges, attain high-demand skills, increase earning capacity, and contribute to the overall growth of the community.

ARTICLE II — ADULT EDUCATION PROGRAMS

Section 1: Program Categories

Member agencies may develop and implement programs in the following CAEP-approved program areas:

1. Programs for immigrants in English as a Second Language (ESL), contextualized ESL courses, integrated English and workforce training programs (IET), civics and citizenship preparation.
2. Adult Basic Education (ABE) for foundational academic skills and Adult Secondary Education (ASE) for college and workplace preparatory skills including High School Diploma or preparation for High School Equivalency examinations.
3. Workforce Preparation including foundational job search, application and interview skills, as well as digital literacy, for adults entering or reentering the workforce.
4. Career Education, including short-term training programs with high employment potential in technical and job specific skills that lead to entry level jobs in a variety of industry sectors.
5. Pre-Apprenticeship training conducted in coordination with one or more apprenticeship programs approved by the Division of Apprenticeship Standards.
6. Skill development for adults with disabilities.
7. Skill development for adults to assist elementary and secondary school children with academic success.

Section 2: Non-Duplication of Effort

Service provider agencies may propose to develop new programs in the categories outlined above, providing that the new programs do not duplicate existing programs offered by other agencies in the consortium unless it addresses an educational gap or need that is identified and outlined in the Annual and Three-Year Plans.

Section 3: Career Education Programs (see changes below)

Based on an amendment to AB104, Article 9, Section 84906 (3)(A), the following requirements must be met prior to developing and implementing new career education training programs.

1. Prior to establishing a CTE training program, each member of a local adult education consortium, or the consortium shall conduct a job market study of the labor market area in which it proposes to establish the CTE training program or utilize the most recent job market study conducted by the local workforce development board.

The study shall use local labor market information and consider a supply analysis of existing CTE training programs for adults maintained by high school, community colleges, and other post-secondary institutions in the geographic area to ensure that the anticipated employment demand for adults enrolled in the proposed training justifies the establishment of the proposed courses of instruction.

2. As indicated in AB104, Article 9, 84906 (3)(B), after completing the job market analysis and before establishing the CTE training program, the governing body of the member of the adult education consortium or the consortium board, as applicable, shall determine if the job market study justifies establishing the proposed CTE program.
3. The agency who is planning to establish a new noncredit or adult education career training program shall first present their idea at a General Membership Board Meeting for discussion to ensure non-duplication of effort. The proposal should include a program outline, a copy or synopsis of the labor market study, an inventory of same/similar programs in the region, explanation of why the program is being proposed, how it meets the objectives of the annual and three-year plan, and a budget for the program citing the source of funds. After discussion at the General Membership Board Meeting, which is an advisory step, the requesting agency shall follow the proper procedures within their school district regarding the development and implementation of new curriculum programs. If the agency is seeking additional CAEP funding to run the program, they must apply for new funding as described in Article VIII: Funding, Section 3, Request for Ongoing Funding.
4. After the new career training program is implemented, the agency shall report back to the General Membership Board during their fourth quarterly fiscal report for two years on the progress/success of the program that may include the following metrics:
 - a. Enrollment
 - b. Retention
 - c. Completion
 - d. Industry certification or licensure attainment
 - e. Noncredit certificate of completion attainment
 - f. Internship completion
 - g. Employment

ARTICLE III — MEMBERSHIP

Section 1: Membership

Membership in SOCRC is governed by current California state legislation and is limited to school districts and agencies within the South Orange County Community College District and its feeder K-12 school districts, County Offices of Education, and Regional Occupational Programs Joint Powers Agreement (ROP JPA) agencies.

Section 2: Members

The members of SOCRC are:

- Capistrano Unified School District (CUSD)
- Coastline Regional Occupational Program (Coastline ROP)
- College and Career Advantage (CCA)
- Irvine Unified School District (IUSD)
- Irvine Valley College (IVC)
- Laguna Beach Unified School District (LBUSD)
- Orange County Department of Education (OCDE)
- Saddleback College (SC)
- Saddleback Valley Unified School District (SVUSD)
- Tustin Unified School District (TUSD)

Section 3: Representation

Each of the organizations in Section 2 is represented on the Consortium General Membership Board by the official voting member designated by their respective local governing boards or elected Superintendent. Additional employees from each member organization may attend the Consortium General Membership Board meetings in a non-voting capacity and will be recognized as members of the public during comments on agenda items. All members are expected to adhere to the bylaws set forth by the SOCRC and maintain good standing as identified in Article V: Member Effectiveness.

Section 4: Relinquishing Membership in SOCRC

It is recognized that members may desire to no longer participate in the regional consortium. The process to relinquish membership in the SOCRC will consist of the following:

- a. Member will send letter signed by the governing board/superintendent of the school district/agency to the Executive Committee co-chairs at least fourteen (14) days prior to the next General Membership Board Meeting requesting to relinquish consortium membership. Evidence of Board Action approving the request must accompany the signed letter. Evidence will include the agenda, agenda item, and minutes of the meeting where Board members approved relinquishing membership in the SOCRC.
- b. An item addressing the relinquishing of membership will be placed on the agenda of the next General Membership Board Meeting following the receipt of the request to relinquish membership and with at least ninety-six (96) hours' notice (business days) prior to the date of the meeting.
- c. Executive Committee co-chairs will contact the voting member and superintendent/governing board prior to the next General Membership meeting to confirm the course of action and will notify the Chancellor's Office and Department of Education of the request.
- d. General Membership Board Meeting agenda will include two items related to the request to relinquish membership: a vote to accept the request and a vote to change members in Article III, Section 2, Members.
- e. If the member requesting to relinquish membership is a funded member, the General Membership will need to take action to redistribute funds per Article VII: Section 6: Reduction of Funding as a Result of Relinquishing Membership

Section 5: Non-Voting Partnerships

The Consortium General Membership Board shall have the authority to establish and define non-voting categories of partnership. Other organizations serving adults in the SOCRC region may be invited to participate in the consortium as non-voting partners.

ARTICLE IV — MEETINGS

Section 1: Consortium General Membership Meetings

The Consortium will hold monthly meetings of its Board Members. The meetings will take place at a time and location designated by the Executive Committee and approved by the Consortium General Membership Board at the first meeting of the calendar year. All meetings will be open to the public and will be noticed to the public per Brown Act guidelines. The public will have the opportunity to engage with the members of the Consortium General Membership during the specified public comments time or during the public comments time on any item on the agenda.

a. Role, Size, and Compensation

The Consortium General Membership Board shall consist of the agencies identified in Article III, Section 2. No member of the Executive Committee or Consortium General Membership Board will be compensated outside of their regular salary, as defined by each employing agency, for participation in or preparation for meetings of the South Orange County Regional Consortium.

b. Officers and Duties

There shall be two officers of the Consortium General Membership Board that serve as the Executive Committee. The Executive Committee shall consist of co-chairs (one from a Community College and one from a K-12 District) who are voting members of the consortium. Their duties are as follows: preside over meetings of the Consortium General Membership Board, prepare the meeting agendas and supporting materials, and perform other duties which may be assigned by members of the Consortium General Membership Board. The co-chairs shall serve a term of two years. Co-chairs shall be elected by the General Membership Board, with the K-12 co-chair selected in even years and the community college co-chair selected in odd years. Should a co-chair leave during their term, a vote will take place to elect a new co-chair. The new co-chair will serve the balance of the resigning member's term.

c. Consortium Primary Contact

There shall be a Primary Contact for the SOCRC, which shall be designated by the Executive Committee co-chairs if the Consortium operates under the Fiscal Agency or shall be selected by a vote of the General Membership Board if the consortium selects Direct Funding. The duty of the SOCRC Primary Contact under Fiscal Agency shall be to oversee and coordinate all necessary state reporting documents and provide them to the state by the given deadline. The duties of the SOCRC Primary Contact under Direct Funding shall be to oversee and coordinate all necessary state reporting documents and

provide them to the state by the given deadline, and to oversee the funding and contracts for projects and activities of the consortium.

Section 2: Executive Committee Meetings

The Executive Committee shall be comprised of two co-chairs as outlined in Article IV, Section 1b. Meetings will occur at least once per month to develop the agenda for the Consortium General Membership meetings and may occur more frequently as needed to address adult education legislation developments or business of the consortium. The co-chairs may request the attendance of staff, consortium voting members, or consultants as required to clarify information or assist in agenda development.

a. Committee Formation

The Consortium may find the need to conduct research and development by using a committee system. If committee work is necessary, it will fall under one of the following categories.

1. **Standing:** A committee will be established by and operate under the direction of the Executive Committee. Standing Committees are established to regularly address an operating function of the consortium, such as Bylaws, that require periodic or ongoing review. Standing Committees will consist of voting members and/or proxies of the member agencies. All Standing Committee meetings are subject to the rules and regulations of the Brown Act regardless of the number of Board members serving on the committee. The Standing Committee members will assign a member to take minutes of the proceedings, provide an update to the co-chairs at the subsequent Executive Committee meeting, and report on items developed for Board consideration at the Consortium General Membership Board Meetings.
2. **AdHoc Committees:** An AdHoc Committee is assembled by the co-chairs to do short-term, limited scope work that results in a finished product for Board Member review and approval. AdHoc committees can be comprised of any employees of a member agency or partner agency, but may not contain more than five (5) voting members of the General Membership Board. Ad Hoc committees are not subject to the Brown Act noticing requirements, but will report out to the public at the General Membership Board Meeting.

Section 3: Notice of meetings

The Consortium General Membership Board meetings will be noticed at least seventy-two (72) business hours in advance of the meeting. The agenda and documents for each meeting shall be posted on the Consortium's website, at the facility at which the meeting is being held, at each member agency where notice of meetings with public officials are posted, and any other location deemed necessary to fulfill the noticing obligations of the Brown Act. Notice of the General Membership Board Meetings must be in a physical space that is easily accessible to all members of the public. Physical locations for the meeting notices will be available on the consortium website.

Section 4: Special meetings

Special meetings (those outside of monthly meetings) with a single-subject focus that require the vote of consortium members may be called by the co-chairs or a simple majority of the General Membership Board. Special meetings require a seventy-two (72) hour notice period prior to the meeting and are subject to all Brown Act rules and regulations.

Section 5: Emergency meetings

Emergency meetings may be held when it is necessary to disseminate information to the General Membership Board or conduct a vote regarding consortium business that cannot wait until the regularly scheduled monthly meeting. Emergency meetings require a twenty-four (24) hour notice period prior to the meeting and are subject to all Brown Act rules and regulations.

Section 6: Quorum

For meetings of the SOCRC, a quorum shall be the simple majority (6 members) of the Consortium General Membership Board. 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

Decisions shall be reached by a simple majority vote (see below description of votes). Proxy voting shall be permitted, as long as documentation is provided that shows the person who is the representative proxy vote has been approved by the member organization's governing board/superintendent and paperwork identifying the proxy representative is on file with the consortium at the time of the vote.

Should it be necessary for any of the consortium members to change the agency representative or proxy, the agency must submit paperwork indicating that the governing board /Superintendent has taken action to appoint a new voting member or proxy to the Executive Committee. Paperwork must be submitted prior to the new agency representative or proxy voting on any action items of the consortium.

Section 8: Voting Structure

Each member will have one vote for items brought to Consortium General Membership Board meetings. In order for a vote to take place, at least six of the ten member organizations must be present (quorum must be reached). All decisions under the jurisdiction of the voting members will be decided by a simple majority vote unless otherwise indicated in these bylaws. If a majority vote cannot be reached, the item may be tabled for the next meeting of the Consortium General Membership Board, or it may be deemed rejected (not passed) by the members.

Votes Allocated to Each Member Agency

Member	Vote
Capistrano Unified School District (CUSD)	1 vote
Coastline Regional Occupational Program (Coastline ROP)	1 vote
College and Career Advantage (CCA)	1 vote
Irvine Unified School District (IUSD)	1 vote
Irvine Valley College (IVC)	1 vote
Laguna Beach Unified School District (LBUSD)	1 vote
Orange County Department of Education (OCDE)	1 vote
Saddleback College (SC)	1 vote
Saddleback Valley Unified School District (SVUSD)	1 vote
Tustin Unified School District (TUSD)	1 vote

The voting structure will be reviewed annually in the spring prior to the submission of the Consortium Fiscal Administration Declaration (CFAD). Maintaining one vote per member is contingent upon effective and consistent participation in the work of the Consortium, as delineated in Article V.

ARTICLE V — MEMBER EFFECTIVENESS

Section 1: 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 reflects the carryover of all funded members of the SOCRC.
- 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 Assistance from the State as outlined in Section 3 Technical Assistance.

Section 2: Member Effectiveness Criteria

Member effectiveness shall be defined as:

All members:

1. Regular attendance and participation at monthly Consortium General Membership meetings
2. Participation in and contribution to the development of the Annual and Three-Year plans
3. Timely submission and approval of all CAEP and SOCRC deliverables per CAEP published calendar and SOCRC approved meetings and timelines document

Funded members:

5. Meeting the student success goals as defined by the consortium in the Annual and Three-Year plans
6. Collecting, submitting and reporting data as outlined by the California Community College Chancellor's Office and the California Department of Education
7. Financial expenditures aligned to Annual and Three-Year plan goals and CAEP guidelines
8. Funds expended in a timely manner in accordance with AB 1491
9. Member carryover shall not exceed 20%. Any portion of the member's carryover that exceeds 20% shall be deemed excessive carryover

If members are unable to meet at least one of the criteria of member effectiveness, they may need the support and mentoring of the Executive Committee and/or other members of the consortium to come back into and remain in compliance with consortium and State

requirements for California Adult Education Program funding. Members who are out of compliance with the member effectiveness standards may be subject to technical assistance through SOCRC and placed into monitoring for a period of at least twelve months or until area(s) of deficiency have been remediated.

Section 3: Technical Assistance

a. Consortium Technical Assistance

If a consortium has excessive carryover for at least one prior fiscal year, they shall be assigned to technical assistance by the California Community Colleges Chancellor and the Superintendent of California Public Schools. 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 can 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 SOCRC and placed into a monitoring period for a minimum of twelve months if they have not met one or more of the member effectiveness criteria outlined above.

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

1. Notice sent to agency representative and Superintendent outlining area(s) of non-compliance
2. Measures necessary to regain compliance with SOCRC and CAEP regulations
3. Regular monitoring of member effectiveness areas that are out of compliance and were included in the notice to the Superintendent.
4. Develop and implement an Excessive Carryover Reduction Plan to meet member and consortium excessive carryover limits.

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

1. Extension of technical assistance monitoring period for an additional twelve months or until agency remediates areas of deficiency
2. Reduction in funding not to exceed the amount of excessive carryover from the prior fiscal year
3. Removal from being a service provider

Section 4: Member Non-Performance

The Executive Committee may recommend that a member be removed as a service provider for non-performance of duties after the member has gone through at least eighteen (18) months of technical assistance without remediation in the deficient areas. A decision to remove a member for non-performance requires a two-thirds vote (7 out of the 10 members).

The Executive Committee will send notification of potential action to the agency representative and governing board/Superintendent outlining the actions taken by SOCRC technical assistance, areas of non-compliance, and the date of the Consortium General Membership meeting at which the removal of the member from service provision will be addressed.

ARTICLE VI — FISCAL YEAR AND REPORTING CALENDAR

Section 1: Fiscal Year

The State of California has set the fiscal year to run from July 1 to June 30.

Section 2: Fiscal Year Reporting Quarters

The State has determined four reporting periods for the fiscal year. The time periods are as follows:

- a. Quarter 1 – July 1 through September 30
- b. Quarter 2 – October 1 through December 31
- c. Quarter 3 – January 1 through March 31
- d. Quarter 4 – April 1 through June 30

Section 3: Fiscal Reporting Deadlines for NOVA System

Agencies are required to report their fiscal expenditures in NOVA on a timely basis in relation to the four reporting quarters. All members are expected to have their information loaded into NOVA prior to or on the posted deadline. If the deadline falls on a weekend, the information shall be posted prior to or on the deadline. Deadlines are as follows:

- a. Quarter 1 – December 1
- b. Quarter 2 – March 1
- c. Quarter 3 – June 1
- d. Quarter 4 – September 1

ARTICLE VII — FISCAL ADMINISTRATION

Section 1: Determination of Fiscal Administration Model

The Consortium General Membership shall vote annually in April, prior to the submission of the CFAD, whether to employ a direct funding model or a fiscal agent model. If the fiscal agent model is selected, then each member will have an opportunity to offer to be the fiscal agent and propose how they will carry out the duties of fiscal agent. The Consortium General Membership will then vote and select the member to be the fiscal agent. The fiscal agent will also be responsible for compliance auditing.

a. Fiscal Agent

The fiscal agent acts as a banker for the consortium. It processes expenses related to the grant as agreed upon by the Consortium General Membership. It certifies that the grant expenditures have been prepared in accordance with applicable federal and state laws and regulations. It works with the Consortium General Membership to implement fiscal decisions made by the Consortium General Membership.

b. Funding

With direct funding, CAEP categorical funding will be disbursed to each member directly according to the approved CFAD. Each member will be responsible for oversight and compliance of the spending of funds in accordance with CAEP legislation.

ARTICLE VIII — FUNDING

Section 1: Allocation of Funding

As outlined by the California Community Colleges Chancellor's Office and the California Department of Education in their annual allocation of funding letter:

CAEP funds are issued under AB104 legislation, in Article 9 of the Education Code [84900 – 84920] as the Adult Education Program. CAEP funds are apportionment, not a grant, and are not subject to flexibility. CAEP funds are restricted to adults 18 years and older and can only be used in the seven (7) CAEP approved program areas. Each consortium must have an approved annual and three-year plan specific to K12 adult education and community college noncredit programs.

Agencies receiving CAEP funds shall not receive less than the prior fiscal year apportionment. Consortiums selecting the Direct Funding fiscal administration model will have the COLA automatically distributed to members in the NOVA reporting and fiscal management system based on the percent of each member's funding allocation to the total allocation the consortium receives.

All funding allocations will be determined in accordance with CAEP guidelines and EC 84914.

Section 2: Education Code on CAEP Funding

California Education Code Section 84914 outlines how consortiums will distribute funding each fiscal year.

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

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

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

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

(A) The member no longer wishes to provide services consistent with the adult education plan.

(B) The member cannot provide services that address the needs identified in the adult education plan.

(C) The member has been consistently ineffective in providing services that address the needs identified in the adult education plan, including having excessive carryover for at least two consecutive fiscal years beginning with the 2022-23 fiscal year, and each fiscal year thereafter, and reasonable interventions have not resulted in improvements.

Section 3: Request for Ongoing Funding

Funded and non-funded members may have the need to request permanent or ongoing funding for programs approved as part of the annual and three-year plans. Members may bring a request for permanent funding to the General Membership Meeting under the following conditions:

- a. Member Agency will inform the Executive Committee of their proposal for permanent funding by October 1 of the current fiscal year, to be implemented no sooner than the next fiscal year cycle.
- b. Executive Committee will put the request on the agenda of the October meeting for a first review.
- c. The proposal shall contain the reason for the request, program that will be funded, amount of funding requested in a detailed ledger, and a start date for the proposed program. If the request is to cover a current program that cannot run without additional funding, then it shall include a date that the program will be closed if funding is not received.
- d. If the request is to fund a Career Education program the proposal must also contain a labor market study that indicates a need for the program. (Article II, Section 3)
- e. Members must discuss and determine how the request will be funded, including any changes to member allocations that affect baseline funding and percentage of total allocation with implications for future COLA distribution.
- f. Member agency will bring proposal for funding back to the General Membership Meeting in November, with any additional information that was requested at the October meeting, to be considered for a vote by the members. In addition, members will vote on the redistribution of future consortium funds, as a separate item, to delineate funding for the ongoing project by the requesting member agency.

Section 4: Request for One-time Funding

Funded members may have the need to request one-time funding for capital projects, equipment, technology and other program needs that are short-term in nature. Members may bring a request for one-time funding to the Consortium General Membership meeting under the following conditions:

- a. Consortium members will determine if they have excessive carryover at the certification of quarter four (Q4) at the end of September of each fiscal year. Executive Committee will work with members who have excessive carryover to determine if this can be used for reallocation to other consortium members for one-time projects or purchases.
- b. Executive Committee will notify the General Membership of potential funds for one-time reallocation by December of the current fiscal year.
- c. Member Agency will notify the Executive Committee of their proposal for one-time funding no later than February 15 of the current fiscal year.
- d. Executive Committee will put the request on the March agenda for General Membership vote.
- e. Member Agency will complete the Facilities, Classroom, Technology and Equipment assessment to include with their proposal.
- f. The proposal shall contain the reason for the request, program that will be funded, amount of funding requested, and a completion date for the proposed project or purchase.

Section 5: Funded Member Responsibilities

Service-providing members who receive CAEP funding will be required to report on their expenditures and carryover on a quarterly basis when expense reports are due to the State. Funded members must report on program expenditures, course sections and enrollment, staffing levels, and student success measures on an annual basis.

Section 6: Approval of Capital Expenditures

- a. While determination of budget and expenditures is the responsibility of each funded agency, capital outlay over \$100,000 requires prior approval of the Consortium General Membership Board. Agencies needing approval for a capital expenditure will request that the Executive Committee place their item on the next Consortium General Membership Board agenda.
- b. Capital expenditures related to construction projects must also be submitted to and approved by the California Department of Education for Adult Schools and ROP

Agencies, and the California Community College Chancellor's Office for community college projects.

Section 7: Reduction of Member Funding per AB 1491

Excessive carryover is determined by the Consortium. SOCRC has set their excessive carryover at 19.9 percent. Excessive carryover is based on the certification of quarter four (Q4) in NOVA on or before September 30 of each fiscal year.

Included below are the specific conditions for reduction of member allocation from AB 1491, amending Sections 84901 and 84914 of the California Education Code AB104, Article 9, relating to Adult Education.

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

- (A) The member no longer wishes to provide services consistent with the adult education plan.
- (B) The member cannot provide services that address the needs identified in the adult education plan.
- (C) The member has been consistently ineffective in providing services that address the needs identified in the adult education plan, including having excessive carryover for at least two consecutive fiscal years, and reasonable interventions have not resulted in improvements.

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

- (i)(A) The member no longer wishes to provide services consistent with the adult education plan.
- (ii)(B) The member cannot provide services that address the needs identified in the adult education plan.
- (iii)(C) The member has been ineffective in providing services that address the needs identified in the adult education plan, including having excessive carryover for at least two consecutive fiscal years, and reasonable interventions have not resulted in improvements.

Section 8: Reduction of Funding as a Result of Relinquishing Membership

If a funded member of the consortium chooses to relinquish membership, the following actions will take place to reallocate any current funding held by the departing member, and redistribution of future allocations to the remaining funded consortium members.

- a. The funded agency relinquishing their membership must complete all of their program, fiscal and reporting requirements for the balance of the current fiscal year. The agency will not be allowed to purchase technology, equipment, or classroom upgrades for the balance of their tenure. Funding may only be spent on instructional, classified and administrative salaries, and consumable supplies necessary to complete the current academic sections. No funds may be spent between the end of service and the beginning of the new fiscal year.
- b. The future baseline allocation for the departing agency will be redistributed amongst the remaining funded members or used to fund permanent requests for funding within the consortium.
- c. Any COLA provided for the new fiscal year will be distributed based on the new apportionment of consortium funding for each agency.
- d. Any carryover, which is based on the certification of Q4 each fiscal year, will be included with funds that are redistributed for one-time projects.

ARTICLE IX — REVIEW AND AMENDMENT OF BYLAWS

Section 1: Review of Bylaws

SOCRC members will review and approve the consortium bylaws on an annual basis to ensure that they are timely, accurate, and comply with current CAEP guidelines and California Education Code.

Section 2: Requirements for Bylaw Amendments

- a. The bylaws may be altered or amended at any properly published meeting of the Consortium General Membership Board with a two-thirds vote (7 out of the 10 members).
- b. General Membership shall review and discuss proposed changes as a first read at one meeting, providing time for additional comments or requested changes by Consortium General Membership Board members and the public to be incorporated into the amendments. The proposed bylaws with changes will then be put on the next General Membership Board agenda for a second public reading and review of content. The second reading must also include time for public comment. The General Membership Board can then call for a vote for approval.
- c. Amendments to the bylaws may be approved after a second reading of the document at a publicly noticed Consortium General Membership Board meeting. Notice of the proposed changes and a copy of the amended bylaws must be sent to each voting member of the consortium at least seven (7) days prior to the Consortium General Membership Board meeting. The General Membership Board may also choose to take additional time to include public comments and amendments requested by Board members in the Bylaws and bring them back for review and approval at a subsequent meeting.