

The AB104 legislative language (see below) supports the allocation schedule for AEBG on the following elements:

- (1) Two years,**
- (2) Based on member amounts from 15-16,**
- (3) Based on the State approved regional need share/formula (including the additional allocations for counties not covered),**
- (4) Reprogramming of additional funds (\$4.8M) not allocated in 15-16, and**
- (5) Does not include/reflect any recaptured funds due to ineffectiveness/member changes.**

**Reference of AB104 language.....**

84909. (a) This section shall apply commencing with the 2016–17 fiscal year. (b) The chancellor and the Superintendent, with the advice of the executive director, shall approve, no later than February 28 of the prior fiscal year, a preliminary schedule of allocations to each consortium of any funds proposed in the Governor’s Budget for the program. 96 Ch. 13 — 84 — (c) The chancellor and the Superintendent, with the advice of the executive director, shall approve, within 15 days of enactment of the annual Budget Act, a final schedule of allocations to each consortium of any funds appropriated by the Legislature for the program. (d) The chancellor and the Superintendent shall determine the amount to be allocated to each consortium based on the following:

- (1) The amount of funds apportioned to the members of that consortium in the immediately preceding fiscal year.
- (2) That adult education region’s share of the statewide need for adult education.
- (3) That consortium’s effectiveness in meeting the educational needs of adults in the adult education region based on available data.

(e) Using the final schedule approved pursuant to subdivision (c), the chancellor and the Superintendent shall do one of the following for each consortium: (1) Apportion funds to a fund administrator designated by the members of a consortium beginning no more than 30 days after approval of the final schedule of allocations. (2) Apportion funds to members of a consortium beginning no more than 30 days after receipt of a final distribution schedule from that consortium.

84910. The chancellor and the Superintendent shall, when approving a schedule of allocations for a fiscal year, also present preliminary projections for the amounts that would be allocated in the subsequent two fiscal years. This preliminary presentation shall not constitute a binding commitment of funds.

84914 (2) For any year for which the chancellor and the Superintendent allocate an amount of funds to the consortium less than the amount allocated in the prior 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: (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 in providing services that address the needs identified in the adult education plan and

reasonable interventions have not resulted in improvements. (c) A distribution schedule shall also include preliminary projections of the amount of funds that would be distributed to each member of the consortium in each of the subsequent two fiscal years. The preliminary projections shall not constitute a binding commitment of funds.