In Response to Assembly Bill 104, Section 84915

ADULT EDUCATION BLOCK GRANT

California Department of Education
Tom Torlakson, State Superintendent of Public Instruction

California Community Colleges Chancellor’s Office
Erik E. Skinner, Interim Chancellor
June 29, 2016

The Honorable Edmund G. Brown Jr.
Governor of California
California State Capitol
Sacramento, CA  95814

Dear Governor Brown:

Subject: Assembly Bill 104, Adult Education Block Grant Planning Report

The California Community College Chancellor’s Office and the California Department of Education are pleased to present this progress report of the Adult Education Block Grant in response to the requirements outlined in Assembly Bill 104, Section 84915.

Assembly Bill 104, Section 84915 charged our two agencies to work in partnership to develop a plan to distribute funds to the consortia from the federal Adult Education and Family Literacy Act, Title II of the federal Workforce Innovation Opportunity Act and the federal Carl D. Perkins Career and Technical Education Act. This report addresses the progress our two agencies have made to: identify the current distribution of federal funds; identify the impacts of significant legislation including the reauthorization of the federal Workforce Innovation Opportunity Act and the potential reauthorization of the federal Carl D. Perkins Career and Technical Education Act; and to provide recommendations for next steps.

If you have any questions regarding this report, please contact Vice Chancellor for Governmental Relations Vincent Stewart, at the California Community Colleges Chancellor’s Office by phone at 916-323-5951 or by email at vstewart@cccco.edu or Legislative Representative Alejandro Espinoza, at the California Department of Education by phone at 916-319-0676 or by email at aespinoza@cde.ca.gov.

Thank you for your continued support and commitment to California’s adult learners.

Sincerely,

Tom Torlakson
State Superintendent of Public Instruction
California Department of Education

Erik E. Skinner
Interim Chancellor
California Community Colleges
Assembly Bill 104, Section 84915 tasks the California Community Colleges Chancellor and State Superintendent of Public Instruction to work in partnership to develop a plan to distribute funds to the consortia from the federal Adult Education and Family Literacy Act, Title II of the federal Workforce Innovation Opportunity Act and the federal Carl D. Perkins Career and Technical Education Act.

A primary goal of the California Department of Education and California Community Colleges Chancellor’s Office is to ensure the coordination of programs that support education and workforce services for adults in California. In accordance with Assembly Bill 104, this report provides an overview of the distribution of the Workforce Innovation and Opportunity Act and the Carl D. Perkins Career Technical Education Act funds and a discussion of alternative structures.

BACKGROUND
In 2013–2014, Assembly Bill 86 was enacted, providing $25 million for local community college districts and K–12 districts to develop coordinated plans to expand the provision of adult education within designated regional consortia boundaries. These funds were distributed to educational consortia throughout the state, as determined by need using several indicators. After a successful two-year planning phase, the state committed to ongoing investments beginning with the 2015–16 fiscal year.

Section 84915
(a) It is the intent of the Legislature to coordinate programs that support education and workforce services for adults.
(b) No later than January 31, 2016, the chancellor and the Superintendent shall submit to the Director of Finance, to the State Board of Education, and, in conformity with Section 9795 of the Government Code, to the Legislature a plan approved by the chancellor and the Superintendent to distribute funds from the following programs to the consortia:
(1) (A) The federal Adult Education and Family Literacy Act (Title II of the federal Workforce Innovation and Opportunity Act).
(B) The plan for allocating funds under this paragraph shall comply with the criteria enumerated in subsection (e) of Section 3321 of Title 29 of the United States Code related to base disbursement of these funds.
On July 1, 2015, Assembly Bill 104 was passed, and the Legislature appropriated a $500 million Adult Education Block Grant to the California Community Colleges Chancellor’s Office to jointly work with the California Department of Education to support the expansion and improvement of the provision of adult education. These funds were distributed, based upon a needs formula, to 71 consortia for the purpose of supporting activities listed within plans developed during the two-year planning phase. Through Assembly Bill 104, consortia implement activities to expand and coordinate services that address the educational needs of adults in all regions of the state.

In addition to supporting instructional services necessary to obtain the basic knowledge and skills needed to participate in civic life and the workforce, it is the intent of the Legislature to coordinate programs that support education and workforce services for adults. To this end, Assembly Bill 104, section 84915, tasks the California Community Colleges chancellor and superintendent of public instruction to work in partnership to develop a plan to distribute funds from the Federal Adult Education and Family Literacy Act, Title II, of the federal Workforce Innovation and Opportunity Act, Title II, of the federal Workforce Innovation and Opportunity Act and the federal Carl D. Perkins Career and Technical Education Act.

CURRENT SITUATION
The California Department of Education is the fiscal agent for both the Workforce and Innovation Opportunity Act Title II, and the Carl D. Perkins Career and Technical Education Act funds. The CDE allocates a share of those funds to community colleges and to the California Community Colleges Chancellor’s Office. A description follows of both funding sources and the distribution structures for each funding source as well as an examination of alternatives.

The Workforce Innovation and Opportunity Act
On July 22, 2014, the federal Workforce Innovation and Opportunity Act was signed into law, revising and reauthorizing the Workforce Investment Act of 1998. The new law seeks to improve coordination between the primary federal programs that support employment services, workforce development, adult education and vocational rehabilitation activities. The Workforce and Innovation Opportunity Act retains and expands the purposes of the Adult Education and Family Literacy Act of Title II, which aims to help adults acquire the skills and knowledge necessary to obtain employment, become full partners in the educational development of their children, improve economic opportunities for their family, aid in the transition to postsecondary education and training, as well as assist immigrants and other individuals who are English language learners in educational achievement and the rights and responsibilities of citizenship. Specifically, the Workforce Innovation and Opportunity Act:

- Increases coordination of programs through submission of a unified state plan or combined state plan.
- Establishes common performance measures across core programs including both occupational training and adult education programs. Adult measures include:
  - Percentage of program participants in unsubsidized employment during the second and fourth quarter after exit.
  - Median earnings.
  - Percentage of participants who obtain a postsecondary credential or diploma during participation or within one year after exit.
  - Participants achieving measurable skill gains.
  - Effectiveness in serving employers.
- Strengthens alignment between adult education, postsecondary education and employers.
- Promotes the integration of adult education with occupational education and training, as well as development of career pathways systems.
The federal law also requires that states must have a competitive process for awarding local grants or contracts that provides “direct and equitable” access to federal adult education funds by all types of eligible program providers.

- Authorizes the use of funds for “integrated education and training” and “workforce preparation activities.”
- Clarifies that integrated English literacy and civics education programs may provide workforce training.
- Encourages activities provided in collaboration with employers.
- Supports educational and career advancement for incarcerated individuals.
- Increases the percentage of funding for states to use for correctional education to not more than 20 percent under the new act.
  - Funds may be used for integrated education and training, career pathways, concurrent enrollment, peer tutoring and transition to re-entry initiatives and other services with the goal of reducing recidivism.
- Encourages the establishment of a high-quality local adult education delivery system.
- By increasing an emphasis on alignment of activities with regional needs identified in local plans under Title I.
- Serving individuals with disabilities; supporting instructional activities based on rigorous research; and effectively using technology.
- Supporting activities that promote integrated education and training.
- Coordinating with education, training, employers and social service providers to promote career pathways.

**Eligible Providers**

Eligible providers for the Adult Education and Family Literacy Act grant include but are not limited to:

1. A local educational agency.
2. A community-based organization with demonstrated effectiveness.
3. A volunteer literacy organization with demonstrated effectiveness.
4. An institution of higher education.
5. A public or private nonprofit agency with 501(c)3 tax exempt status.
6. A library.
7. A public housing authority.
8. A nonprofit institution that is not described in (1) through (7) and has the ability to provide literacy services to adults and families.
9. A consortium of the agencies, organizations, institutions, libraries or authorities described in (1) through (8).
10. State agencies including the California Department of Developmental Services, the California Department of Corrections and Rehabilitation and the California Youth Authority.
11. A prison, jail, halfway house, community-based rehabilitation center or similar institution designed for the confinement or rehabilitation of criminal offenders.
Funds distributed to support the Workforce and Innovation Opportunity Act, Title II objectives are based on the following priorities:

- Populations with greatest need and hardest to serve which includes adult learners who are performing below the eighth grade level.
- Populations performing at or above the eighth grade level, but who do not have a high school diploma or its equivalent.
- Incarcerated adults or eligible adults residing in state hospitals who perform below the high school graduation level.

**2015–16 Funding**

The federal law requires that states must distribute 82.5 percent of their federal allocation to local providers, with 12.5 percent of the balance allotted for state leadership activities and 5 percent designated for administrative expenses.

The CDE distributed $82,969,748 of Workforce and Innovation Opportunity Act, Title II funds to 213 providers in 2015–16. See Table 1 for a breakdown of provider types. See Appendix A for the breakdown of allocations to providers.

The federal law also requires that states must have a competitive process for awarding local grants or contracts that provides “direct and equitable” access to federal adult education funds by all types of eligible program providers. Providers of adult education programs in California who received funds and were in good standing in 2014–15 were eligible to receive 2015–16 funds. Beginning in 2016–17, agencies applying for federal Workforce and Innovation Opportunity Act, Title II funds must complete and submit a full application. Consortia, as well as individual agencies, will be eligible to apply for funds. Grant applications will be approved for funding July 1, 2016, and will be directly distributed to participating providers by the CDE. Funds are awarded through a pay-for-performance reimbursable system based on student performance outcomes.

**CARL D. PERKINS CAREER AND TECHNICAL EDUCATION IMPROVEMENT ACT OF 2006**

The Carl D. Perkins Career & Technical Education Act of 2006 provides local educational agencies with funding for the improvement of secondary and post-secondary career and technical education programs. The 2006 Perkins Act, known as Perkins IV, strengthens the connections between secondary and post-secondary education, and improves state and local accountability. The 2008–2012 California state plan for career technical education:

http://s3.amazonaws.com/PCRN/docs/stateplan/CA5YearStatePlan.pdf was approved in March 2008 by both the State Board of Education and the California Community Colleges Board of Governors. The plan outlined the implementation of the Carl D. Perkins funding for California and established the vision, goals and essential elements of a world-class career technical education system for the state.

**Priorities**

The priorities of the Carl D. Perkins Career Technical Education Act, as outlined in the California state plan, are to:

- Develop challenging academic and technical standards and assist students in meeting such standards, including preparation for high skill, high wage or high demand occupations in current or emerging professions.
• Promote the development of services and activities that integrate rigorous, challenging academic and career technical instruction, and link secondary education and postsecondary education for participating career and technical students.
• Increase state and local flexibility in providing services and activities designed to develop, implement and improve career technical education.
• Conduct and disseminate national research and disseminate information on best practices that improve career technical education programs, services and activities.
• Provide technical assistance that promotes leadership, initial preparation and professional development at the state and local levels; and that improves the quality of career technical education teachers, faculty, administrators and counselors.
• Support partnerships among secondary schools, postsecondary institutions, baccalaureate degree granting institutions, area career and technical education schools, local workforce investment boards, business and industry, and intermediaries.
• Provide individuals with opportunities throughout their lifetimes to develop, in conjunction with other education and training programs, the knowledge and skills needed to keep the United States competitive.
• Ensure that career technical education is woven into the fabric of education in California, preparing all students for their future endeavors, rather than being seen as a separate system of education.
• Build a demand-driven career technical education system by responding to real workforce development needs and state, regional and local labor market realities and priorities, through strengthened curricula, professional development, data collection and use, and direct linkages with business and industry.
• Ensure that all students have access to career technical education courses, pathways and programs of interest; highly skilled instructors; and facilities and technologies that make all career technical education options available regardless of location and enrollment limits.
• Realize the concept of lifelong learning, spanning from early childhood through adulthood’s many transitions, in ways that promote career awareness and management as appropriate throughout the continuum.
• Leverage the current momentum of high school reform, with its renewed focus on rigor, relevance, relationships and results, to promote career technical education as a means to engage students, instill a passion for learning and improve student outcomes.
• Promote evidence-based continuous improvement of career technical education services and impact through better alignment of standards, curricula, assessments and professional development, and support for schools and colleges to achieve all of the state-established core indicator levels of performance for academic and technical skill attainment.

**Eligible Providers**
The CDE receives Carl D. Perkins funds from the federal government to distribute to eligible providers. Agencies eligible to receive funding are:

1. State institutions, including the Department of Corrections and Rehabilitation, and State Special Schools.
2. Secondary education programs.
3. Postsecondary education programs.

In contrast to the disbursement of Workforce and Innovation Opportunity Act Title II funds, the CDE does not directly distribute Perkins funds to the local community colleges. Instead, the community college allocation is transferred to the California Community Colleges Chancellor’s Office through an interagency agreement. The Chancellor’s Office then allocates the funds to the 72 community college districts and the California Department of Corrections and Rehabilitation. Of the adult portion of the Perkins funds, in 2015–16, the CDE directly disbursed $3,613,428 to K–12 adult schools, regional occupation programs and consortia made up of adult schools and regional occupational programs that serve adults. The California Community Colleges Chancellor Office distributed $50,534,171 to local community...
college districts. Adult service providers, including the Department of Corrections and Rehabilitation, received a total of $54,147,599 of Carl D. Perkins Career Technical Education Act funding in 2015–16. See Table 2 for a breakdown of provider types. See Appendix for the breakdown of allocations to adult providers.

**Carl D. Perkins Career Technical Education Act Funding Structure**

The Carl D. Perkins Career Technical Education Act fund computations are made through the use of a formula that determines a secondary and post-secondary allocation of funds. For purposes of this report, the discussion is limited to the allocation to adult providers. The allocation formula was established in 2006, and a change requires approval from the State Board of Education, the California Community Colleges Board of Governors and the federal Office of Career Technical and Adult Education. Perkins IV puts limits on the funding:

- The state may use up to 5 percent for state administrative costs.
- Not more than 10 percent may be used to carry out state leadership activities, of which not more than 1 percent of the state’s total grant award shall be made available to serve individuals in state institutions, such as state correctional institutions and institutions that serve individuals with disabilities; and not less than $60,000 and not more than $150,000 shall be available for services that prepare individuals for nontraditional fields.
- Not less than 85 percent must be distributed to local educational agencies.

The 5 percent state administration funds are divided as follows:

- California Department of Education: 64 percent.
- California Community Colleges Chancellor’s

<table>
<thead>
<tr>
<th>Provider Type</th>
<th>Single Adult Schools</th>
<th>Single Regional Occupation Programs</th>
<th>Consortium of Adult Schools &amp; Regional Occupation Programs</th>
<th>Community College Districts</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number Awarded</td>
<td>8</td>
<td>3</td>
<td>13</td>
<td>72</td>
</tr>
<tr>
<td>Fiscal Agent</td>
<td>CDE</td>
<td>CDE</td>
<td>CDE</td>
<td>CCCCO</td>
</tr>
<tr>
<td>Total Allocation $54,147,599</td>
<td>$1,514,781</td>
<td>$807,140</td>
<td>$1,291,507</td>
<td>$50,534,171</td>
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</tbody>
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Table 2: 2015-16 Perkins Funding for Adults by Provider Types
The California Department of Education and the California Community Colleges Chancellor’s Office are committed to creating an improved adult education system that is aligned to current funding requirements and leverages the strengths of many resources.

Office: 36 percent.
The 10 percent state leadership funds are divided as follows:
- California Department of Education: 51 percent.
- California Community Colleges Chancellor’s Office: 49 percent.

In accordance with a 1991 distribution of funds policy adopted by the state’s Joint Advisory Committee on Career Technical Education, the annual 85 percent funds are distributed between secondary and postsecondary programs based on a comparison of the career technical education course enrollments at the two levels in the last completed program year for which enrollment data is available. The California Community College Chancellor’s Office then allocates funds to districts based upon the economically disadvantaged career technical education student counts for each district. Economic disadvantage is determined by participation in one of the following public assistance programs, or evidence of personal or family income below the poverty level:

- Board of Governors Fee Waiver.
- Pell Grant.
- California Work Opportunity and Responsibility to Kids (CalWORKS).
- Workforce Innovations Opportunities Act.
- Supplementary Security Income.
- General Assistance.
- Bureau of Indian Affairs.
- Adults eligible for economic public assistance or student fund aid and/or an annual income below the poverty line as defined by the county of eligibility.
- Other economically disadvantaged individuals.

CONSIDERATIONS
The current funding and disbursement processes for both the Workforce Innovation and Opportunity Act Title II and the Carl D. Perkins funding were determined by state plans and approvals by the State Board of Education, the California Community Colleges Board of Governors and the federal government. These processes have remained fairly consistent across time as the reauthorization of both the Workforce Investment Act and Carl D. Perkins Career Technical Education Act was stalled, and only extended annually, at the federal level for almost a decade. The Workforce and Innovation Opportunity Act was recently reauthorized and federal guidance is expected to be released in June. It is anticipated that the reauthorization of the Carl D. Perkins Career Technical Education Act will follow. The reauthorization of these acts provides a mechanism for the federal government to make substantial changes in structure, goals and implementation of the acts. In turn, the state will align with those changes and use the opportunity to implement needed changes to improve the delivery of the system.

The reforms outlined in the reauthorized Workforce and Innovation Opportunity Act are closely
aligned to the goals and structures of the California Adult Education Block Grant. Included in both are a regional model, needs and performance based accounting, and a sharper focus on the workforce. The CDE, the State Board of Education and the California Community Colleges Chancellor’s Office have worked closely with other state agencies to submit to the federal government a unified state plan for the Workforce Innovation and Opportunity Act. Aligning to Workforce and Innovation Opportunity Act requirements has been a catalyst for state agencies to identify areas of alignment and integration that strengthen all programs. For example, several agencies are currently working to identify data elements that meet the needs of multiple agencies and the requirements of the Workforce and Innovation Opportunity Act. Although Assembly Bill 104, the Adult Education Block Grant, requires an accountability system, it is critical that the system not be constructed without the consideration of the driving forces of reauthorization of the Workforce and Innovation Opportunity Act and the Carl D. Perkins Career Technical Education Act.

Assembly Bill 104, Section 84915 tasks the California Community Colleges chancellor and superintendent of public instruction to work in partnership to develop a plan to distribute funds to the consortia from the federal Adult Education and Family Literacy Act, Title II of the federal Workforce Innovation Opportunity Act and the federal Carl D. Perkins Career and Technical Education Act. To change the current practices and processes of distributing funds will require a change to the state plans for each, and approval of the State Board, Board of Governors and federal approval. At the same time, the Carl D. Perkins Act is awaiting reauthorization, and guidelines for implementation of the Workforce and Innovation Opportunity Act have not been released. The CDE and California Community Colleges Chancellor’s Office acknowledge that these factors create limitations to changing the current disbursement systems for these two funding sources.

Until reauthorization of the Carl D. Perkins Act, and until the state has received guidance for the Workforce and Innovation Opportunity Act, the CDE and California Community Colleges Chancellor’s Office will continue to allocate funds for these two funding streams in accordance with the state plan requirements that have been approved by both boards. This supports the field in allowing room for growth and change as well as for time to adapt to the systemic and programmatic changes that occurred as a result of Assembly Bill 104 and the reauthorization of Workforce and Innovation Opportunity Act.

The CDE and the California Community Colleges Chancellor’s Office are committed to creating an improved adult education system that is aligned to current funding requirements and leverages the strengths of many resources. There are alternative structures to be considered including developing common application processes for multiple funding streams, funding consortia and/or individual agencies. Section 84916 of Assembly Bill 104 specifies a broad representation in the consortia defined by receipt of funding from multiple sources.

**Section 84915**

In order to maximize the benefits derived from public funds provided for the purpose of addressing the educational needs of adults and to ensure the efficient and coordinated use of resources, it is the intent and expectation of the Legislature that any community college district, school district, or county office of education, or any joint powers authority consisting of community college districts, school districts, county offices of education, or a combination of these, located within the boundaries of the adult education region shall be a member of a consortium pursuant to this article if it receives funds from any of the following programs or allocations:

(a) The Adults in Correctional Facilities program.
(b) The federal Adult Education and Family Literacy Act (Title II of the federal Workforce Innovation and Opportunity Act).
(c) The federal Carl D. Perkins Career and Technical Education Act (Public Law 109-270).
(d) Local Control Funding Formula apportionments received for students who are 19 years of age or older.
(e) Community college apportionments received for providing instruction in courses in the areas listed in subdivision (a) of Section 84913.
(f) State funds for remedial education and job training services for participants in the CalWORKs program.
Consortia were required to report funding from these sources in their initial plan. Currently the consortia plans address the leveraging of these sources of funds to implement their regional adult education programs, although the fiscal agents of these funds have been predetermined by the historical structure of the grants. Several challenges must be addressed in designing a plan to restructure the flow of funds to the consortia. Some recipients of Workforce Innovation and Opportunity Act grant funds are mandated by Section 84916 to belong to consortia, and others are not. A library or community based organization is not a mandated member of a consortia although they may receive Workforce and Innovation Opportunity Act funds. If funding is allocated directly to consortia, it will be necessary to modify the current governance structure of consortia to ensure compliance with multiple funding sources. A second challenge is that the current regional boundaries do not align with other regional footprints, including the proposed Workforce Innovation and Opportunity Act regions. Work is currently being done by state agencies to address this issue. The reauthorization of the Workforce Innovation and Opportunity Act is a driving force behind significant changes being considered by multiple agencies.

In the spirit of Assembly Bill 104 to collaborate and leverage resources, the CDE and the California Community Colleges Chancellor’s Office are working together to ensure that adult education, like career technical education, is a key component of the educational system in California for preparing all students for their future endeavors.

RECOMMENDATIONS

In response to the Workforce and Innovation Opportunity Act and the future reauthorization of the Carl D. Perkins Career Technical Education Act, it will be necessary for the CDE and the California Community Colleges Chancellor’s Office to consider alternative funding plans to strengthen the alignment of mutual funding streams. At this time, both the Carl D. Perkins Career Technical Education Act and the Workforce and Innovation Opportunity Act allow consortia to apply for funding. This encourages the strengthening of the consortia service delivery system that Assembly Bill 104 seeks to establish. It also encourages the continuous work on assessing regional needs, collaboration and the leveraging of resources between entities listed in Workforce and Innovation Opportunity Act, Perkins and the Adult Education Block Grant. It will be necessary to establish principles that allow for the streamlining of the application process, the establishment of mutual funding mechanisms at the state level, and continual collaboration and systemic cooperation between state agencies. These principles, and others, will
guide the exploration of hybrid and alternative methods of allocating multiple funding streams.

To assist in the development of alternative methods of allocating multiple funding streams, it may be prudent to consider reconstituting the Joint Advisory Committee on Career Technical Education. The California Education Code 12053 established the Joint Advisory Committee on Career Technical Education in 2006 and the board of Governors of the California Community Colleges and the State Board of Education approved a Memorandum of Understanding that facilitated the articulation and coordination of the federally funded career technical education programs and services. The document described the planning process between the two agencies and a timeline for division of funds.

The Joint Advisory Committee on Career Technical Education was comprised of equal members of the State Board of Education and the California Community Colleges Board of Governors. It served as the joint policy-recommending body that made recommendations to the State Board of Education and the California Community Colleges Board of Governors regarding all aspects of the coordinated delivery of career technical education in the state including strengthening, improving, expanding and evaluating programs and services. The Joint Advisory Committee on Career Technical Education met four times a year. After the adoption of the state plan in 2008, the committee discontinued to meet.

Although the Joint Advisory Committee on Career Technical Education no longer exists, it is recommended that a formal body meet as a recommending body on the coordinated delivery of career technical education in the state including strengthening, improving, expanding and evaluating programs and services. It is also recommended that the membership of the formal body be expanded to include workforce and possibly other partners.

**NEXT STEPS**

The CDE and California Community Colleges Chancellor’s Office are committed to ensuring the success of the regional adult education model. A report to the Legislature is due September 30, 2016 that will provide an update to this report. It will also provide a review and evaluation of the effectiveness of consortia and an update on the progress of the current work and design of a data system that meets the requirements of Assembly Bill 104.

The CDE and California Community Colleges Chancellor’s Office will continue to work together to coordinate programs that support education and workforce services for adults that address California’s diverse workforce needs. To realize this goal, over the next several months, the CDE and California Community Colleges Chancellor’s Office will be engaged in the development of the reauthorization of the Perkins Act and the implementation of the Workforce and Innovation Opportunity Act Unified state plan, with the goal of leveraging regional, state and federal resources, and coordinating programs that support education and workforce services for adults in California.
Acknowledgments

Superintendent Tom Torlakson and Interim Chancellor Erik E. Skinner would like to acknowledge and thank those individuals who have made significant contributions to this report:

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