SANTA BARBARA COUNTY BOARD OF EDUCATION

ORGANIZATION AND DEVELOPMENT COMMITTEE

4400 Cathedral Oaks Road
Santa Barbara, CA 93110

MEETING
December 2, 2024 – 1:00 p.m.

MINUTES

The Santa Barbara County Board of Education Organization and Development Committee held this meeting at the following two locations, which were connected via videoconference: 1) SBCEO South County Office, 4400 Cathedral Oaks Road, Santa Barbara, CA, and 2) SBCEO North County Office, 402 Farnel Road, Santa Maria, CA

UNAPPROVED

In Attendance: Joe Howell, Veda Alvarez Flores, Nadra Ehrman, Susan Salcido, Bridget Baublits, Anna Freedland

GENERAL FUNCTIONS

1. **Call to order**

   The meeting was called to order at 1:03 p.m. by Committee Chair Howell.

2. **Changes to the agenda**

   None.

3. **Public comments**

   None.

ACTION ITEMS

4. **Approval of minutes of meeting held October 31, 2024**

   Minutes of the meeting held October 31, 2024 were approved.

   MOVED: **Mrs. Alvarez Flores** SECONDED: **Ms. Ehrman** VOTE: **Passed 3-0**

5. **2025 Board officers**

   The committee recommended the full board consider approving Mrs. Marybeth Carty as president and Ms. Nadra Ehrman as vice president of the board for 2025.

   MOVED: **Mr. Howell** SECONDED: **Ms. Ehrman** VOTE: **Passed 3-0**

6. **2025 Board meeting dates, times, and locations**

   The committee recommended proposed 2025 board meeting dates, times, and locations for the full board to consider for approval at the December board meeting.

   MOVED: **Mrs. Alvarez Flores** SECONDED: **Ms. Ehrman** VOTE: **Passed 3-0**

7. **Committee name change**

   The committee recommended the full board approve changing the name of the Organization and Development Committee to the Organization and Governance Committee.

   MOVED: **Ms. Ehrman** SECONDED: **Mrs. Alvarez Flores** VOTE: **Passed 3-0**

8. **Review new board orientation binder and revised board webpage**

   The committee reviewed one piece of feedback from a board member, received by the superintendent after the November board meeting, about the board orientation binder. No action was taken.

INFORMATION ITEM

9. **2025 Board committee assignments and board representatives**

   The 2025 committee assignments are determined by the board president, per Board Policy 9130; however, the committee reviewed and discussed them.

ADJOURNMENT

10. **Adjourn**

    The meeting was adjourned at 1:51 p.m.

    MOVED: **Mrs. Alvarez Flores** SECONDED: **Ms. Ehrman** VOTE: **Passed 3-0**

County Board of Education
Past Presidents and Vice-Presidents

Year		President		Vice-President
1986		Jack Gillean		Ann Gutshall
1987		Jack Gillean		Ann Gutshall
1988		Jack Reith		Ann Gutshall
1989		Jack Reith		Helen Grossman
1990		Bill Macdonald		Ben Bycel
1991		Bill Carty		Ann Gutshall
1992		Bill Carty		Ann Gutshall
1993		Ann Gutshall		Ellen Rojas
1994		Ellen Rojas		Bill Macdonald
1995		Ellen Rojas		Bill Macdonald
1996		Bill Macdonald		Bill Carty
1997		Bill Carty		Jack Reith
1998		Anderle/Gutshall		Gutshall/Macdonald
1999		Helen Grossman		Bill Macdonald
2000		Helen Grossman		Joe Howell
2001		Joe Howell		Bill Macdonald
2002		Joe Howell		Ann Hatridge
2003		Ann Hatridge		Bill Macdonald
2004		Roger Hill		Ann Hatridge
2005		Roger Hill		Bill Carty
2006		Joe Howell		Bill Carty
2007		Joe Howell		Peter MacDougall

Year		**President**		**Vice-President**
2008		Peter MacDougall		Helen Hill
2009		Peter MacDougall		Helen Hill
2010		Helen Hill		Bill Carty
2011		Helen Hill		Richard Fulton
2012		Richard Fulton		Nina Taylor
2013		Richard Fulton		Nina Taylor
2014		Peter MacDougall		Marybeth Carty
2015		Peter MacDougall		Marybeth Carty
2016		Marybeth Carty		Roberta (Bert) Heter
2017		Marybeth Carty		Roberta (Bert) Heter
2018		Roberta (Bert) Heter		Maggi Daane
2019		Roberta (Bert) Heter		Maggi Daane
2020		Maggi Daane		Judith (Judy) Frost
2021		Maggi Daane		Judith (Judy) Frost
2022		Judith (Judy) Frost		Bruce Porter
2023		Judith (Judy) Frost		Bruce Porter
2024		Judith (Judy) Frost		Bruce Porter
2025		Marybeth Carty		Nadra Ehrman

Santa Barbara County Education Office
Susan C. Salcido, Superintendent

Santa Barbara County Education Office
4400 Cathedral Oaks Rd, PO Box 6307, Santa Barbara, CA 93160-6307
Telephone: (805) 964-4711 • FAX: (805) 964-4712 • sbceo.org
Susan C. Salcido, Superintendent of Schools

Santa Barbara County Board of Education
Proposed Meeting Dates
2026

Second Thursday of the month at 2 p.m. at SBCEO
in Santa Barbara, 4400 Cathedral Oaks Road,
or Santa Maria, 402 Farnel Road, unless otherwise noted

Date	Day	Location	Time
January 8, 2026	Thursday	Santa Barbara	2:00 p.m.
February 12, 2026	Thursday	Santa Maria	2:00 p.m.
March 12, 2026	Thursday	Santa Barbara	2:00 p.m.
April 9, 2026	Thursday	Santa Barbara	2:00 p.m.
May 14, 2026	Thursday	Santa Barbara	2:00 p.m.
June 11, 2026	Thursday	Santa Maria	2:00 p.m.
June 18, 2026*	Thursday	Dual location: Santa Barbara and Santa Maria	10:00 a.m. (tentative)
July 9, 2026	Thursday	Santa Barbara	4:00 p.m. (tentative)
August 13, 2026	Thursday	Dual location: Santa Barbara and Santa Maria	4:00 p.m. (tentative)
September 10, 2026	Thursday	Santa Barbara	2:00 p.m.
October 8, 2026	Thursday	Santa Maria	2:00 p.m.
November 12, 2026	Thursday	Santa Barbara	2:00 p.m.
December 11, 2026**	Friday	Santa Barbara	2:00 p.m.

***Third Thursday of the month**
****Second Friday of the month**

Note: The July or August board meeting start time may be around 4:00 p.m. to accommodate a public hearing that cannot take place during or immediately following school hours.

Santa Barbara County Board of Education Meeting Dates 2025

Schedule Set for 2025

Jan. 9	Thurs.	Santa Barbara	2:00 p.m.
Feb. 13	Thurs.	Santa Barbara	2:00 p.m.
March 13	Thurs.	Santa Maria	2:00 p.m.
April 10	Thurs.	Santa Barbara	2:00 p.m.
May 8	Thurs.	Santa Barbara	2:00 p.m.
June 12	Thurs.	Santa Maria	2:00 p.m.
June 18	Wed.	Dual loc.: Santa Barbara & Santa Maria	10:00 a.m. (tentative)
July 10	Thurs.	Santa Barbara	4:00 p.m. (tentative)
Aug. 14	Thurs.	Dual loc.: Santa Barbara & Santa Maria	4:00 p.m. (tentative)
Sept. 11	Thurs.	Santa Barbara	2:00 p.m.
Oct. 9	Thurs.	Santa Maria	2:00 p.m.
Nov. 13	Thurs.	Santa Barbara	2:00 p.m.
Dec. 12	Fri.	Santa Barbara	2:00 p.m.

13 meetings total

Actual Schedule for 2025

Jan. 9	Thurs.	Santa Barbara	2:00 p.m.	
Feb. 13	Thurs.	Dual loc.: Santa Barbara & Santa Maria	2:00 p.m.	Changed due to weather
March 13	Thurs.	Santa Maria	2:00 p.m.	
April 10	Thurs.	Santa Barbara	2:00 p.m.	
May 8	Thurs.	Santa Barbara	2:00 p.m.	
June 12	Thurs.	Santa Maria	12:30 p.m.	Special meeting - tour of JJC
June 12	Thurs.	Santa Maria	2:45 p.m.	
June 18	Wed.	Dual loc.: Santa Barbara & Santa Maria	10:00 a.m.	
~~July 10~~	~~Thurs.~~	~~Santa Barbara~~	~~4:00 p.m. (tentative)~~	Canceled
Aug. 14	Thurs.	Dual loc.: Santa Barbara & Santa Maria	3:00 p.m.	South IDT & public hearing
Aug. 21	Thurs.	Santa Maria	9:00 a.m.	Special meeting - IDTs
Sept. 11	Thurs.	Santa Maria	1:00 p.m.	Changed due to north IDTs
Oct. 9	Thurs.	Santa Maria	2:00 p.m.	
Nov. 13	Thurs.	Santa Barbara	2:00 p.m.	
Dec. 12	Fri.	Santa Barbara	2:00 p.m.	

14 meetings total

SANTA BARBARA
County Education Office
Susan C. Salcido, Superintendent

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Susan C. Salcido, Superintendent of Schools

2025 Board Committee Assignments

- **Organization and Governance**

  Vedamarie Alvarez Flores - Chair
  Nadra Ehrman
  Judy Frost

- **Policy**

  Marybeth Carty - Chair
  Katya Armistead
  Sarah Read

- **Budget**

  Judy Frost - Chair
  Vedamarie Alvarez Flores
  Guy Walker

- **Community Relations**

  Nadra Ehrman - Chair
  Marybeth Carty
  Sarah Read

- **Legal**

  Judy Frost - Chair
  Nadra Ehrman
  Guy Walker

- **Salary**

  Marybeth Carty - Chair
  Vedamarie Alvarez Flores
  Katya Armistead

CSBA Trainings & Events

Jan. 21, 2026	Orientation for New Trustees (virtual)
Feb. 4, 2026	Board Presidents (virtual)
Feb. 6, 2026	The Brown Act (virtual)
Feb. 10, 2026	Orientation for New Trustees (virtual)
March 4, 2026	Board Presidents (virtual)
March 9, 2026	Fiscal Responsibility: Key Financial Concepts for New Board Members (virtual)
March 11-12, 2026	CSBA County Board Governance Workshop – San Diego Conflicts with our March 12 board meeting
March 24, 2026	Orientation for New Trustees (virtual)
March 27, 2026	The Brown Act (virtual)
April 13-15, 2026	Coast2Coast – Washington, DC
April 15, 2026	Orientation for New Trustees (virtual)
April 20, 2026	Fiscal Responsibility: Key Financial Concepts for New Board Members (virtual)
April 24, 2026	The Brown Act (virtual)
May 16, 2026	The Brown Act (virtual)
June 8, 2026	Fiscal Responsibility: Key Financial Concepts for New Board Members (virtual)
June 26, 2026	The Brown Act (virtual)
Sept. 2026 ?	CSBA County Board Conference ?
Dec. 3-5, 2026	CSAB AEC – San Diego May conflict with our Board Budget Committee meeting

California School Boards Association

COUNTY BOARD GOVERNANCE

HANDBOOK

Bridging Policy and Practice



csba

California School Boards Association

COUNTY BOARD GOVERNANCE

HANDBOOK

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CSBA extends its heartfelt thanks to everyone who contributed their time, expertise and perspective to the development of the CSBA County Board Governance Handbook: Bridging Policy and Practice. Their insights and dedication have created a resource that will strengthen county board governance and support the success of students across California.

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FOREWORD

As education leaders, we ask that students constantly strive to better themselves and we as board members should hold ourselves to the same high standard. To fulfill our obligations to students and community, we must pursue continuous improvement, increase our knowledge base and hone our skills. The *CSBA County Board Handbook* is designed to facilitate that professional growth and assist you in your governance journey.

CSBA is committed to strengthening and promoting school board governance as we drive the public education agenda through best-in-class advocacy, training and member services. California's 58 county boards of education are integral to this mission. We believe that strong county boards of education are essential to ensuring a high-quality education for every student, in every community.

Now, more than ever, county boards play a critical role in maintaining stability and advancing progress in California's public schools. We also recognize this is a challenging time to serve as a county board of education trustee. The job is growing increasingly complex, so we must be intentional about creating the legislative, policy and financial conditions needed to strengthen schools and support student success. We trust the *CSBA County Board Handbook* will be a helpful reference for this important effort.

Author and philanthropist Rohini Nilekani wrote that, "We cannot be mere consumers of good governance, we must be participants." I agree wholeheartedly. Let us dedicate ourselves to being participants in good governance whenever we have the opportunity. I hope you'll apply the insight from this handbook to your county board and take advantage of the entire range of information, tools, resources, services, supports and networking opportunities CSBA provides county trustees.

I am honored to be on this journey of continuous improvement with you and encourage you to keep the faith and maintain your steadfast efforts to strengthen public schools and improve academic outcomes. On behalf of CSBA, I want to express my appreciation for your continued support of our organization, service to students and leadership on your county boards and in your local communities.

Respectfully,

Dr. Bettye Lusk
CSBA President



FOREWORD FROM CALIFORNIA COUNTY SUPERINTENDENTS

On behalf of the California County Superintendents, it is with deep appreciation and shared purpose that we offer this foreword to a handbook designed to strengthen county board governance across the state.

California's 58 county offices of education serve as critical partners in the state's public education system — bridging the gap between state policy and local implementation, ensuring fiscal and academic support, and directly educating students across the county. This work is only possible when governance and leadership engage in strong collaboration with respect for our respective statutory roles and responsibilities.

That is why this collaboration between the California County Superintendents and the California School Boards Association represents more than just a joint project. It reflects a mutual commitment to excellence and service. Together, we recognize that effective shared governance by county boards and county superintendents plays a vital role in fulfilling the mission of county offices of education: ensuring that every student, regardless of circumstance, receives a high-quality education and the support they need to thrive.

This handbook is the product of many voices, experiences and perspectives — reflecting the evolving responsibilities of county boards and the critical importance of good governance in today's educational landscape. To our county board members, we thank you for your service, and your continued dedication to the students and communities of California.

J. Todd Finnell, Ed.D.
Imperial County Superintendent of Schools
President, California County Superintendents, 2025–26



INTRODUCTION

Leading with purpose in county board service

Serving as a board member of a county office of education is both a responsibility and a privilege. It is a role rooted in public trust and designed to ensure that California's education system reaches every student — especially those who are the most vulnerable, underserved or outside the reach of traditional schooling.

County boards of education occupy a unique and often misunderstood space in California's public school system. While local school district boards focus on governing a single entity and systemic impact, county boards do the same but from a regional scope. Board members are called to lead with integrity, navigate complexity and balance governance with partnership. It is a role that requires clarity of purpose, strength of character and a commitment to continuous learning.

This handbook was created to support you in that learning.

Whether you're newly elected or returning for another term, this handbook is meant to do more than walk you through technical responsibilities. It's an invitation to reflect on the kind of leader you want to be. Through clear explanations, real-world context and practical prompts, this resource aims to help you:

- Understand the distinct mission and scope of California's county offices of education and county boards of education.
- Reflect on your responsibilities as a board member — individually and collectively.
- Navigate ethical dilemmas and boardroom dynamics with integrity.
- Engage in effective advocacy and community relationships.
- Build the habits and mindset that support long-term public leadership.

Each section is followed by guided questions and writing prompts designed to help you internalize the content and bring it into your daily practice. You can complete these reflections on your own, with a mentor or peer, or as part of a board study session.

A time for stewardship and courage

We are in a moment of transformation in public education. The challenges are real — rising student needs, growing inequities, political polarization and shifting policy demands. But so are the opportunities: to reimagine systems, elevate student voice and remove barriers to student success in everything we do.

As a board member, your voice matters. Your votes shape county programs, your leadership influences community trust, and your choices ripple across the educational lives of thousands of students. That is the weight — and the gift — of this work.

This handbook will not give you every answer but it will give you a foundation to build on, language to lead with, and a mirror to check your assumptions and recommit to your purpose. It will not always be easy. In fact, the complexity and weight of this role will, at times, test your resolve. You will be asked to make decisions without easy answers, and to represent voices that are too often ignored. But that is exactly what makes this work so vital — and so rewarding.

To serve as a county board member is to join a small but dedicated cohort of individuals who have answered the call to lead with courage, conviction and compassion. It is a calling that requires not just governance, but stewardship. Not just oversight, but vision.

It is a privilege to be counted among those who are willing to meet the challenge.

Let's begin.



Vernon M. Billy
CSBA CEO & Executive Director

ABOUT THE HANDBOOK

This handbook is designed to give county board members a clear and practical introduction to the work of California's county offices of education. Inside, you'll find an overview of their mission, legal authority and the different ways governance is structured across the state. The handbook begins with what matters most — supporting the academic success of the students served by the county office and making sure that the programs and schools they rely on are properly funded through the board-adopted budget.

You'll also find a section focused on the essential roles and responsibilities of county board members, grounded in the ethical commitment that comes with holding public office. It explores how the board and superintendent each have distinct responsibilities, but also how their work is deeply interconnected and mutually dependent.

Throughout the handbook, you'll see references to sample CSBA policies that align with the topics discussed. These are included for those who want to dig deeper or explore how policy connects to practice. Legal references are also provided and collected in an appendix, where you'll find short explanations of these key statutes, regulations and constitutional provisions.

At the end of each section, prompts and reflection questions are included. These aren't quizzes or checklists. They're moments for you to pause, think and connect more personally with what you've read. The questions are there to help you reflect on your responsibilities, deepen your understanding and move beyond simply following the rules — to becoming a transformative leader in your community.



Annette Lewis,
Region 14 Director



Michael Teasdale,
Director-at-Large, County

MESSAGE TO COUNTY BOARD MEMBERS

Dear County Board Members,

At CSBA, we recognize the essential role county boards play in shaping the future of public education. Your leadership, dedication and oversight serve some of the state's most vulnerable students — and we are committed to supporting you every step of the way.

This handbook is part of that commitment. It reflects not only CSBA's investment in county board governance, but also the power of collaboration. We extend our sincere thanks to the California County Superintendents for partnering with us to bring this project to life.

We hope this resource encourages deeper engagement and inspires continued growth in your governance practice. Together, let's keep building stronger, more effective county boards of education across California.

Sincerely,

Mike Walsh
CSBA Director, County Board Member Services



1 COUNTY OFFICES OF EDUCATION

A primer

A. The mission of California's county offices of education: A refined overview

California's county offices of education (referred to throughout the handbook as county offices or COEs) are essential partners in ensuring every student — no matter their zip code, background or circumstance — has access to the education they deserve. Spread across all 58 counties, COEs serve as the connective tissue of California's public education system: offering leadership, delivering support and providing a very specific type of oversight that keeps schools steady, responsive and student-centered.

County offices sit in a unique space — between the California Department of Education (CDE) and nearly 1,000 local school districts. They interpret state policies, provide technical guidance, perform a number of statutory duties and may step in with direct services when districts face challenges too big to tackle alone. Each COE is led by a county superintendent of schools (county superintendent) and supported by a locally elected or appointed county board of education (county board). At the heart of every COE's mission are three key commitments: to lead, to support and to ensure accountability. These aren't just technical functions — they are the ways COEs help create the conditions where students and educators can thrive.

Leadership rooted in vision and connection

Strong leadership is more than managing programs — it's about seeing what is possible. COEs help shape educational priorities in their respective counties. They launch initiatives that focus on everything from student mental health and literacy to career pathways and technology. They connect school districts with each other and with state and community partners to align on shared goals.

Leadership also means being a steady hand in uncertain times. Whether it's navigating a statewide reform, responding to a crisis or adapting to new mandates, COEs help school leaders make sense of complexity and move forward with clarity. They offer professional development, host regional forums and build networks of trust that keep leaders connected and supported.

Support that levels the playing field

Not every district has the same tools or capacity — but every student deserves the same opportunities. That's where the support role of COEs becomes essential. They provide instructional coaching, fiscal management services, human resources support, technology solutions and facilities planning — particularly for smaller or rural districts that might otherwise go without.

Importantly, county offices directly serve students too — particularly those whose needs go beyond what a typical school can offer. They operate programs for students with disabilities, those in foster care or the justice system, and young people navigating through homeless-

ness or poverty. These services don't just fill gaps — they create lifelines.

Oversight that builds trust

Oversight isn't just about compliance — it's a fundamental responsibility of county offices of education to build and maintain public trust in the education system. COEs are responsible for reviewing some decisions by district governing boards on appeal, monitoring each district's financial health and ensuring compliance with Local Control and Accountability Plans (LCAPs). When a district faces financial or academic strain, or other serious challenges, the COE steps in — not to punish, but to partner.

Accountability also means helping schools reflect and grow. COEs analyze key data — like test scores, graduation rates and chronic absenteeism — to surface patterns and improve outcomes. This work shines a light on what's working and what needs attention, especially for students who are too often left behind.

Equity as a daily commitment

Equity isn't a slogan — it's a promise. It's a promise to find ways to meet the needs of all students regardless of their readiness, reluctance or resistance to education. And for COEs, it's one they work to keep every day. Whether through programs for high-need students or efforts to close achievement gaps, county offices lead with a student-centered focus on success.

They advocate for underserved students, make sure every district sees the full range of its students, and support leaders in building systems where all children — regardless of their story — can succeed. COEs do not merely implement directives from the state; they interpret, adapt and operationalize those policies so they make sense locally in classrooms and in the lives of students. From statewide initiatives to local innovations, county offices play a pivotal role in translating vision into action. Through governance, guidance and service, they ensure that educational policy is not an abstract concept but a lived reality — one that is responsive and centered on student success.

OBSERVATIONS

California's COEs help weave together a stronger, more resilient public education system. By offering leadership, extending support and upholding accountability, county offices help every district do what matters most: support students and serve communities in a way that leads to greater opportunities for students that last a lifetime.

B. Characteristics of different county offices of education

The differences in geography, population and governance models lends to a wide variety of interests being represented by those chosen to lead the county office of education. From Siskiyou in the north to Imperial in the south, California's 58 counties come in many shapes and sizes. Los Angeles County covers 4,084 square miles, which is larger than the states of Delaware and Rhode Island combined, and its population — which is 27 percent of California's total population — would rank 11th among the 50 states. The largest county geographically is San Bernardino County, covering more than 20,000 square miles, which is larger than nine states in the union. The smallest is the city and county of San Francisco, covering just 47 square miles. But while San Francisco is the smallest in size, it has 3,575 people per square mile; in contrast, Alpine County is populated by fewer than two people per square mile.

There are 14 counties in California governed by a charter, including Fresno, Los Angeles, San Diego and Orange counties. Charter counties have the discretion to create their own governance structure so long as it does not conflict with the general laws of the state. Both county superintendents and county boards of education may be offices included in the county charter. Provisions in charter counties can differ from general law statutes, including those related to residency requirements for elected office, election or appointment procedures, and the filling of vacancies.

Like the size and population of counties, California's COEs represent a wide variety of governance models. A common refrain when county board members gather is: "When you have seen one county office, you've seen one county office." For example, there are 55 county offices that are considered "fiscally independent" because the county board of supervisors has transferred budgetary and other governance functions to the county board of education. The three counties where the board of supervisors still approve the budget and budget revisions for the county office are considered "fiscally dependent" county offices.

There are seven county offices known as "single district/single county" offices of education, that function as both a unified district and COE because there is only one school district in the county or in the city-county. The Sierra-Plumas Joint Unified School District and Sierra County Office of Education is the only COE that has jurisdiction over territory in two counties. The single district/single county office model was first established with statehood in 1850 when every school in the county was run by the county superintendent. In single district/single county offices, board members are elected to simultaneously serve on the county and school district governing boards. While the county superintendent is typically elected, the district superintendent is appointed by the district school board, making it possible to have two superintendents simultaneously working in the same county office. And in four counties — Sacramento, San Diego, Santa Clara and in the city and county of San Francisco — the county board of education appoints the superintendent. In Los Angeles County, the board of supervisors appoints both the county superintendent and the seven county board members. Of the 58 county boards in California, 36 are five-member governing boards and 22 are seven-member boards.

OBSERVATIONS

Education Code is silent as to any differences in the legal authority between county boards and county superintendents who are elected or appointed. Whether they are appointed or elected, county board members have the same duties. County superintendents, whether they are elected or appointed, are considered officers of the county, like sheriffs and assessors, but they must have an administrative credential issued by the California Commission on Teacher Credentialing. Appointed superintendents, like the county board members who are subject to political appointment, may be responsive to the appointing entity instead of the voters, but otherwise, their duties and responsibilities are the same. Likewise, the duties and responsibilities of the county board members who are appointed by the board of supervisors are the same as those who are elected by the voters.

Notwithstanding the similarity between elected and appointed superintendents, there can be differences created between the two because of the employment relationship between the board and an appointed superintendent. For example, the county board may evaluate an appointed superintendent pursuant to the terms of a contract or board policy and may meet in closed session to discuss and act upon issues related to the terms of employment.

In addition, if the county superintendent is elected, then the member of the public representing the county office on a successor agency redevelopment board is appointed by the superintendent. But if the county superintendent is appointed, then the member of the public serving on the redevelopment board is appointed by the county board.

Applicable CSBA sample bylaws: 9000 – Role of the Board, 9220 – Governing Board Elections, 9321 – Closed Session

Key legal citations: Education Code sections 1000, 1040-1043, 1080, 1206, 1208, 1240; Government Code sections 23700-23714, 24000; Health and Safety Code Section 34179

C. Understanding governance in California's county offices of education

While every COE in California shares the same core mission— supporting districts and serving students — each operates within a local governance model that reflects its unique community and legal structure. These governance models may differ in the details, but they share a common thread: collaboration between a county board and county superintendent, working together to lead with purpose and integrity. This is also known as the governance team.

County offices are governed by a dual structure. Unlike school districts, where the superintendent is hired by the board, county superintendents in most counties are elected. This creates a governance model where two independently elected entities — the board and the superintendent — must work together, not through a reporting relationship, but through shared responsibility as a team. As one county superintendent said, "Although we didn't choose each other, we still get to choose to work with each other for the benefit of students and education."

Whether the superintendent is elected or appointed, the relationship with the board often focuses more on collaboration than on supervision. The board doesn't manage the day-to-day operations of the COE, but instead sets direction through policy, adoption of the budget and LCAP and providing governance for county office-operated schools and programs. The same principles and practices apply to both the county superintendent and county board: clarity of roles, mutual respect and alignment on mission.

It's important to note that like county superintendents, county boards do **not** govern local school districts — that responsibility lies with local district boards themselves. Instead, both focus on the programs and services offered directly to county office students and ensure those programs meet the needs of students who are most often underserved or in vulnerable circumstances.

The success of a COE often hinges on the strength of the partnership between the board and the superintendent. While their roles are distinct, the work is shared. Clear communication, values that are in alignment, and a focus on students above all else form the foundation of effective governance.

When governance works well, the board and superintendent operate in lockstep on strategic goals, budget priorities and community engagement. When it breaks down, it's often due to blurred roles or conflicting agendas. That's why many COEs invest in board development, governance training, conferences and study sessions — all offered to county boards by CSBA.

Shared governance: A collective responsibility

Shared governance is the foundational principle that guides how county boards and county superintendents may work together to serve students and communities. It is built on mutual respect, distinct yet complementary roles, and a commitment to act in the best interest of all students. When shared governance functions effectively, it promotes stability and outcomes-focused leadership. CSBA has developed a series of Governance Consulting Services workshops that are customized to help boards create a collective understanding of effective governance practices, and how to create a positive organizational culture with agreed-upon protocols and norms.

At the heart of shared governance is a unified vision — a clear, jointly held understanding of what success looks like for students, schools and communities. Both the board and superintendent should align their work around this shared vision, using it to inform decisions, allocate resources and assess progress. This vision is not static; it must be revisited regularly to reflect changing needs in meeting student challenges and evolving policy contexts.

Shared governance requires a relentless focus on improving student outcomes. This includes monitoring progress for students served by county-run programs, such as court and county community schools, students in county-authorized charter schools and other high-need populations. Board members help ensure that every program,

budget decision and policy discussion remain grounded in the question: How does this improve outcomes for students who rely on the county office?

Community engagement and advocacy

Effective governance cannot happen in isolation. Shared governance thrives when the board and superintendent intentionally engage families, educators, districts and community partners. Engagement must be authentic, inclusive and sustained — not just during crises or compliance windows. It should inform everything from budget priorities to program design, ensuring the county office remains responsive and accountable to the public it serves.

Together, board members and superintendents have a powerful role in advocating for students at the local, state and federal levels. Shared governance includes a unified voice that communicates the unique needs of county office programs — particularly those serving the most vulnerable students. Advocacy also involves working collaboratively with district boards, community organizations and legislative partners to influence policies and secure the resources students need.

Building and maintaining trust

Sociologist David Cooper's research on brokerage and closure offers a powerful lens for understanding how strong, trust-based partnerships work — especially in systems as interconnected and high-stakes as public education governance.

In simple terms:

- Brokerage is the act of connecting people across groups, silos or perspectives.
- Closure is the presence of trust, norms and accountability within a group.

Both are essential and are at play in the relationship between a county superintendent and the county board.

In Cooper's model, brokers are connectors. They don't just operate within their own bubble, they bring different interest holders together, bridge misunderstandings and help ideas flow between groups that don't typically interact.

In county offices, effective board members often play this broker role. They connect the COE's strategic work with the broader community. They help surface local needs, bring in outside perspectives and ensure that the board doesn't become an echo chamber. This is not a measure of authority. It's a measure of influence. Similarly, superintendents often act as brokers between state policy, communities and local implementation, helping make sense of complex reforms and building shared understanding across districts and county programs.

When brokerage is strong, ideas move. People feel heard. Silos shrink. These are essential in a governance system where trust is earned and decisions affect thousands of students.

But connecting alone isn't enough. Closure is about trust and shared norms. In strong governance systems, members know what to expect from each other. There's a shared understanding of roles and people are held accountable not just to rules, but to relationships. Closure gives a board-superintendent team its backbone. It's what allows a difficult conversation to stay constructive. It's what makes feedback safe. And it's what allows people to say "we" when talking about leadership, even when they don't always agree.

Without closure, brokerage can feel performative — more like managing optics than building alignment. Without brokerage, closure can become insular and rigid. Together, they form the conditions for deep, adaptive leadership. The higher the levels of closure that exist among the governance team (high levels of trust and shared norms upheld), the higher the level of influence or brokerage outside of the boardroom. Communities listen to governance teams that work well together.

Both new and seasoned trustees can take away two important ideas from Cooper's theory:

- Invest in relationships beyond the boardroom. Trustees are not just decision-makers but connectors —

across communities, between policies and people, and within the governance team. Governance teams should determine where they can build bridges that will help them better serve students.

» Contribute to a culture of clarity and trust. Board members should help define and protect the norms that make the governance team effective. That might mean naming roles, honoring boundaries or holding each other accountable with respect and care.

Governance teams should focus on how they can help strengthen the trust that makes partnership possible. Navigating the board-superintendent partnership isn't about avoiding tension, it's about having the tools to work through it productively. There will always be difficult and controversial decisions before the board. Brokerage and closure are tools to manage conversations about those decisions and remain connected as a team. They remind teams that great governance isn't just technical, it's relational. And at its best, that relationship is built on connection, trust and a shared commitment to serve students.

Each county office's governance model may look a little different. Some offices have large, urban COEs with extensive services and programs, while others serve smaller, rural communities with leaner staff and fewer resources. Yet all COEs share a unifying purpose: to provide quality education and support where it's needed most.

Governance in California's county offices can be complex, but it's also a model that invites collaboration between the board, the superintendent and a broader team of professionals, all committed to serving students. For new trustees, understanding their role in this structure and leaning into the shared leadership it requires is the first step toward becoming a strong, effective voice for public education.

D. County office authority 101

The powers delegated by the people to the county office are in the State Constitution and in the statutes enacted by the Legislature and signed into law by the Governor. The constitution provides that county boards of education are to be established by the State Legislature and that county superintendents are to be elected by the voters or appointed by the county board. County superintendents have been elected in California since 1852 and county board members have been elected since 1955, except in Los Angeles County where they are appointed.

The Education Code contains the statutory authority for county boards and county superintendents. The specific duties of the county board, both mandatory and permissive, are described in CSBA's Board Bylaw 9000. (See Appendix A.) The specific duties of the county superintendent, both mandatory and permissive, are described in the California County Superintendents' "Statutory Functions of County Superintendents of Schools & County Boards of Education." (See Appendix B.)

In addition to the many responsibilities and duties for county boards and county superintendents specifically established in statute, the Legislature has recognized the needs of those who govern public education to create "their own unique solutions." In the limited circumstances when specific statutory authority may not be identified, the Legislature has provided both the county board and the superintendent with the discretion to act within the scope of their authority that is "not in conflict with or inconsistent with, or preempted by, any law or which is not in conflict with the purposes for which" county boards and county superintendents have been established. (Education Code sections 35160-35160.2)

The authority established for the board and the superintendent in Education Code is generally autonomous and non-delegable. Although each entity has independent legal obligations created by statute, especially when it comes to creation and adoption of the county office budget and LCAP, a successful approach to prepare and adopt these two foundational documents would be to annually develop budget priorities and LCAP goals. In do-

ing so, this approach requires the cooperation of both entities to share their joint authority to achieve the best result for students, parents/guardians and school districts that will be the beneficiaries of their collaboration.

Although the county board and superintendent have independent legal duties involving the budget and LCAP, there is nothing in the law that prohibits cooperation. For example, the superintendent may agree to work with the board to prepare the budget. Without such an agreement, the way the budget is prepared and submitted to the board is a decision for the county superintendent to make. Once submitted, the county board may agree to work with the superintendent in developing the budget approval process, but without such an agreement, the process by which the board considers and adopts the budget is a decision for the board to make. The same agreements apply with the LCAP. The county superintendent may agree to work with the board to organize the parent review committee, but without such an agreement, the decision to form and obtain input from the committee is a decision for the county superintendent to make. Once submitted, the county board may agree to work with the superintendent in developing the process to approve the LCAP, but without such an agreement, the process by which the board reaches its decision about the LCAP is a decision for the board to make.

The county board and county superintendent must also agree on significant budget revisions (currently revisions over $25,000). The California School Accounting Manual (CSAM) defines budget revisions as net increases or decreases to the total budget, e.g., increases due to new grant funds or decreases due to the need to reduce appropriations to keep spending within available revenues. Additionally, the superintendent must seek board approval to supervise the instruction or daily attendance in small elementary, high school and unified school districts in which adequate instruction is not being provided by the district.

Education Code also requires the county superintendent and the county board to appoint the "same" legal counsel. (Education Code Section 35041.5) However, ethical rules of professional conduct may require their "same" attorney, unless they have obtained informed written consent, withdraw from representing either the board or the superintendent if a dispute arises that may result in a legal conflict of interest for the attorney. In the limited situations where this may occur, the county board may hire special counsel to advise the board on the matter that caused the shared attorney to withdraw, or for as long as the conflict of interest may otherwise exist.

OBSERVATIONS

The statutory duties in the Education Code establish the lanes of power and authority between the county board and the county superintendent, regardless of whether the superintendent or the board is elected or appointed, if the county office is fiscally dependent or independent, or if it is a general law or charter county office. Though a county office is not defined in law, it is not uncommon that statutory authority concerning a specific subject area like the budget or LCAP is allocated to both the board and the superintendent. And because the process to exercise the legal authority parceled out in the Education Code may not perfectly intersect, the two entities may simply acknowledge the extent and limitations of their respective authority and agree to collaborate on a process that will net the best results for those served by the county office.

Applicable CSBA sample policies: 0200 – Goals for the County Office of Education, 0460 – Local Control and Accountability Plan, 3100 – Budget Adoption and Revision, 9000 – Role of the Board, 9124 – Attorney

Key legal citations: California Constitution, Article IX, Section 3; Education Code sections 1040-1042, 1240, 1280, 1620-1622, 1730, 1740, 35041.5, 35160-35162.1, 41010, 52066-52069; California Rules of Professional Conduct, Rule 1.7; Polster v. Sacramento Office of Education (2009) 180 Cal. App. 4th 649; California Department of Education (2024) California School Accounting Manual

E. Differences and similarities between county office and school district governing boards

The county office provides education and services to students residing in school districts located in the county and, in some instances, in other counties. Unlike students who have a statutory right of residency to attend schools in the district where they live, students attend COE-operated schools and programs for a number of reasons:

- Career and occupational objectives (Regional Occupation Centers/Programs)
- Involvement with law enforcement (juvenile court school and county community school)
- Special educational or behavioral needs (special education and state preschool)
- Other opportunities offered by county board-authorized charter schools.

Besides the multitude of direct services provided by the county superintendent to school districts, the diversity and vulnerability of the student population attending county office-operated schools and programs create important distinctions in the operation and governance between county offices and school districts, in part because of the transitory nature of the county office's student body.

It is not uncommon for a district board member to be elected to serve on a county board; however, it is important to note that in the seven single district/county offices, a board member cannot concurrently serve on a district board and the county board of the county in which the district is located. Former district board members elected or appointed to county boards experience many differences between serving on the district governing board where the board is the employer, and serving on the county board where the county superintendent is the employer. For example, only school district boards:

- Hire employees
- Approve job descriptions
- Sunshine initial bargaining proposals and terms of tentative agreements
- Approve collective bargaining agreements
- Approve unrepresented employee compensation
- Meet in closed session on personnel and labor relations issues
- Approve every contract unless authority is delegated to the superintendent
- Approve warrants to pay district expenses
- Certify interim budget reports
- Approve special education programs and services
- Appoint Parent Advisory Committee and English Language Learner Advisory Committee
- Hire and evaluate the superintendent (note: the four county boards who appoint the county superintendent do perform these duties)

There are also many similarities in duties between county and district boards including both boards advocating for public education and conducting their meetings per the Brown Act. Notwithstanding some differences that may exist in charter and fiscally dependent counties, both governing boards:

- Adopt the annual budget
- Review annual audits
- Adopt the "Gann Limit" resolution projecting the annual appropriations limit
- Approve the issuance of non-voter approved debt (revenue bonds, COPs)
- Adopt the LCAP and its updates
- Approve the Budget Overview for Parents
- Approve graduation requirements
- Adopt a course of study
- Select textbooks and instructional materials
- Determine the sufficiency of textbooks and instructional materials

- Fix the salary and benefits of the superintendent
- Approve real property contracts
- Authorize charter schools
- Make reasonable inquiries of and perform oversight of authorized charter schools
- Increase board stipends
- Propose trustee area boundary changes and changes to the number of trustees
- Fill a board vacancy
- Fill a superintendent vacancy
- Appoint student board members when none are elected
- Adopt policies and bylaws for their own governance
- Act with discretion consistent with state law

Public service comes in many shapes and sizes, not the least of which is service on governing boards charged with the responsibility of educating students in a safe and productive learning environment. Clearly, the duty to act as capable and ethical representatives on both school district and county office governing boards creates a common bond experienced only by those serving as leaders in California's public education system.

OBSERVATIONS



The oversight decisions made by the county office supporting school districts can reinforce the bond between the district and county boards, but sometimes decisions will go against a district and that can test the collegiality between board members. In addition to approving or disapproving district budgets and LCAPs, county superintendents have the statutory authority to "superintend the schools of that county" and to "enforce the course of study." (Education Code Section 1240) Superintendents exercising their oversight authority can lead to some difficult conversations with district board members and staff. The same is true of the relationship between county and district boards, as county boards have the authority to support or overturn district expulsion and interdistrict transfer decisions or to deny or revoke a charter petition. County board oversight of district decisions can also influence how district and county board trustees, not serving in single district/single county office, may communicate and relate to each other.

Applicable CSBA sample board policies and bylaws: 0420.4 – Authorization of County Charter Schools, 0200 – Goals for the County Office of Education, 0460 – Local Control and Accountability Plan, 1312.2 – Complaints Concerning Instructional Materials, 3100 –Budget Adoption, 6141 – Curriculum Review and Evaluation, 6143 – Courses of Study, 6186 – Juvenile Court Schools, 9220 – Governing Board Elections, 9223 – Filling Vacancies, 9250 – Renumeration, Reimbursement and Other Benefits, 9310 – Board Policies, 9320 –Meetings and Meeting Notices, 9321 – Closed Session, 9322 – Agenda/Meeting Materials, 9323 – Meeting Conduct, 9500 –County Superintendent's Renumeration, 9270 – Conflict of Interest

Key legal citations: Education Code sections 1000-1003, 1008,1040-1042, 1090, 1207, 1240, 1290-1296, 1311-1319, 1627, 1983, 17150-17150.1, 35012, 35160-35162.1, 42131, 44830 et seq., 45100 et seq., 47604.3, 47604.32, 47605, 47605.5, 47605.6, 48645.3, 52062-52063, 52064.1, 52068-52069, 60119, 60200; Government Code sections 3547-3547.5, 54950-54963, 87200-87211; Neumarkel v. Allard 163 Cal. App. 3d 457 (1985)

TIME FOR REFLECTION

California's 58 county offices are foundational to the state's public education system. Each COE is responsible for advancing the academic success of students while providing essential services to districts and communities. Board members serve as key stewards of this mission. This section encourages members to reflect on how their governance helps bring the mission of COEs to life — especially for the students and districts that rely most heavily on their leadership.

» What metrics or indicators do you regularly review that help you understand whether your COE is meeting its mission?

» As a trustee, how do you see your role in advancing the county office's mission to serve every student — no matter their zip code, background or circumstance?

» Describe a time when your board had to lead during a moment of uncertainty (e.g., policy change, crisis, public concern). What role did your COE play in navigating the challenge?

» Many students served by COEs face challenges related to homelessness, disability, poverty or justice system involvement. What can your board do during the budget adoption process to ensure programs serving these students are resourced, supported and regularly evaluated for impact?

II COUNTY OFFICE STUDENTS, PROGRAMS AND SERVICES

A. Academic objectives of the county office

Service on the county board of education will position each member to contribute to the academic success of students attending county office schools and programs. County boards review and adopt an annual budget and LCAP, appropriating adequate resources in the budget and establishing the academic, attendance and behavioral priorities for COE students.

County boards, along with the county superintendent, create the opportunity for students who may have been challenged both academically and socially to successfully engage in a classroom environment, obtain a high school diploma, attend career technical education (CTE) classes or prepare for their return to district schools. Like district schools, students attending county office schools must participate in statewide assessments like the California Assessment of Student Performance and Progress (CAASPP) when they are being administered. The performance of students on the LCFF statewide indicators in alternative school settings, like court and county community schools, is reported out in the Dashboard Alternative School Status (DASS) Dashboard, a modified accountability model. Moreover, unlike district students, court and community school students may have individual education programs (IEPs) tailored to meet their educational needs that may include basic graduation requirements or the prerequisites for admission to the University of California (UC) or California State University (CSU) systems.

County boards must annually certify that any independent study courses offered by the county office are aligned with state content standards and that there are sufficient textbooks and instructional materials to serve the students attending county office programs. Additionally, county boards approve the courses of study, and the selection of textbooks and instructional materials offered to students in the court and community school programs. Although aligned with state content standards, the educational program can offer a level of flexibility unavailable in district programs, thereby increasing the prospect of each student's academic engagement and success.

Applicable CSBA sample policies: 0200 – Goals for the County Office of Education, 0460 – Local Control Accountability Plan, 6143 – Courses of Study, 6158 – Independent Study, 6161 – Selection and Evaluation of Instructional Materials, 6161.11 – Supplemental Instructional Materials, 6162.5 – Student Assessment, 6178 – Career Technical Education, 6178.2 – Regional Occupational Center/Program, 6186 – Juvenile Court Schools

Key legal citations: Education Code 1620-1622, 1980 et seq., 48645 et seq., 51749.5, 52052, 52066, 52300-52334, 60119-60200, 60640-60641

OBSERVATIONS 

County offices statewide offer a wide variety of educational programs, services and supports to students attending county office schools and programs (see Appendix C). County board members often run for seats on the board to influence what academic programs and services are offered to county office students. Especially with the adoption of the LCAP, board members may not only influence what programs and services are offered but also have the opportunity to be part of the effort that successfully re-engages struggling students who may not engage in other educational settings or with other educational providers.

B. Instructional programs and services supporting county office students

The county office offers several educational programs and services to students in the county, and in some instances, in the region. Some of these programs are briefly described below.

Juvenile court schools

The county board has the statutory responsibility to provide for the "administration and operation" of juvenile court schools for youths incarcerated in juvenile detention facilities operated by the county probation department. (Education Code Section 48645.2) County boards do not directly operate court schools; rather, county boards are required to make the decision whether to contract with the county superintendent or with a school district to operate the school. County offices may also contract with another county office to provide education to its incarcerated youth.

Juvenile court schools are to be conducted in a manner "prescribed by the county board" to achieve their statutory purpose of providing "quality education and training." (Education Code Section 48645.3) The county board is required to adopt a course of study that meets state content standards and enhances instruction in mathematics and English language arts. Each student is academically assessed upon entry into the detention facility, their student records are requested, and an IEP is developed to increase the student's "academic literacy and reading fluency." (Id) Court school students in certain grades must take the state's standardized assessments, the scoring of which is modified for alternative education students if it is given when they are incarcerated. Court school students must have access to classes that may lead to career entry, a high school diploma or a high school equivalency certificate. It is also the intent of the Legislature that students in court schools have access to rigorous curriculum that will prepare them for admission into the UC and the CSU systems.

OBSERVATIONS 

The operational challenges in providing education in a locked-down facility are numerable, including access to the security level of the unit that each detainee is assigned to, the use of instructional materials that are safe and secure, and the relatively short period of time of incarceration is experienced by many of the detainees. Nevertheless, one of the primary goals of court school instruction is to prepare the student to return to a district school.

County community schools

A county community school may be established by the county board, and the county superintendent may elect to operate it. Like juvenile court schools, county offices may accept students residing in other counties into their community school program. For the purposes of establishing and maintaining a county community school, Education Code Section 1984 provides that the county board shall be deemed a school district. Although the administrator of the county community school is usually the county superintendent who has the responsibility to provide the facilities, the board is responsible for establishing the course of study, school calendar, instructional minutes and any local graduation requirements.

Most of the students attending a county community school have either been expelled by a school district or referred by a court, county probation or by a Student Attendance Review Board (SARB). As such, the students who attend county community schools may have a wide variety of academic and social-emotional needs including the completion of a rehabilitation plan recommended by the district board that may accompany the expulsion order. Community schools must offer courses to enable students to begin or continue their work toward the completion of a regular high school program and diploma. Each student is assessed and receives an individual learning plan that is most appropriate for "reinforcing or reestablishing [their] educational development." (Education Code Section 1983) Community school classes may include on-the-job training, tutorial assistance and credit recovery. Like court school students, county community school students in certain grades must take the statewide standardized assessments if they are attending community school when the test is given. County community schools, in partnership with the local courts and the probation department, may support students with counseling and other mental health-related services.

OBSERVATIONS



The joint duties of the county board and the county superintendent in the Education Code necessitate that the two entities work together to create a safe and supportive school environment. One example of how the superintendent and the board work together is when providing educational services to students expelled from district schools. Here, the county board, along with district governing boards in the county, must triennially approve a plan developed by the county and district superintendents to serve all expelled students in the county.

In addition to formal referrals from the juvenile justice system or from a SARB, parents may also choose to enroll their child in county community schools when other educational programs are not the best fit for the student, academically and/or behaviorally. County community schools have safety protocols and procedures, and, although students are not incarcerated in a locked-down facility, they still must be built to create a safe and supportive learning environment with specially trained staff, including probation officers, who may be on-site. Unlike juvenile court schools where the length of stay can be for days or a few weeks, students enrolled in county community school may be enrolled for several months. But like court schools, one of the primary goals of community school instruction and behavioral management is to prepare the student academically and emotionally to return to their district school.

Regional Occupational Centers and Programs (ROC/Ps) and career technical education

ROC/Ps are established by the county superintendent with consent of the State Board of Education (SBE). County offices may offer career technical education (CTE) courses associated with some of the highest employment sectors, including through an ROC/P operated by the county superintendent. The county board is the governing board of a county office ROC/P. CTE courses in ROC/Ps are designed to integrate vocational and technical training and skills with academics to provide high school students 16 years and older with pathways to careers and post-secondary education. Students receive training and education in the classroom and on-site. In addition to training and education, ROC/Ps may provide placement assistance and career counseling.

Funding for ROC/Ps and CTE is included in the LCFF. Through agreements with districts, county offices can offer CTE courses and operate ROC/Ps that deliver career training in high employment sectors like agriculture, automotive repair, business, computers, construction, culinary arts, health and marketing.

OBSERVATIONS

Although the state funding stream for CTE and ROC/Ps changed from categorical funding to LCFF when the formula was introduced, the operational and governance requirements in the Education Code have not been repealed. As such, the county board still acts as the governing board for an ROC/P that is maintained and administered by the county superintendent.

Charter schools

County boards may authorize a charter school by approving petitions directly filed with the COE to serve students for which the county office would otherwise "be responsible for providing direct and related services." (Education Code Section 47605.5) Charter petitions may also be directly filed with the county office for a countywide charter that will offer services to a student population that "cannot be served as well by a charter school that operates in only one school district in the county." (Education Code Section 47605.6) Charter schools may also be authorized by county boards on appeal.

It is important that county boards be prepared. Petitioners will normally include in the petition a considerable amount of data and information to support the school's academic program, governance structure, facility needs and multi-year budget projections. For insights into the petition submittal, review and approval process, board members should consult CSBA's book "Charter Schools: A Guide for Governance Teams."

Unless extended by mutual agreement, the board has 90 days to decide whether to grant or deny a petition. The distillation and compilation by staff or by a board consultant of the data and information received from the charter petitioner will help the board make its decision by the deadline. A public hearing must be held within 60 days of the petition being submitted, where each board member will have the opportunity to request additional information and to ask questions of the petitioner about the petition. The following sample questions for board members to ask during the public hearing are included in the "Charter Schools" book:

- What experience do the petitioners have operating a charter school?
- Will the charter school be recruiting students from outside the geographic boundaries of the authorizer (county board)?
- How are the petitioners planning on providing special education services?
- How fiscally sound is the finance plan and the multi-year budget?
- How does the charter school plan to implement its admissions process in a manner that does not discriminate against any protected categories of students (e.g. students with disabilities, English learners, etc.)

As a charter authorizer, county boards, like the county superintendent, may "make reasonable inquiries" regarding the financial records of a charter school authorized by the board. (Education Code Section 47604.3) Additionally, county boards assume the responsibility of conducting the oversight duties required in Education Code for each charter school it has authorized. County superintendents may be asked to perform the oversight duties but have no legal obligation to do so. If a county superintendent chooses not to do oversight, county boards may have the attorney shared with the county superintendent perform the oversight unless a conflict of interest would arise if the attorney did so, in which case the board may, per Education Code Section 1042, contract with another attorney or a charter school specialist to perform the oversight.

OBSERVATIONS

When charter schools were first approved in 1992, the laws enacted governing their operations were purposefully nominal. Some 33 years later, charter schools still have more flexibility in developing and operating their educational programs than other LEAs. However, charter school boards, just like their authorizer, must adopt LCAPs, which require curriculum compliance with state content standards; assess their students using state-adopted assessments; issue high school diplomas following state graduation standards; and hire credentialed teachers. Charter schools must also comply with California's government transparency laws such as the Brown Act, the Public Records Act, the Political Reform Act and other laws related to conflicts of interest. Moreover, student achievement and outcomes determined in large part by the metrics of the California School Dashboard (that also influence the educational programs offered by their authorizer), can also influence charter schools because performance data from the Dashboard plays a significant role in the renewal of charter petitions. Whether a charter school petition is renewed largely depends upon the authorizer's assessment of student academic performance and conduct indicators used to measure the performance of all public K-12 schools in California.

Other county office programs and services

The superintendent may recommend that the county board approve a variety of direct services to students in the county, especially those attending small school districts. Activities that require board approval include providing emergency education funding for elementary students residing in the county or to the children of migratory workers, conservation education programs and library services.

The variety of funding sources available to county offices allows them to serve a wide range of learning opportunities to students, from infants to adults. For example, county offices may be involved in early intervention programs for infants and toddlers up to age 3 who are delayed in their development, and in state preschool programs that help 3- to 5-year-olds from economically disadvantaged families get a jumpstart on their education. County offices may also offer "comeback" programs for adults to earn the credits they still need for their diploma.

OBSERVATIONS

Because COEs serve students countywide and sometimes regionally, students with extensive learning disabilities and behavioral needs may be more efficiently served by county office staff who have been specially educated and trained to deliver the services. County office specialists also provide educational services to English learners, immigrant and migrant students, students experiencing homelessness and foster youth.

Applicable CSBA sample policies: 0420.4 – Authorization of Charter Schools, 5113.12 – County School Attendance Review Boards, 6173 – Education for Homeless Children, 6173.1 – Education for Foster Youth, 6174 – Education for English Learners, 6178 – Career Technical Education, 6186 – Juvenile Court Schools

Key legal citations: Education Code sections 1042, 1770, 1980 et seq., 1920, 8207 et seq., 8763, 35041.5, 47604.1, 47604.3, 47604.32, 47605, 47605.5, 47605.6, 48320 et seq., 48645 et seq., 48916, 48918, 52300 et seq.; Government Code sections 7920.000 et seq., 54950 et seq., 81000 et seq.; 17 CCR 52000-52175; 20 U.S.C. 1431 et seq.; California Rules of Professional Conduct, Rule 1.7

TIME FOR REFLECTION

Students served by the county office often arrive with complex stories — interrupted schooling, court involvement, learning differences or unmet needs. A trustee's role is not only to provide oversight, but also to ensure that the instructional programs available to these students reflect a deep commitment to engagement, flexibility and achievement. This section invites you to explore how your board shapes and supports the academic experience for every student served by your COE.

- County board members influence the academic and behavioral priorities for COE students through adoption of the LCAP, curriculum approvals and budgetary decisions.
- What guides your board's decision-making when reviewing instructional programs, graduation pathways or credit recovery options?
- From juvenile court schools to CTE, the instructional landscape of a COE is broad and deeply responsive to student need. Which program or student population is your board least familiar with? What steps can the board take to better understand their needs?
- Students often depend on services provided through partnerships with probation, social workers, counselors and mental health providers. What partnerships are most critical to student success in your COE and how can your board work with the superintendent strengthen or support them?
- Effective oversight of charter schools, ROC/Ps and other instructional programs requires both data and context. What indicators do you rely on when evaluating whether a program is meeting student needs?

III FUNDING THE COUNTY OFFICE

A. Sources of revenue

Revenue drives expenditure. Expenditures fund the county office's programs and services. Revenues and expenditures are annually forecast in the multi-year budget presented by the county superintendent for the board's review and adoption. Awareness of funding streams and their sources can help drive the county board's decisions about the annual budget. Knowing the reliability of the funding source, and whether the funding is ongoing or one-time, are key factors in analyzing and adopting a budget.

Revenue generally comes in two buckets: restricted and unrestricted. Restricted funding consists of grants and entitlements that come with conditions and rules that must be followed whereas unrestricted funding provides a significant level of discretion in how the funds are allocated. Unlike school districts, restricted funding is by far the greatest source of revenue for COEs. And though county office budgets may be approved in the hundreds of millions of dollars, much of the funding in the budget is considered "restricted" because it is tied to rules and regulations that prescribe how and when the dollars are to be used.

The most significant state source of unrestricted funding for county offices comes from the LCFF. Enacted over a decade ago, the LCFF replaced base grants and categorical funding with a formula dedicated to providing more discretion to superintendents and governing boards in deciding how to spend the money. LCFF funding comes to the county office in several buckets targeting county office operations including supplemental and concentration grants to help serve unduplicated pupils, e.g. English learners, foster youth, and students eligible for free and reduced-price meals under the National School Lunch Program. LCFF grants include a variety of funding calculations that consider several factors, including the countywide ADA, the number and size of the districts in the county, and the number of court and community schools operated by the COE. LCFF grants separately fund court and county community schools, and the differentiated technical assistance and LCAP support provided to districts by county offices. LCFF funding is subject to cost-of-living adjustments (COLA) and changes in unduplicated pupil counts. LCFF essentially provides an ongoing funding stream for county office programs and direct services. Beginning in the 2022–23 fiscal year, state lawmakers recognized the breadth of direct services COEs provide to districts and the challenges of educating what can be a very transitory student populations by adjusting the formula to provide county offices with additional revenue to better support its functions.

Federal grant programs provide funds for students with special education needs, homeless and foster youth and preschool students. Federal funding, however, is not subject to COLAs and is almost always restricted. The biggest sources of federal funding for county offices include free and reduced-price meal funding, the Individuals with Disabilities Education Act (IDEA), the Every Student Succeeds Act (ESSA) and funding for underperforming students, professional development and English learner students received through Title I, II and III grants. Federal funding currently makes up between 7 percent and 10 percent of California's total education budget.

COEs may also receive revenue locally by providing "fee-for-service" programs and services to districts on a countywide or regional basis. Those services include

payroll, transportation, broadband, professional development and special education. Services offered to multiple districts by the county office on a fee-for-service basis may be more economical as the practice relieves a district from having to hire its own staff, provide their own facilities, or buy the equipment and supplies necessary to provide the same service.

OBSERVATIONS



Federal, state and local funding streams are always subject to change. The minimum funding for TK-14 schools is guaranteed in California's Constitution as a result of voters approving Proposition 98 in 1988. Although Prop 98 makes the state budgeting process more reliable by guaranteeing about 40 percent of the state's General Fund will be allocated to schools, it does not protect COE programs and services from being reduced or eliminated by the Legislature. Board members, when reviewing the budget, should be prepared to ask questions about the reliability of the same funding sources being received by the county office in the future, especially with such a high percentage of COE programs and services dependent on restricted funding streams.

Responses to questions about the dependability of funding sources will help the board evaluate the overall fiscal health of the budget, including the sustainability of the reserves in the multi-year budget. For example, the required minimum reserve for economic uncertainty acts as a safety net against fiscal distress, and when necessary, can be used on a short-term basis. But overall, the less reliable the revenue streams are in the budget, the greater the possibility exists for reserve accounts to be drawn down, especially those reserves established to maintain the fiscal health and stability of the LEA's general fund.

Applicable CSBA sample policies: 0460 – Local Control and Accountability Plan, 3100 – Budget Adoption and Revision, 3230 – Federal Grant Funds, 6171 – Title I Programs

Key legal citations: California Constitution Article XVI, Section 8; Education Code sections 2574-2576; 5 CCR 15467-15493 ; 20 U.S.C. 1400 et seq.; 20 U.S.C. 6301 et seq.; 42 U.S.C. 1751 et seq., 1773

TIME FOR REFLECTION

Funding drives the services and programs offered by COEs — but the funding itself is layered, regulated and often restricted. Board members are responsible for understanding the sources, constraints and implications of funding in order to make sound fiscal decisions that sustain and expand student support. This section invites trustees to explore how funding shapes what COEs can offer and how budget decisions reflect priorities and purpose.

» Unlike school districts, county offices receive most of their revenue from restricted funding (like Title I, for example). How might this shape your board's expectations or questions during the budget review and adoption process?

» Federal programs support vulnerable students but often come with significant restrictions (like with the IDEA) and are not adjusted for inflation. What questions should trustees ask when evaluating federal grants or programs in the COE's budget?

» Fee-for-service programs (e.g., transportation, broadband, human resources or special education) help districts while generating local revenue. How should trustees evaluate the sustainability and strategic value of these services?

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IV COUNTY BOARD OF EDUCATION MEMBERS

A unique role in California's public education system

A. Ethics and public service: Leading with integrity in county governance

Serving as a county board trustee is a public trust. It is both a responsibility and a privilege — one that demands a deep commitment to ethical leadership. In a system where decisions impact students, families, educators and communities, how trustees show up — how they listen and lead — matters just as much as the decisions they make.

Ethical governance isn't just about avoiding misconduct or bad behavior. It's about upholding the public's trust by ensuring that decisions are transparent, fair and grounded in the best interests of students. It means recognizing the weight of the role and navigating it with humility, care and courage.

County board members are public servants. They do not just represent their personal values or community preferences but should act as a steward of public resources while balancing competing needs and working to uphold a system that is bigger than any one issue or perspective.

This role requires a mindset shift: from advocate to both advocate and keeper of the public trust. As an elected or appointed official, a trustee's primary obligation is not to the loudest voice or narrowest interest, but to the educational well-being of all a county's students, especially those furthest from opportunity.

In practice, this often means making hard calls. Trustees may face pressure from political groups, advocacy organizations or constituents. Ethical leadership doesn't mean ignoring those voices but it does mean weighing them against one's obligations as a county trustee. Those obligations include transparency and legal and professional responsibilities.

Ethical decision-making in practice

Every board decision is shaped by values. A standard value statement heard in every board room is that everyone is there to support students. But the values that are driving that statement run deeper. Some of those values are explicit: fairness, responsibility and student success. Others may be implicit, shaped by personal experience or community norms. Ethical decision-making requires county board members to keep those values in mind, and test them against key questions:

- Is this action aligned with our COE's mission and the law?
- Who benefits, and who might be left out?
- What precedent does this set for future governance?
- Would this decision build or erode public trust?

Trustees are not expected to be moral philosophers that have attained perfection, but they are expected to apply judgment, seek diverse perspectives and remain accountable to the principles of good governance.

Ethics in public service also means avoiding conflicts of interest, both real and perceived. Trustees must disclose financial interests, abstain from decisions where they have

a personal stake (whether financial or otherwise) and avoid using their position for personal or political gain.

But ethics go beyond legal compliance. Even when actions are technically permissible, board members should ask whether they are in the spirit of ethical leadership or whether they may create a perception of impropriety. Sometimes that means stepping back, acknowledging a personal bias or declining to engage in political debates that risk undermining the board's credibility. Just as importantly, trustees should model ethical behavior — respecting protocols and policies and holding themselves to the same standards they expect of others.

The ethical culture of the board

All cultures are contagious and healthy cultures don't happen by accident. Boards with strong ethical norms tend to reinforce them through how they conduct meetings, handle dissent and make decisions. Boards without those norms can quickly fall into dysfunction even when individuals mean well.

Ethical governance is a team sport. Trustees who value ethical service invest in relationships, speak up when something feels off and help others course-correct without blame. It's not about being perfect, it's about being accountable.

Ethical leadership doesn't always come with applause. It can mean standing alone, asking hard questions or making difficult decisions by choosing the harder right over the easier wrong. Over time, that commitment earns trust from the public, colleagues and students.

Ethics is not just something a trustee follows — it's something they model. And in a system that depends on public confidence, that kind of leadership makes all the difference. California's conflict-of-interest laws are based on the belief that a public official cannot serve two masters at the same time. CSBA has designed an ethics training to help ensure that board members have a deep understanding and commitment to ethical public service.

B. Advocacy and engagement: Elevating the mission beyond the boardroom

County board trustees are more than policymakers, they are also public advocates and community leaders. While the formal responsibilities of trustees are defined in statute and policy, their influence often extends well beyond the boardroom. Through advocacy and engagement, trustees help shape the public conversation about education and ensure that countywide priorities reflect the needs of all students.

Done well, advocacy is not about politics — it's about purpose. It's about using one's position to amplify voices, mobilize support and make sure that decisions at every level of government reflect the realities facing schools, families and communities.

Trustees may not always see themselves as advocates, but they play a critical role in shaping policy and public opinion. Whether engaging with state legislators, meeting with county agencies or attending community forums, trustees help connect the mission of the COE with the broader landscape of public leadership.

In many cases, COEs are implementing programs that rely on state funding, county partnerships or legislative mandates. Trustees can support this work by advocating for policies and resources that benefit students — especially in areas like special education, juvenile justice, community schools and transitional kindergarten.

Importantly, trustees must always advocate in alignment with the board's adopted positions and in partnership with their superintendent. Individual board members should not speak on behalf of the entire board unless formally designated. But as public officials, trustees have the right and responsibility to use their voice to raise awareness and engage the public in support of student-centered policies.

Community engagement is part of public accountability

Engagement is more than attending events or issuing statements, it's about relationships. Trustees who are effective in their role take time to listen, learn and stay connected to the diverse communities they serve. They ask: Who isn't at the table? Whose voice isn't being heard? What do I need to understand before I make this decision?

County boards are uniquely positioned to engage with interest holders from across the region, such as school districts and county supervisors, business leaders, parent groups, nonprofit organizations and state agencies. Board members who build and maintain these relationships help strengthen the COE's ability to serve as a regional leader and problem solver.

This kind of engagement takes time. It requires showing up consistently, not just when an issue is on the agenda. And it means being visible as a representative of the board who is listening first, staying grounded in the facts and always centering student outcomes.

Advocacy with integrity

Board members must walk a fine line between advocacy and neutrality. While they can advocate for policies that advance the board's goals, trustees must do so ethically, transparently and without overstepping the boundaries of their role. That means ensuring that personal advocacy doesn't conflict with one's public duty.

Before taking a position or making a public statement, trustees should ask:

- Does this align with our board's adopted priorities or values?
- Am I acting within the scope of my role and responsibilities?
- Will this build public trust and credibility or erode it?

When advocacy is grounded in integrity and humility, it becomes a powerful tool for change.

Effective advocacy and engagement don't happen by accident, both require intentionality. Trustees can work with their fellow board members and their superintendent to identify shared advocacy goals, develop talking points and coordinate outreach. They can also participate in CSBA's Legislative Advocacy Week and Coast2Coast Federal Advocacy Program in Washington, D.C., as well as attend legislative briefings hosted by local trustee associations, and participate in CSBA policy and advocacy webinars to stay informed and engaged. Ultimately, advocacy and engagement are about expanding the impact of a trustee's service. These practices help ensure that the stories, needs and hopes of a county's students are heard, not just within board chambers, but in every room where decisions are made.

C. Guidelines for county board meetings

Since the early 1950s, California has required the meetings of local government entities to be held in public, with few exceptions. In this public forum, the authority of the county board is exercised not by individuals but by actions taken involving at least a majority of the board. After meetings are adjourned, unless they have been formally authorized by the board, members have no individual authority to act or speak on behalf of the board. Rather, the best practice for board members when speaking about the business of the board to others is to identify any statements made or positions taken as belonging to them and not to the board.

In some instances, local governing boards may meet out of public view in closed session. County boards are able meet in closed session under the Brown Act on real property, claims against the agency and on litigation matters. Education Code specifically permits closed sessions for expulsion hearings unless parents/guardians request an open session, as well as for matters when confidential student information may be subject to disclosure, like in interdistrict attendance hearings. But unlike school district boards that meet in closed session to discuss matters involving personnel and labor relations, county board members do not meet in closed session on those issues because the authority to act on personnel and labor relations rests solely with the county superintendent.

A WORD OF CAUTION: Discussions in closed session are limited to the subjects that have been posted on the agenda and are considered confidential. As such, board members may not disclose to anyone the confidential information they receive in closed session unless authorized by the board to do so or to report to the district attorney or grand jury about a perceived violation of the Brown Act.

The Brown Act requires local governing boards to adopt a regular meeting schedule for greater ease of public attendance and to notify the public of their opportunity to attend and provide input on agenda items before or during the meeting. Except for emergency meetings, regular meeting agendas must be published at least 72 hours before the meeting and special meeting agendas at least 24 hours prior. Additionally, meeting materials must be made available to the public upon request before and after each meeting. As the "ex officio secretary and executive officer of the board," the county superintendent is responsible for preparing and maintaining the adopted meeting minutes and typically, along with the board president, is responsible for preparing the meeting agenda. (Education Code Section 1010) Boards should include in their board policy or bylaws how board members may request an item be placed on the agenda.

Meetings are normally held in person, but boards may meet virtually in specific circumstances. Also, members who are not able to attend in-person may be able to attend following certain rules via telephone or the internet.

A WORD OF CAUTION: The Brown Act defines a gathering or communications among a majority of members about the business of the board to be an official meeting of the board. Thus, unless an agenda has been properly posted, a gathering of or communications involving a majority of board members about the business of the board will be deemed unlawful. However, attendance at conferences and special events where the board does not discuss the business of the board may be permissible. Violations of the Brown Act, either by the board or by individual board members, may result in civil or criminal penalties. For a thorough discussion of the rules about public meetings, see CSBA's publication "The Brown Act: School Boards and Open Meeting Laws."

Board meetings are not press conferences or meetings held by the public. Rather, board meetings are meetings to do the county office's business in public. The board has a posted agenda to follow and the board member running the meeting, usually the board president, should be prepared to run the meeting in a fair and efficient manner. Effective meeting preparation should include knowing the time estimate for each item and who will be presenting to the board on each item. Board presidents should review the board bylaw or policy on the rules about how board members participate, and how the public may provide input on agenda and non-agenda items that are within the jurisdiction of the board. One key ground rule for public participation in the meeting that should be included in the bylaw or policy is the time limits on individual speakers and on individual agenda items cumulatively. So that everyone is on the same page, the time limits should be posted in the meeting room and listed on the agenda.

Members of the public whose conduct actually disrupts the meeting, may lose their right to attend the meeting.. However, unless their behavior is or constitutes a true threat of force, they must first be warned before they are removed. Following a warning, if the disruption continues, the board president may recess the meeting and if that doesn't work to quell the disturbance, the disrupter may be removed from the meeting. If removing the individual(s) is not a safe or practical option, the board may move the

meeting to another room without the public in attendance or simply adjourn the meeting.

Parliamentary procedures: How governing boards take action

Running a fair, effective and efficient public meeting requires the board president to know the board's ground rules for running the meeting and to have a basic understanding of parliamentary procedures to manage any disruption instead of adding to it. An understanding of the tools to run an effective meeting may enable the board to continue moving through the agenda regardless of what distractions and disruptions might be happening in the boardroom or online. Pointers on running an effective meeting by using parliamentary procedures are included in CSBA's primer on running a meeting, *Call to Order: A Blueprint for Great Board Meetings*, and in CSBA's Masters in Governance® (MIG) program.

Essential to being an effective chairperson is having a good understanding of how action is taken by the board. To initiate board action, a board member, following recognition by the board president, makes a motion or the president can make a motion. A motion should specifically state what the member wants done and for added clarity, should be restated by the board president so that there is no misunderstanding about what action the board is being asked to take. The motion must receive a second to be considered. Once seconded, the motion, often referred to as the main motion, is ready for deliberation and debate.

Main motions are subject to change by other motions, often referred to as secondary motions. Secondary motions that may delay the vote on the main motion if successful include motions to obtain additional information, to refer the matter to a committee, or to postpone consideration of the main motion to another meeting.

Secondary motions also include motions to amend the main motion or to substitute a motion for the main motion but they cannot expand the scope of the main motion into subject areas that were not included on the posted agenda. An amendment to the main motion allows the maker to change, add or delete some, but not all, of the main motion. For example, a motion to approve a charter appeal may be amended by just changing the number of annual site visits by the authorizer from two to three. Amendments are voted on before the main motion is considered. On the other hand, a substitute motion can be introduced that would completely change the board action requested in the main motion. In this example, a substitute motion would be one that changes the board's decision on a charter appeal from approval to denial. With substitute motions, it is left to the board president to decide which motion gets voted on first. Keeping up with the motions that have been made can be pretty difficult, so besides the board president, another member of the board, or the superintendent or their staff, should also help to keep track of the motions that are before the board.

Each board member's commitment to learning how to participate in and chair an effective meeting is an essential component to successful and productive board meetings. CSBA's Governance Consulting Services (GCS) can help county boards create their own board governance handbook. GCS can also assist county board members in completing their board evaluations, which can help identify areas for improvement, and suggest good governance tools, such as those available to help run effective meetings. Because of the county superintendent's role as the ex officio secretary and executive officer of the board, an evaluation completed by the superintendent about how they are fulfilling their role in facilitating the public meeting process may also assist the board in evaluating the effectiveness of their meetings.

OBSERVATIONS

The Brown Act is frequently amended by the State Legislature and is subject to opinions by the courts and the Attorney General. As such, keeping up with changes to the Brown Act can be challenging. To assist education leaders, CSBA conducts several trainings a year for board members, both experienced and new, to inform them about changes in open meeting laws and how to run effective meetings. For example, CSBA conducts a board president training the day before its Annual Education Conference and Trade Show (AEC) each year for board members interested in learning about the role of the board president, including their role in setting the agenda and running an effective meeting.

Applicable CSBA sample policies: 1313 – Civility, 3320 – Claims and Actions Against the County Office of Education, 5117 – Interdistrict Attendance, 5144.3 – Student Expulsion Appeals, 9320 – Meetings and Notices, 9321 – Closed Session, 9322 – Agenda/Meeting Materials, 9323 – Meeting Conduct

Key legal citations: Education Code sections 1010, 35146, 35147, 48918; Government Code sections 54952.2, 54953, 54954, 54956.5, 54957.5, 54957.95, 54959, 54962, 54963; 72 Ops. Cal. Atty. Gen. 25 1989); Alameda County Board of Education, PERB Order No. 323, June 30, 1983

D. Adoption of the county office budget and the Local Control and Accountability Plan

The two biggest responsibilities of the county board involving the operation of the county office are approving the annual budget and the LCAP. Both the budget and the LCAP are subject to public hearing requirements and are approved by the board, in that order, usually at the same meeting in June.

In every county office, the superintendent prepares and submits the budget to the county board for review and adoption. In the 55 fiscally independent county offices where the functions previously performed by the board of supervisors have been transitioned to the county board, the budget, after adoption, is submitted to the State Superintendent of Public Instruction (SSPI) for review and approval. In the three fiscally dependent county offices where the functions specified in the Education Code have not been transferred, after adoption by the county board, the county service fund budget is submitted directly to the SSPI for approval. The budget of the county superintendent, however, is submitted to the county board of supervisors for approval. Following approval by the board of supervisors, the budget of the county superintendent is then submitted to the SSPI for approval.

Besides the involvement of the board of supervisors, there is another key difference between fiscally independent and dependent counties. Because a dependent county office is a budget unit of the county, the county superintendent must prepare and submit an itemized estimate of anticipated revenue and expenditures to the county auditor. Before the estimate is submitted, it first must be reviewed and approved by the county board. The board has the authority in Education Code Section 1042, if it so chooses, to "make revisions, reductions, or additions to the annual itemized estimate it deems advisable and proper." This language applies only to the itemized estimate of revenues and expenditures submitted to the county auditor in the three dependent counties and does not apply to the board's review of the annual budget or interim budget reports in fiscally independent and dependent counties.

NOTE ABOUT FISCALLY INDEPENDENT AND DEPENDENT COUNTIES: In the 1970s, the board of supervisors in 55 counties transferred the budget approval responsibility from the county department of education to the county board of education. The approval process anticipates county board members will exercise their duty in a thoughtful and deliberate manner. Any expectation for county boards to simply "rubber stamp" the county office budget submitted by the county superintendent is historically misplaced. The process undertaken by the board of supervisors in those 55 counties to review and approve the budget prepared by the county superintendent was then, as it is now, performed with the same duty of care by county supervisors today when they review the proposed budgets submitted by other county departments like the assessor, clerk-recorder, sheriff, and treasurer-tax collector.

The county board is required by law to consider and adopt a budget submitted by the county superintendent on or before July 1. The adopted budget is filed by the county board with the SSPI, the board of supervisors and the county auditor. In the event the board and the superintendent do not agree on the budget for the coming year,

the current year's budget stays in place and the disputed budget is submitted to the SSPI. In the event the dispute is not resolved after the SSPI's recommended budget has been returned to the board and the superintendent for approval, a budget review committee is convened by the SSPI to prepare a proposed budget for the county office. If either the board or the superintendent disagree with the committee's proposed budget, the SSPI then approves the budget for the county office. Thus, whenever the board and superintendent continue to disagree about what revenue or expenditures may be increased or decreased or included or excluded in the budget, their disagreement will be "settled" by the SSPI.

During the fiscal year, the county superintendent is responsible for spending the funds appropriated by the board, which includes the ability to transfer funds between budget categories to meet the necessary and unanticipated needs of COE students and of the districts in the county. Twice during the year, the superintendent is required to provide the board with interim budget reports to review. The interim reports compare the budget projections included in the budget with the actual revenues received and the spending that has occurred up to Oct. 31 and Jan. 31. Whenever the adopted budget has been revised by the superintendent resulting in a net increase or decrease to the overall budget of more than $25,000, the proposed revision must be approved by the board. Additionally, the board must approve any consultant contracts of $25,000 or more that constitute a budget revision.

Unlike budgets that county boards have adopted since 1974, adoption of the LCAP for juvenile court and county community schools has only been required since 2014. The LCAP is prepared by the county superintendent with input by students, parents and staff. The county superintendent is required to solicit advice about the LCAP from parent and student advisory committees, and, depending on the number of English learners enrolled in county office programs, from an English Learner Parent Advisory Committee. The three-year LCAP and its annual updates should reflect the needs of all students attending court and county community schools, but especially the needs of historically underrepresented or low-achieving student populations. After the LCAP is submitted by the superintendent, the board must hold two public hearings before adopting the LCAP. The first public hearing is for the purpose of soliciting comments and recommendations from the public on the goals, specific actions and expenditures proposed in the LCAP. Following adoption, the LCAP is submitted to the SSPI for review and approval. If disapproved, the SSPI must then provide technical assistance for the purpose of revising the LCAP to get it approved.

OBSERVATIONS

Because the LCAP is the primary document that establishes for the students of the county office their academic goals, priorities, outcomes and, most importantly, the specific actions and expenditures projected to obtain those outcomes, involvement by the county board in the academic planning for the office has measurably increased since the LCAP went into effect.

Though the county office's budget review and adoption process has existed for half a century, it is not without controversy. For example, the Orange County Board of Education filed a lawsuit in 2019 challenging the then-Orange County superintendent's decision to submit to the SSPI the budget he proposed and not the one that had been adopted by the board. The county board sued the SSPI for not accepting the budget filed by the county board. Neither budget was accepted by the SSPI. Instead, pursuant to Education Code Section 1623, the SSPI organized a budget review committee and with the assistance of the review committee and the Fiscal Crisis and Management Assistance Team (FCMAT), the SSPI approved the budget submitted by the county superintendent.

Over five years later, the board, superintendent and SSPI settled their legal dispute. The parties agreed to terms in their respective settlements regarding the budget review, adoption and submittal process that the board, superintendent and SSPI will follow in Orange County. These settlement terms also formed the basis for the stipulated judgments entered by the court and like the settlement agreements, are binding on these three parties only.

Applicable CSBA sample policies: 0470 – Local Control and Accountability Plan, 3000 – Concepts and Roles, 3100 – Budget Adoption and Revision, 3110 – Transfer of Funds

Key legal citations: Education Code sections 1040-1043, 1080, 1280-1281,1620-1624,1626, 2574, 52068, 52069, 52070.5, 52071.5; Orange County Board of Education v. Al Mijares, Orange County Superintendent of Schools, and Tony Thurmond, State Superintendent of Public Instruction, Superior Court, County of Orange, November 18, 2019, Case No. 30-2019-01112665

E. Appeals: County board oversight of decisions made by school district governing boards

When the oversight responsibility of school districts by the county office is discussed, it usually involves the review and approval by the county superintendent of the district's budget, interim reports and LCAP, but the county board with its appellate role is involved in reviewing decisions by school districts as well. Students and their parents/guardians who have been denied their request to transfer into or out of another school district or who have been expelled from district schools may appeal these decisions to the county board. Petitioners who have had their charter petitions denied or revoked by a district board may also appeal to the county board. Although not traditionally thought of as county office "oversight," like the review of district budgets, interim reports and LCAPs, the appellate review of these decisions by the county board, just like the reviews performed by the county superintendent, may result in decisions made by district governing boards being changed. The oversight performed by the county board in its role as an appellate body may not have the same overall impact as the rejection of a budget or an LCAP by the county superintendent, but for those directly affected by the board's decisions on appeal, it may carry the same weight.

The following are brief summaries of the appellate process for expulsions, interdistrict transfers and charter petitions. For a thorough description of each appellate process, please review the CSBA policies and regulations, and/or Education Code statutes referenced at the end of this section.

Expulsion appeals

Education Code lists specific acts of student misconduct that may result in their expulsion from schools in the district by the governing board. Education Code also includes procedural "due process" by which the student must be informed of any violation and how the expulsion process is to be conducted, including holding an evidentiary hearing. Except in the very limited instance where the county board will take evidence and hear the appeal all over again (de novo review), the review by the county board is limited to reviewing the transcript and the documents introduced at the district's hearing. A hearing officer or administrative panel may conduct the expulsion hearing instead of the board. The county board holds a hearing not for the re-introduction of evidence either by documents or witnesses, but to hear arguments by the parent/guardian about how the governing board's decision to expel the student was unlawful and from the district about how its expulsion process and hearing complied with the law.

Because the decision by the county board to grant or deny an expulsion appeal is based on the hearing transcript, the parent/guardian is required to request the transcript from the district when filing the appeal. Once requested, the best practice for the county office is to follow up to make sure the written transcript has been requested and that it will be provided by the district with enough time for board members and those representing the student and the district to review before the hearing. The appeals hearing process is developed by the county board and should be included in the expulsion appeal policy or bylaw adopted by the board. Legal arguments that can be presented by the parties in writing before the hearing can help the parties and the board focus on the

specific legal questions listed in Education Code that a board must base its decision on to either grant or deny the appeal.

The county board's decision should not be based on whether it liked or disliked the governing board's decision to expel a student but rather on credible information presented on appeal to answer any one of the following questions:

- Did the district's expulsion process follow the procedures required by Education Code?
- Did the student receive a fair hearing?
- Was the governing board's decision to expel a prejudicial abuse of its discretion?
- Was there relevant and material evidence unavailable or improperly excluded at the hearing?

The answers to these questions provide the basis for the county board granting or denying the appeal or, in the instance of material evidence being unavailable, remanding it back to the district board for reconsideration.

A NOTE ABOUT SINGLE DISTRICT/SINGLE COUNTY OFFICES: Although not specified in Education Code, to avoid the same board that made the decision to expel also hearing the appeal, expulsion appeals are usually heard by a neighboring county board.

Interdistrict attendance appeals

Students are compelled to attend school full-time until they reach the age of 18 and, unless they attend a charter school anywhere in California, the absolute right to attend a public school is limited to the schools in the district where their residence is located. Decisions about what schools students who reside in the district attend are governed by the intradistrict attendance policy and are not appealable to the county board. However, students have the right to request attendance in a district where they do not reside. Transfer requests from their home district to another district are usually made by filing an interdistrict transfer (or permit) with both districts. If the governing boards or administrative staff of the home district or district of requested attendance deny the request, the parent/guardian may appeal to the county board. A timely appeal will be accepted after verification by the county board's designee that all appeals within the district have been exhausted.

In expulsion appeals, the specific grounds to grant or deny the appeal are prescribed in the Education Code and the presentation of evidence is limited to the prior testimony and documents introduced at the district's expulsion hearing. Interdistrict attendance appeal hearing procedures, however, are not prescribed in Education Code, but rather are subject to the local rules and procedures developed by the county board. Unlike an expulsion hearing where there is a transcript to review, the county board conducts a "de novo" review, meaning the parties get to present the evidence supporting their positions all over again. Interdistrict attendance appeal hearings in Class 1 (ADA of 750,000 and over) and Class 2 (ADA of 140,000 to 749,999) counties may be held by a hearing officer or an administrative panel. For single district/single county offices, transfer requests by students residing in another county or in another state, the practice without statutory guidance is for the request first to be heard by the superintendent and if denied, appealed to the district board for resolution.

The decision made by the county board in an interdistrict appeal is not based on what the district did or did not do, though certainly that can be part of the board's consideration. Instead, unless new evidence or grounds for the request are introduced and the matter is then remanded back to the district board for further consideration, the "appeal shall be granted on its merits." (Education Code Section 46601) How a board determines which appeals have "merit" and which ones do not, has been left up for each county board to decide. If the board finds merit and grants the appeal, it may only order that the student be enrolled promptly in the requested district and not in a specific school in the district.

The procedures by which information is received from parents/guardians and from the district before the hearing, as well as how the appeal hearing will be conducted, should be included by the board in its interdistrict appeal policy or bylaw. The reasons for appeal that may be considered having enough merit to overturn the district's

decision should also be included in the board policy or bylaw. Regardless of how well thought out the policy may be, or how fair the appeal hearing may be run, because reasons for the appeal often include the student's higher education or career objectives, their safety or involve the transportation or custody needs of parents/guardians, members should be prepared for a hearing where parents and sometimes the student will give it their all, both intellectually and emotionally, to persuade the county board to overturn the district and grant the appeal.

OBSERVATIONS



Like expulsion hearings, the Brown Act does not specifically address interdistrict appeal hearings. But unlike expulsion hearings where the Education Code provides for the hearing to be in closed session unless the parent/guardian requests it to be in open session, the law governing interdistrict appeal hearings does not specifically provide for the hearings to be in closed session. Instead, county boards rely on the privacy rights provided to students in the Education Code that protect against the release of their personal information to conduct interdistrict appeal hearings in closed session. For example, if the reasons for the transfer involve personally identifiable information such as the student's behavior, grades or physical or mental health, the confidentiality of a closed session is appropriate. But if the reasons given for the transfer involve the parent's work or the proximity of their home to a school in another district, arguably those reasons do not involve a student's personally identifiable information that must be kept confidential. In this situation, unless the location of the parent or guardian's work in the district is included in the district's policy as a reason to accept a transfer, a district's decision to deny a request based solely on the location of the parent or guardian's work in the district is a residency issue not appealable to the county board.

A NOTE ABOUT CONFIDENTIAL INFORMATION: If a hearing is in open session and confidential information about the student is introduced that could influence the board's decision, the board may adjourn and reconvene the hearing in closed session to protect the student's right of privacy.

Charter appeals

County boards hear appeals of charter petitions submitted to the board that have been denied or revoked by district governing boards. Appeals may involve the denial of an initial petition or a renewal petition. Charter petitions submitted on appeal must be remanded back to the district for reconsideration if the terms on appeal differ materially from the petition that was denied by the district. County boards also have jurisdiction to hear appeals of existing charter school petitions that have been revoked.

The decision by the county board to grant or deny a charter petition on appeal is not limited to the reasons that supported the district's denial. Rather, Education Code provides specific criteria the board must consider before deciding whether to grant or deny the appeal. Either the charter petitioner or the district may appeal the board's decision to the State Board of Education, which has very limited jurisdiction to grant the appeal. Like initial petitions directly submitted to the county board, petitions approved by the board on appeal will result in the board becoming the charter authorizer and thus responsible for its monitoring and oversight. For a thorough discussion of the charter appeal process, please see CSBA's "Charter Schools: A Guide for Governance Teams."

OBSERVATIONS 

County boards may request the county superintendent receive, review and make recommendations to the board on an appeal. Because the Education Code is silent as to any role the superintendent may have in the petition process, the county board may delegate its responsibility to the superintendent to accept and review charter petitions that are filed to establish county office-related schools or filed with the board as an appeal. In the event the superintendent decides not to accept the delegation, the board may request the attorney who represents both the board and the superintendent to review the petition. However, if the shared attorney is not conversant with charter school law, or if a conflict would arise representing both the superintendent and the board on the appeal, the county board may, per Education Code Section 1042, independently contract with an attorney or a charter school specialist to review and advise the board about the appeal. If the board approves the petition and becomes the charter authorizer, and if the county superintendent decides after being requested not to do the oversight, the county board may have the shared attorney conduct the oversight unless doing so would cause a legal conflict of interest, in which case the board may hire an attorney or a specialist to assist with its oversight duties.

A note about single district/single county offices: Without statutory guidance, the common practice is for charter petitions denied by the single district/single county office governing board(s) to be appealed directly to the State Board.

Applicable CSBA sample policies: 0420.41 – Oversight of Charter Schools, 0420.44 – Appeals of Decisions Regarding Charter Schools, 5111 – Admission, 5116.1 – Intradistrict Open Enrollment, 5117 – Interdistrict Attendance, 5144.3 – Student Expulsion Appeals

Key legal citations: Education Code sections 1042, 1205, 35146, 46600, 46601, 46602, 47604.32, 47605, 47607, 48200, 48204, 48300-48315, 48900, 48900.2-48900.4, 48900.7, 48918, 48919-48925

F. Student board members

Recent legislation has opened the door for student representatives from county office programs to sit on the county board. High school students from county office programs may submit a petition to establish a seat on the county board of education. Once established by a student petition from county office students, the seat on the county board for a student board member may only be eliminated by a majority vote of the board. For county offices where a student petition has not been submitted, or if the student board member position has been eliminated by the board, high school students from county office programs or from district high schools in the county may be appointed by the board. In either instance, students are appointed by the board following the selection process established by the board.

Student trustees are largely treated like other board members. They are appointed to board committees, have access to most board agenda materials and may meet with county office staff. Student board members are entitled to be reimbursed for their mileage, and at the board's discretion, may receive course credit, financial compensation or both. Student board members cast advisory votes before other board members cast their vote (preferential voting) but may not vote on items involving employer-employee relations. Student board members do not attend closed session or receive closed session materials and are not considered to be the members of a legislative body or local agency for the purposes of the Brown Act.

OBSERVATIONS 

County office schools that may generate a petition from high school students include court and county community schools and charter schools authorized by the county board and operated by the county office. Due to the transitory nature of students served by the county office, and because smaller counties may depend on neighboring county offices to serve their court and community school students, some county boards may not receive a student petition from a county office high school and thus are only able to appoint a student representative attending a district high school in the county to serve on the board.

Applicable CSBA sample bylaw: 9150 – Student Board Members

Key legal citations: Education Code section 1000, 1090; Government Code Section 54950 et seq.

G. County Committee on School District Organization

The County Committee on School District Organization (county committee) generally reviews and acts upon two types of proposals related to California's 58 county offices and 1,050 school and community college districts. The first proposal type involves changing the size of trustee areas, the number of trustees on the governing board or how those trustees are elected. The second type involves petitions proposing to change district boundary lines or their current legal status to an elementary, high school or unified school district.

In 35 counties, county boards serve as the county committee. In the other counties that have six or more school and community college districts, the county committee consists of 11 members that are selected by a vote of representatives from each of the school and community college district governing boards in the county. In counties where the county board does not serve as the county committee, and that have fewer than six districts, the county superintendent determines the committee's size and appoints its members. Any initiative by the county board to become the county committee must be approved by the SBE.

In counties where the superintendent does not appoint the members of the county committee, representatives are selected at each board's annual meeting. Meetings are organized by the county superintendent who serves as the secretary for the committee. Representatives from each board cast their votes for candidates at the county committee's meeting held annually between Oct. 1 and Dec. 1.

Committee members serve four-year terms. Member vacancies on county committees are filled by county superintendents for the county committees they appoint. Otherwise, vacancies must be filled by the county committee within 70 days of their occurrence, or they too will be filled by the county superintendent. Although county committee meetings are subject to the Brown Act, meetings of the representatives to select the county committee members are not considered to be a meeting of the legislative body of a local agency that are subject to the Brown Act.

A key role of the county committee is to review and act on any changes to trustee area boundaries, the number of trustees on the governing board or the method of electing trustees (school districts only).

A proposal to make these changes may be initiated by a voter petition, by a petition filed by a school or community college district, by the county board or by the county committee on its own initiative. Changes made by district and community college governing boards to their trustee boundaries in response to the federal decennial census are not reviewed by the county committee. However, changes made to trustee area boundaries by the county board in response to the decennial census are reviewed by the committee.

Another critical role of the county committee is to review proposals to reorganize districts, including unifications and territory transfers. A reorganization petition may be

filed by voters, by owners of uninhabited property, or by each governing board affected by the proposed reorganization. County superintendents may assist petitioners prior to and after action on the petition has been initiated. Depending on the action taken, decisions by the county committee can be final, or may be subject to appeal and/or to approval by the SBE, and/or by approval of the voters.

OBSERVATIONS



Actions to reorganize districts, such as a petition to require an elementary district to instead be governed by a high school or unified district, can be quite controversial. What can add to the controversy, especially if the committee is the county board, is when the county committee acts on its own initiative to abolish or redraw a school district's trustee area boundaries or change the number of trustees sitting on the school board or how trustees are elected. Additionally, the method of how trustees are elected to their governing boards has been controversial for decades. In response to potential legal challenges based on alleged violations of the California Voting Rights Act, many governing boards have changed their method of voting from at-large voting to trustee-area voting.

Applicable CSBA sample bylaws: 9220 – Governing Board Elections, 9320 – Meetings and Notices

Key legal citations: Education Code sections 1002, 4002-4003, 4006, 4009, 4012, 4020,5019, 35511, 35709, 35710.5-35711; Government Code sections 54951-54952; Elections Code sections14025-14032

TIME FOR REFLECTION

Serving on a county board is an opportunity to fulfill the public trust. More than legal compliance or good intentions, ethical leadership requires trustees to model integrity, demonstrate transparency and uphold the mission of public education for all students. In a governance environment where decisions often carry both legal and moral weight, trustees must bring courage, humility and fairness to every decision. This section invites reflection on how you lead — not just what you decide.

- Ethical governance goes beyond avoiding misconduct, it involves decision-making that builds public trust. How does your board weigh competing interests while staying grounded in its responsibility to all students?
- Every boardroom values "doing what's best for students," but personal and community values can differ. How do you ensure your own values align with the board's collective responsibility?
- Board members are not only advocates, they are public representatives who must set aside personal preferences in favor of the public good. How do you navigate moments when public pressure or personal opinion may conflict with your legal or ethical responsibilities?
- Ethical leadership sometimes requires saying no to the popular or convenient choice. What does it mean to choose "the harder right over the easier wrong" in your service as a trustee?
- Ethical boards address concerns early and collaboratively. How can trustees respectfully raise issues that may generate some sensitivity without fostering defensiveness or division?
- Nobody is perfect, but accountability builds credibility. How do you stay open to feedback and maintain your commitment to ethical growth as a board member?

V COUNTY SUPERINTENDENT OF SCHOOLS:

An office with significant administrative and oversight responsibilities

A. Administration of the county office

The State Legislature declared in Education Code that it is the interest of the "state and of the people for the office of the county superintendent" to coordinate the educational program among the school and community college districts in their "territory" and to "provide professional and financial assistance" to the districts that because of their "size or location" may otherwise be unable to provide a satisfactory educational program. (Education Code Section 1700) To fulfill the state's interest, the county superintendent, whether elected or appointed, hires the employees who teach or assist the students attending county office programs, performs oversight of school districts and charter schools, and maintains a county office's facilities and fleet. The superintendent manages the employees who are involved with other governmental and quasi-governmental entities such as joint powers authorities. County office employees may be housed by the superintendent in offices owned or leased by the county board or by the county superintendent.

Education Code provides that the county board may decide to adopt "rules and regulations governing the administration of the office of the county superintendent of schools." (Education Code Section 1042) The implementation of this permissive power to regulate how the county office is run has puzzled county board members and superintendents for decades. A good rule of thumb for county boards that decide to adopt rules and regulations for the office of the county superintendent per Education Code Section 1042 is to do so only within their scope of authority, like developing procedures for processing appeals or for adopting the annual budget or LCAP.

For example, unlike school district boards, the county board does not have the authority to approve the hiring of employees. For county offices, the authority to hire, fire and lay off employee's rests with the county superintendent. The authority vested in the superintendent to administer and run the office may conflict with the authority of the county board to regulate the administration of the office. As such, any action by county boards to adopt rules and regulations that could affect the conditions of employment — like salaries and benefits, office and shift hours, transfers and promotions, job duties and evaluations and permanent or probationary status — would interfere with the superintendent's authority to make those decisions.

The superintendent's authority to manage the county office outside of the oversight of the county board is not

unlimited. There are many instances where the county board has approval power involving county office operations including:

- Adopting the annual budget
- Adopting the LCAP and updates
- Approving the Budget Overview for Parents
- Approving budget revisions greater than $25,000
- Approving consultant contracts of $25,000 or more that are also budget revisions
- Approving disposal of personal property worth more than $25,000
- Approving the increase in an employee's retirement benefits of $10,000 or more
- Fixing the county superintendent's salary and benefits
- Adopting regulations for payment of travel expenses of the superintendent and staff
- Designating a fund balance of unappropriated reserves under board control
- Acquiring, leasing and purchasing real property
- With the county superintendent, appoint joint legal counsel
- Hiring the county superintendent (in four counties)

There are also many instances where the county board has approval power involving county office programs and services including:

- Establishing county community schools
- Providing for the administration of juvenile court schools
- Authorizing charter schools including those approved on appeal
- Establishing child development programs and centers
- Approving the course of study for court and community schools
- Selecting textbooks and instructional materials for court and community schools
- Determining the sufficiency of textbooks and instructional materials
- Acting as the governing board for ROC/Ps
- Certifying alignment of independent study courses with state content standards
- Approving any health and guidance services offered to districts
- Approving outdoor science education programs and classes offered to districts
- Issuing temporary teaching certificates to certificated employees countywide

OBSERVATIONS 

The county board, prior to adopting the annual budget, may make changes that do not encroach on the authority of the county superintendent to manage the county office or to provide direct services to districts. Because the county board appropriates the funds in the budget and the county superintendent allocates those funds during the coming budget year, revisions made prior to adoption that may have an impact on the staff under the control of the county superintendent could be disputed. How a court would rule on any dispute depends on what changes were actually made by the board to the budget. Like the rule of thumb for the board establishing regulations for the administration of the office of the superintendent, any changes to the budget, if outside the scope of the board's authority and within the authority of the superintendent, would be more difficult to successfully support in court.

Hypothetically, the board, prior to budget adoption, may seek to increase the number of and compensation for the county office employees involved in providing differentiated technical assistance to underperforming districts and charter schools. Because the authority rests with the superintendent to provide the differentiated assistance and to negotiate the salary and benefits of the employees hired to deliver the assistance, any changes made to the budget by the board would be outside the scope of their authority and the superintendent would not only be under no duty to spend the funds appropriated but would have the upper hand in any legal dispute. However, revisions made to the budget that are within the board's scope of authority — like adding funding to help the board with appeals or increasing the overall funding of court and community schools in response to the goals, priorities and specific actions established in the LCAP — would give the board the upper hand legally, especially if the funds appropriated by the board for these revisions come from the board's designated reserve.

The inclusion of these two hypotheticals is not to prompt disagreements over the budget priorities of the county office and how those priorities end up in the adopted budget. Rather, the hypotheticals have been included to help head off disputes before budget adoption by encouraging active communication between the board and the superintendent while the following year's budget is being prepared. Communication is a proven way to find a path forward where the interests of both entities can merge into the annual budget. By establishing budget committees and holding budget workshops and board study sessions, board members will have the opportunity to become better informed of the proposed spending and projected revenue streams that are being counted on to fund the program and policy interests included in each county office budget.

Applicable CSBA sample policies: 0420.4 – Authorization of Charter Schools, 0420.44 – Appeals of District Decisions Regarding Charter Schools, 0200 – Goals for the County Office, 0460 – Local Control and Accountability Plan, 3100 – Budget Adoption and Revision, 3110 – Transfer of Funds, 6143 – Courses of Study, 6158 – Independent Study, 6161– Selection and Evaluation of Instructional Materials, 6161.11 – Supplementary Instructional Materials, 6178 – Regional Occupational Center/Program, 6186 – Juvenile Court Schools, 9000 – Role of the Board

Key legal citations: California Constitution: Article IX, Section 3; Education Code sections 1042, 1080, 1081, 1200, 1207, 1279-1281,1290-1296, 1302, 1311-1319, 1621-1622, 1700, 1750, 1760, 1980, 1983, 8763, 35041.5, 44332, 47605, 47505.5-47605.6, 48645.2-48645.3, 51749.5, 52064.1, 52066, 52310.5, 60119, 60200; 17 CCR 52000-52175

B. Preparation of the county office budget, interim reports, audit, LCAP and LCFF Budget Overview for Parents

The multi-year budget for the county office is prepared by the county superintendent. The single fund budget in the 55 fiscally independent counties consists of the operational funding, both restricted and unrestricted, for the county superintendent, the county board and the county committee. The budget in the three fiscally dependent counties consists of a county school service fund approved by the county board and submitted to the SSPI and a general fund approved by the board of supervisors. Critically, each county office is required to maintain a minimum reserve for economic uncertainties. This minimum amount is either calculated as a percentage of budgeted general fund expenditures or as enough funds to pay for at least two months of operating expenditures out of the general fund. Other budget reserves may be designated for certain purposes and projects by both the board and the superintendent. A fund balance designated in the budget by the county board may only be appropriated by a majority vote of the board.

The superintendent is responsible for preparing two budget interim reports for review by the board. Following their review, the county superintendent certifies whether the county office will be able to meet its financial obligations for the remainder of the current year and for the two subsequent fiscal years. The superintendent submits the interim reports to the SSPI who can accept or change the county superintendent's certifications. The superintendent is also required every year to submit to the SSPI by Oct. 1 a budget with all the "known and estimated revenues of the county school service fund" along with the "proposed expenditures" from the fund for the "succeeding fiscal year." (Education Code Section 14050) The county superintendent also hires an external, independent auditor to complete the annual audit of the county office. The audit is presented to the county board for review, after which it is filed with CDE and the state controller for review.

The LCAP is a three-year plan prepared by the county superintendent following notice to parents, students and community members of their opportunity to contribute input on the LCAP or its updates. The LCAP is completed on a template approved by the State Board with data from the California School Dashboard and other sources detailing the performance of students attending court and county community schools. The superintendent is responsible to annually assemble two parent advisory committees and a student advisory committee to assist in the development of the LCAP or its updates. Because board members are omitted in Education Code from the LCAP planning process, they are not encouraged to participate in the advisory committee meetings.

While preparing the LCAP or update, the county superintendent is simultaneously preparing the LCFF Budget Overview for Parents to present to the board for approval. First required in 2016, the budget overview in part provides a summary of the funds budgeted for the next fiscal year for the specific actions planned by the county office to attain the goals and achieve the student outcomes established in the LCAP or update. The parent overview also compares the expenditures budgeted for the current year's LCAP or update with the actual expenditures that were made to increase or improve the services provided to foster youth, English learners and low-income students. Following board approval, the Budget Overview for Parents is submitted to the SSPI for review and approval.

OBSERVATIONS



The county superintendent has a duty to prepare the county office budget and LCAP or update and present them to the board for adoption in a timely manner. Board members also have the duty to review the budget and LCAP agenda packets and be prepared to contribute to the board's discussion and deliberations prior to their adoption. Both documents, following board adoption, like the Budget Overview for Parents following board approval, are submitted to the SSPI for approval.

Applicable CSBA sample polices: 0460 – Local Control and Accountability Plan, 3100 – Budget Adoption and Revision

Key legal citations: Education Code sections 1040-1042, 1240, 1620-1622, 1627, 14050, 52064.1, 52066, 52068, 52069; California School Accounting Manual (CSAM), 5 CCR 15467-15493

C. Oversight responsibilities of county superintendents over school districts and charter schools

Budgets, interim reports and emergency loans

Since the passage of AB 1200 in 1991, county superintendents and their staff have acted as the state's "watchdog" over district financial affairs. County superintendents use the criteria and standards in the California School Accounting Manual (CSAM) adopted by the SBE to review and approve district budgets and interim budget reports. As part of AB 1200's "early warning system," county superintendents review for signs of fiscal distress in the adopted budget and in the risk certifications made by district governing boards for the budget, as well as for the two interim budget reports. In the event the fiscal health of the district is either certified as "qualified" or "negative" by the district or by the county superintendent, the county office provides for or arranges assistance to help districts in fiscal distress return to a positive budget certification. The county superintendent also reviews and comments on any proposed collective bargaining agreement negotiated by districts with qualified or negative budget certifications.

In the event a district obtains an emergency loan from the state to pay its bills, the county superintendent, along with the SSPI and State Board president, appoint a trustee to help guide the district's return to fiscal solvency. After the trustee concludes their service, and for as long as the loan remains unpaid, the county superintendent may stay and rescind any action by the district's governing board that may affect the financial condition of the district, including the ratification of collective bargaining agreements. For emergency loans exceeding 200 percent of the district's reserve requirement as calculated by the formula in the State Board's fiscal solvency criteria and standards established in the CSAM, the county superintendent assumes full control of the district including all legal rights, duties and powers of the district's governing board to manage the district's fiscal recovery and loan repayment.

Local Control and Accountability Plans

Concurrently with LCFF taking effect for COE court and community schools on July 1, 2014, county superintendents were tasked with reviewing and approving district LCAPs and annual updates. If disapproved, the county superintendent must assist districts with making changes to the LCAP so it can be approved. Not only does the superintendent review the district's LCAP for compliance with the State Board's template, but the office must also provide or arrange for individually designed technical assistance, known as "differentiated assistance," to districts and district schools that have failed to improve pupil achievement in local or state priorities or indicators for one or more of the pupil subgroups identified in LCFF. Several county offices have been established as geographic leads in a Statewide System of Support to coordinate providing targeted differentiated assistance to districts and schools, including referring the district to the California Collaborative for Educational Excellence (CCEE). Additionally, at the meeting where the county office's LCAP is up for approval, the superintendent must present to the county board a summary of how the office will support the continuous improvement of all districts in the county, and how the county superintendent plans to assist each district and charter school identified for technical assistance.

Williams oversight

Under legislation enacted over 20 years ago to implement the settlement of a class action lawsuit filed against the state, county superintendents must annually visit and

report to the governing boards of each district, county office and to the county board of supervisors on every underperforming school meeting certain criteria. Quarterly Williams reports include the results of monitoring underperforming schools to ensure that students have access to safe and adequate facilities, are being taught by qualified and credentialed teachers, and have available adequate textbooks and instructional materials.

Other oversight responsibilities

County superintendents are tasked with visiting and examining each school in the county "at reasonable intervals to observe its operations and learn of its problems." (Education Code Section 1240) Superintendents may examine pay orders and issue warrants for districts in the county. They also ascertain and keep an accurate record of the boundary lines of the district and community colleges located in the county. They approve emergency "no-bid" contracts and review and approve any plan submitted by the Special Education Local Plan Area (SELPA) prepared by one or more districts to serve special education students in the county. County superintendents must verify district unaudited actuals for mathematical accuracy and certify to the SSPI and state controller that they have reviewed every audit and every audit exception involving state funding for the district and charter schools authorized by LEAs in the county. Superintendents also validate that the unduplicated pupil counts have been reported accurately to the CDE by districts and charter schools under their jurisdiction and approve each district's LCFF Budget Overview for Parents for adherence to the CDE's template.

OBSERVATIONS

Along with the specific duties embedded in the statutes establishing the oversight responsibilities of districts required of county superintendents, Education Code provides that the county superintendent can audit at any time the expenditures and internal controls of fiscally accountable districts (e.g. districts that issue warrants without preapproval by the county office). The superintendent may also audit at any time a school district or charter school in the county, when they "have reason to believe" that fraud, misappropriation of funds or other illegal fiscal practices have occurred. (Education Code Section 1241.5) But the oversight responsibility of county superintendents for charter schools is more limited. Though able to investigate and monitor charter schools based on suspected fraud and parent complaints, or make reasonable inquiries related to financial and other records, county superintendents receive but do not review or approve the annual budgets, interim reports, unaudited actuals or the LCAP adopted by the charter schools authorized by districts in the county. And though these oversight duties rest squarely with the county superintendent, it is a common practice for the superintendent to let the county board member with the district or charter school located in their trustee area know of oversight activities by the county office.

Applicable CSBA sample board policies: 0420.41 – Oversight of Charter Schools, 0430 – Comprehensive Local Plan for Special Education, 0200 – Goals for the County Office, 0460 – Local Control and Accountability Plan, 1312.4 – Williams Uniform Complaint Procedure, 3311 – Bids

Key legal citations: Education Code sections 1240, 1241.5, 2600, 33127, 33129, 41010, 41020, 41320-41320.1, 41325-41326, 42100, 42127-42127.3, 42127.6, 42238.02, 42636, 42639, 47604.3, 47604.33, 47604.4, 52064.1, 52066, 52070-52071, 52073, 56140; Government Code Section 3540.2; Public Contracts Code Section 20113; 5 CCR 15440-15466

C. Special Education Local Plan Areas (SELPAs)

SELPAs were established statewide in 1980 under the state's Master Plan for Special Education. To better coordinate serving students with disabilities, school districts and county offices of education were required to form consortiums of sufficient size and scope capable of addressing the special education needs of the students residing inside the plan area boundaries. SELPAs have been especially helpful in rural counties with small population centers.

There are many different governing models for SELPAs including those composed of districts and a county office(s), those composed only of charter schools, and those composed of districts or county offices operating alone. There are currently 136 SELPAs providing education and related services to almost 800,000 students, or close to 13 percent of the students attending California's public schools. Local plans prepared by districts, which must meet the criteria and guidelines established by the State Board, are first submitted to the county office for review and approval. The "county office" for special education purposes is defined as the county superintendent. (Education Code Section 56022) Local plans that are approved by the county superintendent are submitted to the SSPI who, in 2000, was delegated the authority by the State Board to review and approve local plans. As such, any local plan that is disapproved by the county superintendent may be appealed to the SSPI for review and approval.

Each SELPA is responsible for developing a local plan agreed to by its members that establishes the governance, financing, administration and delivery of special education services in the plan area. SELPAs receive funding from the state, some of which comes from LCFF but most of which comes through the AB 602 funding model. SELPAs also receive local property taxes, and their regional share of the federal IDEA funding allocated to the state. Since IDEA was enacted in 1975, the federal government annually underfunds its nationwide mandate that students with disabilities receive a free and appropriate education.

The responsible local agency (RLA) is the legal entity that receives the funds. The RLA acts as the administrative arm for each SELPA and coordinates the continuum of special education program options and related services offered to students with special needs and disabilities in the plan area from birth to age 22. When the county office is a member of the SELPA, the county superintendent typically acts as the RLA.

OBSERVATIONS



County superintendents play a pivotal role in coordinating the delivery of special education and related services to students both in the county and regionally. District students may receive services from the county office through its agreements with the SELPA and/or with each district on a fee-for-service basis. Regardless of how special education and related services are delivered, the funding received is far below the cost of educating and accommodating students per their individualized education program (IEP) and/or their Section 504 plan. The county board's role in special education may be to appropriate resources in the annual budget necessary to cover any costs incurred by the county office in providing special education and related services that are not otherwise covered by the state, and federal funding that is received directly by the county office from the SELPA or from districts on a fee-for-service basis. The county board also appoints, along with any district governing boards belonging to the SELPA, members of the SELPA's community advisory committee (CAC). The CAC has many responsibilities including evaluating the implementation of the local plan and encouraging parent involvement.

Applicable CSBA sample policies: 0430 – Comprehensive Local Plan for Special Education, 6159 – Individualized Education Program, 6164.4 – Identification and Evaluation of Individuals for Special Education, 6164.6 – Identification and Education under Section 504

Key legal citations: Education Code sections 2571-2572, 42238.02, 56000, 56022, 56030, 56122, 56140, 56190-56194, 56195, 56195.1, 56195.5, 56205, 56836.14-56836.15, 56836.23-56836.31; 20 U.S.C. 1400 et seq. (IDEA), 29 U.S.C. 794 (Section 504)

TIME FOR REFLECTION

Governance and administration are often described as separate — but in county offices of education, the boundaries can feel complex. The county superintendent is charged with managing the day-to-day operations, while the board exercises its authority through the adoption of policy, the annual budget and the LCAP. This section helps board members clarify where their influence lies and how to work in partnership with the superintendent to uphold the board's responsibilities without overstepping legal boundaries.

- Boards do not hire or evaluate staff (except in rare instances where they appoint the superintendent), yet they do adopt budgets that fund personnel. How can your board support effective staffing and service delivery without interfering with the superintendent's administrative and managerial role?
- Conflicts can arise when board goals and superintendent strategies are not aligned. What mechanisms (e.g., joint planning sessions, budget committees) does your board use to maintain alignment and prevent conflict?
- Hypotheticals in this section illustrate the risk of overreach — such as trying to direct staff compensation or assignments. How can your board stay proactive and engaged without drifting into management decisions?
- When boards attempt to influence day-to-day operations, legal or relational consequences can follow. How do you maintain a healthy governance culture that focuses on direction-setting, oversight and accountability?

Appendix A

CSBA sample policies for COEs
CSBA sample manual site

Board Bylaw 9000: Role Of The Board **Status: ADOPTED**

Original Adopted Date: 01/01/2016 | **Last Revised Date:** 01/01/2019 | **Last Reviewed Date:** 01/01/2019

The County Board of Education provides leadership and citizen oversight for educational programs and services operated by the county office of education (COE), including services provided to school districts and the community. The primary objectives of the County Board are to work with the County Superintendent of Schools to establish direction and priorities for the COE and to provide leadership necessary for the success of public education.

In fulfilling its objectives, it is the role of the County Board to:

1. Adopt and update policies for its own governance and for programs under the statutory authority of the County Board
2. Ensure accountability for student learning in schools and programs under the statutory authority of the County Board
3. Fulfill responsibilities related to the local control funding formula (LCFF), including adopting the COE local control and accountability plan or update and the LCFF budget overview for parents/guardians
4. Provide community leadership on educational issues and advocate on behalf of students and public education at the local, state, and federal levels
5. Collaborate with the County Superintendent to ensure implementation of the shared vision, goals, and policies of the COE
6. Collaborate with the County Superintendent to ensure the provision of a safe and appropriate educational environment for all COE students
7. Adopt the annual budget and review interim reports of the County Superintendent
8. Fix the salary of the County Superintendent in accordance with law
9. Adopt rules and regulations governing the administration of the office of the County Superintendent
10. Acquire, lease, lease-purchase, hold, and convey real property for the purpose of housing the offices and the services of the COE
11. Maintain a cooperative and supportive working relationship with local school districts, their school boards, and the community
12. Conduct appeals on the following actions by district governing boards: student expulsions; interdistrict transfer requests; denials, nonrenewals, or revocations of charter school petitions; and other matters when required by law Conduct public hearings when appropriate
13. Consider petitions and provide oversight for charter schools approved by the County Board and fulfill other statutory responsibilities in connection with charter schools

The County Board is authorized to establish, carry on, and finance any program or activity that is not in conflict with, inconsistent with, or preempted by law and does not conflict with the purposes for which the County Board is established. (Education Code 35160-35160)

Policy reference disclaimer:

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State	Description
5 CCR 17433	Claims for travel expense
5 CCR 18271	Child care and development programs; philosophy, goals and objectives
CA Constitution Article 9, Section 3.1	County superintendent qualifications and salary
Ed. Code 1000-1017	Election, jurisdiction, organization and procedure; county boards of education
Ed. Code 1040-1048	Duties and responsibilities; county boards of education
Ed. Code 1042	County boards; authority
Ed. Code 1080-1082	Transfer of duties and functions to county board
Ed. Code 1090	Compensation for county board member services
Ed. Code 1095	County board membership in organizations for promotion and advancement of public education
Ed. Code 1200	Actual and necessary travel expenses incurred by county superintendent
Ed. Code 1209	Approval by county board for determination of county superintendent salary
Ed. Code 1240	Duties of county superintendent
Ed. Code 1240-1281	Duties, responsibilities, and general powers; county superintendents of schools
Ed. Code 1279	Disposal of personal property
Ed. Code 1280	Budget revisions
Ed. Code 1294	Staff employed by county superintendent
Ed. Code 1295	Leaves of absence for non-certificated staff
Ed. Code 1302	Salary, bonus and retirement benefits increases for county office of education staff
Ed. Code 1620-1630	County board budget approval and adoption, including appropriations limit resolution
Ed. Code 17150-17150.1	School bonds; public disclosure of non-voter-approved debt
Ed. Code 1720	Preparation of courses of study and development of curriculum and instructional materials
Ed. Code 1730	Supervision of instruction
Ed. Code 1740	Supervision of attendance
Ed. Code 1750	Supervision of health
Ed. Code 1760	Provision of guidance services

Ed. Code 1770	Provision of library services
Ed. Code 1900	Classes or schools for prisoners
Ed. Code 1920	Emergency schools
Ed. Code 1945	Provision of advisory services
Ed. Code 1946	Agreements with districts for centralized in-service training programs
Ed. Code 1980-1986	County community schools
Ed. Code 33050	Request to state board for waiver
Ed. Code 33319.5	Implementation of authority of local agencies
Ed. Code 35160	Authority of county boards
Ed. Code 35160.1	Authority of county boards; legislative intent
Ed. Code 4020-4024	Transfer of duties of county committee to county board
Ed. Code 41032	Gifts, donations, bequests and devises
Ed. Code 44332	Temporary certificates for purpose of authorizing salary payments
Ed. Code 44422	Hearing by county board; immoral or unprofessional conduct by holder of credential
Ed. Code 46601	Parent/guardian appeal of interdistrict transfer request
Ed. Code 47600-47616.5	Charter Schools Act of 1992, as amended
Ed. Code 48321	County school attendance review board
Ed. Code 48645-48648	Juvenile court schools
Ed. Code 48919	Expulsion and appeals to county board
Ed. Code 5000	Election of district board members
Ed. Code 5091	Vacancy on district board
Ed. Code 52064.1-52077	Local control and accountability plan
Ed. Code 52300-52334.7	Career technical education; regional occupational centers
Ed. Code 60119	District requirements for instructional materials funding
Ed. Code 60200-60213	Selection and adoption of elementary school materials
Ed. Code 60400	Adoption and purchase of high school textbooks
Ed. Code 8321	County superintendent authority to establish and maintain child development programs
Elec. Code 9603	Advisory election during regular or special election
Gov. Code 53096	City or county ordinance inapplicable to proposed use of property
Gov. Code 53822	Temporary borrowing; notes, tax anticipation warrants or other evidences or indebtedness
Gov. Code 87300	Conflict of interest code
Gov. Code 910-915.4	Presentation and consideration of claims

Management resources	Description
Attorney General opinion	72 Ops. California Attorney General 205 (1989)
California County Superintendents publication	Statutory Functions of County Boards of Education and County Superintendents of Schools, rev. 2014
California County Boards of Education publication	County Board Member Handbook: A Guide to Effective Governance, 2015
CSBA publication	Professional Governance Standards for County Boards, October 2014
Website	CSBA: www.csba.org
Website	California County Superintendents: cacountysupts.org

Cross references

Code	Description
0460	Local Control and Accountability Plan
0460	Local Control and Accountability Plan
5117.1	Interdistrict Attendance Appeals
6162.5	Student Assessment
9121	President
9124	Attorney
9230	Orientation
9240	Board Training
9310	Board Policies
9323.2	Actions By the Board
9323.2-E(1)	Actions By the Board
9324	Minutes and recordings
9400	Board Self-Evaluation
9500	County Superintendent's Remuneration

Appendix B

California County Superintendents, Statutory Functions of County Superintendents of Schools and County Boards of Education

Statutory Functions: http://bit.ly/4lE9f5V

Appendix C

Glossary of acronyms with brief descriptions of key legislation and constitutional amendments

Acronyms	
AB: Assembly bill	**FCMAT:** Fiscal Crisis and Management Assistance Team
ADA: Average Daily Attendance	**GCS:** Governance Consulting Services
AEC: Annual Education Conference and Trade Show	**IDEA:** Individuals with Disabilities Education Act
CASPP: California Assessment of Student Performance and Progress	**IEP:** Individualized education program
CAC: Community advisory committee	**LCAP:** Local Control and Accountability Plan
CCEE: California Collaborative for Educational Excellence	**LCFF:** Local Control Funding Formula
CCS: California County Superintendents	**LEA:** Local educational agency
CDE: California Department of Education	**MIG:** Masters in Governance
COLA: Cost of living adjustment	**RLA:** Responsible Local Agency
COE: County office of education	**ROC/Ps:** Regional Occupational Centers and Programs
COPS: Certificates of Participation	**SARB:** Student Attendance Review Board
CSAM: California School Accounting Manual	**SARC:** School Accountability Report Card
CSBA: California School Boards Association	**SELPA:** Special Education Local Plan Area
CSU: California State University	**SBE:** State Board of Education
CTC: Commission on Teacher Credentialing	**SSPI:** State Superintendent of Public Instruction
CTE: Career technical education	**UC:** University of California
ELA: Education Legal Alliance	**UCP:** Uniform Complaint Procedure
ESSA: Every Student Succeeds Act	

Brief descriptions of key legislation and constitutional amendments

AB 1200: This 1992 legislation made county superintendents responsible for reviewing district budgets and interim budget reports and determining if a district can meet its financial obligations for the current and two subsequent fiscal years.

BROWN ACT: California's open meeting law for local governing bodies like county boards of education. It requires public access to meetings including the right to comment at the meeting on items on the agenda and at regular meetings on non-agenda items within the subject jurisdiction of the county board.

CALIFORNIA SCHOOL DASHBOARD: As part of the state's accountability system, the CDE operates the Dashboard website, which is used to track and evaluate student performance for each LEA (county office, school district, charter school), each school and for designated student groups on the six LCFF statewide indicators and the seven LCFF local indicators for county offices.

CALIFORNIA VOTING RIGHTS ACT: The act was passed in 2001 to address and prevent the dilution of votes by minority groups in local elections. Legal challenges under the act have primarily focused on at-large voting, which courts have found to cause racially polarized voting.

DASHBOARD ALTERNATIVE SCHOOL STATUS (DASS): A component of the California School Dashboard, alternative schools serving high-risk students like court and county community schools use a modified accountability model to report student performance on the six LCFF statewide indicators.

GANN LIMIT: The appropriations limit on local government spending as established by Proposition 4 in 1979. Named after its author, Paul Gann, the limit is designed to keep per-person government spending, after being adjusted for inflation, under 1978–79 spending levels.

PROPOSITION 98: Passed in 1988, Prop 98 provides a minimum funding guarantee for TK-14 districts through three different formulas (Tests 1, 2 and 3), that along with a "maintenance factor," ensures public schools and community colleges receive a consistent and reliable level of funding each year. CSBA's Education Legal Alliance has initiated several lawsuits challenging the state's interpretation and manipulation of Prop 98.

WILLIAMS ACT: The settlement of the class action lawsuit brought by the by ACLU and district students against California seeking access to a quality education resulted in legislation requiring every student to have access to instructional materials, clean and safe facilities and qualified teachers. The Uniform Complaint Procedures (UCP), which is used to file a variety of complaints against LEAs including Williams complaints, and the School Accountability Report Card (SARC), which is used to report on compliance with the Williams Act, were also terms of the settlement that were codified into law in 2004.

Appendix D

Legal citations with brief descriptions

CALIFORNIA CONSTITUTION

Article IX, Section 3: Election or appointment of county superintendent

Article IX, Section 3.1: County board shall fix the salary of the county superintendent

Article IX, Section 3.3: A county charter may provide for the election of the county board of education, their qualifications and terms of office

Article IX, Section 7: The Legislature shall provide for the appointment or election of a county board of education

Article XVI, Section 8: Proposition 98 and its minimum funding guarantee for TK:14 education

EDUCATION CODE

1000: Composition of county offices including single district/single county and charter law COEs, student board members

1002: County board trustee area boundary changes made by the county committee

1003: Changes to the number of trustees on the county board made by the county committee

1008: County board vacancies

1010: County superintendent as ex officio secretary and executive officer of the board

1040: Mandatory duties of county boards including adopting the annual budget and reviewing the annual audit

1042: Permissive duties of county boards including adopting rues for the administration of the office of the county superintendent and hiring independent contractors for special services and advice

1043: Transfer of duties and functions from the county board of supervisors to the county board of education

1080: Duties and functions that may be transferred by the county board of supervisors

1081: Board policy on travel expenses in fiscally independent counties

1090: Board member compensation including student board members

1200: Payment of travel expenses in fiscally dependent counties

1205: Classification of counties by ADA

1206: County superintendent credential requirement

1207: County superintendent salary and benefits

1208: County superintendent administrative credential requirement

1240: General duties of the county superintendent including superintending the schools of the county and enforcing the course of study

1241.5: Audit of districts and charter schools for suspected fraud

1279: Disposal of personal property

1280: Budget revisions

1281: Budget revisions and consultant contracts

1290 to 1296: Employment of county office certificated employees

1302: Increases in compensation or retirement benefits requiring board approval

1311 to 1319: Employment of county office classified employees

1620 to 1622: County office budget preparation, adoption, and submission process

1623 to 1624: SSPI budget review and approval process of county office budget

1626: Operating under the prior year's budget

1627: Audit of county school service fund

1700: Coordination of district and community college programs

1730: Supervision of instruction of small elementary districts

1740: Supervision of attendance of small elementary, high school and unified districts

1750: Provision of health services to small elementary, high school and unified districts

1760: Provision of guidance services to small elementary, high school and unified districts

1770: Provision of library services to school districts

1920: Emergency education for elementary school students

1980 et seq.: County community schools

1983: County community school course of study and credit recovery programs

1984: County board deemed to be a school district

2571 to 2572: Special education funding

2574 to 2576: County office LCFF

2600: Keeping records of school and community college district boundaries

4000 to 4014: County committee on school district organization

4020: Petition to the SBE to change the composition of the county committee

5019: Trustee areas and the size of governing boards

8207 et seq.: State preschool programs

8763: Outdoor science education and conservation education

14050: Submission by county superintendent of succeeding year's budget to the SSPI

17150 to 17150.1: Non-voter approved debt like revenue bonds and COPs

33127: Criteria and standards for budgets and management of expenditures

33129: Required use of SBE's criteria and standards by LEAs

35012: Student board members appointed by districts

35511: Reorganization of districts

35709: Territory transfer of uninhabited property or inhabited property with low assessed value

35710.5 to 35711: Appeal of county committee decision to SBE

35041.5: Same attorney representing the county board and county superintendent

35146: Closed session to prevent disclosure of confidential student information

35147: Open meeting laws

35160 to 35162.1: Discretionary powers of county boards and county superintendents

41010: California School Accounting Manual

41020: Certification of district audit exceptions

41320 to 41320.1: Emergency state loans to districts

41325 to 41326: Conditions on receipt of emergency state loans

42100: Verification of district unaudited actuals

42127 District budget preparation, adoption and submission process

42127.1 to 42127.3: SSPI district budget review and approval process

42127.6: Duties of county superintendent with districts in fiscal distress

42131: Approve and certification by district boards of interim budget reports

42238.02: LCFF including review and validation of district unduplicated pupil counts

42636: Examination and approval of pay orders submitted by school districts

42639: Approval of requisitions and warrants on the county treasury

44332: Issuance of temporary teaching certificates

44830 et seq.: Employment of district certificated employees

45100 et seq. :Employment of district classified employees

46600 to 46602: Interdistrict attendance appeals

46601: Appeals granted or denied based on merit

47604.1: Charter schools subject to the Brown Act and Public Records Act

47604.3: Inquiries by county boards and county superintendents to charter schools

47604.32: Oversight duties of charter authorizer

47604.33: Annual reports submitted by charter schools to the county board and the county superintendent

47604.4: Investigation and monitoring of charter schools by county superintendent

47605: Authorization of charter schools by district boards and by county boards on appeal

47605.5:47605.6: Authorization of county office charter schools by county boards

47607: Appeals of renewal petition or revocation of charter by district board

48200: Compulsory education

48204: Residency requirements for school attendance

48300 to 48315: School districts of choice

48900 to 48900.7: Grounds for expulsion and suspension

48916: Rehabilitation plans for expelled students

48918: Expulsion process and procedures

48919 to 48925: Expulsion appeals

48320 to 48326: Student attendance review boards

48645 et seq.: Juvenile court schools

- 48645.2: Administration and operation of court schools
- 48645.3: Juvenile court school course of study

51749.5: Certification of independent study courses meeting state content standards

52052: Statewide assessments including reporting for alternative education students

52062: Approval of LCAP by district board

52063: LCFF district parent advisory committees

52064.1: Budget Overview for Parents

52066: Development and required content of the LCAP

52067: LCAP updates

52068: Approval of county office LCAP

52069: LCFF county office parent advisory committees

52070: Submission of district LCAPs to the county superintendent

52070.5: Submission of county office LCAPs to the SSPI

52071: Technical assistance provided to districts

52071.5: Disapproval of county office LCAP by the SSPI

52073: County offices as geographic leads in the system of technical support

52300 to 52334: Regional Occupational Centers and Programs (ROC/Ps)

52310.5: County board as the ROC/P governing board

56000: Special education programs generally

56022: County office defined

56030: Responsible local agency defined

56122: Development of SELPA

56140: Duties of the county office with local SELPAs

56190 to 56194: SELPA community advisory committees

56195: Administration of local plan and allocation of funds

56195.1: SELPA formation, administration and governance

56195.5 Authority of county superintendent as a member of SELPA

56140: Approval of local SELPAs

56205: Required content as described in local plans

56836.14 to 56836.15: Special education funding formula

56836.23 to 56836.31: Administration of regionalized operations and services

60119: Determination of sufficiency of textbooks and instructional materials

60200: Adoption of textbooks and instructional materials

60640:60641 California Assessment of Student Performance and Progress (CASPP)

ELECTIONS CODE

14025 to 14032: California Voting Rights Act of 2001

GOVERNMENT CODE

3540.2: Review of bargaining agreements of districts with qualified or negative budget certifications

3547 to 3547.5: Sunshine of initial bargaining proposals and disclosure of major terms in bargaining agreements

7920.000 to 7923.805: Public Records Act

23700:23714: County charters and county charter commissions

24000: County officers including superintendents of schools

54950 to 54963: Brown Act

- 54951: Definition of local agency
- 54952: Definition of legislative body
- 54952.2: Meeting posting requirements and unlawful meetings
- 54953: Teleconferencing
- 54954: Regular and special meetings
- 54956.5: Emergency meetings
- 54957.5: Availability of meeting materials
- 54957.95: Disruption of board meeting
- 54959: Criminal penalty for violating the Brown Act
- 54962: Closed session
- 54963: Confidentiality of closed session

81000 to 91014: Political Reform Act

- 87200:87211: Statement of Economic Interests (Form 700)

HEALTH AND SAFETY CODE

34179: Successor redevelopment agency oversight board

PUBLIC CONTRACT CODE

20113.5: Review and approval of emergency, no-bid contracts

CALIFORNIA CODE OF REGULATIONS

5 CCR 15440:15466: State criteria and standards for district budgets and interim reports

5 CCR 15467 to 15493: State criteria and standards for county office budgets and interim reports

5 CCR 15494 to 15497.5: Spending requirements for LCFF supplemental and concentration grants

17 CCR 52000:52175: Early Start Program for infants and toddlers

UNITED STATES CODE

20 U.S.C. 1400 et seq.: Individuals with Disabilities Education Act (IDEA)

- 20 U.S.C. 1431 to 1441: Early intervention services for infants and toddlers

20 U.S.C. 6301 et seq.: Every Student Succeeds Act (ESSA)

29 U.S.C. 794: Section 504 of the Rehabilitation Act of 1973

42 U.S.C. 1751 to 1769g, 1773: National School Lunch Program and National School Breakfast Program

Appendix E

CSBA resources and training opportunities for county board members

» **CSBA County Board Governance Workshop:** This spring event features speakers and engaging sessions centered around topics tailored for county leaders and provides opportunities to connect with peers and gain deeper understanding of tools that counties utilize for student success.

» **CSBA County Board Conference:** This conference takes place in the fall and provides a unique opportunity for county board leaders to come together to gain valuable knowledge and information in three key areas: advocacy, governance and policy; funding, workforce and educational access; and student well-being, safety and success.

» **Masters in Governance for County Offices of Education:** The Masters in Governance for County Offices of Education (MIG COE) program equips county board members with the knowledge and skills to build and support an effective governance structure.

- MIG COE Course 1: Foundations of Effective Governance | Setting Direction
- MIG COE Course 2: Policy and Judicial Review | Student Learning and Achievement
- MIG COE Course 3: Finance and Facilities
- MIG COE Course 4: Charter Schools
- MIG COE Course 5: Community Relations and Advocacy | Governance Integration

COE GOVERNANCE TEAM DEVELOPMENT

» **Governance Consulting Services:** Governance Consulting Services provides workshops that can help governance teams work through common governance issues such as setting vision, dealing with leadership transition, evaluations and much more. Since every COE's needs are unique, the training for each governance team is different. Popular topics covered during consultations include:

- Governance leadership
- COE priorities and goal-setting
- Board self-evaluations
- Superintendent evaluation
- Developing governance norms and protocols
- Developing a governance planning calendar

» **CSBA's District and County Office of Education Legal Services** is a subscription-based program that provides CSBA members with cost-effective legal advice and legal services.

Appendix F

Sample governance calendar

Sample County Office of Education Governance Calendar:
http://csba.pub/4mMjlCx

Appendix G

County board handbooks

https://bit.ly/MontereyCountyBOEGovernanceHandbook

https://bit.ly/TuolumneCountyofEducationGovernanceHandbook

Appendix H

Parliamentary Procedure Basic Guides

Basic Parliamentary Procedure Purpose and Form	
Present a proposal	**Main motion**
	I move that we adopt item 2025/06-2 Appointments to committees I move that we adopt the recommended action. I move that we contribute $500 to Occupy the Hyatt Regency.
Improve a proposal	**Amend**
	I move to amend by striking $500 and inserting $1,000. I move to add "and that our delegates to the conference prepare a report." I move to strike the last sentence. I move to substitute the following ….
Control discussion	**Limit or extend debate**
	I move to limit debate to two minutes per speaker. I move to extend debate to 30 minutes, alternating pro and con.
Stop discussion	**Previous question**
	I move the previous question. I move to close debate. I move to close debate on all pending motions. [i.e., any pending amendment(s) and the main motion].
Delay a decision/cool things down	**Refer**
	I move to refer the motion to the Fiscal Committee. I move to refer the motion to a special committee of three, to report back at the July meeting.
Postpone to a certain time	
	I move to postpone this to 3 p.m. I move to postpone this to the next regular meeting. **Recess** I move to recess for 10 minutes.
Suspend the rules	**Suspend the rules**
	I move to suspend the rules and take up item 7 next.
Split a complex motion into component parts	**Divide the question**
	I move to divide the question…. [specify how.]

Exception chart for the nine most common motions

Consistent with CSBA's Call to Order; Robert's Rules of Order Newly Revised 12th Edition; and American Institute of Parliamentarians Standard Code of Parliamentary Procedure

Unless an exception is noted below, motions must be seconded, can be debated, can be amended, and require a majority vote for adoption. [**NOTE:** The final vote on a main motion/resolution requires a majority of the entire board to adopt. The other motions, including AMEND, require only a majority of those present and voting.]

Exceptions:

	Not Debatable	Not Amendable	2/3 vote
ADJOURN	x	x	
AMEND			
END DEBATE [Previous Question]	x	x	x
LIMIT or EXTEND TIME for DEBATE	x		x
MAIN MOTION/RESOLUTION			
POSTPONE			
RECESS	x		
REFER to a COMMITTEE			
SUSPEND the Rules	x	x	x

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