

## **ROLE OF THE BOARD**

### **Who We Are**

The Monterey County Board of Education (County Board) is comprised of seven members who represent individual Trustee Areas of the county. Each member is elected by the voters of his or her Trustee Area and serves a four-year term.

### **What We Do**

The County Board provides leadership and citizen oversight for educational programs and services operated by the Monterey County Office of Education (MCOE). The primary responsibilities of the County Board are to work with the Monterey County Superintendent of Schools (County Superintendent) to establish the direction and priorities for the MCOE through its budgetary determinations and guiding policies.

### **How We Do It**

#### Governance

- Collaborate with the County Superintendent so that the shared vision, goals and policies of MCOE can be implemented.
- Adopt, evaluate and update policies consistent with law and the County Board's vision and goals.
- Maintain a cooperative and supportive working relationship with local school districts, their school boards and the community.
- Provide community leadership on educational issues and advocate on behalf of students and public education at the local, state and federal levels.
- Fill by appointment any vacancy that occurs during the elected term of the County Superintendent and County Board members.
- Adopt rules and regulations governing the administration of the office of the County Superintendent.
- Evaluate petition requests to establish a charter school that will serve pupils for whom MCOE is responsible and fulfill statutory responsibilities to provide oversight of charter schools approved by the County Board.
- Assist in developing Head Start operational policies.
- Establish and finance any program or activity, in conjunction with the County Superintendent, that is not in conflict with the law and which is not in conflict with the purposes for which MCOE is established.
- Exercise the right of eminent domain, if necessary, to acquire any property necessary to carry out the functions of MCOE.

Fiscal

- Adopt the annual budget and review interim fiscal reports of the County Superintendent.
- Authorize increases and decreases to the budget during the year.
- Adopt, revise and update the Local Control Funding Formula (LCFF).
- Establish the salary of the County Superintendent.
- Review the professional annual accounting audit of the county school's expenditures and financial record keeping.
- Acquire, lease, lease-purchase, hold and convey real property as necessary for the county's educational programs.
- Contract with and employ any person to provide the County Board with special services and advice on financial, economic, accounting engineering, legal, or administrative matters.
- Approve contracts for annual maintenance in excess of the California Uniform Public Construction Accounting Costs Procedures, new construction and modernization.

Educational

- Along with the County Superintendent, adopt policies to ensure that a safe and appropriate educational environment is provided for all the students of MCOE.
- Establish and maintain one or more community schools.
- Provide for the administration and operation of court and community schools.
- Approve the curriculum and maintain accountability for student learning in court and community schools operated by MCOE.
- Provide management oversight for any charter school whose petition was accepted by MCOE.
- Responsible for adopting, revising and updating the MCOE-operated Alternative Education programs' Local Control and Accountability Plan (LCAP).

Judicial

- Conduct appeals on the following actions by district governing boards: student expulsions; interdistrict transfer requests; denials, non-renewals, or revocations of charter school petitions; and other matters when required by law.

Monterey County Committee on School District Organization

- Serve as the Monterey County Committee on School District Organization by overseeing the reorganization of school districts and community colleges through changes in trustee voting procedures, territory transfers or district unification.
- Adjust district boundaries after decennial federal census if districts fail to act within designated timelines.

*Legal References*

GOVERNANCE:

<i>Education Code 1040</i>	<i>Duties and responsibilities: county boards of education</i>
<i>Education Code 35160</i>	<i>Authority of county boards</i>
<i>Education Code 35160.1</i>	<i>Authority of county boards: legislative intent</i>
<i>Education Code 1040(a)</i>	<i>Adopt rules and regulations for the Board's operation</i>
<i>Education Code 1042(a)</i>	<i>Adopt rules and regulations governing the administration of the Office of the County Superintendent of Schools</i>
<i>Education Code 1042(e)</i>	<i>Appoint any vacancy that occurs during the term of the County Superintendent</i>
<i>Education Code 47600-47616.5</i>	<i>Charter Schools Act of 1992, as amended</i>
<i>Education Code 47605.5: 47605.6</i>	<i>Authority to approve petition for a county charter school</i>
<i>Education Code 47605(k)(2)</i>	<i>Oversight authority of charter school authorizing agency</i>
<i>Education Code 8499.1(a)</i>	<i>Delegate Head Start agencies</i>
<i>Education Code 1047</i>	<i>Eminent Domain</i>

FISCAL:

<i>Education Code 1040(c)</i>	<i>Approve the annual budget for the County Superintendent.</i>
<i>Education Code 1240(l)(1)(A)</i>	<i>Review interim fiscal reports</i>
<i>Education Code 0460</i>	<i>Local Control and Accountability Plan</i>
<i>Education Code 1042(b)</i>	<i>Review, and revise if necessary, the County Superintendent's estimated revenue and expenditures</i>
<i>Education Code 1280</i>	<i>Budget revisions</i>
<i>Education Code 1209</i>	<i>Determine the County Superintendent's salary</i>
<i>Education Code 1302(a)</i>	<i>Approve County Superintendent's request for any salary or bonus increase for a certificated employee of \$10,000 or more</i>
<i>Education Code 1302(b)</i>	<i>Approve County Superintendent's request for any increase in a certificated employee's retirement benefits</i>
<i>Education Code 1040(e)</i>	<i>Review the annual audit</i>
<i>Education Code 1042(c), 1082</i>	<i>Acquire, lease, lease-purchase, hold, convey, and improve real property.</i>
<i>Education Code 1279</i>	<i>Disposal of personal property</i>
<i>Education Code 1040(d)</i>	<i>Contract with or employ individuals with special skills</i>

EDUCATIONAL:

<i>Education Code 1980:</i>	<i>County Board may establish and maintain one or more community schools</i>
<i>Education Code 1983:</i>	<i>County Board adopts a course of study for county community schools</i>
<i>Education Code 1984</i>	<i>For the purposes of establishing and maintaining a county community school, the County Board shall be deemed to be a school district</i>
<i>Education Code 48645.2</i>	<i>County Board shall provide for the administration and operation of juvenile court schools</i>
<i>Education Code 48645.3</i>	<i>County Board shall prescribe the manner in which the juvenile court schools shall be conducted. The Board shall adopt and enforce a course of study, evaluate its program and adopt a calendar of operation</i>
<i>Education Code 1900</i>	<i>Authorize the County Superintendent to establish a school for incarcerated county prisoners</i>
<i>Education Code 1791</i>	<i>Authorize the County Superintendent to establish and operate technical, agricultural and natural resources conservation schools</i>
<i>Education Code 1771</i>	<i>Authorize the County Superintendent to establish an elementary school library service if no county library exists</i>
<i>Education Code 17002; 17582</i>	<i>Provide for a safe and appropriate educational environment</i>

*Education Code 47604.32; 47613A Chartering agency has supervisory oversight responsibility of a charter school*

*Education Code 52066-52068 Adoption of local control and accountability plan*

JUDICIAL:

*Education Code 48919 Expulsions and appeals to county board*

*Education Code 48949 An expelled student may appeal the decision to the County Board for review*

*Education Code 46601(a) Denial of an interdistrict transfer request can be appealed to the County Board for review*

*Education Code 47605(j)(1); 47607(f)(1) Denial of a charter petition by the local district board can be appealed to the County Board*

MONTEREY COUNTY COMMITTEE ON SCHOOL DISTRICT ORGANIZATION:

*Education Code 4000 Creation of a County Committee.*

*Education Code 4020(a), (b) Transfer duties and powers to County Board.*

*Education Code 5019 Powers of the County Committee.*

*Education Code 5019.5(b) Adjust district boundaries after decennial.*

Adopted: 03/19/08

Revised: 06/19/13; 04/06/16