

## 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. Members are elected by the voters of their Trustee Areas and serve 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 Board Policy on matters the County Board has jurisdiction over, that do not conflict with the duties of the County Superintendent as set forth in the Education Code and other applicable laws and regulations. No individual Board member, by virtue of holding office, shall exercise any administrative responsibility with respect to the Office of the County Superintendent to command the services of any employee 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.
- 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*

**EDUCATION CODE**

1000-1017	<i>Election, jurisdiction, organization and procedure; county boards of education</i>
1040-1048	<i>Duties and responsibilities; county boards of education, especially:</i>
1042	<i>County boards; authority</i>
1080-1082	<i>Transfer of duties and functions to county board</i>
1090	<i>Compensation for county board member services</i>
1095	<i>County board membership in organizations for promotion and advancement of public education</i>
1200	<i>Actual and necessary travel expenses incurred by county superintendent</i>
1209	<i>Approval by county board for determination of county superintendent salary</i>
1240-1281	<i>Duties, responsibilities, and general powers; county superintendents of schools, especially:</i>
1240	<i>Duties of county superintendent</i>
1279	<i>Disposal of personal property</i>
1280	<i>Budget revisions</i>
1294	<i>Staff employed by county superintendent</i>
1295	<i>Leaves of absence for non- certificated staff</i>
1302	<i>Salary, bonus, and retirement benefits increases for county office of education staff</i>
1620-1630	<i>County board budget approval and adoption, including appropriations limit resolution</i>
1720	<i>Preparation of courses of study and development of curriculum and instructional materials</i>
1730	<i>Supervision of instruction</i>
1740	<i>Supervision of attendance</i>
1750	<i>Supervision of health</i>
1760	<i>Provision of guidance services</i>
1770	<i>Provision of library services</i>
1900	<i>Classes or schools for prisoners</i>
1920	<i>Emergency schools</i>
1945	<i>Provision of advisory services</i>
1946	<i>Agreements with districts for centralized in-service training programs</i>
1980-1986	<i>County community schools</i>
4020-4024	<i>Transfer of duties of county committee to county board</i>
5000	<i>Election of district board members</i>
5091	<i>Vacancy on district board</i>
8321	<i>County superintendent authority to establish and maintain child development programs</i>
17150-17150.1	<i>School bonds; public disclosure of non-voter-approved debt</i>
33050	<i>Request to state board for waiver</i>
33319.5	<i>Implementation of authority of local agencies</i>
35160	<i>Authority of county boards</i>
35160.1	<i>Authority of county boards; legislative intent</i>
41032	<i>Gifts, donations, bequests, and devises</i>
44332	<i>Temporary certificates for purpose of authorizing salary payments</i>
44422	<i>Hearing by county board; immoral or unprofessional conduct by holder of credential</i>

46601 *Parent/guardian appeal of interdistrict transfer request*  
47600-47616.5 *Charter Schools Act of 1992, as amended*  
48321 *County school attendance review board*  
48645-48648 *Juvenile court schools*  
48919 *Expulsion and appeals to county board*  
52064.1-52077 *Local control and accountability plan*  
52300-52334.7 *Career technical education; regional occupational centers*  
60119 *District requirements for instructional materials funding*  
60200-60213 *Selection and adoption of elementary school materials*  
60400 *Adoption and Purchase of high school textbooks*

*ELECTIONS CODE*

9603 *Advisory election during regular or special election*

*GOVERNMENT CODE*

910-915.4 *Presentation and consideration of claims*  
53096 *City or county ordinance inapplicable to proposed use of property*  
53822 *Temporary borrowing; notes, tax anticipation warrants or other evidences or indebtedness*  
87300 *Conflict of interest code*

*CALIFORNIA CONSTITUTION*

Article 9, Section 3.1 *Qualifications and salary of county superintendent*

*CODE OF REGULATIONS, TITLE 5*

17433 *Claims for travel expense*  
18271 *Child care and development programs; philosophy, goals, and objectives*

*ATTORNEY GENERAL OPINIONS*

72 *Ops.Cal.Atty.Gen. 205 (1989)*

Adopted: 03/19/08  
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