

CONCEPTS AND ROLES

The Monterey County Board of Education (County Board) and the Monterey County Superintendent of Schools (County Superintendent) are elected officers who have duties and responsibilities specified in various codes and regulations. The general duties and powers of the County Board and the County Superintendent are set forth in the Education Code. Although the County Board and County Superintendent are often referred to collectively as the County Office of Education, whenever the term is used in a statute or policy, it shall be understood to apply to, direct and authorize, the County Superintendent to act, unless the context is clearly otherwise.

Mandatory duties of the County Board are enumerated in Education Code 1040. Mandatory duties of the County Superintendent are set forth in Ed. Code 1240. Both the County Superintendent and the County Board have discretion to act, under Ed. Code 35160, et seq., provided that such action is not in conflict with, or preempted by, any law.

The County Board and the County Superintendent have unique roles and responsibilities, both contributing to the successful operation of the Monterey County Office of Education (MCOE) and the quality of education provided to its students. The County Board and County Superintendent recognize that effective governance requires strong collaboration and teamwork.

The County Superintendent is the employer of all MCOE employees.

Legal Reference:

EDUCATION CODE

<i>1040</i>	<i>Duties of boards</i>
<i>1240</i>	<i>County superintendent of schools: General duties; reports</i>
<i>35160</i>	<i>Authority of governing County Boards</i>
<i>35160.1</i>	<i>Authority of County Boards of Education or County Superintendent</i>
<i>35160.2</i>	<i>"School District" defined</i>

Attorney General Opinion 72.25, 1989
Attorney General Opinion 85.77, 2002
PERB Order 323, 1983