

# GOVERNANCE OF EDUCATION IN CALIFORNIA

## COUNTY LEVEL

This section describing county-level governance is included in this study guide as background material to provide a complete picture of California’s K-12 governance structure. The following information has been condensed from the Governance Working Group *Final Report: Reference Materials, Appendix B*.

California has 58 counties and 58 county offices of education. In most (54), both the county superintendent of education and the county board of education are elected. In three, the county board of education is elected and appoints the county superintendent of education. Only in Los Angeles County are both appointed by the county board of supervisors. Some county education agencies are fiscally independent of the county board of supervisors and some are not. Thus, their powers to approve budgets and expenses vary.

This Study Guide does not give detailed information about county offices of education. However, since the recently released California Performance Review recommends 11 regional offices instead of 58 county offices, local Leagues may want to know more about what is happening in their county.

“The county superintendent and the county board of education have separate duties and responsibilities . . . The interaction between the board and the superintendent is entirely distinct from the relationship of a school district governing board and the employed superintendent. The county superintendent works directly with the school districts in the county to provide support and guidance for their operations. Policy determinations inherent to that relationship are made by the superintendent and the local school boards. The county board of education does not have a role in determining the policies of the local school districts.”<sup>1</sup>

The responsibilities retained by county offices of education and those delegated to local districts, or combinations of districts under a joint powers agreement, vary across the state. In general, small counties retain these powers and large counties delegate them to more local control. Possible programs include:

- **Regional Occupational Centers and Regional Occupations Programs (ROC/Ps):** Established to provide vocational education opportunities to students. If maintained as a county program, the county superintendent operates and administers the ROP and the county board acts as the governing body. If delegated, the district or consortium of districts administers the program.
- **School Service Fund Programs and Services:** Provide professional and fiscal services to districts. These services include development of curriculum and instructional materials, supervision of instruction, attendance, health and counseling, and guidance services. They may provide other services such as a county school library service, audio and visual services facilities, or schools for prisoners in the county jail.
- **County Community Schools:** Small schools for students who are not in Juvenile Court Schools, but have been removed from their school districts by expulsion or referral. Problems with these schools and the NCLB regulations are discussed in that section on pages 92-93.

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<sup>1</sup> Governance Working Group *Final Report*, section F

- **Special Education:** May be operated by county superintendents under the Special Education Local Planning Area (SELPA) Local Plan. In larger counties this is usually for low incidence disabilities like schools for the blind. Federal ADA requirements and a move to mainstream special education students may be changing the manner in which these programs are administered.
- **Juvenile Court Schools:** Educational programs provided in juvenile halls and camps. State Education Code is clear that the “county board shall provide for the administration and operation of juvenile court schools” either “by the county superintendent” or “by contract with the respective governing boards of the school districts in which the juvenile court school is located.” In large counties with multiple programs, this is a major responsibility.
- **Charter Schools:** Public school operated independently under a performance agreement with a school district, a county office of education (COE), or the State Board of Education. County boards have two responsibilities with regard to charter schools. They may grant charters to establish a charter school, and they may hear appeals when charters are not granted by a local school district. For more detail, check the charter school section on pages 87-90.
- **School District Reorganization:** Organization or reorganization of school districts. County offices of education have a County Committee on School District Organization. This committee deals with the organization and reorganization of school districts, including consolidations and breakups, transfers of territory, and changes in the number of trustees and how they are elected.

County boards of education have two other powers that are in the pupil services area. If a pupil is expelled from his or her district, parents may appeal the expulsion to the county board of education. Applications for interdistrict transfers that are not approved may also be appealed to the county board of education.

## Governance Standards

The California School Boards Association (CSBA) has developed Professional Governance Standards for boards of education. The full text is available at [www.csba.org](http://www.csba.org). For county boards they say:

“The primary responsibilities of the county board are to work with the superintendent to establish the direction and priorities for the county office of education through its budgetary responsibilities, and to provide leadership to support the success of public education. To fulfill these responsibilities, there are a number of specific jobs that effective boards must carry out.”

These include a “cooperative and supportive working relationship with local school districts, . . . maintain[ing] accountability . . . conducting appeals . . .” and providing “community leadership on educational issues and advocat[ing] on behalf of students and public education at the local, state and federal levels.”

As part of the *Williams v. State of California* (see pages 35-41) settlement, county superintendents are/may be given additional responsibility when local districts fail to provide adequate textbooks, fix critical maintenance problems or provide adequate teachers. (Reported in the *Los Angeles Times* August 11, 2004)

The positions of the county office of education, the county board of education and the county superintendent of schools are in the constitution. Changes recommended in the California Performance Review would require a vote of the people on a constitutional amendment. In 1970, voters in 50 of the 58 counties voted to keep the county education system as it is.