

VENTURA COUNTY BOARD OF EDUCATION

BOARD POLICY NO. 2122

ADOPTED: 02/24/97

CLASSIFICATION: Administration

REVISED:

SUBJECT: County Superintendent of Schools: Responsibilities and Duties

The Superintendent has mandatory and authorized responsibilities and permissive authority to provide educational, business, and internal services for the schools and programs operated by the Office. The Superintendent also has responsibilities to county school and community college districts, administrative offices of the County of Ventura, the California Department of Education, and State Superintendent of Public Instruction.

There is no separate "governing body" for the Superintendent in the sense of a group which must meet to carry out the functions assigned to him/her. The Superintendent has discretionary powers to promote the advancement of education and coordinate the educational program through the county school service fund programs and activities which require approval of the Board. For those functions which require Board approval, the Superintendent may take specified actions only after first obtaining Board approval. The Superintendent, not the Board, takes action to perform the services or execute the functions. The legal provision mandating or authorizing the activity specifies the responsible agency and approvals required.

The Education Code delineates most of the powers and responsibilities of the Superintendent and county offices of education granted by the State Legislature. The general duties and powers of the Superintendent are set forth in Division 1, Parts 2 and 3 of the Education Code commencing with Education Code section 1240. Various other California codes, such as the Government Code, also contain provisions which impact the Office. Regulations of the State Superintendent of Public Instruction with respect to County Superintendents are in Title 5, California Code of Regulations, Chapter 17, commencing with section 17260.

COUNTY SCHOOL SERVICE FUND

The Superintendent develops the single-fund budget for the purposes of the county school service fund, Board, County Committee on School District Organization, and Office of the Superintendent in accordance with law and regulations of the State Superintendent of Public Instruction. The single-fund budget adopted by the Board and approved by the State Superintendent of Public Instruction establishes annual fiscal parameters for programs, activities or actions by the Superintendent or the Board, and may contain a general reserve.

The Office of the Superintendent is the agency on which checks for county school service fund expenditures are drawn and he/she has the powers and duties of a governing body of his/her own agency. With respect to disbursements from the County School Service Fund, warrants are issued on

the authorization of the Superintendent without action on the part of the Board regardless of the type of service for which the warrants are issued.

EMPLOYEES

The Superintendent is authorized to appoint, discipline, and establish the salaries of certificated and classified county school employees. The Superintendent employs administrative and supervisory personnel to assist in the effective management of the Office. All divisions, departments, programs, and services make up the administrative system, organized so appropriate decision-making takes place in accordance with the Board policies and administrative regulations.

FISCAL OVERSIGHT OF SCHOOL DISTRICTS

New fiscal accountability provisions in the Education Code known as "A.B. 1200" (Chapter 1213, 1991 Statutes) were established for the Office. The Superintendent is responsible for the fiscal oversight of the school districts in Ventura County. Specific legal responsibilities for "county offices of education" were added to the Education Code by A.B. 1200 and subsequent legislation.

CONTRACTING

Both the Board and the Superintendent may enter into contracts as necessary to perform the duties required of them under the Education Code, Regulations, Policy and Administrative Regulations. Contracts may be in the name of the Superintendent. Where specifically required by statute, regulations, policy or administrative regulation, contracts entered by the Superintendent must be approved by the Board. This does not include collective bargaining agreements. All contracts for a given fiscal year are subject to the fiscal limitations established by the adopted budget and revisions for that year.

Funding for contracts is controlled in the budget approval and revision process, and allocation of funds for the County School Service Fund. Leases of real property for housing the programs and services of the Superintendent are the responsibility of the Board pursuant to Education Code section 1042(c). Other contracts are entered into pursuant to law and regulations of the State Superintendent of Public Instruction in Title 5, California Code of Regulations.

Legal Reference:

EDUCATION CODE

1040 et seq. Article 2. Duties and responsibilities, County boards of education
1240 et seq. Article 2. Duties, responsibilities, and general powers. County superintendent
35160 et seq. Article 4. Powers and duties

TITLE 5, CALIFORNIA CODE OF REGULATIONS

17260 et seq.
72 Ops.Ca.Atty.Gen. 25 (1989)
Opinion No. 88-901