



Santa Cruz County Board of Education • 400 Encinal Street, Santa Cruz, CA 95060 • Tel (831) 466-5900 • www.santacruzcoe.org
Ms. Jane Royer Barr • Ms. Rose Filicetti • Ms. Sandra Nichols • Ms. Sue Roth • Mr. Dana Sales
Mr. Abel Sanchez • Mr. Bruce Van Allen

Santa Cruz County Board of Education
Regular Board Meeting
Thursday August 15, 2019
4:00 p.m.
Board Room

AGENDA

1. CALL TO ORDER, ROLL CALL AND ESTABLISHMENT OF QUORUM

Dana Sales (President), Jane Royer Barr, Rose Filicetti, Sandra Nichols, Sue Roth, Abel Sanchez,
Bruce Van Allen
Faris Sabbah, Secretary

2. PLEDGE OF ALLEGIANCE

Superintendent Sabbah (Secretary) will lead the Pledge of Allegiance.

3. APPROVAL OF AGENDA

Agenda deletions and/or changes of sequence will be approved or the agenda will be approved as submitted.

4. PUBLIC COMMENT

This is an opportunity for the public to address the Board regarding items not on the agenda. The Board President will recognize any member of the audience not previously placed on the agenda who wishes to speak on a matter directly related to school business. Each speaker, on any specific topic, may speak up **three (3) minutes** unless otherwise limited or extended by the President. The President may allot time to those wishing to speak but no action will be taken on matters presented (EDC § 35145.5). If appropriate, the President, or any Member of the Board, may direct that a matter be referred to the Superintendent's Office for placement on a future agenda. Please refer to item, Please Note, on the last item of this agenda.

5. CONSENT AGENDA

All items appearing on the consent agenda are recommended actions which are considered to be routine in nature and will be acted upon as one motion. Specific items may be removed for separate consideration. Item(s) removed will be considered immediately following the consent agenda motion as Deferred Consent Items.

- 5.0.1 Minutes of the Regular Board Meeting of July 18, 2019
- 5.0.2 Routine Budget Revisions
- 5.0.3 Donations
- 5.0.4 Treasurer's Quarterly Report

5.1. DEFERRED CONSENT ITEMS (if required)

This item is placed on the agenda to address any items that might be pulled from Agenda Item 5.0 for further discussion/consideration if so determined.

6. CORRESPONDENCE

Correspondence will be available for review at the meeting location.

7. REPORTS, DISCUSSIONS, AND PRESENTATIONS

7.1. Admin Kick Off

The Board will receive a presentation regarding the Santa Cruz COE's Admin Kick Off, held August 7, 2019.

Presenter: Debi Bodenheimer, Associate Superintendent, Educational Services

7.2 Countywide Data Integration Initiative

The County Office of Education is embarking on an effort to create a countywide warehouse that would track student data from birth to career. This data will allow the Santa Cruz COE and other providers to improve the delivery of services for students. It would require obtaining consent from parents and data sharing agreements from a variety of partners.

Presenter: Dr. Faris Sabbah, Superintendent of Schools

8. PUBLIC HEARINGS, NEW BUSINESS, AND ACTION ITEMS

8.1 First Reading: Board Policies

Modification and new policies may be adopted by the County Board of Education following a first and second reading by the Board. The Board may accept the proposed policy or policies as submitted and waive a second reading and move to take action, order changes, or order changes and bring back for a final reading.

Board Policies:	9000 Role of the Board
	9005 Governance Standards
	9010 Public Statements
	9011 Disclosure of Confidential/Privileged Information
	9012 Board Member Electronic Communication
	9100 Organization
	9121 President
	9124 Attorney
	9130 Board Committees
	9140 Board Representatives
	9200 Limits of Board Member Authority
	9220 Governing Board Elections
	9222 Resignation
	9223 Filling Vacancies
	9224 Oath or Affirmation
	9230 Orientation
	9240 Board Training
	9260 Legal Protection
	9270 Conflict of Interest
	9310 Board Policies
	9320 Meetings and Notices
	9321 Closed Session
	9322 Agenda Meeting Materials
	9323 Meeting Conduct
	9323.2 Actions by the Board
	9324 Minutes and Recordings
	9400 Self Evaluation
	9500 County Superintendent's Remuneration

Presenters: Bruce Van Allen, Chair, Policy Committee

Motion &

Roll Call Vote: Dana Sales (President)

9. SUPERINTENDENT'S REPORT

County Superintendent of Schools, Dr. Faris M. Sabbah, will provide an update on activities and matters of interest.

10. TRUSTEE REPORTS (3 minutes each)

Trustees will report on matters, events, and activities as related to Board goals of: Advocating for students, maintaining community relations, and promoting student achievement.

11. AD HOC COMMITTEE REPORTS/ACTIONS (if any)

11.1 Community Outreach and Legislative Committee Update

This committee will update the Board on recent and upcoming legislative policy changes.

12. ADDITIONS, IF ANY, TO FUTURE BOARD AGENDA ITEMS

13. SCHEDULE OF MEETINGS AND COMING EVENTS

Santa Cruz COE Staff Orientation
Sequoia High School
229 Green Valley Rd., Freedom CA 95019
August 19, 2019
8:00 a.m.

Regular Meeting of the Santa Cruz County Board of Education
400 Encinal Street, Santa Cruz, CA 95060
September 19, 2019
4:00 p.m.

Regular Meeting of the Santa Cruz County Board of Education
400 Encinal Street, Santa Cruz, CA 95060
October 17, 2019
4:00 p.m.

14. ADJOURNMENT

The Board President will adjourn the meeting.

PLEASE NOTE:

Public Participation:

All persons are encouraged to attend and, when appropriate, to participate in meetings of the Santa Cruz County Board of Education. If you wish to speak to an item on the agenda, please be present at the beginning of the meeting as any item, upon motion, may be moved to the beginning of the agenda. Persons wishing to address the Board are asked to state their name for the record. The president of the Board will establish a time limit of three (3) minutes, unless otherwise stated by the president, for comments from the public. Consideration of all matters is conducted in open session except those relating to litigation, personnel and employee negotiations, which, by law, may be considered in closed session. Expulsion appeal hearings are heard in closed session unless a request for hearing in open session is made by the appellant.

Backup Documentation:

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Translation Requests:

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ADA Compliance:

In compliance with Government Code section 54954.2 (a), The Santa Cruz County Office of Education will, on request, make this agenda available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec 12132), and the federal rules and regulations adopted in implementation thereof. Individuals who need this agenda in an alternative format or who need a disability-related modification or accommodation in order to participate in the meeting should contact Sage Leibenson, Administrative Aide to the Superintendent, 400 Encinal St., Santa Cruz, CA 95060, (831) 466-5900.



SANTA CRUZ COUNTY BOARD OF EDUCATION

AGENDA ITEM

Board Meeting Date: August 15, 2019

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Action

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Information

TO: Dr. Faris Sabbah, County Superintendent of Schools

FROM: Administrative Department

SUBJECT: Regular Board Meeting Minutes of July 18, 2019

BACKGROUND

Consent Agenda items are recommended for approval as actions routine in nature and acted upon as one motion. Specific items may be removed for specific consideration.

SUPERINTENDENT'S RECOMMENDATION FOR BOARD ACTION:

Board approval of July 18, 2019 Minutes.

FUNDING IMPLICATIONS

None.



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Ms. Jane Royer Barr • Ms. Rose Filicetti • Ms. Sandra Nichols • Ms. Sue Roth • Mr. Dana Sales
Mr. Abel Sanchez • Mr. Bruce Van Allen

Santa Cruz County Board of Education
Regular Board Meeting
Thursday July 18, 2019
4:00 p.m.
Board Room

UNAPPROVED MINUTES

1. CALL TO ORDER, ROLL CALL AND ESTABLISHMENT OF QUORUM

Board Present

Jane Royer Barr
Rose Filicetti
Sandra Nichols
Abel Sanchez
Bruce Van Allen
Dana Sales (President)
Faris Sabbah (Secretary)

Staff Present

Debi Bodenheimer
Mary Hart
Sage Leibenson

Absent

Sue Roth

2. PLEDGE OF ALLEGIANCE

Superintendent Sabbah led the Pledge of Allegiance.

Santa Cruz County Board of Education

Minutes, Regular Meeting

July 18, 2019

3. APPROVAL OF AGENDA

Agenda deletions and/or changes of sequence will be approved or the agenda will be approved as submitted.

It was M.S.C. (Barr/Filicetti) to approve the agenda.

Ayes:	Barr, Filicetti, Nichols, Sales, Sanchez, Van Allen
Nays:	None
Abstain:	None
Absent:	Roth

4. PUBLIC COMMENT

None.

5. CONSENT AGENDA

- 5.0.1 Minutes of the Special Board Meeting of June 13, 2019
- 5.0.2 Minutes of the Regular Board Meeting of June 20, 2019

Trustee Filicetti requested that her trustee report recorded within the June 20, 2019 minutes be amended to include more information to more accurately reflect her recent educational activities. President Sales requested further that the headings be edited to reflect that the June 20, 2019 meeting was a regular, rather than special.

It was M.S.C. (Filicetti/Van Allen) to approve the consent agenda item 5.0.1 as submitted and item 5.0.2 as amended.

Ayes:	Barr, Filicetti, Nichols, Sales, Sanchez, Van Allen
Nays:	None
Abstain:	None
Absent:	Roth

5.1. DEFERRED CONSENT ITEMS (if required)

None.

6. CORRESPONDENCE

None.

7. REPORTS, DISCUSSIONS, AND PRESENTATIONS

7.1. Strategic Plan

Superintendent Sabbah presented the Board with a presentation on the final draft Santa Cruz COE's new Strategic Plan. He highlighted how the Plan is structured, recapped the new COE's new mission, vision, and values, and strategic priorities. He also introduced Debi Bodenheimer, new Associate Superintendent of Educational Services, to the Board.

The Board had an opportunity to ask clarifying questions regarding the presentation.

Santa Cruz County Board of Education

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Trustee Barr commended Superintendent Sabbah and COE staff for their hard work on the plan.

7.2. Your Future Is Our Business

The Board received a riveting presentation on the success story of Your Future Is Our Business (YFIOB). The mission of YFIOB is to provide every Santa Cruz County student with opportunities to discover a fulfilling and successful career. YFIOB also brings schools and businesses together to support students in becoming Santa Cruz County's next generation of workers and leaders.

The Board had an opportunity to ask clarifying questions regarding the presentation.

President Sales congratulated YFIOB for their continued growth and success.

8. PUBLIC HEARINGS, NEW BUSINESS, AND ACTION ITEMS

8.1. Adopt Resolution #19-12 in Support of Immigrant Students and Families

Miriam Strombler, attorney and founding Childcare Safety Plan Coalition member, presented the Board with a short video and informational speech regarding the Childcare Safety Plan, which provides families with an easy-to-follow plan in the event that a child's primary caretaker(s) are suddenly deported.

The Board had an opportunity to ask clarifying questions regarding the Plan.

The Board was asked to approve Resolution #19-12 confirming Santa Cruz County Office of Education's commitment to providing equitable and accessible education to all learners, including immigrant students and their families.

It was M.S.C. (Barr/Filicetti) to approve Resolution #19-12.

Ayes:	Barr, Filicetti, Nichols, Sales, Sanchez, Van Allen
Nays:	None
Abstain:	None
Absent:	Roth

8.2. Adopt Resolution #19-13 to Maintain Trust and Safety for Local Immigrants

Bruce Van Allen, Chair of the Community Outreach and Legislative Committee, asked the Board to approve Resolution #19-13 confirming Santa Cruz County Office of Education's commitment to maintaining trust and safety for local immigrants.

The Board had an opportunity to discuss the proposed resolution.

At the meeting, the board amended the proposed Resolution to reflect the following changes within the last clauses:

"BE IT FURTHER RESOLVED, that the County Superintendent of Schools or designee shall report to the County Board of Education, in a timely manner, any requests for information or access to a school site by an officer or employee of a law enforcement agency for the purpose

Santa Cruz County Board of Education

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of enforcing the immigration laws. Such notification shall be provided in a manner that ensures the confidentiality and privacy of any potentially identifying information;

BE IT FURTHER RESOLVED, that the County Board of Education and the County Superintendent of Schools declare that ICE raids in private homes, churches, schools, and service agencies may violate constitutional protections.”

It was M.S.C. (Barr/Filicetti) to approve Resolution #19-13 as amended.

Ayes:	Barr, Filicetti, Nichols, Sales, Sanchez, Van Allen
Nays:	None
Abstain:	None
Absent:	Roth

10. SUPERINTENDENT’S REPORT

County Superintendent of Schools, Dr. Faris M. Sabbah, provided an update on activities and matters of interest.

Dr. Sabbah also presented the new COE and Santa Cruz County Cypress Charter High School’s newly released promotional videos to the Board.

11. TRUSTEE REPORTS (3 minutes each)

Trustee Filicetti attended the Capitol Advisors Budget Perspective Workshop, the Capitola-Soquel Chamber Networking Lunch celebrating local history, and the Community Outreach and Legislation Committee meeting to discuss changes in AB 1505 and a resolution “Reaffirming Trust and Safety for Local Immigrants” given recent news on ICE raids.

Trustee Van Allen attended the Community Outreach and Legislative Committee meeting.

Trustee Sanchez attended the 4th of July Parade in Watsonville, the Capitol Advisors Budget Perspective Workshop, and a meeting of the Charter Schools Subcommittee.

Trustee Nichols attended the Aptos 4th of July Parade, a meeting of the Policy Subcommittee, and meeting of the Community Outreach and Legislative Committee.

Trustee Barr attended a meeting of the Charter Schools Subcommittee.

Trustee Sales attended 4th of July parades in both Watsonville and Aptos, a meeting of the Policy Subcommittee, a meeting of the Agenda Committee, and the Lights for Liberty event at the Watsonville Plaza.

12. AD HOC COMMITTEE REPORTS/ACTIONS (if any)

12.1 Community Outreach and Legislative Committee Update

No further update.

Santa Cruz County Board of Education

Minutes, Regular Meeting

July 18, 2019

13. ADDITIONS, IF ANY, TO FUTURE BOARD AGENDA ITEMS

None.

14. SCHEDULE OF MEETINGS AND COMING EVENTS

Stuff The Bus: School Supply Collection Drive Stuff-A-Thon
Kaiser Permanente Arena
August 3, 2019
140 Front St., Santa Cruz CA 95060
8:30 a.m. - 12:00 p.m.

Santa Cruz COE Administrative Kick Off
Seascape Golf Club
610 Clubhouse Drive
Aptos, CA 95003
August 7, 2019
8:00 a.m.

Regular Meeting of the Santa Cruz County Board of Education
400 Encinal Street, Santa Cruz, CA 95060
August 15, 2019
4:00 p.m.

Regular Meeting of the Santa Cruz County Board of Education
400 Encinal Street, Santa Cruz, CA 95060
September 19, 2019
4:00 p.m.

15. ADJOURNMENT

The Board President adjourned the meeting at 6:11 p.m.

Santa Cruz County Board of Education

Minutes, Regular Meeting

July 18, 2019

PLEASE NOTE:

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SANTA CRUZ COUNTY BOARD OF EDUCATION

AGENDA ITEM

Board Meeting Date: August 15, 2019

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Action

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Information

TO: Dr. Faris Sabbah, County Superintendent of Schools

FROM: Business/Administration Departments

SUBJECT: Routine Budget Revisions

BACKGROUND

Detailed revisions and narrative follow this page.

SUPERINTENDENT'S RECOMMENDATION FOR BOARD ACTION:

Board approval of routine budget revisions.

FUNDING IMPLICATIONS

Adjusts 2019-2020 Spending Plan.



BOARD OF EDUCATION
Ms. Jane Royer Barr
Ms. Rose Filicetti
Ms. Sandra Nichols
Ms. Sue Roth
Mr. Dana M. Sales
Mr. Abel Sanchez
Mr. Bruce Van Allen

Dr. Faris Sabbah, Superintendent • 400 Encinal Street, Santa Cruz, CA 95060 • 831-466-5600 • FAX 831-466-5607 • www.santacruzcoe.org

MEMO

DATE: August 15, 2019

TO: Santa Cruz County Board of Education
Dr. Faris Sabbah, County Superintendent of Schools

FROM: Mary Hart *MH*
Deputy Superintendent, Business Services
Rebecca Olker
Senior Director of Fiscal Services

RE: July Budget Revisions

Budget revisions in July reflected an increase in projected revenues of **\$37,961** and an increase in expenditures in the amount of **\$19,725**, resulting in a net increase to fund balance of **\$18,236**.

The changes in budget were as a result of the prior year deferred revenue and adjustments made to substitute salaries necessary to cover the needs of the department.

Should you have any questions, please feel free to contact us.

MH:rao
3 attachments

CC: Melissa Lopez

Santa Cruz County Office of Education
Budget Variance Summary for July, 2019
August 15, 2019 Board Meeting

	2019-2020	2019-20	JULY		2019-20
Description	Adopted Budget	Board Meeting	Unrestricted	Restricted	Board Meeting 08/15/2019
REVENUE					
Local Control Funding Formula	27,942,549.00	27,942,549.00			27,942,549.00
Federal Revenues	6,890,893.82	6,890,893.82		14,164.00	6,905,057.82
State Revenues	7,366,388.53	7,366,388.53		-	7,366,388.53
Local Revenues	9,029,508.02	9,029,508.02		23,797.00	9,053,305.02
TOTAL REVENUE	51,229,339.37	51,229,339.37	-	37,961.00	51,267,300.37
EXPENDITURES					
Certificated Salaries	10,305,237.18	10,305,237.18	-	-	10,305,237.18
Classified Salaries	12,326,727.52	12,326,727.52	17,464.00		12,344,191.52
Employee Benefits	13,167,744.27	13,167,744.27	2,261.00		13,170,005.27
Books and Supplies	1,824,784.71	1,824,784.71	2,195.00		1,826,979.71
Services, Other Operating Expenses	9,627,325.11	9,627,325.11			9,627,325.11
Capital Outlay	1,671,300.00	1,671,300.00	(2,195.00)		1,669,105.00
Other Outgo	(92,842.00)	(92,842.00)			(92,842.00)
Interprogram Support	5,724,756.00	5,724,756.00			5,724,756.00
TOTAL EXPENDITURES	54,555,032.79	54,555,032.79	19,725.00	-	54,574,757.79
INTERFUND TRANSFERS					
Transfers In	-	-			-
Transfers Out	31,000.00	31,000.00	-	-	31,000.00
TOTAL INTERFUND TRANSFERS	31,000.00	31,000.00	-	-	31,000.00
FUND BALANCE					
Beginning Fund Balance	24,526,257.96	24,526,257.96			24,526,257.96
Net Increase/(Decrease)	(3,356,693.42)	(3,356,693.42)	(19,725.00)	37,961.00	(3,338,457.42)
ENDING FUND BALANCE	21,169,564.54	21,169,564.54	(19,725.00)	37,961.00	21,187,800.54

Pacheco Bill Compliance:

There were no individual consulting agreements in excess of \$25,000 that required a budget revision during the month of July, 2019.

Budget Variance Detail for
July, 2019
August 15, 2019 Board Meeting

Description (Object Code Range)	Res	Program	2019-20	2019-20	Variance		2019-20
			Adopted Budget	Approved 6/20/19	Unrestricted	Restricted	Board Meeting 8/15/19
REVENUE							
Local Control Funding Formula (8010-8099)			27,942,549.00	27,942,549.00			
Total Local Control Funding Formula			27,942,549.00	27,942,549.00	-	-	27,942,549.00
Federal Revenues (8100-8299)							
INCREASE REVENUE	3183	ESSA CSI COE	6,890,893.82	6,890,893.82		14,164.00	
Total Federal Revenues			6,890,893.82	6,890,893.82	-	14,164.00	6,905,057.82
State Revenues (8300-8599)			7,366,388.53	7,366,388.53			
Total State Revenues			7,366,388.53	7,366,388.53	-	-	7,366,388.53
Local Revenues (8600-8799)							
INCREASE REVENUE	9010	WORK FOR YOUTH	9,029,508.02	9,029,508.02		23,797.00	
Total Local Revenues			9,029,508.02	9,029,508.02	-	23,797.00	9,053,305.02
Other Financing Sources (8900-8997)			24,526,257.96	24,526,257.96			
Total Other Financing Sources			24,526,257.96	24,526,257.96	-	-	24,526,257.96
TOTAL REVENUE			75,755,597.33	75,755,597.33	-	-	75,755,597.33
BEGINNING FUND BALANCE (8989)			24,526,257.96	24,526,257.96			
Total Beginning Fund Balance			24,526,257.96	24,526,257.96	-	-	24,526,257.96
TOTAL REVENUE PLUS BEGINNING BALANCE			100,281,855.29	100,281,855.29	-	37,961.00	100,319,816.29
EXPENDITURES							
Certificated Salaries (1000-1999)			10,305,237.18	10,305,237.18			
Total Certificated Salaries			10,305,237.18	10,305,237.18	-	-	10,305,237.18
Classified Salaries (2000-2999)							
MOVE EWR BUDGET IN SCHOOL CODES	6500	SEVERLY HANDICAPPED	12,326,727.52	12,326,727.52		45,000.00	
MOVE EWR BUDGET IN SCHOOL CODES	6500	AUTISM				(45,000.00)	
ROC/P APPRTMNT -6350	0830	SET UP SUB TAYLOR			17,484.00		
Total Classified Salaries			12,326,727.52	12,326,727.52	17,484.00	0.00	12,344,191.52
Employee Benefits (3000-3999)							
ROC/P APPRTMNT -6350	0830	SET UP SUB TAYLOR	13,167,744.27	13,167,744.27	2,281.00		
Total Employee Benefits			13,167,744.27	13,167,744.27	2,281.00	-	13,170,005.27
Books and Supplies (4000-4999)							
MOVE FROM MATERIALS TO CAPITAL EXPENSE	0620	PO FOR SEQUOIA FENCING	1,824,784.71	1,824,784.71	2,195.00		
Total Books and Supplies			1,824,784.71	1,824,784.71	2,195.00	-	1,826,979.71

Budget Variance Detail for
July, 2019
August 15, 2019 Board Meeting

Description (Object Code Range)	Res	Program	2019-20	2019-20	Variance		2019-20
			Adopted Budget	Approved 6/20/19	Unrestricted	Restricted	Board Meeting 8/15/19
Services, Other Operating Expenses (5000-5999)			9,627,325.11	9,627,325.11			
Total Services, Other Operating Expenses			9,627,325.11	9,627,325.11	-	-	9,627,325.11
Capital Outlay (6000-6999)			1,671,300.00	1,671,300.00	(2,195.00)		
Total Capital Outlay			1,671,300.00	1,671,300.00	(2,195.00)	-	1,669,105.00
Other Outgo (7100-7299, 7400-7499)			5,724,756.00	5,724,756.00			
Total Other Outgo			5,724,756.00	5,724,756.00	-	-	5,724,756.00
Interprogram Support Services (7300-7399)			(92,842.00)	(92,842.00)			
Total Interprogram Support			(92,842.00)	(92,842.00)	-	-	(92,842.00)
Interfund Transfers Out (7600-7629)			31,000.00	31,000.00			
Total Interfund Transfers Out			31,000.00	31,000.00	-	-	31,000.00
TOTAL EXPENDITURES			54,586,032.79	54,586,032.79	19,725.00	-	54,605,757.79
ENDING FUND BALANCE			21,169,564.54	21,169,564.54	-	-	24,526,257.96
Total Expenditures plus Ending Fund Balance (7999)			75,755,597.33	75,755,597.33	19,725.00	-	75,775,322.33
Ending Fund Balance Change Detail (7999): ADJUST CONTRIBUTIONS	0090	EDUCATION & ADMIN OPERATIONS	21,169,564.54	21,169,564.54	(19,725.00)		
Net Increase/(Decrease) in Ending Fund Balance			21,169,564.54	21,169,564.54	(19,725.00)	37,961.00	21,187,800.54



SANTA CRUZ COUNTY BOARD OF EDUCATION

AGENDA ITEM

Board Meeting Date: August 15, 2019

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Action

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Information

TO: Dr. Faris Sabbah, County Superintendent of Schools

FROM: Business Department

SUBJECT: Gifts and Donations

BACKGROUND

County Board of Education Policy P-3280 requires that all gifts and donations received by programs conducted by the County Superintendent of Schools be accepted by the County Board of Education.

SUPERINTENDENT'S RECOMMENDATION FOR BOARD ACTION:

Accept gifts and donations as follows:

<u>Program</u>	<u>Donor</u>	<u>Value</u>
Stuff the Bus School Supply Collection Drive	Hank and Sharon Wright- Miller	\$15.00
Stuff the Bus School Supply Collection Drive	Dane and Christine Caldwell- Holden	\$25.00
Stuff the Bus School Supply Collection Drive	Rosalinda Ramirez	\$75.00

Board Meeting Date: August 15, 2019

Agenda Item: #5.0.3

<u>Program</u>	<u>Donor</u>	<u>Value</u>
Stuff the Bus School Supply Collection Drive	Elaine and Keith Bungo	\$25.00

FUNDING IMPLICATIONS

Gifts/Donations received will be utilized by the programs to which they are donated.



SANTA CRUZ COUNTY BOARD OF EDUCATION

AGENDA ITEM

Board Meeting Date: August 15, 2019

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Action

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Information

TO: Dr. Faris Sabbah, County Superintendent of Schools

FROM: Business Department

SUBJECT: Treasurer's Quarterly Report: June 30, 2019

BACKGROUND

The Superintendent/designee is required to provide a report of investments on a quarterly basis. Since the SCCOE maintains all of its investments in the County Treasurer's investment pool, the June 30, 2019 quarterly report is provided.

SUPERINTENDENT'S RECOMMENDATION FOR BOARD ACTION:

Receive and file report.

FUNDING IMPLICATIONS

None.

Santa Cruz County Treasury Oversight Commission

MEETING AGENDA

July 31, 2019 at 3:00 P.M.
701 Ocean Street, Room 500
Santa Cruz, California

CALL TO ORDER

ORAL COMMUNICATIONS

Bank and Merchant Service Implementation Updates

APPROVAL OF MINUTES OF April 24, 2019

OLD BUSINESS

NEW BUSINESS

Economic / Credit / Portfolio Review
Review of Treasurer's Quarterly Investment Report for June 30, 2019
Broker-Dealer Update
Direct Auditor to Perform 18-19 TOC Compliance Audit

CORRESPONDENCE

NEXT MEETING

Wednesday October 23, 2019 at 3:00 pm

ADJOURNMENT

The County of Santa Cruz does not discriminate on the basis of disability, and no person shall, by reason of a disability, be denied the benefits of its services, programs or activities. The meeting location is an accessible facility. If you are a person with a disability and require assistance in order to participate in the meeting, please contact Claire Schwartz at 454-2958 (TDD 454-2123) at least 72 hours in advance of the meeting to make arrangements. Persons with disabilities may request a copy of the agenda in an alternative format. As a courtesy to those affected, please attend the meeting smoke and scent free.

Santa Cruz County Treasury Oversight Commission

Meeting Minutes
Wednesday, April 24, 2019
701 Ocean Street, Room 500
Santa Cruz, California

Members Present: Angela Aitken, Greg Caput (A), Mary Hart (A), Chris Schiermeyer, Ron Sekkel, John Stipes (A) .

Others Present: Laura Bowers (Cheif Deputy Auditor-Controller), Dave Zweig (Treasury-Tax Collections Manager)

CALL TO ORDER

- **Chairperson Angela Aitken called the meeting to order at 3:00 p.m.**

ORAL COMMUNICATIONS

APPROVAL OF MINUTES

- Mr. Sekkel moved and Mr. Schiermeyer seconded to approve the January 23, 2019 Treasury Oversight Commission meeting minutes as presented. Motion passed unanimously.

OLD BUSINESS

None

NEW BUSINESS

- Mr. Zweig presented the Economic, Credit and Portfolio Review.
- Mr. Zweig presented the Santa Cruz County Treasurer's Quarterly Investment Report for the Quarter ended March 31, 2019.
- Ms. Schiermeyer moved and Mr. Sekkel seconded to accept the Santa Cruz County Treasurer's Quarterly Investment Report for the Quarter ended March 31, 2019 as presented. Motion passed unanimously.
- Mr. Zweig presented update on new member terms and appointments.
- Ms. Hart motioned and Mr. Sekkel seconded to retain the current chairperson and vice chairperson for the upcoming year. Chairperson is Angela Aitken and vice-chair is Chris Schiermeyer. Motion passed unanimously.
- Mr. Zweig gave a short presentation on projected investment and banking costs for FY 19-20.

CORRESPONDENCE

- Statement of Assets as of February 4, 2019.

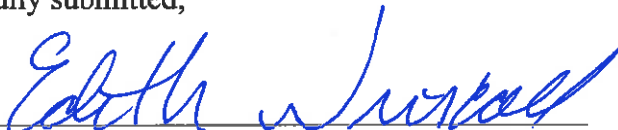
ADJOURNMENT

- Meeting adjourned at 3:45 p.m.

NEXT MEETING

- The next Treasury Oversight Commission meeting will be at 3:00 pm on Wednesday, July 24, 2019 at 701 Ocean Street, Room 500, Santa Cruz, California.

Respectfully submitted,



EDITH DRISCOLL

Auditor-Controller- Treasurer-Tax Collector



DAVID ZWEIG

Treasury-Tax-Collections Manager

Santa Cruz County Treasurer's

Quarterly Investment Report

**For the Quarter Ended
June 30, 2019**



Edith Driscoll
Auditor – Controller – Treasurer - Tax Collector

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TREASURY OVERSIGHT COMMISSION

Chairperson: Angela Aitken
Member Representing Special Districts
Alternate: John Stipes

Current Members: Chris Schiermeyer
Member Representing School Districts
Alternate: Lynette Hamby

Ron Sekkel
Public Member
Alternate: Mary Jo Walker

Bruce McPherson
Member Representing County of Santa Cruz
Board of Supervisors
Alternate: Greg Caput

Faris Sabbah
Superintendent of Schools
Santa Cruz County Office of Education
Alternate: Mary Hart

AUDIT PROCESS

The Santa Cruz County Treasurer's Office is audited on an annual basis by an outside auditor selected by the Santa Cruz County's Audit Committee. Additionally, all investments are audited on a regular basis by the County Auditor as well as on a daily basis by an in-house audit process.



COUNTY OF SANTA CRUZ

EDITH DRISCOLL
AUDITOR-CONTROLLER-TREASURER-TAX COLLECTOR
701 OCEAN STREET, SUITE 100, SANTA CRUZ, CA 95060-4073
(831) 454-2500 FAX (831) 454-2660

July 5, 2019

Board of Supervisors
County of Santa Cruz
701 Ocean Street
Santa Cruz, CA 95060

Subject: **CERTIFICATION OF LIQUIDITY**


Dear Members of the Board:

This report shows the investment activity for the quarter ending June 30, 2019 of pooled funds on deposit with the Treasurer and that it is in compliance with California Government Code Sections 27000 et seq., 53600 et seq., and the County's 2019 Investment Policy.

Attached are summaries of the Portfolio Structure, Investment Details, Securities Activity by Brokers, and other information to provide a better understanding of the investment activity that has occurred through June 30, 2019.

Pursuant to Government Code § 53646(b)(3), I certify that because of the liquidity of the pool and the county's issuance of Teeter Notes and TRANS, the county has the ability to meet the pool's expenditure requirements for the next six months.

Respectfully submitted,


EDITH DRISCOLL
Auditor-Controller-Treasurer-Tax Collector

SUMMARY REPORTS

1. County of Santa Cruz Portfolio Summary including:
 - a) Issuer
 - b) Type of Asset
 - c) Cost at Purchase
 - d) Current Book Value
 - e) Yield
 - f) Par Value
 - g) Market Value
 - h) Percent of Portfolio
 - i) Percent Allowed
 - j) Purchase Date
 - k) Maturity Date
 - l) Credit Rating
 - m) Source of Valuation
2. Portfolio Size and Composition Report
 - a) Portfolio Balance Trend
 - b) Portfolio Composition by Type
3. Portfolio Yield
 - a) Net Yield History / Comparison to LAIF
 - b) Net Yield Trend / Comparison to LAIF
4. County of Santa Cruz Investment Pool Maturity Distribution
5. County of Santa Cruz Investment Pool Credit Quality Distribution
6. County of Santa Cruz Investment Pool Source of Funds

**Santa Cruz County Treasurer's Portfolio
As of June 30, 2019**

ISSUER	COST	BOOK VALUE	YIELD	PAR VALUE	MARKET VALUE (1)	% of PORTFOLIO	% ALLOWED	PURCHASE DATE	MATURITY DATE	CREDIT RATING (2)
<u>U.S. Treasuries</u>										
US Treasury	16,746,328.13	16,996,296.76	1.33%	17,000,000.00	16,990,310.00	1.94%	100%	11/28/18	07/15/19	AA+ / Aaa
US Treasury	11,902,968.75	11,992,111.28	2.44%	12,000,000.00	11,993,760.00	1.37%	100%	07/27/18	07/31/19	AA+ / Aaa
US Treasury	9,865,859.38	9,977,080.11	2.64%	10,000,000.00	9,981,200.00	1.14%	100%	11/05/18	08/15/19	AA+ / Aaa
US Treasury	17,796,093.75	17,959,084.60	2.64%	18,000,000.00	17,969,040.00	2.05%	100%	10/31/18	08/31/19	AA+ / Aaa
US Treasury	19,798,125.00	19,903,680.56	2.47%	20,000,000.00	19,916,400.00	2.27%	100%	04/12/19	09/12/19	AA+ / Aaa
US Treasury	19,910,156.25	19,993,428.18	1.04%	20,000,000.00	19,942,000.00	2.28%	100%	11/10/16	09/15/19	AA+ / Aaa
US Treasury	17,826,100.00	17,881,325.00	2.44%	18,000,000.00	17,894,160.00	2.04%	100%	05/15/19	10/10/19	AA+ / Aaa
US Treasury	19,637,500.00	19,915,176.60	2.49%	20,000,000.00	19,936,000.00	2.27%	100%	07/19/18	10/15/19	AA+ / Aaa
US Treasury	19,779,687.50	19,921,865.92	2.69%	20,000,000.00	19,958,600.00	2.27%	100%	11/21/18	10/31/19	AA+ / Aaa
US Treasury	19,706,000.00	19,831,440.00	2.45%	20,000,000.00	19,852,200.00	2.26%	100%	03/27/19	11/07/19	AA+ / Aaa
US Treasury	14,735,742.19	14,902,416.93	2.77%	15,000,000.00	14,936,700.00	1.70%	100%	11/09/18	11/15/19	AA+ / Aaa
US Treasury	14,836,125.00	14,862,958.33	2.39%	15,000,000.00	14,877,300.00	1.70%	100%	06/30/19	11/21/19	AA+ / Aaa
US Treasury	19,679,687.50	19,840,217.07	2.77%	20,000,000.00	19,918,800.00	2.26%	100%	11/28/18	01/31/20	AA+ / Aaa
US Treasury	19,761,718.75	19,854,876.58	2.55%	20,000,000.00	19,914,000.00	2.27%	100%	02/04/19	02/15/20	AA+ / Aaa
US Treasury	17,890,312.50	17,939,832.82	2.76%	18,000,000.00	18,023,220.00	2.05%	100%	12/13/18	02/29/20	AA+ / Aaa
US Treasury	12,965,468.75	12,977,617.27	2.59%	13,000,000.00	13,038,090.00	1.48%	100%	01/17/19	04/30/20	AA+ / Aaa
Total US Treasuries	272,827,873.46	275,749,066.61	2.39%	275,500,000.00	275,141,760.00	31.36%	100%			
<u>U.S. Government Agencies</u>										
Federal Home Loan Bank	17,997,689.70	18,009,686.62	2.52%	18,000,000.00	18,018,585.00	2.06%	25%	5/1/2019	09/23/19	AA+ / Aaa
Federal Home Loan Mortg Corp	14,779,050.00	14,955,319.00	2.45%	15,000,000.00	14,963,700.00	1.71%	25%	07/02/18	10/02/19	AA+ / Aaa
Federal Farm Credit Bank	16,000,000.00	16,000,000.00	2.63%	16,000,000.00	16,051,040.00	1.83%	25%	01/03/19	01/03/20	AA+ / Aaa
Federal Home Loan Mortg Corp	14,917,050.00	14,979,209.46	1.76%	15,000,000.00	14,946,900.00	1.71%	25%	11/21/17	01/17/20	AA+ / Aaa
Federal Home Loan Bank	9,989,000.00	9,996,648.20	2.18%	10,000,000.00	10,004,200.00	1.14%	25%	02/09/18	02/11/20	AA+ / Aaa
Federal Home Loan Bank	9,944,000.00	9,965,496.33	2.63%	10,000,000.00	10,000,800.00	1.14%	25%	01/24/19	03/13/20	AA+ / Aaa
Federal Farm Credit Bank	12,992,947.11	12,996,669.47	2.58%	13,000,000.00	13,053,430.00	1.48%	25%	06/11/18	06/11/20	AA+ / Aaa
Federal Home Loan Mortg Corp	19,656,000.00	19,792,932.04	2.88%	20,000,000.00	19,949,000.00	2.26%	25%	10/25/18	07/13/20	AA+ / Aaa
Federal Home Loan Bank	9,900,830.00	9,918,646.98	2.57%	10,000,000.00	9,997,800.00	1.13%	25%	03/15/19	11/05/20	AA+ / Aaa
Federal Farm Credit Bank	11,973,240.00	11,976,436.33	2.35%	12,000,000.00	12,093,000.00	1.37%	25%	04/05/19	04/05/21	AA+ / Aaa
Federal Farm Credit Bank	12,987,455.00	12,990,080.16	3.08%	13,000,000.00	13,374,010.00	1.48%	25%	11/15/18	11/15/21	AA+ / Aaa
Federal Home Loan Mortg Corp	12,000,000.00	12,000,000.00	3.05%	12,000,000.00	12,066,600.00	1.37%	25%	12/27/18	12/27/21	AA+ / Aaa
Federal Home Loan Mortg Corp	15,000,000.00	15,000,000.00	2.60%	15,000,000.00	15,069,600.00	1.71%	25%	03/25/19	03/25/22	AA+ / Aaa
Total Government Agencies	178,137,261.81	178,581,124.59	2.57%	179,000,000.00	179,588,665.00	20.38%	100%			

**Santa Cruz County Treasurer's Portfolio
As of June 30, 2019**

ISSUER	COST	BOOK VALUE	YIELD	PAR VALUE	MARKET VALUE (1)	% of PORTFOLIO	% ALLOWED	PURCHASE DATE	MATURITY DATE	CREDIT RATING (2)
Supranationals										
Int Bank of Redevelopment	9,853,200.00	9,979,450.81	1.65%	10,000,000.00	9,955,000.00	1.14%	30%	01/04/17	11/27/19	AAA / Aaa / AAA
Inter-American Development Bank	15,850,560.00	15,888,163.12	2.62%	16,000,000.00	15,967,200.00	1.81%	30%	03/05/19	06/16/20	AAA / Aaa / AAA
International Finance Corp.	10,000,000.00	10,000,000.00	2.61%	10,000,000.00	10,022,900.00	1.14%	30%	07/03/18	06/29/20	AAA / Aaa / AAA
Inter-American Development Bank	14,775,000.00	14,817,503.30	2.61%	15,000,000.00	15,003,450.00	1.69%	30%	02/08/19	03/15/21	AAA / Aaa / AAA
Total Supranational	60,478,760.00	60,685,117.23	2.42%	61,000,000.00	60,948,550.00	6.78%	30%			
Medium Term Notes										
National Australia Bank	11,866,800.00	11,995,421.25	2.65%	12,000,000.00	11,998,840.00	1.37%	10%	08/22/18	07/12/19	AA- / Aa3 / AA-
Microsoft Corporation	9,998,500.00	9,999,948.61	1.11%	10,000,000.00	9,988,100.00	1.14%	10%	08/08/16	08/08/19	AAA / Aaa / AA+
Toyota Motor Credit Corp	8,900,100.00	8,965,181.43	2.88%	9,000,000.00	8,981,190.00	1.02%	10%	12/11/18	10/18/19	AA- / Aa3 / A+
US Bank NA	11,915,400.00	11,956,405.10	3.01%	12,000,000.00	12,004,200.00	1.36%	10%	12/21/18	01/23/20	AA- / A1 / AA-
Apple Inc.	11,518,006.50	11,541,318.35	2.03%	11,550,000.00	11,525,829.50	1.32%	10%	11/21/17	02/07/20	AA+ / Aa1 / AA+
Wal-Mart Stores Inc.	10,011,300.00	10,005,555.31	2.79%	10,000,000.00	10,067,000.00	1.14%	10%	06/27/18	06/23/20	AA / Aa2 / AA
Microsoft Corporation	9,719,000.00	9,767,268.05	2.70%	10,000,000.00	9,914,900.00	1.11%	10%	01/24/19	08/08/21	AAA / Aaa / AA+
Johnson & Johnson Corp	14,822,550.00	14,844,529.23	2.66%	15,000,000.00	15,101,850.00	1.69%	10%	02/15/19	03/03/22	AAA / Aaa / AAA
Apple Inc.	15,167,250.00	15,282,505.22	2.53%	15,000,000.00	15,478,600.00	1.74%	10%	06/03/19	02/23/23	AA+ / Aa1 / AA+
Total Medium Term Notes	103,918,906.50	104,358,132.66	2.60%	104,500,000.00	105,059,109.50	11.91%	50%			
Negotiable CDs										
Toronto Dominion Bank NY	25,000,000.00	25,000,000.00	2.60%	25,000,000.00	25,000,500.00	2.85%	10%	04/05/19	07/02/19	A1+ / P1 / F1+
Standard Chartered Bank NY	25,000,000.00	25,000,000.00	2.66%	25,000,000.00	25,003,750.00	2.85%	10%	02/21/19	07/22/19	A1 / P1 / F1
MFUG Union Bank NA	20,000,000.00	20,000,000.00	2.66%	20,000,000.00	20,007,400.00	2.28%	10%	01/28/19	08/19/19	A1 / P1 / F1
Swedbank NY	25,000,000.00	25,000,000.00	2.62%	25,000,000.00	25,010,750.00	2.85%	10%	04/26/19	08/27/19	A1+ / P1 / F1+
Total Negotiable CDs	95,000,000.00	95,000,000.00	2.63%	95,000,000.00	95,024,400.00	10.84%	50%			
Municipal Bonds										
State of California GO Bond	12,191,707.35	12,193,433.73	2.31%	12,195,000.00	12,247,926.30	1.39%	10%	02/15/18	10/01/20	AA- / Aa3 / AA-
State of California GO Bond	12,000,000.00	12,000,000.00	2.35%	12,000,000.00	12,133,200.00	1.37%	10%	04/04/19	04/01/22	AA- / Aa3 / AA-
Total Municipal Bonds	24,191,707.35	24,193,433.73	2.33%	24,195,000.00	24,381,126.30	2.76%	10%			
Checking										
Bank of the West Checking	403,840.87	403,840.87	0.60%	403,840.87	403,840.87	0.05%	-	NA	NA	NR
US Bank Checking	15,678,164.62	15,678,164.62	1.00%	15,678,164.62	15,678,164.62	1.79%	-	NA	NA	NR
Total Checking	16,082,005.49	16,082,005.49	0.80%	16,082,005.49	16,082,005.49	1.84%	10%			
Money Market Funds (3)										
Bank of the West MMF	200,000.00	200,000.00	2.13%	200,000.00	200,000.00	0.02%	10%	NA	NA	NR
US Bank MMF	5,000,000.00	5,000,000.00	1.75%	5,000,000.00	5,000,000.00	0.57%	10%	NA	NA	NR
CAMP	50,000,000.00	50,000,000.00	2.48%	50,000,000.00	50,000,000.00	5.71%	10%	NA	NA	AAAm
Total Money Market Funds	55,200,000.00	55,200,000.00	2.41%	55,200,000.00	55,200,000.00	6.30%				
Miscellaneous Investments										
LAIF	65,238,768.79	65,238,768.79	2.57%	65,238,768.79	65,238,768.79	7.45%	10%	NA	NA	NR
Santa Cruz County Auditor - Teeter	12,000,000.00	12,000,000.00	2.54%	12,000,000.00	12,000,000.00	1.37%	NA	NA	NA	NR
Total Misc. Investments	77,238,768.79	77,238,768.79	2.56%	77,238,768.79	77,238,768.79	8.82%				
GRAND TOTAL	873,076,283.39	876,087,990.39	2.46%	878,266,774.28	878,661,405.08	100%				

(1) Market Value pricing obtained from Union Bank safekeeper (custodial bank).

(2) Split ratings reflect ratings from S&P and Moodys.

(3) Money Market Mutual Fund balances do not include current month interest.

County of Santa Cruz Investment Pool

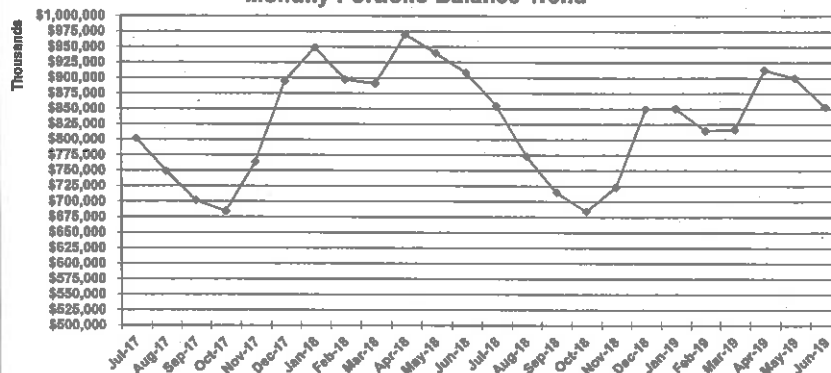
Portfolio Size and Composition

As of June 30, 2019

Monthly Balance History

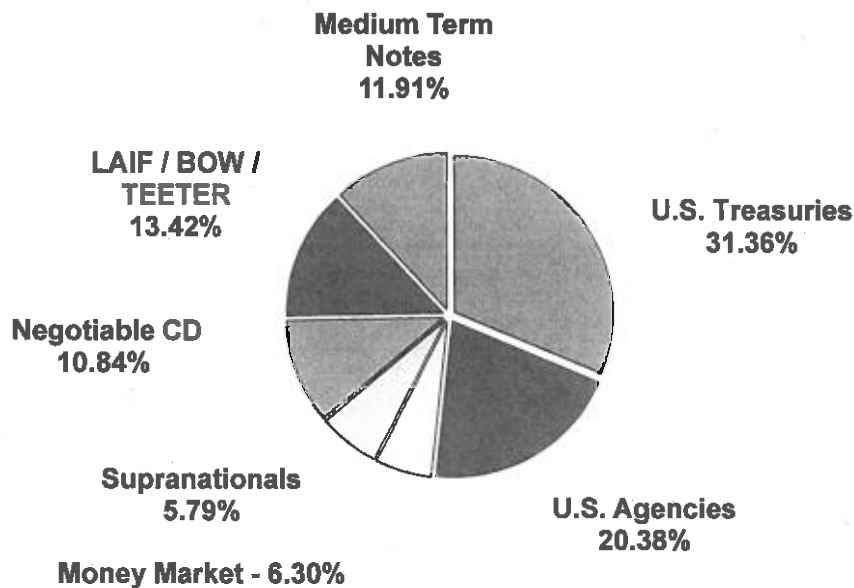
Jul-17	\$ 802,005,772.16
Aug-17	\$ 746,725,187.72
Sep-17	\$ 701,393,435.49
Oct-17	\$ 684,358,827.43
Nov-17	\$ 783,716,802.73
Dec-17	\$ 895,152,385.06
Jan-18	\$ 949,230,650.05
Feb-18	\$ 897,258,528.52
Mar-18	\$ 891,137,899.55
Apr-18	\$ 969,921,864.10
May-18	\$ 939,980,112.42
Jun-18	\$ 907,918,547.25
Jul-18	\$ 854,704,856.33
Aug-18	\$ 772,963,331.43
Sep-18	\$ 714,830,104.72
Oct-18	\$ 684,895,545.04
Nov-18	\$ 723,337,328.50
Dec-18	\$ 849,852,810.14
Jan-19	\$ 859,631,070.40
Feb-19	\$ 814,520,794.72
Mar-19	\$ 816,495,075.11
Apr-19	\$ 912,824,395.26
May-19	\$ 899,889,045.39
Jun-19	\$ 853,052,860.56

Monthly Portfolio Balance Trend



	6/30/2019	3/31/2019	6/30/2018	6/30/2017
U.S. Treasuries	31.36%	30.40%	33.11%	36.10%
U.S. Agencies	20.38%	24.95%	26.93%	32.52%
Supranationals	5.79%	7.79%	4.62%	4.67%
Money Market Fund	6.30%	6.93%	0.58%	0.57%
Commercial Paper	0.00%	0.00%	0.00%	0.00%
Negotiable CD	10.84%	14.22%	17.48%	8.59%
LAIF / BOW / Other	13.42%	5.15%	8.48%	11.06%
Medium Term Note	11.91%	10.55%	8.81%	6.60%
	100%	100%	100%	100%

Portfolio Composition

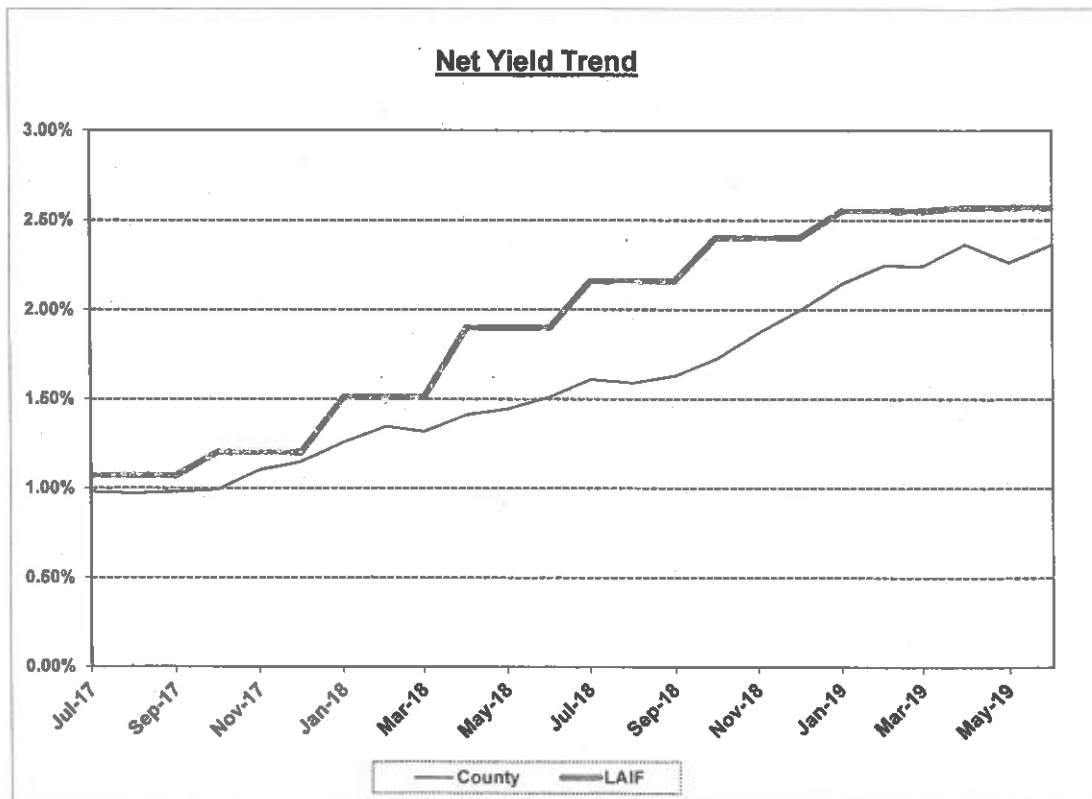


County of Santa Cruz Investment Pool

Portfolio Net Yield

As of June 30, 2019

Month	Apportionment Rate		
	County	LAIF	Difference
Jul-17	0.979%	1.070%	-0.09%
Aug-17	0.971%	1.070%	-0.10%
Sep-17	0.981%	1.070%	-0.09%
Oct-17	0.993%	1.200%	-0.21%
Nov-17	1.103%	1.200%	-0.10%
Dec-17	1.148%	1.200%	-0.05%
Jan-18	1.257%	1.510%	-0.25%
Feb-18	1.346%	1.510%	-0.16%
Mar-18	1.319%	1.510%	-0.19%
Apr-18	1.412%	1.900%	-0.49%
May-18	1.445%	1.900%	-0.46%
Jun-18	1.512%	1.900%	-0.39%
Jul-18	1.610%	2.160%	-0.55%
Aug-18	1.590%	2.160%	-0.57%
Sep-18	1.630%	2.160%	-0.53%
Oct-18	1.725%	2.400%	-0.68%
Nov-18	1.870%	2.400%	-0.53%
Dec-18	1.994%	2.400%	-0.41%
Jan-19	2.145%	2.550%	-0.41%
Feb-19	2.246%	2.550%	-0.30%
Mar-19	2.243%	2.550%	-0.31%
Apr-19	2.365%	2.570%	-0.21%
May-19	2.263%	2.570%	-0.31%
Jun-19	2.361%	2.570%	-0.21%

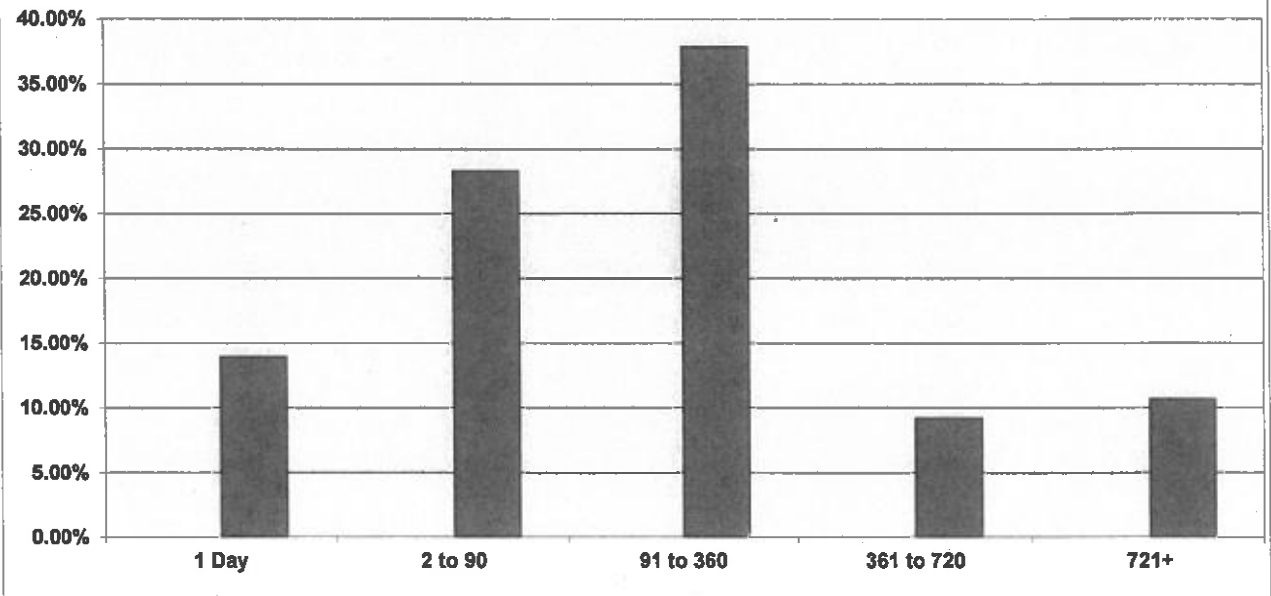


County of Santa Cruz Investment Pool Maturity Distribution

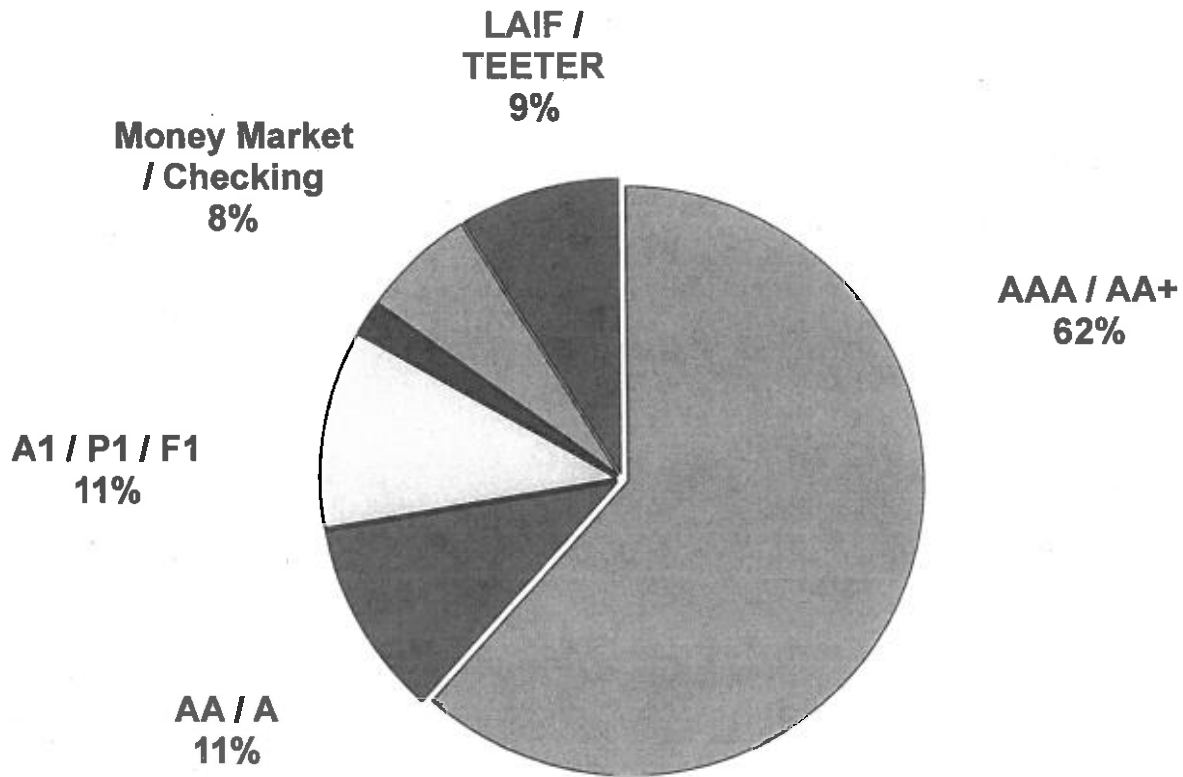
June 30, 2018

Maturing In:	6/30/2019	3/31/2019	6/30/2018	6/30/2017
1 Day	13.95%	8.96%	7.60%	8.85%
2 to 90	28.31%	22.82%	29.34%	18.65%
91 to 360	37.88%	46.37%	45.39%	25.14%
361 to 720	9.48%	14.33%	14.57%	36.51%
721+	10.67%	7.82%	2.60%	8.85%
Total	100%	100%	100%	100%
WAM (days)	234	259	194	319
Duration	0.63	0.70	0.53	0.87

Portfolio Maturity Distribution



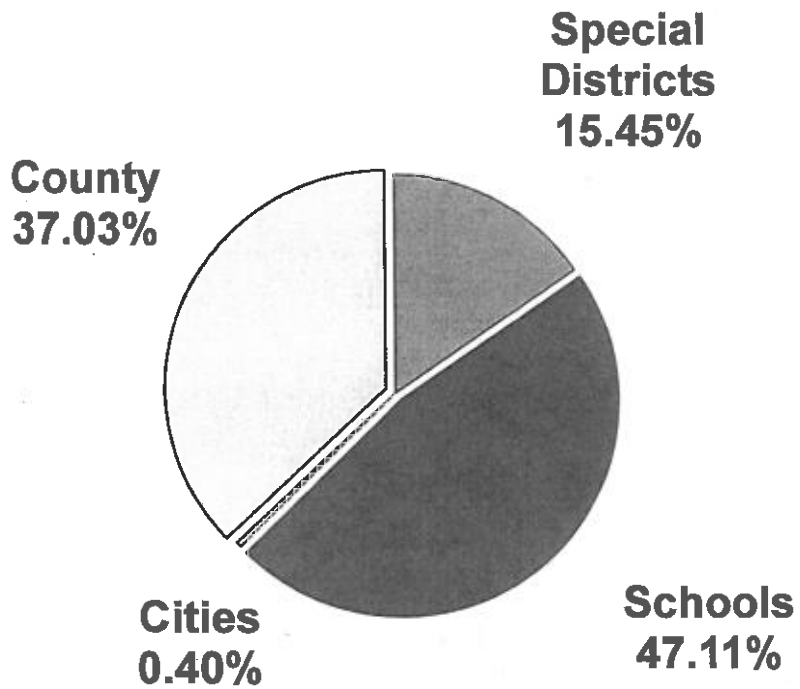
County of Santa Cruz Investment Pool
Credit Quality Distribution
June 30, 2019



Rating	Market Value				
	(\$ mil)	6/30/2019	3/31/2019	6/30/2018	6/30/2017
AAA / AA+ *	\$ 541	62%	67%	69%	77%
AA	\$ 94	11%	8%	6%	3%
A	\$ -	0%	0%	0%	0%
A1 / P1 / F1	\$ 95	11%	14%	17%	9%
Checking	\$ 16	2%	2%	1%	2%
Money Market	\$ 55	6%	7%	1%	1%
LAIF / Unrated	\$ 77	9%	2%	6%	9%
Total Portfolio Value	\$ 878	100%	100%	100%	100%

* The AAA / AA+ category includes securities rated Aaa / AAA and Aaa / AA+

County of Santa Cruz Investment Pool
Source of Funds
As of June 30, 2019



	6/30/2019	6/30/2018	6/30/2017
County	37.03%	43.63%	34.91%
Special Districts	15.45%	9.46%	10.81%
Schools	47.11%	46.85%	54.01%
Cities	0.40%	0.06%	0.48%
Total	100%	100%	100%

DETAILED LIST OF INVESTMENTS OUTSTANDING

As of June 30, 2019

REPORT DESCRIPTION

The **Detailed List of Investments Outstanding** lists active investments in the portfolio on a specific date providing information on the market values, book values, interest rates and yields. It is arranged so that the securities of the same type are grouped together. What follows is a description of the abbreviations used in the report.

CUSIP – The CUSIP number is a 9-character alphanumeric code which identifies a North American financial security for the purposes of facilitating clearing and settlement of trades.

INVESTMENT NUMBER – This is a unique system-generated number assigned to the security. Assigned by the County for internal identification purposes.

ISSUER – The issuer named is the name of the institution which issued the bond.

PURCHASE DATE – This is the date on which the security was purchased.

PAR VALUE – The nominal or face value of a bond. This is the amount that will be received at maturity with accrued interest. It is also the amount that is used in calculating the interest received on the bond.

MARKET VALUE – Market value is the dollar amount the security could have been sold for on the report date. By comparing this number to the book value one is able to determine what, if any, loss or gain we would realize if we were to sell the bond in the open market.

BOOK VALUE – The original cost for each investment adjusted for amortization of premiums or accretions of discounts to the date of the report. Amortizations and accretions are calculated on a straight line basis.

STATED RATE – In most cases this is the coupon rate (rate of interest) set on a bond at the issue date by the issuer. If the security has no coupon (discount note, UST Bill or CP) then the stated rate is the yield to maturity on the date that the bond is purchased. The stated rate is not intended for comparing yields between different investments because the item may have been purchased at a discount or premium to par.

YTM – This is the Yield to Maturity. This is what the yield will be on the bond if it is held to maturity.

DAYS TO MATURITY – This is the number of days remaining between the report date and the maturity date.

MATURITY DATE – The maturity date is the date when a bond matures. On the maturity date an issuer of a security will pay the holder of the security the par value plus any accrued interest earned on the security from the date of last distribution.



**Quarterly Reports
Portfolio Management
Portfolio Summary
June 30, 2019**

Investments	Par Value	Market Value	Book Value	% of Portfolio	Term	Days to Maturity	YTM 360 Equiv.	YTM 365 Equiv.
U.S. Treasury Notes/ Bonds	203,000,000.00	202,601,720.00	202,270,004.12	23.52	500	135	2.338	2.371
Federal Agency Issues - Coupon	179,000,000.00	179,588,665.00	178,581,124.59	20.77	667	422	2.530	2.566
Medium Term Notes	104,550,000.00	105,058,109.50	104,358,132.55	12.13	818	503	2.462	2.496
Negotiable CDs	95,000,000.00	95,022,400.00	95,000,000.00	11.05	138	31	2.594	2.630
Municipal Bonds	24,195,000.00	24,381,126.30	24,193,433.73	2.81	1,025	729	2.296	2.328
Santa Cruz County Auditor Loan	12,000,000.00	12,000,000.00	12,000,000.00	1.40	33	30	2.500	2.535
Local Agency Investment Fund (LAIF)	65,238,768.79	65,238,768.79	65,238,768.79	7.59	1	1	2.535	2.570
Treasury Discounts -Amortizing	73,000,000.00	72,540,060.00	72,479,403.89	8.43	175	110	2.406	2.439
Supranationals	51,000,000.00	50,948,550.00	50,885,117.23	5.89	723	393	2.391	2.424
Money Market Mutual Funds 02	55,200,000.00	55,200,000.00	55,200,000.00	6.42	1	1	2.380	2.413
	862,183,768.79	862,579,399.59	860,005,984.90	100.00%	457	237	2.449	2.483

Investments

Total Earnings	June 30	Period	Fiscal Year Ending
Current Year	5,371,433.70		17,032,731.74
Average Daily Balance	888,882,825.07		
Effective Rate of Return	2.42%		

Santa Cruz County Treasurer,

Quarterly Reports
Portfolio Management
Portfolio Details - Investments
June 30, 2019

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CUSIP	Investment #	Issuer	Average Balance	Purchase Date	Par Value	Market Value	Book Value	Stated Rate	YTM 360	YTM 365	Days to Maturity	Maturity Date
U.S. Treasury Notes/ Bonds												
912828S43	22206	US Treasury N/B		11/28/2018	17,000,000.00	16,990,310.00	16,996,296.76	0.750	1.311	1.329	14	07/15/2019
912828VW6	22277	US Treasury N/B		07/27/2018	12,000,000.00	11,993,760.00	11,992,111.28	1.625	2.406	2.439	30	07/31/2019
912828B6	22287	US Treasury N/B		11/05/2018	10,000,000.00	9,981,200.00	9,977,080.11	0.750	2.599	2.635	45	08/15/2019
912828T6	22286	US Treasury N/B		10/31/2018	18,000,000.00	17,969,040.00	17,959,084.60	1.250	2.599	2.635	61	08/31/2019
912828G4	22202	US Treasury N/B		11/10/2016	20,000,000.00	19,942,000.00	19,993,428.18	0.875	1.021	1.036	76	09/15/2019
912828T59	22276	US Treasury N/B		07/19/2018	20,000,000.00	19,936,000.00	19,915,176.60	1.000	2.458	2.492	106	10/15/2019
912828F62	22292	US Treasury N/B		11/21/2018	20,000,000.00	19,958,600.00	19,921,865.92	1.500	2.655	2.692	122	10/31/2019
912828U32	22289	US Treasury N/B		11/09/2018	15,000,000.00	14,936,700.00	14,902,416.93	1.000	2.732	2.770	137	11/15/2019
912828UL2	22294	US Treasury N/B		11/28/2018	20,000,000.00	19,918,800.00	19,840,217.07	1.375	2.732	2.770	214	01/31/2020
912828W22	22307	US Treasury N/B		02/04/2019	20,000,000.00	19,914,000.00	19,854,876.58	1.375	2.519	2.554	229	02/15/2020
912828Y4	22297	US Treasury N/B		12/13/2018	18,000,000.00	18,023,220.00	17,939,832.82	2.250	2.725	2.763	243	02/29/2020
9128284J6	22303	US Treasury N/B		01/17/2019	13,000,000.00	13,038,090.00	12,977,617.27	2.375	2.550	2.585	304	04/30/2020
Subtotal and Average			224,054,476.21		203,000,000.00	202,601,720.00	202,270,004.12		2.338	2.371	135	
Federal Agency Issues - Coupon												
3130AGC52	22321	Federal Home Loan Bank		05/01/2019	18,000,000.00	18,018,585.00	18,009,686.62	2.450	2.481	2.515	84	09/23/2019
3137EADM8	22274	Fed.Home Loan Mtg.Corp		07/02/2018	15,000,000.00	14,963,700.00	14,955,319.00	1.250	2.419	2.453	93	10/02/2019
3133EJ4K2	22301	Federal Farm Credit Bank		01/03/2019	16,000,000.00	16,051,040.00	16,000,000.00	2.625	2.589	2.625	186	01/03/2020
3137EAAE5	22244	Fed.Home Loan Mtg.Corp		11/15/2017	15,000,000.00	14,946,900.00	14,979,209.46	1.500	1.736	1.760	200	01/17/2020
3130ADN32	22259	Federal Home Loan Bank		02/09/2018	10,000,000.00	10,004,200.00	9,996,648.20	2.125	2.151	2.181	225	02/11/2020
3130A12B3	22305	Federal Home Loan Bank		01/24/2019	10,000,000.00	10,000,800.00	9,965,496.33	2.125	2.591	2.627	256	03/13/2020
3133EJRL5	22270	Federal Farm Credit Bank		06/11/2018	13,000,000.00	13,053,430.00	12,996,669.47	2.550	2.543	2.578	346	06/11/2020
3134GBXV9	22284	Fed.Home Loan Mtg.Corp		10/25/2018	20,000,000.00	19,949,000.00	19,792,932.04	1.850	2.844	2.883	378	07/13/2020
3130ACLP7	22313	Federal Home Loan Bank		03/15/2019	10,000,000.00	9,997,800.00	9,918,646.98	1.950	2.536	2.571	493	11/05/2020
3133EKFP6	22317	Federal Farm Credit Bank		04/05/2019	12,000,000.00	12,093,000.00	11,976,436.33	2.230	2.313	2.345	644	04/05/2021
3133EJ74	22290	Federal Farm Credit Bank		11/15/2018	13,000,000.00	13,374,010.00	12,990,080.16	3.050	3.042	3.084	868	11/15/2021
3134GSJ55	22300	Fed.Home Loan Mtg.Corp		12/27/2018	12,000,000.00	12,066,600.00	12,000,000.00	3.050	3.008	3.050	910	12/27/2021
3134GS7E9	22314	Fed.Home Loan Mtg.Corp		03/25/2019	15,000,000.00	15,069,600.00	15,000,000.00	2.600	2.564	2.600	998	03/25/2022
Subtotal and Average			216,936,424.88		179,000,000.00	179,588,665.00	178,581,124.59		2.530	2.566	422	
Medium Term Notes												
63254AAQ1	22280	National Australia Bank		08/22/2018	12,000,000.00	11,996,640.00	11,995,421.25	1.375	2.610	2.646	11	07/12/2019
594918BN3	22200	Microsoft Corp		08/08/2016	10,000,000.00	9,988,100.00	9,999,948.61	1.100	1.090	1.105	38	08/08/2019
89236TDH5	22296	Toyota Motor Credit Corp		12/11/2018	9,000,000.00	8,981,190.00	8,965,181.43	1.550	2.836	2.876	109	10/18/2019
90331HNJ8	22299	US Bank NA		12/21/2018	12,000,000.00	12,004,200.00	11,956,405.10	2.350	2.971	3.012	206	01/23/2020
037833CK4	22248	Apple Inc		11/21/2017	11,550,000.00	11,525,629.50	11,541,318.35	1.900	2.000	2.028	221	02/07/2020

Data Updated: SET_QE: 07/15/2019 11:15
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Quarterly Reports
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Portfolio Details - Investments
June 30, 2019

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CUSIP	Investment #	Issuer	Average Balance	Purchase Date	Par Value	Market Value	Book Value	Stated Rate	YTM 360	YTM 365	Days to Maturity	Maturity Date
Medium Term Notes												
931142EG4	22271	Wal-Mart Stores Inc.		06/27/2018	10,000,000.00	10,067,000.00	10,005,555.31	2.850	2.753	2.791	358	06/23/2020
594918BP8	22304	Microsoft Corp		01/24/2019	10,000,000.00	9,914,900.00	9,767,268.05	1.550	2.665	2.702	769	08/08/2021
478160CD4	22309	Johnson & Johnson Corp		02/15/2019	15,000,000.00	15,101,850.00	14,844,529.23	2.250	2.620	2.656	976	03/03/2022
037833BU3	22323	Apple Inc		06/03/2019	15,000,000.00	15,478,600.00	15,282,505.22	2.850	2.499	2.534	1,333	02/23/2023
Subtotal and Average			93,717,894.72		104,550,000.00	105,058,109.50	104,358,132.55		2.462	2.496	503	
Negotiable CDs												
89114MA49	22318	Toronto Dominion Bank NY		04/05/2019	25,000,000.00	25,000,500.00	25,000,000.00	2.560	2.560	2.596	1	07/02/2019
85325TK0	22310	Standard Chartered		02/21/2019	25,000,000.00	25,003,750.00	25,000,000.00	2.620	2.620	2.656	21	07/22/2019
82478TT41	22306	MUFG Union Bank NA CD		01/28/2019	20,000,000.00	20,007,400.00	20,000,000.00	2.620	2.620	2.656	49	08/19/2019
87019VWT0	22320	Swedbank NY		04/26/2019	25,000,000.00	25,010,750.00	25,000,000.00	2.580	2.580	2.616	57	08/27/2019
Subtotal and Average			128,516,483.52		95,000,000.00	95,022,400.00	95,000,000.00		2.594	2.630	31	
Municipal Bonds												
13063DDE5	22260	State of California		02/15/2018	12,195,000.00	12,247,926.30	12,193,433.73	2.300	2.275	2.307	458	10/01/2020
13063DLY2	22316	State of California		04/04/2019	12,000,000.00	12,133,200.00	12,000,000.00	2.350	2.318	2.350	1,005	04/01/2022
Subtotal and Average			23,797,675.00		24,195,000.00	24,381,126.30	24,193,433.73		2.296	2.328	729	
Santa Cruz County Auditor Loan												
SYS062819	22325	Santa Cruz County Auditor		06/28/2019	12,000,000.00	12,000,000.00	12,000,000.00	2.500	2.500	2.535	30	07/31/2019
Subtotal and Average			395,604.40		12,000,000.00	12,000,000.00	12,000,000.00		2.500	2.535	30	
Local Agency Investment Fund (LAIF)												
SYS6501	6501	LAIF (General Fund)			65,238,768.79	65,238,768.79	65,238,768.79	2.570	2.535	2.570	1	
Subtotal and Average			37,249,297.10		65,238,768.79	65,238,768.79	65,238,768.79		2.535	2.570	1	
Union Bank Activity - Dividend												
SYS21111	21111	Union Bank			0.00	0.00	0.00	2.260	2.229	2.260	1	
Subtotal and Average			54.30		0.00	0.00	0.00		0.000	0.000	0	
Treasury Discounts -Amortizing												
912796RA9	22319	US Treasury Bill		04/12/2019	20,000,000.00	19,916,400.00	19,903,680.56	2.375	2.433	2.466	73	09/12/2019
912796RF8	22322	US Treasury Bill		05/15/2019	18,000,000.00	17,894,160.00	17,881,325.00	2.350	2.406	2.439	101	10/10/2019
912796RM3	22315	US Treasury Bill		03/27/2019	20,000,000.00	19,852,200.00	19,831,440.00	2.352	2.415	2.448	129	11/07/2019
912796ST7	22324	US Treasury Bill		06/03/2019	15,000,000.00	14,877,300.00	14,862,958.33	2.300	2.358	2.390	143	11/21/2019

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**Quarterly Reports
Portfolio Management
Portfolio Details - Investments
June 30, 2019**

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CUSIP	Investment #	Issuer	Average Balance	Purchase Date	Par Value	Market Value	Book Value	Stated Rate	YTM 360	YTM 365	Days to Maturity	Maturity Date
Subtotal and Average			51,015,251.90		73,000,000.00	72,540,060.00	72,479,403.89		2.406	2.439	110	
Supranationals												
459058FS7	22214	Int Bank of Recon & Redev		01/04/2017	10,000,000.00	9,955,000.00	9,979,450.81	1.125	1.623	1.646	149	11/27/2019
4581X0CP1	22312	Inter-American Devel Bank		03/05/2019	16,000,000.00	15,967,200.00	15,888,163.12	1.875	2.584	2.620	351	06/16/2020
45950VMC7	22275	International Fin Corp		07/03/2018	10,000,000.00	10,022,900.00	10,000,000.00	2.610	2.574	2.610	364	06/29/2020
4581X0CS5	22308	Inter-American Devel Bank		02/08/2019	15,000,000.00	15,003,450.00	14,817,503.30	1.875	2.576	2.612	623	03/15/2021
Subtotal and Average			54,827,184.32		51,000,000.00	50,948,560.00	50,685,117.23		2.391	2.424	393	
Money Market Mutual Funds 02												
032 005 207	21923	Bank of the West		03/16/2009	200,000.00	200,000.00	200,000.00	2.130	2.101	2.130	1	
SYS011119	22302	CAMP		01/11/2019	50,000,000.00	50,000,000.00	50,000,000.00	2.480	2.446	2.480	1	
157 519 832 743	22283	US Bank MMMF		10/23/2018	5,000,000.00	5,000,000.00	5,000,000.00	1.750	1.728	1.750	1	
Subtotal and Average			58,118,957.45		55,200,000.00	55,200,000.00	55,200,000.00		2.380	2.413	1	
Rolling Repurchase Agreements - 3												
Subtotal and Average			253,521.28									
Total and Average			888,882,825.07		862,183,768.79	862,579,399.59	860,005,984.90		2.449	2.483	237	

SECURITIES ACTIVITY BY BROKER

A Report on the

Investment Transactions by Broker-Dealer
For the Period Indicated



**County of Santa Cruz
Activity Report
Sorted By Dealer
April 1, 2019 - June 30, 2019**

CUSIP	Investment #	Issuer	Percent of Portfolio	Par Value Beginning Balance	Current Rate	Transaction Date	Purchases or Deposits	Par Value Redemptions or Withdrawals	Ending Balance
Dealer: Bank of the West									
Money Market Mutual Funds 02									
032 005 207	21923	Bank of the West			2.130		25,000,000.00	25,300,000.00	
		Subtotal and Balance		500,000.00			25,000,000.00	25,300,000.00	200,000.00
		Dealer Subtotal	0.023%	500,000.00			25,000,000.00	25,300,000.00	200,000.00
Dealer: CAMP									
Money Market Mutual Funds 02									
SYS011119	22302	CAMP			2.480		101,245,356.45	107,245,356.45	
		Subtotal and Balance		56,000,000.00			101,245,356.45	107,245,356.45	50,000,000.00
		Dealer Subtotal	5.798%	56,000,000.00			101,245,356.45	107,245,356.45	50,000,000.00
Dealer: Jeffries & Company, INC									
U.S. Treasury Notes/ Bonds									
		Subtotal and Balance		69,000,000.00					69,000,000.00
Federal Agency Issues - Coupon									
3130AGC52	22321	Federal Home Loan Bank			2.450	05/01/2019	18,000,000.00	0.00	
		Subtotal and Balance		13,000,000.00			18,000,000.00	0.00	31,000,000.00
Treasury Discounts -Amortizing									
912796RF8	22322	US Treasury Bill			2.350	05/15/2019	18,000,000.00	0.00	
		Subtotal and Balance		0.00			18,000,000.00	0.00	18,000,000.00
		Dealer Subtotal	13.682%	82,000,000.00			36,000,000.00	0.00	118,000,000.00
Dealer: Keybank Capital Mark									
U.S. Treasury Notes/ Bonds									

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County of Santa Cruz
Activity Report
April 1, 2019 - June 30, 2019

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CUSIP	Investment #	Issuer	Percent of Portfolio	Par Value Beginning Balance	Current Rate	Transaction Date	Purchases or Deposits	Par Value Redemptions or Withdrawals	Ending Balance
Subtotal and Balance				20,000,000.00					20,000,000.00
Federal Agency Issues - Coupon									
3136G3NA9	22196	Federal National Mort. Assoc.			1.200	05/23/2019	0.00	15,000,000.00	
3130AB2G0	22227	Federal Home Loan Bank			1.400	06/27/2019	0.00	18,000,000.00	
3130ABF92	22264	Federal Home Loan Bank			1.375	05/28/2019	0.00	15,000,000.00	
Subtotal and Balance				109,000,000.00			0.00	48,000,000.00	61,000,000.00
Dealer Subtotal			9.392%	129,000,000.00			0.00	48,000,000.00	81,000,000.00
Dealer: LAIF (General Fund)									
Local Agency Investment Fund (LAIF)									
SYS6501	6501	LAIF (General Fund)			2.570		176,238,768.79	127,174,804.80	
Subtotal and Balance				16,174,804.80			176,238,768.79	127,174,804.80	65,238,768.79
Dealer Subtotal			7.564%	16,174,804.80			176,238,768.79	127,174,804.80	65,238,768.79
Dealer: Lighthouse Bank									
Rolling Repurchase Agreements - 3									
CD-101345	22231	Lighthouse Bank			0.700	04/03/2019	150.68	0.00	
Subtotal and Balance				253,373.91			150.68	0.00	253,524.59
Dealer Subtotal			0.029%	253,373.91			150.68	0.00	253,524.59
Dealer: Multi-Bank Securities Inc									
Federal Agency Issues - Coupon									
Subtotal and Balance				10,000,000.00					10,000,000.00
Medium Term Notes									
Subtotal and Balance				11,550,000.00					11,550,000.00
Supranationals									
459058FC2	22191	Int Bank of Recon & Redev			1.250	04/26/2019	0.00	15,000,000.00	
Subtotal and Balance				15,000,000.00			0.00	15,000,000.00	0.00
Dealer Subtotal			2.499%	36,550,000.00			0.00	15,000,000.00	21,550,000.00

Portfolio SCRZ
AC
DA (PRF_DA) 7.2.0
Report Ver. 7.3.6.1

County of Santa Cruz
Activity Report
April 1, 2019 - June 30, 2019

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CUSIP	Investment #	Issuer	Percent of Portfolio	Par Value Beginning Balance	Current Rate	Transaction Date	Purchases or Deposits	Par Value Redemptions or Withdrawals	Ending Balance
Dealer: MUFG Union Bank NA									
U.S. Treasury Notes/ Bonds									
912828R44	22263	US Treasury N/B			0.875	05/15/2019	0.00	20,000,000.00	
		Subtotal and Balance		35,000,000.00			0.00	20,000,000.00	15,000,000.00
Federal Agency Issues - Coupon									
		Subtotal and Balance		37,000,000.00					37,000,000.00
Medium Term Notes									
037833BU3	22323	Apple Inc			2.850	06/03/2019	15,000,000.00	0.00	
		Subtotal and Balance		22,000,000.00			15,000,000.00	0.00	37,000,000.00
Negotiable CDs									
		Subtotal and Balance		20,000,000.00					20,000,000.00
Municipal Bonds									
13063DLY2	22316	State of California			2.350	04/04/2019	12,000,000.00	0.00	
		Subtotal and Balance		12,195,000.00			12,000,000.00	0.00	24,195,000.00
Supranationals									
		Subtotal and Balance		16,000,000.00					16,000,000.00
		Dealer Subtotal	17.299%	142,195,000.00			27,000,000.00	20,000,000.00	149,195,000.00
Dealer: Prebon									
Medium Term Notes									
		Subtotal and Balance		21,000,000.00					21,000,000.00
Negotiable CDs									
87019VTU1	22295	Swedbank NY			2.680	04/29/2019	0.00	25,000,000.00	
65558TER2	22311	Nordea Bank AB (PUBL) / NY			2.550	06/27/2019	0.00	25,000,000.00	
89114MA49	22318	Toronto Dominion Bank NY			2.560	04/05/2019	25,000,000.00	0.00	
87019VWT0	22320	Swedbank NY			2.580	04/26/2019	25,000,000.00	0.00	
		Subtotal and Balance		50,000,000.00			50,000,000.00	50,000,000.00	50,000,000.00
		Dealer Subtotal	8.232%	71,000,000.00			50,000,000.00	50,000,000.00	71,000,000.00

Portfolio SCRZ
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County of Santa Cruz
Activity Report
April 1, 2019 - June 30, 2019

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CUSIP	Investment #	Issuer	Percent of Portfolio	Par Value Beginning Balance	Current Rate	Transaction Date	Purchases or Deposits	Par Value Redemptions or Withdrawals	Ending Balance
Dealer: Royal Bank Canada Capital Mkt									
U.S. Treasury Notes/ Bonds									
Subtotal and Balance				61,000,000.00					61,000,000.00
Negotiable CDs									
78012UJU0	22288	Royal Bank of Canada			2.820	05/07/2019	0.00	25,000,000.00	
Subtotal and Balance				50,000,000.00			0.00	25,000,000.00	25,000,000.00
Supranationals									
Subtotal and Balance				25,000,000.00					25,000,000.00
Dealer Subtotal				136,000,000.00			0.00	25,000,000.00	111,000,000.00
Dealer: SANTA CRUZ COUNTY									
Santa Cruz County Auditor Loan									
SYS062819	22325	Santa Cruz County Auditor			2.500	06/28/2019	12,000,000.00	0.00	
Subtotal and Balance				0.00			12,000,000.00	0.00	12,000,000.00
Dealer Subtotal				0.00			12,000,000.00	0.00	12,000,000.00
Dealer: Stifel Nicolaus & Co									
U.S. Treasury Notes/ Bonds									
912828R85	22258	US Treasury N/B			0.875	06/17/2019	0.00	15,000,000.00	
Subtotal and Balance				53,000,000.00			0.00	15,000,000.00	38,000,000.00
Federal Agency Issues - Coupon									
3133EKF6	22317	Federal Farm Credit Bank			2.230	04/05/2019	12,000,000.00	0.00	
Subtotal and Balance				28,000,000.00			12,000,000.00	0.00	40,000,000.00
Medium Term Notes									
Subtotal and Balance				25,000,000.00					25,000,000.00
Treasury Discounts -Amortizing									
912796RA9	22319	US Treasury Bill			2.375	04/12/2019	20,000,000.00	0.00	
912796ST7	22324	US Treasury Bill			2.300	06/03/2019	15,000,000.00	0.00	

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County of Santa Cruz
Activity Report
April 1, 2019 - June 30, 2019

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CUSIP	Investment #	Issuer	Percent of Portfolio	Par Value Beginning Balance	Current Rate	Transaction Date	Purchases or Deposits	Par Value Redemptions or Withdrawals	Ending Balance
Subtotal and Balance				20,000,000.00			35,000,000.00	0.00	55,000,000.00
Supranationals									
Subtotal and Balance				10,000,000.00					10,000,000.00
Dealer Subtotal			19.480%	136,000,000.00			47,000,000.00	15,000,000.00	168,000,000.00
Dealer: Union Bank									
Union Bank Activity - Dividend									
SYS21111	21111	Union Bank			2.260		404.57	404.57	
Subtotal and Balance				0.00			404.57	404.57	0.00
Dealer Subtotal			0.000%	0.00			404.57	404.57	0.00
Dealer: US Bank MMMF									
Money Market Mutual Funds 02									
157 519 832 743	22283	US Bank MMMF			1.750		16,500,000.00	13,500,000.00	
Subtotal and Balance				2,000,000.00			16,500,000.00	13,500,000.00	5,000,000.00
Dealer Subtotal			0.580%	2,000,000.00			16,500,000.00	13,500,000.00	5,000,000.00
Dealer: Wells Fargo Securities LLC									
Federal Agency Issues - Coupon									
3133EGCA1	22197	Federal Farm Credit Bank			1.060	06/03/2019	0.00	14,000,000.00	
Subtotal and Balance				14,000,000.00			0.00	14,000,000.00	0.00
Medium Term Notes									
Subtotal and Balance				10,000,000.00					10,000,000.00
Dealer Subtotal			1.160%	24,000,000.00			0.00	14,000,000.00	10,000,000.00
Total			100.000%	831,673,178.71			490,984,680.49	460,220,565.82	862,437,293.38

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ACCRUED INTEREST REPORT

As of June 30, 2019

REPORT DESCRIPTION

The **Accrued Interest Report** shows the amount of interest earned, but not yet received, for each active investment within the portfolio. Within the date range, the report displays the amount of interest accrued as of the report beginning date, the amount of interest earned during the reporting period, the amount of interest recorded as received, and the ending accrued interest. What follows is a description of the report's headings.

ISSUER – Issuer is the name of the institution which issued the investment.

INVESTMENT NUMBER – The investment number is a unique number that identifies the investment position.

SECURITY TYPE – This heading is a three-character code assigned by the program to identify each type of investment.

PAR VALUE – The nominal or face value of the security.

MATURITY DATE – The maturity date is the date on when an investment will mature.

CURRENT RATE – For coupon instruments, the current rate is the coupon or interest rate at the time of purchase. For discount instruments, the current rate is the yield to maturity.

BEGINNING ACCRUED INTEREST – This column displays the amount of interest earned, but not yet received, as of the report beginning date.

INTEREST EARNED – This column shows the amount of interest earned during the selected reporting period.

INTEREST RECEIVED – This column includes the amount of interest posted as received during the selected reporting period.

ENDING ACCRUED INTEREST – This column displays the amount of interest earned, but not yet received, as of the report ending date.



**Quarterly Reports
Accrued Interest
Sorted by Security Type - Maturity Date
April 1, 2019 - June 30, 2019**

CUSIP	Investment #	Security Type	Par Value	Maturity Date	Current Rate	* Beginning Accrued Interest	Adjusted Acc'd Int. at Purchase During Period	Interest Earned	Interest Received	* Ending Accrued Interest
U.S. Treasury Notes/ Bonds										
912828R44	22263	TRC	0.00	05/15/2019	0.875	66,229.28	0.00	21,270.72	87,500.00	0.00
912828R85	22258	TRC	0.00	06/15/2019	0.875	38,581.73	0.00	27,043.27	65,625.00	0.00
912828S43	22206	TRC	17,000,000.00	07/15/2019	0.750	26,767.96	0.00	32,051.10	0.00	58,819.06
912828WW6	22277	TRC	12,000,000.00	07/31/2019	1.625	32,320.44	0.00	49,019.34	0.00	81,339.78
9128282B5	22287	TRC	10,000,000.00	08/15/2019	0.750	9,323.20	0.00	18,853.60	0.00	28,176.80
9128282T6	22286	TRC	18,000,000.00	08/31/2019	1.250	19,565.22	0.00	55,638.58	0.00	75,203.80
9128282G4	22202	TRC	20,000,000.00	09/15/2019	0.875	8,084.24	0.00	43,274.46	0.00	51,358.70
912828T59	22276	TRC	20,000,000.00	10/15/2019	1.000	92,307.69	0.00	49,768.81	100,000.00	42,076.50
912828F62	22292	TRC	20,000,000.00	10/31/2019	1.500	125,966.85	0.00	74,576.63	150,000.00	50,543.48
912828U32	22289	TRC	15,000,000.00	11/15/2019	1.000	56,767.96	0.00	37,389.65	75,000.00	19,157.61
912828UL2	22294	TRC	20,000,000.00	01/31/2020	1.375	45,580.11	0.00	69,129.83	0.00	114,709.94
912828W22	22307	TRC	20,000,000.00	02/15/2020	1.375	34,185.08	0.00	69,129.84	0.00	103,314.92
912828Y4	22297	TRC	18,000,000.00	02/29/2020	2.250	35,217.39	0.00	100,149.46	0.00	135,366.85
9128284J6	22303	TRC	13,000,000.00	04/30/2020	2.375	129,640.88	0.00	76,751.78	154,375.00	52,017.66
Subtotal			203,000,000.00			720,538.03	0.00	724,047.07	632,500.00	812,085.10
Federal Agency Issues - Coupon										
3136G3NA9	22196	FAC	0.00	05/23/2019	1.200	64,000.00	0.00	26,000.00	90,000.00	0.00
3130ABF92	22264	FAC	0.00	05/28/2019	1.375	70,468.75	0.00	32,666.25	103,125.00	0.00
3133EGCA1	22197	FAC	0.00	06/03/2019	1.060	48,642.22	0.00	25,557.78	74,200.00	0.00
3130AB2G0	22227	FAC	0.00	06/27/2019	1.400	65,800.00	0.00	60,200.00	126,000.00	0.00
3130AGC52	22321	FAC	18,000,000.00	09/23/2019	2.450	0.00	11,025.00	74,725.00	0.00	85,750.00
3137EADM8	22274	FAC	15,000,000.00	10/02/2019	1.250	93,229.17	0.00	46,875.00	93,750.00	46,354.17
3133EJ4K2	22301	FAC	16,000,000.00	01/03/2020	2.625	102,666.67	0.00	105,000.00	0.00	207,666.67
3137EAEE5	22244	FAC	15,000,000.00	01/17/2020	1.500	46,250.00	0.00	56,250.00	0.00	102,500.00
3130ADN32	22259	FAC	10,000,000.00	02/11/2020	2.125	29,513.89	0.00	53,125.00	0.00	82,638.89
3130A12B3	22305	FAC	10,000,000.00	03/13/2020	2.125	10,625.00	0.00	53,125.00	0.00	63,750.00
3133EJRL5	22270	FAC	13,000,000.00	08/11/2020	2.550	101,291.67	0.00	82,875.00	165,750.00	18,416.67
3134GBXV9	22284	FAC	20,000,000.00	07/13/2020	1.850	80,166.67	0.00	92,500.00	0.00	172,666.67
3130ACLP7	22313	FAC	10,000,000.00	11/05/2020	1.950	79,083.33	0.00	48,750.00	97,500.00	30,333.33
3133EKF6	22317	FAC	12,000,000.00	04/05/2021	2.230	0.00	0.00	63,926.67	0.00	63,926.67
3133EJT74	22290	FAC	13,000,000.00	11/15/2021	3.050	149,788.89	0.00	99,125.00	198,250.00	50,663.89
3134GSJ55	22300	FAC	12,000,000.00	12/27/2021	3.050	95,566.67	0.00	91,500.00	183,000.00	4,066.67
3134GS7E9	22314	FAC	15,000,000.00	03/25/2022	2.600	6,500.00	0.00	97,500.00	0.00	104,000.00

* Beginning Accrued may not include investments that redeemed in the previous month that had outstanding accrued interest. Ending Accrued includes outstanding purchase

Quarterly Reports
Accrued Interest
Sorted by Security Type - Maturity Date

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CUSIP	Investment #	Security Type	Par Value	Maturity Date	Current Rate	* Beginning Accrued Interest	Adjusted Acc'd Int. at Purchase During Period	Interest Earned	Interest Received	* Ending Accrued Interest
Subtotal			179,000,000.00			1,043,592.93	11,025.00	1,109,690.70	1,131,575.00	1,032,733.63
Medium Term Notes										
63254AAQ1	22280	MTN	12,000,000.00	07/12/2019	1.375	36,208.33	0.00	41,250.00	0.00	77,458.33
594918BN3	22200	MTN	10,000,000.00	08/08/2019	1.100	16,194.44	0.00	27,500.00	0.00	43,694.44
89236TDH5	22296	MTN	9,000,000.00	10/18/2019	1.550	63,162.50	0.00	34,875.00	68,750.00	28,287.50
90331HNJ8	22299	MTN	12,000,000.00	01/23/2020	2.350	53,266.67	0.00	70,500.00	0.00	123,766.67
037833CK4	22248	MTN	11,550,000.00	02/07/2020	1.900	32,917.50	0.00	54,862.50	0.00	87,780.00
931142EG4	22271	MTN	10,000,000.00	06/23/2020	2.850	77,583.33	0.00	71,250.00	142,500.00	6,333.33
594918BP8	22304	MTN	10,000,000.00	08/08/2021	1.550	22,819.44	0.00	38,750.00	0.00	61,569.44
478160CD4	22309	MTN	15,000,000.00	03/03/2022	2.250	26,250.00	0.00	84,375.00	0.00	110,625.00
037833BU3	22323	MTN	15,000,000.00	02/23/2023	2.850	0.00	118,750.00	33,250.00	0.00	152,000.00
Subtotal			104,550,000.00			328,402.21	118,750.00	456,612.50	212,250.00	691,514.71
Negotiable CDs										
87019VTU1	22295	NCB	0.00	04/29/2019	2.680	228,916.67	0.00	52,111.11	281,027.78	0.00
78012UJU0	22288	NCB	0.00	05/07/2019	2.820	283,958.33	0.00	70,500.00	354,458.33	0.00
65558TER2	22311	NCB	0.00	06/27/2019	2.550	58,437.50	0.00	154,062.50	212,500.00	0.00
89114MA49	22318	NCB	25,000,000.00	07/02/2019	2.560	0.00	0.00	154,666.66	0.00	154,666.66
85325T2K0	22310	NCB	25,000,000.00	07/22/2019	2.620	70,958.33	0.00	165,569.45	0.00	236,527.78
62478TT41	22306	NCB	20,000,000.00	08/19/2019	2.620	91,700.00	0.00	132,455.56	0.00	224,155.56
87019VWT0	22320	NCB	25,000,000.00	08/27/2019	2.580	0.00	0.00	118,250.00	0.00	118,250.00
Subtotal			95,000,000.00			733,970.83	0.00	847,615.28	847,986.11	733,600.00
Municipal Bonds										
13063DDE5	22260	MUN	12,195,000.00	10/01/2020	2.300	140,242.50	0.00	70,121.25	140,242.50	70,121.25
13063DLY2	22316	MUN	12,000,000.00	04/01/2022	2.350	0.00	0.00	68,150.00	0.00	68,150.00
Subtotal			24,195,000.00			140,242.50	0.00	138,271.25	140,242.50	138,271.25
Santa Cruz County Auditor Loan										
SYS062819	22325	MC9	12,000,000.00	07/31/2019	2.500	0.00	0.00	2,500.00	0.00	2,500.00
Subtotal			12,000,000.00			0.00	0.00	2,500.00	0.00	2,500.00
Local Agency Investment Fund (LAIF)										
SYS6501	6501	LA1	65,238,768.79		2.570	174,804.80	0.00	238,768.79	174,804.80	238,768.79
Subtotal			65,238,768.79			174,804.80	0.00	238,768.79	174,804.80	238,768.79
Union Bank Activity - Dividend										
SYS21111	21111	PA3	0.00		2.260	55.57	0.00	614.05	404.57	265.05

* Beginning Accrued may not include investments that redeemed in the previous month that had outstanding accrued interest. Ending Accrued includes outstanding purchase

Quarterly Reports
Accrued Interest
Sorted by Security Type - Maturity Date

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CUSIP	Investment #	Security Type	Par Value	Maturity Date	Current Rate	* Beginning Accrued Interest	Adjusted Acc'd Int. at Purchase During Period	Interest Earned	Interest Received	* Ending Accrued Interest
Subtotal			0.00			55.57	0.00	614.05	404.57	265.05
Supranationals										
459058FC2	22191	MC6	0.00	04/26/2019	1.250	80,729.17	0.00	13,020.83	93,750.00	0.00
459058FS7	22214	MC6	10,000,000.00	11/27/2019	1.125	38,550.00	0.00	28,125.00	56,300.00	10,375.00
4581X0CP1	22312	MC6	16,000,000.00	06/16/2020	1.875	87,500.00	0.00	75,000.00	150,000.00	12,500.00
45850VMC7	22275	MC6	10,000,000.00	06/29/2020	2.610	66,700.00	0.00	65,250.00	0.00	131,950.00
4581X0CS5	22308	MC6	15,000,000.00	03/15/2021	1.875	12,500.00	0.00	70,312.50	0.00	82,812.50
Subtotal			51,000,000.00			285,979.17	0.00	251,708.33	300,050.00	237,637.50
Money Market Mutual Funds 02										
032 005 207	21923	RRP	200,000.00		2.130	6,974.57	0.00	14,772.27	20,251.42	1,495.42
SYS011119	22302	RRP	50,000,000.00		2.480	131,775.33	0.00	335,730.19	377,131.78	90,373.74
157 519 832 743	22283	RRP	5,000,000.00		1.750	5,711.70	0.00	8,281.41	11,449.91	2,543.20
Subtotal			55,200,000.00			144,461.60	0.00	358,783.87	408,833.11	94,412.36
Rolling Repurchase Agreements - 3										
CD-101345	22231	RR3	253,524.59	04/03/2019	0.700	140.96	0.00	442.45	150.68	432.73
Subtotal			253,524.59			140.96	0.00	442.45	150.68	432.73
Total			789,437,293.38			3,572,188.60	129,775.00	4,129,054.29	3,848,796.77	3,982,221.12

* Beginning Accrued may not include investments that redeemed in the previous month that had outstanding accrued interest. Ending Accrued includes outstanding purchase

DESCRIPTION OF INVESTMENT INSTRUMENTS

The investment activities of County Treasurers are restricted by state law to a select group of government securities and prime money market instruments. To reduce the risk inherent in any one instrument, state law further limits the percentage of the county's portfolio that can be invested in any one type of security.

The types of securities available to the County Treasurer can be divided into three main categories: 1) U.S. Treasury bills, notes and bonds. They are guaranteed by the U.S. Government and are considered to have no credit risk. They also typically have the lowest yield of the securities available for investing. 2) Securities issued by U.S. Government Agencies and Instrumentalities. These securities consist mostly of notes and debentures of agencies and government sponsored corporations. They are not guaranteed by the U.S. government and therefore have some credit risk. Their yield is typically higher than U.S. Treasury securities. 3) Prime money market securities. These consist of securities such as bankers' acceptances, certificates of deposit, commercial paper and municipal bonds. The yield is typically higher than the other types of securities in which the county invests but the risk is also higher. Through diversification and purchasing only highly rated paper, the credit risk is kept to an acceptable minimum. Each of the securities in these three categories is subject to market risk if sold prior to maturity.

What follows is a brief description of the different securities used by the County Treasurer:

U.S. Treasury Notes and Bonds are long term obligations of the U.S. government, which bear coupons. Interest is payable every six months at a rate of one-half the annual coupon. Treasury bonds and notes trading is conducted by the same securities dealers who trade T bills. In the secondary market, prices are quoted in thirty-seconds of 1 percent. Except for their maturities, notes and bonds are identical regardless of their label. Notes are issued for original maturities of one to 10 years. Bonds are issued with original maturities of more than 10 years.

U.S. Treasury Bills are unusual instruments because they bear no specific interest rate. Rather, they are issued originally at a discount from its ultimate maturity (par) value. Because T Bills are issued and traded at a discount, investors receive their returns at maturity or on subsequent resale, which ordinarily will be at prices higher than the original discount.

Federal Farm Credit Bank (FFCB) Discount Notes. FFCB is an instrumentality of the U.S. Government. The notes are the consolidated obligations of the 37 Farm Credit Banks issued on a discount basis with maturities of one year or less. Although not as risk free as Treasury notes, most experts believe the U.S. government has a moral commitment to the farm credit system.

Federal Farm Credit Bank (FFCB) debentures are consolidated obligations of the 37 Farm Credit Banks issued with a fixed coupon rate with maturities ranging from 6 months to 20 years. A debenture is a bond secured only by the general credit of the issuer.

Federal Home Loan Bank (FHLB) Discount notes are consolidated obligations of 12 District banks issued with a fixed coupon rate with maturities ranging from one to ten years. Although the FHLB operates under federal charter with government supervision, the securities are not guaranteed by the U.S. government. However, the banks are required to maintain a considerable reserve pledged against the outstanding debt. They are therefore considered relatively risk free.

Federal National Mortgage Association (Fannie Mae) Discount notes are consolidations of government chartered private corporations issued on a discount basis with maturities under one year. They are guaranteed by the corporations, but not by the U.S. government. Many investors consider the securities a moral obligation of the U.S. government and believe Congress would intervene before allowing default.

Federal National Mortgage Association (Fannie Mae) debentures are obligations issued by the Association with a fixed coupon rate and various maturities. A debenture is a bond secured only by the general credit of the issuer.

Local Agency Investment Fund (LAIF) is the state sponsored investment fund. LAIF is an excellent cash management tool to help meet most of the unexpected cash demands. Currently the state limits the county's investment in this pool to \$65,000,000.

Federal Home Loan Mortgage Corporation (Freddie Mac) Participation Notes are issues of the Federal Home Loan Mortgage Corporation representing undivided interests in conventional mortgages underwritten and previously purchased by it. The corporation guarantees the timely payment of interest at the certificate rate and full return of principal. Participation Certificates have original final payment dates of 30 years.

Government National Mortgage Association (Ginnie Mae) Pass Through are issues of the wholly owned government corporation within the Department of Housing and Urban Development. Principal and interest payment collected on mortgages in specified pools are passed through to holders of GNMA Guaranteed certificates after deduction of servicing and guaranty fees. GNMA's have original stated maturities of 12 to 40 years. For Santa Cruz County, these are used only as collateral for overnight repurchase agreements.

Municipal Securities (Notes and Bonds) Debt securities issued by state and local governments and their agencies are referred to as municipal securities. Such securities can be divided into two broad categories: bonds issued to finance capital projects and short term notes sold in anticipation of the receipt of other funds, such as taxes or proceeds from a bond issue.

Banker's Acceptances. Briefly stated, the function of the bankers' acceptance is as follows: A borrower may, under certain circumstances, obtain short-term credit by arranging for his bank to accept a time draft upon it. The bank stamps its official acceptance across the face of the draft and converts it into a bankers' acceptance. The instrument, now being a bank obligation, may be sold to an acceptance dealer who, in turn, may sell it to an investor. Most BAs arise out of transactions involving the trade of manufactured goods or commodities. Maturities range from one to 180 days.

Commercial Paper is a short-term promissory note issued by a company to finance current transactions. All commercial paper is negotiable, but most commercial paper sold to investors is held to maturity. Commercial paper is issued not only by industrial and manufacturing firms but also by finance companies. Notes are sold on a discount or interest-bearing basis with maturities not exceeding 270 days.

Medium Term Notes are obligations that have maturities of less than 5 years and are issued by corporations or depositories organized and operating in the U.S.

Negotiable Certificate of Deposit (NCD). It is a receipt for deposit of a stated sum in the bank on a given date, together with a promise to redeem this sum plus interest at the indicated rate on a designated date. The instrument is negotiable because it is payable either to bearer or to the order of the depositor.

Repurchase Agreements (RP or Repos). A holder of securities sells securities to an investor with an agreement to repurchase them at a fixed price on a fixed date. Repurchase agreements are usually for short periods of time (one to five days), when large sums are received that will be needed in the next day or two. As a result, they are often called overnight repos. From the point of view of investors, overnight repos offer several attractive features. First, by rolling overnight repos, investors can keep surplus funds invested without losing liquidity or incurring a price risk. Second, because repo transactions are secured by top quality paper, investors expose themselves to little or no risk.

Guaranteed Investment Contract (GIC). This is a fixed income agreement offered by insurance companies. GICs offer to pay a specific interest rate over a period of time. Some GICs are eligible for early redemption, with or without penalty, which eliminates market risk if interest rates rise. In Santa Cruz County it is only used for the investment of secured indebtedness and only if the note documentation permits such an investment.

Money Market (Mutual) Fund. A money market mutual fund is a pooled fund that invests in a number of money market vehicles (CD's, CP, T-Bills, etc.). These funds are designed to pay the investor interest, as well as provide full liquidity. Maturities of the underlying investments are 13 months or less.

COUNTY OF SANTA CRUZ TREASURY DIVISION

Date: July 31, 2019
To: Treasury Oversight Commission
From: Treasury Division
Subject: Direct Auditor to perform TOC Compliance Audit
Action Required: Vote

Excerpt from 2019 Investment Policy / Roll of Commission

The Treasurer will annually provide a copy of the Investment Policy for review and monitoring by the Treasury Oversight Commission. The Treasurer will provide a report quarterly to the Board of Supervisors and the Treasury Oversight Commission, identifying all investments held in the County Investment Pool, or elsewhere by the Treasurer. The Treasury Oversight Commission shall, via this report and other appropriate means, monitor the activities of the Treasurer, and **cause to be performed an annual audit to determine the Treasurer's compliance with this Investment Policy, and other appropriate regulations.**

Commission meetings shall be open to the public and in compliance with the appropriate sections of the Ralph M. Brown Act. By Code, all costs related to the duties of the Treasury Oversight Commission will be considered normal charges against earnings of the Investment Pool.

The Treasury Oversight Commission shall have no authority to direct the process or daily operation of any portion of the Treasury department, nor shall the Commission play any role in determining which banks, firms, or individuals the Treasurer does business with, nor shall the Commission be involved in determining which investments the Treasurer purchases, but shall act only to review the actions of the Treasurer to determine that they are in accordance with the Investment Policy and all other legal requirements or regulations.



SANTA CRUZ COUNTY BOARD OF EDUCATION

AGENDA ITEM

Board Meeting Date: August 15, 2019

☐

Action

☒

Information

TO: Dr. Faris Sabbah, County Superintendent of Schools

FROM: Debi Bodenheimer, Associate Superintendent, Educational Services

SUBJECT: Admin Kick Off, Aug. 7 2019

BACKGROUND

The Board will receive a brief presentation regarding the Santa Cruz COE's Administrative Kick Off, held August 7, 2019.

SUPERINTENDENT'S RECOMMENDATION FOR BOARD ACTION:

Receive report.

FUNDING IMPLICATIONS

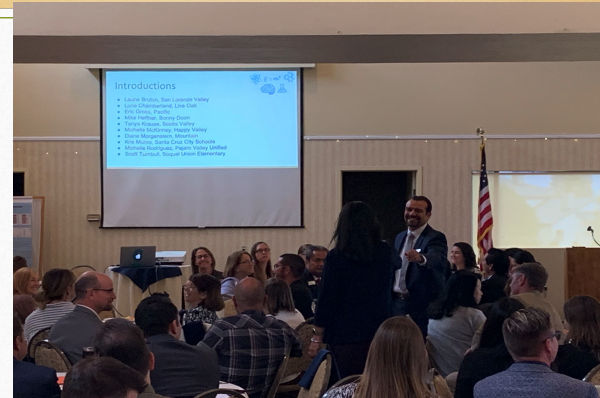
None.

Santa Cruz COE Admin Kick-Off

Report to the Santa Cruz County Board of Education
August 15, 2019
Debi Bodenheimer, Associate Superintendent,
Educational Services

Theme and Details

- Theme: Science and Equity
- Held at Seascope Golf Club
- 170+ participants from all 10 districts and COE
- 37 students from elementary to HS
- Keynote speaker, student science displays, student science speakers (4 groups)



Keynote Speaker: Dr. Corey Garza



Dr. Garza's Key Points

- We need to encourage diversity and inclusion in the sciences.
- We need to broaden our definition of what it means to be a scientist, and have clear messaging about the careers available.
- We need outreach to students, teachers and communities to make this happen.

Student Displays



Student Speakers



Student Speakers



It Was a Great Way to Start the Year!





SANTA CRUZ COUNTY BOARD OF EDUCATION

AGENDA ITEM

Board Meeting Date: August 15, 2019

☐

Action

☒

Information

TO: Santa Cruz County Board of Education

FROM: Dr. Faris Sabbah, County Superintendent of Schools

SUBJECT: Countywide Data Integration Initiative

BACKGROUND

The County Office of Education is embarking on an effort to create a countywide warehouse that would track student data from birth to career. This data will allow the Santa Cruz COE and other providers to improve the delivery of services for students. It would require obtaining consent from parents and data sharing agreements from a variety of partners.

SUPERINTENDENT'S RECOMMENDATION FOR BOARD ACTION:

Receive report.

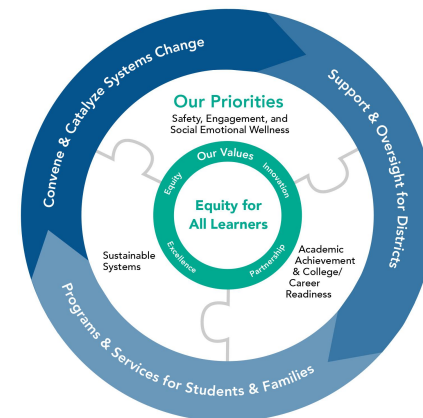
FUNDING IMPLICATIONS

Will be included within presentation, if any.

Countywide Data Integration Initiative

Faris Sabbah, County Superintendent
Santa Cruz County Board of Education
8/15/2019

Strategic Plan



Our Why



- Fragmentation of the data landscape
- Data already shared (old school)
- Know more, serve more effectively
- Need for our data needs to match our “whole child” approach

Data Equivalence of Wrap Around Services

Individual Level

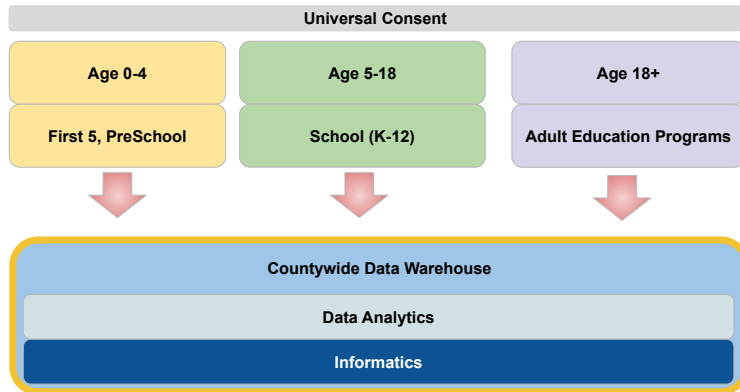
Better Data = Better Services = Student Success & Wellbeing

Systems Level

Better Data = More Actionable Knowledge = Continuous Improvement



Data Sources



Data and Service Partnerships



- First 5: Newborns, PreSchools
- Community Ventures: College Bank Accounts
- School Districts: SIS Data
- County Social Services: Higher Acuity Services
- Post Secondary

Challenges & Solutions

- | | | |
|---|--|--|
| <ul style="list-style-type: none"> • Privacy challenge • Reluctance to share • Lack of Unique IDs • Slow processing of data • Reliance on Analysis Expertise | | <ul style="list-style-type: none"> • Parent Consent • Sell the idea • Use CALPADS SSID IDs • On the fly Visualization tools • Trust the |
|---|--|--|

Next Steps

Universal Consent

Data Sharing Agreements

Building the Data System

Unique IDs



SANTA CRUZ COUNTY BOARD OF EDUCATION

AGENDA ITEM

Board Meeting Date: August 15, 2019

☒

Action

☐

Information

TO: Santa Cruz County Board of Education

FROM: Bruce Van Allen, Chair, Policy Committee

SUBJECT: First Reading: Board Policies, 9000 Series

BACKGROUND

Modification and new policies may be adopted by the County Board of Education following a first and second reading by the Board. The Board may accept the proposed policy or policies as submitted and waive a second reading and move to take action, order changes, or order changes and bring back for a final reading.

SUPERINTENDENT'S RECOMMENDATION FOR BOARD ACTION:

Approve first reading of proposed board policies.

FUNDING IMPLICATIONS

None.

Role of the Board

Board Bylaw

BB 9000

The County Board of Education provides leadership and citizen oversight for educational programs and services operated by the county office of education (COE), including services provided to school districts and the community. The primary objectives of the County Board are to work with the County Superintendent of Schools to establish direction and priorities for the COE and to provide leadership necessary for the success of public education.

In fulfilling its objectives, it is the role of the County Board to:

1. Adopt and update policies for its own governance and for programs under the statutory authority of the County Board
2. Ensure accountability for student learning in schools and programs under the statutory authority of the County Board
3. Fulfill responsibilities related to the local control funding formula (LCFF), including adopting the COE local control and accountability plan (LCAP) or update and the LCFF budget overview for parents/guardians
4. Provide community leadership on educational issues and advocate on behalf of students and public education at the local, state, and federal levels
5. Collaborate with the County Superintendent to ensure implementation of the shared vision, goals, and policies of the COE
6. Collaborate with the County Superintendent to ensure the provision of a safe and appropriate educational environment for all COE students
7. Adopt the annual budget and review interim reports of the County Superintendent
8. Set the salary of the County Superintendent in accordance with law
9. Adopt rules and regulations governing the administration of the office of the County Superintendent
10. Acquire, lease, lease-purchase, hold, and convey real property for the purpose of housing

the offices, schools, and the services of the COE

11. Maintain a cooperative and supportive working relationship with local school districts, their school boards, and the community
12. Conduct appeals on the following actions by district governing boards: student expulsions; interdistrict transfer requests; denials, nonrenewals, or revocations of charter school petitions; and other matters when required by law
13. Conduct public hearings when appropriate
14. Consider petitions and provide oversight for charter schools approved by the County Board and fulfill other statutory responsibilities in connection with charter schools

The County Board is authorized to establish, carry on, and finance any program or activity that is not in conflict with, inconsistent with, or preempted by law and does not conflict with the purposes for which the County Board is established. (Education Code 35160-35160.1)

Legal References:

EDUCATION CODE

1000-1017 Election, jurisdiction, organization and procedure; county boards of education
1040-1048 Duties and responsibilities; county boards of education, especially:
1042 County boards; authority
1080-1082 Transfer of duties and functions to county board
1090 Compensation for county board member services
1095 County board membership in organizations for promotion and advancement of public education
1200 Actual and necessary travel expenses incurred by county superintendent
1209 Approval by county board for determination of county superintendent salary
1240-1281 Duties, responsibilities, and general powers; county superintendents of schools, especially:
1240 Duties of county superintendent
1279 Disposal of personal property
1280 Budget revisions
1294 Staff employed by county superintendent
1295 Leaves of absence for non- certificated staff
1302 Salary, bonus, and retirement benefits increases for county office of education staff
1620-1630 County board budget approval and adoption, including appropriations limit resolution
1720 Preparation of courses of study and development of curriculum and instructional materials
1730 Supervision of instruction
1740 Supervision of attendance
1750 Supervision of health
1760 Provision of guidance services

1770 Provision of library services
1900 Classes or schools for prisoners
1920 Emergency schools
1945 Provision of advisory services
1946 Agreements with districts for centralized in-service training programs
1980-1986 County community schools
4020-4024 Transfer of duties of county committee to county board
5000 Election of district board members
5091 Vacancy on district board
8321 County superintendent authority to establish and maintain child development programs
17150-17150.1 School bonds; public disclosure of non-voter-approved debt
33050 Request to state board for waiver
33319.5 Implementation of authority of local agencies
35160 Authority of county boards
35160.1 Authority of county boards; legislative intent
41032 Gifts, donations, bequests, and devises
44332 Temporary certificates for purpose of authorizing salary payments
44422 Hearing by county board; immoral or unprofessional conduct by holder of credential
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)

Management Resources:

CSBA PUBLICATIONS

Professional Governance Standards for County Boards, October 2014

CALIFORNIA COUNTY BOARDS OF EDUCATION PUBLICATIONS

County Board Member Handbook: A Guide to Effective Governance, 2015

CALIFORNIA COUNTY SUPERINTENDENTS EDUCATIONAL SERVICES

ASSOCIATION PUBLICATIONS

Statutory Functions of County Boards of Education and County Superintendents of Schools, rev. 2014

WEB SITES

CSBA: <http://www.csba.org>

California County Boards of Education: <http://www.theccbe.org>

California County Superintendents Educational Services Association: <http://www.ccsesa.org>

Role of the Board

Exhibit

E 9000

LEGAL RESPONSIBILITIES OF THE COUNTY BOARD OF EDUCATION

The roles and responsibilities of the County Board of Education as stated in the California Constitution, the California Education Code, Title 5 of the California Code of Regulations, and other statutes include, but are not necessarily limited to, the following required and optional responsibilities.

Governance

The County Board is required to do the following:

1. Adopt rules and regulations consistent with laws of the state for its own governance (Education Code 1040)
2. Hold a regular meeting at least once a month (Education Code 1011)
3. Keep a record of County Board proceedings including all votes of the County Board (Education Code 1040, 1015)
4. Conduct the biennial election of the County Board (Education Code 1007, 5000)

The County Board has the discretion to do the following:

5. Conduct an advisory election on substantive issues or ballot proposals (Elections Code 9603)
6. Adopt or repeal a limit on the number of terms a member may serve on the County Board (Education Code 1006)

Operations

The County Board is required to do the following:

7. Adopt and update a conflict of interest code for County Board members and designated consultants (Government Code 87300)
8. Act as the county committee on school district organization when ordered to do so by the State Board of Education (SBE) (Education Code 4020)

The County Board has the discretion to do the following:

9. Initiate and carry on any program or activity, or otherwise act in any manner which is not in conflict with or inconsistent with, or preempted by, any law and which is not in conflict with the purposes for which the county office of education (COE) is established (Education Code 35160)
10. Adopt rules and regulations governing the administration of the office of the County Superintendent of Schools (Education Code 1042)
11. Accept on behalf of the COE any gifts, donations, devices, and bequests made to the COE or for the benefit of any school or program maintained by the COE (Education Code 41032)
12. Consider for approval any COE staff request for a sabbatical leave that is not otherwise covered by a certificated bargaining agreement and has been granted by the County Superintendent (Education Code 1294)
13. Consider for approval any COE staff request made through the County Superintendent for a paid or unpaid leave of absence, not otherwise included in the classified bargaining agreement (Education Code 1295)
14. Conduct a hearing at the request of the Commission on Teacher Credentialing (CTC) for any credential holder who is serving in or last served in the county and is accused of misconduct by the CTC (Education Code 44422)
15. Issue temporary teaching certificates to certificated employees for the purpose of authorizing salary payments (Education Code 44332)
16. Contract with and employ persons to furnish the County Board with special services and advice in financial, economic, accounting, engineering, legal, or administrative matters if these persons are specially trained and experienced and competent to perform the special services required (Education Code 1042)
17. Take action on any claim for damages presented in accordance with the provisions governing claims filed against public entities (Government Code 911.6)
18. Acquire, lease, lease-purchase, and hold and convey real property for the purpose of

housing the offices and the services of the COE (Education Code 1042)

19. Exercise the power of eminent domain to acquire any property necessary or convenient for carrying out the duties and responsibilities of the County Board (Education Code 1047)
20. Render a city or county zoning ordinance related to storage or transmission of water or electrical energy facilities inapplicable to a proposed use of property by the COE (Government Code 53096)

County Programs, Schools, and Services

The County Board is required to do the following:

21. Adopt a course of study for county community schools (Education Code 1983)
22. Ensure that services and programs designed to address the language needs of English learners in county community schools are provided (Education Code 1983)
23. Ensure that assessments are administered in all areas of suspected disability and appropriate services and programs, as specified in a student's individualized education program, are provided (Education Code 1983)
24. Act as the governing board for any regional occupational program (ROP) maintained by the County Superintendent (Education Code 52310.5)
25. Establish and maintain an employer advisory board for an ROP governed by the County Board (Education Code 52302.2)
26. Biennially review the career technical courses and/or program offered by an ROP (Education Code 52302.3)
27. Consider for approval any plans for the construction of any juvenile court classrooms and facilities (Education Code 48645.6)
28. Provide for the administration and operation of juvenile court schools (Education Code 48645.2)
29. Adopt a course of study for juvenile court schools as recommended by the County Superintendent (Education Code 48645.3)
30. Evaluate the educational program established for juvenile court schools (Education Code 48645.3)
31. Adopt an annual school calendar for juvenile court schools as recommended by the

County Superintendent (Education Code 48645.3)

32. Annually select state-approved textbooks and instructional materials for grades K-8 for specific career and technical education courses in juvenile court and community school programs (Education Code 60200)
33. As recommended by the County Superintendent, adopt textbooks and instructional materials for high schools under the control of the COE (Education Code 60400)
34. If the COE receives funds for instructional materials for county-operated educational programs from any state source, annually hold a public hearing to make a determination as to whether students in COE programs have sufficient textbooks and/or instructional materials that are aligned to state content standards (Education Code 60119)
35. Consider for approval the program philosophy, goals, and objectives of any child care and development program operated by the County Superintendent (5 CCR 18271)

The County Board has the discretion to do the following:

36. Consider establishing and maintaining one or more county community schools (Education Code 1980)
37. Consider approving any County Superintendent proposal for the establishment of a child development program or center before submission to the Superintendent of Public Instruction (SPI) for approval (Education Code 8321)
38. Certify by resolution the compliance of ROP curriculum with state course approval criteria (Education Code 52309)
39. Appoint individuals or group representatives, other than district representatives, to a county school attendance review board (Education Code 48321)
40. Request the SBE to waive for the COE all or any part of the Education Code or any regulation adopted by the SBE (Education Code 33050)
41. Fill by appointment any vacancy that may occur during the term of the County Superintendent (Education Code 1042)
42. Fill by appointment any vacancy that may occur during the term of a County Board member (Education Code 1008, 5091)

Finance

The County Board is required to do the following:

43. Fix the salary and fringe benefits of the County Superintendent in accordance with law (California Constitution, Art. 9, Sec. 3.1; Education Code 1209)
44. Adopt regulations to pay the actual and necessary travel expenses of the County Superintendent and COE staff (Education Code 1081, 1200; 5 CCR 17433)
45. Approve the annual budget of the County Superintendent before its submission to the County Board of Supervisors (Education Code 1040)
46. Review any recommendation by the County Superintendent to provide a bonus or salary increase of \$10,000 or more for any employee (Education Code 1302)
47. Adopt an annual budget for the budget year and file it with the SPI, the County Board of Supervisors, and the County Auditor (Education Code 1622)
48. Review the report of the annual audit provided by the County Superintendent at a regularly scheduled public meeting (Education Code 1040)
49. Review the interim budget reports presented by the County Superintendent (Education Code 1240)
50. Approve or make revisions, reductions, or additions to the annual itemized estimates of anticipated revenue and expenditures prepared by the County Superintendent (Education Code 1042, 1080)
51. Annually adopt a resolution identifying the estimated appropriations limit for the current fiscal year and the actual appropriation limit for the prior fiscal year (Education Code 1629)
52. Consider for approval the disposal of the COE's personal property worth over \$25,000, as submitted by the County Superintendent (Education Code 1279)

The County Board has the discretion to do the following:

53. For fiscally dependent County Boards, determine the monthly compensation of County Board members (Education Code 1090)
54. Act by resolution to approve the meeting stipend of an absent County Board member when permitted by law (Education Code 1090)
55. Consider for approval any budget revision in excess of \$25,000. Such budget revisions shall be incorporated in the next interim financial report or board report submitted to the County Board for discussion and approval at a regularly scheduled meeting. (Education Code 1280)

56. Consider for approval any consultant contract that constitutes a budget revision and is in excess of \$25,000. Such budget revisions shall be incorporated into the next interim financial report or board report submitted to the County Board for discussion and approval at a regularly scheduled meeting. (Education Code 1281)
57. Include in the budget a general reserve to meet the cash requirements of the following fiscal year until adequate proceeds of the taxes levied or of the apportionment of state funds are available (Education Code 1621)
58. Include in the budget a designated fund balance, available for appropriation by a majority vote of the County Board, for any specific purpose (Education Code 1621)
59. Consider for approval any recommendation by the County Superintendent to increase the retirement benefits for an employee (Education Code 1302)
60. Subscribe for membership in any state or local organization which has as its primary purpose the promotion and advancement of public education (Education Code 1095)
61. Approve the County Superintendent's subscription for membership in any society, association, or organization which has the purpose of the promotion and advancement of public education (Education Code 1260)

Use of County School Service Fund

62. Consider short and long term borrowing based on projected tax revenue or estimated state apportionment as recommended by the County Superintendent (Government Code 53822)
63. Consider for approval the issuance of revenue bonds or agreements for financing pursuant to the California School Finance Authority Act (Education Code 17150)
64. Consider for approval any use of the county school service fund to allow the County Superintendent to employ supervisors to supervise instruction in the elementary school districts under the County Superintendent's jurisdiction (Education Code 1730)
65. Consider for approval any use of the county school service fund to allow the County Superintendent to employ personnel to supervise the attendance of students in elementary, high school, and unified school districts under the County Superintendent's jurisdiction (Education Code 1740)
66. Consider for approval any use of the county school service fund to allow the County Superintendent to employ supervisors of health to provide health services to students in elementary, high school, and unified school districts under the County Superintendent's jurisdiction (Education Code 1750)

67. Consider for approval any use of the county school service fund to allow the County Superintendent to employ personnel to provide necessary guidance services to students in elementary, high school, and unified school districts under the County Superintendent's jurisdiction (Education Code 1760)
68. Consider for approval any use of the county school service fund for the County Superintendent to enter agreements with the county librarian to take over all existing contracts for supplementary books and other material adopted for the course of study between the school districts or community college districts and the county librarian (Education Code 1770)
69. Consider for approval any use of the county school service fund to allow the County Superintendent to prepare, with the cooperation of school and community college districts, courses of study and the development of curriculum and instructional materials to be used in the elementary and secondary schools (Education Code 1720)
70. Consider for approval any use of the county school service fund to allow the County Superintendent to establish and maintain emergency elementary schools, provide emergency teachers, and/or provide transportation to elementary schools for students residing in the county when funds are not available from other sources (Education Code 1920)
71. Consider for approval any use of the county school service fund to allow the County Superintendent to provide advisory services in school business administration activities, in maintenance of school building and grounds, and in the processing of special problems concerning credentials as designated by the California Department of Education (Education Code 1945)
72. Consider for approval any use of the county school service fund to provide classes to serve prisoners in county jail facilities as recommended by the County Superintendent and approved by the County Board of Supervisors (Education Code 1900)
73. Consider for approval any use of the county school service fund to provide classes to serve prisoners in state correctional facilities pursuant to a contract with the Director of Corrections as recommended by the County Superintendent (Education Code 1259)
74. Consider for approval any use of the county school service fund to enter into an agreement with any school or community college district within the jurisdiction of the County Superintendent to provide, under the direction of the County Superintendent, a centralized inservice training program to certificated or classified employees of those districts or of the COE (Education Code 1946)

Local Control and Accountability Plan

The County Board is required to do the following:

75. For County Board run schools and programs, hold at least one public hearing to solicit the recommendations and comments of members of the public regarding the specific actions and expenditures proposed to be included in the local control and accountability plan (LCAP) and annual updates (Education Code 52068)
76. Adopt the LCAP and annual updates, and the accompanying local control funding formula budget overview for parents/guardians (Education Code 52064.1, 52067, 52068)
77. Adopt revisions to the LCAP during the period the plan is in effect (Education Code 52068)

Charter School Petitions and Oversight

The County Board is required to do the following:

78. Provide technical assistance to County Board authorized charter schools consistent with state law (Education Code 47607.3)
79. Provide oversight by ensuring that all reports required of County Board authorized charter schools, including updates to the LCAP, are filed in a timely manner and by monitoring the fiscal condition of each County Board authorized charter school (Education Code 47604.32, 47606.5)
80. Review and adopt updates presented by the County Superintendent for any LCAP adopted by County Board authorized charter schools (Education Code 47604.33, 52067-52068)

The County Board has the discretion to do the following:

81. Consider for approval any petition to establish a charter school that will serve students for whom the COE would otherwise be responsible for providing direct education and related services (Education Code 47605.5)
82. Consider for approval any petition to establish a countywide charter school for the purpose of providing instructional services that are not generally provided by COE if the students who will benefit from those services cannot be served as well by a charter school that operates in a single school district within the county (Education Code 47605.6)
83. As part of the countywide charter school petitioning process, enter into an agreement with a third party to oversee, monitor, and report to the County Board on the operations of the charter school (Education Code 47605.6)
84. Consider for approval requests to materially revise a charter authorized by the County

Board, including revisions that propose additional locations for the charter school (Education Code 47605, 47605.6, 47607)

85. Consider for approval requests to renew the petition of a charter school authorized by the County Board (Education Code 47607)
86. When necessary, and in accordance with proper procedures and appropriate findings, revoke a County Board approved charter for any of the reasons allowed by law (Education Code 47607)
87. Contract with the SBE to perform the oversight, monitoring, and reporting duties on the operations of a statewide benefit charter school authorized by the SBE (Education Code 47605.8)
88. Perform the supervisorial and oversight duties of a charter school that was approved on appeal by the SBE and is located within the county (Education Code 47605)

Charter, Expulsion, and Interdistrict Transfer Appeals

The County Board is required to do the following:

89. Upon request of a charter school petitioner, act as the appeals board when the petition has been denied by a district within the county (Education Code 47605)
90. Act as the appeals board for the nonrenewal of a charter school petition authorized by a district governing board (Education Code 47607)
91. Act as the appeals board for the revocation of a charter school petition by a district governing board (Education Code 47607)
92. Act as the appeals board for an interdistrict transfer attendance request denied by a district governing board (Education Code 46601)
93. Act as the appeals board for a student expulsion ordered by a district governing board (Education Code 48919)

Other Services to Districts

The County Board has the discretion to do the following:

94. Consider for approval the County Superintendent's proposal to study, or join with school districts to study, the future management, conditions, needs, and financial support of the schools within the county (Education Code 1260)
95. Consider for approval the County Superintendent's proposal to install and maintain

exhibits of educational programs and activities of the school districts within the county at any county fair or agricultural district fair (Education Code 1260)

96. Consider for approval the County Superintendent's proposal to inform and make known to the citizens of the county the educational programs and activities of school districts in the county (Education Code 1260)
97. Consider for approval the County Superintendent's proposal to provide inservice programs and coordination services for district and community college governing boards or board associations in the county (Education Code 1260)

Governance Standards

Board Bylaw

BB 9005

The County Board of Education believes that its primary responsibility is to act in the best interests of every student in every school or program operated by the county office of education (COE). The County Board has commitments to parents/guardians, all members of the community, COE employees, and the state of California. The County Board is bound by laws pertaining to public education and the established policies of the COE. To maximize County Board effectiveness and public confidence in its governance, County Board members are expected to govern responsibly and hold themselves to the highest standards of ethical conduct.

The County Board expects its members to work with each other and with the County Superintendent of Schools to ensure that a high-quality education is provided to all students in COE schools and programs and that high-quality services are provided to the community and to the school districts within the jurisdiction of the COE. Each individual County Board member shall:

1. Keep learning and achievement for all students as the primary focus
2. Value, support, and advocate for public education
3. Recognize and respect differences of perspective and style on the County Board and among staff, students, parents/guardians, and the community
4. Act with dignity and understand the implications of demeanor and behavior
5. Keep confidential matters confidential
6. Participate in professional development and commit the time and energy necessary to be an informed and effective leader
7. Understand the distinctions of authority between the County Board and the County Superintendent, and refrain from performing management functions that are the responsibility of the County Superintendent and staff
8. Understand that authority rests with the County Board as a whole and not with individual

9. Support the will of the Board majority after an action has been taken. Trustees shall have the right to voice a minority opinion as an individual.

County Board members also shall assume collective responsibility for building unity and creating a positive organizational culture. To operate effectively, the County Board shall have a unity of purpose and:

1. Keep focused on student learning and achievement, as well as the role of the COE in providing services to school districts and the community
2. Work collaboratively with the County Superintendent
3. Communicate a common vision
4. Operate openly, with trust and integrity
5. Govern in a dignified and professional manner, treating everyone with civility and respect
6. Govern within the law and County Board-adopted policies and procedures
7. Take collective responsibility for the County Board's performance
8. Periodically evaluate its own effectiveness
9. Ensure opportunities for the diverse range of views in the community to inform County Board deliberations

Legal Reference:

EDUCATION CODE

1040 Duties and responsibilities; county boards of education

1042 County boards; authority

35160-35160.1 Authority of county boards

GOVERNMENT CODE

1090 Financial interest in contract

1098 Disclosure of confidential information

1125-1129 Incompatible activities

54950-54962 The Ralph M. Brown Act

87300-87313 Conflict of interest code

Management Resources:

CSBA PUBLICATIONS

Professional Governance Standards for County Boards, October 2014

CALIFORNIA COUNTY BOARDS OF EDUCATION PUBLICATIONS

County Board Member Handbook: A Guide to Effective Governance, 2015

WEB SITES

CSBA: <http://www.csba.org>

California County Boards of Education: <http://www.theccbbe.org>

Public Statements

Board Bylaw

BB 9010

The County Board of Education recognizes the responsibility of County Board members in their role as community leaders to participate in public discourse on matters of civic or community interest, including those involving the county office of education (COE), and their right to freely express their personal views. However, to ensure communication of a consistent, unified message regarding COE issues, County Board members are expected to respect the authority of the County Board to choose its spokesperson to communicate its positions and to abide by established protocols.

All public statements authorized to be made on behalf of the County Board shall be made by the County Board president or, if appropriate, by the County Superintendent of Schools, or other designated spokesperson.

When speaking for the County Board, the spokesperson is encouraged to exercise restraint and tact and to communicate the message in a manner that promotes public confidence in the County Board's leadership.

When making public statements County Board members shall not disclose confidential information or information received in closed session except when authorized by a majority of the County Board. (Government Code 54963)

When speaking to community groups, members of the public, or the media, individual County Board members should recognize that their statements may be perceived as reflecting the views and positions of the County Board. County Board members have a responsibility to identify personal viewpoints as such and not as the viewpoint of the County Board.

In addition, Board members who participate on social networking sites, blogs, or other discussion or informational sites are encouraged to conduct themselves in a respectful, courteous, and professional manner and to model good behavior for COE students and the community. Such electronic communications are subject to the same standards and protocols established for other forms of communication, and the disclosure requirements of the California Public Records Act may likewise apply to them.

Legal Reference:

GOVERNMENT CODE

6250-6270 California Public Records Act

54960 Actions to stop or prevent violation of meeting provisions

54963 Confidential information in closed session

Management Resources:

WEB SITES

CSBA: <http://www.csba.org>

California County Boards of Education: <http://www.theccbe.org>

Disclosure of Confidential/Privileged Information

Board Bylaw

BB 9011

The County Board of Education recognizes the importance of maintaining the confidentiality of information acquired as part of a County Board member's official duties. Confidential information shall be released only to the extent authorized by law.

Disclosure of Closed Session Information

A County Board member shall not disclose confidential information acquired during a closed session of a board meeting to a person not entitled to receive such information, unless a majority of the County Board has authorized its disclosure. (Government Code 54963)

For these purposes, Confidential information means a communication made in a closed session that is specifically related to the basis for the County Board to meet lawfully in closed session. (Government Code 54963)

The County Board shall not take any action against any person for disclosing confidential information, nor shall the disclosure be considered a violation of the law or County Board policy, when the person is: (Government Code 54963)

1. Making a confidential inquiry or complaint to a district attorney or grand jury concerning a perceived violation of law, including disclosing facts necessary to establish the illegality or potential illegality of a County Board action that has been the subject of deliberation during a closed session
2. Expressing an opinion concerning the propriety or legality of County Board action in closed session, including disclosure of the nature and extent of the illegal or potentially illegal action
3. Disclosing information that is not confidential

Other Disclosures

A County Board member shall not disclose, for pecuniary gain, confidential information acquired in the course of his/her official duties. Such a disclosure may result in criminal prosecution. For these purposes, confidential information also includes information that is not a public record subject to disclosure under the Public Records Act, information that by law may not be disclosed, or information that may have a material financial effect on the County Board member. (Government Code 1098)

Disclosures made to law enforcement officials when reporting improper governmental activities are excepted from this prohibition. (Government Code 1098)

Legal Reference:

EDUCATION CODE

35146 Closed session

EVIDENCE CODE

1040 Privilege for official information

GOVERNMENT CODE

1098 Public officials and employees re confidential information

6250-6270 Inspection of public records

54950-54963 Brown Act, especially:

54956.8 Open meeting laws

54956.9 Closed meeting for pending litigation

54957.5 Public records

54957.7 Reasons for closed session

54963 Confidential information in closed session

ATTORNEY GENERAL OPINIONS

80 Ops.Cal.Atty.Gen. 231 (1997)

Management Resources:

CSBA PUBLICATIONS

Professional Governance Standards for County Boards, October 2014

WEB SITES

CSBA: <http://www.csba.org>

Board Member Electronic Communications

Board Bylaw

BB 9012

The County Board of Education recognizes that electronic communication is an efficient and convenient way for County Board members to communicate and expedite the exchange of information within the county office of education (COE) and with members of the public. County Board members shall exercise caution so as to ensure that electronic communications are not used as a means for the County Board to deliberate outside of an agendized meeting nor to circumvent the public's right to access records regarding COE business.

A majority of County Board members shall not, outside of a noticed meeting, use a series of electronic communications of any kind, directly or through intermediaries, to discuss, deliberate, or take action on any item that is within the subject matter jurisdiction of the County Board. (Government Code 54952.2)

To avoid inadvertently violating the prohibition of law against a serial meeting, a County Board member shall not forward his/her comments on an electronic communication he/she receives from another member regarding an issue within the subject matter jurisdiction of the County Board to any other member.

When communicating electronically, County Board members shall make every effort to adhere to the same standards and protocols established for other forms of communication. A County Board member may respond to an electronic communication received from a member of the community and should make clear that his/her response does not necessarily reflect the views of the County Board as a whole. As appropriate, complaints or requests for information may be forwarded to the County Superintendent so that the issue may receive proper consideration and be handled through the appropriate COE process. Communication received from the media shall be forwarded to the County Board president and the County Superintendent.

A County Board member's electronic communications, including, but not limited to, emails and text messages, which are related to the conduct of COE business may be subject to disclosure under the California Public Records Act, regardless of whether they are sent or received on the County Board member's personal or COE-provided account or device. To the extent possible, electronic communications regarding any County Board business shall be transmitted through a COE-provided device or account. When any such communication is transmitted through a

County Board member's personal device or account, he/she shall copy the communications to a COE electronic storage device for easy retrieval.

County Board members may use electronic communications to discuss matters that are outside the jurisdiction of the County Board, regardless of the number of members participating in the discussion, and such personal communications are generally not subject to public disclosure.

(cf. 9010 - Public Statements)

Legal Reference:

EDUCATION CODE

1011 Time and place of meetings

35145 Public meetings

35145.5 Agenda; public participation; regulations

35147 Open meeting law exceptions and applications

GOVERNMENT CODE

6250-6270 California Public Records Act

11135 State programs and activities, discrimination

54950-54963 The Ralph M. Brown Act, especially:

54952.2 Meeting, defined

54953 Meetings to be open and public; attendance

54954.2 Agenda posting requirements, board actions

COURT DECISIONS

City of San Jose v. Superior Court, (2017) 2 Cal.5th 608

Management Resources:

CSBA PUBLICATIONS

Legal Alert: Tips for Governing Boards in Response to Public Records Act Ruling on Electronic Communications, March 2017

The Brown Act: School Boards and Open Meeting Laws, rev. 2014

ATTORNEY GENERAL PUBLICATIONS

The Brown Act: Open Meetings for Legislative Bodies, 2003

WEB SITES

CSBA: <http://www.csba.org>

California Attorney General's Office: <https://oag.ca.gov>

Organization

Board Bylaw

BB 9100

The County Board of Education shall hold an annual organizational meeting, which shall be the first meeting on or after the second Friday in December. (Education Code 1009)

At the organizational meeting, the County Board shall:

1. Elect a president and, as applicable, other officers from its members through a process that shall not involve voting by secret ballot or the mail ballot
2. Announce the County Superintendent of Schools as secretary and executive officer of the County Board
3. Authorize signatures
4. Develop a schedule of regular meetings for the year
5. Develop a County Board calendar for the year stating the time when important governance matters will be addressed
6. Designate County Board members to serve on County Board standing committees and, as appropriate, to represent the County Board on interagency committees of which the County Board is a member or to which the County Board is invited to participate

Legal Reference:

EDUCATION CODE

1007 Elections

1009 Annual organizational meeting; date and notice

1010 County Superintendent- ex-officio secretary and executive officer

1011 Regular meetings

GOVERNMENT CODE

54950-54963 Ralph M. Brown Act, open meeting laws

ATTORNEY GENERAL OPINIONS

68 Ops.Cal.Atty.Gen. 65 (1985)

Management Resources:

WEB SITES

CSBA: <http://www.csba.org>

California County Boards of Education: <http://www.theccbe.org>

President

Board Bylaw

BB 9121

The County Board of Education shall elect a president from among its members to provide leadership on behalf of the County Board and the educational community it serves.

To ensure that County Board meetings are conducted in an efficient, transparent, and orderly manner, the president shall:

1. Call such meetings of the County Board as deemed necessary, giving notice as required by law
2. Work with the County Superintendent of Schools, as secretary to the County Board, on the preparation of County Board meeting agendas
3. Call the meeting to order at the appointed time and preside over the meeting
4. Announce the business to come before the County Board in its proper order
5. Work to ensure the County Board's compliance with Brown Act requirements and County Board bylaws related to the conduct of meetings
6. Recognize persons who desire to speak and protect the speaker who has the floor from disturbance or interference
7. Facilitate the County Board's effective deliberation, ensuring that each County Board member has an opportunity to participate in the deliberation and that the discussion remains focused
8. Rule on issues of parliamentary procedure
9. Put motions to a vote, and clearly state the results of the vote

The president shall have the same rights as other members of the County Board, including the right to discuss and vote on all matters before the County Board.

The president shall perform other duties in accordance with law and County Board policy, including, but not limited to:

1. Signing all instruments, acts, orders, and resolutions necessary to comply with legal requirements and carry out the will of the County Board
2. Working with the County Superintendent or designee to ensure that County Board members have necessary materials and information
3. Appointing members of the County Board to fill the vacant seats of a school district board when a majority of those seats are vacant (Education Code 5094)
4. Subject to County Board approval, appointing and dissolving all committees
5. Subject to County Board approval, appointing County Board members to serve as representatives on committees on matters of concern to the County Board, the county office of education, or the districts, schools, and students within its jurisdiction
6. Representing the County Board as spokesperson
7. Leading the County Board's advocacy efforts to build support within the local community and at the state and national levels

The president shall participate in the California School Boards Association's Board President's Workshop and other professional development opportunities to enhance leadership skills.

When the president resigns or is absent, the vice president/clerk shall perform the president's duties. When both the president and clerk are absent, the County Board shall choose a president pro tempore to perform the president's duties.

Legal Reference:

EDUCATION CODE

1009 Annual organization of the board

1012 Special meetings

5094 Power to fill district board vacancies

GOVERNMENT CODE

54950-54963 Ralph M. Brown Act

Management Resources:

CSBA PUBLICATIONS

Call to Order: A Blueprint for Great Board Meetings, rev. 2015

Professional Governance Standards for County Boards, October 2014

CALIFORNIA COUNTY BOARDS OF EDUCATION PUBLICATIONS

A Guide to Effective Governance, February 27, 2015

WEB SITES

CSBA: <http://www.csba.org>

California County Boards of Education: <http://www.theccbe.org>

Attorney

Board Bylaw

BB 9124

The County Board of Education recognizes that the complex legal environment in which it discharges its functions creates the need for sound and dependable legal services and advice. The County Board also recognizes that a County Superintendent of Schools is not limited by statute as to what legal services he/she may contract with legal counsel to perform.

The County Board may arrange to obtain legal services and advice in accordance with law.

General Legal Services and Advice

As authorized by law, the County Board will work with the County Superintendent to appoint a shared legal counsel. Subject to County Board approval, the County Superintendent may hire and fix the compensation to be paid to an independent contractor or a law firm to serve as shared legal counsel for the County Board and County Superintendent. When the proposed appointee is an employee of the County Superintendent, the County Superintendent shall fix his/her compensation and shall be responsible for his/her evaluation as an employee.

If the County Board and County Superintendent cannot agree on the appointment of a shared legal counsel, the County Board shall permit the County Superintendent to appoint the shared legal counsel. The shared legal counsel shall provide general legal services and advice to the County Board except when the County Board decides to exercise its right to seek special legal services and advice pursuant to Education Code 1042.

The shared legal counsel must be admitted to practice law in California but is not required to have any certification qualifications. (Education Code 35041.5)

The duties of the shared legal counsel may include:

1. Rendering legal advice to the County Board, County Superintendent, and county office of education employees and officers as appropriate
2. Serving the County Board and County Superintendent in the preparation and conduct of school district litigation and administrative proceedings
3. Rendering advice in relation to school bond and tax increase measures and preparing all legal papers and forms necessary for the voting of school bond and tax increase measures in the district(s).

4. Rendering administrative duties as may be assigned by the County Superintendent or by the County Board

The County Board may request to have shared legal counsel attend a board meeting to provide legal advice or to prepare a written legal opinion on issues within the jurisdiction of the County Board including, but not limited to, expulsion appeals, charter school petitions and appeals, interdistrict transfer appeals, open meeting laws, real property transactions, the county office budget, and the county office local control accountability plan.

The County Board may consult with the shared legal counsel on matters affecting the operations of the County Board. The County Board may consult with the shared legal counsel as a group. The County Board also may authorize a specific County Board member to consult with the shared legal counsel on behalf of the County Board. Any individual County Board member who consults with the shared legal counsel on behalf of the County Board shall report the conversation to the County Board and when requested, the shared legal counsel shall provide his/her advice or opinion directly to the County Board. Consultation with the shared legal counsel shall occur in open session except when closed session is authorized by law. (Government Code 54962)

Special Legal Services and Advice

The County Board may contract with a trained, experienced, and competent legal counsel other than the shared legal counsel, to furnish special services and advice in any of the following situations:

1. When, for reasons beyond the County Board's control, the shared legal counsel has a conflict of interest or has failed to render timely advice in a particular matter
2. The services being sought by the County Board are in addition to those usually, ordinarily and regularly obtained from the shared legal counsel
3. The County Board desires a second legal opinion in a particular matter

In such situations, the County Board shall fix the compensation to be paid for the special services or advice, and may pay such compensation from any available funds. (Education Code 1042)

Legal Reference:

EDUCATION CODE

1042 County boards: authority

17150 Revenue bonds

35041.5 Legal counsel: Relieving duties of county counsel and district attorney

GOVERNMENT CODE

814-895.8 Liability of public entities and public employees

995-996.6 Defense of public employees

54950-54963 The Ralph M. Brown Act

ATTORNEY GENERAL OPINIONS

86 Ops.Cal.Atty.Gen. 57 (2003)

Management Resources:

CSBA PUBLICATIONS

The Brown Act: School Boards and Open Meeting Laws, rev. 2014

WEB SITES

CSBA: <http://www.csba.org>

California County Boards of Education: <http://www.thecbbe.org>

California County Superintendents Educational Services Association: <http://ccsesa.org>

Education Legal Alliance: <http://www.csba.org/Advocacy/EducationLegalAlliance.aspx>

Board Committees

Board Bylaw

BB 9130

The County Board of Education may establish Board committees on matters whenever it determines that such a committee is within its jurisdiction and would benefit the county office of education (COE). The County Board shall define the duties, responsibilities, authority, and term of a committee at the time of the committee's establishment. Unless specifically authorized by the County Board to act on its behalf, such committees shall act in an advisory capacity only.

The County Board president shall appoint all committees with County Board approval.

Whenever so charged, County Board committees may actively seek input and participation by parents/guardians, staff, community, and students and may consult with local public boards and agencies.

At the request of the County Board, the County Superintendent of Schools may serve and/or designate or nominate any COE staff member to serve as an advisor to or as a non-voting member of a County Board committee.

Committee Meetings

County Board committees, other than advisory committees with less than a majority of Board members as discussed below, shall provide public notice of their meetings and conduct these meetings in accordance with state open meeting laws. An agenda of any such committee meeting shall be posted not less than 24 hours prior to the meeting. Meetings of advisory committees or standing committees for which an agenda is posted at least 72 hours in advance of the meeting shall be considered as regular meetings of the committee for purposes of the Brown Act. (Government Code 54954)

Standing committees with continuing subject matter jurisdiction include, but are not limited to, those which at the County Board's request are responsible for providing advice on finance, policy, governmental relations, curriculum development, and program evaluation. An ad hoc committee formed for a limited term and charged with accomplishing a specific task in a short period of time is not a standing committee. Advisory committees composed solely of less than a quorum of the members of the County Board are not subject to open meeting laws unless they are standing committees that have a continuing subject matter jurisdiction or a meeting schedule established by the County Board. (Government Code 54952)

When a majority of the members of the County Board attend an open and noticed meeting of a standing committee, the County Board members who are not members of the standing committee shall attend only as observers. (Government Code 54952.2)

Committee Reports and Recommendations

County Board committees shall report their activities and/or recommendations to the County Board at an open meeting of the County Board, except in matters on which a closed session is required or allowed by law.

When an item has already been considered at a public meeting by a County Board committee composed exclusively of County Board members, and the meeting provided for public comment on the item before or during the committee's consideration of the item, the County Board may or may not provide for additional public comment on the item at a subsequent County Board meeting. Public comment shall be afforded, however, if the County Board determines that the item has been substantially changed since it was heard by the committee. (Government Code 54954.3)

Legal Reference:

EDUCATION CODE

1040 Duties and responsibilities; county boards of education

1042 County boards; authority

GOVERNMENT CODE

54952 Legislative body, definition

54952.2 Definition of meeting

54954 Time and place of regular meetings; special meetings; emergencies

54954.3 Opportunity for public to address legislative body

54956 Special meeting notices

54956.5 Emergency meeting notices

ATTORNEY GENERAL OPINIONS

81 Ops.Cal.Atty.Gen. 156 (1998)

80 Ops.Cal.Atty.Gen. 308 (1997)

79 Ops.Cal.Atty.Gen. 69 (1996)

Management Resources:

WEB SITES

CSBA: <http://www.csba.org>

California County Boards of Education: <http://www.theccbe.org>

Board Representatives

Board Bylaw

BB 9140

The County Board of Education recognizes that effective performance of its community leadership responsibilities may require its participation on various committees on matters of concern to the County Board, the county office of education (COE), or the districts, schools, and students within its jurisdiction. The County Board may appoint any of its members to serve as its representative on a committee of another public agency or organization of which the County Board is a member or to which the County Board is invited to participate.

If a committee discusses a topic on which the County Board has taken a position, the County Board member shall express the position of the County Board. When contributing his/her own ideas or opinions, the representative shall very clearly indicate that he/she is expressing his/her individual idea or opinion and not the opinions of the County Board.

When making such appointments, the County Board shall clearly specify the authority and responsibilities of the representative(s), including, but not limited to, reporting back to the County Board regarding committee activities and/or actions. County Board representatives shall not exercise the authority of the County Board without prior County Board approval.

Legal Reference:

EDUCATION CODE

1040-1047 Duties of county boards of education

35160-35160.2 Authority of governing boards

GOVERNMENT CODE

54952.2 Meetings

Management Resources:

WEB SITES

CSBA: <http://www.csba.org>

California County Boards of Education: <http://www.thecbbe.org>

Limits of Board Member Authority

Board Bylaw

BB 9200

The County Board of Education recognizes that it has authority only as unit and that a County Board member has no individual authority. County Board members shall hold the education of students above any partisan principle, group interest, or personal interest.

Unless agreed to by the County Board as a whole, individual members of the County Board shall not exercise any authority with respect to any matter within the jurisdiction of the County Board. In appropriate circumstances individual County Board members may independently submit requests for information to the secretary of the County Board.

Individual County Board members do not have the authority to resolve complaints. Any County Board member approached directly by a person with a complaint should refer the complainant to the County Superintendent or designee so that the problem may receive proper consideration and be handled through the appropriate process. For the purpose of requesting information, County Board members shall also refer County Board-related correspondence to the president and the secretary of the County Board for dissemination to the rest of the County Board or placement on the agenda, as appropriate

A County Board member whose child is attending a school within the jurisdiction of the county office of education (COE) should be aware of his/her role as a County Board member when interacting with COE employees about his/her child. The County Board member should inform the County Superintendent before volunteering in his/her child's classroom.

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

1040-1042 Duties and responsibilities

35160-35160.2 Powers and duties

51101 Rights of parents/guardians

GOVERNMENT CODE

54950-54962 The Ralph M. Brown Act, especially:

54952.1 Member of a legislative body of a local agency

54952.7 Copies of chapter to members of legislative body

Management Resources:

CSBA PUBLICATIONS

Professional Governance Standards for County Boards, October 2014

CALIFORNIA COUNTY BOARDS OF EDUCATION PUBLICATIONS

County Board Member Handbook: A Guide to Effective Governance, 2015

WEB SITES

CSBA: <http://www.csba.org>

California County Boards of Education: <http://www.thecbbe.org>

Governing Board Elections

Board Bylaws

BB 9220

The County Board of Education shall consist of seven members whose terms shall be staggered so that, as nearly as practicable, one half of the members shall be elected at each regular County Board election. (Education Code 1000, 1007).

To reduce costs associated with conducting elections, the County Board election may be consolidated with the local municipal or statewide primary or general election upon adoption of a resolution by the County Board and approval of the County Board of Supervisors. (Elections Code 1302, 10404.5)

Election procedures shall be followed in accordance with state and federal law.

Eligibility

Any person other than the County Superintendent of Schools, a member of his/her staff, or an employee of a school district that is within the jurisdiction of the County Board, is eligible to be a member of the County Board if he/she is an elector of the trustee area he/she is to represent and is not legally disqualified from holding civil office. (Education Code 1006)

Any person who has been convicted of a felony involving the giving, accepting, or offering of a bribe, embezzlement or theft of public funds, extortion, perjury, or conspiracy to commit any such crime, under California law or the law of another state, the United States of America, or another country, is not eligible to be a candidate for office or be a County Board member except when he/she has been granted a pardon in accordance with law. (Elections Code 20, 321)

Term of Office

The term of office for members elected in regular elections shall be four years, commencing on the last Friday in November following their election. (Education Code 1007, 5017)

A member whose term has expired shall continue to discharge the duties of the office until his/her successor has qualified by taking the oath of office. (Government Code 1302, 1360)

Campaign Conduct

In order to help protect the public's trust in the electoral process as well as the public's confidence in the County Board and the county office of education, the County Board encourages all candidates to sign and adhere to the principles in the Code of Fair Campaign Practices pursuant to Elections Code 20440.

Statement of Qualifications

OPTION 1: In order to help defray the costs of campaigning, the County Board shall pay the cost of printing, handling, translating, and mailing candidate statements filed pursuant to Elections Code 13307.

OPTION 2: The County Board shall assume no part of the cost of printing, handling, translating, or mailing of candidate statements filed pursuant to Elections Code 13307. As a condition of having candidate statements included in the voter's pamphlet, the County Board may require candidates to pay their estimated pro rata share of these costs to the County Board in advance pursuant to Elections Code 13307.

On the 125th day prior to the day fixed for the general election, the County Board secretary or his/her designee shall deliver a notice, bearing the secretary's signature and seal, to the county elections official describing both of the following: (Elections Code 10509)

1. The elective offices of the County Board to be filled at the general election and which offices, if any, are for the balance of an unexpired term
2. Whether the County Board or the candidate is to pay for the publication of a statement of qualifications pursuant to Elections Code 13307

OPTION 1: Candidate statements shall be limited to no more than 200 words. (Elections Code 13307)

OPTION 2: Candidate statements shall be limited to no more than 400 words. (Elections Code 13307)

Tie Votes in Board Member Elections

Whenever a tie makes it impossible to determine which of two or more candidates has been elected to the County Board, the County Board shall immediately notify the candidates who received the tie votes of the time and place where the candidates or their representatives should appear before the County Board. At that time the County Board shall determine the winner by lot. (Education Code 5016)

Legal References:

EDUCATION CODE

1000 Composition, and trustee area, county board of education
1002 Trustee area boundaries and membership changes
1006 Qualifications for holding office, county board of education
1007 Elections
1017 Expiration of terms
5000-5033 Elections
5220-5231 Elections
5300-5304 General provisions (conduct of elections)
5320-5329 Order and call of elections
5340-5345 Consolidation of elections
5360-5363 Election notice
5380 Compensation (of election officer)
5390 Qualifications of voters
5420-5426 Cost of elections
5440-5442 Miscellaneous provisions

ELECTIONS CODE

20 Public office eligibility
321 Elector
1302 Local elections
2201 Grounds for cancellation
4000-4004 Elections conducted wholly by mail
10400-10418 Consolidation of elections
10509 Notice of election by secretary
10600-10604 School district elections
13307 Candidate's statement
13309 Candidate's statement, indigence
14025-14032 California Voting Rights Act
20440 Code of Fair Campaign Practices

GOVERNMENT CODE

1021 Conviction of crime
1302 Continuance in office until qualification of successor
1303 Exercising functions of office without having qualified
1360 Necessity of taking constitutional oath
12940 Nondiscrimination, Fair Employment and Housing Act
81000-91014 Political Reform Act

PENAL CODE

68 Bribes
74 Acceptance of gratuity
424 Embezzlement and falsification of accounts by public officers
661 Removal for neglect or violation of official duty

CALIFORNIA CONSTITUTION

Article 2, Section 2 Voters, qualifications

Article 7, Section 7 Conflicting offices

Article 7, Section 8 Disqualification from office

UNITED STATES CODE, TITLE 52

10301-10508 Voting Rights Act

COURT DECISIONS

Shelby County v. Holder, (2013) 133 S. Ct. 2612

Rey v. Madera Unified School District, (2012) 138 Cal. Rptr. 3d 192

Randall v. Sorrell, (2006) 126 S.Ct. 2479

Sanchez v. City of Modesto, (2006) 51 Cal.Rptr.3d 821

Dusch v. Davis, (1967) 387 U.S. 112

ATTORNEY GENERAL OPINIONS

85 Ops.Cal.Atty.Gen. 49 (2002)

83 Ops.Cal.Atty.Gen. 181 (2000)

81 Ops.Cal.Atty.Gen. 98 (1998)

69 Ops.Cal.Atty.Gen. 290 (1986)

Management Resources:

WEB SITES

CSBA: <http://www.csba.org>

California County Boards of Education: <http://www.theccbe.org>

California Secretary of State's Office: <http://www.ss.ca.gov>

Fair Political Practices Commission: <http://www.fppc.ca.gov>

Institute for Local Self Government: <http://www.ca-ilg.org>

Resignation

Board Bylaw

BB 9222

A member of the County Board of Education who wishes to resign from office shall file a written resignation with the County Superintendent of Schools. (Education Code 1008, 5090)

The resignation shall become effective when filed with the County Superintendent, except when a deferred effective date is specified in the resignation. The effective date may not be deferred for more than 60 days after the resignation is filed with the County Superintendent. (Education Code 5090, 5091)

Once filed, a written resignation, whether specifying a deferred effective date or otherwise, shall be irrevocable. (Education Code 5090)

Any County Board member whose resignation is filed with a deferred effective date shall, until the effective date of the resignation, continue to exercise all the powers of the office, except that the resigning County Board member shall not have the right to vote in a provisional appointment to fill the vacancy that will thereby result. (Education Code 1008, 5091, 35178)

Any County Board member who resigns shall, within 30 days of leaving office, file a revised Statement of Economic Interest/Form 700 covering the period of time between the closing date of the last statement required to be filed and the date the County Board member leaves office. (Government Code 87302, 87500)

Legal Reference:

EDUCATION CODE

1008 Vacancies; procedure for filing

5090-5095 Vacancy on the board

35178 Resignation with deferred effective date

GOVERNMENT CODE

1770 Vacancy on the board

87300-87313 Conflict of interest code

87500 Statements of economic interests

Management Resources:

CSBA PUBLICATIONS

Filling a Board Vacancy, rev. December 2010

WEB SITES

CSBA: <http://www.csba.org>

California County Boards of Education: <http://www.theccbe.org>

Filling Vacancies

Board Bylaw

BB 9223

Events Causing a Vacancy

A vacancy on the County Board of Education may occur for any of the following events:

1. The death of an incumbent (Government Code 1770)
2. The adjudication pursuant to a quo warranto proceeding declaring that an incumbent is physically or mentally incapacitated due to disease, illness, or accident and that there is reasonable cause to believe that the incumbent will not be able to perform the duties of his/her office for the remainder of his/her term (Government Code 1770)
3. A County Board member's resignation (Government Code 1770)
4. A County Board member's removal from office, including by recall (Elections Code 11384; Government Code 1770)
5. A County Board member's ceasing to inhabit the trustee area which he/she represents on the County Board (Government Code 1770)
6. A County Board member's absence from the state for more than 60 days, except in the following situations: (Government Code 1064, 1770)
 - a. Upon County Board business with the approval of the County Board
 - b. With the consent of the County Board for an additional period not to exceed a total absence of 90 days. In the case of illness or other urgent necessity, and upon a proper showing thereof, the time limited for absence from the state may be extended by the County Board.
 - c. For federal military deployment, not to exceed an absence of a total of six months, as a member of the armed forces of the United States or the California National Guard. If the absence of the County Board member for military deployment exceeds six months, the County Board may approve an additional six-month absence upon a showing that there is a reasonable expectation that the member will return within the second six-month period, and the County Board may

appoint an interim member to serve in his/her absence. If two or more members of the County Board are absent by reason of military deployment, and those absences result in the inability to establish a quorum at a regular meeting, the County Board may immediately appoint one or more interim members as necessary to enable the County Board to conduct business and discharge its responsibilities. The term of an interim member appointed in these circumstances shall not extend beyond the return of the absent County Board member or beyond the next regularly scheduled election for that office, whichever occurs first.

7. A County Board member's ceasing to discharge the duties of his/her office for the period of three consecutive months, except when prevented by illness or when absent from the state without the permission required by law (Government Code 1770)
8. A County Board member's conviction of a felony or any offense involving a violation of his/her official duties or conviction of a designated crime resulting in a forfeiture of office (Government Code 1770, 3000-3003)
9. A County Board member's refusal or neglect to file his/her required oath within the time prescribed (Government Code 1770)
10. The decision of a competent tribunal declaring void a County Board member's election or appointment (Government Code 1770)
11. A County Board member's commitment to a hospital or sanitarium as a drug addict, dipsomaniac, inebriate, or stimulant addict by a court of competent jurisdiction, in which case the office shall not be deemed vacant until the order of commitment has become final (Government Code 1770)
12. A "failure to elect" in which no candidate or an insufficient number of candidates have filed to run for a County Board seat(s) (Education Code 5090, 5326, 5328)

Timelines for Filling a Vacancy

When a vacancy occurs, the County Board shall take the following action, as appropriate: (Education Code 1008)

1. When a vacancy occurs within four months of the end of a County Board member's term, the County Board shall take no action. (Education Code 5093)
2. When a vacancy occurs more than four months before the end of a County Board member's term, the County Board shall either order an election or make a provisional appointment within 60 days of the date of the vacancy or the filing of the member's deferred resignation unless a special election as described in item #3 below is required. (Education Code 5091, 5093)

3. When a vacancy occurs between six months and 130 days before a regularly scheduled County Board election but the vacant position is not scheduled to be filled during that election, a special election to fill the position shall be consolidated with the regular election. The person elected shall take office at the first regularly scheduled County Board meeting following the certification of the election and shall serve until the end of the term of the position which he/she was elected to fill. (Education Code 5093)

Eligibility

In order to be appointed or elected to fill a vacancy on the County Board, a person must meet the eligibility requirements specified in Education Code 1000 and 1006 and described in Board Bylaw 9220.

Provisional Appointments

When a special election is not required, the County Board is authorized by law to make a provisional appointment to fill a vacancy on the County Board. Before making a provisional appointment, the County Board shall advertise in the local media to solicit candidate applications or nominations. The County Board shall ensure that applicants are eligible for County Board membership, interview the candidates at a public meeting, accept oral or written public input, and select the provisional appointee by a majority vote.

The person appointed shall be afforded all the powers and duties of a County Board member immediately upon appointment and shall hold office until the next regularly scheduled election for County Board members. (Education Code 5091)

Within 10 days after the appointment is made, the County Board shall post notices of the actual vacancy, or the filing of a deferred resignation, and the provisional appointment. The notice shall be published in the local newspaper pursuant to Government Code 6061 and posted in at least three public places within the jurisdiction of the County Board. (Education Code 5092)

The notice shall contain: (Education Code 5092)

1. The date that the vacancy occurred or the date of the filing of, and the effective date of the resignation
2. The full name of the provisional appointee
3. The date of appointment
4. A statement notifying the voters that unless a petition calling for a special election pursuant to Education Code 5091 is filed in the office of the County Superintendent within 30 days of the provisional appointment, the appointment shall become effective

Appointment Due to Failure to Elect

When a vacancy occurs because no candidate or an insufficient number of candidates have been nominated (i.e., a failure to elect) and an election will not be held, the County Board shall appoint a qualified person to the office. This appointment shall be made at a meeting prior to the day fixed for the election and the appointee shall be seated at the organizational meeting as if elected at the election. (Education Code 5328)

When an appointment is being made because of a failure to elect, the County Board shall publish a notice once in a newspaper of general circulation published in the county, or if no such newspaper exists, in a newspaper having general circulation within the county. This notice shall state that the County Board intends to make an appointment and shall inform persons of the procedure available for applying for the appointment. (Education Code 5328.5)

The procedure for selecting and interviewing candidates shall be the same as the procedures specified above in the "Provisional Appointments" section.

Legal Reference:

EDUCATION CODE

1000 Composition and trustee area, county board of education

1006 Qualifications for holding office, county board of education

1007 Elections

5090-5095 Vacancies

5300-5304 General provisions (conduct of elections)

5320-5329 Order and call of election

5340-5345 Consolidation of elections

ELECTIONS CODE

10600-10604 School district elections

11381-11386 Candidates for recall

GOVERNMENT CODE

1064 Absence from state

1770 Vacancies: definition

3000-3003 Forfeiture of office

3060-3075 Removal other than by impeachment

6061 One time notice

54950-54963 The Ralph M. Brown Act

PENAL CODE

88 Bribery, forfeiture from office

UNITED STATES CODE, TITLE 18

704 Military medals or decorations

ATTORNEY GENERAL OPINIONS

58 Ops.Cal.Atty.Gen. 888 (1975)

81 Ops.Cal.Atty.Gen. 98 (1998)

Management Resources:

CSBA PUBLICATIONS

Filling a Board Vacancy, rev. May 2012

WEB SITES

CSBA: <http://www.csba.org>

California State Attorney General's Office, Quo Warranto Applications:

http://ag.ca.gov/opinions/quo_warranto.php

Oath or Affirmation

Board Bylaw

BB 9224

Prior to entering upon the duties of their office, all members of the County Board of Education shall take the oath or affirmation required by law. (California Constitution, Article 20, Section 3; Government Code 1360)

The oath may be administered and certified by any County Board member, the secretary or assistant secretary to the County Board, the County Superintendent of Schools, the Superintendent of Public Instruction, or any other person authorized in Education Code 60 or Government Code 1225.

The executed oath shall be filed with the County Clerk. (Government Code 1363)

Legal Reference:

EDUCATION CODE

60 Persons authorized to administer and certify oaths

GOVERNMENT CODE

1225 Right to administer and certify oaths

1303 Misdemeanor for failure to take oath

1360-1369 Oath of office

3100-3109 Oath or affirmation of allegiance

CALIFORNIA CONSTITUTION

Article 20, Section 3 Oath of office

COURT DECISIONS

Chilton v. Contra Costa Community College District (1976) 55 Cal. App. 3d 544

Vogel v. County of Los Angeles (1967) 68 Cal. 2d 18, 22

Orientation

Board Bylaw

BB 9230

The County Board of Education recognizes the importance of providing all newly elected or appointed County Board members with support and information to enhance their effectiveness in the performance of the responsibilities of their office.

As soon as possible following their election or appointment, incoming County Board members shall be provided an orientation designed to build their knowledge of county office of education (COE) programs and an understanding of the responsibilities of their position. Such orientation may include the provision of information, support, and/or training related to County Board functions, policies, protocols, and standards of conduct. Orientation sessions shall be held during an open meeting of the County Board (ie. Board Retreat).

Upon their election or appointment, incoming County Board members shall be provided a copy of the Brown Act and informed that, pursuant to Government Code 54952.1, they must conform to the Act's requirements as if they had already assumed office.

Resources that may be useful for County Board members shall be identified for newly elected or appointed County Board members. Such resources may include, but are not limited to, County Board bylaws related to the limits of individual County Board member authority, the conduct of County Board meetings, and other County Board operations; governance standards for ethical conduct; legal requirements related to conflict of interest and prohibited political activity; protocols for speaking with COE staff, members of the public, and the media; and publications on effective governance practices.

In addition, incoming County Board members shall be provided specific background information regarding the COE, including, but not limited to, vision and goals statements, the local control and accountability plan and other comprehensive plans, student demographic data, student achievement data, COE policy manual, COE budget, and minutes of recent County Board meetings.

Incoming County Board members shall be provided information about trainings and professional development opportunities, available to them at COE expense, that address the needs of individual board members and the County Board as a whole, including, but not limited to, the California School Boards Association's Orientation for New Trustees, Institute for New and First-Term Board Members, and other such workshops and conferences.

Legal Reference:

EDUCATION CODE

1095 Membership in organizations

33360 Department of Education and statewide association of school district boards; annual workshops

33362-33363 Reimbursement of expenses; board member or member-elect

GOVERNMENT CODE

54950-54963 The Ralph M. Brown Act, especially:

54952.1 Member of a legislative body

54952.2 Open meeting laws; posting agenda; board actions

54952.7 Copies of Brown Act to board members

Management Resources:

CSBA PUBLICATIONS

Call to Order, A Blueprint for Great Board Meetings, 2015

The Brown Act: School Boards and Open Meeting Laws, rev. December 2014

Professional Governance Standards for County Boards, October 2014

CALIFORNIA COUNTY BOARDS OF EDUCATION PUBLICATIONS

A Guide to Effective Governance, February 27, 2015

WEB SITES

CSBA: <http://www.csba.org>

California County Boards of Education: <http://www.theccbbe.org>

Board Training

Board Bylaw

BB 9240

The County Board of Education believes that its ability to effectively and responsibly govern is essential to promoting student achievement, building positive community relations, and protecting the public interest in county schools. County Board members shall be provided sufficient opportunities for professional development that helps them understand their responsibilities, stay abreast of new developments in education, and develop boardsmanship skills.

The County Board shall work with the County Superintendent of Schools or designee to provide an orientation to newly elected or appointed County Board members which includes comprehensive information regarding County Board roles, policies, and procedures and the county office of education's (COE) vision and goals, operations, and current challenges. Throughout their first term, County Board members shall continue to participate in additional educational opportunities designed to assist them in understanding the principles of effective governance, including, but not limited to, information on school finance and budgets, student achievement and assessment, community relations, program evaluation, open meeting laws (the Brown Act), conflict of interest laws, and other topics necessary to govern effectively and in compliance with law.

All County Board members are encouraged to continuously participate in advanced training offered by the California School Boards Association and California County Boards of Education in order to reinforce boardsmanship skills and build knowledge related to key education issues. Such activities may include online courses, webinars, webcasts, and in-person attendance at workshops and conferences. In addition, workshops and consultations may be held within the county on issues that involve the entire governance team.

Funds for training shall be budgeted annually for the County Board and each County Board member. In selecting appropriate activities, the County Board and/or individual County Board members shall consider activities that are aligned with the COE's vision and goals and the needs of the County Board or individual County Board members to obtain specific knowledge and skills. The County Board shall annually develop a training calendar in order to schedule and track training activities and to schedule opportunities for County Board members to report on the activities in which they participated.

County Board members may attend a conference or similar public gathering with other County Board members and/or with the County Superintendent or designee in order to develop common knowledge and understanding of an issue or engage in team-building exercises. In such cases, a

majority of the County Board members shall not discuss among themselves, other than as part of the scheduled program, business of a specified nature that is within the COE's jurisdiction, so as not to violate the Brown Act open meeting laws pursuant to Government Code 54952.2.

County Board members shall report orally or in writing on the training activities they attend, for the purpose of sharing the acquired knowledge or skills with the full County Board and enlarging the benefit of the activity to the County Board and COE.

Legal Reference:

EDUCATION CODE

1095 Membership in organizations

GOVERNMENT CODE

54950-54963 The Ralph M. Brown Act, especially:

54952.2 Meeting

Management Resources:

CSBA PUBLICATIONS

Call to Order: A Blueprint for Great Board Meetings, 2015

Professional Governance Standards for County Boards, October 2014

CALIFORNIA COUNTY BOARDS OF EDUCATION PUBLICATIONS

A Guide to Effective Governance, February 27, 2015

WEB SITES

CSBA: <http://www.csba.org>

California County Boards of Education: <http://www.thecbbe.org>

Legal Protection

Board Bylaw

BB 9260

Liability Insurance

The County Board of Education shall provide insurance necessary to protect its members against liability for death, personal injury, or damage or loss of property caused by their negligent act or omission when acting within the scope of their office.

Protection Against Liability

No County Board member shall be liable for harm caused by his/her act or omission when acting within the scope of his/her responsibilities for the county office of education. The act or omission must be in conformity with federal, state, and local laws and made in furtherance of an effort to control, discipline, expel or suspend a student, or maintain order or control in the classroom or school. (20 USC 6733, 6736)

The protection against liability shall not apply when: (20 USC 6736)

1. The County Board member acted with willful or criminal misconduct, gross negligence, recklessness, or a conscious, flagrant indifference to the harmed person's right to safety.
2. The County Board member caused harm by operating a motor vehicle.
3. The County Board member was not properly licensed, if required, by the state for such activities.
4. The County Board member was found by a court to have violated a federal or state civil rights law.
5. The County Board member was under the influence of alcohol or any drug at the time of the misconduct.
6. The misconduct constituted a crime of violence pursuant to 18 USC 16 or an act of terrorism for which the County Board member has been convicted in a court.
7. The misconduct involved a sexual offense for which the County Board member has been convicted in a court.

Legal Reference:

EDUCATION CODE

35208 Liability insurance

GOVERNMENT CODE

815.3 Intentional torts

820-823 Tort Claims Act

825.6 Indemnification of public entity

1090-1098 Conflicts of interest, prohibitions applicable to specified officers

54950-54963 The Ralph M. Brown Act

87100-89503 Conflicts of interest

UNITED STATES CODE, TITLE 18

16 Crime of violence defined

UNITED STATES CODE, TITLE 20

6731-6738 Teacher Protection Act

COURT DECISIONS

Caldwell v. Montoya (Paramount Unified School District) 10 Cal 4th 972 (1995)

Conflict of Interest

Board Bylaw

BB 9270

The County Board of Education desires to maintain the highest ethical standards and help ensure that decisions are made in the best interest of the county office of education (COE) and the public. In accordance with law, County Board members shall disclose any conflict of interest and, as necessary, shall abstain from participating in any decisions or discussions that could affect or be effected by those interests, especially, as prohibited by Government Code 1090, those interests related to contracts. The County Board shall consult legal counsel whenever an actual or potential conflict of interest arises.

The County Board shall adopt a resolution that specifies the terms of its conflict of interest code, designates any consultant positions required to complete conflict of interest reporting, and establishes disclosure categories required for each position. The conflict of interest code must be approved by the appropriate code reviewing body. Upon request by the code reviewing body, the County Board shall review the conflict of interest code and submit any changes to the code reviewing body.

When a change in the conflict of interest code is necessitated due to changed circumstances, such as the hiring of a new consultant in a position that is not already designated in the conflict of interest code or a change to an existing consultant's scope of work in a manner that changes the consultant's position to a designated position, the amended code shall be submitted to the code reviewing body within 90 days. (Government Code 87306)

When reviewing and preparing the conflict of interest code, the County Board shall provide members of the community, the County Superintendent of Schools, COE staff, and consultants of the County Board adequate notice and a fair opportunity to present their views. (Government Code 87311)

County Board members shall annually file a Statement of Economic Interest/Form 700 in accordance with the disclosure categories specified in the conflict of interest code. A County Board member who leaves office shall, within 30 days, file a revised statement covering the period of time between the closing date of the last required statement and the date of leaving office. (Government Code 87302, 87302.6)

Conflict of Interest under the Political Reform Act

A County Board member shall not make, participate in making, or in any way use or attempt to use his/her official position to influence a governmental decision in which he/she knows or has reason to know that he/she has a disqualifying conflict of interest. A conflict of interest exists if the decision will have a "reasonably foreseeable material financial effect" on one or more of the County Board member's "economic interests," unless the effect is indistinguishable from the effect on the public generally or the County Board member's participation is legally required. (Government Code 87100, 87101, 87103; 2 CCR 18700-18709)

A County Board member is involved in making a governmental decision when, acting within the authority of his/her office or position, he/she votes on a matter, appoints a person, obligates or commits the County Board to any course of action, or votes to enter into or approve any contractual agreement on behalf of the County Board. (2 CCR 18704)

A County Board member who has a disqualifying conflict of interest on an agenda item that will be heard in an open meeting of the County Board shall abstain from voting on the matter. Although he/she may remain on the dais, if they do choose to stay their presence shall not be counted towards achieving a quorum for that matter. A County Board member with a disqualifying conflict of interest shall not be present during a closed session meeting of the County Board when the decision is considered and shall not obtain or review a recording or any other nonpublic information regarding the issue. (2 CCR 18700)

Conflict of Interest under Government Code 1090 - Financial Interest in a Contract

County Board members shall not be financially interested in any contract made by the County Board and shall not be included in the development, preliminary discussions, negotiations, compromises, planning, reasoning, and specifications and solicitations for bids for such contracts. If a County Board member has such a financial interest, the County Board is barred from entering into the contract. (Government Code 1090; *Klistoff v. Superior Court*, (2007) 157 Cal.App. 4th 469)

A County Board member shall not be considered to be financially interested in a contract if his/her interest is a "noninterest" as defined in Government Code 1091.5.

A County Board member shall not be considered to be financially interested in a contract if he/she has only a "remote interest" in the contract as specified in Government Code 1091 and if the remote interest is disclosed during a County Board meeting and noted in the official County Board minutes. The affected County Board member shall not vote or debate on the matter or attempt to influence any other County Board member's vote. (Government Code 1091)

To avoid the appearance of impropriety, County Board members may decide not to participate in any discussion or action involving contracts where his/her interest is a "noninterest" or "remote interest" as described in Education Code 1091 and 1091.5.

Common Law Doctrine Against Conflict of Interest

A County Board member shall abstain from any official action in which his/her private or personal interest may conflict with his/her official duties. The County Board shall consult legal counsel whenever an actual or potential conflict of interest arises.

County Board members shall abstain from voting on personnel matters that uniquely affect relatives. Relative means an adult who is related to the County Board member by blood, affinity, or adoptive relationship within the third degree.***

A relationship within the third degree includes an individual's parents, grandparents, great-grandparents, children, grandchildren, great-grandchildren, brothers, sisters, aunts, uncles, nieces, nephews, and the similar family of the individual's spouse/registered domestic partner unless the individual is widowed or divorced.

Rule of Necessity or Legally Required Participation

On a case-by-case basis and upon advice of legal counsel, a County Board member with a financial interest in a contract may participate in the making of the contract if the rule of necessity or legally required participation applies pursuant to Government Code 87101 and 2 CCR 18705.

Incompatible Offices and Activities

County Board members shall not engage in any employment or activity or hold any office which is inconsistent with, incompatible with, in conflict with, or inimical to the County Board member's duties as an officer of the COE. (Government Code 1099, 1126)

Gifts

County Board members may accept gifts only under the conditions and limitations specified in Government Code 89503 and 2 CCR 18730.

The limitation on gifts does not apply to wedding gifts and gifts exchanged between individuals on birthdays, holidays, and other similar occasions, provided that the gifts exchanged are not substantially disproportionate in value. (Government Code 89503)

Gifts of travel and related lodging and subsistence shall be subject to the current gift limitation except as described in Government Code 89506.

A gift of travel does not include travel provided by the County Board for its members. (Government Code 89506)

Honoraria

County Board members shall not accept any honorarium, which is defined as any payment made in consideration for any speech given, article published, or attendance at any public or private gathering, in accordance with law. (Government Code 89501, 89502)

The term honorarium does not include: (Government Code 89501)

1. Earned income for personal services customarily provided in connection with a bona fide business, trade, or profession unless the sole or predominant activity of the business, trade, or profession is making speeches
2. Any honorarium which is not used and, within 30 days after receipt, is either returned to the donor or delivered to the COE for donation into the general fund without being claimed as a deduction from income for tax purposes

Legal Reference:

EDUCATION CODE

1006 Qualifications for holding office

35230-35240 Corrupt practices, especially:

FAMILY CODE

297.5 Rights, protections, and benefits of registered domestic partners

GOVERNMENT CODE

1090-1099 Prohibitions applicable to specified officers

1125-1129 Incompatible activities

81000-91014 Political Reform Act of 1974, especially:

82003 Agency definition

82011 Code reviewing body

82019 Definition, designated employee

82028 Definition, gift

82030 Definition, income

82033 Definition, interest in real property

82034 Definition, investment

87100-87103.6 General prohibitions

87200-87210 Disclosure

87300-87313 Conflict of interest code

87500 Statements of economic interests

89501-89503 Honoraria and gifts

91000-91014 Enforcement

PENAL CODE

85-88 Bribes

CODE OF REGULATIONS, TITLE 2

18110-18997 Regulations of the Fair Political Practices Commission, especially:

18700-18707 General prohibitions

18722-18740 Disclosure of interests

18750.1-18756 Conflict of interest codes

COURT DECISIONS

McGee v. Balfour Beatty Construction, LLC, et al. (4/12/16, No. B262850)

Davis v. Fresno Unified School District (2015) 237 Cal.App.4th 261

Klistoff v. Superior Court, (2007) 157 Cal.App.4th 469

Thorpe v. Long Beach Community College District, (2000) 83 Cal.App.4th 655

Kunec v. Brea Redevelopment Agency, (1997) 55 Cal.App.4th 511

ATTORNEY GENERAL OPINIONS

92 Ops.Cal.Atty.Gen. 26 (2009)

92 Ops.Cal.Atty.Gen. 19 (2009)

89 Ops.Cal.Atty.Gen. 217 (2006)

86 Ops.Cal.Atty.Gen. 138(2003)

85 Ops.Cal.Atty.Gen. 60 (2002)

82 Ops.Cal.Atty.Gen. 83 (1999)

81 Ops.Cal.Atty.Gen. 327 (1998)

80 Ops.Cal.Atty.Gen. 320 (1997)

69 Ops.Cal.Atty.Gen. 255 (1986)

68 Ops.Cal.Atty.Gen. 171 (1985)

65 Ops.Cal.Atty.Gen. 606 (1982)

63 Ops.Cal.Atty.Gen. 868 (1980)

Management Resources:

CSBA PUBLICATIONS

Conflict of Interest: Overview of Key Issues for Governing Board Members, Fact Sheet, July 2010

FAIR POLITICAL PRACTICES COMMISSION PUBLICATIONS

Can I Vote? A Basic Overview of Public Officials' Obligations Under the Conflict-of-Interest Rules, 2005

INSTITUTE FOR LOCAL GOVERNMENT PUBLICATIONS

Understanding the Basics of Public Service Ethics: Personal Financial Gain Laws, 2009

Understanding the Basics of Public Service Ethics: Transparency Laws, 2009

WEB SITES

CSBA: <http://www.csba.org>

Fair Political Practices Commission: <http://www.fppc.ca.gov>

Institute of Local Government: <http://www.ca-ilg.org>

Board Policies

Board Bylaw

BB 9310

The County Board of Education shall adopt written policies to convey its expectations for actions that will be taken by the county office of education (COE), clarify roles and responsibilities of the County Board, and communicate County Board philosophy and positions to students, staff, parents/guardians, and the community.

The County Board's policies shall promote student learning and achievement, provide for consistent and fair treatment of students, and proactively address the provision of equal access to opportunities for all students.

The County Board recognizes the importance of maintaining a policy manual that is up to date and reflects the mandates of law. No COE policy, bylaw, or administrative regulation, or any portion thereof, shall be operative if it is found to be in conflict with applicable federal or state law or regulations or court decisions. If any portion of a policy is found to be invalid, that invalidity shall not affect other provisions of the policy.

Policies shall be regularly reviewed at a time allocated for this purpose on the agenda of public County Board meetings.

Policy Development and Adoption Process

The County Board's policy development process shall include the following basic steps:

1. The County Board shall identify the need for a new policy or revision of an existing policy. The need may arise from a change in law, a new vision statement, new goals in the local control and accountability plan, educational research or trends, an incident that has arisen within the jurisdiction of the County Board, or a recommendation or request from the County Superintendent of Schools, a parent/guardian, or other interested person.
2. As needed, the County Board shall gather fiscal data, input from the County Superintendent, COE staff, and the public, sample policies from the California School Boards Association or other organizations or agencies, and other useful information and data to fully inform the County Board about a particular issue.
3. The County Board may hold discussions during a public County Board meeting to gain

an understanding of the issue. The discussion may include, but not be limited to, community expectations and the anticipated impact of the policy on student learning and well-being, governance, the COE's fiscal resources, and operational efficiency.

4. The County Board may request that legal counsel review the draft policy as appropriate.
5. A draft policy shall be presented for a first reading at a public County Board meeting. At its second reading, the County Board may take action on the proposed policy. The County Board may waive the second reading or may require an additional reading if necessary.

Only policies formally adopted by a majority vote of the County Board shall constitute official County Board policy.

The policy development process may be revised or expanded as needed based on the issue being considered, the need for more information, or the desire to provide greater opportunities for consultation and public input.

Policies shall become effective upon adoption or at a future date if so designated by the County Board at the time of adoption.

Board Bylaws

The County Board shall adopt rules and regulations for its own governance consistent with state law and regulations. (Education Code 1040)

Bylaws governing County Board operations may be developed, adopted, and amended following the same procedures as those used for the adoption or amendment of County Board policy.

Administrative Regulations

It is the responsibility of the County Superintendent or designee to develop and enforce administrative regulations for the operation of the COE. At his/her discretion, the County Superintendent or designee may also develop procedures manuals, handbooks, or other guides to carry out the intent of County Board policy.

The County Board may review the County Superintendent's regulations for the purpose of determining conformity with the intent of County Board policy.

Monitoring and Evaluation

At any time, the County Board may determine that progress reports and/or an evaluation of the policy should be scheduled. If so, it shall establish a timeline and, as applicable, measures for evaluating the effectiveness of the policy in achieving its purpose.

Access to Policies

All staff and the public shall have access to an up-to-date policy manual. The policy manual shall be maintained electronically and/or by paper copy.

As necessary, the County Board or County Superintendent shall determine the appropriate communication strategy to notify COE staff, parents/guardians, students, and other stakeholders whenever a policy that affects them is adopted or revised. Policies shall be posted on the COE's web site when required by law.

Legal Reference:

EDUCATION CODE

1015 Vote requirements

1040-1042 Duties and responsibilities of county boards

35160-35160.2 Authority of governing boards

Management Resources:

WEB SITES

CSBA, Policy Services, including Policy Update Service, Governance and Management Using Technology (GAMUT Online), Policy Review Program, Individual Policy Workshops, Agenda Online, and Manual Maintenance: <http://www.csba.org/ps>

Meetings and Notices

Board Bylaw

BB 9320

Meetings of the County Board of Education are conducted for the purpose of accomplishing County Board business. In accordance with state open meeting laws (Brown Act), the County Board shall hold its meetings in public and shall conduct closed sessions during such meetings only as authorized by law. To encourage community involvement in the schools, County Board meetings shall provide opportunities for questions and comments by members of the public. All meetings shall be conducted in accordance with law and the County Board's bylaws, policies, and administrative regulations.

A County Board meeting exists whenever a majority of County Board members gather at the same time and place to hear, discuss, or deliberate upon any item within the subject matter jurisdiction of the County Board. (Government Code 54952.2)

A majority of the County Board shall not, outside of an authorized meeting, use a series of communications of any kind, directly or through intermediaries, to discuss, deliberate, or take action on any item that is within the subject matter jurisdiction of the County Board. However, the County Superintendent of Schools or a county office of education (COE) employee or official may engage in separate conversations with County Board members in order to answer questions or provide information regarding an item within the subject matter jurisdiction of the County Board, as long as that person does not communicate the comments or position of any County Board members to other County Board members. (Government Code 54952.2)

In order to help ensure the participation of individuals with disabilities at County Board meetings, appropriate disability-related accommodations or modifications shall be provided upon request in accordance with the Americans with Disabilities Act. (Government Code 54953.2, 54954.1)

Regular Meetings

The County Board shall hold one regular meeting each month. Regular meetings shall be held at 4:00 p.m. on the third thursday of each month.

At least 72 hours prior to a regular meeting, the agenda shall be posted at one or more locations freely accessible to members of the public and on the County Board's and/or COE's web site. (Government Code 54954.2)

Whenever agenda materials relating to an open session of a regular meeting are distributed to the County Board less than 72 hours before the meeting, the secretary to the County Board or his/her designee shall make the materials available for public inspection at a public office or location designated for that purpose. (Government Code 54957.5)

Special Meetings

Special meetings of the County Board may be called by the board president when exigencies require them to be held, or whenever any three members of the County Board make a written request for such a meeting. However, a special meeting shall not be called regarding the salary, salary schedule, or other compensation of the County Superintendent. (Education Code 1012; Government Code 54956)

Written notice of special meetings shall be delivered personally or by any other means to all County Board members and the local media who have requested such notice in writing. The notice also shall be posted on the County Board's and/or COE's web site. The notice shall be received at least 24 hours before the time of the meeting. The notice shall also be posted at least 24 hours before the meeting in a location freely accessible to the public. The notice shall specify the time and place of the meeting and the business to be transacted or discussed. No other business shall be considered at this meeting. (Government Code 54956)

Any County Board member may waive the 24-hour written notice requirement prior to the time of the meeting by filing a written waiver of notice with the secretary of the County Board or by being present at the meeting at the time it convenes. (Government Code 54956)

Every notice of a special meeting shall provide an opportunity for members of the public to directly address the County Board concerning any item that has been described in the meeting notice, before or during the item's consideration. (Government Code 54954.3)

Emergency Meetings

In the case of an emergency situation for which prompt action is necessary due to the disruption or threatened disruption of public facilities, the County Board may hold an emergency meeting without complying with the 24-hour notice and/or 24-hour posting requirement for special

meetings pursuant to Government Code 54956. The County Board shall comply with all other requirements for special meetings during an emergency meeting. (Government Code 54956.5)

An emergency situation means either of the following: (Government Code 54956.5)

1. An emergency, which shall be defined as a work stoppage, crippling activity, or other activity that severely impairs public health and/or safety as determined by a majority of the members of the County Board
2. A dire emergency, which shall be defined as a crippling disaster, mass destruction, terrorist activity, or threatened terrorist act that poses peril so immediate and significant that requiring the County Board to provide one-hour notice before holding an emergency meeting may endanger the public health and/or safety as determined by a majority of the members of the County Board

Except in the case of a dire emergency, the County Board president or designee shall give notice of the emergency meeting by telephone at least one hour before the meeting to the local media that have requested notice of special meetings. All telephone numbers provided by the media in the most recent request for notification must be exhausted. If telephone services are not functioning, the notice requirement of one hour is waived and, as soon after the meeting as possible, the County Board shall notify those media representatives of the meeting and shall describe the purpose of the meeting and any action taken by the County Board. In the case of a dire emergency, the County Board president or designee shall give such notice at or near the time he/she notifies the other members of the County Board about the meeting. (Government Code 54956.5)

The minutes of the meeting, a list of persons the County Board president or designee notified or attempted to notify, a copy of the roll call vote, and any actions taken at the meeting shall be posted for at least 10 days in a public place as soon after the meeting as possible. (Government Code 54956.5)

Adjourned/Continued Meetings

A majority vote by the County Board may adjourn/continue any regular or special meeting to a later time and place that shall be specified in the order of adjournment. Less than a quorum of the County Board may adjourn such a meeting. If no County Board members are present, the secretary or the clerk may declare the meeting adjourned to a later time and shall give notice in the same manner required for special meetings. (Government Code 54955)

Within 24 hours after the time of adjournment, a copy of the order or notice of adjournment/continuance shall be conspicuously posted on or near the door of the place where the meeting was held. (Government Code 54955)

Study Sessions, Retreats, Public Forums, and Discussion Meetings

The County Board may occasionally convene a study session or public forum to study an issue in more detail or to receive information from staff or feedback from members of the public.

The County Board may also convene a retreat or discussion meeting to discuss County Board roles and relationships.

Public notice shall be given in accordance with law when a quorum of the County Board is attending a study session, retreat, public forum, or discussion meeting. All such meetings shall comply with the Brown Act and shall be held in open session and within the county. Action items shall not be included on the agenda for these meetings.

Other Gatherings

Attendance by a majority of County Board members at any of the following events is not subject to the Brown Act provided that a majority of the County Board members do not discuss specific County Board business among themselves other than as part of the scheduled program:
(Government Code 54952.2)

1. A conference or similar public gathering open to the public that involves a discussion of issues of general interest to the public or to school board members
2. An open, publicized meeting organized by a person or organization other than the County Board or COE to address a topic of local community concern
3. An open and noticed meeting of another body of the COE
4. An open and noticed meeting of a legislative body of another local agency
5. A purely social or ceremonial occasion
6. An open and noticed meeting of a standing committee of the County Board, provided that the County Board members who are not members of the standing committee attend only as observers

Individual contacts or conversations between a County Board member and any other person are not subject to the Brown Act. (Government Code 54952.2)

Location of Meetings

Meetings shall not be held in a facility that prohibits the admittance of any person on the basis of ancestry or any characteristic listed in Government Code 11135, including, but not limited to, religion, sex, or sexual orientation. In addition, meetings shall not be held in a facility which is inaccessible to individuals with disabilities or where members of the public must make a

payment or purchase in order to be admitted. (Government Code 54961)

Meetings shall be held within the county, except to do any of the following: (Government Code 54954)

1. Comply with state or federal law or court order or attend a judicial or administrative proceeding to which the COE is a party
2. Inspect real or personal property which cannot conveniently be brought into the county, provided that the topic of the meeting is limited to items directly related to the property
3. Participate in meetings or discussions of multiagency significance, provided these meetings are held within one of the other agencies' boundaries, with all participating agencies giving the notice required by law
4. Meet in the closest meeting facility if the COE has no meeting facility within its boundaries or if its principal office is located outside the county
5. Meet with elected or appointed state or federal officials when a local meeting would be impractical, solely to discuss legislative or regulatory issues affecting the COE over which the state or federal officials have jurisdiction
6. Meet in or near a facility owned by the COE but located outside the county, provided the meeting agenda is limited to items directly related to that facility
7. Visit the office of the County Board's legal counsel for a closed session on pending litigation, when doing so would reduce legal fees or costs
8. Interview residents of another county or district regarding the County Board's potential employment of an applicant for interim County Superintendent

Meetings exempted from the boundary requirements, as specified in items #1-8 above, shall still be subject to the notice and open meeting requirements for regular and special meetings when a quorum of the County Board attends the meeting.

If a fire, flood, earthquake, or other emergency renders the regular meeting place unsafe, meetings shall be held for the duration of the emergency at a place designated by the County Board president or designee, who shall so inform all news media who have requested notice of special meetings by the most rapid available means of communication. (Government Code 54954)

Teleconferencing

A teleconference is a meeting of the County Board in which County Board members are in different locations, connected by electronic means through audio and/or video. (Government Code 54953)

The County Board may use teleconferences for all purposes in connection with any meeting within its subject matter jurisdiction. All votes taken during a teleconference meeting shall be by roll call. (Government Code 54953)

During the teleconference, at least a quorum of the members of the County Board shall participate from locations within the County. (Government Code 54953)

Agendas shall be posted at all teleconference locations and shall list all teleconference locations whenever they are posted elsewhere. Additional teleconference locations may be provided to the public. (Government Code 54953)

All teleconference locations shall be accessible to the public. All teleconferenced meetings shall be conducted in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the County Board, including the right to address the County Board directly at each teleconference location. (Government Code 54953)

All County Board policies, administrative regulations, and bylaws shall apply equally to meetings that are teleconferenced. The County Board secretary or designee shall facilitate public participation in the meeting at each teleconference location.

Legal Reference:

EDUCATION CODE

1009 Annual organizational meeting, date, and notice

1011 Time and place of meetings

1012 Special meeting

1040-1042 Duties and responsibilities of County Boards

GOVERNMENT CODE

3511.1 Local agency executives

11135 State programs and activities, discrimination

54950-54963 The Ralph M. Brown Act, especially:

54953 Meetings to be open and public; attendance

54954 Time and place of regular meetings

54954.2 Agenda posting requirements, board actions

54956 Special meetings; call; notice

54956.5 Emergency meetings

UNITED STATES CODE, TITLE 42

12101-12213 Americans with Disabilities Act

CODE OF FEDERAL REGULATIONS, TITLE 28

35.160 Effective communications

36.303 Auxiliary aids and services

CALIFORNIA CONSTITUTION

Article 9, Section 3 County superintendents

COURT DECISIONS

Wolfe v. City of Fremont, (2006) 144 Cal.App. 544

ATTORNEY GENERAL OPINIONS

88 Ops.Cal.Atty.Gen. 218 (2005)

84 Ops.Cal.Atty.Gen. 181 (2001)

84 Ops.Cal.Atty.Gen. 30 (2001)

79 Ops.Cal.Atty.Gen. 69 (1996)

78 Ops.Cal.Atty.Gen. 327 (1995)

Management Resources:

CSBA PUBLICATIONS

The Brown Act: School Boards and Open Meeting Laws, 2014

INSTITUTE FOR LOCAL GOVERNMENT PUBLICATIONS

The ABCs of Open Government Laws

LEAGUE OF CALIFORNIA CITIES PUBLICATIONS

Open and Public IV: A Guide to the Ralph M. Brown Act, rev. July 2010

Open and Public IV: A Guide to the Ralph M. Brown Act Supplement, September 2013

WEB SITES

CSBA: <http://www.csba.org>

CSBA, Agenda Online:

<https://www.csba.org/ProductsAndServices/AllServices/AgendaOnline.aspx>

California Attorney General's Office: <http://www.ag.ca.gov>

Institute for Local Government: <http://www.ca-ilg.org>

League of California Cities: <http://www.cacities.org>

CLOSED SESSION

Board Bylaw

BB 9321

The County Board of Education is committed to complying with state open meeting laws and modeling transparency in the conduct of its business. The County Board shall hold a closed session during a regular, special, or emergency meeting only for purposes authorized by law.

The agenda shall contain a general description of each closed session item to be discussed at the meeting, as required by law and specified below. (Government Code 54954.2)

(cf. 9320 - Meetings and Notices)

(cf. 9322 - Agenda/Meeting Materials)

In the open session preceding the closed session, the County Board shall disclose the items to be discussed in closed session. In the closed session, the County Board may consider only those matters so disclosed. (Government Code 54957.7)

After the closed session, the County Board shall reconvene in open session before adjourning the meeting and, when applicable, shall publicly report closed session actions, the votes or abstentions thereon, and other disclosures specified below that are applicable to the matter being addressed. Such reports may be made in writing or orally at the location announced in the agenda for the closed session. (Education Code 32281; Government Code 54957.1, 54957.7)

When an action taken during a closed session involves final approval or adoption of a document such as a contract or settlement agreement, a copy of the document shall be provided to any person present at the conclusion of the closed session who submitted a written request. If the action taken results in one or more substantive amendments, the document shall be made available the next business day or when the necessary retyping is complete. Whenever copies of an approved agreement will not be immediately released due to an amendment, the County Board president shall orally summarize the substance of the amendment for those present at the end of the closed session. (Government Code 54957.1)

Confidentiality

A County Board member shall not disclose confidential information received in closed session unless the County Board authorizes the disclosure of that information. (Government Code 54963)

(cf. 9011 - Disclosure of Confidential/Privileged Information)

The County Board shall not disclose any information that is protected by state or federal law. In addition, no victim or alleged victim of tortious sexual misconduct or child abuse shall be identified in any County Board agenda, notice, announcement, or report required by the Brown Act, unless the identity of the person has previously been publicly disclosed. (Government Code 54957.7, 54961)

Matters Related to Students

The County Board shall meet in closed session to consider the appeal of an expulsion of a student, unless the student submits a written request at least five days before the date of the hearing that the hearing be held in open session. Regardless of whether the expulsion hearing is conducted in open or closed session, the County Board may meet in closed session for the purpose of deliberations. (Education Code 48920)

(cf. 5144.3 - Student Expulsion Appeals)

Agenda items related to student matters shall briefly describe the reason for the closed session, such as "student expulsion appeal hearing," without violating the confidentiality rights of individual students. The student shall not be named on the agenda, but a number may be assigned to the student in order to facilitate record keeping. The agenda shall also state that the Education Code requires closed sessions in these cases in order to prevent the disclosure of confidential student record information.

In taking final action, the County Board shall not release any information in violation of student privacy rights provided in 20 USC 1232g or other applicable laws. In an expulsion appeal, the County Board shall refer to the student number or other identifier and shall not disclose the student's name.

The County Board shall meet in closed session to address any student matter over which it has statutory authority, when the matter may involve disclosure of confidential student information.

Real Property Negotiations

The County Board may meet in closed session with its real property negotiator prior to the purchase, sale, exchange, or lease of real property by or for the County Board or county office of education (COE) in order to grant its negotiator authority regarding the price and terms of payment for the property. (Government Code 54956.8)

Before holding the closed session, the County Board shall hold an open and public session to identify its negotiator(s), the property under negotiation, and the person(s) with whom the negotiator may negotiate. For purposes of real property transactions, negotiators may include members of the County Board. (Government Code 54956.8)

Agenda items related to real property negotiations shall specify the negotiator attending the closed session. If circumstances necessitate the absence of a specified negotiator, an agent or designee may participate in place of the absent negotiator as long as the name of the agent or designee is announced at an open session held prior to the closed session. The agenda shall also specify the name of the negotiating parties and the street address of the real property under negotiation. If there is no street address, the agenda item shall specify the parcel number or another unique reference of the property. The agenda item shall also specify whether instruction to the negotiator will concern price, terms of payment, or both. (Government Code 54954.5)

When the County Board approves a final agreement concluding real estate negotiations pursuant to Government Code 54956.8, it shall report that approval and the substance of the agreement in open session at the public meeting during which the closed session is held. If final approval rests with the other party to the negotiations, the County Superintendent or designee shall disclose the fact of that approval and the substance of the agreement upon inquiry by any person, as soon as the other party or its agent has informed the COE of its approval. (Government Code 54957.1)

Pending Litigation

Based on the advice of its legal counsel, the County Board may hold a closed session to confer with or receive advice from its legal counsel regarding pending litigation when discussion of the matter in open session would prejudice the COE's or County Board's position in the litigation. For this purpose, "litigation" means any adjudicatory proceeding, including eminent domain, before a court, administrative body exercising its adjudicatory authority, hearing officer, or arbitrator. (Government Code 54956.9)

Litigation is considered "pending" in any of the following circumstances: (Government Code 54956.9)

1. Litigation to which the COE or County Board is a "party" has been initiated formally. (Government Code 54956.9(d)(1))
2. A point has been reached where, in the County Board's opinion based on the advice of its

legal counsel regarding the "existing facts and circumstances," there is a "significant exposure to litigation" against the County Board or COE, or the County Board is meeting solely to determine whether, based on existing facts or circumstances, a closed session is authorized. (Government Code 54956.9(d)(2), (3))

Existing facts and circumstances for these purposes are limited to the following: (Government Code 54956.9)

- a. Facts and circumstances that might result in litigation against the County Board or COE but which the County Board believes are not yet known to potential plaintiff(s) and which do not need to be disclosed.
- b. Facts and circumstances including, but not limited to, an accident, disaster, incident, or transactional occurrence which might result in litigation against the County Board or COE, which are already known to potential plaintiff(s) and which must be publicly disclosed before the closed session or specified on the agenda.
- c. The receipt of a claim pursuant to the Government Claims Act or a written threat of litigation from a potential plaintiff. The claim or written communication must be available for public inspection.
- d. A threat of litigation made by a person in an open meeting on a specific matter within the responsibility of the County Board.
- e. A threat of litigation made by a person outside of an open meeting on a specific matter within the responsibility of the County Board, provided that the COE official or employee receiving knowledge of the threat made a record of the statement before the meeting and the record is available for public inspection. Such record does not need to identify an alleged victim of tortious sexual conduct or anyone making a threat of litigation on the victim's behalf or identify an employee who is the alleged perpetrator of any unlawful or tortious conduct, unless the identity of this person has been publicly disclosed.

3. Based on existing facts and circumstances, the County Board has decided to initiate or is deciding whether to initiate litigation. (Government Code 54956.9(d)(4))

Before holding a closed session pursuant to the pending litigation exception, the County Board shall state on the agenda or publicly announce the subdivision of Government Code 54956.9 under which the closed session is being held. If authority is based on Government Code 54956.9(d)(1), the County Board shall either state the title or specifically identify the litigation to be discussed or state that doing so would jeopardize the ability to effectuate service of process upon unserved parties or to conclude existing settlement negotiations to its advantage. (Government Code 54956.9)

Agenda items related to pending litigation shall be described as a conference with legal counsel regarding either "existing litigation" or "anticipated litigation." (Government Code 54954.5)

"Existing litigation" items shall identify the name of the case specified by either the claimant's name, names of parties, or case or claim number, unless the County Board states that to identify the case would jeopardize service of process or existing settlement negotiations. (Government Code 54954.5)

"Anticipated litigation" items shall state that there is significant exposure to litigation pursuant to Government Code 54956.9(d)(2) or (3) and shall specify the potential number of cases. When the County Board expects to initiate a suit, items related to anticipated litigation shall state that the discussion relates to the initiation of litigation pursuant to Government Code 54956.9(d)(4) and shall specify the potential number of cases. The agenda or an oral statement before the closed session may be required to provide additional information regarding existing facts and circumstances described in item #2b-e above. (Government Code 54954.5)

Following the closed session, the County Board shall publicly report, as applicable:
(Government Code 54957.1)

1. Approval to legal counsel to defend, appeal or not appeal, or otherwise appear in litigation. This report shall identify the adverse parties, if known, and the substance of the litigation.
2. Approval to legal counsel to initiate or intervene in a lawsuit. This report shall state that directions to initiate or intervene in the action have been given and that the action, defendants, and other details will be disclosed to inquiring parties after the lawsuit is commenced unless doing so would jeopardize the ability to serve process on unserved parties or the ability to conclude existing settlement negotiations to its advantage.
3. Acceptance of a signed offer from the other party or parties which finalizes the settlement of pending litigation. This report shall state the substance of the agreement.

If approval is given to legal counsel to settle pending litigation and if final approval rests with the other party or with the court, the County Board shall report the fact of approval, and the substance of the agreement to persons who inquire once the settlement is final. (Government Code 54957.1)

Review of Student Assessment Instruments

The County Board may meet in closed session to review the contents of any student assessment instrument approved or adopted for the statewide testing system. Before any such meeting, the County Board shall agree by resolution to accept any terms or conditions established by the State Board of Education for this review. (Education Code 60617)

Agenda items related to the review of student assessment instruments shall state that the County Board is reviewing the contents of an assessment instrument approved or adopted for the statewide testing program and that Education Code 60617 authorizes a closed session for this purpose in order to maintain the confidentiality of the assessment under review.

Other Matters for Closed Session

When appropriate, the County Board may also hold a closed session to discuss any of the following:

1. Security Matters

The County Board may meet in closed session with the Governor, Attorney General, district attorney, legal counsel, sheriff or chief of police, or their respective deputies, or a security consultant or a security operations manager, on matters posing a threat to the security of public buildings; to the security of essential public services, including water, drinking water, wastewater treatment, natural gas service, and electric service; or to the public's right of access to public services or public facilities. Such discussions may be held in closed session during an emergency meeting called pursuant to Government Code 54956.5 if agreed to by a two-thirds vote of the County Board members present, or, if less than two-thirds of the members are present, by a unanimous vote of the members present. (Government Code 54956.5, 54957)

(cf. 9323.2 - Actions by the Board)

Agenda items related to these security matters shall specify the name of the law enforcement agency and the title of the officer, or name of applicable agency representative and title, with whom the County Board will consult. (Government Code 54954.5)

2. Tactical Response Plan

The County Board may meet in closed session to consult with law enforcement officials on the development of a plan for tactical responses to criminal incidents and to approve the plan. Following the closed session, the County Board shall report any action taken to approve the plan, but need not disclose the COE's plan for tactical responses. (Education Code 32281)

3. Joint Powers Agency Issues

The County Board may meet in closed session to discuss a claim for the payment of tort liability losses, public liability losses, or workers' compensation liability incurred by a joint powers agency (JPA) formed for the purpose of insurance pooling or self-insurance authority of which the COE is a member. (Government Code 54956.95)

Closed session agenda items related to liability claims shall specify the claimant's name and the name of the agency against which the claim is made. (Government Code 54954.5)

When the board of the JPA has so authorized and upon advice of legal counsel, the County Board may also meet in closed session in order to receive, discuss, and take action concerning information obtained in a closed session of the JPA that has direct financial or liability implications for the COE. (Government Code 54956.96)

Closed session agenda items related to conferences involving a JPA shall specify the name of the JPA, the closed session description used by the JPA, and the name of the County Board member representing the County Board on the JPA board. Additional information listing the names of agencies or titles of representatives attending the closed session as consultants or other representatives shall also be included. (Government Code 54954.5)

The County Board shall report the disposition of joint powers agency or self-insurance claims, including the name of the claimant(s), the name of the agency claimed against, the substance of the claim, and the monetary settlement agreed upon by the claimant. (Government Code 54957.1)

4. Review of Audit Report from California State Auditor's Office

Upon receipt of a confidential final draft audit report from the California State Auditor's Office, the County Board may meet in closed session to discuss its response to that report. After public release of the report from the California State Auditor's Office, any County Board meeting to discuss the report must be conducted in open session, unless exempted from that requirement by some other provision of law. (Government Code 54956.75)

Closed session agenda items related to an audit by the California State Auditor's Office shall state "Audit by California State Auditor's Office." (Government Code 54954.5)

Following the closed session, the County Board shall publicly confirm that the report was reviewed and a response was prepared.

Legal Reference:

EDUCATION CODE

1040 Duties and responsibilities; county boards of education
1042 County boards; authority
1700 County school service fund
1703 Coordination services
1730 Supervision of instruction
1740 Supervision of attendance
1750 Supervision of health
1760 Provision of guidance services
32281 School safety plans
35145 Public meetings
35146 Closed session for student suspension or disciplinary action
48912 Governing board suspension of student
48918 Rules governing expulsion procedures; hearings and notice
49073-49079 Privacy of student records
60617 Closed session (re review of contents of statewide assessment)

GOVERNMENT CODE

815-818.9 California Government Claims Act
3540-3549.3 Educational Employment Relations Act
6252-6270 California Public Records Act
54950-54963 The Ralph M. Brown Act

CALIFORNIA CONSTITUTION

Article 1, Section 3 Public right to access information

UNITED STATES CODE, TITLE 20

1232g Family Educational Rights and Privacy Act

CODE OF FEDERAL REGULATIONS, TITLE 34

99.1-99.8 Family Educational Rights and Privacy

COURT DECISIONS

Moreno v. City of King, (2005) 127 Cal.App.4th 17
Morrison v. Housing Authority of the City of Los Angeles Board of Commissioners, (2003) 107 Cal.App.4th 860
Rim of the World Unified School District v. San Bernardino County Superior Court, (2002) 104 Cal.App.4th 1393
Bell v. Vista Unified School District, (2000) 82 Cal.App. 4th 672
Kleitman v. Superior Court of Santa Clara County, (1999) 87 Cal Rptr. 2d
Furtado v. Sierra Community College District, (1998) 68 Cal.App. 4th 876
Gillespie v. San Francisco Public Library Commission, (1998) 67 Cal.App.4th 1165
Roberts v. City of Palmdale, (1993) 5 Cal. 4th 363
Sacramento Newspaper Guild v. Sacramento County Board of Supervisors, (1968) 263 Cal.App. 2d 41

ATTORNEY GENERAL OPINIONS

94 Ops.Cal.Atty.Gen. 82 (2011)
89 Ops.Cal.Atty.Gen. 110 (2006)

Santa Cruz County Board of Education
BB 9321

86 Ops.Cal.Atty.Gen. 210 (2003)
85 Ops.Cal.Atty.Gen. 77 (2002)
78 Ops.Cal.Atty.Gen. 218 (1995)
59 Ops.Cal.Atty.Gen. 532 (1976)

Management Resources:

CSBA PUBLICATIONS

The Brown Act: School Boards and Open Meeting Laws, 2014

CALIFORNIA OFFICE OF THE ATTORNEY GENERAL PUBLICATIONS

The Brown Act: Open Meetings for Legislative Bodies, 2003

LEAGUE OF CALIFORNIA CITIES PUBLICATIONS

Open and Public IV: A Guide to the Ralph M. Brown Act, rev. July 2010

Open and Public IV: A Guide to the Ralph M. Brown Act Supplement, September 2013

WEB SITES

CSBA: <http://www.csba.org>

California Office of the Attorney General: <http://www.oag.ca.gov>

League of California Cities: <http://www.cacities.org>

Agenda/Meeting Materials

Board Bylaw

BB 9322

Agenda Content

County Board of Education meeting agendas shall reflect the County Board's vision and goals and its focus on student learning.

Each agenda shall state the meeting time and place and shall briefly describe each business item to be transacted or discussed, including items to be discussed in closed session. (Government Code 54954.2)

In order to promote efficient meetings, the County Board may bundle a number of items and act upon them together by a single vote through the use of a consent agenda. Consent items shall be items of a routine nature for which County Board discussion is not anticipated and for which approval is recommended. When any County Board member requests the removal of an item from the consent agenda, the item shall be removed and given individual consideration for action as a regular agenda item.

The agenda shall provide members of the public the opportunity to address the County Board on any agenda item, including any consent agenda item, before or during the County Board's consideration of the item. However, the agenda need not provide an opportunity for public comment when the agenda item has previously been considered at an open meeting of a committee comprised exclusively of County Board members, provided that members of the public were afforded an opportunity to comment on the item at that meeting and the item has not been substantially changed since the committee considered it. (Government Code 54954.3)

The agenda for a regular County Board meeting shall also provide members of the public an opportunity to comment on matters which are not on the agenda but which are within the subject matter jurisdiction of the County Board. (Government Code 54954.3)

Any County Board action that involves borrowing \$100,000 or more shall be discussed, considered, and deliberated upon as a separate item of business on the meeting agenda. (Government Code 53635.7)

Each agenda for a regular meeting shall list the address designated for public inspection of documents related to an open session item that have been distributed to the County Board less than 72 hours before the meeting. (Government Code 54957.5)

The agenda shall include information regarding how, when, and to whom a request should be made if an individual requires disability-related accommodations or modifications, including auxiliary aids and services, in order to participate in the County Board meeting. (Government Code 54954.2)

Each agenda shall include a statement regarding the option for students and parents/guardians to request that their directory information or personal information, as defined in Education Code 49061 or 49073.2, be excluded from the minutes. The agenda shall also state that the request must be made in writing to the secretary or clerk of the County Board.

Agenda Preparation

The County Board president and the County Superintendent of Schools, as secretary to the County Board, shall work together to develop the agenda for each regular and special meeting.

Any County Board member or member of the public may request that a matter within the jurisdiction of the County Board be placed on the agenda of a regular meeting. The request shall be submitted in writing to the County Superintendent and County Board president with supporting documents and information, if any, at least one week before the scheduled meeting date. Items submitted less than a week before the scheduled meeting date may be postponed to a later meeting in order to allow sufficient time for consideration and research of the issue.

The County Board president and County Superintendent shall decide whether a request from a member of the public is within the subject matter jurisdiction of the County Board. Items not within the subject matter jurisdiction of the County Board shall not be placed on the agenda. In addition, before placing the item on the agenda, the County Board president and County Superintendent shall determine if the item is merely a request for information or whether the issue is covered by an existing County Board policy, administrative regulation, or other guidance document.

If a request from a County Board member to place an item on the agenda is denied, the member may ask the County Board to take action to determine whether the item shall be placed on the agenda.

The County Board president and County Superintendent shall also decide whether an agenda item is appropriate for discussion in open or closed session, and whether the item should be an action item subject to County Board vote or an information item that does not require immediate action.

Agenda Dissemination to County Board Members

At least 72 hours before each regular meeting, each County Board member shall be provided a copy of the agenda and agenda packet, including any reports from the County Superintendent; minutes to be approved; copies of communications; reports from committees, staff, and others; and other available documents pertinent to the meeting.

When special meetings are called, County Board members shall receive, at least 24 hours prior to the meeting, notice of the business to be transacted. (Government Code 54956)

County Board members shall review agenda materials before each meeting. Individual members may confer directly with the County Superintendent or designee to ask questions and/or request additional information on agenda items. However, a majority of County Board members shall not, outside of a noticed meeting, directly or through intermediaries or electronic means discuss, deliberate, or take action on any matter within the subject matter jurisdiction of the County Board.

Agenda Dissemination to Members of the Public

Any agenda and related materials distributed to the County Board shall be made available to the public upon request without delay. Only those documents which are public records under the Public Records Act and which relate to an agenda item scheduled for the open session portion of a regular meeting shall be made available to the public. (Government Code 54957.5)

At least 72 hours prior to a regular meeting, the agenda shall be posted at one or more locations freely accessible to members of the public. (Government Code 54954.2)

In addition, the agenda shall be posted on the homepage of the county office of education (COE) web site. The posted agenda shall be accessible through a prominent direct link to the current agenda or to the COE's agenda management platform in accordance with Government Code 54954.2. When the COE utilizes an integrated agenda management platform, the link to that platform shall take the user directly to the web site with the County Board meeting agendas, and the current agenda shall be the first available. (Government Code 54954.2)

If a document which relates to an open session agenda item of a regular County Board meeting is distributed to the County Board less than 72 hours prior to the meeting, the document shall be made available for public inspection at a designated location at the same time the document is distributed to all or a majority of the County Board. (Government Code 54957.5)

As County Board secretary, it is the responsibility of the County Superintendent or designee to mail a copy of the agenda or a copy of all the documents constituting the agenda packet to any person who requests the items. The materials shall be mailed at the time the agenda is posted or upon distribution of the agenda to a majority of the County Board, whichever occurs first.

(Government Code 54954.1)

Any request for mailed copies of agendas or agenda packets shall be in writing and shall be valid for the calendar year in which it is filed. Written requests must be renewed following January 1 of each year. (Government Code 54954.1)

Persons requesting mailing of the agenda or agenda packet shall pay an annual fee, as determined by the County Superintendent or designee, not to exceed the cost of providing the service.

Any document prepared by the County Board or COE and distributed during a public meeting shall be made available for public inspection at the meeting. Any document prepared by another person and presented at the meeting shall be made available for public inspection after the meeting. These requirements shall not apply to a document that is exempt from public disclosure under the Public Records Act. (Government Code 54957.5)

Upon request, the County Superintendent or designee shall make the agenda, agenda packet, and/or any writings distributed at the meeting available in appropriate alternative formats to persons with a disability, as required by the Americans with Disabilities Act. (Government Code 54954.1)

Legal Reference:

EDUCATION CODE

35145.5 Right of public to place matters on agenda

49061 Student records; definitions

49073.2 Privacy of student and parent/guardian personal information

GOVERNMENT CODE

6250-6270 Public Records Act

53635.7 Separate item of business

54954.1 Mailed agenda of meeting

54954.2 Agenda posting requirements; board actions

54954.3 Opportunity for public to address legislative body

54954.5 Closed session item descriptions

54956 Brown Act open meeting laws; special meetings

54956.5 Emergency meetings

54957.5 Availability of public records

54960.2 Challenging board actions; cease and desist

UNITED STATES CODE, TITLE 42

12101-12213 Americans with Disabilities Act

CODE OF FEDERAL REGULATIONS, TITLE 28

35.160 Effective communications

36.303 Auxiliary aids and services

COURT DECISIONS

Mooney v. Garcia, (2012) 207 Cal.App.4th 229

Caldwell v. Roseville Joint Union High School District, 2007 U.S. Dist. LEXIS 66318
ATTORNEY GENERAL OPINIONS
99 *Ops.Cal.Atty.Gen.* 11 (2016)
78 *Ops.Cal.Atty.Gen.* 327 (1995)

Management Resources:

CSBA PUBLICATIONS

Call to Order: A Blueprint for Great Board Meetings, rev. 2015
The Brown Act: School Boards and Open Meeting Laws, rev. 2014

OFFICE OF THE ATTORNEY GENERAL PUBLICATIONS

The Brown Act: Open Meetings for Legislative Bodies, rev. 2003

WEB SITES

CSBA, Agenda Online: <http://www.csba.org>
Office of the Attorney General: <http://www.oag.ca.gov>

Meeting Conduct

Board Bylaw

BB 9323

The County Board of Education endeavors to conduct business efficiently and in a manner that promotes full and fair consideration of the issues and allows for meaningful participation of members of the public.

Meeting Procedures

All County Board meetings shall begin on time and shall be guided by an agenda prepared in accordance with County Board bylaws and posted and distributed in accordance with the Ralph M. Brown Act (open meeting requirements) and other applicable laws.

The County Board president shall conduct meetings in accordance with County Board bylaws and approved meeting procedures.

The County Board believes that late night meetings discourage public participation, can affect the County Board's decision-making ability, and can be an unnecessary burden on Board members, the County Superintendent, and his/her staff. Regular Board meetings shall be adjourned at the time, if any, set by the County Board at the annual organizational meeting.

Quorum and Abstentions

A majority of the members of the County Board shall constitute a quorum for the transaction of business. (Education Code 1013)

On a call by any County Board member, a voice vote shall be taken upon any proposition and the vote shall be recorded in the minutes. (Education Code 1015)

Unless otherwise provided by law, affirmative votes by a majority of all the membership of the County Board are required to approve any action under consideration, regardless of the number of members present.

The County Board believes that when no conflict of interest requires abstention, its members have a duty to vote on issues before them. When a member abstains, his/her abstention shall not be counted as an affirmative vote for purposes of determining whether a majority of the membership of the County Board has taken action.

If the County Board consists of seven members and not more than two vacancies occur on the County Board, the vacant position(s) shall not be counted for purposes of determining how many members of the County Board constitute a majority. In addition, whenever any provisions of the Education Code require unanimous action of all or a specific number of the members, any vacant position(s) shall be not be counted for purposes of determining the total membership constituting the County Board.

Public Participation

Members of the public are encouraged to attend County Board meetings and to address the County Board concerning any item on the agenda or within the County Board's jurisdiction. So as not to inhibit public participation, persons attending County Board meetings shall not be required to sign in, complete a questionnaire, or otherwise provide their name or other information as a condition of attending the meeting.

In order to conduct business in an orderly and efficient manner, the County Board requires public presentations to the County Board to comply with the following procedures:

1. The County Board shall give members of the public an opportunity to address the County Board on any item of interest to the public that is within the subject matter jurisdiction of the County Board, either before, during, or after the County Board's consideration of the item. (Government Code 54954.3)
2. At a time so designated on the agenda at a regular meeting, members of the public may bring before the County Board matters that are not listed on the agenda. The County Board shall take no action or discussion on any item not appearing on the posted agenda, except as authorized by law. (Government Code 54954.2)
3. Without taking action, County Board members or county office of education (COE) staff members may briefly respond to statements made or questions posed by the public about items not appearing on the agenda. Additionally, on their own initiative or in response to questions posed by the public, a County Board member or COE staff member may ask a question for clarification, make a brief announcement, or make a brief report on his/her own activities. (Government Code 54954.2) Furthermore, the County Board may provide a reference to staff or other resources for factual information, ask staff to report back to the County Board at a subsequent meeting concerning any matter, or take action directing staff to place a matter of business on a future agenda. (Government Code 54954.2)

4. The County Board need not allow the public to speak on any item that has already been considered by a committee composed exclusively of County Board members at a public meeting where the public had the opportunity to address the committee on that item. However, if the County Board determines that the item has been substantially changed since the committee heard the item, the County Board shall provide an opportunity for the public to speak. (Government Code 54954.3)
5. A person wishing to be heard by the County Board shall first be recognized by the president and shall then proceed to comment as briefly as the subject permits. Individual speakers shall be allowed three minutes to address the County Board on each agenda or nonagenda item. The County Board shall limit the total time for public input on each item to 20 minutes. With County Board consent, the County Board president may increase or decrease the time allowed for public presentation, depending on the topic and the number of persons wishing to be heard. The president may take a poll of speakers for or against a particular issue and may ask that additional persons speak only if they have something new to add.

In order to ensure that non-English speakers receive the same opportunity to directly address the County Board, any member of the public who utilizes a translator shall be provided at least twice the allotted time to address the County Board, unless simultaneous translation equipment is used to allow the County Board to hear the translated public testimony simultaneously. (Government Code 54954.3)

6. The County Board president may rule on the appropriateness of a topic, subject to the following conditions:
 - a. If the topic would be more suitably addressed at a later time, the president may indicate the time and place when it should be presented.
 - b. The County Board shall not prohibit public criticism of its policies, procedures, programs, services, acts, or omissions. (Government Code 54954.3)
 - c. The County Board shall not prohibit public criticism of persons employed directly by the County Board. However, whenever a member of the public initiates specific complaints or charges against an individual COE employee, the County Board president shall inform the complainant that employment matters are the jurisdiction of the County Superintendent and shall advise the complainant to address his/her complaint to the County Superintendent using the appropriate complaint procedure.
7. The County Board may remove disruptive individuals and order the room cleared if necessary. In this case, members of the media not participating in the disturbance shall be allowed to remain, and individuals not participating in such disturbances may be allowed to remain at the discretion of the County Board. When the room is ordered cleared due to a disturbance, further proceedings shall concern only matters appearing on

the agenda. (Government Code 54957.9) When such disruptive conduct occurs, law enforcement shall be contacted as necessary.

Recording by the Public

Members of the public may record an open County Board meeting using an audio or video recorder, still or motion picture camera, cell phone, or other device, provided that the noise, illumination, or obstruction of view does not persistently disrupt the meeting. The County Board may designate locations from which members of the public may make such recordings without causing a distraction.

If the County Board finds that noise, illumination, or obstruction of view related to these activities would persistently disrupt the proceedings, these activities shall be discontinued or restricted as determined by the County Board. (Government Code 54953.5, 54953.6)

Legal Reference:

EDUCATION CODE

1013 Quorum

1015 Voting

1040 Duties and responsibilities; county boards of education

1042 County boards; authority

1090 County board member compensation

32210 Willful disturbance of public school or meeting a misdemeanor

35165 Effect of vacancies upon majority and unanimous votes by seven member board

CODE OF CIVIL PROCEDURE

527.8 Workplace Violence Safety Act

GOVERNMENT CODE

54953.3 Prohibition against conditions for attending a board meeting

54953.5 Audio or video tape recording of proceedings

54953.6 Broadcasting of proceedings

54954.2 Agenda; posting; action on other matters

54954.3 Opportunity for public to address legislative body; regulations

54957 Closed sessions

54957.9 Disorderly conduct of general public during meeting; clearing of room

PENAL CODE

403 Disruption of assembly or meeting

COURT DECISIONS

City of San Jose v. Garbett, (2010) 190 Cal.App.4th 526

Norse v. City of Santa Cruz, (9th Cir. 2010) 629 F3d 966

McMahon v. Albany Unified School District, (2002) 104 Cal.App.4th 1275

Rubin v. City of Burbank, (2002) 101 Cal.App.4th 1194

Baca v. Moreno Valley Unified School District, (1996) 936 F.Supp. 719

ATTORNEY GENERAL OPINIONS

76 Ops.Cal.Atty.Gen. 281 (1993)

66 Ops.Cal.Atty.Gen. 336 (1983)
63 Ops.Cal.Atty.Gen. 215 (1980)
61 Ops.Cal.Atty.Gen. 243, 253 (1978)
59 Ops.Cal.Atty.Gen. 532 (1976)
55 Ops.Cal.Atty.Gen. 26 (1972)

Management Resources:

CSBA PUBLICATIONS

Call to Order: A Blueprint for Great Board Meetings, 2015
The Brown Act: School Boards and Open Meeting Laws, rev. 2014

ATTORNEY GENERAL PUBLICATIONS

The Brown Act: Open Meetings for Local Legislative Bodies, 2003

WEB SITES

CSBA: <http://www.csba.org>
California Attorney General's Office: <https://oag.ca.gov>

Actions by the Board

Board Bylaw

BB 9323.2

The County Board of Education shall act by a majority vote of all of the membership constituting the County Board, unless otherwise required by law.

An "action" by the County Board means: (Government Code 54952.6)

1. A collective decision by a majority of the County Board members
2. A collective commitment or promise by a majority of the County Board members to make a positive or negative decision
3. A vote by a majority of the County Board members when sitting as the County Board upon a motion, proposal, resolution, order, or ordinance

The County Board shall not take action by secret ballot, whether preliminary or final.
(Government Code 54953)

Actions taken by the County Board in open session shall be recorded in the County Board minutes. (Education Code 1015)

Action on Non-Agenda Items

After publicly identifying the item, the County Board may take action on a subject not appearing on the posted meeting agenda under any of the following conditions: (Government Code 54954.2)

1. When a majority of the County Board determines that an emergency situation exists, as defined for emergency meetings pursuant to Government Code 54956.5
2. When two-thirds of the members present, or if less than two-thirds of the members are present then by a unanimous vote of all members present, determine that the need to take immediate action came to the County Board's attention after the agenda was posted
3. When an item appeared on the agenda of, and was continued from, a meeting that occurred not more than five days earlier

Actions Requiring a Two-Thirds Vote of the Entire County Board

A two-thirds vote of the County Board membership shall be required for the following actions:

1. Request for temporary borrowing pursuant to Government Code 53820-53833, to pay obligations incurred before the receipt of income for the fiscal year sufficient to meet the payment(s) (Government Code 53821)
2. Upon complying with Government Code 65352.2 and Public Resources Code 21151.2, action to render city or county zoning ordinances inapplicable to a proposed use of the property by the county office of education (COE) (Government Code 53094)
3. Resolution of necessity to proceed with an eminent domain action and, if the County Board subsequently desires to use the property for a different use than stated in the resolution of necessity, a subsequent resolution so authorizing the different use (Code of Civil Procedure 1245.240, 1245.245)

Actions Requiring a Two-Thirds Vote of the Board Members Present at the Meeting

A two-thirds vote of the County Board members present at the meeting shall be required for the following actions:

1. Determination that there is a need to take immediate action and that the need for action came to the County Board's attention after the posting of the agenda (Government Code 54954.2)
2. Determination that a closed session is necessary during an emergency meeting (Government Code 54956.5)

If less than two-thirds of the County Board members are present at the meeting, a unanimous vote of all members present shall be required for the above actions.

Action Requiring a Four-Fifths Vote of the Entire County Board

A four-fifths vote of the County Board membership shall be required for any resolution for borrowing based on issuance of notes, tax anticipation warrants, or other evidences of indebtedness, in an amount up to 50 percent of the COE's estimated income and revenue for the fiscal year or the portion not yet collected at the time of the borrowing (Government Code 53822, 53824)

Action Requiring a Four-Fifths Vote of the Board Members Present at the Meeting

A two-thirds vote of the County Board members present at the meeting shall be required to approve the expenditure and transfer of necessary funds and use of property or personnel to meet a national or local emergency created by war, military, naval, or air attack, or sabotage, or to

provide for adequate national or local defense (Government Code 53790-53792)

3. Resolution for borrowing, between July 15 and August 30 of any fiscal year, of up to 25 percent of the estimated income and revenue to be received by the COE during that fiscal year from apportionments based on the average daily attendance (ADA), for the preceding school year, of schools operated by the County Board (Government Code 53823-53824)

Action Requiring a Unanimous Vote of the Entire County Board

A unanimous vote of the County Board membership shall be required for any resolution authorizing and prescribing the terms of a community lease for extraction of gas (Education Code 17510-17511)

Actions Requiring a Unanimous Vote of the Board Members Present at the Meeting

A unanimous vote of the County Board members present at the meeting shall be required for the following actions:

1. Determination that surplus property is not worth more than \$2,500, and the subsequent authorization of a private sale of such property without advertisement (Education Code 17546)
2. Determination that the value of surplus property would not defray the cost of arranging its sale, and the subsequent authorization to dispose of such property in the local dump or donate it to a charitable organization (Education Code 17546)
3. If less than two-thirds of the County Board members are present at the meeting, determination that there is a need to take immediate action and that the need for action came to the County Board's attention after the posting of the agenda (Government Code 54954.2)
4. If less than two-thirds of the County Board members are present at the meeting, determination that a closed session is necessary during an emergency meeting (Government Code 54956.5)

Challenging Board Actions

The district attorney's office or any interested person may file an action in court to stop or prevent the County Board's violation or threats of violations of the Brown Act, to determine the applicability of the Brown Act to ongoing or future threatened County Board actions, to determine the validity, under California or federal law, of any County Board rule or action to penalize any of its members or otherwise discourage the member's expression, or to compel the County Board to audio record its closed sessions because of its violation of any applicable Government Code provision. (Government Code 54960)

The district attorney or any interested person may present a demand that the County Board cure and correct a County Board action which he/she alleges is in violation of law regarding any of the following: (Government Code 54960.1)

1. Open meeting and teleconferencing (Government Code 54953)
2. Agenda posting (Government Code 54954.2)
3. Closed session item descriptions (Government Code 54954.5)
4. New or increased tax assessments (Government Code 54954.6)
5. Special meetings (Government Code 54956)
6. Emergency meetings (Government Code 54956.5)

Any demand to "cure and correct" an alleged violation shall clearly describe the challenged action and the nature of the alleged violation and shall be presented to the County Board in writing within 90 days of the date when the action was taken. If the alleged violation concerns action taken in an open session but in violation of Government Code 54954.2 (agenda posting), the written demand must be made within 30 days of the date when the alleged action took place. (Government Code 54960.1)

Within 30 days of receiving the demand, the County Board shall do one of the following: (Government Code 54960.1)

1. Cure or correct the challenged action and inform the demanding party in writing of its actions to cure or correct.
2. Determine not to cure or correct the alleged violation and inform the demanding party in writing of its decision to not cure or correct.

If the County Board takes no action within the 30-day review period, its inaction shall be

considered a decision not to cure or correct the action. (Government Code 54960.1)

In addition, the district attorney's office or any interested party may file an action in court to determine the applicability of the Brown Act to any past County Board action not specified in Government Code 54960.1, if the following conditions are met: (Government Code 54960.2)

1. Within nine months of the alleged violation, a cease and desist letter is submitted to the County Board, clearly describing the past action and the nature of the alleged violation.
2. The time for the County Board to respond has expired and the County Board has not provided an unconditional commitment to cease and desist from and not repeat the past action alleged to have violated the Brown Act.

Legal Reference:

EDUCATION CODE

1015 Recording votes

1042 Power to hold and convey real property

1047 Eminent domain

17466 Declaration of intent to sell or lease real property

17481 Lease of property with residence for nondistrict purposes

17510-17511 Resolution requiring unanimous vote of all members constituting board

17546 Private sale of personal property

17556-17561 Dedication of real property

35164 Vote requirements

CODE OF CIVIL PROCEDURE

1245.240 Eminent domain vote requirements

1245.245 Eminent domain, resolution adopting different use

GOVERNMENT CODE

53090-53097.5 Regulation of local agencies by counties and cities

53724 Parcel tax resolution requirements

53790-53792 Exceeding the budget

53820-53833 Temporary borrowing

53850-53858 Temporary borrowing

54950-54963 The Ralph M. Brown Act, especially:

54952.6 Action taken, definition

54953 Meetings to be open and public; attendance; secret ballots

54960-54960.5 Actions to prevent violations

65352.2 Coordination with planning agency

COURT DECISIONS

Los Angeles Times Communications LLC v. Los Angeles County Board of Supervisors (2003)

112 Cal.App.4th 1313

McKee v. Orange Unified School District (2003) 110 Cal.App.4th 1310

Bell v. Vista Unified School District (2002) 82 Cal.App.4th 672

Boyle v. City of Redondo Beach (1999) 70 Cal.App.4th 1109

Management Resources:

CSBA PUBLICATIONS

The Brown Act: School Boards and Open Meeting Laws, 2014

ATTORNEY GENERAL PUBLICATIONS

The Brown Act: Open Meetings for Local Legislative Bodies, 2003

LEAGUE OF CALIFORNIA CITIES PUBLICATIONS

Open and Public IV: A Guide to the Ralph M. Brown Act, July 2010

Open and Public IV: A Guide to the Ralph M. Brown Act Supplement, September 2013

WEB SITES

CSBA: <http://www.csba.org>

California Attorney General's Office: <http://www.ag.ca.gov>

Institute of Local Government: <http://www.ca-ilg.org>

Actions by the Board

Exhibit

E 9323.2

UNCONDITIONAL COMMITMENT LETTER

To: (Name of district attorney or any interested person)

The _____ County Board of Education has received your cease and desist letter dated (date) alleging that the following described past action taken by the County Board violates the Ralph M. Brown Act: (Describe alleged past action as set forth in the cease and desist letter.)

In order to avoid unnecessary litigation and without admitting any violation of the Ralph M. Brown Act, the County Board hereby unconditionally commits that it will cease, desist from, and not repeat the challenged past action described above.

The County Board may rescind this commitment only by a majority vote of its membership taken in open session at a regular meeting and noticed on its posted agenda as "Rescission of Brown Act Commitment." You will be provided with written notice, sent by any means or media you provide in response to this message, to whatever address(es) you specify, of any intention to consider rescinding this commitment at least 30 days before any such regular meeting. In the event that this commitment is rescinded, a notice will be delivered to you by the same means as this commitment, or by mail to an address that you have designated in writing, and you will have the right to commence legal action pursuant to Government Code 54960(a).

Sincerely,

(Name)
President, _____ County Board of Education

Minutes and Recordings

Board Bylaw

BB 9324

The County Board of Education recognizes that maintaining accurate minutes of County Board meetings helps foster public trust in Board governance and provides a record of official actions for use by county office of education (COE) staff and the public.

The County Board shall keep a record of its proceedings and shall record the votes of County Board members in the meeting minutes. (Education Code 1015, 1040)

The County Board's minutes shall be public records and shall be made available to the public upon request.

The minutes of County Board meetings shall include, but not be limited to:

1. A notation of which County Board members are present, in person or by teleconference, and whether a member is not present for part of the meeting due to late arrival and/or early departure

(cf. 9250 - Remuneration, Reimbursement and Other Benefits)
(cf. 9320 - Meetings and Notices)
2. A brief summary of the County Board's discussion on each agenda topic, rather than a verbatim record of each County Board member's specific point of view during the discussion
3. A summary of the public comments made on agendized items and unagendized topics
4. The specific language of each motion and the names of the County Board members who made and seconded the motion
5. A record of any action taken by the County Board and the vote or abstention on that action by each County Board member present (Government Code 54953)

County Board minutes shall not include a student's or parent/guardian's address, telephone number, date of birth, or email address, or a student's name or other directory information as defined in Education Code 49061, if a parent/guardian or student age 18 or older submits a written request to the secretary or clerk to the County Board. (Education Code 49073.2)

(cf. 9100 - Organization)

The secretary of the County Board or designee shall distribute a copy of the "unapproved" minutes of the previous meeting(s) with the agenda for the next regular meeting. The County Board shall approve the minutes as circulated or with necessary amendments.

Upon approval by the County Board, the minutes shall be signed by the County Board president.

Official County Board minutes and recordings shall be stored in a secure location and shall be retained in accordance with law.

Any minutes or recordings kept for County Board meetings held in closed session shall be kept separately from the minutes or recordings of regular and special meetings. Minutes or recordings of closed sessions are not public records. (Government Code 54957.2)

Recording or Broadcasting of Meetings

The district may tape, film, stream, or broadcast any open County Board meeting. At the beginning of the meeting, the County Board president shall announce that a recording or broadcasting is being made at the direction of the County Board and that the recording or broadcast may capture images and sounds of those attending the meeting. As practicable, the recorder or camera shall be placed in plain view of meeting participants.

Any County Board recording may be erased or destroyed 30 days after the meeting once the minutes of that meeting have been approved. Recordings made at the direction of the County Board during a meeting are public records and, upon request, shall be made available for inspection by members of the public on COE equipment without charge. (Government Code 54953.5)

Legal Reference:

EDUCATION CODE

1011 County board meetings

1015 Recording votes

1040 Duties of the county board

49061 Student records; definitions

49073.2 Privacy of student and parent/guardian personal information

GOVERNMENT CODE

6250-6270 Public Records Act

54952.2 Meeting defined

54953 Meetings

54953.5 Audio or video recording of proceedings

54953.6 Broadcasting of proceedings

54957.2 Closed sessions; clerk; minute book

54960 Violations and remedies

PENAL CODE

632 Unlawful to intentionally record a confidential communication without consent

CODE OF REGULATIONS, TITLE 5

16020-16027 Classification and retention of records

Management Resources:

CSBA PUBLICATIONS

Call to Order: A Blueprint for Great Board Meetings, 2015

The Brown Act: School Boards and Open Meeting Laws, 2014

WEB SITES

CSBA, Agenda Online: <http://www.agendaonline.com>

Office of the Attorney General: <http://www.ag.ca.gov>

Board Self-Evaluation

Board Bylaw

BB 9400

The County Board of Education shall annually conduct a self-evaluation in order to demonstrate accountability to the community and ensure that governance effectively supports student achievement and the attainment of the County Board's vision and goals.

The evaluation may address any area of County Board responsibility, including, but not limited to, County Board performance in relation to vision setting, finance, policy development, community relations, and advocacy. The evaluation may also address objectives related to County Board meeting operations, relationships among County Board members and with the County Superintendent of Schools, understanding of County Board and County Superintendent roles and responsibilities, communication skills, or other governance or boardsmanship skills.

The County Board shall evaluate itself as a whole. Individual County Board members are also expected to use the evaluation process as an opportunity to assess and set goals for their own personal performance.

Each year the County Board shall determine an evaluation method or instrument that measures key components of County Board responsibility and previously identified performance objectives. Visual and/or audio recordings of a County Board meeting may only be used as an evaluation tool when consent is given by all County Board members.

Any discussion involving the County Board's self-evaluation shall be conducted in open session.

At the request of the County Board, a facilitator may be used to assist with the evaluation process. The County Board may invite the County Superintendent or other individual(s) with pertinent information to provide input into the evaluation process.

Following the evaluation, the County Board shall set goals, define and/or refine protocols, and establish priorities and objectives for the following year's evaluation. The County Board shall also develop strategies for strengthening County Board performance based on identified areas of need, including, but not limited to, county board trainings such as those offered by the California School Boards Association and California County Boards of Education.

(cf. 9230 - Orientation)

(cf. 9240 - Board Training)

Legal Reference:

GOVERNMENT CODE
54950-54963 Brown Act

Management Resources:

CSBA PUBLICATIONS

Professional Governance Standards for County Boards, October 2014
Defining Governance, Issue 3: Governance Practices, Governance Brief, April 2014

WEB SITES

CSBA: <http://www.csba.org>

County Superintendent's Remuneration

Board Bylaw

BB 9500

The County Board of Education believes that the County Superintendent of Schools renders services that promote the success of students and of the educational programs of the county office of education, and that anyone occupying the position should be fairly compensated for his/her service. In accordance with law, the County Board shall fix the salary of the County Superintendent and may adopt a remuneration package that includes, but is not limited to, salary, allowances, health and welfare benefits, and other benefits as appropriate.

The Attorney General has opined that a County Board may increase or decrease the County Superintendent's salary at any point during the term for which the County Superintendent was elected, but that any salary decrease may not be retroactive. Due to the conflict recognized by the Attorney General between the California Constitution and Education Code 1207, prior to decreasing a County Superintendent's salary, the County Board should first contact legal counsel.

Any discussion and/or action take on the County Superintendent's remuneration shall take place in open session, at a regularly scheduled meeting of the County Board. (Government Code 54956)

Any changes to the County Superintendent's salary, financial remuneration, or any benefit, for any reason, may only be made upon approval of the County Board after discussion at a regularly scheduled meeting of the County Board. (Education Code 1209, Government Code 54956)

The County Superintendent shall receive reimbursement for his/her actual and necessary traveling expenses. (Education Code 1200, 1201)

Legal Reference:

EDUCATION CODE

1200-1209 Appointment, qualifications, salary and expenses of county superintendent

GOVERNMENT CODE

3511.1-3511.2 Local agency executives

53243.3-53243.4 Abuse of office

54954 Time and place of regular meetings

54957 Closed session personnel matters

CALIFORNIA CONSTITUTION

Article 9, Section 3.1 County Superintendent qualifications and salaries

COURT DECISIONS

Woodcock v. Dick, (1950) 36 Cal 2d 146

ATTORNEY GENERAL OPINIONS

61 Ops. Cal. Atty. Gen. 384 (1978)

62 Ops. Cal. Atty. Gen. 356 (1979)

Management Resources:

WEB SITES

CSBA, Governance Consulting Services: <http://www.csba.org>

California County Superintendents Educational Services Association: <http://www.ccsesa.org>