

BOARD COMMITTEES

The Monterey County Board of Education (County Board) may establish County Board committees on matters within its jurisdiction. The County Board shall determine the duties, responsibilities, authority and term of the committee at the time of its establishment. Unless specifically authorized by the County Board to act on its behalf, County Board committees shall act in an advisory capacity only.

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

All 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 by law.

Board advisory committees composed solely of less than a quorum of the members of the 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 Board. Open meeting laws apply to standing committees.

The Brown Act is not violated if County Board members who are not members of a standing committee attend the meeting only "as observers." In 81 Ops.Cal.Atty.Gen. 156 (1998), the Attorney General clarified that those County Board members attending the meeting "as observers," may not ask questions or make statements at the meeting and that they must sit in the areas designated for members of the public.

The Monterey County Superintendent of Schools or designee serves as an advisor to the County Board committees.

Standing Committees

The following list comprises the current standing committees of the County Board, as well as the responsibilities and jurisdiction of each:

1. Monterey County Committee on School District Organization: Under the California Education Code, each county is required to have a County Committee on School District Organization. The County Committee has the authority to do the following:
 - Recommend to the State Board of Education school reorganizations or, under special circumstances, approve school reorganizations;
 - Establish or abolish trustee areas;
 - Rearrange the boundaries of trustee areas for any district within its jurisdiction;

- Change the number of members to a governing Board; and
- Approve proposals to change a school district’s method of electing Board members.

In Monterey County, all the duties, powers, purposes, responsibilities and jurisdiction of the County Committee were transferred to the County Board.

2. Monterey County Board of Education Facilities Master Plan Committee: Composed of three County Board members and MCOE staff, the Facilities Master Plan Committee’s goal is to provide current and future facilities planning, and to provide safe, healthy, efficient and sustainable facilities for students and staff of the MCOE. The Facilities Committee is responsible for the development of a county operated facilities master plan, which includes modernization and new construction projects, and a five year deferred maintenance plan.
3. Monterey County Board of Education Policy Committee: Composed of three County Board members and MCOE staff, the Policy Committee is responsible for keeping MCOE’s County Board policies and bylaws up-to-date and compliant with new and changing laws. The Committee reviews and revises policies brought before them by MCOE staff. Once the policies are approved by the Policy Committee, they then go before the County Board for official approval.

Legal Reference:

EDUCATION CODE

- 1040 *Duties and responsibilities; county boards of education*
- 1042 *County boards; authority*
- 4020 *Petition; action by state board of education; time*
- 4021 *Transfer upon order of state board of education*

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*

ATTORNEY GENERAL OPINIONS

- 81 *Ops.Cal.Atty.Gen. 156 (1998)*
- 80 *Ops.Cal.Atty.Gen. 308 (1997)*
- 79 *Ops.Cal.Atty.Gen. 69 (1996)*

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