

**BUTTE COUNTY OFFICE OF EDUCATION
SUPERINTENDENT’S POLICY AND ADMINISTRATIVE REGULATIONS**

Concepts and Roles SP 2000

County Board of Education SP 2010

County Superintendent of Schools SP 2100

Policies and Policy Development SP 2210

Legislative Contacts Protocol SP 2215

Representative and Deliberative Groups..... SP 2230

Conflict of Interest..... SP 2300

Conflict of Interest Regulations.....AR 2300

Butte County Conflict of Interest Code Exhibit AR 2300



BUTTE COUNTY OFFICE OF EDUCATION

SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

SP 2000

CONCEPTS AND ROLES

The County Superintendent employs administrative and supervisory personnel to assist in the effective management of the Butte County Office of Education. All departments, programs, and services shall make up a single administrative system, organized so that appropriate decision making may take place at various levels in accordance with policies and regulations.

Role of Administration

The success of the Butte County Office of Education depends upon the ability of individuals and groups to adapt to the changing educational needs of society, the community and the students. The County Superintendent has established a standard of respect, responsiveness, and resourcefulness for management and staff to:

1. Work cooperatively with local school districts to identify student, district and community needs;
2. Motivate, challenge and guide others in providing programs and services;
3. Determine those instructional programs and services most efficiently, cost effectively, and appropriately provided by the Butte County Office of Education;
4. Develop a coordination system for addressing and implementing state mandated programs and services among local districts, counties, and other agencies;
5. Link schools to county-based health, welfare, recreation, juvenile justice, and other social services;
6. Evaluate continuously the effectiveness of the instructional programs and services provided;
7. Adapt programs and services as needed to provide direction and support to the educational process in the county and the region; and
8. Be knowledgeable about Butte County Office of Education Superintendent's Policy and Administrative Regulations, negotiated agreement, and past practices.

Management Functions

1. To provide leadership in all areas of school management and development so as to enhance the current quality of education and support the exploration of promising practices;
2. To improve communication among all employees and provide better communication with districts, the community and, where appropriate, individual parents/guardians and students;
3. To establish a framework of direct responsibility that will assure that each administrator carries out her/his role in the accomplishment of the mission and goals;
4. To provide professional leadership, advice, and counsel to the school districts within the county by working together to ensure the best and most effective learning programs;
5. To increase the commitment of administrators to programs by developing a client-oriented approach to service;

BUTTE COUNTY OFFICE OF EDUCATION

SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

6. To implement and support direct services to students that are efficient and effective and that demonstrate a total commitment to the rights and dignity of all persons;
7. To manage the day-to-day operations of various divisions, departments, programs, and projects effectively and efficiently;
8. To respond to state mandates and needs identified by districts; and
9. To evaluate policies, procedures and personnel so as to ensure efficient, effective, and economical operation of the Butte County Office of Education.

The County Superintendent shall organize the staff in a manner best suited to achieve its purpose.

Office Organization/Deputy Superintendents

The Deputy Superintendent if and when appointed by the County Superintendent shall be authorized to act on behalf of the County Superintendent whenever necessary. Necessity shall be determined by the County Superintendent.

Temporary and Part-Time Personnel/Consultants

The County Superintendent may hire consultants to assist or advise with the administration and duties of the Butte County Office of Education. Expenditures of funds for the hiring of consultants shall not exceed the funds budgeted by major categories for such purposes in the annual budget or revisions of the annual budget.

Division, Departments, Programs, Projects

Programs and services being provided by the Butte County Office of Education must be adjusted regularly to meet changing needs and conditions. To ensure its effectiveness, the Butte County Office of Education is organized into five departments:

1. Administrative Services;
2. Educational Support Services;
3. Migrant Education;
4. Mini-Corps; and
5. Student Programs and Services

Lines of Responsibility

The following principles shall govern the administrative operations of the Butte County Office of Education:

1. Each Assistant Superintendent shall be responsible to the County Superintendent;
2. The County Superintendent may choose to assign responsibility for supervision to an Assistant Superintendent;
3. All personnel shall refer matters requiring administrative action to their immediate supervisor, and the immediate supervisor will determine appropriate action to be taken;
4. Administrative staff members shall be advised as to whom he/she reports to and may go to for help in working out his/her own function;

BUTTE COUNTY OFFICE OF EDUCATION

SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

5. Administrative staff members who function in more than one department may expect to report to more than one person; in such cases it shall be the responsibility of the Assistant Superintendents involved to assure such cooperation as is necessary to minimize conflict and ambiguity for the employee involved;
6. Upon acting in full compliance with any decision made, all personnel shall have the right to appeal a decision made by an administrator or supervisor that affects them and shall be advised as to whom to appeal and the successive steps necessary for an orderly appeal; and
7. Administrative staff shall have discretion in the daily operation of their own area of responsibility, but they will be expected to keep the appropriate supervisor fully informed.

Legal Reference:

Education Code

1040-1042 Duties and powers of the County Office of Education Board

1240 et seq. Duties, responsibilities and general powers

1260 Duties, responsibilities and general powers

1262 Duties, responsibilities and general powers

1290 power to appoint deputy superintendent

1293 Power to contract with certificated employees

1294.5 Employment of certificated employees

1945 Miscellaneous

35010 Control of district; prescription and enforcement of rules

35020 Duties of employees fixed by governing board

35028 Qualifications for employment

35031 Term of employment

35035 Powers and duties of superintendent

35160 Authority of governing boards

44944 Conduct of hearing; decision; expenses and costs

Government Code

53060 Miscellaneous

Welfare and Institutions Code

828 Disclosure of information re: minors by law enforcement agency

828.1 School district policy department; disclosure of juvenile criminal records

ADOPTED: October, 2015

REVISED:

BUTTE COUNTY OFFICE OF EDUCATION SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

SP 2010

COUNTY BOARD OF EDUCATION

The members of the Butte County Board of Education are elected officials and constitutional officers which have general duties, powers, and responsibilities as set forth in the Education Code.

Mandatory duties of the Butte County Board of Education may be found in the California Education Code beginning with section 1000.

The Butte County Board of Education has discretion to act on behalf of the Butte County Office of Education under Education Code § 35160, et seq., provided that such action is not in conflict with, or pre-empted by any policy, regulation, or law.

ADOPTED: October, 2015

REVISED:

BUTTE COUNTY OFFICE OF EDUCATION

SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

SP 2100

COUNTY SUPERINTENDENT OF SCHOOLS

The County Superintendent is an elected official and constitutional officer which has general duties, powers, and responsibilities as set forth in the Education Code.

Mandatory duties of the County Superintendent may be found in the California Education Code beginning with section 1200.

The County Superintendent is the executive officer of the Butte County Office of Education and shall administer the Butte County Office of Education's Superintendent's Policy and Administrative Regulations under the powers and duties accorded by law.

The County Superintendent has discretion to act on behalf of the Butte County Office of Education under Education Code § 35160, et seq., provided that such action is not in conflict with, or preempted by any policy, regulation, or law.

The County Superintendent may initiate and conduct any program or activity, or may otherwise act in any manner which is not in conflict with, inconsistent with, or pre-empted by any law and which is not in conflict with the purposes for which county offices were established.

The County Superintendent is employer of all Butte County Office of Education employees.

Legal Reference:

Education Code

1040 et seq. Duties and responsibilities of County Board of Education

1200 et seq. Appointment, qualifications, salary and expenses of Superintendent

1240 et seq. Powers and duties of Superintendent of schools

1310 et seq. Classified county school employees

35020 Duties of employees fixed by governing board

35026 Employment of district superintendent by certain districts

35028 Qualifications for employment

35029 Waiver of credential requirement

35031 Term of employment (up to four years)

35032 Salary increases

35033 District superintendent for certain unified school districts (on formation of district)

35034 District superintendent for certain unified school districts

35035 Additional powers and duties of superintendent

Delegation of powers to agents; liability of agents

39657 Delegation of authority to purchase supplies, equipment and services; limitation on expenditure

APPROVED: October, 2015

REVISED:

BUTTE COUNTY OFFICE OF EDUCATION

SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

SP 2210

POLICIES AND POLICY DEVELOPMENT

The County Superintendent directs that clearly written policies be developed which reflect the stated philosophical beliefs of the County Superintendent, the mission and goals of the Butte County Office of Education, the desires of the community and school districts, and the best advice of the staff. Once adopted, the Butte County Office of Education's County Superintendent's Policies shall determine the scope and nature of the services and programs of the Butte County Office of Education and shall be one method by which the County Superintendent provides educational direction and leadership in the operation of the Butte County Office of Education.

Superintendent Policy

Formal policies shall reflect the date of adoption and be printed in the Butte County Office of Education Superintendent's Policy and Administrative Regulations. Only statements so adopted shall be regarded as official Butte County Office of Education's County Superintendent Policies.

Absence of Policy

While the Butte County Office of Education Superintendent's Policy and Administrative Regulations are intended to be inclusive in the absence of policy, all staff is directed to operate reasonably and make decisions in good faith based on the mission and goals of the county office.

Administrative Regulations

Butte County Office of Education Administrative Regulations may be necessary to implement specific adopted policies. All Butte County Office of Education Administrative Regulations developed shall be consistent with the policies adopted by the County Superintendent and shall identify the policy to which they pertain. Administrative Regulations may be developed which do not relate to a specific policy when direction for efficient operation of any county office division, department, program, or project becomes necessary.

Legal Reference:

Education Code

1040 ET SEQ. Duties and powers of the County Board

1240 et seq. Duties and powers of the County Superintendent of Schools

35035 additional powers and duties of Superintendent

APPROVED: October, 2015

REVISED:

BUTTE COUNTY OFFICE OF EDUCATION

SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

SP 2215

LEGISLATIVE CONTACTS PROTOCOL

Working through the legislative process requires sensitivity, tact, and a need to avoid conflicting or mixed messages. It is critical that the Butte County Office of Education speak with one voice on these issues.

There are times when a professional organization related to your work takes a position contrary or in conflict with positions taken by the County Superintendent. Therefore, prior to speaking with legislators or legislative staff, staff should contact the division Assistant Superintendent to ensure that positions and messages are compatible. In the same fashion, Assistant Superintendents should contact the County Superintendent before and following contact with legislators or legislative staff. This is most important when a position taken by an Assistant Superintendent may impact another division, program, or project.

APPROVED: October, 2015

REVISED:

BUTTE COUNTY OFFICE OF EDUCATION

SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

SP 2230

REPRESENTATIVE AND DELIBERATIVE GROUPS

As desired, the County Superintendent or designee may establish a management team, administrative councils, task forces, cabinets or committees in accordance with law.

The County Superintendent shall define the membership, composition and responsibilities of these groups and may establish, change or dissolve these groups at his / her discretion.

Groups established by the County Superintendent or designee shall act in an advisory capacity only unless specifically authorized to act on behalf of the County Superintendent or the Butte County Office of Education. Advisory groups shall submit their recommendations to the County Superintendent or designee.

Legal Reference:

Education Code

35160.1 Powers and duties

45100.5 Employment

45256.5 Merit system

Government Code

3540.1 General provisions

54952 Meetings

APPROVED: October, 2015

REVISED:

BUTTE COUNTY OFFICE OF EDUCATION

SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

SP 2300

CONFLICT OF INTEREST

Designated Personnel

The County Superintendent directs all employees to avoid conflict of interest or the appearance of conflict of interest.

Certain positions may require an employee's participation in decisions affecting individual financial interest. These positions are designated in Exhibit AR 2300 the Butte County Office of Education Conflict of Interest Code.

The County Superintendent directs that in order to preclude situations which could bring about a conflict of interest for administrators or the appearance of such, an employee shall not be appointed to a position where a member of his/her immediate family maintains supervisory or evaluation responsibilities for the position. Immediate family as used here means grandparents, parents, spouses, registered domestic partners, siblings, children, grandchildren, or in-laws.

All staff members are encouraged not to invest or hold any investment which directly or indirectly creates a conflict with the performance of duties. Employees subject to Fair Political Practices Commission rules and regulations are subject to disclosure requirements and any related prohibitions.

A staff member will not engage in, solicit, negotiate for, or promise to accept private employment or render services for private interests when such employment or service creates a conflict with or impairs the proper discharge of official Butte County Office of Education duties, nor will any staff member engage in any private business on Butte County Office of Education property.

Employees shall not contract with other Butte County Office of Education programs, school districts or other agencies to perform tasks or duties that they would otherwise do as a part of their regular assignment. Extending contract days requires Assistant Superintendent approval prior to work being performed.

When additional private employment is undertaken by an employee, it shall not interfere with or impede the employee's ability to physically or mentally meet requirements of regular Butte County Office of Education assignments.

BUTTE COUNTY OFFICE OF EDUCATION

SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

Legal Reference:

Education Code

1090-1097 Prohibitions applicable to specified officers

1125-1128 Incompatible activities

82020 Definitions "Income"

82028 Definitions "Gift"

82033 Definitions "Interest in real property"

82034 Definitions "Investment"

87100 - 87500 Conflicts of interest

87200 - 87210 Disclosure

87399 - 87413 Conflict of interest codes

91000 - 91015 Enforcement

APPROVED: October, 2015

REVISED:

BUTTE COUNTY OFFICE OF EDUCATION

SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

AR 2300

CONFLICT OF INTEREST

Definition

The definitions contained in the Political Reform Act of 1974, regulations of the Fair Political Practices Commission, and any amendments to the Act or regulations, are incorporated by reference into this conflict of interest code.

Designated Employees

The persons holding positions listed in Exhibit AR 2300 [Butte County Office of Education Conflict of Interest Code] are designated employees. It has been determined that these persons make or participate in the making of decisions which may have a foreseeable material effect on financial interests.

Statements of Economic Interests: Time of Filing

1. Initial Statements - All designated employees employed by the agency on the effective date of this code, as originally adopted, promulgated and approved by the code reviewing body, shall file statements within 30 days after the effective date of this code. Thereafter, each person already in a position when it is designated by an amendment to this code shall file an initial statement within 30 days after the effective date of the amendment;
2. Assuming Office Statements - All persons assuming designated positions after the effective date of this code shall file statements within 30 days after assuming the designated positions, or if subject to State Senate confirmation, 30 days after being nominated or appointed;
3. Annual Statements - All designated employees shall file statements no later than April 1; and
4. Leaving Office Statements - All persons who leave designated positions shall file statements within 30 days after leaving office.

Statements for Persons Who Resign 45 Days After Appointment

Persons who resign within 45 days of initial appointment are not deemed to have assumed office or left office provided they did not make or participate in the making of, or use their position to influence any decision and did not receive or become entitled to receive any form of payment as a result of their appointment. Such persons shall not file either an assuming or leaving office statement.

BUTTE COUNTY OFFICE OF EDUCATION

SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

Contents of and Period Covered by Statements of Economic Interests

1. Contents of Initial Statements. Initial statements shall disclose any reportable investments, interests in real property and business positions held on the effective date of the code and income received during the 12 months prior to the effective date of the code.
2. Contents of Assuming Office Statements. Assuming office statements shall disclose any reportable investments, interests in real property and business positions held on the date of assuming office.
3. Contents of Annual Statements. Annual statements shall disclose any reportable investments, interests in real property, income and business positions held or received during the previous calendar year provided, however, that the period covered by an employee's first annual statement shall begin on the effective date of the code or the date of assuming office, whichever is later.
4. Contents of Leaving Office Statements. Leaving office statements shall disclose reportable investments, interests in real property, income and business positions held or received during the period between the closing date of the last statement filed and the date of leaving office.

Manner of Reporting

Statements of economic interests shall be made on forms prescribed by the Fair Political Practices Commission and supplied by the agency, and shall contain the following information:

1. Investments and Real Property Disclosure;
2. Personal Income Disclosure;
3. Business Entity Income Disclosure;
4. Business Position Disclosure - When business positions are required to be reported, a designated employee shall list the name and address of each business entity in which he/she is a director, officer, partner, trustee, employee, or in which he/she holds any position of management, a description of the business activity in which the business entity is engaged, and the designated employee's position with the business entity; and
5. Acquisition or Disposal During Reporting Period - In the case of an annual or leaving office statement, if an investment or an interest in real property was partially or wholly acquired or disposed of during the period covered by the statement, the statement shall contain the date of acquisition or disposal.

Assistance of the Commission and Counsel

Any designated employee who is unsure of his/her duties under this code may request assistance from the Fair Political Practices Commission pursuant to Government Code § 83114 or from the attorney for his/her agency, provided that nothing in this section requires the attorney for the agency to issue any formal or informal opinion.

ADOPTED: October, 2015

REVISED:

BUTTE COUNTY OFFICE OF EDUCATION SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

EXHIBIT AR 2300

CONFLICT OF INTEREST CODE FOR BUTTE COUNTY OFFICE OF EDUCATION

The Political Reform Act, Government Code § § 1000, et seq., require state and local government agencies to adopt and promulgate Conflict of Interest Codes. The Fair Political Practices Commission has adopted a resolution, 2 Cal. Adm. Code § 18730, which contains the terms of a standard Conflict of Interest Code, which can be incorporated by reference, and which may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act after public notice and hearings. Therefore, the terms of 2 Cal. Adm. Code § 18730 and any amendments to it duly adopted by the Fair Political Practices Commission, along with the attached Appendix in which officials and employees are designated and disclosure categories are set forth, are hereby incorporated by reference and constitute the Conflict of Interest Code of the Butte County Office of Education.

Pursuant to Section 4(A) of the standard Code, designated employees shall file statements of economic interests with the agency. Upon receipt of the statements of the designated officials and employees, the agency shall make and retain a copy of each and forward the originals of these statements to the Fair Political Practices Commission.

Adopted: May 10, 2004 – Butte County Board of Education
Revision Date: January 12, 2015

BUTTE COUNTY OFFICE OF EDUCATION SUPERINTENDENT'S POLICY AND ADMINISTRATIVE REGULATIONS

CONFLICT OF INTEREST CODE FOR THE BUTTE COUNTY OFFICE OF EDUCATION

APPENDIX

Designated Employees	Disclosure Categories
Board Members	All
Superintendent	All
Deputy Superintendent	All
Assistant Superintendent	All
Director	All
Sr. Director	All

Disclosure Categories

1. Investments, sources of income and business positions in business entities of the type to contract with Butte County Office of Education to supply materials, commodities, supplies, books, machinery, vehicles or equipment utilized by the agency.
2. Investments, sources of income and business positions in business entities which are contractors, or subcontractors, engaged in the performance of work or services of the type utilized by Butte County Office of Education.
3. Investments, sources of income and business positions in entities such as banks or savings and loans.
4. Investments and business positions in, and income from, entities in which Butte County Office of Education is empowered to invest its funds.
5. Interests in real property (or interest in real property used for commercial leasing purposes).

Adopted: May 10, 2004 – Butte County Board of Education
Revision Date: January 12, 2015