



**California County Superintendents of Schools  
From Establishment to Current Program Responsibilities  
Prepared by Susan K. Burr, Executive Director  
September 22, 2010**

## **Introduction**

California's 58 County Superintendents of Schools and their respective County Offices of Education support the financial and academic stability of every district and school in the state. The primary aim of County Superintendents is to work collaboratively with school districts to ensure that every student benefits from a quality educational experience, regardless of their circumstances, including students with disabilities, juvenile offenders, students at risk of dropping out or who thrive in alternative classroom settings, and students in high-priority schools.

## **History**

County Superintendents are state constitutional officers. The position was established in the original State Constitution in 1849 as a duty of the county assessor. In 1852, the office of county superintendent of schools was created by statute. The revised State Constitution of 1879 established the position as a constitutional office (Article IX, Section 3).

In 1976, Proposition 8 was approved by the electorate and made the following constitutional changes:

- Authorized county boards of education, instead of the Legislature, to set the salaries of county superintendents,
- Empowered the voters of each county to determine whether the county superintendent should be elected or appointed, and
- Empowered the voters of two or more counties to create joint superintendencies and joint county boards.

Elections were required in each "general law" county, to determine whether the county superintendent should be elected or appointed. (In "charter" counties, the county charter may provide for the election or appointment of county officials.) The elections were held in 1977 and 1978. In all cases, voters opted for elected county superintendents. Consequently, fifty-three (53) of the 58 County Superintendents are locally elected officials. In four charter counties, the county superintendent is appointed by the county board of education (Sacramento, San Diego, San Francisco and Santa Clara). In Los Angeles, the county board of supervisors appoints the county superintendent of schools. All county superintendents, whether elected or appointed, are required to hold a California administrative services credential.

## **Current Authority and Responsibilities**



County Superintendents operate intermediate service agencies providing direct and regional support to school districts and serve as the primary implementation arm of the California Department of Education (CDE). Current responsibilities can be described in the following categories:

- Educating specific student populations
- Monitoring and oversight of student academic environment
- Monitoring and oversight for district fiscal stability
- Providing academic support and assistance
- Providing direct services to small school districts
- Implementing regional support activities to assist district and school staffs

### **Educating Specific Student Populations**

County Superintendents provide direct services in an efficient and cost effective manner to many of the state's most vulnerable students and those with unique needs. County Superintendents provide instructional and related services to severely disabled special education pupils; adjudicated, incarcerated, and expelled students served through court and community schools; career technical education students through countywide regional occupational programs (ROPs); and migrant students. In addition, 3 out of 4 counties operate a wide range of state and federally-funded preschool, child care and child development programs and services, including after school programs. Nearly half of the County Superintendents provide hands-on outdoor science and environmental education programs to students in elementary schools.

### **Alternative Education**

For the 1,000 school districts in the state, the most cost-effective way to serve these special populations of children and youth in need of program placements is to partner with the County Superintendent to provide those services directly. Moreover, the safe school movement begun in the 1990's specifically requires that students determined to be a threat to the safety of others on school campuses be removed from their "home" campuses; thus creating the need for court, community, and community day schools (aka "alternative" schools) operated by County Superintendents for students who have been expelled.

### **Special Education**

In California, special education services - programs for severely and non-severely handicapped students - are administered and funded through a system of 120 Special Education Local Plan Areas (SELPA's) (Ed Code 56195.1). County Superintendents in 52 counties manage SELPA's. In 57 counties, County Superintendents provide direct instructional services for the most severely handicapped students. In addition, they provide specialized services, such as speech and language therapy, to non-severely handicapped students not served by larger school districts.

### **Early Childhood Education**



County Superintendents operate a variety of child care and child development programs which range from part-day preschool programs to full day child care programs in 45 counties. In addition, while not a direct service to children, county-based Local Planning Councils (LPCs) are responsible for assessing need, planning, and coordinating child care services within the county. In 46 counties, LPCs are administered by the County Superintendent.

How many County Superintendents educate students under these specialized programs?

- 57 of 58 operate one or more programs for special needs students
- 53 of 58 operate community or community day schools
- 49 of 58 operate juvenile court schools
- 45 of 58 operate one or more programs for early childhood

Please note that seven counties are single-district counties and the County Superintendent serves as both the county and the district superintendent educating all students in every educational setting countywide. Those counties are: Alpine, Amador, Del Norte, Mariposa, Plumas, San Francisco, and Sierra.

### **Monitoring and Oversight of Student Academic Environment**

*Education Code* section 1240 requires the County Superintendent to, among other duties, “Superintend the schools of his or her county.” Until the 1990’s, this provision defined those duties as enforcing the use of state textbooks, enforcing academic courses of study, and communicating all laws, reports, and information to school districts. Over the last several years, the Legislature has increasingly expanded County Superintendents’ responsibilities for monitoring and oversight of the teaching and learning environment in all public schools with the goal of improving student achievement across the state.

### ***Williams v. California Settlement***

In the fall of 2004, the state settled the *Williams v. California* lawsuit related to equitable educational opportunities for all students. Legislation which codified the settlement created new standards for textbook sufficiency, teacher quality, and good repair of facilities for all California public schools. The settlement also required County Superintendents, as the monitoring agents, to ensure that these new standards were implemented. While all schools must comply with the requirements of the settlement, County Superintendents are required to annually visit schools performing in the lowest 30% on the state’s Academic Performance Index (API) and prepare quarterly and annual reports to local district governing boards, county boards, and boards of supervisors on compliance with the *Williams* standards. In 2009, over 2,100 schools in 48 counties were identified to receive the additional oversight by County Superintendents.

### ***California Teachers Association v. Schwarzenegger***

In 2006, the state settled a \$3 billion lawsuit by enacting the Quality Education Investment Act (QEIA) with the goal of improving the quality of academic instruction and the level of pupil achievement in schools in which pupils have high levels of poverty and complex educational needs (defined as schools in the bottom third of the API). Funding is intended for school improvement activities – class size reduction, high quality



staff development, equitable distribution of experienced teachers, and reduction of student-to-counselor ratios in high schools. The legislation creates new technical assistance and annual oversight responsibilities for County Superintendents in 42 counties in which 488 schools are participating in the program.

### ***Valenzuela v. O'Connell Settlement***

Based on the successful efforts of County Superintendents under the *Williams* settlement, *Valenzuela v. O'Connell*, established additional oversight and monitoring responsibilities relative to school districts' efforts to offer students intensive instruction and services for up to two additional years if they have not passed one or both parts of the California High School Exit Exam (CaHSEE) by completion of the 12<sup>th</sup> grade. The settlement and monitoring requirements include high schools in every county of the state.

### **Monitoring and Oversight for District Fiscal Stability**

The Legislature has steadily increased statutory responsibilities of County Superintendents for fiscal oversight and monitoring of school districts since 1991, prompted by the bankruptcy of Richmond Unified School District. Under current law, each County Superintendent is responsible for reviewing and approving the annual budget for every school district within his or her county. In addition, County Superintendents must assess the financial reports for each district several times each year to ensure the district's fiscal solvency. The County Superintendent is also responsible for reviewing a district's annual audit to ensure audit resolution. The County Superintendent can authorize a review or audit of a district's expenditures and internal controls if the Superintendent has reason to believe that fraud, misappropriation of funds, or other illegal practices may have occurred. Since 2004 (Assembly Bill 2756), County Superintendents have additional authority to focus more attention on the financial obligations to districts created by collective bargaining agreements and the quality of school district audits performed by certified public accountants.

### **Providing Academic Support and Assistance**

Under *Education Code* 1240, County Superintendents are charged with the responsibility of assisting schools and districts within their local community context. Four specific assistance efforts are:

#### ***Statewide System of School Support***

The Statewide System of School Support (S4) (Ed Code 52059) was created initially in 2002 to assist schools in federal intervention programs improve student achievement. S4 has three components: the California Department of Education, the federal Comprehensive Assistance Center, and 11 county-based regional centers. As it became clear from research that the district was critical to the school's success in implementing and sustaining improved student achievement, S4 added assistance to school districts operating program improvement schools and more recently districts themselves in program improvement.

Current funding levels for S4 permit mostly general assistance to schools and districts through professional development and topic-specific district level consultation (such as state and federal requirements, state-developed tools and protocols, academic coaches' training and coaching tools, data analysis and achievement monitoring, classroom observations, English learner instructional planning, etc.). By contrast,



School Assistance and Intervention Teams (SAITs) or District Assistance and Intervention Teams (DAIT), described below, provide ongoing, comprehensive and intensive support as districts develop and implement policies that promote instructional equity and excellence. These services are first provided to schools and their districts that have been in program improvement the longest and then to schools and districts at risk of program improvement.

### ***School Assistance and Intervention Teams***

Academic support and assistance for the most academically needy schools began in 2002 when the state identified schools for state monitoring and assigned assistance teams. County Superintendents started working intensively with the state's lowest performing schools – those currently under state monitoring - by fielding School Assistance and Intervention Teams (SAITs). These teams focus on strengthening teaching and learning in core academic content areas to improve student achievement. Statewide, 28 County Superintendents and their staff are approved to provide intensive services to schools, serving as the SAIT for about 60% of the schools in need of this support and assistance.

### ***District Assistance and Intervention Teams***

Currently more than 230 school districts have been designated in late stage program improvement status (as defined by the federal Elementary and Secondary Education Act, commonly known as No Child Left Behind Act) and are subject to one of seven sanctions under federal requirements. The vast majority of the districts have been required to work with a DAIT to implement the required sanction.

To provide sufficient support for this intensive assistance, the Superintendent of Public Instruction has approved 39 organizations to field intervention teams, including 23 public and 16 private entities. All 23 public entities approved are County Superintendents (including three consortia) and represent, in total, 39 County Superintendents. These approved DAITs provide district-level intensive intervention services which diagnose and support seven major areas of a district's operations: governance; alignment of curriculum and assessments to academic standards; fiscal operations; parent and community involvement; human resources; data systems and achievement monitoring; and professional development.

### **Providing Direct Services to Small School Districts**

By statute, County Superintendents must provide a wide range of needed administrative and educational support services to 395 small school districts – defined as serving under 901 average daily attendance (ADA) for elementary districts, 301 ADA for high school districts, and 1,501 ADA for unified school districts. In 51 counties, these direct services include supervision of instruction, attendance and health services programs, guidance services, library services, and the training and education of prisoners. The school districts receiving direct services represent 40% of the districts statewide.

### **Implementing Regional Support Activities to Assist District and School Staffs**

---



Under current law, County Superintendents organize regionally to operate a variety of technical assistance projects for school districts on behalf of the state.

Examples of regional assistance efforts include, but are not limited to:

- Statewide System of Support - Ed Code 52059
- Fiscal Crisis Management Assistance Team (FCMAT) Regional Teams - Ed Code 42127.8
- Regional Occupational Programs - Ed Code 52300, et seq.
- California Technology Assistance Program - Ed Code 51871
- Migrant Education - Ed Code 54444
- After School Programs Technical Assistance - Ed Code 8483.55
- Title III English Learner District Assistance Projects - federal NCLB, Title III
- California Preschool Instructional Network (CPIN) – federal Child Care and Development Funds
- Beginning Teacher Support and Assessment (BTSA) Regional Centers – Ed Code 44279.1