
STARTING STRONG
AS A NEW COUNTY
BOARD TRUSTEE:
“Your Role As An Appellate
Body”

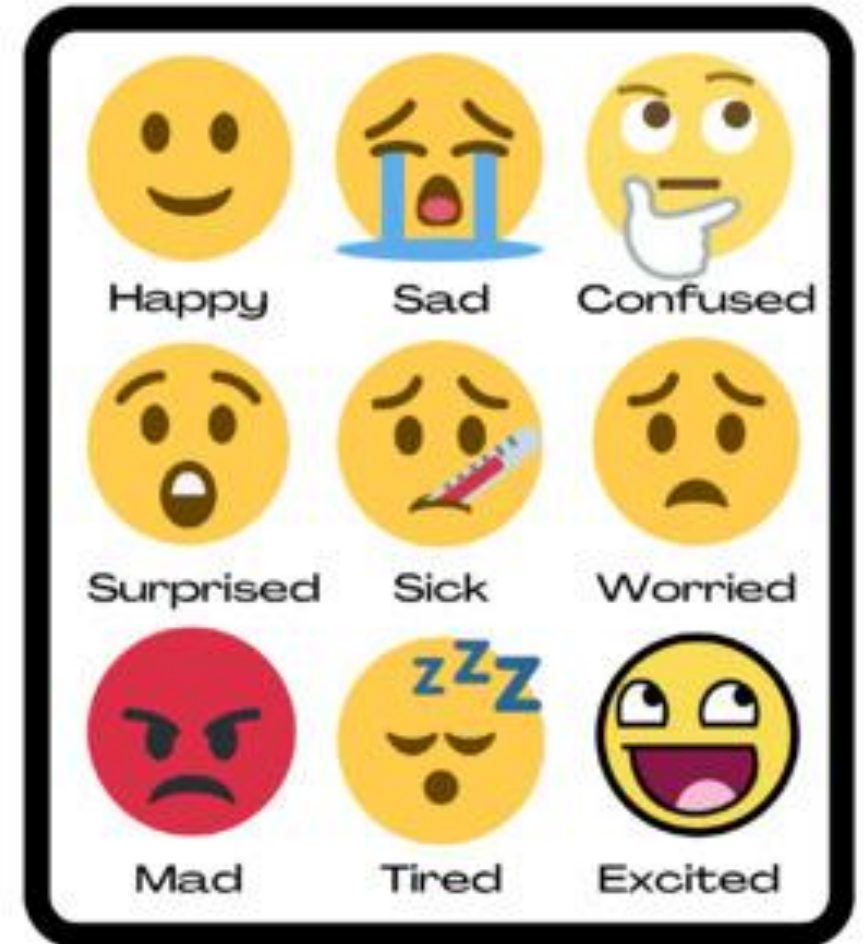
March 3, 2025

6-7:00 PM

WELCOME!

- IN THE CHAT:
- Please write your name, County
- "How you felt about your last board meeting"

How am I Feeling?



PURPOSE OF TODAY'S WEBINAR

- **To Network** with Other New County Board Members from Around the State
- **To Learn** About The ACCBE, Member Benefits, and Mentoring Program
- **To Review** Trustee Roles and Responsibilities, Supt roles, and Trustee Handbook
- **To Learn about your role as an appellate body**
- **Receive “Just in Time Coaching”**: On Immediate Questions/ Challenges/ Concern About Being A New Board Member

ACCBE'S KEY GOALS

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- **Advocate & Amplify:** ACCBE is solely dedicated to develop and advocate on legislative and policy issues for county boards of education, ensuring a unified and strong voice representing the unique interest of County Boards on issues impacting County Offices of Education.
 - **Partnerships for Success:** ACCBE is committed to building a strong partnership with the California Superintendent's Association, and coalitions with other allied group to leverage resources and expertise in support of student success.
 - **Engage, Elevate, & Empower:** ACCBE builds leadership capacity within County Boards, fostering collaboration and peer support.
 - **Forward-Looking:** ACCBE focuses on innovation solutions to address the evolving challenges/changes in education.

ACCBE Member Benefits

- **Advocate and Amplify the voice and visibility of County Boards**
- **Strong Partnerships with Superintendents and CCS to strengthen governance**
- **Strong Coalitions to have impact –SSDA, CSBA, PTA, others**
- **Learning Together To Innovate through Forums, Workshops and Webinars**
- **Regular Networking and Peer Support including Individual and group Coaching to improve trustee effectiveness and leadership**
- **County Board Resource Library to spotlight exemplary programs, practices and policies created by County Boards**

Ongoing ACCBE Member Activities

- **ACCBE Advocacy Forums:** January 27, 2025. View the recording/ access resources on Literary Reading Recovery and changes to Mandated Reporting. **May Forum TDB**
- **“Starting Strong”** as a New County Board Trustee series, February 3, March 3, April 7 and May 5th
- **One-on-One “Coaching”** on demand for new Trustees and **Monthly Coaching sessions** for all trustees
- **Quarterly Sharing, Learning and Networking** meetings for all trustees March 17th, 6pm
June 2, Sept 1, Dec TBD
- **ACCBE Advocacy/Policy Committee**, March 25th 6pm.
- **SSDA/ACCBE “Working Together, Small Rural Districts Listening Session”** March 5th
- **Innovation Workshops-** 3-part series on court and community school's forthcoming

ACCBE ON DEMAND COACHING PROGRAM

- One on One coaching by a seasoned Trustee
- Talk once a month
- Your Coach will support your questions, concerns and successes
- Examples of topics
 - Reviewing your board agenda's- questions you might ask, timing of certain items
 - How to use your board member report to make impact
 - What to look for in your LCAP , how to review your COE Budget or Audit report,
 - Review your board bylaws

Attend “Starting Strong new board member series” for group coaching

Networking Activity

- How you felt about your last board meeting and why?
- What went well, what was challenging?
- Questions you have about your board meetings?



REVIEW FROM FEB 3, STARTING STRONG EVENT

Board Member/Superintendent Roles



KEY ROLES AS A BOARD MEMBER

- **Being Prepared**/doing your homework
- **Setting Direction**/Clarity on your values, purpose, goals as a group
- **Creating Structures**, processes, policies and structures to be effective
- **Creating positive environment** to govern, acting as a team
- **Ensuring accountability**: Getting results for students and families
- **Being an ambassador for education and advocating for our students**

Adapted from CSBA “Effective Governance System”

Chapter 3 – Working Together



COUNTY BOARD

- ✓ Appellate Role for Districts
 - Interdistrict Transfers
 - Expulsion Appeals
 - Charter Appeals
- ✓ Purchasing, Leasing & Conveying Real Property
- ✓ Govern Court & County Community Schools
- ✓ Authorize and/or Govern Charter
- ✓ Set Superintendent Salary
- ✓ Review Annual Audit
- ✓ Approve LCAP

Shared Vision & Mission
Student Outcomes
COE Budget
Court & Community Schools
COE Charter Schools
Community Engagement
Advocacy



COUNTY SUPERINTENDENT

- ✓ Accountability Agent for Districts
 - Approve District LCAPs
 - Approve District Budgets
- ✓ County Office Employer
- ✓ Provider of Regional Services
- ✓ Operate Court and County Community Schools
- ✓ Statewide System of Supports
- ✓ Prepare LCAP

A GUIDE TO SHARED GOVERNANCE FOR COUNTY
BOARDS OF EDUCATION

THE TRUSTEE HANDBOOK

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Your Role As An Appellate Body



Appellate Role of County Boards

- Like most elected bodies, the county board of education hears and decides certain appeals.
- *Unique* to county boards is that they hear appeals from other local entities, school districts and charter schools authorized by district in the county.
- **Matters brought before a county board on appeal consist of:**
 - 1. Student Expulsions from local districts
 - 2. Interdistrict transfer denials by local districts
 - 3. Denials, non-renewals or revocation of charter school petitions by a school district in the county



Appellate Role of County Boards “TIPS”

- This is a difficult and highly sensitive role for the county board.
- In these hearings issues may be highly charged. The board will find itself in the middle of competing interests.
- Within the parameters of the law, the Board may be called upon to make difficult and /or unpopular decisions.

The county board must be careful to:

1. Follow the procedures and timelines specified by law
2. Consult legal counsel as appropriate
3. Conduct hearings objectively and professionally to determine facts
4. Make the best decision for the parties involved and be careful not to divulge confidential student information

Expulsion Appeals: Student and Parent Rights

- Students who are expelled by the board of a local district may appeal the expulsion to the county board with in 30 days of the district action

- The student has the right to:

Have a parent/guardian present at the hearing

Has the right to an interpreter and translation of the documents

Record the proceedings

To have an attorney or a community advocate present

Expulsion Appeals: Timelines, Procedures, Board and Supt Roles

- The county board (or hearing officer or administrative panel) is **required to hold a hearing within 20 days** of the appeal and **make the decision within three days** of the hearing unless the student requests postponement.
- **The county board** must conduct the hearing in closed session unless the student requests in writing, at least five days in advance for the hearing to be conducted in public. Board can go into executive session for deliberations.
- **The superintendent** or their designee is responsible for scheduling the hearing, consulting with school district personnel, consults with the parent, guardian, or responsible adult and providing a copy of the written transcripts of the expulsion hearing and supportive documents.

Expulsion Appeals: County Board Policies, Rules and Regulations

The county board is mandated to adopt rules and regulations establishing procedures for expulsion appeals, which include:

1. The requirement for filing a notice of the appeal
2. Setting of a hearing date
3. The furnishing of notice to the student and school board regarding the appeal
4. Procedures for the conduct of the hearing
5. Furnishing a copy of the expulsion hearing record by the district to the county board
6. The preservation of the record of the appeal hearing
7. Any other requirement desired by the board

Expulsion Appeals : Factors in the Board's Review

- When a county board is reviewing a districts decision it must **limit its review to very specific conditions** delineated in ED Code section 48922 which are primarily procedural.
- The board **cannot open up the entire expulsion process again**; it must use the evidence and transcripts from the previous school board hearing to consider:
- 1. Whether the school district acted **without or in excess of its jurisdiction** (e.g. time period violations were made, the expulsion was not based on acts specified by law as forming the basis for the expulsion, or the expulsion was not based on acts related to school activity or attendance)
- 2. Whether the school district board **conducted a fair hearing**

Expulsion Appeals

3. Whether there **was prejudicial abuse of discretion** by the school district (i.e., procedural requirements were not met, the decision to expel was not supported by the findings, or the findings were not supported by the evidence).

4. Whether **relevant evidence was improperly excluded** by the school district board or new evidence that could have reasonably been discovered exists.

County Board Can Remand the case back to the District When:

1. Relevant evidence was not available or improperly excluded
2. County board finds that expulsion was not supported by the findings required by Ed Code 48922 but evidence supporting any of those finding exists in the record, it must remand the matter back to the district board for adoption of the required findings.

Expulsion Appeals

Options for County Board Action

- The county board enters an order either **affirming** or **reversing** the decision of the district board
- If the county reverses the decision, it may direct the district board to expunge any records referring to the expulsion



Questions/Comment/Clarifications



Interdistrict Transfers



Interdistrict Student Transfer Appeals

ED Code

- **Ed Code 46600: Interdistrict Attendance Agreements and Permits**
 - An interdistrict agreement must be approved by both the student's original district or residence and the district to which the student seeks to transfer to.
 - Districts may enter into an interdistrict attendance agreement for up to a five (5) year term and include terms and conditions for approval/denial of permits.
 - Individual permit issued by district of residence; valid upon approval by district of proposed enrollment.

Interdistrict Student Transfer Appeals

- It is the **county board's role** to conduct an **objective review of the relevant facts** from the pupil, parent/guardian, and local school district involved.
- If the local districts have an interdistrict attendance agreement and the district board, within 30 days of a parents' request, either fails to act on the request or refuses to grant the transfer, the parent has the right to appeal to the county board. (Ed Code: 46601)

Interdistrict Student Transfer Appeals Process

- **Parents may appeal within 30 days** of the final decision of the district to deny the request.
- Failure to file a timely appeal to the county board is good cause to deny the appeal, although the county board may **extend an additional five (5) days for “good cause.”**
- **After the appeal is filed, the board has 30 calendar days** to determine if the student should be allowed to transfer to the requested district.
- **The county superintendent’s** designee has the responsibility to determine that all remedies have been exhausted at the district level and whether or not there is additional information that may be useful.
- **The county board** conducts its own, separate review of the information as presented by the parent and the district during the hearing.
- The board shall **grant or deny the appeal** based on its merits and a decision must be rendered within three school days of any hearing conducted.
- When an appeal is granted, **the board may only determine the requested district**, not a particular school.

Interdistrict Student Transfer Appeals Limits

- **Limits on the types of appeals the County Board may hear:**
 - **No authority** to determine the SPECIFIC school within the school district where the pupil will be enrolled. This authority is reserved for the school district of attendance.
 - **No authority** to hear denial of an interdistrict transfer request by a pupil under consideration for expulsion or who has been expelled.
 - **No authority** to hear a denial of an Intradistrict between schools within the same district (Ed Code: 35160.5 (b)).
 - **No authority** to hear a dispute over the placement of a special education pupil or the services provided to a pupil with disabilities. Such a dispute should be handled by the district of residence through special education procedures (Ed Code: 56505 (g)-(i); 20 US Code 1415 (f)).

Interdistrict Student Transfer Appeals Roles and Policies

- The hearing should be held in CLOSED session unless requested by the parents to be held in OPEN session for student confidentiality
- The County Superintendent attends the hearing as the secretary for the board; the board president conducts the hearing.
- The County Office of Education is responsible for collecting and providing the paperwork and information to the Board. The Board does not “investigate” the denial.
- The County Office needs to make their interdistrict appeal process as clear as possible for parents and school district.
- Make sure the Board has an interdistrict transfer appeal policy that parents and school districts can access so that they understand your procedures, deliberations, and decisions.
- It is a good idea to read the district’s interdistrict transfer policies.

Interdistrict Student Transfer Appeals

More Ed Code Direction

- Bullying
 - Districts must give priority for interdistrict attendance to students who have been bullied; Districts of residence **MUST** approve requests for interdistrict transfers for victims of bullying, and districts of proposed enrollment must accept such students.
 - A pupil who, after an investigation of a formal written complaint, has been determined to be a victim of an act of bullying (Ed Code 234.1 and 48900 (r) “shall, at the request of the parent, be given priority for **interdistrict** attendance.”
 - District of residence shall not prohibit the **INTER**district transfer of a victim of an act of bullying if there is no option for **INTRAdistrict** transfer.

What Happens Day of the Appeal?

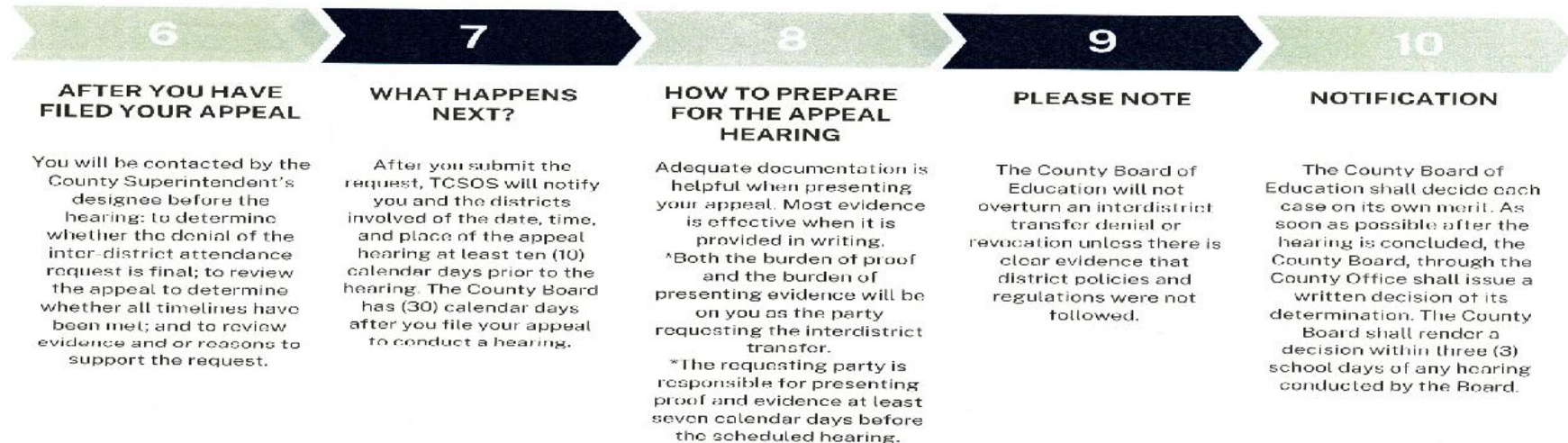
- Family present, may have a lawyer; student may be present
- District present
- Open or closed session, closed session preferred for student confidentiality
- Each side presents for allotted time to make their case and rebuttal,
- Board may ask questions for information and clarification
- Board deliberates in executive session
- Delivers a decision within 3 days

Sample of a Parent Resource for Interdistrict Transfers



TUOLUMNE COUNTY
SUPERINTENDENT OF SCHOOLS

Interdistrict Transfer Appeal to the Tuolumne County Board of Education



Questions, Thoughts, Reflections?

- Have you had to deal with an appeal yet- what was that like?
- Do you know what your board policies and rules are- where you find them?
- Does your board have a handbook/packet of information for appeals?
- Questions on the process? Timeline? Factors you must use to assess the appeal
- What questions do you have?

Group Coaching Time Open Forum

- What **burning questions**, concerns about being a trustee or the role of county boards do you have?
- Any **hot issue** you are dealing with now, or is looming?

Everyone is invited to give feedback!



Next Steps

- Please **fill out our Survey**/-DO NOW
- Attend our next Staring Strong Event in our 4 part series: **April 7, and May 5.**
- **Sign up to be Coached**- you can do this on the survey form or email INFO@ACCBCE.org
- Review the Handbook- [LINK](#)
- Attend the March 17th 6-7:30 Learning, Networking, Sharing County Trustee Event: “Reimagining **CTE**”



OPTIMISTIC CLOSE

Shout out or in the chat

“What is one takeaway from today that you can use to be an effective trustee?”

CONTACTS AND THANK YOU!

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