

Index of Statutory and Regulatory References Pertaining to Fiscal Oversight

The Fiscal Crisis and Management Assistance Team has developed the Index of Statutory and Regulatory References Pertaining to Fiscal Oversight to help local educational agencies (LEAs) in fulfilling their legal obligations. The index comprises various Assembly Bills, Senate Bills, Regulations, and Education Code and Government Code sections and statutes concerning the fiscal oversight of LEAs. While this index is a valuable reference tool, it is not exhaustive. Given the evolving nature of legislation and regulations, LEAs are strongly encouraged to seek guidance from their legal teams on all applicable laws and regulations. This index will continue to be updated and revised over time.

Additional tools and resources for LEA fiscal oversight are available at no cost at fcmat.org.

Please [click here](#) or see page 9 for acronym definitions.

Education Code Sections and Statutes Related to Fiscal Oversight

Education Code	Topic	Alternative Topic Name	Cross-Reference
9	Computation of time	Days	
60	Administration of oath		
79–87	Types of districts	Joint, union, unified, city	
94	Frontier school districts definition		
1040	County boards of education	Duties of county board	
1041	Transfer of functions from county board of supervisors to county board of education		EC 1080
1080	Transfer of functions from county board of supervisors to county board of education		
1090	Compensation of county board of education members		
1097	Taxation for school districts located in more than one county	Joint districts' taxation	EC 14220
1200	County superintendents of schools		
1205	Classification of county	Classes of counties, classification	
1206	County superintendent of schools qualifications		
1207	Salaries and qualifications of county superintendent of schools		EC 1209
1209	County superintendent of schools salary		EC 1207
1240	Duties of county superintendent of schools	County superintendent of schools shall superintend the schools of that county	
1240(e)	Report on fiscal solvency	Disapproved, qualified or negative; Assembly Bill (AB) 139 reports	

Education Code	Topic	Alternative Topic Name	Cross-Reference
1240(l)(1)(A)	County office of education interim reports	Report to county board	
1240.1	County office of education qualified or negative certification	County qualified or negative certification	
1240.2	County office of education qualified or negative certification, June 1 report	County qualified or negative certification, June 1 report	
1241.5	Audit by county superintendent of schools	Extraordinary audit; Assembly Bill (AB) 139 review; revocation of fiscal accountability; local school bonds	EC 1241.5(a); EC 42650; EC 15288
1243	Failure to report; penalty for failure to report	County superintendent report to superintendent of public instruction (SPI)	
1244	Attendance reports by county superintendent of schools	July 15 attendance report	
1253	Jurisdiction over districts in two or more counties	Joint districts	EC 1254
1253.5	Elections in districts located within two or more counties		EC 1254
1254	Jurisdiction over unified districts located within two or more counties		
1256	Continuity of instruction; failure to employ teacher	175 day minimum	
1275	Delegation of authority of county superintendent to purchasing agent		
1276	Data processing systems and software	Three lowest bidders	
1280	County office of education budget revisions	County budget revisions	
1281	County superintendent of schools consultants	\$25,000 contracts	
1302	County office of education employee compensation increases of \$10,000	County office employee retirement benefits	
1500	County School Service Fund		EC 1600 and following; EC 1700
1600	County School Service Fund		EC 1500; EC 1700
1620	County budget public hearing		
1620-1626	County office of education budget	County budget process; adoption; public hearing; budget review committee; negative unrestricted fund balance; negative cash balance	
1622	County office of education budget adoption	County budget adoption	
1623	County office of education budget review committee	BRC	
1624	Budget review committee		
1626	County office of education budget, use prior year appropriations	BRC	
1627	Audit of county school service fund		
1630	Oversight of county office of education; SPI	Lack of going concern	
1700	County School Service Fund		EC 1500; EC 1600 and following
8760	Outdoor science camp		EC 35335
8820	Arts and Music in Schools	Proposition 28	
10850-10874	Cradle-to-Career Data System	C2C	

Education Code	Topic	Alternative Topic Name	Cross-Reference
14500-14508	Audits	Audit standards; financial and compliance audits	
15100-15262	Local school bonds		
15264-15276	Proposition 39	Local school bonds	
15278	Citizens' Oversight Committee		EC 15264–15276
15288	Local school bonds, criminal investigations		EC 1241.5
17070.57	Division of the State Architect-approved plans	DSA-approved plans	EC 17072.30
17070.75	Routine Restricted Maintenance Account	RRMA	
17150	Non-voter-approved debt	Notice	
17150.1	Non-voter-approved debt	Disclosure	
17230	Sale of sites	Disposal of sites	EC 17455
17250.10	Design-build contracts		
17280	Division of the State Architect	DSA	
17280-17316	Division of the State Architect certification	Field Act	EC 81130–81147
17295	Division of the State Architect supersedes local building authority	DSA supersedes local building authority	
17302	Architects/Division of the State Architect	DSA	
17307	Architects/Division of the State Architect	DSA	
17309	Field Act certification		
17312	Violation of Field Act		
17317	Assembly Bill 300 seismic safety	AB 300 seismic safety	
17455	Sale of sites; lease of sites		EC 17230
17462	Use of funds from sale of sites	Proceeds from sale of sites	
17463.5	Proceeds from sale of sites; emergency appropriation	Emergency apportionment	
17463.7	Proceeds from sale of sites; general fund	One-time general fund purpose	
17485	Surplus land; sale of surplus	Naylor Act	
17515	Joint occupancy		
17527	Joint use		
17536	Exchange of property		
17545	Sale of personal property		
17551	Sale of materials, property fabricated by pupils	Student fabricated items	
17556	Dedication of streets or easements	Conveyance	
17578-17581	Football equipment	Certification of helmets	
17582	Deferred maintenance	Fund 14	
17596	Duration of contracts	Term of contracts	
17604	Delegation of contract approval but subject to ratification	Personal liability	
17605-17606	Delegation of authority to purchase	Personal liability; designee	
17609	Pest control	Integrated pest management plan	
17620	Developer fees	Mitigation fees	
22000	State Teachers' Retirement System	STRS; CalSTRS	
32435	Purchase of alcoholic beverages	Prohibited use of funds	

Education Code	Topic	Alternative Topic Name	Cross-Reference
33126	School accountability report cards	SARCs	
33127	Standards and Criteria for Fiscal Solvency	Criteria and standards	
35000	School districts, general provisions	Local educational agencies (LEAs); school district organizations	
35031	Term of employment; superintendent, deputy, associate or assistant superintendent	Termination; reelection	
35100	Governing boards	Board of trustees	
35107(e)	Conflict of interest		GC 1090; GC 87100
35160	General powers of a governing board of education	Authority of a governing board of education	
35160.5	Conditions of apportionment		
35161	Delegation of governing board powers		
35230	Corrupt practices		
35310	Scholarship and loan funds		
35330	Excursions and field trips	Lack of sufficient funds	
35335	School camps	Charges for camp, lack of ability to pay; operating outdoor science camp	EC 8760
35500-35768	Reorganization of a school district	County committee; territory; transfer of territory	
35780	Lapsation		
37600	Continuous school programs	Year-round school	
37670	Multitrack year-round		
37700	Four-day school week		
38000	School security or school police		
38080	Cafeterias	Food service	
38090-38101	Cafeteria account	Cafeteria fund; Fund 13	
38111-38112	Purchase of supplies and equipment		
38130	Civic Center Act	Use of school property	
39800	Transportation		
39800.1	Transportation Plan		EC 41850.1
41001	Deposit of money	County treasury	
41002.5	Insured deposits	Bank account	
41010	<i>California School Accounting Manual</i>	<i>CSAM</i>	
41015	Investment of excess funds	Surplus funds	
41017	Clearing account	Bank account	
41020	Annual audit		
41020.2	Delayed filing of audits	Audit extension	
41021	Indemnity bond		EC 42801
41023	Joint powers agreements	JPAs	EC 41980
41030	Foundation Fund	Fund	
41320	Emergency appropriations	Emergency apportionments	
41320 – 41329	Emergency appropriations	Emergency apportionments	
41320.1	Emergency appropriations, conditions	Type I loans	
41320.1	Emergency appropriations, FCMAT vetting of candidates	Trustee	

Education Code	Topic	Alternative Topic Name	Cross-Reference
41321	Emergency appropriations, annual financial report	October 31 report	
41322	Emergency appropriations, personnel commission		
41325	Emergency appropriations		
41326	Emergency appropriations	Type II loans	
41326(c)	Emergency appropriations, FCMAT vetting of candidates	Administrator	
41326(l)	Emergency appropriations, county superintendent of schools/county office of education review	Emergency appropriations, county superintendent/county office review	
41327	Emergency appropriations, required reports		
41327(d)	Emergency appropriations, FCMAT annual review	Comprehensive reviews	
41327.1	Comprehensive reviews	Recovery plans	
41328	Emergency appropriations costs		
41329	School closures, consolidations for districts in fiscal distress	Equity impact	
41329.50	Emergency apportionment financing	I-Bank, loans, lease financing	
41329.57	Emergency apportionment interest rate subsidy		EC 41474
41344.1	Education Audit Appeals Panel	EAAP	
41370	Allowable use of apportionments	Restrictions on use of apportionment	
41372	Current expense of education	CEA	EC 42127
41402	Ratio of administrative employees to teachers	Administrator to teacher ratio (ATR)	
41409	Average salaries	Form J-90	
41420	Length of school year	175 days	
41422	Disaster; length of school year waiver	Form J-13A	
41790	Basic aid		
41850	Transportation allowance, definitions	Transportation funding	
41850.1	Transportation allowance	Transportation funding	
42100	Unaudited actuals	Annual statement	
42103	Budget adoption, public hearing and contents	Senate Bill (SB) 721 amendments	
42120	Failure of county superintendent to make budget		EC 1240
42122	Adopted budget contents	Appropriations limit; Gann Limit	
42123	Adopted budget contents, each fund		
42125	Adopted budget fund balance, reserves		
42126	Budget on forms/format prescribed by superintendent of public instruction	Standardized Account Code Structure (SACS) forms	
42127	Budget adoption	Budget	
42127(h)	45-day revision	Budget	
42127.01	Local reserve cap	Limitations on assigned and unassigned reserves	
42127.1	Budget review committee	BRC	
42127.2	Budget review committee	BRC	
42127.3	Budget review committee	BRC	
42127.5	Negative fund balance	Negative cash balance	
42127.6	Lack of going concern	Fiscal distress	

Education Code	Topic	Alternative Topic Name	Cross-Reference
42127.8	Fiscal Crisis and Management Assistance Team	FCMAT	
42127.9	Changes in budget adopted by county, appeal	Appeal	
42128	Neglect or refusal to make a budget		
42129	Penalty for late filings	Failure to file	
42130	Interim reports		
42131	Interim reports	Certifications	
42131(2)(A)	Appeals of downgrade; change of interim certification		
42131(d)	Controller audit of qualified, negative certifications		
42131(f)	Third interim	June 1 report	
42131(g)	Single-district interim reports		EC 1240
42133	Non-voter-approved debt; qualified or negative certification	Probability of repayment	
42133.5	Use of proceeds from debt for general operations	Prohibition on use of loan proceeds	
42140 – 42142	Public disclosures		
42142	Collective bargaining revisions to budget	45-day revisions to budget	
42160	Assembly Bill 1840 Oakland Unified School District funds	AB 1840 Oakland USD funds	
42161	Assembly Bill 1840 Inglewood Unified School District funds	AB 1840 Inglewood USD funds	
42162	Assembly Bill 181 Oakland Unified School District funds	AB 181 Oakland USD funds	
42163	Assembly Bill 181 Inglewood Unified School District funds	AB 181 Inglewood USD funds	
42238.02	Local control funding formula	LCFF; Cost-of-living adjustment; COLA	
42238.05	Average daily attendance	ADA	
42238.2	Average daily attendance, adjustments	Impacts from closed military bases on average daily attendance (ADA)	
42280	Necessary small schools	NSS	
42600	Restriction on expenditures	Maximum expenditure	
42602	Use of unbudgeted funds	Use of reserves	
42603	Temporary borrowing	Interfund loans	
42620	Temporary borrowing from county superintendent	County loans	
42630 (Chapter 9, Article 4)	Expenditures and appropriations	Warrants, requisitions, orders of district funds	
42631-42636	Payments, warrants, orders	Payroll, commercial warrants	
42637	Budget not compliant with State Standards and Criteria for Fiscal Solvency	Fiscal stability	
42638	Disapproval of district warrants	Evidence of fraud	EC 1241.5
42639	Requisition of funds to county auditor		
42640	Commercial revolving fund		
42646.3	Payroll clearance fund		
42647	Fiscally independent		
42649.5	Transfer of duties from county auditor to county superintendent		

Education Code	Topic	Alternative Topic Name	Cross-Reference
42650	Fiscally accountable		
42652	Qualified or negative certification, revocation or suspension of fiscal independence or fiscal accountability	Drawing warrants	
42670	Registered orders	Funds not available	
42800	Revolving cash fund		
42801	Indemnity bond	Revolving cash	EC 41021
42801.5	Insurance in lieu of indemnity bond	Fiscally independent; revolving cash fund	
42810	Alternative revolving cash funds	Use by administrators	
42841	Special Reserve Fund	Fund 17, Fund 40	
43500	2020-21 fiscal year	Minutes; COVID-19; pandemic; minimum school day	
44015	Awards to employees and students	Gifts to employees or students	
44042.5	Wage overpayments	Repayment	
44110	Whistle blower	Improper activities	
44258.9	Teacher misassignments		
45240	Personnel commission		
46392	Emergency Average Daily Attendance (ADA)	Material decrease in ADA	
47604	Charter schools		
47604(d)	Liable for debts or obligations; indemnify	Charter schools	
47604.3	Charter school inquiries	Reporting	
47604.4	County superintendent investigation/monitoring charter schools		EC 1241.5(c)
47604.32	Charter authorizer obligations	Chartering authority obligations, duties	
47604.33	Charter school reports	Reporting	
47605	Charter schools		
47606.5	Charter school Local Control and Accountability Plan	Charter school LCAP	
47607	Charter school renewals/revocation		
47613	Charter school oversight fees	1%/3%	
48000	Transitional kindergarten	TK	
49081	California School Information Services	CSIS	
51747	Independent study		
52060	Local control and accountability plan	LCAP	
52062	Local control and accountability plan, prerequisites to adoption	LCAP	
52064	Local control and accountability plan, template	LCAP	
52070	Local control and accountability plan, county superintendent approval	LCAP	
52071	Local control and accountability plan, county superintendent technical assistance	LCAP	
52300	Regional occupation programs; regional occupation centers	ROPs; ROCs	
84041	FCMAT community college services		

Government Code Sections and Statutes Related to Fiscal Oversight

Government Code	Topic	Alternative Topic Name	Cross-Reference
900	Claims		GC 35202
3540.2	Disclosure and certification of terms of collective bargaining, timing, county superintendent review	collective bargaining with qualified and negative certifications	
3543.2	Scope of collective bargaining	Notice of reopeners	
3547.5	Disclosure and certification of terms of collective bargaining		
7931.000	California Public Records Act	CPRA; Public records	
53853	Temporary Borrowing, notes issued by county	Refusal of county to issue notes	

California Regulations Related to Fiscal Oversight

Regulation	Topic	Alternative Topic Name
15494	Local control and accountability plan, expenditures	LCAP; Unduplicated pupil percentage expenditures; UPP
15495	Local control and accountability plan, definitions	LCAP
15496	Local control and accountability plan, increased or improved services for unduplicated pupils	LCAP; Supplemental and concentration grants
15497	Local control and accountability plan, county superintendent oversight of proportionality	LCAP

Assembly Bills Related to Fiscal Oversight

Assembly Bill	Chapter, Statutes	Topic	Alternative Topic Name
107	282, 1997	Oversight by county superintendents of school districts with audit exceptions, interim reports with qualified and negative certifications, and districts unable to meet financial obligations	
721	811, 2023	Notice of public hearing on budgets	
1200	1213, 1991	Budget process, interim reports, county superintendent oversight, fiscal accountability	
1505	486, 2019	Charter school petitions and renewals	Renewal denials
1840	426, 2018	Annual Budget Act, moved former state-centric receivership process to a local process with county superintendent	
2197	128, 2008	Non-voter approved debt disclosure, timeline	
2756	52, 2004	Budget process, interim reports, county superintendent oversight, collective bargaining disclosures; LEA audit process	
2964	1158, 1996	Other post-employment benefits	OPEB
3141	650, 1994	Non-voter-approved debt notices, Other post-employment benefits disclosures	OPEB

Senate Bills Related to Fiscal Oversight

Senate Bill	Chapter, Statutes	Topic
78	19, 2015	County superintendent reporting regarding fiscal stability, changed timelines
98	24, 2020	Refines receivership; establishes indicators of moderate and high risk
430	357, 2005	Provides for county superintendent authority regarding extraordinary audits; adds charter schools
942	347, 2011	Refines duties within receivership

Acronyms/Terms Used

AB – Assembly Bill.

ADA – Average daily attendance.

ATR – Administrator to teacher ratio.

BRC – Budget review committee.

C2C – Cradle-to-Career.

CaSTRS – California State Teachers Retirement System.

CEA – Current Expense of Education.

COLA – Cost-of-living adjustment.

CPRA – California Public Records Act.

CSAM – *California School Accounting Manual*.

CSIS – California School Information Services.

DSA – Division of the State Architect.

EAAP – Education Audit Appeals Panel.

EC – Education Code.

FCMAT – Fiscal Crisis and Management Assistance Team.

GC – Government Code.

JPAs – Joint Powers Authorities.

LCAP – Local control and accountability plan.

LCFF – Local Control Funding Formula.

LEAs – Local educational agencies.

NSS – Necessary small schools.

OPEB – Other postemployment benefits.

ROCs – Regional occupational centers.

ROPs – Regional occupational programs.

RRMA – Routine Restricted Maintenance Account.

SACS – Standardized Account Code Structure.

SARCs – School accountability report cards.

SB – Senate Bill.

SPI – Superintendent of public instruction.

STRS – State Teachers Retirement System.

TK – Transitional kindergarten.

USD – Unified school district.

UPP – Unduplicated pupil percentage.