



First 5 Accountability: Statutory Mandates Met by All County Commissions

From time to time, members of the Legislature have questioned the accountability of county First 5 Commissions. Some of that concern is based on a misunderstanding of -- or misinformation about -- how county commissions are structured and the statutory requirements under which they operate. In short, as explained below:

- 1. County First 5 commissions are units of county government and are fully accountable at that level.**
- 2. First 5 commissions meet accountability requirements that surpass those applied to almost any other local government agency.**

Structural Accountability Requirements

County First 5 commissions are units of county government and are fully accountable at that level.

In every county, the Board of Supervisors:

- wrote and enacted the ordinance that established its county's commission.
- determined the structure of the commission.
- determined the manner in which commissioners are appointed and the length of their terms.
- remains responsible for appointing all members of the commission.

The law requires that every county include a member of the Board of Supervisors and at least two county department heads on its First 5 commission.

Ultimately, every county First 5 commission is accountable to its county Board of Supervisors, which has the power to change the structure, composition, or operation of the commission at will.

While some at the state level may not agree with specific county commission decisions, this is no different from disagreeing with actions of any unit of local government. *In other words, this is not a case of insufficient accountability; rather, it is a case of accountability legally vested in a different level of government.*

Statutory Accountability Requirements

First 5 commissions meet accountability requirements that surpass those applied to almost any other local government agency. Their finances and practices are examined annually by an independent auditor, and all commission audits are reviewed by the State Controller's Office.

By law, every commission must adopt multiple policies, and commission adherence to those policies is audited under guidance of the State Controller. Among the required policies:

- Every commission must adopt a strategic plan through a public hearing process, and every commission expenditure is audited to ensure it complies with that plan.
- Every commission must adopt policies in a public hearing on conflict of interest, contracting and procurement, salaries of commission employees, and a limitation on administrative costs. Every commission is audited to ensure that these policies are in place and that the commission is adhering to them.
- Every commission is required to measure the outcomes of its funded programs and review those outcomes publicly.
- Every commission is required to have a long-range financial plan and is audited to ensure that its plan has been formally adopted by the commission.
- Every commission is required to report annually to the State First 5 Commission on the programs it funded, the number of children and families it served, and the amounts it expended during the preceding year. The state First 5 commission aggregates this information and submits a report every January to both the Legislature and the Governor.

The Essential Difference between the State and County First 5 Commissions

The state First 5 commission (also known as First 5 California) is a state agency that adheres to all the rules of a state department. Staff are responsible to a commission of nine. Seven are appointed by the Governor and leaders of the California Senate and Assembly, and two -- the Secretary of Health and Human Services and the Governor's Education Secretary -- serve as ex officio members.

While First 5 California is a state agency, county First 5 commissions are county agencies. Where First 5 California is responsible for statewide initiatives -- including educating the public and improving programs and policies for children statewide -- county First 5 commissions are responsible at the county level, for meeting the needs identified by their respective counties in order to improve outcomes for their children.