

San Diego County Governance

(Reviewed 02/10/23)

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Introduction

Child Welfare Services is governed by many bodies, which include:

- Federal Regulations
- State Regulations
- The County Charter
- The County Board of Supervisors (BOS)
- The Administrative Code
- Civil Service Rules.

Federal Regulations

Federal law, policies and procedures provide the legal framework for CWS. The broad federal law, after passage at the Federal level, is passed into State law and is then implemented by all counties in California.

Example: Federal Public Law 96-272 became California Senate Bill 14, which codified the Federal law into the appropriate California statutes.

State Regulations

Once the State has passed a law, the California Department of Social Services (CDSS), Operations Division codifies that law in the form of State Regulations. The State of California uses three standard methods to communicate these regulations to the Counties:

| Communication Type | Description |
|---|--|
| CDSS All-County Letters (ACLs) | Send proposed manual material or clarification on policy to all California counties. |
| CDSS All County Information Notices (ACINs) | Transmit information that is time sensitive or transitory in nature. |
| CDSS Manual of Policies and Procedures | Approved state policy issued in manuals such as: <ul style="list-style-type: none">• Division 10 - Definitions and Purpose• Division 14 - Staff Development• Division 31 - Child Welfare Services Program. |

California Statutes

CDSS is required to comply with the numerous California statutes that affect San Diego Child Welfare Services (CWS) policies, practices and procedures. All state policy and procedures must adhere to the law contained in the California statutes. Examples include:

| Code Name | Description |
|--------------------------------------|---|
| W & I Code §16500 et. seq. | Governs Child Welfare Services, sets timelines and general rules. |
| W & I Code §300 et seq. | Addresses children who are or could be alleged Dependent Children of the Court. |
| Penal Code §11165 et seq. | Defines child abuse and describes the Child Abuse Reporting Law. |
| Health and Safety Code §1500 et seq. | Describes foster home and group home licensing requirements |

County Rules and Regulations

Many of HHSA's rules, policies and regulations come from within San Diego County Government. The source documents include:

| Document Name | Description |
|--|---|
| The San Diego County Charter | <p>This is the governing document for the county which includes the power to assess, levy and collect taxes. It designs and codifies the following:</p> <ul style="list-style-type: none">• Board of Supervisors (BOS): Powers Duties, Election, etc.• Elective and Adoptive officers of the County• Budget and Accounting for the County• Personnel Systems for the County• General provisions including conflict of interest, prohibition of bribes, violation of charter, etc. |
| Board of Supervisors (BOS) Policy Manual | <ul style="list-style-type: none">• Establishes procedures for the preparation, distribution and maintenance of board policies• States and compiles the policies of the BOS• Provides for the distribution of the policies to all concerned |

County Rules and Regulations (cont.)

| Document Name | Description |
|---|---|
| The Administrative Code | <ul style="list-style-type: none"> • Describes the duties and qualifications of offices, assistants, deputies and employees; addresses office systems, and Agency and institutional management • Includes information on: <ul style="list-style-type: none"> ○ interdepartmental mail service ○ General office hours ○ Petty cash ○ HHSA ○ Travel ○ Advisory Boards. |
| County of San Diego Administrative Manual | <p>Interprets policy and procedure from the Administrative Code such as:</p> <ul style="list-style-type: none"> • Communication rules and policy • Budget and Fiscal matters • Civil Service Commission Rules • Travel Regulations. |
| County of San Diego Civil Service Rules | <ul style="list-style-type: none"> • Describes the examination and hiring process of employees which includes applications, examinations, eligible lists, certification, appointments and transfers • Addresses employee performance appraisals, discrimination complaints, etc. • Covers disciplinary proceedings, grievances, performance evaluations and sexual harassment. |
| Compensation Ordinance | <p>Lists titles, classes and salaries for every classified position in addition to descriptive information.</p> <p>See also Job Descriptions and Salaries.</p> |

Interpretation of Laws

The State of California has the right to interpret and make any federal law more specific or better defined for counties in California. Similarly, the County of San Diego interprets, refines the definitions, and develops strategies for implementation of State laws.

While each lower jurisdiction can interpret and add to law, the lower level can never change nor be in conflict with the laws of a higher jurisdiction.

Alignment with SET

This policy conforms to the guiding principles in SET [Value 5](#) that seeks to work with state and county legislations and statutes that govern county practices and operations. The county will be guided by a strong working relationship with the legal system which wants to ensure “that all parties have mutual understanding of, and respect for, one another’s roles, the law, and the rights due to children, youth, and families”.
