



**Sonoma Valley Unified School District
Election of 2010
General Obligation Bonds**

**Citizens' Oversight Committee
By-Laws**

INTRODUCTION

Measure H, was approved by at least 55% of the voters of the Sonoma Valley Unified School District pursuant to the provisions of the Strict Accountability in Local School Construction Bonds Act of 2000, codified at Sections 15264 and following of the Education Code. The Act requires the Board of Trustees (the “Board”) to appoint a Citizens’ Oversight Committee (the “Committee”) after the successful bond election.

Legal authority for formation and duties of the Committee is found in Sections 15264 and 15278 to 15282 of the Education Code. The purpose of these Procedures, Policies and Guidelines is to direct the formation and actions of the Committee by reference to the statutory requirements. Where the statutory direction is insufficiently specific, the Board has furnished missing details. In addition, the Board sets forth below its expectations, suggestions, and desires for the operations of the Committee. (All references below to the provisions of law are to the Education Code of the State of California, unless otherwise specified in context. Board directions, policies, and guidelines are indicated below.

I. Establishment

The Board is required to appoint members to an independent citizens’ oversight committee as a result of the passage of Measure H at the election conducted on November 2, 2011 *Educ. Code §15278(a)*.

II. Purpose

A. Statutory Purposes. The Committee is charged by statute with the following purposes:

1. To promptly alert the public to any waste or improper expenditure of school construction bond money. *Educ. Code §15264(c)*.
2. To inform the public concerning the expenditure of bond revenues. *Educ. Code §15278(b)*.
3. Ensuring that bond revenues are expended only for the purposes described in the Constitution; that is, for the construction, reconstruction, rehabilitation, or replacement of school facilities, including the furnishing and equipping of school facilities, or the acquisition or lease of real property for school facilities. *Calif. Const. art. XIII A, §1(b)(3); Educ. Code §15278(b)(1)*.

4. Ensuring that no funds are used for any teacher or administrative salaries or other school operating expenses. *Calif. Const. art. XIII A, §1(b)(3)(A); Educ. Code §15278(b)(2).*

III. Members

- A. Minimum Size. The Committee shall always be comprised of at least 7 members. *Educ. Code §15282(a).*
- B. Required Members. Pursuant to statute, the Board shall appoint to the Committee the following members: *Educ. Code §15282(a).*
 1. One member active in a business organization representing the business community located within the District.
 2. One member active in a senior citizens' organization.
 3. One member active in a bona fide taxpayers' organization.
 4. One member who is the parent or guardian of a child enrolled in the District.
 5. One member who is the parent or guardian of a child enrolled in the District and who is active in a parent-teacher organization, such as the PTA or school site council.
 6. Two other members, selected from the public at large.
- C. Appointment of Committee
 1. Willful failure to appoint the Committee is grounds for legal action by any taxpayer against the Board. *Educ. Code §15284(a)(4).*
- D. Additional Eligibility Restrictions. The following persons are not eligible to serve on the Committee: *Educ. Code §15282(b).*
 1. Any employee of the District.
 2. Any official of the District.
 3. Any vendor, contractor or consultant of the District.
- E. Term.
 1. Each of the members specified by statute is appointed for a term of two years. *Educ. Code §15282(a).*
 2. No member shall be appointed to more than three consecutive two-year terms. *Educ. Code §15282(a).*
- F. Compensation. Members serve without compensation. *Educ. Code §15282(a).*

IV. Authorized Activities

In furtherance of its purposes, the Committee is authorized by statute to engage in the following activities: *Educ. Code §15278(c).*

- A. Receiving and reviewing copies of the annual, independent performance audit required by the Constitution.

- B. Inspecting school facilities and grounds to ensure that bond revenues are expended in compliance with the requirements of paragraph (3) of subdivision (b) of Section 1 of Article XIII A of the California Constitution.
- C. Receiving and reviewing copies of any deferred maintenance proposals or plans developed by the District.
- D. Reviewing efforts by the District to maximize bond revenues by implementing cost-saving measures, including, but not limited to, all of the following:
 - 1. Mechanisms designed to reduce the costs of professional fees.
 - 2. Mechanisms designed to reduce the costs of site preparation.
 - 3. Recommendations regarding the joint use of core facilities.
 - 4. Mechanisms designed to reduce costs by incorporating efficiencies in school site design.
 - 5. Recommendations regarding the use of cost-effective and efficient reusable facility plans.

V. Meetings

- A. Initial Organization; Officers. In order that the Committee serve effectively and fulfill the purposes for which it is established, the Board recommends to the Committee that the Committee shall organize and conduct meetings as follows:
 - 1. Initial Meeting. At the initial meeting of the Committee, the Superintendent or a person designated by the Superintendent should open the meeting and facilitate the selection by the Committee members of a presiding officer. Thereafter, selection of a presiding officer and any other officers of the Committee should be by whatever means the Committee determines.
 - 2. President. The Committee should designate a member as presiding officer or president to preside over meetings of the Committee.
 - 3. Representative. The Committee should designate a member or members to represent the Committee at public meetings of the Board and make reports thereto on a regular basis as the Committee shall determine or as the Board may request.
 - 4. Secretary. The Committee should designate a member as secretary to keep accurate minutes of the Committee's meetings and actions, in order to fulfill the legal requirement that such minutes and documents and reports be entered into the public record.
- B. Reports; Meetings.
 - 1. Reports. The Committee shall issue regular reports on the results of its activities. A report shall be issued at least once a year. *Educ. Code §15280(b)*.
 - 2. Annual Meeting of the Committee. The Committee is required to conduct at least one annual meeting, the purpose of which is to receive the reports and documents required to be provided to the Committee by the Board,

and to approve a report of the Committee. *Educ. Code §15280(b), 15278(c).*

C. Notice of Meetings; Minutes.

1. The Committee's meetings are governed by the Ralph M. Brown Act, commencing at Section 54950 of the Government Code. *Educ. Code §15280(b).*
 - a. All Committee proceedings shall be open to the public.
 - b. Notice to the public of any meeting of the Committee shall be provided in the same manner as the proceedings of the Board.
2. Minutes of the proceedings of the Committee and all documents received and reports issued by the Committee are a matter of public record. *Educ. Code §15280(b).*
3. The District shall maintain and make available to the Committee an Internet website for publication of proceedings of the Committee. *Educ. Code §15280(b).*
4. All documents received and reports issued by the Committee shall be made available to the public on the website. *Educ. Code §15280(b).*

In order to publicize and make available the Committee's proceedings, the Committee Secretary shall provide to the Superintendent any documents received by, and reports issued by, the Committee, in whatever form received or issued, and minutes of the meetings of the Committee or any subcommittees created by the Committee.

District staff is directed by the Board to assist the Committee in publicizing its meetings, in complying with the requirements of the Brown Act, and in posting documents and reports on the website maintained by the District for the Committee. District staff will assist the Committee in these and the other activities of the Committee as provided in Section IV.D, below.

D. Technical Assistance.

1. The Board is required to provide the Committee with any necessary technical assistance and shall provide administrative assistance to the Committee in furtherance of its purpose. *Educ. Code §15280(a).*
2. The Board is required to provide sufficient resources to publicize the conclusions of the Committee. *Educ. Code §15280(a).*
3. No bond funds shall be expended on any activities or technical assistance provided to the Committee. *Educ. Code §15280(a).*

The Board will not treat this prohibition against expending bond funds to provide technical assistance to the Committee to include the preparation and photocopying for the members of the Committee copies of the annual independent performance audit and the annual independent financial audit of the bond program required by the Constitution.

4. In order to allow the Committee its independence, the Board does not expect to send a staff representative to each meeting of the Committee. At the Committee's request, the Board will endeavor to provide the materials,

meeting space, and staff consultation as the Committee shall require, specifically taking into account whether the request involves a reasonable expenditure of District general funds. The Board does not expect to purchase specialized software or hardware, commit additional staff time, or engage consultants to develop information for, prepare reports for, or attend meetings of, the Committee beyond what is required by statute and what is prepared for the Board.