

**ESTABLISHMENT AND OPERATION OF
THE CITIZENS' OVERSIGHT COMMITTEE
(Proposition 39 General Obligation Bond Elections)**

Establishment

The school district governing board must establish and appoint members to a citizens' oversight committee within 60 days after the governing board confirms the results of the election. The governing board may establish the committee by approving bylaws for its operation.

Members; Organizational Rules

Number of Members. The oversight committee is required to have at least seven members.

Group Representatives. The oversight committee shall include:

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 who is active in bona-fide taxpayers' organization;
4. One member who is a parent or guardian of a district student; and
5. One member who is a parent or guardian of a district student and active in a parent-teacher organization.

Prohibited Members. No school district official, employee, vendor, contractor, or consultant may serve on the oversight committee.

Term of Membership; Compensation. Members serve for a two-year term and may not serve more than two consecutive terms. Members serve without compensation.

Conflict rules. Members may not have a financial interest in any contract or sale of property involving the school district. Members may not engage in any employment or activity for compensation that is inconsistent, incompatible or in conflict with their service on the Oversight Committee.

Brown Act. Because it is a committee established by the district governing board, the meetings of the committee are subject to the rules of the Ralph M. Brown Act.

Other Organizational Rules. As the organizing authority for the committee, the school district governing board may establish such other rules for the operation of the committee as it deems appropriate, including rules for removal of members, filling vacancies, selecting officers, the frequency of committee meetings, the place and time for meetings, the number of members constituting a quorum, the number of votes required for committee action, etc.

Purpose

The purpose of the oversight committee, as stated in Education Code section 15278, is to “actively review and report” to the public as to whether the school district spends the bond proceeds only for 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, and not for any other purpose, including teacher and administrator salaries and other school operating expenses.

Activities

Education Code section 15278 provides that the committee may engage in any of the following activities:

1. Receiving and reviewing copies of the district governing board’s annual, independent performance audit.
2. Receiving and reviewing copies of the district governing board’s annual, independent financial audit.
3. Inspecting school facilities and grounds to ensure that bond revenues are expended for authorized purposes.
4. Receiving and reviewing copies of deferred maintenance proposals, plans, or reports prepared by the school district.
5. Reviewing efforts by the school district to maximize bond revenues by implementing cost-saving measures, such as:
 - (a) mechanisms designed to reduce the costs of professional fees.
 - (b) mechanisms designed to reduce the costs of site preparation.
 - (c) recommendations regarding the joint use of core facilities.
 - (d) mechanisms designed to reduce costs by incorporating efficiencies in schoolsite design.
 - (e) recommendations regarding the use of cost-effective and efficient reusable facility plans.

Reports and Publication of Information.

Education Code section 15280 provides that the committee shall issue regular reports on the results of its activities and shall issue a report at least once a year. The committee shall make available the minutes of its proceedings, all documents it receives, and all reports it issues on an Internet website maintained by the school district.

Other Functions

The committee’s duties under the Education Code are only to review information and report to the public concerning whether bond funds are spent properly. The Education Code does not require or authorize the committee to make any recommendations to the school district governing board. As the organizing authority for the committee, the district governing board has the power to add other oversight or advisory functions to the committee.

District Support

Education Code section 15280 provides that the school district shall provide the committee with technical and administrative assistance and sufficient resources to publicize the committee's conclusions. The school district may not use bond proceeds for these purposes.