

## Ed Code §§15278 et seq

### 1) General

- a) Ed Code section 15278
- b) Turns Prop 39 into law
- c) Formed within 60 days of certification of results

### 2) Purpose. The purpose of the citizens' oversight committee shall be to:

- a) Inform the public concerning the expenditure of bond revenues.
- b) The citizens' oversight committee shall
  - i) actively review and
  - ii) report on the proper expenditure of taxpayers' money for school construction.

### 3) Must do. The citizens' oversight committee shall convene to provide oversight for, **but not be limited to**, both of the following:

- a) Ensuring that bond revenues are expended only for the purposes
- b) Ensuring that... funds are used for any teacher or administrative salaries or other school operating expenses.

### 4) May do. In furtherance of its purpose, the citizens' oversight committee may engage in any of the following activities:

- a) Receiving and reviewing copies of the annual, independent performance audit required
- b) Receiving and reviewing copies of the annual, independent financial audit required
- c) Inspecting school facilities and grounds to ensure that bond revenues are expended in compliance with the requirements
- d) Receiving and reviewing copies of any deferred maintenance proposals or plans developed by a school district or community college district
- e) Reviewing efforts by the school district or community college district to maximize bond revenues by implementing cost-saving measures, including, but not limited to, all of the following:
  - i) Mechanisms designed to reduce the costs of professional fees.
  - ii) Mechanisms designed to reduce the costs of site preparation.
  - iii) Recommendations regarding the joint use of core facilities.
  - iv) Mechanisms designed to reduce costs by incorporating efficiencies in school site design.
  - v) Recommendations regarding the use of cost-effective and efficient reusable facility plans.

### 5) District responsibilities. The governing board of the district shall, **without expending bond funds**, provide the citizens' oversight committee with

- a) any necessary technical assistance and
- b) shall provide administrative assistance in furtherance of its purpose and
- c) sufficient resources to publicize the conclusions of the citizens' oversight committee.

- 6) **Brown Act.** All committee proceedings shall be open to the public and notice to the public shall be provided in the same manner as the proceedings of the governing board.
- 7) **Annual Report.** The citizens' oversight committee shall
  - a) Issue regular reports on the results of its activities.
  - b) A report shall be issued at least once a year.
- 8) **Public Record.** Minutes of the proceedings of the citizens' oversight committee and all documents received and reports issued shall
  - a) be a matter of public record and
  - b) be made available on an Internet website maintained by the governing board.
- 9) **Composition of the BOC.**
  - a) The citizens' oversight committee shall consist of
    - i) at least seven members
    - ii) to serve for a term of two years
    - iii) without compensation and
    - iv) for no more than three consecutive terms.
  - b) While consisting of a minimum of at least seven members, the citizens' oversight committee shall be comprised, as follows:
    - i) One member shall be active in a business organization representing the business community located within the district.
    - ii) One member shall be active in a senior citizens' organization.
    - iii) One member shall be active in a bona fide taxpayers' organization.
    - iv) For a school district,
      - (1) one member shall be the parent or guardian of a child enrolled in the district.
      - (2) one member shall be both a parent or guardian of a child enrolled in the district and active in a parent-teacher organization, such as the Parent Teacher Association or school site council.
    - v) For a community college district,
      - (1) one member shall be a student who is both currently enrolled in the district and active in a community college group, such as student government. The community college student member may, at the discretion of the board, serve up to six months after his or her graduation.
      - (2) one member shall be active in the support and organization of a community college or the community colleges of the district, such as a member of an advisory council or foundation.
- 10) **Prohibited members of the BOC.**
  - a) No employee or official of the district shall be appointed to the citizens' oversight committee.
  - b) No vendor, contractor, or consultant of the district shall be appointed to the citizens' oversight committee.
- 11) **No Conflict of interest requirements.**
  - a) Section 1125 of the Government Code- **it's only 2 pages, read it**

b) SHORT VERSION

- i) Appointing authority makes the rules
- ii) Not for "private gain"
- iii) Should not involve receipt of money or other consideration
- iv) IF you are a government employee, don't let it get in the way of your job