

Attention all San Bernardino Unified School District Residents!

SAN BERNARDINO UNIFIED SCHOOL DISTRICT

is now accepting applications to fill two vacancies
for

Measure T Schools Bonds Citizens' Oversight Committee

The Application period closes at 4:00 p.m. on November 1, 2005.

The District is seeking members as follows:

- *Representing from a Business Organization*
- *Representing from a Taxpayer's Organization*

The Committee meets quarterly and is responsible for overseeing Measure T Bond projects and funds.

- Applications are now available at the following District Office:

FACILITIES MANAGEMENT

*San Bernardino City Unified School District
777 North "F" Street
San Bernardino, CA 92410*

For more information, contact: Melinda A. Pure, Assistant Director of Facilities Planning and Development at (909) 381-1238 or melinda.pure@sbcusd.com.

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Before submitting application, please confirm that the application is complete

- Fill in name on each page
- Check category of member that you are applying for
- Complete all sections
- Sign and date

# Citizens' Oversight Committee

## Application Package

Package Includes:

- Application Form (3 pages)
- Procedures, Policies & Guidelines
- Bylaws

Before submitting application, please confirm that the application is complete

- Fill in name on each page
- Check the member category that you are applying for
- Complete all sections
- Sign and date

**Completed applications and all accompanying documents must be received no later than 4:00 p.m. on November 1, 2005, at:**

***FACILITIES MANAGEMENT  
Citizens' Oversight Committee - Application  
San Bernardino City Unified School District  
777 North "F" Street  
San Bernardino, CA 92410***

For more information, contact: Melinda A. Pure, Assistant Director, Facilities Planning and Development at (909) 381-1238 or [Melinda.pure@sbcusd.com](mailto:Melinda.pure@sbcusd.com).

SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT  
School District Citizens' Oversight Committee  
Measure T – Application for Appointment

**The application period closes at 4:00 p.m. on November 1, 2005.**

**Applicant Name:**

**Overview of the Citizens' Oversight Committee**

In November 2000, the voters of the State of California authorized an amendment to the California Constitution (Proposition 39) lowering the voter approval requirement from 2/3rds to 55% for school districts that provide voters a specific list of projects, a committee of appointed citizens to oversee the expenditure of funds and an annual performance audit and financial audit of the bond funds and bond projects. Proposition 39 provides that the Citizens' Oversight shall have at least seven (7) members who shall serve up to a maximum of two (2) terms of two (2) years each.

**Purpose**

Measure T, the District's local Bond, was approved by voters in April 99, under the provisions of Proposition 39; State law requires the District to establish a Citizens' Oversight Committee appointed by the District's Governing Board. The Committee purposes are:

- To actively monitor all projects and expenditures approved by the voters.
- To provide proper oversight and accountability to ensure that Measure T funds are used as they were intended.
- To report to members of the community on the progress of Measure T school projects.

**Duties**

Duties of the Committee will include:

- Ensure Bond funds are spent only on projects listed in the Bond Project List and that no funds are used for salaries or general operating expenses.
- Monitor progress of Bond projects.
- Receive and review copies of the annual performance and financial audits of Bond projects as required by California State law (Proposition 39),
- Provide information to the public on the progress of Bond projects and expenditures of Bond funds.
- Serve for a term of 2 years (through 8/31/07)

**Committee Membership Designation**

State law requires that representatives of designated special interest organizations, if any, fill certain positions on the Citizens' Oversight Committee. Please indicate the Committee designation(s) for which you are qualified:

**Applications are currently being accepted for representation in category 1 & 3 (Please check other categories if they also apply)**

|   |                          | Organization /Group Name: (if applicable)                                                           |
|---|--------------------------|-----------------------------------------------------------------------------------------------------|
| 1 | <input type="checkbox"/> | Active Member of a Business Organization (e.g. Chamber of Commerce)                                 |
| 2 | <input type="checkbox"/> | Active Member of a Senior Citizen Group                                                             |
| 3 | <input type="checkbox"/> | Active Member of a Taxpayer Organization                                                            |
| 4 | <input type="checkbox"/> | Active Parent Member of a District Support Organization (e.g. District Advisory council, PTA, etc.) |
| 5 | <input type="checkbox"/> | At-Large                                                                                            |
|   |                          | N/A                                                                                                 |

SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT  
School District Citizens' Oversight Committee  
Measure T – Application for Appointment

**The application period closes at 4:00 p.m. on November 1, 2005.**

**Applicant Name:**

**General Information**

Home Address: \_\_\_\_\_

Home Telephone #: \_\_\_\_\_ E-mail \_\_\_\_\_

**Employment Information**

Name of Applicant's Employer: \_\_\_\_\_

Work Address: \_\_\_\_\_

Work Telephone #: \_\_\_\_\_ E-mail \_\_\_\_\_

**Educational Background** *(Response Optional)*

(e.g. college and/or university, degree/major, vocational and/or other training, certificates, technical training, etc.)

\_\_\_\_\_  
\_\_\_\_\_

**Additional Information**

Are you now or have you ever been employed by the District? Yes ☐ No ☐

If yes, please explain:

\_\_\_\_\_  
\_\_\_\_\_

Have you been a member of any district or school-based committee? Yes ☐ No ☐

If so, in what capacity and what committee?

\_\_\_\_\_  
\_\_\_\_\_

Describe your volunteer and/or community service background including participation and membership in local civic organizations. *(You may attach an additional page or resume.)*

\_\_\_\_\_  
\_\_\_\_\_

Describe your professional skills and training in finance, facilities, and/or construction or other relevant experience, including participation in professional organizations, seminars, and workshops. *(You may attach an additional page or resume.)*

\_\_\_\_\_  
\_\_\_\_\_

SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT  
School District Citizens' Oversight Committee  
Measure T – Application for Appointment

**The application period closes at 4:00 p.m. on November 1, 2005.**

**Applicant Name:**

Please answer the following questions

1. How long have you been a resident within the boundaries of the District? \_\_\_\_\_ Years \_\_\_\_\_ Months
2. Have you or your children ever attended District schools? Yes ☐ No ☐  
Comments: \_\_\_\_\_  
\_\_\_\_\_
3. Do you have or have you had any other relatives or close friends who have attended District schools? Yes ☐ No ☐  
Comments: \_\_\_\_\_  
\_\_\_\_\_
4. Do you know of any reason, such as a potential conflict of interest (real estate, business, litigation, etc.), which would adversely affect your ability to impartially serve on the Citizens' Oversight Committee? Yes ☐ No ☐  
Comments: \_\_\_\_\_  
\_\_\_\_\_
5. Explain why you would like to be appointed to this committee.  
\_\_\_\_\_  
\_\_\_\_\_

**Personal References:**

List references that have knowledge of your character, experience and abilities. Do not include names of relatives. (You may attach letters of reference from those listed)

| Name | Address | Phone | Business / Occupation |
|------|---------|-------|-----------------------|
|      |         |       |                       |
|      |         |       |                       |
|      |         |       |                       |

**Certification of Applicant**

I certify that answers and statements in this document are true and complete to the best of my knowledge and belief.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Completed applications and all accompanying documents must be received **no later than 4:00 p.m.** on November 1, 2005, at:

**FACILITIES MANAGEMENT**  
**Citizens' Oversight Committee - Application**  
San Bernardino City Unified School District  
777 North "F" Street  
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Development at (909) 381-1238 or [Melinda.pure@sbcusd.com](mailto:Melinda.pure@sbcusd.com).

# **SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT**

## **CITIZENS' OVERSIGHT COMMITTEE**

### **Procedures, Policies & Guidelines**

**Chairperson:**  
Margaret Hill

**Vice-Chairperson:**  
Carl Clemons

**Members:**  
Teresa Alba  
Robbi Brunk  
Soledad Castillo

Ron Coats  
Gloria Mazzola  
(2 positions vacant)

**\$140,000,000**  
**San Bernardino City Unified School District**  
**2004 Measure T - Proposition 39 Bonds**  
**Citizen's Oversight Committee**

**Procedures, Policies and Guidelines**

## **INTRODUCTION**

The Citizen's Oversight Committee is legally charged with direct taxpayer review of the Bond measure endorsed by the voters and with informing the public about the expenditures of the Bond proceeds to ensure that the spending decisions made by elected officials conform with that measure. The Committee is not granted any powers to determine how bond proceeds are spent.

## **SECTION I. OVERVIEW**

**A. Purpose** — The Citizen's Oversight Committee (the "Committee") is charged with the following purposes under Proposition 39:

1. To verify that projects funded with bond proceeds were permitted under the projects list submitted to voters (or available to voters if not reprinted in the Voter Handbook) at the time of election.
2. To review the annual financial audit and performance audit mandated under Proposition 39.
3. To review the annual list of deferred maintenance projects.
4. To conduct on-site inspections of projects to verify performance of contractors on an as needed basis.
5. To request that the District provide information on cost saving methods of design or construction that relate to any of the proposed projects.
6. To publicize the results of the findings of the Committee in order to inform the public of the status of the bonds and the proposed projects.
7. To evaluate the applicability of "reusable" designs for schools financed with Bond proceeds.

**B. Establishment** — This Committee is established pursuant to the California Education Code Section 15278.

**C. Membership** — The Committee shall be composed of at least seven (7) members appointed by the Governing Board of the District to serve up to two terms (commencing with the date of certification of the election results by the Governing Board) of two years each. Committee members shall be selected in the following categories:

1. A member of a business organization representing the business community.
2. A member of a senior citizen's organization.
3. A bona fide member of a taxpayer's organization.
4. A parent or guardian of a child attending the District.
5. A parent or guardian of a child attending the District who is also a member of the PTA or other support group (site council, etc.).
6. *(optional general members of the public).*
7. *(other category as directed by the Board other than employee, elected official or member of the Board).*

**D. Eligibility** — The following residents are not eligible to serve on the Committee:

1. No employee of the District shall be appointed as a member of the Committee.
2. No vendor, contractor or consultant that is under contract or that reserves the right to bid on future contracts of the District shall be appointed as a member of the Committee.
3. No elected officials shall be appointed as a member of the Committee.

**E. Removal and Resignation** — The removal and resignation of Committee members shall be accomplished.

1. **Removal** - The Board may remove a Committee member during his/her term for the following reasons:
  - a. Poor attendance (define) at duly authorized meetings of the Committee.
  - b. A change of status of the member so that the member is no longer eligible to serve on the Committee.
  - c. The determination that the application signed by the member contained material misstatements whether intentionally or by error.
  - d. Evidence that a member failed to disclose a conflict of interest relating to a matter before the Committee.
  - e. Evidence of criminal activity, willful misconduct or gross negligence in the performance of a member's duties.
  - f. Evidence that any member has been found guilty of a felony by a court of law after they have been seated on the Committee.
2. **Resignation** — A member of the Committee may resign his/her office at any time by submitting a written resignation letter to the President of the Committee and the Superintendent of the District specifying an effective date.

**F. Quorum of the Committee** -- A quorum of the Committee shall be composed of a majority of its members present at a duly authorized meeting of the Committee.



## **SECTION II. MEETINGS, NOTICES AND ORGANIZATION**

### **A. Organization of the Committee** —The Committee shall organize and conduct meetings as follows:

1. The Committee shall elect from within its members a president, vice president and secretary who shall serve a one-year term without limitation of subsequent terms that the Committee may authorize.
2. Members shall be nominated for these officer positions by at least one other member of the Committee and shall win approval of a majority of the Committee before being seated.
3. Members of the Committee may cast one vote for a nominee for each of the offices under consideration and the procedure for voting shall allow the casting of ballots to be in writing or by voice vote at the discretion of the Committee.
4. Should a vacancy occur due to the death, resignation or removal of an officer, the Committee shall conduct a subsequent election at its next official meeting using the procedure provided above to fill the vacancy for the remainder of the term of the office.
5. At the initial organization meeting, the Superintendent of the District or the President of the Board of Trustees shall act as facilitator of the meeting until officers are elected.
6. Each member present at a meeting of the Committee shall be entitled to cast one vote for each action of the Committee which vote shall be aye, nay or abstain.
7. President of the Committee shall conduct the meetings according to Roberts Rules of Order and shall interpret the rules and procedures applicable to the Committee provided that a majority of Committee members may overrule the President.
8. The Vice President of the Committee shall conduct the meetings of the Committee when the President is not in attendance, has removed himself/herself due to a conflict of interest and upon resignation, removal, death or incapacitation of the President.
9. The Secretary of the Committee shall keep accurate records of the Committee's meetings and actions and prepare, with the assistance of the District, such reports, website materials, mailers or other documents as are required to keep the District informed.

### **B. Annual Meeting of the Committee** - The Committee shall have an annual meeting on the \_\_\_\_\_ or, if that day is a school holiday, the next succeeding day that schools are open each year. At that meeting the Committee shall:

1. Receive and accept the annual financial audit prepared by an independent auditor.
2. Receive and accept the annual performance audit prepared by an independent consultant, auditor or architect.
3. Reorganize the officers of the Committee.

4. Receive a staff report of the projects *that* will be undertaken in the following twelve months.

**C. Quarterly Meetings of the Committee** — The Committee shall establish quarterly meeting dates (one which shall be the annual meeting), which shall be applicable when projects are under design or construction. The Committee may elect by telephone poll or at an official meeting of the Committee to cancel any meeting that is not required in the majority opinion of the Committee in the case of a telephonic poll or a majority of a quorum in attendance at an official meeting of the Committee.

**D. Special Meetings of the Committee** — The Committee may hold a special meeting of the Committee at the request of a majority of School Board members voting at an official meeting of the Board or by a majority of the members of the Committee if requested through a phone poll or a majority of members when a quorum is present and voting at an official meeting of the Committee.

**E. Notices of Committee Meetings** — The following provisions for notice of Committee meetings shall apply unless in conflict with the Brown Act:

1. Each member of the Committee shall be notified of the annual schedule of the quarterly meeting dates within ten (10) days following approval of the schedule by the Committee.
2. Each member shall be notified at least 24 hours in advance by mail, fax, email or telephone of the scheduled date and time for special meetings as they are called by the Board or the Committee.
3. The District shall post notice of the Committee's meetings at the District office and such other places as the District provides notices for school board meetings at least 72 hours in advance for quarterly meetings and at 24 hours in advance for special meetings. The District will post notice of special meetings 72 hours in advance if time permits.
4. All meetings of the Committee shall be open to the public and shall provide the public an opportunity to address the Committee as part of the official agenda.

**F. Agendas and Support Materials** — The District shall provide staff and support to prepare meeting materials for the Committee as follows:

1. The Secretary of the Committee shall provide staff with a list of items to be included on its next agenda for regularly scheduled and special meetings.
2. The District shall prepare, at the expense of the District and not from bond proceeds, printed agendas and Committee materials, in accordance with the Brown Act, in sufficient quantity to provide copies for each member and such additional copies as are required for the public in the sole discretion of the District.
3. The District shall endeavor to provide such materials as provided in the Brown Act no later than the deadline for posting notice of the meeting for which they are prepared but, in any case, within 72 hours (excluding weekends) of receiving original documents from the Secretary of the Committee.

4. Copies of agendas and materials shall be kept in the District office for public inspection, in accordance with the Brown Act, as long as the Committee is in existence.
5. The District shall provide the Committee with copies of materials utilized for bidding projects, the five year deferred maintenance plan once adopted by the Board, the annual financial audit, the annual performance audit and such management information and budgeting materials as are provided by construction manager, architects or other consultants while projects are being constructed. The District shall not be required to purchase specialized software or commit staff time that is not customarily required to track District projects when under construction.

**G. Communications** — In the process of exchanging information and providing information to the public, the Committee shall inform the District of Committee communications as follows:

1. When the Committee conducts formal communications with residents of the community, site councils, local newspapers and other public agencies that represent the position, opinion, findings, recommendations of the Committee acting in its formal capacity, the Committee shall send a copy of the communication to the District Superintendent by fax, hand delivery or email at the same time that such communications are provided to other parties
2. The Committee shall provide the District with any minutes from the meetings of the Committee or any subcommittees authorized by the Committee with 24 hours of their preparation. Such minutes shall remain on file in the District office for public inspection.
3. The Committee shall provide the District Superintendent with copies of letters, emails or faxes received by the Committee and relating to items before the Committee as well as materials from the public presented to the Committee at its meetings with 48 hours of the receipt of such materials.

**H. Voting Requirements** — The Committee shall undertake its powers through a formal vote of its members at authorized meetings, as follows:

The following actions shall be approved by a majority of members present at a duly authorized meeting of the Committee:

- a. Acceptance of the annual financial audit and annual performance audit.
- b. Adoption of the resolutions, statements of opinion, requests to the Governing Board and expenditures from its budget.
- c. Adoption of procedures and guidelines, as permitted herein.
- d. Scheduling of additional meetings or canceling existing meetings or by a majority vote of all members by telephone, email or fax.
- e. Requesting site inspections to verify the progress of work.
- f. Designating the creation of subcommittees and assign its members to serve on such subcommittees by an affirmative vote of members present.
- g. Designating one or more members of the Committee to represent the

- Committee at meetings of the Governing Board or other public meetings reasonably necessary to the functioning of the Committee.
2. The following action shall be approved by at least 2/3rds of those members present at a duly authorized meeting of the Committee.
    - a. Requesting a Grand Jury inquiry of a matter before the Committee.
    - b. Request that a court of competent jurisdiction seek an injunction against the award of a contract or other legally binding action of the Governing Board that it believes is contrary to the consent obtained from the voters for the expenditure of bond proceeds.
    - c. The Committee shall not permit absentee voting or proxy voting on items requiring a majority vote of members present.
    - d. The Committee shall require that members disclose any conflict of interest relating to an item before the Committee and that any conflicted member abstain from voting on any such items.

### **III. POWERS RESERVED TO THE GOVERNING BOARD**

In recognition of the fact that the Committee is charged with overseeing the expenditure of bond proceeds for approved bond projects:

1. Projects financed through the State School Building Program, developer fees, redevelopment tax increment, certificates of participation, CFD Bonds, the general fund or the sale of surplus property without bond proceeds shall be outside the authority of the Committee.
2. The establishment of priorities and order of construction for the bond projects shall be made by the Governing Board of the District at its sole discretion.
3. The selection of architects, engineers, soils engineers, construction: managers, project managers, CEQA consultants and such other professional service firms as are required to complete the project based on District criteria established by the Board is at its sole discretion.
4. The approval of the design for each project including exterior materials, paint color, interior finishes, site plan and construction methods (modular vs. permanent) by the Board is at its sole discretion and the Board shall report to the Committee on any cost saving techniques considered or adopted by the Board.
5. The selection of independent audit firm(s), performance audit consultants and such other consultants as are necessary to support the activities of the Committee shall be the responsibility of the Governing Board
6. The approval of an annual budget for the Committee that is sufficient to carry out the activities set forth in Proposition 39 and included herein shall be the responsibility of the Governing Board.
7. The allocation of State School Building Program grant funds to projects in the order and in an amount determined by the Board is at its sole discretion.
8. The adoption of a plan for publicizing the activities of the Committee and the determination as to whether a mailer, a newspaper notice or website materials would best suit the distribution of the Committee's findings and recommendations is at the

sole discretion of the Governing Board.

9. The amendment or modification of the Procedures, Policies & Guidelines for the Committee as provided herein shall be the responsibility of the Governing Board, subject to the legal requirements of Proposition 39.
10. The appointment or reappointment of qualified applicants to serve on the Committee, subject to legal limitations, and based on criteria adopted by the Governing Board is at its sole discretion as part of carrying out the Board's function under Proposition 39.

## **CITIZENS' BOND OVERSIGHT COMMITTEE BYLAWS**

**Section 1. Committee Established.** The San Bernardino City Unified School District (the District) was successful at the election conducted on March 2, 2004 (the Election), in obtaining authorization from the District's voters to issue up to \$140,000,000 aggregate principal amount of the District's general obligation bonds (Measure T). The election was conducted under Proposition 39, being chaptered as the Strict Accountability in Local School Construction Bonds Act of 2000, at Section 15264 *et seq.* of the Education Code of the State (Prop 39). Pursuant to Section 15278 of the Education Code, the District is now obligated to establish the Committee in order to satisfy the accountability requirements of Prop 39. The Board of Education of the San Bernardino City Unified School District (the Board) hereby establishes the Citizens' Bond Oversight Committee (the Committee) which shall have the duties and rights set forth in these Bylaws. The Committee does not have independent legal capacity from the District.

**Section 2. Purposes.** The purposes of the Committee are set forth in Prop 39, and these Bylaws are specifically made subject to the applicable provisions of Prop 39 as to the duties and rights of the Committee. The Committee shall be deemed to be subject to the *Ralph M. Brown Public Meetings Act* of the State of California and shall conduct its meetings in accordance with the provisions thereof. The District shall provide necessary administrative support to the Committee as shall be consistent with the Committee's purposes, as set forth in Prop 39.

The proceeds of general obligation bonds issued pursuant to the Election are hereinafter referred to as "bond proceeds." The Committee shall confine itself specifically to bond proceeds generated under Measure T. Regular and deferred maintenance projects and all monies generated under other sources shall fall outside the scope of the Committee review.

**Section 3. Duties.** To carry out its stated purposes, the Committee shall perform the following duties:

3.1 **Inform the Public.** The Committee shall inform the public concerning the District's expenditure of bond proceeds.

3.2 **Review Expenditures.** The Committee may review expenditure reports produced by the District to ensure that (a) bond proceeds were expended only for the purposes set forth in Measure B; (b) no bond proceeds were used for any teacher or administrative salaries or other operating expenses.

3.3 **Annual Report.** The Committee shall present to the Board, in public session, an annual written report which shall include the following:

(a) A statement indicating whether the District is in compliance with the requirements of Article XIII A, Section 1(b)(3) of the California Constitution;

and

(b) A summary of the Committee's proceedings and activities for the preceding year.

3.4 Duties of the Board Superintendent. Either the Board or the Superintendent, as the Board shall determine, shall have the following powers reserved to it, and the Committee shall have no jurisdiction over the following types of activities:

- (i) Approval of construction contracts,
- (ii) Approval of construction change orders,
- (iii) Appropriation of construction funds,
- (iv) Handling of all legal matters,
- (v) Approval of construction plans and schedules,
- (vi) Approval of deferred maintenance plans, and
- (vii) Approval of the sale of bonds.

3.5 Voter-Approved Projects Only. In recognition of the fact that the Committee is charged with overseeing the expenditure of bond proceeds, the Board has not charged the Committee with responsibility for:

- (a) Projects financed through the State of California, developer fees, redevelopment tax increment, certificates of participation, lease/revenue bonds, the general fund or the sale of surplus property without bond proceeds shall be outside the authority of the Committee.
- (b) The establishment of priorities and order of construction for the bond projects shall be made by the Board in its sole discretion.
- (c) The selection of architects, engineers, soils engineers, construction managers, project managers, CEQA consultants and such other professional service firms as are required to complete the project based on District criteria established by the Board in its sole discretion.
- (d) The approval of the design for each project including exterior materials, paint color, interior finishes, site plan and construction methods (modular vs. permanent) by the Board in its sole discretion and shall report to the Committee on any cost saving techniques considered or adopted by the Board.
- (e) The selection of independent audit firm(s), performance audit

consultants and such other consultants as are necessary to support the activities of the Committee.

- (f) The allocation of State School Building Program grant funds to projects in the order and in the amount determined by the Board in its sole discretion.
- (g) The amendment or modification of the Bylaws for the Committee as provided herein, subject to the legal requirements of Proposition 39.
- (h) The appointment or reappointment of qualified applicants to serve on the Committee, subject to legal limitations, and based on criteria adopted in the Board's sole discretion as part of carrying out its function under Prop 39.

#### **Section 4. Authorized activities.**

- 4.1 In order to perform the duties set forth in Section 3.0, the Committee may engage in the following authorized activities:
- (a) Receive and review copies of the District's annual independent performance audit and annual independent financial audit, required by Article XIII A of the California Constitution.
  - (b) Inspect District facilities and grounds for which bond proceeds have been or will be expended, in accordance with any access procedure established by the District's Superintendent.
  - (c) Review copies of deferred maintenance proposal or plans developed by the District.
  - (d) Review efforts by the District to maximize bond proceeds by implementing various cost-saving measures.

#### **Section 5. Membership.**

- 5.1 Number. The Committee shall consist of a minimum of seven (7) members appointed by the Board of Education from a list of candidates submitting written applications, and based on criteria established by Prop 39, to wit:

- One (1) member who is a parent or guardian of a child enrolled in the District.
- One (1) member active in a business organization representing the business community located in the District.
- One (1) member active in a senior citizen's organization.
- One (1) member active in a bona-fide taxpayers association.



- One (1) member who is 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 a school site council.
- Two (2) members of the community at-large.

5.2 Qualification Standards.

- (a) To be a qualified person, he or she must be at least 18 years of age.
- (b) The committee may not include any employee, union representative, official of the District or any vendor, contractor or consultant of the District.

5.3 Ethics: Conflicts of Interest. By accepting appointment to the Committee, each member agrees to comply with Articles 4 (commencing with Section 1090) and 4.7 (commencing with Section 1125) of Division 4 of Title 1 of the Government Code. Additionally, each member shall comply with the Committee Ethics Policy attached as "Attachment A" to these Bylaws.

5.4 Term. Except as otherwise provided herein, each member shall serve a term of two (2) years, beginning as of the date of appointment. No member may serve more than two (2) consecutive terms. At the Committee's first meeting, members will draw lots to select a minimum of two members to serve for an initial one (1) year term and the remaining members for an initial two (2) year term.

5.5 Appointment. Members of the Committee shall be appointed by the Board through the following process: (a) appropriate local groups or persons will be solicited for applications; (b) the Superintendent or his or her designee will review the applications; (c) the Superintendent or his or her designee will make recommendations to the Board.

5.6 Removal; Vacancy. The Board may remove any Committee member for any reason, including failure to attend two consecutive Committee meetings without reasonable excuse or for failure to comply with the Committee Ethics Policy. Upon a member's removal, his or her seat shall be declared vacant. The Board, in accordance with the established appointment process shall fill any vacancies on the Committee.

5.7 Compensation. The Committee members shall not be compensated for their services.

5.8 Authority of Members. (a) Committee members shall not have the authority to direct staff of the District. (b) Individual members of the Committee retain the right to address the Board, either on behalf of the Committee or as an individual.

**Section 6. Meetings of the committee.**

6.1 Regular Meetings. The Committee is required to meet at least once a year

but may meet more often as the committee shall determine.

6.2 Location. All meetings shall be held within the San Bernardino City Unified School District, located in San Bernardino County, California.

6.3 Procedures. All meetings shall be open to the public in accordance with the *Ralph M. Brown Act*, Government Code Section 54950 *et seq.* Meetings shall be conducted according to such additional procedural rules as the Committee may adopt. A majority of the number of Committee members shall constitute a quorum for the transaction of any business except adjournment.

## **Section 7. District support.**

7.1 The District shall provide to the Committee necessary technical and administrative assistance as follows:

- (a) preparation of and posting of public notices as required by the *Brown Act*, ensuring that all notices to the public are provided in the same manner as notices regarding meetings of the District Board;
- (b) provision of a meeting room, including any necessary audio/visual equipment;
- (c) preparation and copies of any documentary meeting materials, such as agendas and reports; and
- (d) retention of all Committee records, keeping of the minutes of all Committee meetings, and providing public access to such records on an Internet website maintained by the District.

7.2 District staff and/or District consultants shall attend all Committee proceedings in order to report on the status of projects and the expenditures of bond proceeds.

7.3 No bond proceeds shall be used to provide District support to the Committee.

**Section 8. Reports.** In addition to the Annual Report required in Section 3.2, the Committee may report to the Board from time to time in order to advise the Board on the activities of the Committee. The Annual Report shall be in writing and shall summarize the proceedings and activities conducted by the Committee.

**Section 9. Officers.** The Superintendent shall appoint the initial Chair. Thereafter, the Committee shall elect a chair and a vice-chair who shall act as chair only when the chair is absent, which positions shall continue for two (2) year terms. No person shall serve as chair for more than two consecutive terms.

**Section 10. Amendment of bylaws.** Any amendment to these Bylaws shall be approved by a majority vote of the Board.

**Section 11. Termination.** The Committee shall automatically terminate and disband at the earlier of the date when (a) all bond proceeds are spent, or (b) all projects funded by bond proceeds are completed.

## **CITIZENS' BOND OVERSIGHT COMMITTEE ETHICS POLICY STATEMENT**

This Ethics Policy Statement provides general guidelines for Committee members to following carrying out their roles. Not all ethical issues that Committee members face are covered in this Statement. However, this Statement captures some of the critical areas that help define ethical and professional conduct for Committee members. The provisions of this Statement were developed from existing laws, rules, policies and procedures as well as from concepts that define generally accepted good business practices. Committee members are expected to strictly adhere to the provisions of this Ethics Policy.

### **POLICY**

- **CONFLICT OF INTEREST.** A Committee member shall not make or influence a District decision related to: (1) any contract funded by bond proceeds or (2) any construction project which will benefit the committee member's outside employment, business, or a personal finance or benefit an immediate family member, such as a spouse, child or parent.
- **OUTSIDE EMPLOYMENT.** A Committee member shall not use his or her authority over a particular matter to negotiate future employment with any person or organization that relates to: (1) any contract funded by bond proceeds, or (2) any construction project. A Committee member shall not make or influence a District decision related to any construction project involving the interest of a person with whom the member has an agreement concerning current or future employment, or remuneration of any kind. For a period of two (2) years after leaving the Committee, a former Committee member may not represent any person or organization for compensation in connection with any matter pending before the District that, as a Committee member, he or she participated in personally and substantially. Specifically, for a period of two (2) years after leaving the Committee, a former Committee member and the companies and businesses for which the member works shall be prohibited from contracting with the District with respect to: (1) bidding on projects funded by the bond proceeds; and (2) any construction project.
- **COMMITMENT TO UPHOLD LAW.** A Committee member shall uphold the federal and California Constitutions, the laws and regulations of the United States and the State of California (particularly the Education Code and the Brown Act) and all other

applicable government entities, and the policies, procedures, rules and regulations of the San Bernardino City Unified School District.

- COMMITMENT TO DISTRICT. A Committee member shall place the interests of the District above any personal or business interest of the member.