



**PAJARO VALLEY UNIFIED SCHOOL DISTRICT  
CITIZENS' OVERSIGHT COMMITTEE  
(MEASURE L)**

**PURPOSE OF THE CITIZENS' OVERSIGHT COMMITTEE**

The statutes governing the Citizens' Oversight Committee ("COC") established by the Pajaro Valley Unified School District ("District") are set forth in Education Code Sections 15278, 15280 and 15282, copies of which are attached hereto as Attachment 1. The following is a summary of guidelines that the COC may use in its activities in order to ensure compliance with the Education Code, Proposition 39 ("Prop 39"), and the Regulations adopted to implement Prop 39.

**Purpose of the COC:**

**Inform the public concerning the expenditure of bond revenues to be received from sale of bonds authorized at Measure L Bond Election.**

[See Education Code §15278(b)]

- This purpose is derived from the provisions of Prop 39 that specify the need to ensure accountability in the spending of funds prudently as directed by citizens of the community.

**Responsibilities of the COC:** [Education Code §15278(b), §15280(b)]

1. Review and report on the proper expenditure of the taxpayers' money for school construction;
2. Advise the public as to whether the District is in compliance with the requirements of Prop 39;
3. Convene to provide oversight for:
  - a. Ensuring that bond revenues are only expended 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 as approved by the voters and as identified in the District's school facilities project list prepared for Measure L; and

- b. Ensuring that no bond revenues are expended for any teacher or administrative salaries or other school operating expenses;
4. Conduct open meetings which comply with the requirements of the Ralph M. Brown Act, including notice provisions which are the same as those followed by the Board of Trustees of the District;
5. Issue regular reports on the results of its activities, and issue a report at least once per year; and
6. Make all documents and reports available to the public via the internet website of the District.

**Compliance with Assembly Bill 1908 (“AB 1908”)** – The COC must also comply with:

**Education Code §15264(c)** which mandates that members of the COC shall promptly alert the public to any waste or improper expenditure of school construction bond money.

**Authorized Activities of COC:** [Education Code §15278(c)] – In carrying out its responsibilities, the COC may engage in any of the following activities:

1. Receiving and reviewing copies of the annual, independent performance audit conducted to ensure that the bond revenues have been expended only on the specific projects listed in Measure L;
2. Receiving and reviewing copies of the annual, independent financial audit of the bond revenues from Measure L;
3. Inspecting school facilities and grounds to ensure that the 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;
4. Receiving and reviewing copies of any deferred maintenance proposals or plans developed by the District, including any reports required by Section 17584.1; and/or
5. Reviewing efforts by the District to maximize bond revenues by implementing cost-saving measures, including, but not limited to, the following:
  - (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; and/or

- (E) Recommendations regarding the use of cost-effective and efficient reusable facility plans.

The foregoing information has been prepared by Atkinson, Andelson, Loya, Ruud & Romo, A Professional Law Corporation as an overview of the subjects discussed and should not be construed as individual legal advice. The applicability of the legal matters discussed may differ substantially in individual situations. In the event that you perceive that you are in a conflict situation, you should consult with appropriate legal counsel.

## **ATTACHMENT 1**

### **RELEVANT CODE SECTIONS**

#### **CALIFORNIA EDUCATION CODE**

##### **ARTICLE 2. Citizens' Oversight Committee [15278 - 15282]**

##### **15278.**

(a) If a bond measure authorized pursuant to paragraph (3) of subdivision (b) of Section 1 of Article XIII A of the California Constitution and subdivision (b) of Section 18 of Article XVI of the California Constitution is approved, the governing board of the school district or community college shall establish and appoint members to an independent citizens' oversight committee, pursuant to Section 15282, within 60 days of the date that the governing board enters the election results on its minutes pursuant to Section 15274.

(b) The purpose of the citizens' oversight committee shall be to inform the public concerning the expenditure of bond revenues. The citizens' oversight committee shall actively review and report on the proper expenditure of taxpayers' money for school construction. The citizens' oversight committee shall advise the public as to whether a school district or community college district is in compliance with the requirements of paragraph (3) of subdivision (b) of Section 1 of Article XIII A of the California Constitution. The citizens' oversight committee shall convene to provide oversight for, but not be limited to, both of the following:

- (1) Ensuring that bond revenues are expended only for the purposes described in paragraph (3) of subdivision (b) of Section 1 of Article XIII A of the California Constitution.
- (2) Ensuring that, as prohibited by subparagraph (A) of paragraph (3) of subdivision (b) of Section 1 of Article XIII A of the California Constitution, no funds are used for any teacher or administrative salaries or other school operating expenses.

(c) In furtherance of its purpose, the citizens' oversight committee may engage in any of the following activities:

- (1) Receiving and reviewing copies of the annual, independent performance audit required by subparagraph (C) of paragraph (3) of subdivision (b) of Section 1 of Article XIII A of the California Constitution.

- (2) Receiving and reviewing copies of the annual, independent financial audit required by subparagraph (C) of paragraph (3) of subdivision (b) of Section 1 of Article XIII A of the California Constitution.
- (3) 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.
- (4) Receiving and reviewing copies of any deferred maintenance proposals or plans developed by a school district or community college district, including any reports required by Section 17584.1.
- (5) 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:
  - (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.

**15280.**

- (a)
  - (1) The governing board of the district shall, without expending bond funds, provide the citizens' oversight committee with any necessary technical assistance and shall provide administrative assistance in furtherance of its purpose and sufficient resources to publicize the conclusions of the citizens' oversight committee.
  - (2) The governing board of the district shall provide the citizens' oversight committee with responses to any and all findings, recommendations, and concerns addressed in the annual, independent financial and performance audits required by subparagraphs (C) and (D) of paragraph (3) of subdivision (b) of Section 1 of Article XIII A of the California Constitution within three months of receiving the audits.
- (b) All citizens' oversight 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 of the district. The citizens' oversight committee shall issue regular reports on the results of its activities. A report shall be issued at least once a year. Minutes of the proceedings of the citizens' oversight committee and all documents received and reports issued shall be a matter of

public record and be made available on an Internet Web site maintained by the governing board of the district.

**15282.**

(a) The citizens' oversight committee shall consist of at least seven members who shall serve for a minimum term of two years without compensation and for no more than three consecutive terms. While consisting of a minimum of at least seven members, the citizens' oversight committee shall be comprised, as follows:

- (1) One member shall be active in a business organization representing the business community located within the school district or community college district.
- (2) One member shall be active in a senior citizens' organization.
- (3) One member shall be active in a bona fide taxpayers' organization.
- (4) For a school district, one member shall be the parent or guardian of a child enrolled in the school district. For a community college district, one member shall be a student who is both currently enrolled in the community college district and active in a community college group, such as student government. The community college student member may, at the discretion of the governing board of the community college district, serve up to six months after his or her graduation.
- (5) For a school district, one member shall be both a parent or guardian of a child enrolled in the school district and active in a parent-teacher organization, such as the Parent Teacher Association or schoolsite council. For a community college district, 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.

An employee or official of the school district or community college district shall not be appointed to the citizens' oversight committee. A vendor, contractor, or consultant of the school district or community college district shall not be appointed to the citizens' oversight committee. Members of the citizens' oversight committee shall, pursuant to Sections 35233 and 72533, abide by the prohibitions contained in Article 4 (commencing with Section 1090) and Article 4.7 (commencing with Section 1125) of Chapter 1 of Division 4 of Title 1 of the Government Code.