

Office of Superintendent of Schools

ITEM REQUIRING ATTENTION - BOARD OF EDUCATION

To the Board of Trustees:

Date: June 21, 2019

Agenda Item: **8.05**

Subject: DISCUSSION/CONSIDERATION – State Audit Report Follow-up and District Response Regarding Governance Training, Brown Act Training, and Development of Governance Handbook

On May 23, 2019, the State Auditor released her final Audit Report on the Alum Rock Union Elementary School District. The State Auditor's Report includes 25 detailed recommendations for implementation by the Board and the District. At the May 30, 2019, Special Board Meeting, the Board directed the Superintendent to confer with the Board President to develop and prepare a recommended response to the State Auditor's recommendations and a plan for implementation of corrective measures for consideration and adoption by the Board.

The State Audit Report includes several the following key findings and recommendations relating to Board governance issues, including:

- » The Board should develop a vision and establish goals for the district by November 2019 and regularly monitor progress toward achieving these goals, as district policy requires, to ensure that the Board provides a clear strategic direction for the district.
- » Board members did not always comply with state law, including the conflict of interest laws and requirements and quorum requirements. The District should immediately follow its conflict-of-interest code to ensure that all required individuals file Forms 700.
- » To ensure compliance with the requirements of the Brown Act for quorums, the Board should declare publicly at future board meetings whether a quorum of board members is present before it takes any action.
- » To ensure compliance with government transparency laws, the Board should request training for the Board and responsible staff in Brown Act requirements and other state law by August 2019.
- » To provide additional transparency and ensure that its performance is meeting the needs of the district, the Board should conduct an annual self-evaluation by November 2019 and publicize the results.
- » To improve organizational stability and increase transparency, the Board should comply with district policy pertaining to other operational practices, including appointing a new board president only during its annual organizational

meeting unless otherwise required to do so by policy, and limiting extensions of board meeting ending times to the single instance allowed per meeting.

» The Board should create a policy requiring district staff to document the assistance they provide to the bond committee and to regularly report to the board on the nature and frequency of this assistance.

» The District should establish a policy by July 2019 to provide biennial training to board members on ethics, applicable government transparency, conflict-of-interest requirements, and district policies.

» To reinforce the governance standards that district policy requires board members to adhere to, the Board should develop a code of conduct for board members to follow and adopt it at a public meeting by July 2019. The board should review and update this code of conduct each year as needed to reaffirm its commitment to the district's governance standards.

Consideration of the findings and implementation of recommended corrective measures will require Board focus and consideration of governance best practices, the role of individual Board members and the Board as a collective body in the governance of the District, and an understanding of Board Policy, Board Bylaws, the Brown Act and conflict of interest issues. County Superintendent MaryAnn Dewan has offered to the Board and the District assistance in addressing these governance issues through the "Targeted Assistance Consulting" program developed by ACSA and the California Collaborative for Educational Excellence (CCEE).

ACSA and CCEE have designated retired superintendent Dr. Arturo Flores as a facilitator for the Targeted Assistance Consulting to assist the Board and Administration in engaging these governance issues and in the development of a Governance Handbook to help define the role of the Board and individual Board members, and the relationship with the Superintendent and Administration, in the governance and operation of the District. ***Dr. Flores would provide a minimum of 24 hours of assistance to the Board and District free through CCEE.***

Recommendation: The Board is requested to consider and approve participation in the Targeted Assistance Consulting program, free of charge through ACSA and CCEE, and the services of Dr. Arturo Flores as facilitator in providing these services.

To the Board of Trustees:

Meeting: June 27, 2019
Regular Board Meeting

Recommend Approval

Agenda Placement

Hilaria Bauer, Ph.D., Superintendent