



CITIZENS' OVERSIGHT COMMITTEE BUSD
Measure F School Facilities Bond Program

The Barstow Unified School District is accepting applications for a Citizens' Oversight Committee for Measure F, the District's School Facilities Bond Program. Interested parties must submit an application to the Superintendent's Office. Inquiries or requests for applications can be made by calling 760-255-6006; or in person at 551 South Avenue H, Barstow, CA; or on the District's website at <http://www.barstow.k12.ca.us/> The Committee may not include any employee, official of the District or any vendor, contractor or consultant of the District.



BARSTOW UNIFIED SCHOOL DISTRICT APPLICATION FOR INDEPENDENT CITIZENS' OVERSIGHT COMMITTEE

The Board of Trustees of the Barstow Unified School District is seeking qualified, interested individuals to serve on a committee of community leaders which will serve as the Independent Citizens' Oversight Committee ("COC") for the implementation of the District's Measure F school facilities bond program.

Proposition 39 Bond Election

On November 8, 2016, voters residing within the Barstow Unified School District passed Measure F. Measure F is a \$39 million dollar bond measure that authorizes funding for needed repairs, upgrades, and new construction projects to the District's schools. Proposition 39 required a 55% supermajority for approval; Measure F was passed by 67.548%.

Establishment of a Citizens' Oversight Committee

After a bond authorized under Proposition 39 is passed, State law requires that the Barstow Unified School District Board of Trustees appoint an Independent Citizens' Oversight Committee to work with the District.

Committee Responsibilities

In accordance with Education Code Section 15278(b), the Citizens' Oversight Committee shall:

- Inform the public concerning the District's expenditure of bond proceeds of Measure F.
- Review expenditure reports produced by the District to ensure that Measure F bond proceeds were expended only for the purposes set forth in Measure F; and
- Present to the Board in public session, an annual written report outlining their activities and conclusions regarding the expenditure of bond proceeds of Measure F.

The Bylaws which govern the Citizens' Oversight Committee are attached to this Application.

Appointment of Committee Members

All appointments will be made by the Board from applications submitted to the District. The Committee shall consist of at least seven (7) members appointed by the Board from a list of candidates submitting written applications, and based on criteria established by Prop 39, to wit:

- One (1) member shall be the parent or guardian of a child enrolled in the District.
- One (1) 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 P.T.A. or a school site council.
- One (1) member active in a business organization representing the business community located in the District.
- One (1) member active in a senior citizens' organization.
- One (1) member active in a bona-fide taxpayers association.
- Two (2) members of the community at-large.

Time Commitment and Term

Initial appointments will be staggered, such that some of the initial appointees will be appointed to serve one full two-year term. The other initial appointments will serve a one-year term, but will be eligible for reappointment by the Board for a second and third two-year term.

Would You be Interested in Serving?

If you wish to serve on this important committee, please review the committee Bylaws for more information about the committee's role and responsibilities and complete the attached application. Completed applications should be sent to Barstow Unified School District.

Barstow Unified School District
551 S. Avenue H, Barstow, CA 92311
Tel: 760.255.6006



**BARSTOW UNIFIED SCHOOL DISTRICT
APPLICATION FOR INDEPENDENT CITIZENS' OVERSIGHT COMMITTEE**

(Please Print or Type)

Name: _____

Address: _____

Home Phone: _____ Work Phone: _____

FAX #: _____ E-Mail: _____

Why do you want to serve on the Measure F Independent Citizens' Oversight Committee?

Do you have any special area of expertise or experience that you think would be helpful to the committee?

If you have served on other school district, city or community committees please list and briefly describe your role:

I would be able to represent the following constituencies in the District: *(check all that apply)*

Business Representative - Active in a business organization representing local business
Organization: _____

Senior Citizen Group Representative - Active member in a senior citizens' organization.
Organization: _____

Taxpayer Organization Member - Active in a bona fide taxpayers' association.
Organization: _____

Parent or Guardian of Child Enrolled in District.
Child's Name and School: _____
Child's Name and School: _____

Parent /Guardian of Child Enrolled in District & Active in a Parent-Teacher Organization
Child's Name and School: _____
Child's Name and School: _____
Organization: _____

At-Large Community Member – Resident of the Barstow Unified School District.
Name: _____
Name: _____

Please note any additional information you feel should be considered as part of your application:

1. Are you an employee of the District?*
2. Are you a vendor, contractor, or consultant to the school district?*
3. Do you have conflicts that would preclude your attending quarterly meetings?
4. Do you know of any reason, such as a potential conflict of interest, which would adversely affect your ability to serve on the Independent Citizens' Oversight Committee?*
5. Are you willing to comply with the ethics code included in the bylaws?

YES	NO

(*Employees, vendors, contractors, and consultants of the Barstow Unified School District are prohibited by law from being members of the Citizens' Oversight Committee. Employment which could result in becoming a contractor or subcontractor to the district would also be a potential conflict.)

Signature of Applicant

All answers and statements in this document are true and complete to the best of my knowledge.

Signature _____ Date _____.

Completed applications must be received at
Barstow Unified School District
551 S. Avenue H, Barstow, CA 92311

If you have any questions, please call Barstow Unified School District at **760.255.6006**.

It is the policy of the Barstow Unified School District not to unlawfully discriminate on the basis of sex, sexual orientation, gender, ethnic group identification, race, ancestry, national origin, color, religion, marital status, age or mental or physical disability in the educational programs or activities which it operates.



**BARSTOW UNIFIED SCHOOL DISTRICT
INDEPENDENT CITIZENS' BOND OVERSIGHT COMMITTEE
BYLAWS**

Section 1. COMMITTEE ESTABLISHED

The Board of Trustees (the “Board”) of the Barstow Unified School District (the “District”) hereby establishes the Bond Oversight Committee (the “Committee”) which shall have the purposes and duties set forth in these Bylaws.

Section 2. PURPOSE

The purpose of the Committee is to inform the public at least annually concerning the expenditure of bond proceeds approved by the voters on *11/8/16* (the “Bond Proceeds”) by issuing a written report.

Section 3. DUTIES

To carry out its stated purpose, the Committee shall perform the following duties:

- 3.1 Review Expenditures. The Committee shall review quarterly expenditure reports produced by the District to (a) ensure that Bond Proceeds are expended only for the purposes set forth in the ballot measure; (b) ensure that no Bond Proceeds are used for any teacher or administrative salaries or other operating expenses; and (c) verify that capital facilities work is executed.
- 3.2 Review Progress of Projects. The Committee shall be apprised in writing by the District of significant changes or irregularities in the progress and completion dates of bond funded projects.
- 3.3 Annual Report and Interim Reports. The Committee shall present to the Board interim reports at the Committee’s discretion and an annual written report (the “Annual Report”) which shall, at a minimum, 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;
 - (b) A summary of the Committee’s proceedings and activities for the preceding year; and
 - (c) An annual presentation to the Board of the annual financial and performance audits.

Section 4. AUTHORIZED ACTIVITIES

- 4.1 In order to perform the duties set forth in Section 3, 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 school site facilities and grounds for which Bond Proceeds have been or will be expended, in accordance with any access procedure established by the Superintendent or his/her designee.
- (c) Review the District's efforts to maximize Bond Proceeds in ways designed to: (1) reduce costs of professional fees or site preparation; (2) incorporate efficiencies in school site design; (3) encourage joint use of core facilities; or (4) involve cost-effective and efficient reusable facility plans.

4.2 Any Committee requests for copies or inspection of District records shall be made in writing to the Superintendent of the District or his/her designee.

Section 5. MEMBERSHIP

5.1 Number. The Committee shall consist of 7-10 members, as follows:

- (a) After interviewing potential members, the Board shall appoint members of the Committee.
- (b) The Committee shall include:
 - (1) one member who is 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 the parent or guardian of a child enrolled in the District;
 - (4) one member who is both a parent or guardian of a child enrolled in the District and active in parent-teacher organization;
 - (5) one member who is active in a bona fide taxpayers' organization;
 - (6) 2-5 general members

5.2 Qualification Standards.

- (a) To be a qualified member of the Committee, a person must:
 - (1) be at least 18 years of age and a resident of the state in accordance with Government Code section 1020;
 - (2) reside within the geographic boundaries of the District;
 - (3) not be an employee or official of the District; and
 - (4) not be a vendor, contractor, or consultant of the District.
- (b) If a member fails to meet the qualification standards set forth above at any time during the term of service, such member shall be disqualified and the position shall be declared vacant. The Board shall appoint a new person to serve the remainder of the term, in accordance with the appointment process set forth in Section 5.3 below.

- 5.3 Appointment. The Board shall appoint members to the Committee. Prior to appointment, the Superintendent or his/her designee shall conduct a nomination process to ensure that each person nominated meets the qualification standards set forth in Section 5.2. The Superintendent or his/her designee shall establish a process that provides reasonable notice to Board members and specified nominating organizations. When an appointment is necessary to fill a vacancy, the Superintendent or his/her designee shall ensure that a nomination is received from the same organization or category as the Committee member whose position is vacant.
- 5.4 Ethics; Conflicts of Interest. By accepting appointment to the Committee, each member agrees to comply with Article 4 (commencing with Section 1090) and Article 4.7 (commencing with Section 1125) of Division 4 of Title 1 of the Government Code and the Political Reform Act (Gov. Code Section 81000 *et seq.*), and to complete the Form 700 as required by all “designated employees” of the District. Additionally, each member shall comply with the Committee Ethics Policy attached as Attachment A to these Bylaws.
- 5.5 Term. Except as otherwise provided herein: Committee members shall serve a term of two (2) years; with successive terms, if any, to be for a term of two (2) years. No member may serve more than three (3) consecutive terms.
- 5.6 Removal; Vacancy. The Board may remove any Committee member for cause, including failure to attend three (3) consecutive committee meetings or for failure to comply with the Bylaws or Committee Ethics Policy. Upon the removal of a member, his or her seat shall be declared vacant. The Board shall fill any vacancies on the Committee in accordance with the appointment process set forth in Section 5.3.
- 5.7 Compensation. The Committee members shall not be compensated for their services.

Section 6. MEETINGS OF THE COMMITTEE

- 6.1 Regular Meetings. The Committee shall establish a schedule for the date and time of regular meetings to be held at least once each year.
- 6.2 Location. All meetings shall be held at 551 South Avenue H, Barstow, California, in the Board Room, or other District facilities.
- 6.3 Procedures. All meetings shall be open and public in accordance with the Ralph M. Brown Act, Government Code Section 54950 *et seq.* (the “Brown Act”). Meetings shall be conducted according to such 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 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 minutes of the proceedings of the Committee and all documents received and reports issued by the Committee and any other Committee records, and providing public access to such records, including the posting of minutes of the proceedings of the Committee and all documents received and reports issued by the Committee and any other Committee records on the Internet website maintained by the District.

7.2 District staff shall attend all Committee proceedings in order to report on the status of projects and expenditure of the Bond Proceeds.

7.3 The Committee may request the Board to authorize legal counsel to advise the Committee on legal matters relating to the operation and/or subject matter of the Committee.

Section 8. OFFICERS

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 year terms. No person shall serve as Chair for more than two consecutive terms.

Section 9. AMENDMENT OF BYLAWS

Any amendment to these Bylaws shall be approved by a two-thirds vote of the entire Committee and must be approved by the Board prior to becoming effective.

Section 10. TERMINATION

The Committee shall automatically terminate and disband at the earlier of the date when (a) the Committee issues a final report after all Bond Proceeds are spent, or (b) the Committee issues a final report after all projects funded by Bond Proceeds are completed.

Section 11. APPLICABILITY OF CALIFORNIA LAW

The Committee was established by the District in order to comply with Section 15278 *et seq.* of the California Education Code (the "Code"). Nothing in these Bylaws shall be interpreted in a manner that is inconsistent with the provisions of the Code.

ATTACHMENT A

BOND OVERSIGHT COMMITTEE ETHICS POLICY STATEMENT

This Ethics Policy Statement provides general guidelines for Committee members to follow in carrying out their roles. Not all ethical issues that Committee members face are covered in this Ethics Policy Statement. The guidelines set forth in this Ethics Policy Statement are not exhaustive and do not excuse Committee members from existing laws, rules, policies and procedures as well as from concepts that define generally accepted good business practices and professional conduct. Committee members are expected to adhere strictly to the provisions of this Ethics Policy Statement. All capitalized terms used herein shall have the meanings set forth in the Bylaws of the Committee.

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 a Committee member's outside employment, business, or personal finances 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 interests of a person with whom the member has an agreement concerning current or future employment, or remuneration of any kind. For a period of three (3) 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 three (3) 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 and all other applicable government entities, and the policies, procedures, rules and regulations of the District.
- **COMMITMENT TO DISTRICT.** A Committee member shall place the interests of the District above any personal or business interests of the member.