GENERAL OBLIGATION BONDS - The Redlands Unified School District Citizens' Oversight Committee Guidelines.

I. Adoption of Guidelines - Legal Authority.

1.0 This Redlands Unified School District ("District") Citizens' Oversight Committee Guidelines ("COC Guidelines") is adopted and established by the Board of Education ("Board") of the District pursuant to the provisions and requirements of Article 2 of Chapter 1.5 of Part 5 of Division 1 of Title 1 of the California Education Code 15264 *et seq.*, (hereinafter the "Law") and pursuant to Education Code Section 35160. These COC Guidelines shall apply to the District and each Oversight Committee (as defined below).

II. Background.

2.0 On November 7, 2000, California voters approved Proposition 39, the Smaller Classes, Safer Schools and Financial Accountability Act (School Facilities; 55% Local Vote; Bonds, Taxes; Accountability Requirements). The central purpose and legislative intent of Proposition 39 was to ensure that the expenditures of bond measures are in strict conformity with the law; that taxpayers directly participate in each Oversight Committee reviewing applicable bond expenditures; and that members of each Oversight Committee alert the public to any waste or improper expenditure of school construction bond money.

The provisions of Proposition 39 include various accountability requirements as further discussed herein. In association with the approval of Proposition 39, the California Legislature passed, and the Governor signed, Assembly Bill 1908 ("AB 1908"), which provides additional requirements relative to school district general obligation bond elections conducted pursuant to Proposition 39. Those requirements include provisions requiring school districts that are successful in a Proposition 39 bond election to establish, appoint and support a citizens' oversight committee, as required by the Law. This COC Guidelines were adopted by the District pursuant to the Law in order to provide procedures for the District's Citizens' Oversight Committee(s) ("Oversight Committee(s)") and to address related matters.

III. Definitions.

3.0 Unless the context clearly requires otherwise, or a term is differently defined within this COC Guidelines, the terms set forth in this Section III shall, for all purposes of this COC Guidelines, have the meaning(s) herein specified:

"**AB 1908**" means Assembly Bill 1908 of the California 2000 Legislative Session, being Chapter 44 of Statutes of 2000.

"**Board**" means the Board of Education of the District.

"**Bond(s)**" means those general obligation bonds, or general obligation bond anticipation notes, or any combination thereof, of the Redlands Unified School District (or any school facilities improvement district formed by the District) as authorized by the approval of a bond measure at an Election by the voters within the District (or the applicable school facilities improvement district) and issued pursuant to State law.

"Brown Act" means the Ralph M. Brown Act, being California Government Code Sections 54950 *et seq.*

"**Oversight Committee(s)**" means each Redlands Unified School District Citizens' Oversight Committee formed and appointed by the Board pursuant to the requirements of the Law and these COC Guidelines.

"**District**" means the Redlands Unified School District.

"Election" means each general obligation bond election conducted within the boundaries of the District (or any school facilities improvement district formed by the District) pursuant to the provisions of Proposition 39 and applicable State law.

"**Law**" means Article 2 of Chapter 1.5 of Part 5 of Division 1 of Title 1 of the California Education Code (being Education Code Sections 15278 *et seq.*) and as such may be amended from time to time.

"**Proposition 39**" means Proposition 39, the smaller classes, safer schools and Financial Accountability Act (school facilities; 55% local vote; bonds, taxes; accountability requirements) as approved by the California electorate on November 7, 2000, and as such may be amended from time to time.

"State" means the State of California.

IV. Establishment of Oversight Committee.

4.0 The Board shall establish each Oversight Committee, and initially appoint a minimum of seven (7) members to each such Oversight Committee, not more than sixty (60) days after the Board's certification of the corresponding Election results in accordance with the purpose, parameters, policies and regulations set forth in State law and herein. The Board, in its discretion, may increase the number of members of an Oversight Committee at any time, provided that each Oversight Committee shall always have an odd number of members (unless otherwise directed by the Board). In addition to the State requirements, the Board has a stated goal that a majority of the members of each such Oversight Committee have, to the extent practical given applicants and candidates, knowledge and experience in the fields of construction, architecture design, public financing, contract law and/or building program management. Pursuant to the provisions of State law, each successful Election shall have a separate Oversight Committee appointed therefor (unless State law allows otherwise).

V. Purpose of Oversight Committee.

5.0 Statutory Purpose. The purpose of each Oversight Committee(s), as provided in State law, shall be to inform the public, at least annually in a written report, concerning the expenditure of the corresponding Proposition 39 Bond proceeds. In carrying out this purpose each Oversight Committee shall:

(a) Actively review and report on the proper expenditure of the corresponding Proposition 39 Bond proceeds;

(b) Advise the public as to whether the District is in compliance with the requirements of Article XIIIA, Section 1(b)(3) of the California Constitution, which provides that:

(i) Bond proceeds may be expended only 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 school facilities project list prepared for each Election;

(ii) No Bond proceeds are used for any teacher or administrative salaries or other school operating expenses;

(iii) Annual independent performance audits must be performed by an independent consultant selected by the District; and

(iv) Annual independent financial audits must be performed by an independent consultant selected by the District.

5.1 Each Oversight Committee shall undertake and accomplish those matters expressly stated in, or directly provided by State law, District Resolution # 27,2024-2025 and these COC Guidelines and as such may be amended from time to time.

VI. Oversight Committee Composition.

6.0 (a) Each Oversight Committee shall initially consist of a minimum of seven (7) members and at no time consist of less than seven (7) members, subject to the provisions of Sections 4.0 and 7.0(d) hereof and any vacancies which may occur. Unless expressly authorized by the Board, members of each Oversight Committee shall be residents within the District's boundaries.

(b) Each Oversight Committee may not include as a member any employee or official of the District or any vendor, contractor or consultant of the District.

(c) Each Oversight Committee shall include among its members all of the following:

(i) One (1) member who is active in a business organization representing the business community located within the District;

(ii) One (1) member who is active in a senior citizen's organization;

(iii) One (1) member who is active in a bona fide taxpayer association;

(iv) One (1) member shall be the parent or guardian of a child enrolled in the District; and

(v) 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 a parent-teacher association or school site council.

(vi) In addition the State requirements, the Governing Board of Trustees of the District has made a commitment to help ensure that a majority of the members of each such Committee have, to the extent possible, knowledge and experience in the fields of construction, architecture design, public financing, contract law and/or building program management.

(d) Five (5) members of each Oversight Committee must satisfy the requirements set forth in VI, Section 6.0, (c)(i-v) hereof. The five (5) members appointed pursuant to VI, Section 6.0, (c)(i-v), must individually represent one of the five (5) groups set forth in Section 6.0, (c)(i-v) hereof. One member may represent more than one (1) of the groups, so long as the remaining four (4) members individually, distinctly and separately satisfy the remaining four (4) groups. In making the appointments of the remaining and additional Oversight Committee members the Board may, in its discretion, consider the various factors set forth in Section 7.0(d) hereof. The Board may remove an Oversight Committee member during his or her tenure consistent with the provisions of applicable law.

VII. Oversight Committee Appointments, Term and Vacancies.

7.0 Appointments.

(a) The initial members of each Oversight Committee shall be appointed by the Board not more than sixty (60) days after the Board's certification of the corresponding Election results as required by the Law. Appointments shall be discussed and made in open session in accordance with Government Code Section 54957.

(b) The Board will solicit applications (which may occur through action(s) of District staff as directed by the Board) for appointment to an Oversight

Committee and may require candidates for membership on an Oversight Committee to submit information on a stated form. Important information regarding the application form and the application process will be posted on the District's website at _____ (or such other internet address(es) as may be utilized from time to time). Solicitations for applications for appointment to an Oversight Committee are expected to be made to various professional, civic and governmental organizations in order to provide a broad range of Oversight Committee qualified candidates.

(c) The Board has authorized the Superintendent, or the Superintendent's designee(s), to advertise for and solicit candidates for consideration of appointment to the initial Committee, to review applications submitted to the District for Oversight Committee membership and make recommendations to the Board to assist the Board in appointing Oversight Committee members.

(d) In making its appointments, the Board shall satisfy the necessary statutory membership requirements on each Oversight Committee as set forth in Section 6.0(c) hereof. In making its appointments to each Oversight Committee the Board may, in its sole discretion, consider various factors applicable to each candidate, including, but not limited to, (i) residency within the boundaries of the District, (ii) whether the candidate is a registered voter within the District, and (iii) the professional and educational background of any prospective Oversight Committee member, which may include experience in construction, property, facilities management or finance matters or other factors which tend to support or complement the purposes of each Oversight Committee. Each Oversight Committee shall initially have seven (7) members; however, the Board retains the right to appoint additional members to each Oversight Committee provided that each Oversight Committee shall always have an odd number of members (unless otherwise directed by the Board). In the event that the Law is amended to require a different or greater number of Oversight Committee members, the Board shall, within the time set by California law, take action to appoint appropriate Oversight Committee members as shall be required.

(e) Any appointee to each Oversight Committee shall be required to comply with the requirements and limitations of Section 6.0, 7.1, 7.2 and 8.2 hereof.

7.1 Term.

(a) Each Oversight Committee members shall serve for a term of two years without compensation. Members may be appointed by the Board, in its discretion, for no more than three (3) consecutive terms as provided by the Law. The Board may, in its discretion, rotate Oversight Committee member terms in order to maintain a level of experienced membership on the Committee. A member of each Oversight Committee may serve multiple non-consecutive terms as the Board may determine or direct.

(b) The term of office of an Oversight Committee member shall end upon the completion of their two-year term, as determined by the Board, or in the event that a vacancy for that Oversight Committee member's position is determined by the Board as set forth in this COC Guidelines. In the event that a Oversight Committee member is appointed to fill a vacancy on each Oversight Committee, the Board may appoint such member for a term as set by the Board, subject to the limitations of State law and these Policies and guidelines.

(c) The term of office of a Oversight Committee member may end prematurely in the event that each Oversight Committee terminates pursuant to the provisions set forth in Section 11.0 hereof.

7.2 Vacancies.

(a) Determination of Vacancy. The Board may determine that an Oversight Committee member's seat on each Oversight Committee has become vacant under any of the following circumstances:

(i) Resignation of that Oversight Committee member submitted in writing to the District and/or to the Board (which shall be effective upon its receipt by the Board or other date set forth in such written resignation, as applicable);

(ii) Death, or a legal determination of the incapacity, of that Oversight Committee member;

(iii) Conviction of a violation of Government code Section 1090 *et seq.* or other applicable conflict of interest laws (see Section 8.3);

(iv) Conviction of any crime resulting in imprisonment; or

(v) As may otherwise be prescribed or required by law.

The power to make determinations as to vacancies on each Oversight Committee is expressly reserved to the Board.

(b) In the event that any vacancy on an Oversight Committee occurs, by way of resignation or otherwise, the Board may, in its discretion, appoint a replacement Oversight Committee member for each vacancy to serve for the remainder of the unexpired term of the vacating Oversight Committee member, or to serve for an initial two year term (as shall be determined by the Board at the time of making the appointment), in a manner it determines to be consistent with applicable law.

(c) In the event a vacancy is determined, such Oversight Committee position shall remain vacant until the Board appoints a new Oversight Committee member for that position. Following the determination of the vacancy on an Oversight Committee, the Board shall follow the procedures set forth in Section 7.0 hereof to fill such vacancy within a reasonable period of time (subject to qualified candidates and applicants). The power to fill vacancies on each Oversight Committee is expressly reserved to the Board.

(d) In making appointments to fill vacancies as set forth in this Section VII, the Board shall make appointments such that the five (5) representative groups, as set forth in Section 6.0(c) and (d) hereof, shall be maintained.

VIII. Service on Oversight Committee.

8.0 Service Without Compensation. As set forth in the Law, members of each Oversight Committee shall serve without compensation.

8.1 Non-Liability for District Debts. The private and personal property of Oversight Committee members shall be exempt from execution or other liability for any debts, liabilities or obligations of the District or each Oversight Committee, and no Oversight Committee members shall be personally liable or responsible for any debts, liabilities or obligations of the District or each Oversight Committee except where expressly set forth in California law.

8.2 Conflicts of Interest and Prohibited Actions. It is the express desire and intention of the Board that members of each Oversight Committee shall not be, or have, any financial interest in the matters which they review. All Oversight Committee members shall be subject to the following requirements:

(a) Each member, as a condition of membership on an Oversight Committee, may be requested to sign a certification declaring that he or she has no conflict of interest as to the issues which shall be before each Oversight Committee.

(b) Each member shall expressly be subject to the limitations and requirements of Article 4 of Division 4 of Title 1 of the California Government Code, being Government Code Sections 1090, *et seq.*

(c) Each member shall expressly be subject to the limitations and requirements of Article 4.7 of Division 4 of Title 1 of the California Government Code, being Government Code Sections 1125, *et seq.*

(d) Each member shall perform his or her duties in an impartial manner, free from bias caused by his or her own financial interests or the financial interests of persons who have supported him or her. Each Oversight Committee member is obligated to discharge his or her responsibilities with integrity and fidelity.

IX. Oversight Committee Activities and Meetings.

9.0 Activities of each Oversight Committee. In furtherance of its specifically enumerated purposes, each Oversight Committee may engage in any of the following activities relating solely and exclusively to the expenditure of the corresponding Proposition 39 Bond proceeds as set forth in Section IX of these COC Guidelines:

(a) Receive and review copies of the annual performance audit(s) conducted by an independent consultant selected by the District to ensure that corresponding Proposition 39 bond funds have been expended on the specific projects identified in the District's School Facilities Project list provided for such Election;

(b) Receive and review copies of the annual financial audit(s) conducted by an independent consultant selected by the District as required under Proposition 39 and the Law;

(c) Inspect school facilities and grounds, during normal District business hours (or as otherwise arranged in advance with the District), and subject to State laws concerning campus security, to ensure that corresponding Proposition 39 Bond proceeds are expended for the purposes set forth in the District's School Facilities Project list provided for such Election;

(d) Receive and review copies of any deferred maintenance proposal(s), reports and/or plans developed by the District;

(e) Review efforts by the District to maximize Proposition 39 Bond revenues by implementing cost-saving measures, including, but not limited to:

(i) Mechanisms designed to reduce the cost 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; and

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

(f) Each Oversight Committee shall issue written regular reports of the results of its activities. Each Oversight Committee must issue at least one (1) written report each year or fiscal year, as may be applicable.

(g) Pursuant to the requirements of Education Code Section 15280(a)(2), the Board shall provide the corresponding 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 XIIIA of the California Constitution within three months of receiving such audits.

9.1 Brown Act Compliance; Public Records.

(a) Regular meeting dates, time, and place shall be established by each Oversight Committee and published/posted in accordance with the Brown Act and applicable District posting procedures. All Oversight Committee proceedings shall be open to the public (except as authorized by State law) and shall be subject to the provisions of the Brown Act. Each Oversight Committee may adopt rules and regulation guidelines or similar procedures as may be necessary or desirable in order to comply with the requirements of the Brown Act.

(b) All documents received by an Oversight Committee, Oversight Committee minutes and reports issued by each Oversight Committee shall be a matter of public record and shall initially be available on a website established for such purpose.

9.2 Rules of Procedure and Decorum. Each Oversight Committee may establish rules for the conduct of such Oversight Committee's proceedings. These rules may be enacted by motion or resolution. The rules must be congruent with fundamental concepts as to public agency notice and hearings and may not conflict with State law.

9.3 Attendance at Board Meetings. Members of an Oversight Committee may be requested to attend the meeting(s) of the Board where the annual financial audit and performance audit, prepared pursuant to the provisions of Proposition 39, are presented to the Board.

9.4 Limitations on Activities. The Board hereby sets forth the following limitations on the actions and activities of each Oversight Committee (although an Oversight Committee may review documents relating to such activities):

(a) An Oversight Committee has no authority to participate in the District's Bond issuance process or Bond sale, or to make decisions regarding the terms, timing or structure of the Bond issuance or sale;

(b) An Oversight Committee does not have the authority, once the Bonds are issued and sold, to determine how such Bond funds shall be expended;

(c) Oversight Committee members do not have the authority to solicit, select or participate in the negotiation or bid process for contractors or consultants for Bond-financed projects;

(d) Oversight Committee members do not have the authority to control, comment upon and have no power of approval over or upon design, architectural or engineering considerations or matters relating to facilities funded or constructed with bond proceeds;

(e) Each Oversight Committee, and its members, may only inspect, tour or visit District job sites and construction projects with the express permission of the District's Superintendent (for reasons which include, but are not limited to, campus security, public safety, interference with contractors and liability matters); and

(f) Oversight Committees, and their members, may not contact District consultants or contractors without the prior permission of the Superintendent.

X. Technical and Administrative Support.

10.0 Statutory Requirement. The Board, without any use of Bond proceeds, shall provide each Oversight Committee with:

(a) All reasonable necessary technical assistance and reasonable administrative assistance in furtherance of such Oversight Committee's purpose; and

(b) Sufficient resources to publicize each Oversight Committee's conclusions, all documents received by each Oversight Committee, minutes from each Oversight Committee's meetings and reports issued by each Oversight Committee (including establishing, operating and updating each Oversight Committee Internet Website).

(c) The Board shall have the discretion to determine what type, manner or means of technical and administrative assistance is necessary to assist each Oversight Committee in achieving its purpose.

(d) The Board may also appoint or designate District staff to provide reasonable technical and administrative assistance to each Oversight Committee. The Board shall also consider any recommendations or suggestions made by Oversight Committee members regarding the technical and administrative support.

10.1 Administrative Support. Administrative support provided by District staff to each Oversight Committee shall include all of the following:

(a) Preparing, mailing and posting agendas for meetings of such Oversight Committee in compliance with the Brown Act;

(b) Preparing and submitting documents (including agenda materials) to each corresponding Oversight Committee members and to members of the public in compliance with the Brown Act;

(c) Arranging for meeting locations and preparing meeting facilities for scheduled meetings of each Oversight Committee;

(d) Presenting periodic reports to the Committee concerning the District's deferred maintenance proposal(s), reports and/or plans;

(e) The taking, transcribing, providing and maintaining of minutes of each Oversight Committee meetings which minutes shall, at a minimum, include an identification of all Oversight Committee members present and absent at any meeting of each Oversight Committee and a statement of the vote on each issue of business directed, determined or set out by each Oversight Committee; and

(f) Maintaining Oversight Committee records and responding to Public Records Act requests directed to each Oversight Committee by the public. Public Records Act requests and responses shall be handled according to the same procedures as are applicable to the District in accordance with applicable law and the current requirements of the Public Records Act (Government Code Section 6250 *et seq.*).

10.2 Technical Support. Technical support provided by District staff to Oversight Committee shall include all of the following:

(a) Arranging tours and inspections of school facilities and grounds, during normal District business hours, as may be reasonably scheduled by such Oversight Committee as set forth in Section 9.0(c) above and subject to the limitations set forth herein.

(b) Providing audits, and written reports as provided for in Section 9.0 above, and providing, operating, maintaining and updating each Oversight Committee Internet Website(s) as set forth in Section 10.3, hereof.

(c) The District shall, in compliance with Sections 10.0, 10.1 and 10.2 hereof, provide sufficient administrative support and technical resources to conform with the directives and requirements set forth in the Law and within this COC Guidelines. In covering such costs, the District shall cover such costs as are reasonably necessary or required under State law and this COC Guidelines in furtherance of each Oversight Committee's express purpose. In the event of a question relating to whether an expense of each Oversight Committee is reasonably necessary, such determination shall lie within the purview of the Superintendent of the District, who shall have the responsibility to provide a final determination on approval of such cost(s).

10.3 Oversight Committee Internet Website(s). Education Code Section 15280(b) requires that certain documents relating to each Oversight Committee be made available on an internet website maintained by the District Board. Information pertaining or relating to such Oversight Committee shall appear on the District's designated website address - _____ until such time the Board decides to create and establish one or more Oversight Committee Internet Website(s). The cost to operate, maintain and update the Oversight Committee Internet Website(s) shall be the responsibility of the District. The Oversight Committee Internet Website(s) may be included within an existing website(s) operated by the District or may be operated separately. The following documents and information shall generally appear on the applicable internet website dedicated for use for Citizens' Oversight Committee information:

(a) Minutes of Oversight Committee meetings;

(b) Reports issued by such Oversight Committee; and

(c) Documents formally received by such Oversight Committee.

10.4 Presentation of Reports. Reports, including the annual reports of each Oversight Committee, and recommendations of such Oversight Committee shall be presented to the Board. Oversight Committee recommendations for specific actions shall be forwarded to the Board and such District staff members as such recommendations shall concern.

XI. Termination of Oversight Committee; Records.

11.0 The term of each Oversight Committee shall expire upon the occurrence and completion of all of the following events:

(a) All corresponding Proposition 39 Bond proceeds and earnings thereon have been expended;

(b) Each Oversight Committee has issued its final annual report as required under Section 9.0(f) above; and

(c) Each Oversight Committee has completed and conducted its final meeting which shall be scheduled after notice of 11.0(a) hereof occurs.

11.1 All records of each Oversight Committee shall be kept by the District (pursuant to its records retention policy) for a period of at least two (2) years after the termination of the corresponding Oversight Committee as provided for herein.

XII. Delegation of Board's Authority.

12.0 The Board has delegated the Superintendent and the Chief Business Officer as its designee(s), to assist the Board in implementing the provisions, sections, terms and sub-sections of this COC Guidelines.

XIII. Amendment of COC Guidelines; SBE Waiver.

13.0 The COC Guidelines set forth herein shall be subject to such later and further amendments by the Board to the extent permissible by applicable law.

13.1 The Board expressly reserves the right to apply for and pursue one or more statutory waiver(s) of the conditions and requirements of the Law, and, correspondingly, this COC Guidelines (as may be applicable), from the State Board of Education (SBE) should the Board so determine, in its sole discretion.

XIV. Severability.

14.0 If any article, section, subsection, paragraph, sentence, clause or phrase contained in this COC Guidelines shall become illegal, null or void or against public policy, for any reason, or shall be held by a court of competent jurisdiction to be illegal, null or void or against public policy, the remaining articles, sections, subsections, paragraphs, sentences, clauses or phrases contained in this COC Guidelines shall not be affected thereby.

Adopted: January 14, 2025.