RESOLUTION NO. 08-06-26(A)

RESOLUTION OF THE BOARD OF EDUCATION OF UPLAND UNIFIED SCHOOL DISTRICT ORDERING AN ELECTION, AND ESTABLISHING SPECIFICATIONS OF THE ELECTION ORDER

WHEREAS, Upland Unified School District ("District") has provided high quality education to more than 9,000 students at 16 schools, consistent with its mission to provide District students with the knowledge to recognize their significance and potential, allowing them to use their 21st century learning experiences to become responsible and productive citizens; and

WHEREAS, our local schools have urgent needs that must be addressed to maintain our schools and address our growing needs, and to enable the District to achieve its vision that District students are tomorrow's leaders, workers and citizens; and

WHEREAS, aging education facilities need basic safety, technology and educational upgrades to meet modern academic and safety standards; and

WHEREAS, some schools were built so long ago that the aging underground pipes and infrastructure are now failing; and

WHEREAS, the District has placed a priority on ensuring all schools have up-to-date technology, as well as safe, secure campuses to protect students and staff, and to provide modern classrooms that will attract and retain the best teachers and staff; and

WHEREAS, over the last several years, the District has conducted and completed comprehensive outreach to the community, and completed a long-term Facilities Master Plan which identified the upgrades needed at each school site in order to meet modern safety and security standards, meet the District's goals for supporting current academic standards and address specific priorities at individual school sites; and

WHEREAS, bond revenue is the primary means by which the District is able to keep its school buildings and classrooms in good repair and safe, and designed and equipped to support changing educational standards, methods and approaches; and

WHEREAS, the District cannot rely on the State of California to fund school facility improvements and the limited state dollars available for facility upgrades often require local matching funds that could be provided by a local bond measure; and

WHEREAS, approval of a bond measure will position the District to pursue available State school facility funding and other grant opportunities, allowing local bond proceeds to be leveraged to maximize investments in District facilities to the extent that such funding is available; and

WHEREAS, the Board has received information regarding the possibility of a local bond measure and its bonding capacity; and

WHEREAS, on November 7, 2000, the voters of California approved the Smaller Classes, Safer Schools and Financial Accountability Act ("Proposition 39") which reduced the voter threshold for *ad valorem* property tax levies used to pay for debt service on bonded indebtedness to 55% of the votes cast on a school district general obligation bond; and

WHEREAS, concurrent with the passage of Proposition 39, Chapter 1.5, Part 10, Division 1, Title 1 (commencing with Section 15264) of the Education Code (the "Act") became operative and established requirements associated with the implementation of Proposition 39; and

WHEREAS, the Board of Education of the District (the "Board") desires to make certain findings herein to be applicable to this election order and to establish certain performance audits, standards of financial accountability and citizen oversight that are contained in Proposition 39 and the Act; and

WHEREAS, the Board desires to authorize the submission of a proposition to the District's voters at an election to authorize the issuance of bonds to pay for certain necessary improvements and enhancements to District educational facilities which will improve the health, safety and quality of education for students in the District; and

WHEREAS, the Board hereby directs that, in accordance with Opinion No. 04-110 of the Attorney General of the State of California, the restrictions in Proposition 39 which prohibit any bond money from being wasted or used for inappropriate administrative salaries or other operating expenses of the District shall be monitored by the District's Independent Citizens' Oversight Committee; and

WHEREAS, pursuant to Education Code Sections 15102 and 15268, based upon a projection of assessed property valuation, the Board has determined that, if approved by voters, the tax rate levied to meet the debt service requirements of the bonds proposed to be issued will not exceed the Proposition 39 limits per year per $100,000 of assessed valuation of taxable property; and

WHEREAS, Elections Code Section 9400 *et seq.* requires that a tax rate statement be contained in all official materials relating to the election, including any ballot pamphlet prepared, sponsored, or distributed by the District; and

WHEREAS, the Board desires to authorize the filing of a tax rate statement and a ballot argument in favor of the proposition to be submitted to the voters at the election; and

WHEREAS, pursuant to the Elections Code, it is appropriate for the Board to request consolidation of the election with any and all other elections to be held on Tuesday, November 3, 2026, and to request the San Bernardino County Registrar of Voters to perform certain election services for the District; and

WHEREAS, in accordance with Education Code Section 5303, the District requests that the San Bernardino County Registrar of Voters, by mutual agreement, provide for the performance of all duties related to the calling of the election within the District on the proposition to issue general obligation bonds of the District.

NOW THEREFORE, THE BOARD OF EDUCATION OF THE UPLAND UNIFIED SCHOOL DISTRICT DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

Section 1. That the Board, pursuant to Education Code Sections 15100 *et seq.*, 15264 *et seq.*, and Government Code Section 53506, hereby requests the San Bernardino County Registrar of Voters to conduct an election under the provisions of Proposition 39 and the Act and submit to the electors of the District the question of whether bonds of the District in the aggregate principal

amount of $236,700,000 (the "Bonds") shall be issued and sold for the purpose of raising money for the types of projects described in Exhibits "A" and "B" hereto. Both exhibits are directed to be printed in the voter pamphlet. The District's Superintendent, or designee, is hereby authorized and directed to make any changes to the text of the measure, or to the abbreviated form of the measure, as may be convenient or necessary to comply with the intent of this Resolution, the requirements of election officials, and requirements of law.

Section 2. That the date of the election shall be November 3, 2026.

Section 3. That the purpose of the election shall be for the voters in the District to vote on a proposition, a copy of which is attached hereto and marked Exhibit "B," incorporated by reference herein, and containing the question of whether the District shall issue the Bonds to pay for improvements within the District to the extent permitted by such proposition. In compliance with Proposition 39 policies of the Board and the Act, the ballot propositions in Exhibits "A" and "B" are subject to the following requirements and determinations:

(a) that the proceeds of the sale of the Bonds shall be used only for the purposes set forth in the ballot measure and not for any other purpose, including teacher or administrator salaries or other school operating expenses;

(b) that the Board, in establishing the projects set forth in Exhibit "B," evaluated the health, safety, class size reduction, classroom, educational and information technology needs of the District as well as the importance of the projects to improve student learning in core subjects like math, science, engineering, the arts, music and technology;

(c) that the Board shall cause an annual, independent performance audit to be conducted to ensure that the Bond monies get spent only for the projects identified in Exhibit "B" hereto;

(d) that the Board shall cause an annual, independent financial audit of the proceeds from sale of Bonds to be conducted until all of the Bond proceeds have been expended;

(e) that the Board shall appoint a Citizens' Oversight Committee in compliance with Education Code Section 15278 no later than 60 days after the Board enters the election results in its minutes pursuant to Education Code Section 15274; and

(f) that the tax levy authorized to secure the Bonds of this election shall not exceed the Proposition 39 limits per $100,000 of taxable property in the District when assessed valuation is projected by the District to increase in accordance with Article XIIIA of the California Constitution.

Section 4. That the authority for ordering the election is contained in Education Code Sections 15100 *et seq.*, 15264 *et seq.*, and Government Code Section 53506.

Section 5. That the authority for the specifications of this election order is contained in Education Code Section 5322. In connection with ordering the election pursuant to the provisions mentioned above, the District has obtained reasonable and informal projections or assessed property valuations that take into consideration projections of assessed property valuations made by the county assessor that are available to the District.

Section 6. That the San Bernardino County Registrar of Voters and the San Bernardino County Board of Supervisors are hereby requested to consolidate the election ordered hereby with any and all other elections to be held on November 3, 2026 within the District. As provided in Elections Code Section 10403, the District acknowledges that the consolidation election will be conducted in the manner described in Elections Code Section 10418.

Section 7. That the Clerk of the Board is hereby directed to deliver a certified copy of this Resolution to the San Bernardino County Registrar of Voters no later than August 7, 2026.

Section 8. That the Bonds may be issued pursuant to Education Code Section 15264 *et seq.* or Government Code Section 53506. The maximum rate of interest on any Bond shall not exceed the maximum rate allowed by Education Code Sections 15140 to 15143, as modified by Government Code Section 53531.

Section 9. That the Board requests the governing body of any such other political subdivision, or any officer otherwise authorized by law, to partially or completely consolidate such election and to further provide that the canvass of the returns of the election be made by anybody or official authorized by law to canvass such returns, and that the Board consents to such consolidation. The Board further authorizes the submission of a tax rate statement and primary and rebuttal arguments, as appropriate, to be filed with the San Bernardino County Registrar of Voters by the established deadlines.

Section 10. Pursuant to Education Code Section 5303 and Elections Code Section 10002, the Board of Supervisors of San Bernardino County is requested to permit the Registrar of Voters to render all services specified by Elections Code Section 10418 relating to the election, for which services the District agrees to reimburse San Bernardino County, such services to include the publication of a Formal Notice of School Bond Election and the mailing of the sample ballot and tax rate statement (described in Elections Code Section 9401) pursuant to the terms of Education Code Section 5363 and Elections Code Section 12112.

Section 11. That any and all members of this Board and the Superintendent are hereby authorized to act as an author of any ballot argument prepared in connection with the election, including an argument in favor of the proposition and any rebuttal argument. The Superintendent, President of the Board, or their designees, are hereby authorized to execute any Tax Rate Statement or other document and to perform all acts necessary or required by the San Bernardino County Registrar of Voters, including, but not limited to, reducing the word count or otherwise modifying the language in the ballot proposition in Exhibits "A," and "B" in order to meet the requirements to place the bond proposition on the ballot.

Section 12. That this Resolution shall take effect on and after its adoption by a two-thirds vote of the members of this Board.

ADOPTED, SIGNED AND APPROVED this 6th day of August, 2026.

BOARD OF EDUCATION OF THE UPLAND UNIFIED SCHOOL DISTRICT

By _____
Vice President

Attest:

_____
Clerk

STATE OF CALIFORNIA)
)ss
SAN BERNARDINO COUNTY)

I, Sherman Garnett, do hereby certify that the foregoing is a true and correct copy of Resolution No. 08-06-26(A), which was duly adopted by the Board of Education of the Upland Unified School District at the meeting thereof held on the 6th day of August, 2026, and that it was so adopted by the following vote:

AYES: 4

NOES: 0

ABSENT: 1

ABSTENTIONS: 0

By _____ Clerk

EXHIBIT A

"To improve the quality of education by modernizing, constructing, upgrading and equipping classrooms, restrooms/school facilities, career technical classrooms/labs; replace roofs; make safety/security improvements; and renovate/replace electrical/plumbing/sewer systems; shall Upland Unified School District's measure be adopted, authorizing $236,700,000 of bonds at legal rates, levying approximately $47.50 per $100,000 assessed value (raising $14,200,000 annually) while bonds are outstanding, with audits, independent oversight, NO money for salaries, including administrators, only Upland USD educational facilities?"

Bonds – Yes

Bonds – No

EXHIBIT B

FULL TEXT BALLOT PROPOSITION
OF THE UPLAND UNIFIED SCHOOL DISTRICT
BOND MEASURE ELECTION NOVEMBER 3, 2026

KEY FINDINGS

The Board of Education (the "Board") of the Upland Unified School District (the "District") has made the following key findings:

- The District has provided high quality education to more than 9,000 students at 16 schools, consistent with its mission to provide students with the knowledge to recognize their significance and potential, allowing them to use their 21st century learning experiences to become responsible and productive citizens.

- While the District strives to meet the needs of our community and students, many neighborhood schools are now starting to age, with classrooms and science labs that have seen little to no modernization and were built for a different era of education.

- Aging education facilities need basic safety, technology and educational upgrades to meet modern academic and safety standards.

- Some District schools were built so long ago that the aging underground pipes and infrastructure are now failing.

- Over the last several years, the District has conducted and completed comprehensive outreach to our community, and completed a long-term community Facilities Master Plan that identified the needs at each school site to meet modern safety and security standards, meet the District's goals for supporting current academic standards, and address specific priorities at individual school sites.

- Bond revenue is the primary means by which a school district is able to keep its school buildings and classrooms in good repair and safe, and designed and equipped to support changing educational standards, methods and approaches.

- The District cannot rely on the State of California to fund school facility improvements and the limited state dollars available for facility upgrades often require local matching funds that could be provided by a local bond measure.

- Approval of a bond measure will position the District to pursue available State school facility funding and other grant opportunities, allowing local bond proceeds to be leveraged to maximize investments in District facilities to the extent that such funding is available.

- This bond measure requires strict fiscal accountability protections including mandatory annual audits and an independent citizens' oversight committee comprised of local residents to ensure funds are managed and spent properly.

The following is the full proposition presented to the voters by the District:

"To improve the quality of education by modernizing, constructing, upgrading and equipping classrooms, restrooms/school facilities, career technical classrooms/labs; replace roofs;

make safety/security improvements; and renovate/replace electrical/plumbing/sewer systems; shall Upland Unified School District's measure be adopted, authorizing $236,700,000 of bonds at legal rates, levying approximately $47.50 per $100,000 assessed value (raising $14,200,000 annually) while bonds are outstanding, with audits, independent oversight, NO money for salaries, including administrators, only Upland USD educational facilities?"

SCHOOL FACILITIES PROJECTS TO BE FUNDED FROM BOND PROCEEDS

The Board has determined that facility needs exist throughout the District. As schools and support facilities continue to age, and educational programs, technology, and safety requirements evolve, modernization, repair, replacement, and infrastructure improvements are necessary to provide safe, secure, and effective learning environments, as further described below.

The Project List includes the following types of upgrades and improvements at District schools, facilities and sites:

High Schools

- Construct, expand, renovate, modernize, reconstruct, reconfigure, replace, upgrade, or remove classrooms and learning spaces, including standard classrooms, portable classrooms, and special education classrooms to support current educational programs and improve safety, accessibility, and operational efficiency
- Provide upgraded or new classrooms, labs, shops, and specialized instructional spaces for job training and career readiness after high school
- Construct, expand, renovate, upgrade, or modernize STEM (science, technology, engineering, and math) classrooms, labs, and teaching spaces
- Improve school safety and security through upgraded emergency communications, cameras, alarms, fencing, intrusion detection, emergency response systems, security infrastructure, and secure campus entry points
- Improve student safety and traffic flow at parking and school drop-off and pick-up areas
- Improve facilities for accessibility, including those required by the Americans with Disabilities Act (ADA)
- Make energy efficiency improvements that reduce school utility costs and save money for classrooms
- Repair or replace leaky roofs
- Repair or replace aging, deteriorating, or failing plumbing, sewer, heating, ventilation, and air-conditioning (HVAC), storm drain, drainage, landscaping, water, gas, irrigation, fire sprinkler, communications, and utility systems and infrastructure
- Upgrade inadequate electrical systems, emergency power systems, generators, and electrical resiliency improvements
- Install, repair, or replace worn-out and deteriorated gutters, windows, walls, floors, sinks, doors, canopies, lighting and lighting controls, and asphalt
- Renovate outdated restrooms and construct additional restrooms where needed
- Construct, expand, renovate, upgrade, or modernize student support facilities including outdated libraries, cafeterias, kitchens, student unions, health and wellness centers, counseling and student services buildings, storage/shop buildings, music, dance, theater, visual, performing and fine arts classrooms and facilities, gymnasiums, locker rooms, fieldhouses, aquatics facilities, facilities to provide administrative services and multi-purpose rooms/auditoriums/theaters

- Construct, expand, renovate, or upgrade outdoor student areas including patios, quad areas, pools, tennis courts, shade structures, seating, bleachers, grass/turf fields, hardcourts, stages, lunch shelters, and athletic facilities, field lighting, sports lighting and related infrastructure
- Upgrade, install, or expand educational technology infrastructure, equipment, software, networking, communications systems, and related instructional technology

Middle Schools/Junior High Schools

- Construct, expand, renovate, modernize, reconstruct, reconfigure, replace, upgrade, or remove classrooms and learning spaces, including standard classrooms, portable classrooms, and special education classrooms where needed to support current educational programs and improve safety, accessibility, and operational efficiency
- Provide upgraded or new classrooms, labs, shops, and specialized instructional spaces to prepare for high school and future careers
- Construct, expand, renovate, upgrade, or modernize STEM (science, technology, engineering, and math) classrooms, labs, and teaching spaces
- Improve school safety and security through upgraded emergency communications, cameras, alarms, fencing, intrusion detection, emergency response systems, security infrastructure, and secure campus entry points
- Improve student safety and traffic flow at parking and school drop-off and pick-up areas
- Improve facilities for accessibility, including those required by the Americans with Disabilities Act (ADA)
- Make energy efficiency improvements that reduce school utility costs and save money for classrooms
- Repair or replace leaky roofs
- Repair or replace aging, deteriorating, or failing plumbing, sewer, heating, ventilation, and air-conditioning (HVAC), storm drain, drainage, landscaping, water, gas, irrigation, fire sprinkler, communications, and utility systems and infrastructure
- Upgrade inadequate electrical systems, emergency power systems, generators, and electrical resiliency improvements
- Install, repair, or replace worn-out and deteriorated gutters, windows, walls, floors, sinks, doors, canopies, lighting and lighting controls, and asphalt
- Renovate outdated restrooms and construct additional restrooms where needed
- Construct, expand, renovate, upgrade, or modernize student support facilities including libraries, cafeterias, kitchens, student services, health and wellness centers/hubs, counseling facilities, storage/shop buildings, music facilities, gymnasiums, locker rooms, facilities to provide administrative services and multi-purpose rooms/auditoriums
- Construct, expand, or upgrade outdoor student areas including outdoor learning areas, shade structures, seating, gardens, grass/turf playfields, stages, lunch shelters, and athletic facilities
- Upgrade, install, or expand educational technology infrastructure, equipment, software, networking, communications systems, and related instructional technology

Elementary Schools

- Construct, expand, renovate, modernize, reconstruct, reconfigure, replace, upgrade, or remove classrooms and learning spaces, including standard, portable, kindergarten, transitional kindergarten (TK), preschool, special education classrooms, and school signature programs where needed to support current educational programs and improve safety, accessibility, and operational efficiency
- Provide upgraded or new classrooms, labs, shops, and specialized instructional spaces to prepare for middle school, high school, and future careers

- Construct, expand, renovate, upgrade, or modernize STEM (science, technology, engineering, and math) classrooms, labs, and teaching spaces
- Improve school safety and security through upgraded emergency communications, cameras, alarms, fencing, intrusion detection, emergency response systems, security infrastructure, and secure campus entry points
- Improve student safety and traffic flow at parking and school drop-off and pick-up areas
- Make energy efficiency improvements that reduce school utility costs and save money for classrooms
- Improve facilities for accessibility upgrades, including those required by the Americans with Disabilities Act (ADA)
- Repair or replace leaky roofs
- Repair or replace aging, deteriorating, or failing plumbing, sewer, heating, ventilation, and air-conditioning (HVAC), storm drain, drainage, landscaping, water, gas, irrigation, fire sprinkler, communications, and utility systems and infrastructure
- Install, repair, or replace worn-out and deteriorated gutters, windows, walls, floors, sinks, doors, canopies, lighting and lighting controls, and asphalt
- Renovate outdated restrooms and construct additional restrooms where needed
- Construct, expand, renovate, or modernize student support facilities including libraries, cafeterias, kitchens, health and wellness centers/hubs, counseling facilities, facilities to provide administrative services, and multi-purpose rooms/auditoriums
- Construct, expand or upgrade playgrounds, playfields, turf, preschool play areas, outdoor learning areas, shade structures, lunch shelters, seating, gardens, and other outdoor student spaces for school and community use
- Upgrade inadequate electrical systems, emergency power systems, generators, and electrical resiliency improvements
- Upgrade, install, or expand educational technology infrastructure, equipment, software, networking, communications systems, and related instructional technology

<u>Other District Sites</u>

- Construct, renovate, modernize, replace, and upgrade District support facilities, including maintenance and operations facilities, transportation facilities, warehouses, central kitchens, District office facilities, administrative buildings, storage buildings, support service facilities, fleet facilities, charging infrastructure, and related operational improvements
- Improve facilities for accessibility upgrades, including those required by the Americans with Disabilities Act (ADA)
- Make energy efficiency improvements that reduce utility costs and save money
- Install or upgrade security, fencing, and access roads
- Replace, repair, or upgrade aging water, gas, irrigation, fire alarm, fire sprinkler, communications, and utility infrastructure
- Upgrade emergency power systems, generators, and electrical resiliency improvements
- Upgrade, install, or expand educational technology infrastructure, equipment, software, networking, communications systems, and related instructional technology

To achieve the project categories identified above, bond proceeds may also be used, as applicable and to the extent permitted by law, for related improvements and activities that support or are incidental to those projects. These improvements include but are not limited to: construct energy efficient and climate resilient facilities, upgrade of facilities for energy savings and environmental sustainability, including solar panels, and other projects designed to reduce operating costs and improve environmental sustainability; construct, expand or renovate offices and facilities for

professional development of teachers, more efficient administration and multi-purpose learning spaces; expand kitchen and dining capacity; add or enhance outdoor dining spaces; acquisition of furniture; expand and modernize administration buildings; add large group assembly spaces; expand and improve the existing District office and other non-school sites; upgrade and renovate morning and after school care facilities; improve pedestrian and bicycle approaches; upgrade and renovate facilities for family support services; improve teacher and staff support; improve site storage; improve digital hubs and student stores; expand health centers; support student wellbeing; upgrade, renovate, expand, acquire, or construct support facilities and educational spaces, including central plants, boilers, kitchens, administrative facilities, physical education facilities, music, art, visual and performing arts facilities, amphitheaters, stages, bleachers, science and computer laboratories, multi-purpose rooms, auditoriums, swing space, covered eating areas, maintenance and operations facilities, storage and related support facilities; resurface or replace asphalt, broken concrete and improve walkways, hard courts, play area surfaces, turf and irrigation/drainage systems and campus landscaping; install signage, and fencing; expand, construct or improve parking and pick-up/drop-off areas; acquire land; construct or acquire new schools and classrooms, buildings, and libraries; upgrade or replace interior and exterior painting, floor covering (including carpets), portable classrooms and school facades; demolition; construct various forms of storage, cabinets and support spaces and classrooms; improve outdoor learning environments and quads; repair, upgrade and install interior and exterior lighting systems; construct, acquire or improve learning walls, tack boards, markerboards, playground equipment, play structures, turf and artificial turf, tracks, and facilities to support student health, fitness and safety, lockers, and other facilities serving District students; replace or repair security systems (including access control systems), learning centers and media centers; demolish, remove, replace, reconstruct, or relocate obsolete, aging, or deteriorated facilities and portable classrooms where determined to be educationally appropriate or more cost-effective than renovation. In addition to the listed projects stated above, the Project List also includes the acquisition of a variety of instructional, maintenance and operational equipment, including the reduction or retirement of outstanding lease obligations and interim funding incurred to advance fund projects from the Project List.

The upgrading of technology infrastructure includes, but is not limited to, network rewiring, cabling, access points, computers, mobile interface devices, monitors, data centers, main distribution frame, switches, routers, modules, power supply, data storage, sound projection systems, public address systems, phone communication systems, data/voice network systems, laser printers, digital white boards, document projectors, upgrade voice-over-IP, clock/telephone/ intercom systems, call manager and IT security, wireless technology systems, refresh classroom technology, acquire necessary software and miscellaneous IT and instructional equipment, data storage, phones, identity cards and the construction and installation of a data center in the cloud for the District enterprise systems, such as resource planning, websites, domain name systems, cloud applications and information security.

Each of the bond projects described in the Project List includes the costs of furnishing and equipping such facilities, and all costs which are incidental but directly related to the types of projects described above.

To the extent permitted by law examples of incidental costs include, but are not limited to: planning, design, engineering, and other professional services, facilities assessments, facility master plan preparation and updates, environmental studies (including environmental investigation, remediation and monitoring), inspections, site preparation, utilities, landscaping, construction and/or project management and permitting, legal, accounting and similar costs; independent annual financial and performance audits; a customary construction contingency; demolition and disposal of existing

structures; the costs of interim housing and storage during construction including relocation and construction costs; rental or construction of storage facilities and other space on an interim basis for materials and other equipment and furnishings displaced during construction; costs of relocating facilities and equipment as needed in connection with the projects; interim classrooms and facilities for students, administrators, and school functions, including modular facilities; federal and state-mandated safety upgrades; addressing unforeseen conditions revealed by construction/modernization and other necessary improvements required to comply with existing building codes, including the Field Act; access requirements of the Americans with Disabilities Act; costs of the election; project construction oversight, management and administration during the duration of such projects, including by District personnel, and bond issuance costs.

Unforeseen conditions may arise during the course of planning, design and construction resulting in the scope and nature of any of the specific projects described above being altered by the District. In the event that the District determines that, with respect to a modernization or renovation project, it is more economical for the District or otherwise in the District's best interests to be undertaken as new construction, this bond measure authorizes said new construction, including land acquisition, relocation, expansion and construction and/or reconstruction, and all costs relating thereto. Conversely, if the District determines that it is more economical or otherwise in the best interests of the District to modernize or renovate District facilities instead of undertaking a new construction project, this bond measure authorizes such a project. In addition, this measure authorizes the acquisition of real property, including necessary rights of ways or other real property interests, required to expand District facilities, to provide access to school or other District facilities, or to provide additional school or related facilities both to expand existing schools and to construct new schools. Further, authorized projects include reimbursements for project costs previously paid and paying and/or prepaying interim financing for the types of projects included on the project list, such as bond anticipation notes. Finally, projects on this list may be undertaken and used as joint use projects with other public agencies.

Approval of the District's bond measure does not guarantee that all of the identified projects within this Bond Project List will be funded. The District plans to continue to pursue funds from the State of California, if available, to complete certain of the identified facilities projects. The District is unable to anticipate all unforeseen circumstances which may prevent some of the projects listed above from being undertaken or completed.

The order in which projects are listed in the foregoing Project List does not suggest an order of priority. Project prioritization is vested in and will be determined by the District's Board. Bond proceeds shall only be expended for the specific purposes identified herein. The District shall create an account into which proceeds of the bonds shall be deposited and comply with the reporting requirements of Government Code section 53410.

These projects may include participation in the State Facility Program's Joint-Use Program to gain matching funds for teacher education, multi-purpose rooms, gymnasiums, libraries, childcare, and other qualifying Joint-Use facilities. With respect to such joint-use projects, the bond funds authorized by this Measure may be used to pay all of the local share needed to qualify the projects for special State matching funds under the State Facility Program's Joint-Use Program requirements.

FISCAL ACCOUNTABILITY REQUIREMENTS

The provisions in this section are specifically included in this proposition in order that the voters and taxpayers in the District may be assured that their money will be spent only to address

specific facilities needs of the District in compliance with the requirements of Article XIIIA, Section I (b)(3), of the State Constitution and the Strict Accountability in Local School Construction Bonds Act of 2000 (codified at Education Code Sections 15264 and following).

Evaluation of Needs. The Board hereby certifies that it has evaluated safety, class size reduction and information technology needs in developing the project list contained in this ballot proposition.

Independent Citizens' Oversight Committee. The Board shall establish an Independent Citizens' Oversight Committee pursuant to Education Code Section 15278 and following to ensure bond proceeds are expended only on the projects listed in this ballot proposition. The committee shall be established within 60 days of the date when the results of the election appear in the minutes of the Board.

Performance Audits. The Board shall conduct an annual, independent performance audit to ensure that the bond proceeds have been expanded only on the projects listed in this ballot proposition.

Financial Audits. The Board shall conduct an annual, independent financial audit of the bond proceeds until all of those proceeds have been spent for the projects listed in this ballot proposition.

Special Bond Proceeds Account: Annual Report to Board. Upon approval of this proposition and the sale of any bonds approved, the Board shall take actions necessary to establish an account in which proceeds of the sale of bonds will be deposited which will be a Building Fund to be held by the San Bernardino County Treasurer, as required by the California Education Code.

ADDITIONAL SPECIFICATIONS

Terms of the Bonds. The bonds may be issued and sold in several series in accordance with the financing plan determined by the Board of Education. Bonds may be issued pursuant to the Education Code or the Government Code in the discretion of the Board of Education at interest rates not exceeding the legal limits.

Limit on Use of Bond Proceeds. Proceeds from the sale of bonds authorized by this proposition may be used only for the construction, reconstruction, rehabilitation or replacement of school facilities including the furnishing and equipping of school facilities or acquisition or lease of real property for school facilities and not for any other purpose, including teacher and administrator salaries not related to oversight of the projects to be constructed with the bonds and other school operating expenses. Proceeds of the bonds may be used to pay or reimburse the District for the cost of District staff when performing work on or necessary and incidental to the projects being financed.