

Citizens' Oversight Committee (COC) *Overview*

CITIZENS' OVERSIGHT COMMITTEE
UPDATED JANUARY 19, 2021

Legal obligation

On November 7, 2000, California voters approved Proposition 39, also known as the *Smaller Classes, Safer Schools and Financial Accountability Act*

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 the oversight of bond expenditures; and that members of the oversight committee alert the public to any waste or improper expenditure of school construction bond money

Legal obligation

Assembly Bill 1908 provided additional requirements to Proposition 39

These requirements included provisions requiring school districts that are successful in Proposition 39 bond elections to establish and appoint a Citizens' Oversight Committee (COC)

The COC

Appointed by the PSUSD Board of Education

Consist of seven (7) members

- One (1) member who is active in a business organization represents the business community located within the district
- One (1) member who is active in a senior citizen's organization
- One (1) member who is active in a bona fide taxpayer organization
- One (1) member who is a parent or guardian of a child enrolled in the district; and
- One (1) member who is a parent or guardian of a child enrolled in the district and active in a parent-teacher organization, including PTA, PTG, or SSC
- Two (2) at-large members

The COC

Purpose and Responsibilities

- The purpose of the COC is to inform the public, at least annually in a written report, concerning the expenditure of Bond proceeds from the corresponding Bond election
 - Actively review the report on the proper expenditure of bond funds
 - Advise the public as to whether the district is in compliance with the requirements of Article XIII A, Section 1 (b)(3) of the California Constitution, which provides that:
 - 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 the corresponding election

The COC

Purpose and Responsibilities- continued

- Advise the public as to whether the district is in compliance with the requirements of Article XIII A, Section 1 (b)(3) of the California Constitution, which provides that:
 - No bond proceeds are used for any non-construction related teacher or administrative salaries or other non-construction related school operating expenses;
 - Annual independent performance audits must be performed by an independent consultant selected by the district, and
 - Annual independent financial audits must be performed by an independent consultant selected by the district

The COC

Limitations on Activities

- The COC 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
- The COC does not have the authority, once the Bonds are issued and sold, to determine how the Bond funds shall be expended
- The members of the COC do not have the authority to solicit, select or participate in the negotiation or bid process for contractors or consultants for the Bond financed projects
- The members of the COC 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

The COC

Limitations on Activities- continued

- The COC, 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
- The COC, and its members may not contact District consultants or contractors without the prior permission of the Superintendent
- No employee or official of the district shall be appointed to the citizens' oversight committee. No vendor, contractor, or consultant of the district shall 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

The COC

Technical Support

- The Board, without any use of Bond proceeds, shall provide the COC with:
 - All reasonably necessary technical assistance and reasonable administrative assistance in furtherance of the COC purpose, and
 - Sufficient resources to publicize the COC conclusions, all documents received by the COC, minutes from COC meetings and reports issued by the COC
 - The Board shall have the discretion to determine what type, manner or means of technical and administrative assistance is necessary to assist the COC in achieving its purpose
 - The Board may also appoint or designate District staff to provide reasonable technical and administrative assistance to the COC. The Board shall also consider any recommendations or suggestions made by the members of the COC regarding the technical and administrative support

The COC

Administrative Support

- Administrative support provided by District staff to the COC shall include all of the following:
 - Preparing, mailing and posting agendas
 - Preparing and posting agendas and minutes
 - Arranging for meeting locations
 - Maintaining accurate records

The COC

COC Norms

- Attend each COC meeting
- Actively participate in conversations
- Ask questions
- Be positive ambassadors of the COC and PSUSD in our community

Thank you for your service

Volunteers do not necessarily have the time; they just have the heart.- Elizabeth Andrew