

**SAN LEANDRO UNIFIED SCHOOL DISTRICT
CITIZENS' OVERSIGHT COMMITTEE**

BYLAWS FOR MEASURE I

(2/3 Vote Education Parcel Tax - Approved November 6, 2018)

Adopted by the Board of Education of the District on March 10, 2020

Section 1. Committee Established. The San Leandro Unified School District (the "District") hereby establishes the "Citizens' Oversight Committee for Measure I" (the "Committee").

Section 2. Background. Measure I was approved by District voters on November 6, 2018 pursuant to a 2/3 vote of District voters, authorizing the levy of an education parcel tax of \$39 per parcel per year. Measure I includes a covenant to establish the Committee to be charged with the responsibility of annually reviewing the expenditures of proceeds of the education parcel tax to ensure such funds have been spent for the specific purposes set forth in Measure I. Such Committee is charged with the task of meeting and reviewing parcel tax expenditures and making public its findings relating thereto.

Section 3. Duties. The Committee shall perform only the following duties:

- (a) **Meet.** The Committee shall meet at least one time per year during the period that Measure I is being levied. Meetings shall take place in a meeting room provided by the District. Annual meeting shall occur in the month of October, or shortly thereafter as determined by the District and Committee members. The first committee meeting shall be in the 2020-21 school year to review 2019-20 parcel tax finances. An additional meeting, for a total of up to two meetings per year, may be called by the Committee to the extent necessary to discharge its duty. Meetings shall be open to the public and shall follow an agenda. The agenda and notice of the meeting shall be posted by the District at least 72 hours prior to the meeting in accordance with standard District practices of noticing District meetings. A quorum is required to conduct a meeting. The duty to meet shall terminate at such time that the receipt and expenditure of Measure I revenues has been completed in accordance with Section 14.
- (b) **Review Expenditures.** At meetings, the Committee shall receive an annual summary report from District officials regarding parcel tax revenues and expenditures made during the prior year, detailing the amount and purpose of the expenditures. The purpose of this review is to ensure that parcel tax proceeds were expended only for the purposes set forth in the text of Measure I as presented to District voters. Said purposes are set forth as Attachment 1 hereto.
- (c) **Record Conclusions and Make Available to the Public.** Minutes shall be taken during the meeting. At the conclusion of the meeting, the Chair of the Committee shall take a vote of Committee members as to whether the District has spent parcel tax proceeds only on voter approved projects.

The votes of the Committee members shall be recorded in the minutes. If the majority view of the Committee is that expenditures have been out of compliance with Measure I, specific findings shall be documented in the minutes, and District officials shall respond to such findings at a subsequent meeting of the Committee which shall occur on or about one month after the meeting at which such findings were made. Minutes of the meeting of the Committee shall be posted on the District's web site to ensure the public can review the proceedings and the conclusions of the Committee.

Section 4. Limited Role of Committee. The Committee's duties are to meet and review parcel tax proceed expenditures. This is a post-expenditure review. The Board of Education retains the power and responsibility to select and direct the purposes for which parcel tax revenues are to be spent. The Committee only reviews parcel tax proceeds, not other District funding sources.

Section 5. Authorized Activities. The Committee may request a tour of financed projects or facilities by District staff. The tour can be scheduled at times other than the annual meeting of the Committee, or, the Annual Meeting may be adjourned to a tour of the facilities.

Section 6. Membership. The Committee shall be composed of at least five members of the community at large. Members must be at least 18 years of age. Members may not be District employees, officials, vendors, contractors or consultants, or immediate family members of such persons. Residency within District boundaries is not required to serve on the Committee, although preference may be given to District residents. The members of the Committee shall nominate and agree on a Chair to facilitate the conduct of meetings and report on the Committee's findings.

Members of the Committee shall not be financially interested in District contracts within the meaning of State law, or engage in any activity for compensation that is in conflict with such member's duties. The Committee is established to confirm the lawful expenditure of parcel tax proceeds. Committee members are not public officials of a government agency with decision-making authority within the meaning of the Political Reform Act of 1974, and the Committee is not a decision-making authority. By accepting appointment to the Committee, each member agrees to comply with the Committee Ethics Policy attached as Attachment 2 to these Bylaws.

Section 7. Term of Members. Each member shall serve on the Committee for an initial term of three years. Members may apply to the Board of Education for an additional term of three years, for a total of two consecutive terms (six years of service).

Section 8. Appointment of Members. (a) The District shall notify the public through its customary forums that it is accepting applications for Committee members, which may include posting at school sites and posting notice on the District's website; (b) applications shall be made available at the District office and/or through the District's web site; (c) the Superintendent will review the applications which have been submitted by the stated deadline; and (d) the Superintendent will make recommendations to the Board with respect to appointment appointments shall be made by the Board of Education and recorded in the Board minutes.

Alternatively, the Board of Education may designate an existing oversight committee, such as a Citizens' Bond Oversight Committee (CBOC), to fulfill the duties and responsibilities of the Measure I Parcel Tax Community Oversight Committee. If this option is used, the terms of the Parcel Tax Citizens Oversight Committee members shall be aligned with CBOC terms.

Section 9. Removal or Resignation of Members. The Board may remove any Committee member for cause, which includes failure to attend two consecutive Committee meetings or for failure to comply with the Committee Ethics Policy. Members may resign from the Committee, and in such event, shall provide the District with prompt written notice of said resignation. The District shall make best efforts to fill vacancies prior to the next meeting.

Section 10. No Compensation. The Committee members shall not be compensated for their services. Membership is a voluntary community service and no financial benefits are to be obtained by membership on the Committee.

Section 11. Reports. The Committee shall produce one written report annually on its findings that reflects the majority view of the members as to whether Measure I proceeds have been spent for voter-approved purposes. The written report, together with minutes of meetings, shall be posted on the District's web site under a link to the Measure I Parcel Tax. The Board of Education may request that the Chair report on Committee findings to the Board of Education at a meeting of the Board of Education. In lieu of a written report, the minutes of the Committee meetings may reflect a vote that records a determination by the Committee that expenditures have been within the scope of Measure I.

Section 12. Officers. At the first meeting of the Committee, a Chair and a Vice Chair shall be selected by majority vote. The Chair shall call meeting to order, take roll call, and follow the meeting agenda. The Vice Chair shall perform these duties in the absence of the Chair. District staff shall take minutes during the meeting and make them available to Committee members following the meeting. Minutes shall be approved at the next meeting.

Section 13. Amendment of Bylaws. These Bylaws may be amended by the Board of Education of the District. Any amendment to these Bylaws shall be approved by a majority vote of the Board.

Section 14. Termination. The Committee shall automatically terminate and disband at the time that the District reports that Measure I has expired and all Measure I proceeds have been spent, the District has provided its final expenditure report to the Committee and the Committee has provided its final consensus view on spending of Measure I funds in accordance with Measure I.

ATTACHMENT 1

SHORT FORM OF MEASURE I:

“To restore funding previously approved by voters to protect the quality of education in local schools, provide high quality programs in math, science, technology, arts, and skilled trades that prepare students for success in college/careers, and attract/retain highly qualified teachers, on an ongoing basis shall the San Leandro Unified School District levy \$39 per parcel, raising \$745,000 annually, with annual cost of living adjustments, an exemption for seniors, independent citizen oversight, and no money for administrator salaries?”

PURPOSES

To provide local revenue that cannot be taken by the State and to maintain high-quality public education in schools in the District, the District proposes to levy and collect an education parcel tax annually and to implement accountability measures in connection with the education parcel tax and to provide oversight and accountability to ensure that funds are used only for the following specific purposes:

- Attracting and retaining qualified teachers,
- Supporting core academic math, science and reading programs,
- Providing for student safety,
- Maintaining and providing classroom computers and instructional technology,
- Maintaining art and music programs,
- Maintaining class sizes, and
- Maintaining programs in career technical education for students who want to learn a skilled trade

The District’s Board of Education (“Board”) will not fund any program other than those listed above from the proceeds of the education parcel tax.

ATTACHMENT 1

CITIZENS' OVERSIGHT COMMITTEE ETHICS POLICY STATEMENT

This Ethics Policy Statement provides general guidelines for Committee members in carrying out their responsibilities. Not all ethical issues that Committee members face are covered in this Statement. However, this Statement captures some of the critical areas that help define ethical and professional conduct for Committee members. The provisions of this Statement were developed from existing laws, rules, policies and procedures as well as from concepts that define generally accepted good business practices. Committee members are expected to strictly adhere to the provisions of this Ethics Policy.

POLICY

- A Committee member shall not engage in activities which make or influence a District decision related to contracts payable from bond proceeds, or any construction project which will benefit the Committee member financially, or benefit an immediate family member, such as a spouse, child or parent.
- A Committee member shall not use his or her position on the Committee to negotiate future employment with any person or organization that engages in contracts or construction projects funded by bond proceeds.
- A Committee member shall abide by all legal and ethical requirements of Committee membership, and the applicable policies, procedures, rules and regulations of the San Leandro Unified School District.
- A Committee member shall place the interests of the District above any personal or business interest of the member.