

SAN MATEO UNION HIGH SCHOOL DISTRICT  
Office of the Superintendent

**MEASURE M CITIZENS' OVERSIGHT COMMITTEE**

**CHARTER**

Established January 18, 2007

Pursuant to provisions of the *Strict Accountability in Local School Construction Bonds Act of 2000*, the Board of Trustees is required to establish and appoint an independent citizen's oversight committee of the Measure M Bond passed by the voters in November 2006 with the following provisions:

**Purpose and Activities of the Committee**

The purpose of the Committee shall be to inform the Board of Trustees and the public concerning the expenditure of the Measure M Bond proceeds, thus ensuring that interests of the voters are represented on authorized projects funded by the Measure M Bond and that the District is appropriately and professionally applying the bond funds in accord with its promise to voters to modernize facilities that will provide safe, healthy environments for teaching and learning. Per the District, each member will be assigned and share joint responsibility for monitoring 2-3 schools.

The Committee is charged by statute and by the Board of Trustees with the following oversight responsibilities:

- Review and report to the Board of Trustees, at least once annually, on the proper expenditure of Measure M bond money to assure the public and the Board of Trustees that there is no waste of Measure M bond money;
- Ensure that bond revenues are expended only for the purposes described in the Measure M Projects List provided to voters for the construction, reconstruction, rehabilitation, or replacement of school facilities, including the furnishing and equipping of school facilities or lease of real property and/or school facilities; and
- Ensure that no funds are used for any teacher or administrator salaries or other school operating expenses.

As the legally-elected representatives of the voters, the Board of Trustees, on the advice of the Superintendent, must make all decisions relating to how Measure M bond funds are spent, including the scope and design of the projects; cost, priority, and timeline for completion of projects; and all other matters necessary in connection with the District's modernization program. The Board values the Committee's input on these matters as an advisory body.

## **Authorized Activities of the Committee**

By statute and in furtherance of its purposes, the Committee is authorized to engage in any of the following activities:

- Review of the annual, independent performance audit of Measure M conducted by the District for the purpose of ensuring that the bond funds have been expended only on the specific Measure M Projects List;
- Review the annual, independent financial audit of Measure M conducted by the District of the proceeds from the sale of the bonds until all of the proceeds have been expended for the Measure M projects;
- Review the deferred maintenance proposals or plans developed by the District;
- Review the District's efforts to maximize bond revenues, including District's recommendations and mechanisms designed for cost savings in design, joint use facilities, etc.

## **Limitations on the Committee's Responsibilities**

In order to ensure that the Committee does not exceed its role, which is to monitor bond expenditures and inform the public about the use of bond proceeds, the following limitations are imposed by the Board of Trustees on the Committee:

- The Committee has no authority to participate in the District's sale of the bonds or issuance process or to make decisions regarding the timing, terms, or structure of bond issuance.
- The Committee does not have the authority, once bonds have been sold and issued, to determine how bond funds will be spent; e.g., changes to construction contracts (change orders) – only to review and report to the Board and to the Public that they are being spent in accord with the District's promise to the voters. Committee members do not have the authority to select or participate in the negotiation or bid process for construction managers, architects, contractors, or consultants for bond projects.
- To ensure safety for all concerned, prior to a Committee member(s) visiting secured construction sites, visits must be arranged in advance with the Superintendent.
- Should a Committee member(s) wish to contact school district contractors or consultants, the member(s) does so as a citizen and not as a representative of the District.

## **Composition of the Committee**

By statute, the Committee shall consist of at least seven members to serve for a term of two years without compensation and for no more than two consecutive terms.

The Committee must include:

- One member who is active in a business organization representing the business community located within the school district;
- One member active in a senior citizens' organization;
- One member who is the parent or guardian of a child enrolled in the school district;

- One member who is both a parent or guardian of a child enrolled in the school district and active in a parent-teacher organization; and
- One member who is active in a bona fide taxpayers' organization.

In addition to the above minimum requirements, the Committee may include more than seven members. In order to provide flexibility, the Measure M Citizens' Oversight Committee shall consist of not less than eight and no more than twelve members.

The Committee may not include any employee or official of the school district or any vendor, contractor, or consultant of the school district.

The Committee will elect a chairperson at its first meeting. The District will provide the services of a recorder to maintain minutes of meetings. In accord with the statute, the District shall not expend bond funds to compensate technical and/or staff support to the Measure M Citizens' Oversight Committee.

### **Procedures for Appointment of Committee**

The Board of Trustees will appoint the Measure M Citizens' Oversight Committee initially, and appoint replacements as vacancies arise, upon a recommendation of the Superintendent, from among individuals who have been recommended to the Superintendent by parent and community leaders and/or who have communicated to the Superintendent a strong interest in serving on the Committee. In order to fill any vacancies, outreach from the District will include, but not be limited to, an announcement on the website and/or through the media.

No vacancy will prevent the Measure M Citizens' Oversight Committee from meeting and conducting its business.

### **Removal of Measure M Citizens' Oversight Committee Member(s)**

The Board of Trustees will establish rules for removing Measure M Citizens' Oversight Committee members. Members will be subject to removal by the Board of Trustees for missing three regularly-scheduled meetings of the Measure M Citizens' Oversight Committee (unless there are unusual or extenuating circumstances to explain the absence), for failure to meet deadlines of assignments, for any action that constitutes the sale or provision of any goods or services to the District, for obtaining employment with the District, or for any other circumstance or action that would disqualify the member from serving on the Measure M Citizens' Oversight Committee under statute and these guidelines. The Measure M Citizens' Oversight Committee may recommend to or request of the Board of Trustees that it remove a member on any of these grounds.

### **Time Commitment of the Committee**

Meetings of the Measure M Citizens' Oversight Committee will occur bimonthly, in the evening, and will not normally exceed more than two (2) hours in length. Additionally, the Measure M Citizens' Oversight Committee shall conduct a general tour of the District's Measure M project sites to observe firsthand the progress of the Measure M bond projects. It is anticipated that tours will be conducted on two Saturdays (half day each), at least annually.

### **Notice of Meetings; Minutes**

Regular meetings of the Measure M Citizens' Oversight Committee are open to the public and governed by the Ralph M. Brown Act. The public is to be made aware of meeting dates and proceedings via an internet website. Minutes of the meetings and all documents received and reports issued by the Measure M Citizens' Oversight Committee are a matter of public record. Minutes and Committee reports shall be communicated to the public on the website and remain posted thereon for twelve months after which time they will be available to the public in the Office of the Superintendent.

### **Statutes Governing the Measure M Citizens' Oversight Committee**

Legal authority for formation and duties of the Measure M Citizens' Oversight Committee are found in California State Education Code Sections 15264 and 15278-82.

Adopted by the Board of Trustees, January 18, 2007