

**CONCEPTS AND ROLES**

The Board of Education recognizes that one of its major responsibilities is to provide healthful, safe and adequate facilities that enhance the instructional program. The Board shall endeavor to make the provision of adequate school facilities a priority in the District. Because the schools serve as a focal point for the community, the Board shall also strive to ensure that District facilities fit harmoniously and attractively into their neighborhoods and have flexibility of design to meet future educational and community needs.

*(cf. 9000 - Role of the Board)*

The Board shall strive to have a school facilities master plan in place which is periodically reviewed to align with the District's educational goals. In accordance with this plan, the Board shall:

1. Approve major additions or alterations to existing infrastructure
2. Determine what new buildings should be built, when and where, and how they should be equipped
3. Determine the method(s) of financing that will be used

*(cf. 7210 - Facilities Financing)*

4. Select and acquire school sites for future expansion

*(cf. 7150 - Site Selection and Development)*

5. Approve the selection of architects, structural engineers and related professional services firm

*(cf. 7140 - Architectural and Engineering Services)*

6. Award contracts for design and construction

7. Name schools and individual buildings

*(cf. 7310 - Naming of Facility)*

8. Advocate school facility needs to the community

*(cf. 7110 - Facilities Master Plan)*

*(cf. 7131 - Relations with Local Agencies)*

**CONCEPTS AND ROLES** (continued)

The Superintendent or designee shall:

1. Assess the District's short- and long-term facility needs
2. Direct the preparation and updating of the annual facilities plan
3. Oversee the preparation of bids and award of contracts

*(cf. 3311 - Bids)*

4. Supervise the implementation of the District's building program in accordance with the master plan, Board policy, and state and local requirements, including collaboration with the architect and contractor on the construction of new facilities and modernization of existing facilities
5. Represent the District in official governmental interactions related to the building program

*Legal Reference:*

EDUCATION CODE

*17211-17224 General provisions (school sites)*

*17260-17268 Plans of schoolhouses*

*17280-17316 Approval of plans and supervision of construction*

*17340-17343 Building of schoolhouses*

*17350-17360 Factory-built school buildings*

*17365-17374 Fitness of buildings for occupancy; liability of board members*

*17400-17429 Leasing of school buildings*

CODE OF REGULATIONS, TITLE 5

*14000 Policy declaration*

*14001 Minimum standards*

*14010 Procedure for site acquisition*

*14030 Preliminary procedure, planning and approval of school facilities*

*14031-14032 Submissions to bureau of school facilities planning; approval*

**FACILITIES MASTER PLAN**

The Superintendent or designee shall develop and maintain a master plan for District facilities. This plan shall describe the District's anticipated school facilities needs and priorities. It will also identify funding sources and timelines for building. The plan shall be reviewed at regular intervals specified within the plan.

The plan shall be based on an assessment of the District's short- and long-term facility needs, giving consideration to:

1. Current and projected school enrollments for each grade level, based on residential housing growth patterns in accordance with city/county general plans and other demographic factors
2. The District's educational goals

*(cf. 0200 - Goals for the School District)*

3. Current and projected educational program requirements
4. Student safety and welfare
5. An evaluation of existing buildings and needs for modernization and renovation

*(cf. 7111 - Evaluating Existing Buildings)*

6. State planning standards and local zoning requirements
7. The community's social, economic and political characteristics
8. Estimated costs associated with meeting the District's facility needs

The Superintendent or designee shall ensure that staff, parents/guardians, students, and business and community representatives are kept informed of the need for facilities construction or modernization. The Superintendent or designee is empowered to establish a facilities committee that would meet at regular intervals in order to give community members opportunities to provide input into the long-term planning process.

*(cf. 1220 - Citizen Advisory Committees)*

**FACILITIES MASTER PLAN** (continued)

To ensure that proposed facilities conform with all state planning standards and local zoning requirements, the Superintendent or designee shall consult architectural and engineering firms, utility companies, local governmental and planning agencies, the county office of education, the California Department of Education, the Division of the State Architect and the Office of Public School Construction. Assistance from colleges and universities, planning laboratories and private consulting firms shall be authorized when necessary to augment District staff resources.

*Legal Reference:*

EDUCATION CODE

17017.5 Approval of applications for projects

17251 CDE standards and advice

17260-17268 Plans of schoolhouses, especially:

17264 Plan requiring accommodation for child care programs

17280-17316 Approval of plans and supervision of construction

17365-17374 Fitness for occupancy

17405 Relocatable structures; lease requirements

35275 New school planning; cooperation with recreation and park authorities

CODE OF REGULATIONS, TITLE 5

14001 Minimum standards

14030-14037 Standards, planning and approval of school facilities

UNITED STATES CODE, TITLE 42

12101 et seq. Americans with Disabilities Act

CODE OF FEDERAL REGULATIONS, TITLE 28

35 New construction or alteration of existing facilities

**EVALUATING EXISTING BUILDINGS**

The Superintendent or designee shall periodically evaluate the adequacy, design, and conditions of existing District facilities to determine whether they meet the needs of the instructional program and provide a healthful and pleasing environment for students and staff. He/she also shall determine whether District facilities fulfill legal requirements for safety and structural soundness, access for the disabled, and energy conservation.

*(cf. 0410 - Nondiscrimination in District Programs and Activities)*

*(cf. 3511 - Energy and Water Conservation)*

*(cf. 3514 - Environmental Safety)*

*(cf. 3515 - Campus Security)*

*(cf. 3516 - Emergencies and Disaster Preparedness Plan)*

*(cf. 3517 - Facilities Inspection)*

In addition, the Superintendent or designee shall regularly calculate the capacity of existing school buildings to adequately house the District's current students and projected enrollments.

Any identified needs for repair, modernization, or construction shall be incorporated into the District's facilities planning process.

*(cf. 7110 - Facilities Master Plan)*

**Structural Safety**

In the event that the Department of General Services or any licensed structural engineer or licensed architect finds and reports to the Board of Education that a District building is unsafe for use, the Superintendent or designee shall immediately obtain an estimate of the cost of repairs or reconstruction necessary to bring the building up to legal standards for structural safety. The Board shall establish a system of priorities for the repair, reconstruction, or replacement of unsafe school buildings. (Education Code 17367)

**Energy Efficiency**

To the extent that services are available, the Superintendent or designee shall arrange for the energy audit of school buildings to identify the type and amount of work necessary to retrofit buildings and obtain an estimate of projected energy savings. The District may contract with qualified businesses capable of retrofitting these buildings, and may borrow funds that do not exceed the amount of energy savings to be accumulated from the improvement of the buildings. (Education Code 17651-17653)

*Legal Reference: (see next page)*

**EVALUATING EXISTING BUILDINGS (continued)**

*Legal Reference:*

EDUCATION CODE

17070.10-17077.10 *Leroy F. Greene School Facilities Act of 1998 especially:*

17071.10-17071.40 *Existing school building capacity*

17280-17316 *Building approvals*

17365-17374 *Fitness for occupancy*

17650-17653 *Retrofitting school facilities for energy conservation*

GOVERNMENT CODE

53097 *Compliance with city or county ordinances*

53097.5 *Inspection of schools by city or county*

CODE OF REGULATIONS, TITLE 2

1859-1859.106 *Regulations relating to the Leroy F. Greene School Facilities Act of 1998*

*Management Resources:*

CSBA PUBLICATIONS

*Maximizing School Board Governance: School Facilities Management*

WEB SITES

CSBA: <http://www.csba.org>

California Department of Education, School Facilities Division: <http://www.cde.ca.gov/ls/fa>

California Energy Commission, Bright Schools Program: <http://www.energy.ca.gov/efficiency/brightschoools>

Coalition for Adequate School Housing: <http://www.cashnet.org>

Department of General Services, Office of Public School Construction: <http://www.dgs.ca.gov/opsc>

**RELATIONS WITH LOCAL AGENCIES**

The Board of Education recognizes the importance of two-way communication with other local agencies in order to provide the best possible school facilities and make the best use of school construction funds. The Board shall consult and coordinate with local agencies as required by law and whenever the expertise of these agencies can assist the District in the planning, design and construction of facilities.

*(cf. 7150 - Site Selection and Development)*

The Superintendent or designee shall monitor land development proposals within District boundaries and shall ensure that an exchange of accurate information with city/county planning staff regarding the impact of land development on the District's educational programs and facility needs is maintained.

*(cf. 7150 - Site Selection and Development)*

*(cf. 7210 - Facilities Financing)*

*(cf. 7211- Developer Fees)*

Recognizing that available funds may not suffice to eliminate overcrowding in District schools caused by new development, the Board urges the city/county to adopt in its general plan, or other appropriate planning documents, a provision which ensures that adequate school facilities will be available to the extent permitted by law.

**Impact Ordinances**

The Board shall notify the city council or county board of supervisors whenever it finds, based on clear and convincing evidence: (Government Code 65971)

1. That conditions of overcrowding exist in one or more attendance areas within the District which will impair the normal functioning of the educational programs, and the reason for the existence of those conditions
2. That all reasonable methods of mitigating conditions of overcrowding have been evaluated and no feasible method for reducing those conditions exist

The above notice shall specify the mitigation measures considered by the District and shall include a completed application to the Office of Public School Construction for preliminary determination of eligibility for school construction under applicable state law. (Government Code 65971)

*Legal Reference:(see next page)*

**RELATIONS WITH LOCAL AGENCIES** (continued)

*Legal Reference:*

EDUCATION CODE

17280-17316 Approval of plans and supervision of construction

35275 New school planning; cooperation with recreation and park authorities

GOVERNMENT CODE

53090-53097.5 Compliance with city or county regulations

65300-65307 Authority for and scope of general plans

65850-65863.9 Adoption of regulations, especially

65860 Consistency of zoning ordinances with general plan

65970-65981 School facilities, especially:

65995-65997 Developer fees

PUBLIC RESOURCES CODE

21000-21177 California Environmental Quality Act of 1970

CODE OF REGULATIONS, TITLE 5

14010 Procedure for site acquisition

CODE OF REGULATIONS, TITLE 14

15000-15282 Implementation of California Environmental Quality Act of 1970

**ARCHITECTURAL AND ENGINEERING SERVICES**

In order to ensure safe construction and protect the investment of public funds, the Board of Education requires that a licensed and certified architect or structural engineer be employed to design and supervise the construction of District schools and other facilities.

The Superintendent or designee shall devise a competitive process for the selection of architects and structural engineers that is based on demonstrated competence and on the professional qualifications necessary for the satisfactory performance of the services required. For each project, he/she shall recommend specific architectural and engineering firms to the Board. The Board shall pay fair and reasonable amounts warranted by the provider's qualifications and competence. Public contract code requirements on bidding do not pertain to contracts for such professional services.

*(cf. 3311 - Bids)*

*Legal Reference:*

EDUCATION CODE

*17070.50 Conditions for apportionment*

*17280-17316 Approvals, especially:*

*17302 Persons qualified to prepare plans, specifications and estimates and supervise construction*

*17316 Contract provision re school district property*

*17371 Limitation on liability of governing board*

GOVERNMENT CODE

*4525-4529.5 Contracts with private architects, engineering, land surveying, and construction project management firms*

*14837 Definition of small business*

*87100 Public officials; financial interest*

PUBLIC CONTRACT CODE

*20111 School district contracts*

**SITE SELECTION AND DEVELOPMENT**

The Board of Education believes that a school site should serve the District's educational needs in accordance with the District's master plan and also show potential for contributing to other community needs. The Board will solicit community input whenever a school site is to be selected.

*(cf. 7110 - Facilities Master Plan)*  
*(cf. 1220 – Citizen Advisory Committee)*  
*(cf. 9320 Meetings and Notices)*

The Superintendent or designee shall establish a site selection process that complies with law and ensures that the best possible sites are acquired and developed at the least expense.

*(cf. 7140 - Architectural and Engineering Services)*  
*(cf. 7210 - Facilities Financing)*

Before acquiring property for a new school or an addition to an existing school site, the Board shall evaluate the property at a public hearing using state site selection standards. (Education Code 17211)

The Superintendent or designee is required to notify the California Department of Education when the District is leasing a site near an airport, and authorize the District to request information necessary to evaluate the safety of a proposed site from specified public and private entities, such as utility commissions.

*Legal Reference: (see next page)*

**SITE SELECTION AND DEVELOPMENT (continued)**

*Legal Reference:*

EDUCATION CODE

17006 Definition of self-certifying district

17024 Prior written approval of CDE for selection of school site or construction of building

17070.10-17077.10 Leroy F. Greene School Facilities Act of 1998

17211-17218 General provisions (school sites)

17251 Powers concerning buildings and building sites

17268 Compliance before construction

17565-17592 Board duties re management and control of school property

35271 Power to acquire and construct on adjacent property

35275 New school planning and design, re consultation with local recreation and park authorities

CODE OF CIVIL PROCEDURE

1263.710-1263.770 Remediation of hazardous substances on property to be acquired by school districts.

GOVERNMENT CODE

53094 Authority to render zoning ordinances inapplicable

65402 Acquisition or disposition of property

65995-65997 Developer fees

66455.9 Written notices of proposed public school site within development; investigation and report; conditions for acquisition

HEALTH AND SAFETY CODE

25300-25395.15 Hazardous Substances Accounts

44360 Risk assessment

PUBLIC RESOURCES CODE

21000-21177 Implementation of Environmental Quality Act

CODE OF REGULATIONS, TITLE 5

14001-14037 Minimum standards

CODE OF REGULATIONS, TITLE 14

15000-15209 Review and evaluation of EIRs and negative declarations

ATTORNEY GENERAL OPINIONS

82 Ops.Cal.Atty.Gen. 130 (1999)

*Management Resources:*

WEB SITES

CDE, School Facilities Planning Division: <http://www.cde.ca.gov/dmsbranch/sfpdiv>

Office of Public School Construction: <http://www.opsc.dgs.ca.gov/>

Policy  
adopted: June 4, 2001  
revised: June 5, 2006

**TORRANCE UNIFIED SCHOOL DISTRICT**  
Torrance, California

**SITE SELECTION AND DEVELOPMENT**

As part of the District's site selection process, the Superintendent or designee shall:

Meet with appropriate local government recreation and park authorities to review all possible methods of coordinating the planning, design, and construction of new school facilities and school sites or major additions to existing school facilities and recreation and park facilities in the community. (Education Code 35275)

*(cf. 7131 - Relations with Local Agencies)*

Notify the appropriate local planning agency in writing and request its report and recommendations regarding the proposed site or proposed addition's conformity with the adopted general plan. (Government Code 65402; Public Resources Code 21151.2)

Have the site investigated by competent personnel with regard to population trends, transportation, water supply, waste disposal facilities, utilities, traffic hazards, surface drainage conditions, and other factors affecting initial and operating costs. This investigation shall include geological and soil engineering studies to preclude locating the school on terrain that has the potential for earthquake or other geologic hazard damage as specified in Government Code 65302. (Education Code 17212-17212.5)

As necessary, request information necessary or useful to assess and determine the safety of a proposed school site, or an addition to an existing school site, from a person, corporation, public utility, locally publicly owned utility, or governmental agency regarding pipelines, electric transmission and distribution lines, railroads, and storage tanks in accordance with law. (Education Code 17212.2, 17251)

Ensure that the site meets state standards for school site selection as specified in 5 CCR 14010-14012.

Ensure compliance with the California Environmental Quality Act (CEQA) as required by law. (Public Resources Code 21000-21177)

If the proposed site is within two miles of the airline of an airport runway or proposed runway, before acquiring title to or leasing the site, notify the California Department of Education in writing. (Education Code 17215)

**SITE SELECTION AND DEVELOPMENT** (continued)

If the proposed site is within 500 feet of the edge of the closest traffic lane of a freeway or other busy traffic corridor, conduct an air quality analysis pursuant to Health and Safety Code 44360 and Education Code 17213 and determine that the air quality at the proposed site is such that neither short-term nor long-term exposure poses significant health risks to students. (Education Code 17213)

In the selection and development of projects funded pursuant to the School Facilities Program of 1998 (Proposition 1A) as contained in Education Code 17070.10-17077.10, the Superintendent or designee shall:

Determine whether the proposed site is free of toxic contamination by ensuring that a Phase I environmental assessment and/or preliminary endangerment assessment is conducted as required by law (Education Code 17213.1)

The Superintendent or designee shall ensure that the preliminary endangerment assessment is made available for public review and comment in accordance with Education Code 17213.1.

Annually submit a summary report of expenditures to the State Allocation Board in accordance with law (Education Code 17076.10)

Include in the plans a hard-wired connection to a public switched telephone network or utilization of wireless technology (Education Code 17077.10)

Establish a participation goal of at least three percent, per year, of the overall dollar amount expended each year by the district for disabled veteran business enterprises (Education Code 17076.11)

**DEVELOPER FEES**

In order to finance the construction or reconstruction of school facilities needed to accommodate students coming from new development, the Board of Education may establish, levy and collect developer fees on residential, commercial and industrial construction within the District, subject to restrictions specified by law and administrative regulation.

Appeals Process for Protests by Developers

The Superintendent or designee shall establish an appeals process for the handling of protests by developers. (Education Code 17621)

*Legal Reference:*

EDUCATION CODE

17070.10-17076.10 *Leroy F. Greene School Facilities Act of 1998*

17582 *District deferred maintenance fund*

17620-17626 *Levies against development projects by school districts*

GOVERNMENT CODE

6061 *One time notice*

*Two weeks' notice*

65352.2 *Level 2 funding notification requirement*

65864-65867 *Development agreements*

65995-65998 *Payment of fees against a development project*

66000-66008 *Fees for development projects*

66016-66018.5 *Development project fees*

66020-66025 *Protests and audits*

CODE OF REGULATIONS, TITLE 2

1859-1859.106 *School facility program*

COURT DECISIONS

*Dolan v. City of Tigard* (1994) 114 S.Ct. 2309

*Management Resources:*

WEB SITES

*Department of General Services, Office of Public School Construction: <http://www.dgs.ca.gov/opsc/>*

**GENERAL OBLIGATION BONDS**

The Board of Education desires to provide adequate facilities in order to enhance student learning and to help the District achieve its vision for educating District students. To that end, the Board may order an election on the question of whether bonds shall be issued for school facilities when, in the Board's judgment, it is advisable and in the best interest of District students.

*(cf. 1160 - Political Processes)*

*(cf. 7110 - Facilities Master Plan)*

*(cf. 7210 - Facilities Financing)*

**Bonds Requiring 55 Percent Approval by Local Voters**

The Board may decide to pursue the authorization and issuance of bonds by approval of 55 percent majority of the voters pursuant to Article 13A, Section 1(b)(3) and Article 16, Section 18(b) of the California Constitution. If two-thirds of the Board agree to such an election, the Board shall vote to adopt a resolution to incur bonded indebtedness if approved by a 55 percent majority of the voters. (Education Code 15266)

The bond election may only be ordered at a primary or general election, a statewide special election, or a regularly scheduled local election at which all of the electors of the school district are entitled to vote. (Education Code 15266)

Bonded indebtedness incurred by the District shall be used 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. (California Constitution Article 13A, Section 1(b)(3) and 1(b)(3)(A))

The proposition approved by the voters shall include the following accountability requirements: (California Constitution Article 13A, Section 1(b)(3))

1. A requirement that proceeds from the sale of the bonds be used only for the purposes specified above, as detailed in California Constitution Article 13A, Section 1(b)(3), and not for any other purposes including teacher and administrative salaries and other school operating expenses
2. A list of specific school facility projects to be funded and certification that the Board has evaluated safety, class size reduction, and information technology needs in developing that list

*(cf. 0440 - District Technology Plan)*

*(cf. 0450 - Comprehensive Safety Plan)*

*(cf. 6151 - Class Size)*

**GENERAL OBLIGATION BONDS** (continued)

3. A requirement that the Board conduct an annual, independent performance audit to ensure that the funds have been expended only on the specific projects listed
4. A requirement that the Board conduct an annual, independent financial audit of the proceeds from the sale of the bonds until all of those proceeds have been expended for the school facilities projects

**Bonds Requiring 66.67 Percent Approval by Local Voters**

Bonds shall be sold to raise money for the following purposes: (Education Code 15100)

1. Purchasing school lots
2. Building or purchasing school buildings
3. Making alterations or additions to school building(s) other than as may be necessary for current maintenance, operation, or repairs
4. Repairing, restoring, or rebuilding any school building damaged, injured, or destroyed by fire or other public calamity
5. Supplying school buildings and grounds with furniture, equipment, or necessary apparatus of a permanent nature
6. Permanently improving school grounds
7. Refunding any outstanding valid indebtedness of the District, evidenced by bonds or state school building aid loans
8. Carrying out sewer or drain projects or purposes authorized in Education Code 17577
9. Purchasing school buses with a useful life of at least 20 years
10. Demolishing or razing any school building with the intent to replace it with another school building, whether in the same location or in any other location

Except for refunding any outstanding indebtedness, any of the purposes listed above may be united and voted upon as a single proposition by order of the Board and entered into the minutes. (Education Code 15100)

*Legal Reference: (see next page)*

**GENERAL OBLIGATION BONDS (continued)**

*Legal Reference:*

EDUCATION CODE

7054 Use of district property, campaign purposes

15100-15254 Bonds for school districts and community college districts

15264-15288 Strict Accountability in Local School Construction Bonds Act of 2000

17577 Sewers and drains

47614 Charter school facilities

ELECTIONS CODE

324 General election

328 Local election

341 Primary election

348 Regular election

356 Special election

357 Statewide election

1302 School district election

15372 Elections official certificate

GOVERNMENT CODE

1090-1099 Prohibitions applicable to specified officers

1125-1129 Incompatible activities

8855 California Debt and Investment Advisory Commission

53580-53595.5 Bonds

54952 Definition of legislative body, Brown Act

CALIFORNIA CONSTITUTION

Article 13A, Section 1 Tax limitation

Article 16, Section 18 Debt limit

COURT DECISIONS

San Lorenzo Valley Community Advocates for Responsible Education v. San Lorenzo Valley Unified School District, (2006) 139 Cal.App.4<sup>th</sup> 1356

ATTORNEY GENERAL OPINIONS

88 Ops.Cal.Atty.Gen. 46 (2005)

87 Ops.Cal.Atty.Gen. 157 (2004)

*Management Resources:*

WEB SITES

CSBA: <http://www.csba.org>

CSBA, District and Financial Services, Proposition 39 Bond Performance Audit Program:

<http://www.csba.org/ds/prop39.cfm>

California Department of Education: <http://www.cde.ca.gov>

California Office of Public School Construction: <http://www.opsc.dgs.ca.gov>

**GENERAL OBLIGATION BONDS****Election Notice**

The Superintendent or designee shall ensure that election notice and ballot requirements are satisfied in accordance with Education Code 15120-15126 and 15272.

**Certificate of Results**

If it appears from the certificate of election results that the appropriate majority of the voters are in favor of issuing the bonds, the Board of Education shall cause an entry of that fact to be made in its minutes. The Board shall then certify to the board of supervisors of the county whose superintendent of schools has jurisdiction over the district all proceedings had in connection with the election results. (Education Code 15124, 15274)

*(cf. 9324 - Board Minutes and Recordings)*

**Resolution Regarding Sale of Bonds**

Following passage of the bond measure, the Board shall pass a resolution to issue the sale of bonds. The resolution shall prescribe the total amount of bonds to be sold and may also prescribe the maximum acceptable interest rate, not to exceed eight percent, and the time(s) when the whole or any part of the principal of the bonds shall be payable, which shall not be more than 25 years from the date of the bonds. (Education Code 15140)

Prior to the sale of bonds, the Board shall adopt, as an agenda item at a public meeting, another resolution, which includes all of the following items: (Education Code 15146)

1. Express approval of the method of sale
2. Statement of the reasons for the method of sale selected
3. Disclosure of the identity of the bond counsel, and the identities of the bond underwriter and the financial adviser if either or both are utilized for the sale, unless these individuals have not been selected at the time the resolution is adopted, in which case the Board shall disclose their identities at the public meeting occurring after they have been selected
4. Estimates of the costs associated with the bond issuance

After the sale, the Board shall be presented with the actual cost information and shall disclose that information at the Board's next scheduled meeting. The Board shall ensure that an itemized summary of the costs of the bond sale and all necessary information and reports regarding the sale are submitted to the California Debt and Investment Advisory Commission. (Education Code 15146)

**GENERAL OBLIGATION BONDS** (continued)

**Citizens' Oversight Committee**

If a District general obligation bond requiring a 55 percent majority is approved by the voters, the Board shall appoint an independent citizens' advisory oversight committee. This committee shall be appointed within 60 days of the date that the Board enters the election results in its minutes pursuant to Education Code 15274. (Education Code 15278)

The citizens' oversight committee shall consist of at least seven members including, but not limited to: (Education Code 15282)

1. One member active in a business organization representing the business community located within the District
2. One member active in a senior citizens organization
3. One member active in a bona fide taxpayers' organization
4. One member who is a parent/guardian of a child enrolled in the District
5. One member who is a parent/guardian of a child enrolled in the District and is active in a parent-teacher organization, such as the Parent Teacher Association or school site council

*(cf. 0420 - School Plans/Site Councils)*

*(cf. 1230 - School-Connected Organizations)*

No employee, official, vendor, contractor, or consultant of the District shall be appointed to the citizens' oversight committee. (Education Code 15282)

Members of the citizens' oversight committee shall serve for a term of two years without compensation and for no more than two consecutive terms. (Education Code 15282)

The purpose of the citizens' oversight committee shall be to inform the public concerning the expenditure of bond revenues. The committee shall actively review and report on the proper expenditure of taxpayers' money for school construction and shall convene to provide oversight for, but not limited to, the following: (Education Code 15278)

1. Ensuring that bond revenues are expended only for the purposes described in Article 13A, Section 1(b)(3) of the California Constitution including 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

**GENERAL OBLIGATION BONDS** (continued)

2. Ensuring that, as prohibited by Article 13A, Section 1(b)(3)(A) of the California Constitution, no funds are used for any teacher and administrative salaries or other school operating expenses

In furtherance of its purpose, the committee may engage in any of the following activities: (Education Code 15278)

1. Receiving and reviewing copies of the annual, independent performance audit required by Article 13A, Section 1(b)(3)(C) of the California Constitution
2. Receiving and reviewing copies of the annual, independent financial audit required by Article 13A, Section 1(b)(3)(D) of the California Constitution
3. Inspecting school facilities and grounds to ensure that bond revenues are expended in compliance with the requirements of Article 13(A), Section 1(b)(3) of the California Constitution
4. Receiving and reviewing copies of any deferred maintenance proposals or plans developed by the District, including any reports required by Education Code 17584.1
5. Reviewing efforts by the District to maximize bond revenues by implementing cost-saving measures including, but not limited to, the following:
  - a. Mechanisms designed to reduce the costs of professional fees
  - b. Mechanisms designed to reduce the costs of site preparation
  - c. Recommendations regarding the joint use of core facilities
  - d. Mechanisms designed to reduce costs by incorporating efficiencies in school site design
  - e. Recommendations regarding the use of cost-effective and efficient reusable facility plans

*(cf. 7110 - Facilities Master Plan)*

The Board shall, without expending bond funds, provide the citizens' oversight committee with any necessary technical assistance and shall provide administrative assistance in furtherance of the committee's purpose and sufficient resources to publicize the committee's conclusions. (Education Code 15280)

**GENERAL OBLIGATION BONDS** (continued)

All oversight committee proceedings shall be open to the public and noticed in the same manner as proceedings of the Board. Committee meetings shall be subject to the provisions of the Ralph M. Brown Act. (Education Code 15280; Government Code 54952)

*(cf. 1220 - Citizen Advisory Committees)*  
*(cf. 9320 - Meetings and Notices)*

The oversight committee shall issue regular reports, at least once a year, on the results of its activities. Minutes of the proceedings and all documents received and reports issued shall be a matter of public record and shall be made available on the District's web site. (Education Code 15280)

*(cf. 1340 - Access to District Records)*  
*(cf. 9324 - Minutes and Recordings)*

Members of the oversight committee shall be subject to prohibitions regarding incompatibility of office pursuant to Government Code 1125-1129 and financial interest in contracts pursuant to Government Code 1090-1098. (Education Code 15282)

*(cf. 9270 - Conflict of Interest)*

**Reports**

Within 30 days after the end of each fiscal year, the Board shall submit to the County Superintendent of Schools a report concerning any bond election(s) containing the following information: (Education Code 15111)

1. The total amount of the bond issue, bonded indebtedness, or other indebtedness involved
2. The percentage of registered electors who voted at the election
3. The results of the election, with the percentage of votes cast for and against the proposition

**NAMING OF FACILITY**

The Board of Education shall name schools or individual buildings in recognition of:

1. Individuals, living or deceased, who have made outstanding contributions to the county or community
2. Individuals, living or deceased, who have made contributions of state, national or worldwide significance
3. The geographic area in which the school or building is located

The renaming of existing schools or major facilities shall occur only under extraordinary circumstances and after thorough study.

**Memorials**

Upon request, the Board shall consider naming buildings, parts of buildings or athletic fields in honor of the contributions of students, staff members and community members who have been deceased for at least one year.

*Legal Reference:*

EDUCATION CODE

*35160 Authority of governing boards*