

OAKLAND UNIFIED SCHOOL DISTRICT

Board Bylaw

BB 9131

Advisory and Oversight Committees

Section 1 General Guidelines

1.1 Purposes

- 1.4.1 The Board shall establish advisory or oversight committees for the purpose of meeting legal requirements and to provide advice and involvement concerning matters of interest and welfare to the District. Advisory Committees shall focus their work on the goals and objectives of the District aligning work and recommendations to the Balanced Score Card. Oversight committees have specific mandates outlined in authorizing legislation or voter-approved bonds and parcel taxes. These committees are advisory to the Board of Education; the Board of Education retains final authority.
- 1.4.2 All meetings of Advisory and Oversight Committees are open to the public and shall have designated times for public comment.

1.2 Appointment, Term of Membership, and Attendance

- 1.2.1 Persons interested in serving on advisory committees shall submit an application and any documents that outline their qualifications for and commitment to serve on the advisory committee, such as a resume.
- 1.2.2 Information regarding openings for each advisory committee, the mission, and anticipated number of meetings for each advisory committee, and applications for committees shall be available from the Office of the Board of Education and the OUSD website.
- 1.2.3 Information regarding the mandate, membership, and meeting schedule for each advisory committee shall be available from the Office of the Board of Education and the OUSD website.
- 1.2.4 Unless otherwise specified, the attendance requirement for each committee shall provide that if a member misses two consecutive committee meetings without a valid excuse, as determined by the committee, the member shall be considered to have resigned.
- 1.2.5 Unless otherwise specified, the term of a committee member, shall be for a two-year period. Fifty percent of the members are to be appointed each year. In instances where all committee members are appointed simultaneously, the minority of members shall be appointed to one-year terms, and the majority of members shall be appointed to two-year terms.

- 1.2.6 Terms of committee members shall be limited to a total of six years or three full terms. Committee members are eligible for re-appointment after one year off the committee.
- 1.2.7 Advisory Committees, unless otherwise specified, shall expire on June 30th of the academic year in which the committee was formed unless extended by the Board. Advisory Committees shall be on hiatus during the month of July.
- 1.2.8 A decision regarding any replacement to fill vacancies shall be made by the Board, according to the application process outlined above, unless otherwise specified.

1.3 Size and Composition

- 1.3.1 Committees, unless otherwise specified, shall be limited to seven members. Individuals interested in serving on an advisory committee shall submit an application and any supporting documents such as a resume. All applications will be reviewed by the Superintendent or the Superintendent's designee. Recommendations for regarding members of each committee shall be forwarded to the Board of Education for review and approval.
- 1.3.2 The composition of advisory committees shall be representative of the following, unless otherwise specified:
 - the ethnic, age group, and socio-economic composition of the District;
 - the geography of the City;
 - the business community;
 - community organizations;
 - teachers, administrators, and other school employees;
 - parents;
 - students; and
 - labor organizations.

1.4 Operating Procedures

- 1.4.3 The specific function of the committee shall be determined by the Board resolution establishing the committee.
- 1.4.4 Each committee shall elect a chairperson, vice-chairperson, and secretary.
- 1.4.5 Written minutes shall be kept of all meetings held and shall record attendance and recommendations made. Copies of un-adopted minutes shall be forwarded to the Board and to the Superintendent within ten days after each meeting. Adopted minutes shall be made available to the public by posting on the OUSD website.
- 1.4.6 Copies of all recommendations shall be forwarded by separate letter to the Board and to the Superintendent within ten days after the meeting at which the recommendations were adopted by the committee.

1.4.7 The quorum for each meeting shall be fifty percent of the membership.

1.4.8 There shall be no proxy votes.

1.4.9 All advisory committees shall comply with the provisions of the Brown Act (Government Code 54950-54961).

1.4.10 Committee members shall not be compensated for their services.

1.5 Support Services

The Superintendent shall establish a liaison to each advisory committee and said liaison shall be responsible for providing support services as needed. A staff person designated by the Superintendent shall monitor all advisory committees on behalf of the Superintendent. The Superintendent shall publicize the availability of vacancies on advisory and oversight committees. The Superintendent shall inform the public of the appointment of members of advisory and oversight committees.

1.6 District Impact

To the extent possible, the liaison to each advisory committee shall provide a District Impact Statement on behalf of the Superintendent providing an analysis of the financial and programmatic impact of recommendations made by advisory committees.

1.7 Evaluation

If recommendations are enacted, the effectiveness of the recommendations shall be evaluated to determine if they are meeting the identified goals.

Section 2 Mandated Advisory or Oversight Committees

2.1 Advisory or oversight committees that are mandated by law, court decision, or regulation shall conform and operate in compliance with the legal requirements for the committee. Prior to the time at which the mandate of such an advisory or oversight committee ends, the Board shall determine if or in what form the committee shall continue to function.

Mandated committees include the Citizens' Bond Oversight Committee and the Measure G Parcel Tax Oversight Committee.

Measures A, B, and J Citizens Bond Oversight Committee

Date created: February 27, 2013; Resolution No. 1213-0103

Purpose: To provide advice and recommendation to the District regarding the expenditure of funds for bond related projects, to actively review and report on the proper expenditure of taxpayers' money for school construction and to take any necessary action in furtherance of its purpose including, but not limited to, receiving and reviewing copies of annual independent financial audits and deferred maintenance proposals, inspecting school facilities and grounds, receiving and reviewing cost-saving measures designed to reduce the costs of

professional fees and site preparation. The Committee shall have the option to tour sites where Bond funds are being expended, with support from the Superintendent.

Number of members: Nine (9)

Special selection process: Pursuant to Proposition 39 (2000), the Committee shall have at least nine members and shall include the following persons:

- One (1) member who is a parent or guardian of a child enrolled in the District.
- One (1) member active in a business organization representing the business community located in the District.
- One (1) member active in a senior citizen's organization.
- One (1) member active in a bona-fide taxpayers association.
- One (1) member who is both a parent and guardian of a child enrolled in the District and active in a parent-teacher organization, such as the Parent- Teacher Association or a school site council.
- At least three (3) members of the community-at-large appointed by the Board.

A single individual may be appointed as a representative of more than one of the above categories, if applicable. The District shall seek to ensure that the committee is representative of the diversity of the District.

Qualification Standards:

(a) To be a qualified person, he or she must be at least 18 years of age.

(b) The Bond Oversight Committee may not include any employee, official of the District, or any vendor, contractor, or consultant of the District.

(c) A majority of the members of the Committee shall possess expertise in one or more of the following areas:

- Large scale construction operations
- Municipal / Public finance matter
- Multiple years experience with agency/entity budgeting
- Construction related project management
- Real Estate acquisition or sales

Ethics: Conflicts of Interest. By accepting appointment to the Committee, each member agrees to comply with Articles 4 (commencing with Section 1090) and 4.7 (commencing with Section 1125) of Division 4 of Title 1 of the Government Code and Bylaw of the Board 9270.

Measure G Parcel Tax Oversight Committee

Date created: August 27, 2008 Resolution No. 0809-0043

Purpose: To inform the public concerning the expenditure of parcel tax revenues and to review and report on the proper expenditure of taxpayers' money generated by the 2009 Measure G parcel tax. The committee shall:

- Receive and review a report from the Superintendent no later than December 31st of each year that details: (1) the amount of Education Parcel Tax revenues received and expended in the prior year, including District reports and independent annual audit reports pertaining hereto; and (2) the status of any projects or descriptions of any program funded from proceeds of the tax.
- Produce an annual report on the preceding fiscal year expenditures for public distribution and distribution to the Board of Education not later than February 28th annually that communicates the Committee's finding as to whether tax proceeds are being spent for the purposes permitted by the Measure and recommendations, if any.

The Committee shall have the option to tour sites where Parcel Tax revenues are being expended.

Special Selection Process: The Committee shall consist of seven (7) members, and shall possess expertise in or represent the following:

- One member shall be the parent or guardian of a child enrolled in the District;
- One member shall be both a parent or guardian of a child enrolled in the District and active in a parent-teacher organization, such as the School Site Council or Parent Teacher Association;
- One member shall be a community member who does not currently have a child enrolled in the District
- One member shall be a representative of the business community; and
- At least two members shall have demonstrated financial expertise.

At least four members of the committee shall be property owners in the City of Oakland. A single individual may be appointed as a representative of more than one of the above categories, if applicable. The District shall seek to ensure the Committee is representative of the diversity of the District.

Section 3 Ongoing Advisory Committees

- 3.1 The Board shall designate clearly the purpose, scope of activities, and membership of other advisory committees.

Ongoing advisory committees include the Audit Committee. The Audit Committee is maintained at the recommendation of the Financial Crisis Management and Assistance Team as a best practice for highly functioning school districts.

Audit Committee

Date created: December 13, 2006; Board Policy 3461

Purpose: The responsibilities of the Audit Committee shall include but not be limited to the following:

1. Recommend to the Board for approval the independent auditors.

2. Review the independent audit engagement including the fee, scope and timing of the audit, and any other services to be rendered, including non-audit services.
3. Review with the independent auditor's district policies and procedures regarding internal auditing and internal accounting and financial controls.
4. Upon completion of their audit, review with the independent auditors the cooperation they received from district personnel during the audit, the extent to which district resources could be used to minimize the time spent on the audit, and any significant matters of concern arising from the audit.
5. Review with the independent auditors any significant transactions which are not a normal part of the district's business, any changes in accounting principles and practices, all significant proposed audit adjustments, and any recommendations that they may have for improving internal controls, choice of accounting principles or management systems.
6. Review with the district's financial and accounting staff district policies regarding internal accounting and financial controls.
7. Review and recommend district policies to the Board to prohibit unethical, questionable, or illegal activities by district employees.
8. Review with the internal auditor the organization and independence of the internal audit function; the goals and plans of internal audit including the nature and extent of work; problems and experiences in completing internal audits; and findings, conclusions, and recommendations as a result of internal audits.
9. Upon completion of the independent audit, review with the district's financial and accounting managers their perception of the independent auditors, any significant matters of concern arising from the audit, and the extent to which recommendations made by the independent auditors have been implemented.
10. Prepare semi-annual written reports to the Board relating the results of committee activities.

The Board of Education shall provide written guidance to the Audit Committee on an annual basis regarding those areas on which the Audit Committee should focus.

Number of members: Five (5): three (3) members from the community, two (2) members who serve on the Board of Directors. At least two community members shall possess expertise in internal and/or external audits, and/or management of a public school system.

Selection procedure: Community members shall apply consistent with the procedures outlined above. Board members shall be appointed by the President of the Board of Directors. One of the Board members shall be appointed by the President of the Board of Directors and confirmed by the Board to serve as the Chair of the Audit Committee.

Section 4 Task Forces of Limited Duration

- 4.1 The Board shall designate clearly the purpose, scope of activities, membership, and duration of task forces that are, by design, of limited duration.

Section 5 Committee Ethics Policy Statement

This Ethics Policy Statement provides general guidelines for all advisory and oversight 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

CONFLICT OF INTEREST. A Committee member shall not make or influence a District decision related to: (1) any contract funded by bond proceeds or (2) any construction project which will benefit the committee member's outside employment, business, or a personal finance or benefit an immediate family member, such as a spouse, child or parent.

OUTSIDE EMPLOYMENT. A Committee member shall not use his or her authority over a particular matter to negotiate future employment with any person or organization that relates to: (1) any contract funded by bond or parcel tax proceeds, or (2) any construction project. A Committee member shall not make or influence a District decision related to any construction project or contact with the District involving the interest of a person with whom the member has an agreement concerning current or future employment, or remuneration of any kind. For a period of two (2) years after leaving the Committee, a former Committee member may not represent any person or organization for compensation in connection with any matter pending before the District that, as a Committee member, he or she participated in personally and substantially. Specifically, for a period of two (2) years after leaving the Committee, a former Committee member and the companies and businesses for which the member works shall be prohibited from contracting with the District with respect to:

- (1) Bidding on projects funded by the bond or parcel tax proceeds; and
- (2) Any construction project.

COMMITMENT TO UPHOLD LAW. A Committee member shall uphold the federal and California Constitutions, the laws and regulations of the United States and the State of California (particularly the Education Code) and all other applicable government entities, and the policies, procedures, rules and regulations of the Oakland Unified School District;

COMMITMENT TO IMPROVEMENT OF DISTRICT. A Committee member shall place the interests of the District above any personal or business interest of the member.

3/13/13