

## **Chair Report and Recommendations**

### **Agenda Item: Review and comment on By Laws-CBOC Policy on Political Endorsements**

Date. October 11, 2012

Summary. The purpose of this agenda item is for the Bond Oversight Committee to adopt a Revised Set of Policy and Regulations to reflect three primary factors: 1) addition of language which emphasizes and strengthens the importance of the independent nature of our Committee 2) deletion of language which is inconsistent or not compliant with the Education Code 3) adding specific language regarding the criteria for conducting the annual performance audit required by Education Code Section 15282 and SB 1493 which established, by reference, specific guidelines for performance audits. This latter audit issue is covered in much greater detail in a separate agenda item.

#### Chair Recommendation.

1. Adopt the Revised Policies and Regulations for the Citizen's Bond Oversight Committee.
2. Direct the Chair to write a letter to Board President Pearl Quinones and Superintendent Brand requesting the District to adopt these CBOC Policies and Regulations no later than the end of Calendar 2012.
3. Direct the Chair to present these recommendations at the next available Board meeting.
4. Consider whether it is necessary to have a Committee policy on political endorsements citing his/her reference as a Committee Member.
5. Authorize the Chair to make any corrections to any factual issues or typos/grammatical mistakes in this agenda item and noted as part of the official public record.

#### Background.

Over time the Sweetwater Unified High School Bond Oversight Committee has evolved into one in which we now have a strong active independent oversight role. This is our job. It is important that our policies are consistent with the Education Code that governs our mission.

Some of the recommended changes amplify and clarify our role. In other cases language was eliminated if it in conflict with the Education Code or inconsistent with the independent nature of our Committee. For instance current language in

Section 9.4 (e) states: “The Oversight Committee, and its members, may not contact District consultants or contractors without the prior permission of the Superintendent.” We are not District employees and should be treated as though we are under control of the Superintendent. This should be struck from the Policy.

These proposed changes reflect a detailed review done by the California League of Bond Oversight Committees. A separate attachment is provided with their comments.

There is the interesting question of whether the Committee could adopt one set of standards and the Board could approve another. What happens if there is a conflict that is not covered by the Education Code? Hopefully this discussion will not be necessary.

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