



School Bond Citizens' Oversight Committees, Prop 39

[Issue](#) | [Background](#) | [Findings](#) | [Conclusions](#) | [Recommendations](#) | [Responses](#) | [Attachments](#)

Issue

Are San Mateo County school district Proposition 39 Citizens' Oversight Committees effective?

- Can they make a difference by insuring that bond money is spent effectively?
- Can cost overruns be avoided?
- Can they ensure fraudulent practices or mismanagement of bond funds do not occur?

Background

On November 7, 2000, California voters approved Proposition 39, the Smaller Classes, Safer Schools and Financial Accountability Act. The measure required a 55% voter approval and specified accountability requirements for school construction bond measures, including requirements for certain types of audits.

Proposition 39 requires school districts that pass Proposition 39 bonds to seat a Citizens' Oversight Committee (COC) to assure the community that bond funds are expended in the fashion outlined in the district's bond resolution. The COC must meet at least once a year and inform the public about the expenditure of bond revenues. The COC shall actively review and report on the proper expenditure of taxpayers' money for school construction.

The California Legislature passed and Governor Davis signed, Assembly Bill 1908 which provided additional requirements relative to school district general obligation bond elections. Those requirements included provisions for school districts conducting Proposition 39 elections to have a COC as required by Education Code Sections 15278, 15280, and 15282¹.

The COC shall advise the public as to whether a school or community college district is in compliance with the requirements of California Constitution article XIII A, section 1, subdivision (b), paragraph (3). The COC 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 should be comprised as follows:

- One member shall be active in a business organization representing the business community located within the district
- One member shall be active in a senior citizens' organization
- One member shall be active in a bona fide taxpayers' organization

¹ www.calboc.org/images/Education_Code_Sections_15278-15282.pdf

- For a school district, one member shall be either a parent or guardian of a child enrolled in the district and active in a parent-teacher organization such as the Parent Teacher Association. For a community college district, one member shall be a student who is both currently enrolled in the district and active in a community college group such as student government.

COC members under Government Code 1099 and 1125 are prohibited from any conflict of interest including, but not limited to, being employed by the district or being a member of a commission or committee with overlapping responsibilities.

During the past five years two San Mateo County (SMCo) School Districts with Proposition 39 bond funded construction have had serious financial and performance problems. Previous San Mateo County Civil Grand Juries issued two reports critical of school district construction practices².

Investigation

The 2009-2010 San Mateo County Civil Grand Jury (Grand Jury) reviewed two sections of Proposition 39 that require school districts that pass Proposition 39 bond issues to establish and appoint an independent citizens' oversight committee.

Of the 24 school and community college districts in San Mateo County, the following nine currently have voter-approved bonds and functioning Citizens' Oversight Committees:

- San Mateo Union High School District
- Millbrae Elementary School District
- Las Lomas Elementary School District
- La Honda-Pescadero Unified School District
- Jefferson Union High School District
- Hillsborough City Elementary School District
- Burlingame Elementary School District
- Belmont-Redwood Shores School District
- San Mateo County Community College District

The Grand Jury surveyed all San Mateo County school districts including the nine listed above that currently have Proposition 39 voter approved bonds and asked for copies of COC charters/bylaws and lists of committee members. The purpose of the survey was to ensure that COCs were established as prescribed in Proposition 39 and to review the COC's charters and bylaws.

The Grand Jury interviewed SMCo School District personnel and COC members from five of the nine districts with active COC's to determine the effectiveness of the COCs.

² "School Construction Management in San Mateo County," 2004-2005 San Mateo County Civil Grand Jury report. "School Construction Management in San Mateo County," 2006-2007 San Mateo County Civil Grand Jury report.

Additionally, the Grand Jury reviewed the June 2009 Little Hoover Commission report “Bond Spending: Expanding and Enhancing Oversight”³ and information on the California League of Bond Oversight Committee website.⁴

Findings

1. All SMCo School Districts that have current Proposition 39 voter approved bonds have established COCs and bylaws for oversight committees as required by Proposition 39. Additionally the Grand Jury learned that COCs:
 - a. Have charters and bylaws that have been developed by the School District Boards.
 - b. Are chartered to review and report to the public on the proper expenditures of approved bond projects as outlined in the bond resolution and to report on the efficiency of the expenditures.
 - c. Are not involved in the approval of projects, the selection of contractors or vendors or the approval of construction contracts. According to State legislation, COCs review and report on expenditures after they have been made.

2. The Grand Jury investigation learned from COC members interviewed that:
 - a. A few COC members viewed their function as irrelevant because they review projects and expenditures after projects have been approved and monies spent to pay for the construction.
 - b. Most COCs interviewed meet four times per year. COCs are required by the Education Code to meet only once a year. COC members and school district personnel interviewed believe that meeting one time a year was ineffective and agreed that four meetings a year should be the minimum. One member interviewed stated they met six times during the year because they felt that with construction underway and expenses being incurred on a regular basis, additional meetings were required.
 - c. Most COC members interviewed recommended that members should know how to read a financial report and have a working knowledge of bonds and construction.
 - d. Most COC members interviewed stated that there is little to no public participation or attendance at COC meetings.
 - e. Some of the COC members interviewed admit they didn’t know or understand what they are reviewing when presented with the bond expenditure reports. These reports are provided by district administration within 72 hours of a COC meeting, as required by the Brown Act.
 - f. One school district developed a process that kept the COC well informed in the planning, design and construction process.
 - g. Some COC members feel that voter approved bond resolution language is often ambiguous and requires legal interpretation.

³ The Little Hoover Commission created in 1962 as an independent and bipartisan state agency charged with making recommendations to the governor and Legislature on ways to make state programs more efficient and effective. <http://www.lhc.ca.gov/reports/listall.html>

⁴ <http://www.calboc.org>

3. The Grand Jury found that some school districts were not timely in putting agendas, minutes, bond money expenditures, and approved projects on their websites. In most cases the information was not readily accessible or easy to find.
4. The president and co-founder of the California League of Bond Oversight Committees, Michael Day, told the Little Hoover Commission that local oversight committees often are not made aware of the important role they can play, the power that they have and the statutory authority that guides their activities. Committee members generally are not well-trained. In testimony to the Little Hoover Commission, Mr. Day said that “they don’t know what they are supposed to do, what they may do, what they may not do. Largely they receive their instructions from the organization they are supposed to oversee. Not conducive to good oversight.”⁵
5. Some school districts failed to periodically review the employment and membership on local government commissions and committees to determine that all COC members are compatible in their status as outlined in California Government Codes 1099 and 1125 regarding potential conflict of interest.
6. Two interviewees said there would be value to COC members meeting with the project architect to better understand project scope.

Conclusions

The 2009-2010 San Mateo County Civil Grand Jury concludes that:

1. COCs in themselves cannot ensure that bond money is spent effectively, cost overruns are avoided and fraudulent practices or mismanagement of funds do not occur because their review occurs after spending and other project decisions are made. Their role is to discover and bring to public light issues related to school bond spending and cost efficient project management as an outcome of the questioning during the review process.
2. The process to select and appoint qualified COC members does not guarantee that persons with the required expertise will be selected. In some districts it was found that it was difficult to recruit qualified candidates, resulting in some districts not having all the required candidates by category.
3. At the time the Grand Jury began this investigation, in many instances the information posted on school district websites was not timely or sufficient and in some cases it was difficult to find because there were no links on their web homepages that could be identified. At the conclusion of this investigation, most school districts had updated their websites and now the information is easier to locate.

⁵ June 2009 Little Hoover Commission report *Bond Spending: Expanding and Enhancing Oversight*

4. The stated intent and purpose of COCs is to be an “oversight” committee. The term oversight could be misleading to public expectations since it may imply erroneously that oversight is exercised in advance of expenditures.
5. It would be valuable for COC members to meet with the architect to better understand project scope.
6. A Citizen’s Oversight Committee (COC) in itself **cannot** ensure that bond money is spent effectively, cost overruns are avoided or ensure that fraudulent practices or mismanagement of bond funds does not occur since it is not involved in planning or approving of school construction projects or expenditures. But a COC **can** and should play an important oversight role and protect the public by diligently reviewing expenditures after they are made to ensure they are only for projects approved by the voters and that such expenditures are cost effective and then reporting their findings to the public.
7. At least one school district includes in its COC bylaws a provision allowing the district to remove a COC member without cause. Such a provision could threaten the needed independence of the COC member providing oversight that may be critical of the district. It should be noted that such provisions are common practice in public committees.
8. The failure of some school districts to periodically review COC members’ employment and membership on local government commissions and committees, to determine that all are compatible in their status as outlined in Government Codes 1099 and 1125, could lead to conflicts of interest.

Recommendations

The 2009-2010 San Mateo County Civil Grand Jury recommends that:

1. The Boards of Trustees of the Millbrae Elementary, Las Lomas Elementary, La Honda-Pescadero Unified, Hillsborough City Elementary, Burlingame Elementary, Belmont-Redwood Shores School Districts, the Jefferson Union and San Mateo Union High School Districts and the San Mateo County Community College District School District, which all have voter approved construction bonds, should:
 - a. Appoint members to fill the various COC categories who have experience or working knowledge of building and construction, fiscal or financial background and an understanding of school bonds. The Grand Jury acknowledges that in some school districts it may be difficult to identify qualified candidates who are willing to serve.
 - b. Clearly communicate to candidates for COC membership the role and responsibility of the local oversight committees.
 - c. Require in COC bylaws that COCs meet at least four times per year.

- d. Exhibit greater acceptance of and a willingness to act upon input from COCs. COCs should be encouraged to ask more clarifying questions in order to promote a transparent process.
 - e. Arrange for COC members to meet with the project architect.
 - f. Provide COCs with quarterly reports outlining:
 - i. Proposed project budgets and timelines for voter approved bonds
 - ii. Actual to budget expenditures on open projects covered under voter approved bonds
 - iii. Percent of “on time” completion of open projects covered under voter approved bonds
 - g. Improve the procedures that provide formal, periodic and timely reports to the community regarding COC findings, bond projects and approved expenditures.
 - h. Publish a quarterly newsletter or use other media to update the community on bond projects and approved expenditures.
 - i. Ensure that COC bylaws prohibit the School District from removing a COC member, except for cause.
 - j. Periodically review the status of COC members to ensure compliance with Government Codes 1099 and 1125.
 - k. Require COC members and School District Board members to study and familiarize themselves with the 2009 Little Hoover Commission Report “Bond Spending: Expanding and Enhancing Oversight”.
2. The San Mateo County Office of Education, all School Districts in San Mateo County (through the San Mateo County School Boards Association), and the San Mateo County Community College District.
- a. Develop and provide mandatory independent training for bond Citizen’s Oversight Committee members.
 - b. Develop and host a website with easy-to-access training materials and easy-to-understand descriptions of the roles and responsibilities of the local citizens’ oversight committee members. The website should include an online training course.

August 10, 2010

Hon. Clifford V. Cretan
Judge of the Superior Court
Hall of Justice
400 County Center; 2nd Floor
Redwood City, CA 94063-1655

Re: Response to "The Cost of Special Education in San Mateo County School Districts"

Dear Judge Cretan,

Thank you for the opportunity to review and comment on the findings of the Grand Jury. This letter serves as response from the Bayshore School District to the recommendations found therein.

Findings:

We agree with the findings of the Grand Jury regarding Special Education in San Mateo County.

Recommendations by the Grand Jury:

SCHOOL BOND CITIZENS' OVERSIGHT COMMITTEE, PROP 39

The 2009-10 San Mateo Grand Jury recommends that:

1. Item 1 is not directed to the Bayshore School District.
2. **The San Mateo County Office of Education, all School Districts in San Mateo County (through the San Mateo County School Boards' Association), and the San Mateo County Community College District.**
 - a. **Develop and provide mandatory independent training for bond Citizens' Oversight Committee members.**
 - b. **Develop and host a website with easy-to-access training materials and easy-to-understand descriptions of the roles and responsibilities of the local citizens' oversight committee members. The website should include an online training course.**

Bayshore School District does not currently have a Prop 39 bond. However, in the future, if a successful bond campaign is held;

- a. The District will provide all trainings as directed by law.
- b. The District will work with the San Mateo County School Boards' Association to develop training materials easily accessible online.

SPECIAL EDUCATION

The 2009-2010 San Mateo Grand Jury recommends that:

1. **The Board of Trustees of the Millbrae Elementary, Hillsborough City Elementary, Burlingame Elementary, San Mateo - Foster City Elementary, Belmont - Redwood Shores Elementary, Las Lomas Elementary, Menlo Park City Elementary, San Carlos Elementary, Redwood City Elementary, Portola Valley Elementary, Woodside Elementary, Ravenswood City, Cabrillo**

Unified, La Honda-Pescadero Unified School Districts, Jefferson Union, San Mateo Union and Sequoia Union High School Districts join or start a consortium to leverage policies and procedures that result in a more consistent application of special education eligibility criteria as shown by the North County Consortium that could result in the reduction in general fund revenue support for special education programs, without reducing the quality of services.

Bayshore School District was a founding member of the North County Consortium. The Bayshore School District has implemented the recommendation to join together with other school districts to provide special education services in an effort to better serve students with special needs in Special Day Classes in their home or neighboring districts. This has also resulted in a more consistent application of special education eligibility criteria and has reduced general education fund revenue support for special education programs. Our intent is to continue to think creatively and to work together to contain costs.

2. The San Mateo County Office of Education provide timely information to the general public through the Special Education Local Plan Area on the number of students in special education by program and service, the total cost of the service and the general fund contribution to Special Education.

This recommendation is directed at the San Mateo County Office of Education and as such, the Bayshore School District has no official response.

3. The San Mateo County Office of Education and the School Districts of San Mateo County vigorously lobby local members of Congress to sponsor legislation to fully fund the Individuals with Disabilities Act (IDEA) to the 40% promised for Special Education programs and services and demand that the state does not abdicate its responsibility to fund special education.

Each year the San Mateo County Superintendents' Association meets with our elected officials to explain the effects of the unfunded cost of Special Education services and the need for full federal funding. The Bayshore School District will continue to lobby our elected officials to sponsor legislation to fully fund IDEA to the 40% promised for special education services and that that the state government does not abdicate its responsibility to fund special education.

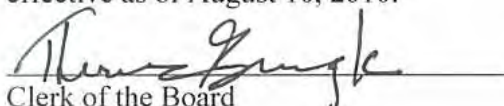
Sincerely,


Susan Larramendy
Superintendent

CC: Bayshore Board of Trustees
grandjury@sanmateocourt.org (via email)

Board Approval:

This response was hereby approved by the Board of Trustees of the Bayshore School District and shall be effective as of August 10, 2010.


Clerk of the Board



BOARD OF TRUSTEES

Brian Matthews

Michael Parker

Andrew Stulbarg

Robert Tashjian

Cathy Wright

Dr. Emerita Orta-Camilleri
Superintendent

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*Assistant Superintendent,
Educational Services and Personnel*

Nellie Hungerford
*Assistant Superintendent,
Business Services and Operations*

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Maria Lang-Gavidia, Principal
2525 Buena Vista Avenue, Belmont
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FOX SCHOOL
Chris Marchetti, Principal
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650-637-4850

NESBIT SCHOOL
Kathy Kelley, Principal
500 Biddulph Way, Belmont
650-637-4860

RALSTON MIDDLE SCHOOL
Jennifer Kollmann, Principal
2675 Ralston Avenue, Belmont
650-637-4880

REDWOOD SHORES SCHOOL
Cherie Ho, Principal
225 Shearwater Parkway
Redwood City, CA 94065
650-802-8060

SANDPIPER SCHOOL
Linda McDaniel, Principal
801 Redwood Shores Parkway
Redwood City, CA 94065
650-631-5510

**Belmont-Redwood Shores
School District**
2960 Hallmark Drive
Belmont, CA 94002-2999
650-637-4800 - Main
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<http://www.brssd.org>

September 3, 2010

Hon. Clifford V. Cretan
Judge of the Superior Court
Hall of Justice
400 County Center; 2nd Floor
Redwood City, CA 94063-1655

Dear Judge Cretan,

The Belmont-Redwood Shores School District (BRSSD) is in receipt of the July 13th, 2010, letter requesting information regarding the School Bond Citizens' Oversight Committees, Prop 39, and a subsequent letter dated July 20, 2010, providing further clarification of recommendation 2a and 2b.

In attempt for clarity and ease of response, your questions are copied below with the response to each question from the Belmont-Redwood Shores School District provided.

Findings:

- 1a. The respondent agrees with the finding.
- 1b. The respondent agrees with the finding.
- 1c. The respondent agrees with the finding.

- 2a. The respondent disagrees with the finding because the oversight committee members who meet at least quarterly and review documentation regularly are able alert the public if improprieties appear long before a project is out of control. District personnel are hired because they are professionals in their respective fields. The COC should not assume that their roles are to make day to day decisions. The persons ultimately held accountable/responsible for the project are the staff members. However, it is important to have COC members take their role seriously and regularly "oversee" the project(s) through careful review of financial documents and other materials provided to or requested by the COC.
- 2b. The respondent agrees with the finding.
- 2c. The respondent agrees with the finding.
- 2d. The respondent agrees with the finding.
- 2e. The respondent disagrees with the finding. The District provides the report two weeks prior to the quarterly meeting, along with all supporting financial documents (invoices, contracts, etc.) for review by the COC. The Assistant Superintendent of Business provided training on the reading of the County Office of Education CECC reports, as well as the excel spreadsheet used to track the expenditures in an easier to understand format.
- 2f. The respondent agrees with the finding.

- 2g. The respondent disagrees partially with the finding. Some members may require further interpretation of the bond resolution language while other members do not. An initial training by the bond counsel is very helpful in the beginning to answer any questions that the COC may have.
3. The respondent disagrees partially with the finding. Some districts may have timing issues for posting material on the website, while other districts do not. Our District posts our material within a week.
4. The respondent disagrees with the finding. Providing the COC with Education Code language, by laws, statement of ethics and providing training via bond counsel and county counsel informs the members of what their role in oversight is. Using outside, expensive consultants, does not necessarily guarantee that a COC will receive appropriate and correct information on their role of the COC.
5. The respondent agrees with the finding.
6. The respondent agrees with the finding. The COC should have an opportunity to meet all the key players in the project: architect, construction manager, site supervisor, project manager, inspector of record, etc. so that they can ask relevant questions of each of these professionals. This can often be combined with field trips to the project site.

Recommendations:

- 1a. The Board of Trustees... should appoint members to fill the various COC categories who have experience or working knowledge of building and construction, fiscal or financial background and an understanding of school bonds. The Grand Jury acknowledges that in some school districts it may be difficult to identify qualified candidates who are willing to serve.

Response: The Recommendation has been implemented. The BRSSD, after considerable time and effort, was able to find seven community citizens that were willing to volunteer to serve on the oversight committee in the required representative positions outlined in Ed Code Section 15282(a). The bona fide tax payer position was the most difficult to fill. The initial committee was not fully represented within the 60 days from election stipulated in the Ed Code. All seven members have served in professional/management level positions within their respective occupations. However, only one member is a certified public accountant. The requirements under EC 15282 do not stipulate that the seven members must have construction, financial or school bond experience. Adding this additional requirement will make it even more difficult to fill the committee positions in a timely manner.

- 1b. Clearly communicate to candidates for COC membership the role and responsibility of the local oversight committee.

Response: The Recommendation has been implemented. The members of the committee, upon approval by the Board of Trustees, are provided copies of the original bond documents, copies of the California Codes relevant to COC, COC bylaws, COC Ethics Policy Statement, copies of prior COC meeting agendas, minutes, and relevant documents and information on how to use the District website to locate information related to the bond projects. In addition, Bond Counsel is invited to give a workshop on the relevance and role of the COC. County Counsel is invited to periodically review the regulations regarding the Brown Act and how it relates to the COC.

1c. Require in COC bylaws that COCs meet at least four times per year.

Response: The Recommendation has been implemented. The BRSSD By-laws, Section 6 Meetings of the Committee, only require one mandatory meeting but with the additional statement that the Committee shall determine if it wishes to meet more than once per year. The current COC determined at an early meeting that it would like to meet quarterly, coinciding with a date that would allow for quarterly financial reports to be completed and also for committee members to have a few weeks time to visit the district office to review quarterly transactions and inspection reports.

1d. Exhibit greater acceptance of and a willingness to act upon input from COCs. COCs should be encouraged to ask more clarifying questions in order to promote a transparent process.

Response: The Recommendation has been implemented. The purpose of the COC is clearly defined in Ed Code 15278(b). The District has been very transparent in its activities related to bond projects. Financial reports have been provided quarterly, with occasional heads up between meetings if something significant had occurred since the last meeting. For example, the loss of Lehmann funds. The District has provided timely access to all invoices, backup documents, contracts, and inspector of record reports, for review prior to the quarterly meetings. Annual financial and performance audits have been done by an outside third party, Board approved and shared with the COC. All questions asked by COC members are answered in a timely manner in a public forum.

1e. Arrange for COC members to meet with the project architect.

Response: The Recommendation has been implemented. The COC had several opportunities to meet with the architect, construction manager, project supervisor, project manager, modular designer/installer and inspector of record throughout the project. Four field trips to the new school site have occurred since the construction of the project began a year ago.

1f. Provide COCs with quarterly reports outlining budgets and timelines.

Response: The Recommendation has been implemented. The COC was provided financial information and access to all backup data on a quarterly basis throughout the project (January 2007-current).

- 1g. Improve the procedures that provide formal, periodic and timely reports to the community regarding COC findings, bond projects and approved expenditures.

Response: The Recommendation has been implemented. All information related to the COC was posted on the District's website. All meetings were posted as per Brown Act guidelines. The COC presented their findings to the Board of Trustees on an annual basis. The Assistant Superintendent of Business & Operations reported to the Board of Trustees on the activities related to the new school building project at least monthly and during very active construction, at each Board meeting.

- 1h. Publish a quarterly newsletter or use other media to update the community on bond projects and approved expenditures.

Response: The Recommendation has been implemented. The bond supported one project, the building of the new Redwood Shores Elementary School in Redwood Shores. The District posted all information from the COC on the District's webpage, which included agendas, minutes, financial reports, audit reports, annual reports to the Board. All information presented to the Board of Trustees also appeared on the Agenda Online. COC updates also appeared in the local newsletter.

- 1i. Ensure that COC bylaws prohibit the School District from removing a COC member, except for cause.

Response: The recommendation will not be implemented because it is not warranted or reasonable. Members may remain on the Committee for the terms specified in the By-laws and if they comply with the Ethics Policy Statement (see attached). The by-laws set a term limit of two years with a limit of two consecutive terms. The Board of Trustees should have the authority to substitute a new community volunteer in place of another member at the end of a term to allow for greater community involvement in the project.

- 1j. Periodically review the status of COC members to ensure compliance with Government Codes 1099 and 1125.

Response: The recommendation has been implemented. One member of the COC was asked to resign when the individual began working for the District in a substitute teaching position.

- 1k. Require COC members and School District Board members to study and familiarize themselves with the 2009 Little Hoover Commission Report "Bond Spending: Expanding and Enhancing Oversight."

Response: The recommendation has not yet been implemented, but will be implemented in the future. The District will obtain a copy of the Little Hoover Commission Report "Bond Spending: Expanding and Enhancing Oversight" and provide it to the Board of Trustees and COC for their review by October 2010.

2. The San Mateo County Office of Education, all School Districts in San Mateo County (through the San Mateo County School Boards Association), and the San Mateo County Community College District.
 - a. Develop and provide mandatory independent training for bond COC members.
 - b. Develop and host a website with easy-to-access training materials and easy-to-understand descriptions of the roles and responsibilities of the local COC members. The website should include an online training course.

Response: In addition to the current independent training provided through Bond Counsel and the San Mateo County Counsel to the District's COC, the District will support the concept and development of mandatory training material for COC members through the SMCSBA and the development of a host website for easy access to the training. The District does not have adequate manpower or funding to develop additional training material independently. In collaboration with the County, the District will provide opportunity for the COC to receive the training developed along with additional training for District specific information.

The Grand Jury report was presented to the Board of Trustees at the Board meeting on September 2, 2010, along with the above responses for their review and approval.

Sincerely,


Dr. Emerita Orta-Camilleri, Superintendent

Cc: Board of Education

**Brisbane School District**

One Solano Street, Brisbane, Ca 94005
Tel: 415-467-0550 Fax: 415-467-2914

Board of Trustees

Joseph Blank
Bob Dettmer
Tom Ledda
Diane Van Stralen
Ken Walker

Superintendent

Toni Presta

Building Thoughtful Citizens

September 14, 2010

Hon. Clifford V. Cretan
Judge of the Superior Court
Hall of Justice
400 County Center; 2nd Floor
Redwood City, CA 94063-1655

Re: Response to "School Bond Citizen's Oversight Committees, Prop 39"

Dear Judge Cretan,

Thank you for the opportunity to review and comment on the findings of the Grand Jury. This letter serves as response from the Brisbane School District to the recommendations found therein.

Findings:

We agree with the findings of the Grand Jury regarding School Bond Citizens' Oversight Committees in San Mateo County to the extent they pertain to the Brisbane School District.

Recommendations by the Grand Jury:

The 2009-2010 San Mateo Grand Jury recommends that:

- 1. The Board of Trustees of the Millbrae Elementary, Las Lomas Elementary, La Honda-Pescadero Unified, Hillsborough City Elementary, Burlingame Elementary, Belmont-Redwood Shores School District, the Jefferson Union and San Mateo Union High School Districts and the San Mateo County Community College District School District, which have voter approved bonds, should: *(a - k recommendations not included)*.**

It appears that there is no recommendation directed at the Brisbane School District as we are not currently engaged in construction projects funded by a voter approved, Proposition 39 bond. As such, we have no official response.

- 2. The San Mateo County Office of Education, all School Districts in San Mateo County (through the San Mateo County School Boards Association), and the San Mateo County Community College District.**
 - a. Develop and provide mandatory independent training for bond Citizen's Oversight Committee members.**

The recommendation has not been implemented, but the Brisbane School District is willing to work collaboratively with the San Mateo County Office of Education, all School Districts in San Mateo County, and the San Mateo County Community College District to develop and provide training for members of the Citizens' Oversight Committee.

- b. Develop and host a website with easy-to-access training materials and easy-to-understand descriptions of the roles and responsibilities of the local Citizen's Oversight Committee members. The website should include an online training course.**

The recommendation has not been implemented, but the Brisbane School District is willing to work collaboratively with the San Mateo County Office of Education, all School Districts in San Mateo County, and the San Mateo County Community College District in order to make available training materials and descriptions of the roles and responsibilities of the local Citizens' Oversight Committee via the web. The Brisbane District neither has the expertise, nor the capacity to develop an online training course, but we are open to working collaboratively with others to facilitate this course.

Sincerely,

Toni Presta
Superintendent

CC: Brisbane Board of Trustees
grandjury@sanmateocourt.org (via email)

Board Approval:

This response was hereby approved by the Board of Trustees of the Brisbane School District and shall be effective as of September 22, 2010.

15 September 2010



**BURLINGAME
SCHOOL DISTRICT**

Board of Trustees

Michael Barber
Davina Drabkin
Liz Gindraux
Mark G. Intrieri
Gregory Land

District Administration

Dianne Talarico
Superintendent

Robert Clark, Ed.D.
*Assistant Superintendent,
Chief Business Official*

Judson Kempson
*Assistant Superintendent,
Educational Services*

Hon. Clifford V. Cretan
Judge of the Superior Court
Hall of Justice
400 County Center; 2nd Floor
Redwood City, CA 94063-1655

Dear Judge Cretan:

In response to the Grand Jury Report dated July 13, 2010, requesting information for Burlingame's Citizens' Oversight Committee, Prop 39, please find the District's answers below.

Findings:

1a. The respondent agrees with the finding.

1b. The respondent agrees with the finding.

1c. The respondent agrees with the finding.

2a. The respondent disagrees with the finding. COC members are informed of projects on the horizon prior to bidding and construction begins. They have the opportunity to voice their opinion regarding the project's application to the Prop 29 Bond Program in advance and notify the public/community of any perceived improprieties.

2b. The respondent agrees with the finding. Also, the District distributes updates three months a year. In total, the COC receives an update to projects, budgets and project status seven times a year, four in person and three by emailed attachments.

2c. The respondent disagrees partially with the finding. As the COC's responsibilities do not include the approval of projects, they are to oversee if the project fits the bond language, but not judge the Board's decision of the project itself.

2d. The respondent agrees with the finding.

2e. The respondent disagrees with the finding. The District and Program Manager have spent considerable time creating documents that are user-friendly and understood by non-financial members. The documents are presented 72 hours prior to the meeting and are reviewed in each meeting. Members come with clarifying questions.

2f. The respondent agrees with the finding.

2g. The respondent disagrees with the finding. While some members may need some clarification of the bond language, many do not and do not request or require legal clarification.

3. The respondent disagrees with the finding. Burlingame posts the meeting agenda and supporting documents at least 72 hours in advance on the website save one.

4. The respondent disagrees with the finding. The District, the Bond Program manager, Bond counsel, as well as the District's Facilities attorney have presented to the COC their roles and responsibilities. Both attorneys presented Brown Act and COC trainings to the COC on two official occasions with interim COC questions and attorney responses.

5. The respondent agrees with the finding.

6. The respondent disagrees partially with the finding. The level of understanding from meeting with the Inspector of Record, for example, is not necessary to the COC's role and responsibilities. The IOR, who makes sure the construction materials and execution meet State and Federal construction codes such as the quality of concrete, the humidity of the lumber used, the accessible path of travel, etc., will provide details far away from the level of responsibility of the COC to ensure the project meets the bond language. The Bond Program Manager, a local architectural firm, oversees all bond projects and reports to the COC at each meeting.

Recommendations:

1. The Boards of Trustees...should:

- a. Appoint members to fill the various COC categories who have experience or working knowledge of building and construction, fiscal or financial background and an understanding of school bonds.

Response: The recommendation has been implemented as well as possible, balancing the need for the required membership under EC 15282 and the willingness of local community members to participate on the COC. Requiring members to have experience in construction and/or a financial background will put a strain on filling the required positions of the COC membership and possibly make it impossible to fill the required seven member positions.

- b. Clearly communicate to candidates for the COC membership the role and responsibilities of the local oversight committees.

Response: The recommendation has been implemented. Prior the potential member, conversations are held with either with the

COC Chair, the Superintendent, or Assistant Superintendent/Chief Business Official as to the role and responsibilities of membership. Upon Board approval, the member is provided a binder of materials outlining the bylaws, project summary, and the Brown Act.

- c. Require in COC bylaws that COC's meet at least four times a year

Response: The recommendation has been implemented. The COC meets four times a year, with three other updates during the year by emailed attachments.

- d. Exhibit greater acceptance of and a willingness to act upon input from COCs. COCs should be encouraged to ask more clarifying questions in order to promote a transparent process.

Response: The recommendation has been implemented. A process was created for individual COC members to ask questions outside of the quarterly public meetings with the responses shared anonymously with the entire COC. When appropriate and in accordance with responsibilities outlined by the Ed Code and the COC's adopted bylaws, requests from the COC members have been granted.

- e. Arrange for COC to meet with project architect.

Response: The recommendation has been not been implemented. Beyond that the COC has not requested to meet with the project architect, project manager, inspector or any other staff related to the project, it would not appear necessary to have the COC meet with such an individual of such a specific nature. The Bond Program's Master Architect attends each COC meeting and provides updates on all past, current and future projects. If the COC so requests, the project architect could be made available.

- f. Provide COC with quarterly reports outlining budgets and timelines.

Response: The recommendation has been implemented. The COC receives seven updates throughout the year, each including the budgets and timelines.

- g. Improve the procedures that provide formal, periodic and timely reports to the community regarding COC findings, bond projects and approved expenditures.

Response: The recommendation has been implemented. The seven detailed updates given throughout the year is on the

District's website. The Bond Program's Architect is present at every Board meeting when a Bond-related item is on the agenda. The Assistant Superintendent/Chief Business Official provides updates to the Board at meetings. The COC provides an annual report to the Board following the third party performance audit of the Bond program.

- h. Publish a quarterly newsletter or use other media to update the community on bond projects and approved expenditures.

Response: The recommendation has been implemented. The local newspaper covers larger Bond projects with updates periodically. The District distributes updates to the District parents through the school weekly newsletters. Also, the Bond program mails semi-annual updates to every resident in Burlingame, including schedules, designs and updates.

- i. Ensure that COC bylaws prohibit the School District removing a COC member, except for cause.

Response: The recommendation has not been implemented. There may come a time when the situation of an individual COC member has changed and replacing the member with a new member is warranted.

- j. Periodically review the status of the COC members to ensure compliance with Government Code 1099 and 1125.

Response: The recommendation has been implemented. A member was removed from the COC when it came to the District's attention the member of the District's COC was also serving on the San Mateo County Grand Jury investigating Bond COC's. Also, another member was asked to resign due to the conflict of serving on the San Mateo County School Board.

- k. Require COC members and School District Board members to study and familiarize themselves with the 2009 Little Hoover Commission Report "Bond Spending: Expanding and Enhancing Oversight".

Response: The recommendation has not been implemented as of yet. The report will be distributed to the COC and the School Board at the next COC meeting.

- 2. The San Mateo County Office of Education, all School Districts in San Mateo County (through the San Mateo County School Boards Association), and the San Mateo County Community College District.
 - a. Develop and provide mandatory independent training for bond Citizen's Oversight Committee members.

- b. Develop and host a website with easy-to-access training materials and easy-to-understand descriptions of the roles and responsibilities of the local COC members. The website should include an online training course.

Response: The recommendation has been not been implemented. As mentioned above, the COC has had bond counsel and the District's facilities attorney present to the COC on the roles and responsibilities of the COC. The District supports the idea of a County-wide website where new members can review trainings at their leisure. Once that website is created and available to the public by the SMCSBA, the District will relay the information to the current and future COC members.

The responses above, along with a copy of the Grand Jury report, were presented to the Board of Trustees at the September 28, 2010 Board meeting for their review and approval.

Respectfully submitted,

A handwritten signature in black ink that reads "Dianne Talarico". The signature is written in a cursive style with a large initial "D".

Dianne Talarico
Superintendent



CABRILLO UNIFIED SCHOOL DISTRICT

498 Kelly Ave, Half Moon Bay, CA 94019 • 650 712-7100 • Fax 650 726-0279 • www.cabrillo.k12.ca.us

SUPERINTENDENT
Robert Gaskill

GOVERNING BOARD
John Moseley
Kirk Riemer
Jolanda Schreurs
Dwight Wilson
Charles Gardner

August 13, 2010

Honorable Clifford V. Cretan
Judge of the Superior Court
Hall of Justice
400 County Center, 2nd floor
Redwood City, CA 94063-1655

Re: School Bond Citizens' Oversight Committees, Proposition 39

Following are responses from Cabrillo Unified School District regarding the findings, conclusions, and recommendations from this Grand Jury Report, dated July 13, 2010:

Findings (ALL)

District Response: The Cabrillo Unified School District does not have the first-hand knowledge or experience to either concur with, or dispute, any of the findings of the Grand Jury. As one of the sixteen "non Proposition 39" districts, it is our belief that the six findings have no application to us.

Conclusions (ALL)

District Response: The Cabrillo Unified School District does not have the first-hand knowledge to either concur with, or dispute, any of the conclusions of the Grand Jury. As one of the sixteen "non Proposition 39" districts, it is our opinion that the eight conclusions have no application to us at this point in time.

Recommendations

1. (Pertaining to the specific subset of eleven recommendations directed to the Boards of Trustees of the nine school and community college districts that currently are managing Proposition 39 bond construction projects.)

District Response: As one of the sixteen "non Proposition 39" districts, it is our opinion that this recommendation has no application to the Cabrillo Unified School District.

2. The San Mateo County Office of Education, all School Districts in San Mateo County (through the San Mateo County School Boards Association), and the San Mateo County Community College District:

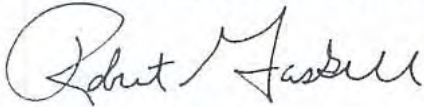
Half Moon Bay High School • Cunha Intermediate School
Alvin S. Hatch Elementary • El Granada Elementary • Farallone New Elementary • Kings Mountain Elementary
Pilarcitos High School • Cabrillo Adult School

- a. Develop and provide mandatory independent training for bond Citizens' Oversight Committee members.
- b. Develop and host a website with easy-to-access training materials and easy-to-understand descriptions of the roles and responsibilities of the local citizens' oversight committee members. The website should include an online training course.

District Response: The Cabrillo Unified School District concurs with this recommendation and will support the efforts of the San Mateo County School Boards' Association and/or the San Mateo County Office of Education to provide both mandatory independent training and a website that includes both an online training course and related materials for members of Proposition 39 Citizens' Oversight Committees.

This response was approved by the Cabrillo Unified School District Board of Education in open session during the regularly scheduled meeting held on August 12, 2010.

Respondent for the Cabrillo Unified School District:



Robert B. Gaskill
District Superintendent

300 El Cerrito Avenue • Hillsborough, CA 94010

BOARD OF EDUCATION
MARY ELLEN BENNINGER
GREGORY J. DANNIS
LYNNE ESSELSTEIN
MARY HUSER
STEVEN KOURY

SUPERINTENDENT
ANTHONY H. RANII

September 13, 2010

The Honorable Clifford V. Cretan
Judge of the Superior Court
Hall of Justice
400 County Center; 2nd Floor
Redwood City, CA 94063-1655

RE: School Bond Citizens' Oversight Committees – Prop 39

Dear Judge Cretan,
The Hillsborough City School District Board of Trustees at their regular meeting on September 13, 2010 approved the following response to findings of the Grand Jury's report regarding School Bond Citizens' Oversight Committees – Prop 39

Response to Grand Jury Findings:

- 1) The Hillsborough City School District (HCS D) does have a Citizens' Oversight Committee (COC) that has been established under a charter developed and adopted by the Board. The Committee monitors and reports on expenditures of bond funds and is not involved in the approval of projects or the selection of contractors.
- 2) The COC has met regularly on a quarterly basis. With the bond building program closing, the COC will be meeting less often as the final projects reach completion.

The COC has felt very well supported over the years with information provided by the District staff, the skilled program management team, and through the expertise provided by members of the COC. There have been no disputes about the stated intent of the bond resolution language. The budget reports have been presented in detailed and executive summary format(s) at the request of the COC. The program management team provided extensive training on reading budget reports relative to project-specific funding and expenditures. Master summary reports included preliminary budgets, current budgets, contract commitments and payments to date according to project. Individual summary reports included preliminary budgets, modifications to budgets, and current budgets, along with exposed, expended and remaining expenditures. Training was provided initially at the establishment of the Committee and whenever there was/is a change in members. Quarterly presentations to the COC included not only the current financial status of the capital program but very specific details of what changed between reporting periods. Having this level of detail enabled Committee members to be more engaged and capable of fulfilling their obligations to the Board and to their constituents.

The COC benefitted from the frequent interaction with HCSD's skilled program management team and from the hiring of excellent program managers.

Although public participation is actively encouraged at the COC meetings, public attendance is slight. HCSD has been vigilant about posting COC meetings, reports, audits and district expenditures on the website. The Committee is aware of its legal obligation.

HCSD verifies members' status to confirm that each member continues to meet the membership category for which they were selected. Parent members have been replaced when their children leave the district or when their school site council membership ceases.

Response to Grand Jury Recommendations:

1.) The Hillsborough City School District:

- a. has made every effort to appoint COC members who fulfill the membership criteria outlined in its charter and should it pass another General Obligation Bond it will continue to affirm on an annual basis that each member continues to meet membership criteria;
- b. has communicated to candidates for COC membership the role and responsibility of the COC;
- c. has required the COC to meet 4 times per year during construction/the expenditure phase of the building program and then move to meeting twice or once a year when bond funds are nearly expended;
- d. has received regular input from the COC, after reviewing the annual auditor's report, after receiving the District report on maintenance effort of newly constructed buildings, as well as after receiving input on the District's school building repair funding plan comprised of local, state bond and other funding;
- e. has arranged for COC members to meet with architects and other project planners and tour site projects, during and after completion;
- f. while historically the District has provided the COC the information enumerated in Recommendation 1.f, the District will continue to do so in the event of future bond-financed projects;
- g. has and will provide timely reports to the community concerning COC findings;
- h. have provided the local town/community with specific building program newsletters on the activities of the COC, bond projects, and approved expenditures;
- i. while current charter contains specific language regarding membership, will consider adding language to its COC bylaws that prohibit the school district from removing COC members without cause;

- j. will continue to review the status of COC members to ensure compliance with Government Codes 1099 and 1125;
- k. will provide members of the COC and Board of Trustees with the website link for the 2009 Little Hoover Commission report "Bond Spending: Expanding and Enhancing Oversight, and provide hard copies upon request.

2.) The Hillsborough City School District:

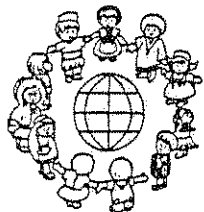
- a. will collaborate with the San Mateo County Office of Education (SMCOE) in developing independent training for COC members;
- b. will collaborate with SMCOE in developing a website that will provide training materials and roles and responsibilities for COC members.

Sincerely,



Anthony Ranii
Superintendent

AR:td



Jefferson School District

*Martin Luther King Jr. Education Center
101 Lincoln Ave. • Daly City, CA 94015
(650) 991-1000 • Fax (650) 997-0273
Web Address: www.jsd.k12.ca.us*

*Governing Board
Marie Brizuela
Rebecca Douglass, Ph.D.
Adam Duran
Hans E. Hansen
LaSchaunda Smaw*

*Superintendent
Matteo Rizzo*

November 12, 2010

Hon. Clifford V. Cretan
Judge of the Superior Court
Hall of Justice
400 County Center, 2nd Floor
Redwood City, CA 94063-1655

Dear Sir:

The Jefferson Elementary School District is pleased to respond to the Grand Jury's School Bond Citizens' Oversight Committees, Prop 39.

The Jefferson School District agrees with the findings of the report as they apply to our District.

Here are our District's responses to the recommendations contained in the report, approved by the Governing Board of the Jefferson School District at its Regular Meeting of November 10, 2010:

Recommendation 1 (a through K)

This recommendation is not directed at the Jefferson School District. We do not have a Prop 39 Bond.

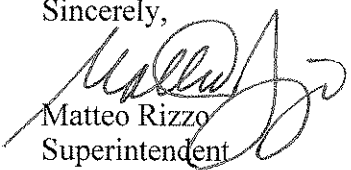
Recommendation 2a

The Jefferson School District looks forward to working with the San Mateo County Office of Education and the San Mateo education community to develop and provide training for members of the Citizens' Oversight Committee.

Recommendation 2b

The Jefferson School District looks forward to working with the San Mateo County Office of Education and the San Mateo County education community to provide easy-to-access training materials and easy-to-understand descriptions of the roles and responsibilities of the local Citizens' Oversight Committee members.

Sincerely,


Matteo Rizzo
Superintendent

JEFFERSON UNION HIGH SCHOOL DISTRICT

ADMINISTRATIVE OFFICES – SERRAMONTE DEL REY
699 Serramonte Boulevard, Suite 100
Daly City, CA 94015-4132
650-550-7900 • FAX 650-550-7888

BOARD OF TRUSTEES

Katherine Zarate Dulany
Maria S. Luna
Jeanne L. Matsyiak
Thomas A. Nuris

Michael J. Crilly
Superintendent

August 4, 2010

The Honorable Clifford V. Cretan
Judge of the Superior Court
Hall of Justice
400 County Center; 2nd Floor
Redwood City, Ca 94063-1655

Dear Judge Cretan:

In accordance with the San Mateo County Grand Jury's recent findings and recommendations regarding Citizen's Bond Oversight Committees, the Jefferson Union High School District responds with the following information.

FINDINGS:

1. a. The District agrees with the finding.
b. The District agrees with the finding.
c. The District agrees with the finding.
2. a. – g. The District is unable to determine if it agrees or disagrees with the findings without knowing their basis with respect to our District. The District has worked to provide its COC with any and all information required and requested in a timely and reader useable manner. The District has allowed the COC to determine what information is made available, what dates to make it available and the method used to convey bond project information to the public.
3. The District disagrees with this finding with respect to our District. All agendas are posted in compliance with the Brown Act. All other reports are made public after the COC has reviewed the information at a meeting.
4. The District disagrees with this finding with respect to our District. All COC members are given complete copies of the bylaws which delineate their responsibilities as well as the District's responsibilities to the COC.
5. The District disagrees with this finding with respect to our District. Annually, all members are reviewed to ensure they are compatible in their status as outlined in California Government Codes 1099 and 1125.

6. The District has offered all resources available to the COC upon request. This would include involving the architects at meetings if requested.

RECOMMENDATIONS

1. a. The recommendation will not be implemented. By law, the requirements for the composition of the COC is predetermined. In the District's response to the request for information dated November 6, 2009, it responded to question #2 how members of the COC were selected. Additionally, in response to question #3 of the same request for information, the District acknowledged that it has been beneficial to have individuals who understand finance and construction.
- b. The recommendation has been implemented. All COC members receive copies of the COC bylaws which clearly communicate their responsibilities.
- c. The recommendation will not be implemented because it is not warranted. The District's committee has met three times a year when necessary. Due to the nature of school construction, most occurring during the summer break, it does not necessarily require meetings when no construction progress is occurring.
- d. The recommendation has been implemented. The District encourages members of the COC to request any information it feels necessary to ensure the bond funds are being spent in compliance with the bond ballot language. COC members are encouraged to visit sites, as well as meet with the project manager for more detailed information of construction projects.
- e. The recommendation has been implemented. The COC was provided with the District's facility master plan developed by the district architect. They have been given the opportunity to meet with the architect as well as attend board meetings when project updates have been presented by the architect.
- f. The recommendation has been implemented. The COC is given information on all bond funds at their meetings. Annually, they are given updates on project status, timelines and expenditures per their request.
- g. The recommendation has been implemented. The COC has made available to the public annual reports on bond projects through local media as well as the COC web page located on the District's website.
- h. The recommendation will not be implemented because it is not warranted. The COC has determined when to distribute a report to the community. The report, made annually per legal requirements, is reflective of the District's construction schedule which involves most construction being done during the summer school break.
- i. The recommendation has been implemented. The COC bylaws state that the board may remove any committee member for any reason, including failure to attend two consecutive committee meetings without reasonable excuse or for failure to comply with the ethics policy.

The Honorable Clifford V. Cretan

August 4, 2010

Page 3

- j. The recommendation has not yet been implemented, but will be implemented. COC members will be asked to review the bylaws annually and verify that they are in compliance with Government Codes 1099 and 1125.
 - k. The recommendation has not yet been implemented, but will be implemented. COC members will be given a copy of this grand jury report and directed of this recommendation. The District will provide the Report upon request to COC members.
2. a. & b. The recommendation has not yet been implemented, but will be implemented. The District will work with the San Mateo County Office of Education and other San Mateo County school districts to develop training materials for Bond Citizens' Oversight Committee members. The materials will be made available through the COC link to the District's website. The District hopes to have said materials available over the next 18 months.

The Jefferson Union High School District Board of Trustees reviewed these responses during their regular meeting of August 3, 2010.

Sincerely,

Steven R. Fuentes

Steven R. Fuentes

Associate Superintendent-Business Services



LA HONDA-PESCADERO UNIFIED SCHOOL DISTRICT
PO Box 189 • 360 Butano Cut Off, Pescadero, CA 94060
650-879-0286 • FAX 650-879-0816

Amy Wooliever, Superintendent

October 1, 2010

Honorable Clifford V. Cretan
Judge of the Superior Court
Hall of Justice
400 County Center, 2nd Floor
Redwood City, CA 94063-1655

Re: Grand Jury Report on the School Bond Citizen's Oversight Committees, Prop 39

Dear Judge Cretan,

Thank you for the opportunity to review and comment on the findings of the Grand Jury report regarding the Bond Citizen's Oversight Committee in San Mateo County. Following are the responses from the district regarding the findings, conclusions and recommendations from this Grand Jury Report:

Findings/Conclusions:

1. The District agrees with this finding
2. The District agrees partially with this finding.
 - a. It is difficult for the district to ascertain whether this pertains to LHPUSD.
 - b. The District agrees that COC committees should meet a minimum of four times per year.
 - c. The District agrees that working knowledge of financial reports is important to most effectively serve on a COC.
 - d-g The District agrees with these findings.
3. The District disagrees partially with this finding as it varies district to district.
4. The District agrees with this finding.
5. The District agrees with this finding.
6. The District agrees with this finding.

Recommendations and Responses

1. The Boards of Trustees ...which all have voter approved construction bonds, should:
 - a. Appoint members to fill the various COC categories who have experience or working knowledge of building and construction, fiscal or financial background and an understanding of school bonds. The Grand Jury acknowledges that in some school districts it may be difficult to identify qualified candidates who are

Board of Trustees

Andy Wilson, Heather McAvoy, Kathy Crane, Andy LaGow, Connie Sarabia

willing to serve.

Response:

The recommendation has been partially implemented. The District has struggled to identify and recruit qualified members for the Bond Measure Oversight Committee (BMOC). The current BMOC has a balance of qualified professionals in the building, legal and financial fields which has added depth to the committee and value to the District but is in the process of recruiting additional members of the community to serve.

1b. Clearly communicate to candidates for COC membership the role and responsibility of the local oversight committees.

Response:

The District communicates the role and responsibility of the BMOC to candidates.

1c. Require in COC bylaws that COCs meet at least four times per year.

Response:

The BMOC meets a minimum of four times per year.

1d-e. Exhibit greater acceptance of and a willingness to act upon input from COCs.

COCs should be encouraged to ask more clarifying questions in order to promote a transparent process and arrange for COC members to meet with the project architect.

Response: This recommendation has been partially implemented. The District has provided access to all invoices, backup documents, contracts, warrants and other financial documentation but has only recently implemented a system to make this information available in an organized and transparent manner. The District will continue to refine the procedures to provide transparent information to members of the BMOC. Also, the BMOC has met with the construction manager but not the project architect as many of the current projects are no longer design-related.

1f-h. Provide COCs with quarterly reports

Response: This recommendation has been partially implemented. While the listed information is available to BMOC members, it has not been assembled quarterly in a report or newsletter format.

1i. Ensure that COC bylaws prohibit the School District from removing a COC member, except for cause.

Response: This recommendation has not been necessary at LHPUSD to date.

1j. Periodically review the status of COC members to ensure compliance with Government Codes 1099 and 1125.

Response: This recommendation has not been formally implemented but status will be reviewed semi-annually to ensure compliance with stated Government Codes.

k. Require COC members and School District Board members to study and familiarize themselves with the 2009 Little Hoover Commission Report "Bond Spending: Expanding and Enhancing Oversight".

Response:

Board of Trustees

Andy Wilson, Heather McAvoy, Kathy Crane, Andy LaGow, Connie Sarabia

The recommendation has not yet been implemented by the new administration but a copy of this report will be obtained and shared with Members of the Board and BMOC.

Recommendation 2: The San Mateo County Office of Education, all School Districts in San Mateo County (through the San Mateo County School Boards Association), and the San Mateo County Community College District.

- a. Develop and provide mandatory independent training for bond Citizen's Oversight Committee members.
- b. Develop and host a website with easy-to-access training materials and easy-to-understand descriptions of the roles and responsibilities of the local citizens' oversight committee members. The website should include an online training course.

Response: This recommendation is not yet implemented but LHPUSD supports the concept of providing independent training for bond COC members.

This response was reviewed by the La Honda-Pescadero Unified School District Board of Trustees during the October 14, 2010 Board meeting.

Sincerely,

Amy Wooliever
Superintendent

LAS LOMITAS ELEMENTARY SCHOOL DISTRICT

District Office
1011 Altschul Avenue
Menlo Park, CA 94025
(650) 854-2880

Las Lomitas School
299 Alameda de las Pulgas
Atherton, CA 94027
(650) 854-5900

La Entrada School
2200 Sharon Road
Menlo Park, CA 94025
(650) 854-3962

August 20, 2010

Hon. Clifford V. Cretan
Judge of the Superior Court
Hall of Justice
400 County Center, 2nd Floor
Redwood City, CA 94063-1655

Re: Grand Jury Report "School Bond Citizens' Oversight Committees, Prop. 39"

Dear Hon. Judge Cretan,

On August 18, 2010 the Board of Trustees of the Las Lomitas School District considered and approved the following response to Grand Jury Report "School Bond Citizens' Oversight Committees, Prop. 39:"

Findings:

1. The Las Lomitas School District does have a Citizens' Oversight Committee (COC) that operates under a charter developed and adopted by the board. The COC monitors and reports on expenditures of bond funds and is not involved in the approval of projects or the selection of contractors.
2. The COC has met regularly each year; when the construction program was in full swing it met 3-4 times a year. With only about \$16,000 remaining in the bond fund, the COC now meets once or twice a year and reports annually to the board.

The COC has felt well supported over the years with information provided by the district and through the expertise provided by the members of the COC. There have been no disputes about the stated intent of the bond resolution language. The COC members understand their role as oversight of a district-adopted construction plan and do not feel "irrelevant" because they did not develop the plan.

The COC benefitted from frequent interaction with LLESB's skilled project manager and recommends that all active bond programs hire excellent project managers and make them available to their COCs.

Public participation in COC meetings is slight. The Las Lomitas District has been relatively vigilant about posting information about COC meetings, reports, and

district expenditures on the website. The Committee is aware of its legal obligations.

The district has checked members' status to confirm that each member continues to meet the membership category for which they were selected. Parent members have been replaced when their children leave the district. Whether we are fully compliant depends on the definition of "bona fide taxpayers' organization;" such a definition is not provided in the law or in the report of the Little Hoover Commission.

Recommendations

1) The Las Lomas School District:

- a) has made every effort to appoint COC members who fulfill the membership criteria outlined in the bylaws and should it pass another GO bond it will set up a system to affirm on an annual basis that each member continues to meet membership criteria.
- b) has communicated to members the roles and responsibilities of the COC,
- c) has required that the COC meet 3 – 4 times a year during the construction / expenditure phase of the building program and then move to meeting twice or once a year when bond funds are nearly expended,
- d) has received regular input from the COC and acts on the COC's recommendations,
- e) has arranged for COC members to meet with architects and other project planners,
- f) will, in the event of future bond-financed projects, provide to the COC the information enumerated in Recommendation 1. f.,
- g) has and will provide timely reports to the community concerning COC findings,
- h) have and will continue to make use of school and district newsletters and the district web site to update the community on bond projects and approved expenditures,
- i) will add language to its COC bylaws that prohibit the school district from removing COC members except for cause,
- j) will review status of COC members to assure compliance with GC 1099 and 1125 and will seek clarification as to what constitutes a "bona fide taxpayers'

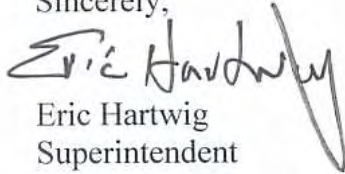
organization.”

- k) will provide members of the COC and Board of Trustees copies of the 2009 Little Hoover Commission report “Bond Spending: Expanding and Enhancing Oversight.”

2) The Las Lomas School District:

- a) will collaborate with the San Mateo County Office of Education (SMCOE) in developing independent training for COC members,
- b) will collaborate with the SMCOE in developing a website that will provide training materials and roles and responsibilities for COC members.

Sincerely,

A handwritten signature in black ink that reads "Eric Hartwig". The signature is written in a cursive style with a long, sweeping tail on the letter "y".

Eric Hartwig
Superintendent



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181 Encinal Avenue
Atherton, California 94027
650-321-7140
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www.mpcsd.org

Board of Education
Mark Box
Jeff Child
Deborah Fitz
Maria Hilton
Laura Rich

*A Community of educators, scholars, parents and staff working together
to inspire, serve, challenge and enrich all students*

Kenneth Ranella,
Superintendent

August 18, 2010

Jo Sauer Mitchell,
Asst.Supt/Curriculum &
Instruction

The Honorable Clifford V. Cretan
Judge of the Superior Court
Hall of Justice
400 County Center, 2nd Floor
Redwood city, CA 94063-1655

Diane White,
Chief Business Official

RE: San Mateo County Grand Jury Report Regarding the School Bond Citizens’
Oversight Committees, Prop 39”

Olivia Mandilk,
Dir. Of Student Services

Dear Judge Cretan:

Jim Bowlby
Dir. Of Technology

This response to the Grand Jury report, *School Bond Citizens’ Oversight Committees, Proposition 39*, was approved by the Governing Board of the Menlo Park City School District at its regular meeting on August 17, 2010.

Kathryn Tinio,
Human Resources

The Menlo Park City School District was not referenced in the Grand Jury Report as a district that is fully engaged in construction projects funded by a Proposition 39 Bond. In fact, the District passed a Proposition 39 Bond in 2006 for \$91.1 million. As required, the District formed and has operated a Citizens’ Oversight Committee soon after the Bond was passed.

Ahmad Sheikholeslami
Director, Facility
Planning and
Construction

Responses to Recommendations:

Dennis Hatfield
Supervisor Maintenance,
Transportation,
Operations

Recommendation #1: This recommendation recommends that Boards of Trustees should ensure that several operations of the Citizens’ Oversight Committee (COC) be implemented to increase the effectiveness and efficiency of the Committee. The following should clarify district operations reflective of the Grand Jury recommendations:

- a. Members of the Menlo Park City School District Citizens’ Oversight Committee have been selected in accordance with their knowledge of construction, fiscal and financial background and their understanding of the school bonds. The quality and expertise of the citizens serving on this Menlo Park COC are of the highest quality.
- b. Upon the selection of COC members, the Director of Construction and Facility Planning reviews the bylaws of the Committee and ensures an understanding of their roles and responsibilities.
- c. The Menlo Park City School District COC meets at least four times per year.

- d. The members of the COC are active and responsive in their role of reviewing facility projects, including timelines for the project and the use of Bond funds.
- e. Menlo Park COC members have met with both the architect and construction manager.
- f. Considerable documentation is provided to the COC, including original and revised budgets and timelines for completion.
- g. The Chairperson of the Menlo Park COC reports annually to the Board of Education, and reports and information about the oversight of the COC are published on the District website.
- h. Although a quarterly newsletter is not currently published, other media is employed to update the Community.
- i. No member has been removed involuntarily from the COC, yet the bylaws do not address the manner by which termination of a member would occur.
- j. The Director of Facility Planning and Construction along with the District Superintendent periodically review the status of COC members to ensure compliance.
- k. Neither the COC nor the Board of Education has reviewed the 2009 Little Hoover Commission Report, "Bond Spending: Expanding and Enhancing Oversight."

The Menlo Park City School District concurs with the recommendations of the San Mateo Grand Jury and has already implemented most of the recommendations as outlined above.

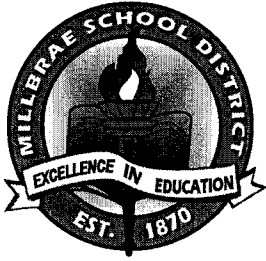
Recommendation #2: The Grand Jury recommends that the San Mateo County Office of Education, all school districts and the San Mateo County Community College District develop training for members of the Citizens' Oversight Committee and training materials that can be hosted on County website.

The Menlo Park City School District would participate collaboratively with the County, the College District and other public school districts in the development of a training program that could assist all COCs in the County.

Sincerely,



Kenneth J. Ranella
Superintendent



Millbrae School District, Citizens' Oversight Committee
555 Richmond Drive ♦ Millbrae, CA 94030
650-697-5693 ♦ 650-697-6865 (fax)

October 01, 2010

Honorable Clifford V. Cretan, Judge of the Superior Court
Hall of Justice
400 County Center; 2nd Floor
Redwood City, CA 94063-1655

Regarding: Responses to the 2009-2010 Grand Jury Report

Dear Honorable Cretan,

On September 17, 2010 the governing body of the Millbrae School District's Citizens' Oversight Committee approved the following responses to the findings and recommendations of the 2009-2010 Grand Jury report filed on July 13, 2010.

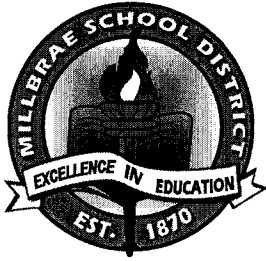
FINDINGS

Finding 1

The respondent agrees with the finding. Millbrae School District has established a COC and bylaws for oversight committees as required by Proposition 39.

Finding 2

- a. The respondent disagrees with the finding as the COC members of the Millbrae School District understand their function in monitoring and ensuring appropriate implementation of approved projects and expenditures. Members have received orientation from both the former Superintendent and the District's attorney, which also includes a special session on the Brown Act.
- b. The respondent agrees with the finding. The Millbrae COC meets quarterly each year.
- c. The respondent partially agrees with the finding in that Millbrae's COC has the appropriate mix of members. Experts and staff present information on financial reports.
- d. The respondent agrees with the finding. There has been little attendance at the COC quarterly meetings.
- e. The respondent partially agrees with the finding that discussion and analysis of reports is needed to bring deeper understanding to the bond expenditure reports. The Millbrae COC is in full compliance of posting agendas within 72 hours of the meetings.
- f. The respondent agrees with the finding that the Millbrae COC is informed in the planning, design and construction process. The Millbrae COC meets regularly with the project principals and receives financial reports that include budget to actual expenses, on time completion information and other relevant planning information.
- g. The respondent agrees with the finding that some COC members in the SMCo School Districts may find bond resolution language ambiguous and requiring legal



interpretation. The Millbrae COC seeks assistance with legal interpretation and language from the District's attorney when necessary.

Finding 3

The respondent partially agrees with this finding. The Millbrae COC were timely in putting agendas, bond money expenditures, and approved projects on the District's website. The District was late in placing the January 29, 2010 on the website after approval at the June 25, 2010 COC meeting. It was placed on the website the third week in July 2010.

Finding 4

The respondent partially agrees with this finding. The Millbrae COC is considering a study session regarding the Little Hoover Commission Report on expanding and enhancing oversight. The COC believes this sort of training and education would be valuable since the committee is comprised of people who may not all be experts in the area of bonds and oversight.

Finding 5

The respondent agrees that some school districts may have filed to periodically review the employment and membership on local government commissions and committees regarding potential conflict of interest. However, the Millbrae COC has received orientation from both the former Superintendent and the District's attorney.

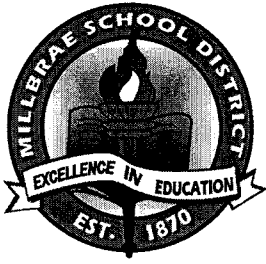
Finding 6

The respondent disagrees wholly with the finding. The Millbrae COC includes the project architects and program managers in understanding the project scope at each other quarterly meetings.

RECOMMENDATIONS

Recommendation 1

- a. The recommendation has been implemented in that the Millbrae COC is comprised of the appropriate members as designated by law. The Millbrae COC further agrees that it may difficult to identify qualified candidates who are willing to serve.
- b. The recommendation has been implemented and will continue to be implemented with quarterly reviews of the COC's roles and responsibilities.
- c. The recommendation has been implemented as the Millbrae COC meets four times per year.
- d. The recommendation has been implemented as each meeting allows for members and the public to ask more clarifying questions.
- e. The recommendation has been implemented. The COC will continue to meet with the project architect and program managers.
- f. The recommendation has been implemented and will continue to be provided with quarterly reports outlining project budgets and timelines, budget expenditures on open projects, and updates on "on time" completion of open projects.



Millbrae School District, Citizens' Oversight Committee
555 Richmond Drive ♦ Millbrae, CA 94030
650-697-5693 ♦ 650-697-6865 (fax)

- g. The recommendation has been implemented and will continue to increase public reporting of the COC findings, project expenditures and updates on open and completed projects.
- h. The recommendation has been implemented and will continue to provide a quarterly newsletter to update the community on the bond projects and approved expenditures.
- i. The recommendation has been implemented. There is nothing in the bylaws about removal of a committee member without cause.
- j. The recommendation has been implemented and will continue to periodically review the status of COC members to ensure compliance with Government Codes 1099 and 1125.
- k. The recommendation has not yet been implemented, but will be implemented in the future. The COC members and the School District Board members will engage in a study and familiarize themselves with the 2009 Little Hoover Commission Report in January 2011.

Recommendation 2

- a. The recommendation has been implemented as members have received orientation from the District's attorney. The Millbrae COC will ensure training and orientation for all new members joining the Millbrae COC.
- b. The recommendation has not been implemented, but will be implemented in the future. The District's website will provide access to training materials and descriptions of the roles and responsibilities of the local citizens' oversight committee members by January 2011.

Respectfully Submitted,

Denis Fama, Chair
Millbrae School District, Citizens' Oversight Committee

Linda C. Luna, Superintendent
Millbrae School District



Pacifica School District

375 Reina del Mar Avenue • Pacifica, California 94044
Tel: (650) 738-6600 • Fax: (650) 557-9672

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Superintendent
Davide Celoria, Ed.D.
Associate Superintendent
Josephine Peterson
Chief Business Official

September 13, 2010

Honorable Clifford V. Cretan
Judge of the Superior Court
Hall of Justice
400 County Center, 2nd Floor
Redwood City, CA 94063-1655

Re: Response to San Mateo County Civil Grand Jury Report July 13, 2010
School Bond Citizens' Oversight Committees, Prop 39

Dear Judge Cretan:

Pacifica School District

Approved: August 25, 2010, Public Board of Education meeting

- I. Pacifica School District partially agrees with the findings of the 2009-10 Grand Jury Report because recommendation one does not apply to Pacifica School District.
- II. Response to recommendations:
 - A. Recommendation #1
The recommendation will not be implemented because Pacifica School District does not have a voter approved construction bond, therefore was not included in the list of districts.
 - B. Recommendation # 2
The recommendation will not be implemented because Pacifica School District does not currently have a voter approved construction bond. However, the Pacifica School District will support the development of training materials by the San Mateo County Office of Education for the bond Citizen's Oversight Committee (COC) should the district have a voter approved construction bond and will host a website link with easy to access training materials and easy-to-understand descriptions of the roles and responsibilities of the local citizens' oversight committee (COC) members.

Sincerely,

Wendy S. Tukloff, Ed.D.
Superintendent

WST:sr

Cc: Pacifica School

Portola Valley School District

4575 Alpine Road, Portola Valley, CA 94028 • Telephone: (650) 851-1777

Ormondale School (K-3) • Corte Madera School (4-8)

Board of Trustees: Steven Humphreys, Judith Ann Mendelsohn, Scott Parker, Ray Villareal and William Youstra

September 1, 2010

Honorable Clifford V. Cretan
Judge of the Superior Court
Hall of Justice
400 County Center; 2nd Floor
Redwood City, CA 94063-1655

Re: Response to Grand Jury Report: School Bond Citizens' Oversight Committees, Prop. 39

Dear Judge Cretan:

The Portola Valley School District (PVSD) has reviewed the above-referenced 2009-10 Grand Jury Report and would like to respond to the findings:

Recommendation #1: This recommendation does not pertain to the Portola Valley School District.

Recommendation #2: As the first San Mateo County School District to pass a General Obligation Bond under the provisions of Proposition 39 and subsequently establish a successful Citizens' Oversight Committee, the Portola Valley School District supports the availability of training resources for members of such committees.

At their August 18, 2010 meeting, the Governing Board of the Portola Valley School District approved this response to the Grand Jury Report on Special Education Costs in San Mateo County School Districts. This action will be reflected in the official minutes for this meeting. We have appreciated the opportunity to respond to the Grand Jury's recommendations.

Sincerely,



Tim Hanretty
Superintendent

C. Biennial review of Conflict of Interest Policy

The Board reviewed the current Portola Valley School District Conflict of Interest Code, a requirement of every public school district, every two years.

No changes were made, and evidence of the evening's review will be sent to the County of San Mateo Board of Supervisors.

D. Response to Grand Jury Recommendations

Superintendent Campbell and Assistant Superintendent Hanretty recommended that the Board approve the District's responses to the San Mateo County Grand Jury Reports.

During the past year, the Grand Jury reviewed the following two areas:

1. The Cost of Special Education in San Mateo County School Districts
2. School Bond Citizen's Oversight Committees, Proposition 39

Mr. Youstra asked why the General Fund Support for SPED as Percentage of Total Adopted Budget appears very low for Portola Valley (p.123): 1.87%.

Mr. Hanretty explained that this number is incorrect, a clerical error which the District is working to rectify. The correct, more accurate percentage would be 8.7%.

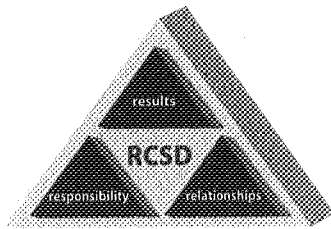
Trustee Villareal moved to approve the District's responses to the San Mateo County Grand Jury Reports, as presented, with a second motion by Trustee Parker. (83). The vote was 4:0 in favor.

E. Board Policy Second Reading: 6000 Series

Governing Board Clerk Pro Tem Youstra read Section title only aloud for the public.

Section 6000 – INSTRUCTION

6000	Basic Policy
	6000.1 Responsibilities of the Board of Trustees
	6000.2 Responsibilities of the Superintendent
6010	Parental Involvement
6110	Schedules
	6110.1 School Calendar
	6110.2 Released Time
6115	Ceremonies and Observances
6140	Curriculum Development/Organization
	6140.1 Standards of Proficiency
	6140.2 Differential Standards
	6140.3 Substance Abuse Education



"OUR CHILDREN – OUR FUTURE"

Ravenswood City School District

2120 Euclid Avenue, East Palo Alto, California 94303
(650) 329-2800 Fax (650) 323-1072

Board Members:
Sharifa Wilson, President
Larry Moody, Vice President
Saree Mading, Clerk
John Bostic, Member
Marcelino López, Member

María M. De La Vega
Superintendent

September 27, 2010

Hon. Clifford V. Cretan
Judge of the Superior Court
Hall of Justice
400 County Center
Redwood City, CA 94063-1655

Re: Response to the Grand Jury Report - The School Bond Citizens' Oversight Committees,
Prop 39

Your Honor:

The Governing Board of the Ravenswood City School District is in receipt of the Grand Jury report on *School Bond Citizens' Oversight Committees, Prop 39*.

The Ravenswood City School District is not presently amongst the school districts in San Mateo County that has appointed or convened a School Bond Citizens' Oversight Committee pursuant to Proposition 39.

Finding 1: This finding is not directed to the RCSD and the RCSD has no substantive information to provide in response to this finding.

Finding 2: This finding is not directed to the RCSD and the RCSD has no substantive information to provide in response to this finding.

Finding 3: This finding is not directed to the RCSD and the RCSD has no substantive information to provide in response to this finding.

Finding 4: This finding is not directed to the RCSD and the RCSD has no substantive information to provide in response to this finding.

Finding 5: This finding is not directed to the RCSD and the RCSD has no substantive information to provide in response to this finding.

Finding 6: This finding is not directed to the RCSD and the RCSD has no substantive information to provide in response to this finding.

Recommendation 1: This recommendation is not directed to the RCSD and the RCSD has no substantive information to provide in response to this recommendation.

Recommendation 2: The recommendation has not yet been implemented, but will be implemented in the future, with a time frame for implementation dependent on the cooperation of and commitment of resources by the other County school districts, the San Mateo County School Boards Association, the San Mateo County Superintendent of Schools, and the San Mateo County Community College District, with elements to be determined collaboratively amongst those agencies.

The foregoing response was approved by the Governing Board of the Ravenswood City School District at a regular public meeting held on October 14, 2010.

Very truly yours,

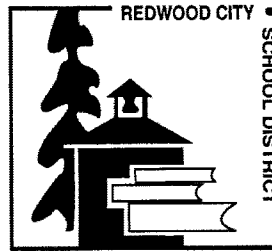

Maria de la Vega, Superintendent

REDWOOD CITY SCHOOL DISTRICT

750 Bradford Street • Redwood City • CA 94063 (650) 423-2200 FAX: (650) 423-2204

Board of Education

Dennis McBride, President
Alisa MacAvoy, Vice President
Hilary Paulson, Clerk
Shelly Masur
Maria Diaz-Slocum



Superintendent

Jan Christensen

September 23, 2010

Honorable Clifford V. Cretan
Judge of the Superior Court
Hall of Justice
400 County Center, 2nd Floor
Redwood City, CA 94063-1655

Re: Response to Grand Jury Report on School Bond Citizens' Oversight Committees, Prop 39, as approved by the Redwood City School District Board of Education on September 22, 2010

Dear Judge Cretan:

1. The Redwood City School District (the "District") agrees with the Grand Jury report's findings, to the extent they pertain to the District.
2. With respect to the recommendations of the report, only Recommendation #2 applies to the District. Therefore, the District agrees to work with the San Mateo County Office of Education with respect to the recommendation to make available training for Bond Citizens' Oversight Committee members. We will certainly link to the County Office website any training materials and descriptions of the roles and responsibilities of the local citizens' oversight committee members. If an online training is available, the District will also make that available to any members of a citizens' oversight committee.

Sincerely,

Dennis P. McBride

Dennis McBride
President, Board of Education

BOARD OF TRUSTEES

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William J. Henderson Jr.
Kevin J. Martinez
James R. Prescott
Henry Sanchez, MD



ADMINISTRATION
David E. Hutt, Ed.D.
Superintendent
Lynn Orong, MBA
Associate Superintendent
of Business Services

September 9, 2010

The Honorable Clifford V. Cretan
Judge of the Superior Court
Hall of Justice
400 County Center, 2nd Floor
Redwood City, CA 94063

Dear Judge Cretan:

We are in receipt of the Grand Jury's report and findings concerning, "School Bond Citizens' Oversight Committees, Prop 39."

As respondent we agree with the findings.

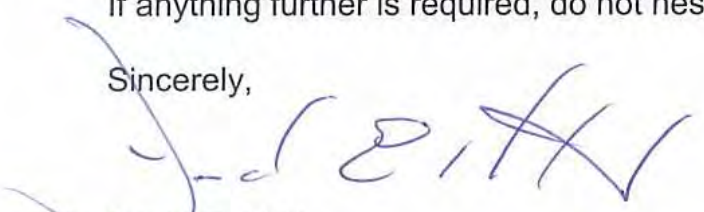
Concerning the recommendations:

Recommendation #1 – The recommendation will not be implemented. It is not warranted because we do not have any Prop 39 activity or bonds being serviced.

Recommendation #2 – The recommendation has not yet been implemented, but will be implemented in the future, under the overarching direction of the San Mateo County Office of Education.

If anything further is required, do not hesitate to contact us.

Sincerely,



David E. Hutt
Superintendent

This response was approved by the San Bruno Park School District Board of Trustees at their September 8, 2010 meeting.



SAN CARLOS SCHOOL DISTRICT

Craig Baker, Ed.D., Superintendent
Kelly L. Price, Chief Business Official

826 Chestnut Street
San Carlos, CA 94070
Voice: (650) 508-7333
Fax: (650) 508-7340
www.sancharlosk12.ca.us

December 6, 2010

The Honorable Clifford V. Cretan
Judge of the Superior Court
Hall of Justice
400 County Center; 2nd Floor
Redwood City, CA 94063-1655

Re: *Response to the 2009-2010 Grand Jury Report Regarding Prop 39 – School Bonds Citizens' Oversight Committees*

Dear Honorable Cretan,

The San Carlos School District Governing Board has reviewed the Grand Jury Report and its recommendations regarding Prop 39, School Bond Citizens' Oversight Committees and offers the following response:

Recommendation #1: This recommendation does not pertain to the San Carlos School District.

Recommendation #2: The San Carlos School District would participate collaboratively with the San Mateo County Office of Education, the Community College District and all other public school districts in the development of a training program that could assist all Citizen Oversight Committees in the County.

This action will be reflected in the minutes of the December 9, 2010 Governing Board meeting minutes.

Sincerely,

Kelly Price
Chief Business Official



San Mateo-Foster City School District

October 1, 2010

The Honorable Clifford V. Cretan
Judge of the Superior Court
Hall of Justice
400 County Center, 2nd Floor
Redwood City, CA 94063-1655

Dear Judge Cretan:

In accordance with the San Mateo County Grand Jury's recent finding and recommendations regarding Citizen Bond Oversight Committees, the San Mateo-Foster City School District responds as follows:

Response to Report Findings:

1. The District has a Citizen's Oversight Committee (COC) governed by bylaws adopted by the San Mateo-Foster City School District Board of Trustees. This COC oversees bond expenditures and appropriate use of bond funds. The Committee does not select contractors or approve projects. Finally, the District also agrees that the COC reviews and reports on expenditures after they have been made. The COC's bylaws are attached.
2. The COC meets on a quarterly basis. Up to this point, the District has not experienced any disputes from the COC. It is the District's belief that the COC fulfills an important role for the District and we do not believe they are "irrelevant" or that the COC members feel they are "irrelevant" in their roles. The COC is a valued partner to the District. The District continues to offer support to the COC, as it pertains to their role of reviewing expenditures. In addition, the COC has direct input in the development of the COC meeting agendas in order to support the COC in facilitating the process.
 - The COC meets quarterly.
 - COC members should understand how to read the District's financial reports. The Administration does not require that potential COC members have financial knowledge since the Administration provides support, explanations and reviews for how to read financial statements.
 - Since the inception of the COC, there has been no public participation or attendance at COC meetings.
 - If members do not understand the reports, the Administration provides an explanation.
 - The District does not believe that its bond resolution language is ambiguous; however, it is ambitious.
 - The District Administration is working on the improving timeliness of placing minutes, bond money expenditures, and approved projects on the District website.

Board of Trustees:

Julie S. Chan
Mark D. Hudak
Lory Lorimer Lawson
Colleen Sullivan
Ellen Mallory Ulrich

Superintendent:

Pendery A. Clark, Ed.D.


1170 Chess Drive
Foster City, CA 94404
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www.smfc.k12.ca.us

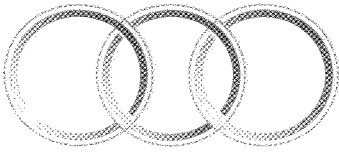
- The District regularly reviews the bylaws with the COC to ensure the numbers understand their roles and responsibilities.
- We do not agree that meeting with the architects would provide value to COC members because the COC's role is to ensure that bond funds are spent according to the voter approved bond language, not to plan projects.

Response to Recommendations:

1. The San Mateo-Foster City School District:
 - a) Continues to recruit to ensure that the membership criteria for COC member is met. However, the District has not been able to recruit members from a taxpayers' organization.
 - b) Regularly provides COC members with copies of the COC bylaws which clearly communicate their roles and responsibilities.
 - c) Continues to meet with the COC members at least once each quarter. Additional meetings are held as business needs dictate.
 - d) Encourages regular input and recommendations from COC members.
 - e) Does not provide opportunities for the COC members to meet with the District architects. The COC members are welcome to attend all public Board Meetings throughout the year.
 - f) Provides the COC with regular updates on project status, timelines, expenditures and bond budget information.
 - g) Has a process to distribute annual reports on bond projects to the community.
 - h) Will develop a process to distribute quarterly newsletters or use other media to update the community on expenditures.
 - i) Already has language in the COC bylaws that describes the membership of the COC. No member can be removed, except for cause.
 - j) Will implement an annual process for COC members to affirm and validate that they are in compliance with Government Codes 1099 and 1125.
 - k) Will provide the Board of Trustees and COC members with a copy of the 2009 Little Hoover Commission report "Bond Spending: Expanding and Enhancing Oversight."
2. The San Mateo-Foster City School District:
 - a) Will develop an independent training program for COC members.
 - b) Will update the website to include COC training materials as well as information regarding roles and responsibilities.

Sincerely,


 Pendergast A. Clark, Ed.D.
 Superintendent



Cañada College, Redwood City
College of San Mateo, San Mateo
Skyline College, San Bruno

SAN MATEO COUNTY COMMUNITY COLLEGE DISTRICT

Office of the Chancellor

August 19, 2010

The Honorable Clifford V. Cretan
Judge of the Superior Court
Hall of Justice
400 County Center; 2nd Floor
Redwood City, CA 94063-1655

Dear Judge Cretan,

The San Mateo County Community College District has read the Grand Jury's report on "School Bonds Citizens' Oversight Committees" and disagrees partially with the recommendations.

In Recommendation #1, the District agrees with and District policy and procedures conform to recommendations 1 a-d.

The District disagrees with Recommendation 1e--arranging for the Bond Oversight Committee (BOC) to meet with the project architect. The BOC is charged by State law to 1) ensure that bond proceeds are spent only for construction, reconstruction, rehabilitation or replacement of District facilities, including the furnishing and equipping of facilities or the acquisition or lease of real property, in compliance with the specific projects listed in the bond measure and 2) ensure that no funds are expended for teacher or administrator salaries or other operating expenses. The Committee is not charged with advising on which construction projects are undertaken, the cost of projects, design issues, or any other aspect of the facilities program. Given this, we believe that meeting with the architects is not consistent with State law. The District's BOC is regularly invited to construction sites to review the progress of projects and project managers are available to answer any questions that Committee members may have.

Additionally, in our District, there are dozens of projects involving dozens of architects; arranging for the BOC to meet with each architect would be time consuming and expensive, due to the fact that the District would need to pay for the architects' time and travel (some architects are not local).

The District will not implement Recommendation 1e.

The District agrees with and District policy and procedures conform to Recommendation 1f.

The District disagrees with Recommendation 1g and h, regarding "periodic" reports on budgets and timelines, etc. and publishing a quarterly newspaper because this is not required by State law and would be costly and time-consuming to implement. Bond Oversight Committees are required to comply with the Brown Act and, therefore, all meetings are open to the public. In our District, we send copies of BOC committee agendas to the local press and put the agendas and all reports to be

discussed by the committee on the District's web page. Meetings are open to the public and all agendas include a time for members of the public to address the BOC about any issue. State law requires one annual report and requires that it be posted on the District's web page. We believe that these actions provide adequate notification to the public and adequate opportunity for the public to be informed about the District's facilities program and use of bond funds. The District does not have the staff time or money to provide services beyond what State law requires.

The District will not implement this recommendation.

The District agrees with Recommendations 1i-k, and District policy and procedures conform to these recommendations.

The District agrees with Recommendations #2 a and b; District procedures are consistent with Recommendation 2a (mandatory training for BOC members) and stands ready to assist with implementation of Recommendation 2b (development of web-based training materials and descriptions of the role and responsibilities of BOC), which we believe should be spearheaded by the County Office of Education or, as suggested by the Little Hoover Commission, should be developed by the State Allocation Board and California Community Colleges for statewide distribution.

New Bond Oversight Committee members meet with the Chair of the Committee, the District employee who is staff to the Committee and with the Vice Chancellor for Facilities and Maintenance for an overview of the role and responsibilities of the BOC. They are also provided with a binder that includes 1) Rules and Regulations governing the BOC; 2) a copy of Proposition 39 and AB 1908, which established Bond Oversight Committees; 3) information on the Brown Act; 4) Conflict of Interest rules from the FPPC; and 5) copies of past financial reports, financial and performance audits, minutes and agendas and other reports from BOC earlier proceedings. All of these materials are also discussed with the BOC Chair.

This response was reviewed by the District's Bond Oversight Committee on July 27, 2010 and was approved by the Board of Trustees of the San Mateo County Community College District at its meeting on August 18, 2010.

Sincerely,



Ron Galatolo
Chancellor



SAN MATEO COUNTY OFFICE OF EDUCATION

Jean Holbrook, Ed.D., County Superintendent of Schools

August 13, 2010

Honorable Clifford V. Cretan
Judge of the Superior Court
Hall of Justice
400 County Center, 2nd Floor
Redwood City, CA 94063-1655

Dear Judge Cretan:

This letter responds to the 2009-2010 San Mateo County Civil Grand Jury's Report entitled "School Bond Citizens' Oversight Committees, Prop 39."

Recommendation #2. The San Mateo County Office of Education, all School Districts in San Mateo County (through the San Mateo County School Boards Association), and the San Mateo County Community College District.

a. Develop and provide mandatory independent training for bond Citizen's Oversight Committee members.

The County Superintendent agrees with the recommendation to make available training for bond Citizen's Oversight Committee members and, though it can be strongly encouraged, it cannot be mandated. This Office is willing to work with the districts on the provision of this training and is furthermore willing to research available training so that the training does not need to be locally developed. Should there be interest, the County Office will broker this training by setting up training either countywide or by district, in concert with the district(s).

b. Develop and host a website with easy-to-access training materials and easy-to-understand descriptions of the roles and responsibilities of the local citizen's oversight committee members. The web site should include an online training course.

The County Superintendent agrees that it would be helpful to the work of oversight committees to have easy, online access to these materials. The County Office is willing to work with districts to determine what would be most helpful to them and to their committees, and with the districts' concurrence, the County Office is willing to post the information on the County Office web site and ensure that local citizen's oversight committee members have the address in order to access it. While the County Office does not have the expertise to develop an online training

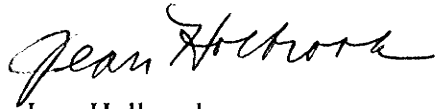
Honorable Clifford V. Cretan

August 13, 2010

Page 2 of 2

course, the Office is willing to research available online courses, if any, that could be accessed through or posted on the County Office web site.

Sincerely,

A handwritten signature in black ink that reads "Jean Holbrook". The signature is written in a cursive, flowing style.

Jean Holbrook

San Mateo County Superintendent of Schools

c: San Mateo County Board of Education
Grand Jury Web site (via e-mail)
Board of Supervisors

San Mateo Union High School District

Scott Laurence, Superintendent

Elizabeth McManus, Deputy Supt. Business Services

Matthew Biggar, Associate Supt. Instructional Services

Kirk Black, Associate Supt. Human Resources & Admin. Services



September 24, 2010

The Honorable Clifford V. Cretan
Judge of the Superior Court
Hall of Justice
400 County Center, 2nd Floor
Redwood City, CA 94063-1655

Subject: SCHOOL BOND CITIZENS OVERSIGHT COMMITTEES,
PROPOSITION 39

Dear Judge Cretan:

On July 13, 2010, the Grand Jury of San Mateo County published its "School Bond Citizens Oversight Committees, Prop 39" report. The Board of Trustees of San Mateo Union High School District is charged with setting policies and overseeing the implementation of those policies and appointing the members of the Measure M Bond Citizen Oversight Committee. The Board takes these responsibilities very seriously and has not and will not allow, permit or approve any inappropriate action. The San Mateo Union High School District has a very involved COC. With Measure M, the Board implemented prudent accounting practices and instilled transparency and clarity for its capital facilities program. Due to our transparency and prudent fiscal oversight, the District continues to execute fiscally sound decisions that have been fully analyzed and publicized by the COC.

Please find our specific responses in the paragraphs below.

DISTRICT'S RESPONSE TO GRAND JURY'S FINDINGS

The Grand Jury's Findings appear below:

All San Mateo County school districts that have current Proposition 39 voter approved bonds have established COCs and bylaws for oversight committees as required by Proposition 39.

1. Appoint members to fill the various COC categories who have experience or working knowledge of building and construction, fiscal or financial background and an understanding of school bonds.

Response:

The District agrees with the finding when it is feasible.

650 North Delaware Street, San Mateo, CA 94401-1732 (650) 558-2299 (650) 762-0249
FAX

The Board appoints members of the COC with knowledge of finance, building and construction when feasible while remaining fully compliant with the category requirements of COC members.

2. Communicate to COC membership candidates the role and responsibilities of the local oversight committees.

Response:

The District agrees with the finding.

The District has a manual that is distributed to each member upon joining the COC. The manual includes the responsibility of the COC members. In addition, bond counsel attends a meeting annually and reviews the scope of COC responsibility.

3. Require in COC bylaws that COCs meet at least four times a year

Response:

The District agrees with the finding.

As identified in the bylaws, the COC meets at least quarterly. In addition, the COC tours bond project sites and reviews the status of construction. The District construction manager as well as the Board attend the tour. Members of the COC receive all Board agendas as well as any construction information. They are invited to all open houses and any special presentation that could impact the bond program.

4. Exhibit greater acceptance of and a willingness to act upon input from COCs. COCs should be encouraged to ask more clarifying questions in order to promote a transparent process.

Response:

The District agrees with the finding.

The responsibility of the COC includes verifying that all expenditures are aligning with the bond project list. However, the District goes a step further and utilizes its exemplary COC to share information and advice that may potentially impact the bond program. This includes having the District architect review its tentative schematic designs with the COC before they are presented to the Board, bringing forth a panel of experts on solar photo voltaic panels to inform the COC as to the feasibility and attributes of solar technology prior designing and installing a District-wide solar project, discussing the options for matching funding opportunities.

5. Arrange for COC to meet with project architect.

Response:

The District agrees with the finding.

The District architects have presented numerous presentations to the COC including draft schematic designs. In addition, members of the COC have served on the panel that ultimately selected the project architect.

6. Provide COC with quarterly reports outlining:
 - Proposed project budgets and timelines for voter approved bonds
 - Actual to budget expenditures on open projects covered under voter approved bonds
 - Percent of “on time” completion of open projects covered under voters approved bonds

Response:

The District agrees with the finding.

At each COC meeting, project budgets and schedules are presented in detail. The District Construction Manager reviews each project status and schedules with the COC. The COC also reviews any obstacles that could impact the schedule for bond projects, including furlough days implemented at DSA.

7. Improve the procedures that provide formal, periodic and timely reports to the community regarding COC findings, bond projects and approved expenditures.

Response:

The District agrees with the finding.

All COC meetings are public and COC notes and minutes are posted to the COC webpage on the District’s website. A quarterly construction update is presented to the Board and the presentation is posted to the District website. The Board approves intent to go to bid, approves contracts, approves change orders, budget transfers, notices of completion, matching grants, additional service contracts, and architect contracts. The Superintendent includes a construction update in his community newsletter. The COC annual report is presented to the Board by the COC Chair and is posted to the website.

8. Publish a quarterly newsletter or use other media to update the community on bond projects and approved expenditures.

Response:

The District agrees with the finding.

See response to Number 7 above. In addition, open houses are held for medium size projects or larger.

9. Ensure that COC bylaws prohibit the School District removing a COC member except for cause.

Response:

The District agrees with the finding.

The bylaws outline that COC members will only be removed for cause or conflict of interest.

10. Periodically review the status of the COC members to ensure compliance with Government Code 1099 and 1125.

Response:

The District agrees with the finding.

Periodically, the status of COC members has been reviewed to ensure compliance with Government Codes 1099 and 1125.

11. Require COC members and School District Board members to study and familiarize themselves with the 2009 Little Hoover Commission Report “Bond Spending: Expanding and Enhancing Oversight”.

Response:

The District agrees with the finding.

The 2009 Little Hoover Commission Report “Bond Spending: Expanding and Enhancing Oversight” has been disseminated to the COC members.

12. Develop and provide mandatory independent training for bond Citizen’s Oversight Committee members.

Response:

The District agrees with the finding.

The COC members receive extensive training regarding their roles as well as understanding the project financial reports and schedules. Many times the members have asked that the formats be revised or additional information be provided to ensure total clarity as to expenditures. At times, the COC has requested additional information on specific topics that have been provided by professional experts, who on occasion have attended the meetings.

13. Develop and host a website with easy to access training materials and easy to understand descriptions of the roles and responsibilities of the local citizen's oversight committee members. The website should include an online training course.

Response:

The District agrees with the finding.

All materials regarding the Measure M capital facilities program have been posted on the website. A Google Documents website has been set up for COC members and pertinent documents have been posted for review.

In closing, the District, on behalf of its communities and students, would like to thank the members of the Grand Jury for the work they are undertaking to ensure the District's COC functions are effective and in full compliance with Proposition 39. As evident from the responses above, the District takes its obligations under Proposition 39 very seriously. The District and Board work hard to provide the community with frequent communications to ensure the community is fully aware and pleased with the accountability and progress of the Measure M bond and construction program.

Respectfully submitted,



Scott Laurence
Superintendent

This response was approved by the San Mateo Union High School District Board of Trustees at their September 23, 2010 meeting.

SEQUOIA UNION HIGH SCHOOL DISTRICT

480 JAMES AVENUE, REDWOOD CITY, CALIFORNIA 94062-1098
ADMINISTRATIVE OFFICES (650) 369-1412

BOARD OF TRUSTEES
DON GIBSON
OLIVIA MARTINEZ
LORRAINE RUMLEY
ALAN SARVER
CHRIS THOMSEN

JAMES LIANIDES
SUPERINTENDENT

September 2, 2010

Honorable Clifford V. Cretan
Judge of the Superior Court
Hall of Justice
400 County Center, Second Floor
Redwood City, CA 94063-1655

Re: 2009-10 San Mateo County Civil Grand Jury July 13, 2010, report
School Bond Citizens' Oversight Committees, Prop 39

Dear Judge Cretan:

The Sequoia Union High School District is in agreement with the recommendation of the San Mateo County Civil Grand Jury as to the role and necessary training of Proposition 39 Bond Oversight Committees.

The Sequoia Union High School District does have an active Bond Oversight Committee that meets quarterly to review expenditures and construction progress of the projects funded under Measure J bonds.

It already carries out most of the activities listed under Recommendation No. 1; and per Recommendation No. 2, it will provide further training to committee members and continue to post Measure J bond information on the District website.

The SUHSD Board of Trustees approved this response to the Civil Grand Jury at its meeting on September 1, 2010.

Sincerely,



James Lianides, Ed.D.
Superintendent

c: Enrique Navas
Board of Trustees



SOUTH SAN FRANCISCO UNIFIED SCHOOL DISTRICT
398 B Street, South San Francisco, CA 94080-4423
(650) 877-8700 / Fax (650) 583-4717
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SUPERINTENDENT
Howard S. Cohen, Ed.D.

BOARD OF TRUSTEES
Judith M. Bush
Maurice D. Goodman
Shirlee J. Hoch
Liza Normandy
Philip J. Weise

November 19, 2010

Honorable Clifford V. Cretan
Judge of the Superior Court
Hall of Justice
400 County Center, 2nd Floor
Redwood City, Ca 94063-1655

Re: Response to "School Bond Citizen's Oversight Committees, Prop 39"

Dear Judge Cretan:

The following are the responses from the South San Francisco Unified School District (SSFUSD) regarding the findings, conclusions and recommendations from this Grand Jury Report, dated July 13, 2010:

FINDINGS (ALL)

District Response: The SSFUSD did not have a Proposition 39 Bond when the Grand Jury Report was presented to the district in July of 2010 and therefore cannot comment with any first-hand knowledge on any of the findings of the Grand Jury.

CONCLUSIONS (ALL)

District Response: The SSFUSD did not have a Proposition 39 Bond when the Grand Jury Report was presented to the district in July of 2010 and therefore cannot comment with first-hand knowledge on any of the findings of the Grand Jury.

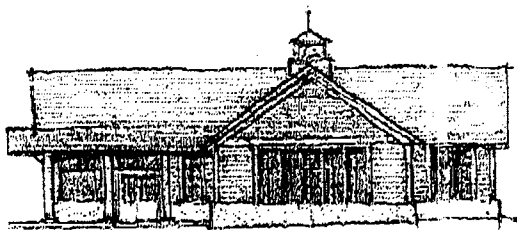
RECOMMENDATIONS:

The SSFUSD did pass a proposition 39 Bond on November 2, 2010. We believe all the recommendations from the Grand Jury report have merit and we intend to implement all of the Grand Jury recommendations.

This response was approved by the South San Francisco Unified School District Board of Education in open session during the regularly scheduled meeting held on November 18, 2010.

Respondent for the South San Francisco Unified School District:

Howard Cohen
District Superintendent



Woodside Elementary School District

3195 Woodside Road, Woodside, CA 94062

650-851-1571 ~ fax: 650-851-5577

www.woodside.k12.ca.us

August 24, 2010

Hon. Clifford V. Cretan
Judge of the Superior Court
Hall of Justice
400 County Center, 2nd Floor
Redwood City, CA 94063-1655

RE: Response to Grand Jury Report 2009-2010: School Bond Citizens' Oversight Committees, Prop 39

Dear Judge Cretan:

The Woodside Elementary School District (WESD) Governing Board has reviewed the Grand Report and recommendations regarding the Grand Jury Report 2009-2010: School Bond Citizens' Oversight Committees, Prop 39 and offers the following response to the findings:

Recommendation #1: While this recommendation does not pertain to the Woodside Elementary School District at this time, the WESD Governing Board agrees with the findings as they are presented.

Recommendation #2: While this recommendation does not pertain to the Woodside Elementary School District at this time, the WESD Governing Board agrees with this finding.

At the August 24, 2010 WESD Board Meeting, the Governing Board of the Woodside Elementary School District approved this response to the Grand Jury Report 2009-2010: School Bond Citizens' Oversight Committees, Prop 39. This action will be reflected in the minutes for this meeting.

Thank you for the opportunity to respond to the Grand Jury's recommendations regarding this important issue.

Sincerely,

Diana Abbati
Superintendent/Principal