

**PURPOSE AND FUNCTION OF THE INDEPENDENT CITIZENS' OVERSIGHT
COMMITTEE FOR PROPOSITION "S"**

The following is a summary of the law regarding an Independent Citizens' Oversight Committee (ICOC) for Proposition "S," the \$2.1 billion capital improvement bond measure passed by San Diego voters on November 4, 2008.

Principal Purpose of the ICOC [Education Code, section 15278(b)]

- Inform the public concerning the expenditure of bond revenues; and
- Actively review and report on the proper expenditure of taxpayers' money for school construction.

In requiring the establishment of an ICOC, the intent of the California State Legislature was to allow taxpayers to directly participate in the oversight of bond expenditures and to ensure accountability of those monies. [Education Code, sections 15264(b) & (c)]

The ballot language of Proposition S states, in relevant part, that the purpose of the ICOC is to ". . . ensure bond proceeds are spent only for the school facilities projects listed in the Bond Project List."

Responsibilities of the ICOC [Education Code, sections 15278(b), 15280(b)]

1. Review and report on the proper expenditure of taxpayers' money for school construction and related facilities and equipment;
2. Advise the public as to whether the District is in compliance with the requirements of Proposition 39 (also known as the Strict Accountability in Local School Construction Bonds Act of 2000, commencing at Chapter 1.5 of Education Code, added by Stats. 2000, c. 44 (A.B. 1908), approved at the November 7, 2000 general election);
3. Convene to provide oversight for the following:
 - a. Ensure that bond revenues are expended only for the construction, reconstruction, rehabilitation, or replacement of school facilities, including the furnishing and equipping of school facilities, as approved by San Diego voters and as identified in the District's Bond Project List prepared in Proposition S; and
 - b. Ensure that no funds are used for any teacher or administrative salaries or other school operating expenses.

4. Conduct regular open meetings that comply with the requirements of The Brown Act [California Opening Meeting Law found at Government Code, §54950 *et seq.*], which include notice provisions;
5. Issue regular reports on the results of its activities, and issue a report at least once a year; and
6. Make all documents available to the public via the internet website of the District.

Authorized Activities of ICOC [Education Code, section 15278(c)]

To ensure compliance with Proposition 39, the ICOC must alert the public of any waste or improper expenditures of school construction bond money. In furtherance of this purpose, the ICOC may engage in the following activities: [Education Code, section 15264(c)]

1. Receiving and reviewing copies of the annual, independent performance audit conducted to ensure that the bond funds have been expended only on the specific projects listed in Proposition S;
2. Receiving and reviewing copies of the annual, independent financial audit of the bond funds from Proposition S;
3. Inspecting school facilities and grounds to ensure that bond revenues are expended in compliance with the requirements of paragraph (3) of subdivision (b) of Section 1 of Article XIII A of the California Constitution;
4. Receiving and reviewing copies of any deferred maintenance proposals or plans developed by the District, including any reports required by Section 17584.11;
5. Reviewing efforts by the District to maximize bond revenues by implementing cost-saving measures, including, but not limited to, all of the following:
 - a. Mechanisms designed to reduce the costs of professional fees;
 - b. Mechanisms designed to reduce the costs of site preparation;
 - c. Recommendations regarding the joint use of core facilities;
 - d. Mechanisms designed to reduce costs by incorporating efficiencies in schoolsite design; and
 - e. Recommendations regarding the use of cost-effective and efficient reusable facility plans.

The ICOC is advisory only and does not have the authority to impede or replace the activities of the District Board of Education or its members.