

West Contra Costa Unified School District
Board Governance Subcommittee
Board of Education Response to Grand Jury Recommendations
September 21, 2015

Response to Findings

In accordance with California Penal Code Section 933.05, the District's response to each of the numbered Findings is as follows:

F1. The WCCUSD school board appoints CBOC members who oversee it, which may make CBOC members feel beholden to WCCUSD board members, which may result in an inherent conflict of interest.

District Response: District partially disagrees with the Finding. The five Board appointees do not represent a majority of the 19 members of the committee; however, for complete transparency and responsiveness to this concern, the Board, along with its Governance Subcommittee, will be considering revisions to Board Policy 7214.2 within the next several weeks to address the size and make-up of the committee.

F2. CBOC membership is currently set at 19, which makes it difficult to reach a quorum or to get business done with so many voices to be heard at meetings.

District Response: District partially disagrees with the Finding. Since January of 2013, the CBOC has held 27 meetings, all of which have had quorums. Due to the size of the \$1.6 billion dollar bond program, and its related complexities, the Chair of committee found it necessary to have a large committee to allow participation on subcommittees related to specific work, i.e. change orders, cost savings, website, etc.

However, due to so many committee members, it can lengthen agenda items due to the many voices needing to be heard. Board policy revisions will be proposed to the Board, after input from the Governance Subcommittee, within the next several weeks that could have the opportunity to reduce membership.

F3. The School Board had added a discretionary category for a member of the Public Employees Union Local 1 on CBOC.

District Response: District agrees with the Finding. Board Policy 7214.2 does have a discretionary category for a member of the Public Employees Union Local 1. The position is currently vacant and the Board, after input from the Governance Committee, will be considering revisions to Board Policy 7214.2 within the next several weeks to address the size and make-up of the committee.

Response to Recommendations

R1. The School Board should eliminate the following six member positions from CBOC at the expiration of their terms, to eliminate any concerns about conflicts of interest.

- Five members, one recommended by each member of the Board of Education
- One member representing the Contra Costa Building and Construction Trades Council

District Response: This recommendation requires further analysis and has not yet been implemented but it is anticipated that the Board of Education, after input from the Governance Committee, will be considering policy revisions within the next several weeks to make adjustments to the size and make-up of the committee.

- R2. The School Board should change the School Board discretionary category of "Public Employees Union Local 1" to that of an "at large" position from the general community in order to allow for a greater pool of qualified candidates to apply.

District Response: This recommendation requires further analysis and has not yet been implemented but it is anticipated that the Board of Education, after input from the Governance Subcommittee, will be considering policy revisions within the next several weeks to make adjustments to the size and make-up of the committee. This position is currently vacant. It should be noted that the CBOC recommended that the general community "at large" position, after consideration by the Board of Education, have construction experience.

- R3. The School Board should create an independent selection committee to select new nominees for CBOC, comprised of the CBOC Chair and a designated appointee from CBOC, two members from the Board of Education, and School Superintendent or designee, for a committee of five. Selection should be based on merit and be a transparent process to ensure public confidence in this vital selection process.

District Response: This recommendation requires further analysis. There are challenges to identify potential members that have the time and commitment to serve on the committee. There are rarely multiple individuals at any one time vying for a spot on the committee. A selection committee could discourage participation and volunteerism and lengthen the process. The CBOC recommended that a selection subcommittee be formed consisting of one CBOC member and the Board of Education liaison to the CBOC to review potential candidates prior to appointments being recommended by the Board. It should be noted that membership applications are now reviewed the Board of Education prior to appointment. It is anticipated that the Board of Education, after input from the Governance Subcommittee, will be considering this recommendation along with possible policy revisions within the next several weeks.