

**TC (1) Work Step**

Determine whether the revised District/Board policy for the selection and appointment of the Citizens Bond Oversight Committee (CBOC) members is transparent, neutral, and free of possible conflicts or loyalties.

**Results of Testing**

The District has completed the process of revising its policy related to how members of the CBOC are appointed. Board members are no longer able to appoint members to the CBOC and the category of Board Member appointee has been retired per Board Policy 7214.2 effective 12/9/2015. The current policy for the selection and appointment of the CBOC members appears to be transparent, neutral, and free of possible conflict of interests or loyalties to Board members. VLS tested the use of the current policy and determined that the selection process is functioning as intended per Board Policy 7214.2 effective 12/9/2016.

The current policy for CBOC member selection is as follows:

- Nominations for the five positions required by law are made by the respective organization for each of the required positions
- All other nominations beyond the five required positions are be made by self-nomination
- All nominations are made using the CBOC approved application form and must include a resume and statement from the candidate
- Application packets are submitted to the Superintendent and the CBOC Chair
- Application packets are published in a regular Facilities Subcommittee agenda package and all candidates are interviewed by this subcommittee in a regular public meeting
- The Facilities Subcommittee makes a recommendation based on merit to the Board of Education for appointment to the CBOC
- The Board of Education appoints the CBOC members
- In the event of a CBOC vacancy, the process used to select the original CBOC member is followed.

**Advertising Open CBOC Positions:**

The CBOC website advertises the opportunity to “join the CBOC team” with a link in its home page. CBOC members actively communicate the opportunity to join the CBOC membership to the community by word of mouth, and the Superintendent communicates this opportunity to candidates he considers would be interested when he visits the school sites for meetings. However, no announcement is posted on the main District website and no communication is made to parents through a newsletter forum to advertise membership opportunities within the CBOC. Additionally, no newspaper advertising or article is published to inform the community at large of the opportunity to join the CBOC membership even at times when vacancies exist. See TC1-1 for recommendation related to this area.

**CBOC Membership Make-Up:**

Some individuals interviewed during Phase II expressed concern over two specific membership positions of the CBOC; the member of the Contra Costa Building and Construction Trades Council, and the member of the Public Employees Union Local 1 (who is not a District employee). The concern is that these two positions in the CBOC may appear, by the nature of their commitment to their council and union, to be biased in the performance of their duties as members of the CBOC.

Education Code 15282 prohibits District employees, officials, vendors, contractors, and consultants from being appointed to the CBOC. The member of the Contra Costa Building and Construction Trades Council, and the member of the Public Employees Union Local 1 (who is not a District employee) are not within the lists of individuals who are prohibited from being appointed to membership in the CBOC. Additionally, the CBOC performs a retrospective review and assessment of the expenditures of a bond program. Although the CBOC does not have the authority to approve bond issuances, determine how bond funds are to be spent and does not have the authority to negotiate, award or approve construction contracts, members of the CBOC should always represent the interest of the District in the performance of their duty to review and assess the expenditures of the bond program. Because the CBOC performs only a retrospective review and assessment of the expenditures of the Bond program, does not have the authority to approve bond issuances or determine how bond funds are to be used, and these membership positions are only two of seventeen positions in the CBOC, VLS is not making a recommendation to remove these two positions.

**New Score**

Low

**Recommendation**

TC1-1. Employ methods of reaching out to the entire community to advertise the opportunity of membership in the CBOC. These methods may include posting the need on the

District website, inclusion in newsletters already used to communicate with District families, and newspaper advertising (if this method does not prove to be cost prohibitive).

### **Response by District**

On March 18, 2016, the District's communications director shared with CBOC President, Tom Panas, ideas for advertising or publicizing openings on the committee. In that email, it was suggested that the CBOC do the following:

1. Request each city list the CBOC openings on its website under their Boards and Commissions openings.
2. The District send out an advisory to local media and community groups when openings occur on the CBOC.
3. Send flyers and ask that announcements be made in community gathering locations (libraries, senior centers).
4. Approach local Republican or Democratic clubs in order to recruit people who would be interested in the type of work the CBOC undertakes.
5. Encourage organizations that have a strong interest in schools to submit more than one applicant – for instance, a member of the PTA may be a city resident or a member of the Building Trades Council may also be a parent or resident of one of the five cities.

The District can and will post the need for CBOC members on the District website and include in newsletters already used to communicate with the District.

If necessary, the District can purchase paid advertising in local newspapers to solicit applications to the CBOC.

### **VLS's Assessment of Response by District**

VLS reviewed the District's response and agrees that the response and planned action are appropriate to address the recommendation(s) made by VLS.