



## **BOND ACCOUNTABILITY COMMITTEE CHARTER APPROVAL**

### **POLICY ISSUE/SITUATION**

In May 2014, voters approved a capital bond program for the students of the Beaverton School District. The Board of Directors established a Bond Citizen Accountability Committee (BAC) to assist in monitoring the progress of executing the bond program and requested that the Committee provide periodic reports.

### **BACKGROUND INFORMATION**

The Bond Citizen Accountability Committee report for the second quarter of 2019 included a recommendation to modify the BAC Charter at paragraph 1.a. to read: *“Monitoring that bond revenues are used only for the purposes consistent with the voter-approved bond measure ballot and consistent with state law;”*. The Committee also suggested adding an additional line item at paragraph 2.g. to read: *“The School Board, at its discretion, may reappoint members to additional terms of service”, and under section 4.e. “Executive Administrator for Facilities” has been changed to “Chief Facilities Officer”.*

### **RECOMMENDATION**

It is recommended that the Beaverton School District Board of Directors review and discuss the modifications to the BAC Charter noted above.

**District Goal:** WE Empower all students to achieve post-high school success.

"The District prohibits discrimination and harassment based on any basis protected by law, including but not limited to, an individual's actual or perceived race, color, religion, sex, sexual orientation, gender identity, gender expression, national or ethnic origin, marital status, age, mental or physical disability, pregnancy, familial status, economic status, veteran status, or because of a perceived or actual association with any other persons within these protected classes."

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### Beaverton School District Capital Construction Bond Citizen Accountability Committee Charter

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Beaverton School District referred a Capital Construction Bond Measure for voter approval on the May 2014 ballot. The Beaverton School Board and Superintendent desire to establish a citizen accountability committee to assist in monitoring the progress of executing the bond program.

#### 1. Committee Charge:

The Citizen Accountability Committee's responsibility is to monitor, report, and make recommendations to the School Board on the progress of the bond program relative to the below-listed objectives. The School Board has overall responsibility to ensure the Bond Program is implemented within the parameters of the law and meets the commitments we made to the community and voters. The Superintendent and his staff have responsibility for the implementation of the bond program.

The Committee will actively review and regularly report to the School Board and Superintendent about the following elements of the bond program:

- a. Monitoring that the bond revenues are used only for the purposes consistent with the voter-approved bond measure ballot and consistent with state law;
- b. Alignment with the Bond Program Goals approved by the School Board and Board policies;
- c. Reducing long term maintenance, construction costs and improving efficiency and longevity, and innovative practices that achieve these; consistent with district standards and best practices;
- d. Communicating key information related to the bond to District stakeholders.
- e. The committee will receive and review copies of bond program performance and financial reports, and has the option to inspect school facilities and grounds related to bond activities when coordinated with and accompanied by District staff;
- f. The committee will review monthly reports produced by the district in order to assess general compliance with the purposes set forth in the capital improvement program as approved by the voters;
- g. The committee will perform other reasonable duties requested by the School Board or Superintendent.

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#### 2. Committee Membership:

The committee shall consist of seven to nine members and a School Board member. The School Board will appoint the committee. The committee members will elect a committee chair

**District Goal:** All students will show continuous progress toward their personal learning goals, developed in collaboration with teachers and parents, and will be prepared for post-secondary education and career success.

The Beaverton School District recognizes the diversity and worth of all individuals and groups. It is the policy of the Beaverton School District that there will be no discrimination or harassment of individuals or groups based on race, color, religion, gender, sexual orientation, gender identity, gender expression, national origin, marital status, age, veterans' status, genetic information or disability in any educational programs, activities or employment.

and vice chair. The chair will serve a one-year term, unless the committee requests the chair stay in the position for two years. The vice chair will become the new chair at the end of the chair's term. The committee will then select a new vice chair. The School Board seeks individuals with a good reputation in the community for fairness and transparency. Committee membership should reflect a combination of experience in building design; construction; capital program management; construction financing; planning; budgeting; auditing; and/or public contracting.

- a. The committee members shall receive no direct or indirect compensation from the district for their services as members of the committee.
- b. Neither the committee members, their business associates nor immediate family members may have an active or pending contract with the District, nor enter into a contract during their term on the committee. Should a conflict arise, it is the responsibility of the member to publicly announce such a conflict. The Superintendent or School Board will determine if the member should step down from the Committee.
- c. The committee may not include any employee or official of the District, or any vendor, contractor or consultant of the District.
- d. A committee member serves to advise the Superintendent and School Board. If a committee member resigns, violates the Ethics Policy contained herein, fails to attend two consecutive committee meetings without reasonable excuse, or otherwise becomes unable to serve on the committee, the School Board may declare the position on the committee to be vacant and appoint another qualified person to the committee.
- e. The School Board may remove any committee member at its discretion.
- f. Members are appointed to 3-year terms. If a committee member is appointed during middle of term, due to someone resigning before their term ends, they will serve until the end of that initial term. Committee member terms begin on July 1 and end on June 30 of the applicable year. Terms of service for the chair and vice chair also begin on July 1 and end on June 30.
- g. The School Board, at its discretion, may reappoint members to additional terms of service.

### 3. Committee Limitations:

The responsibilities of charge to the committee does not include:

- a. Approval of construction contracts;
- b. Approval of construction change orders;
- c. Appropriation of construction funds;
- d. Handling of legal matters;
- e. Approval of construction plans and schedules;
- f. Approval of the sale of bonds;
- g. Priorities and order of construction for the bond projects;
- h. Selection of architects, engineers, construction managers, project managers, and such other professional service firms;
- i. The approval of the design for any project;
- j. The selection of independent audit firm(s), performance audit consultants and such other consultants as are necessary to support the performance of the bond program;
- k. Setting or approving schedules of design and construction activities; or
- l. Activities, roles or responsibilities that have been designated by the Superintendent or his designee(s), nor any policy-making responsibilities.

#### 4. Committee Meetings:

- a. The committee will meet six times per year or as requested by the School Board, Superintendent, or District staff.
- b. Agendas will be established by the committee chair and/or vice chair and coordinated with staff at least two weeks before each scheduled meeting to allow time for staff to prepare necessary materials and provide them to members one week before each meeting. These materials may be provided by posting them on the district web site. Staff may request a meeting with the chair and/or vice chair in advance of each committee meeting to facilitate efficient operations of the committee meetings.
- c. Committee meetings are advisory and do not constitute decision-making by the School Board.
- d. Committee meetings shall be publicly noticed and include opportunity for public comments.
- e. The Deputy Superintendent for Operations and Support Services, Chief Financial Officer, and [Chief Facilities Officer](#) will provide support to the committee.
- f. The Committee Chair will draft and submit a written report quarterly, or more often if requested, to the Superintendent and School Board. The report will be structured to address the topics in Paragraph 1(a)–(g) and represent a consensus of committee members. The School Board may request reporting at a regular School Board Business Meeting or School Board Work Session. The committee reports are due from the chair to staff not later than seven days prior to the Business Meeting or Work Session.
- g. A quorum of at least five members, including either the chair, vice chair, or their designee is required to conduct a meeting. Members may attend via conference call if approved by the chair.
- h. District staff will provide necessary technical and administrative assistance as follows:
  - i. A meeting room, including any necessary audio/visual equipment;
  - ii. Preparation and copies of any documentary meeting materials, such as agendas and reports; and distribution (softcopy preferred) of those materials to the committee in a timely manner.
  - iii. Monthly reports covering the bond program.
  - iv. Preparation of committee meeting minutes and posting for public viewing on the district web site. This may be accomplished by posting an audio recording on the web site.
  - v. District staff will attend committee meetings in order to report on the status of capital improvement projects, respond to questions, and receive advice and counsel on the overall bond program or any of its component parts. District consultants may participate in committee meetings at the discretion of staff.

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#### 5. Ethics Considerations

An ethics policy provides general guidelines for committee members to follow in carrying out their duties. Not all ethical issues that committee members face are covered in this policy. However, this policy captures some of the critical areas that help define ethical and professional conduct for committee members. Committee members are expected to strictly adhere to the provisions of this ethics policy.

- a. CONFLICT OF INTEREST. A Committee member shall not attempt to influence a district decision related to:

- i. any contract funded by bond proceeds; or
  - ii. any construction project which will benefit the committee member's outside employment, business, or provide a financial benefit to a family member, such as a spouse, child, parent or sibling.
- b. OUTSIDE EMPLOYMENT. A committee member shall not use his or her position on the committee to negotiate future employment with any person or organization that relates to:
  - i. any contract funded by bond proceeds; or
  - ii. any construction project.
  - iii. A committee member shall not attempt to influence a district decision related to any construction project involving the interest of a person with whom the member has an agreement concerning current or future employment, or remuneration of any kind.
- c. CONTINUING RESTRICTIONS. For a period of one (1) year after leaving the committee, a former committee member may not represent any person or organization for compensation in connection with any matter pending before the district that, as a committee member, he or she participated in personally and substantially. Specifically, for a period of one (1) year after leaving the committee, a former committee member and the companies and businesses for which the member works shall be prohibited from contracting with the district with respect to:
  - i. bidding or proposing to provide services on projects funded by the bond proceeds; or
  - ii. any construction project funded by the District.
- d. COMMITMENT TO UPHOLD LAW. A committee member shall uphold the United States and Oregon Constitutions, the laws and regulations of the United States and the State of Oregon, and the policies, procedures, rules and regulations of the Beaverton School District.
- e. COMMITMENT TO THE PUBLIC. A Committee member shall represent the interests of the public and not the personal or business interests of the member.