

# DESERT COMMUNITY COLLEGE DISTRICT CITIZENS' OVERSIGHT COMMITTEE ROLES AND RESPONSIBILITIES

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Donald S. Field  
Partner | Public Finance  
Orrick





# Requirement to Establish

- After bonds are approved at an election called under Proposition 39 procedures, the college board has 60 days in which to establish an independent citizens' oversight committee, commencing when the board officially declares the election results.
- The statutory provisions related to the establishment of citizens' oversight committees are set forth in California Education Code Sections 15278 through 15282.



# Purpose/Role of the Committee ~ Inform the Public Concerning Expenditure of Bond Proceeds

- The basic role of the committee is to review college board actions in spending bond funds, and report the findings to the public.
- Essentially, the citizens' oversight committee is established to ensure that bond funds are spent for the authorized purposes set forth in the applicable bond measure approved by the voters.
- The committee may review the annual financial and performance audits required by Proposition 39, make physical inspections of college buildings and grounds, review other materials provided by the board, and request information of the board and its staff.
- The college board is required to provide administrative and any necessary technical assistance to the committee, including sufficient resources to publicize the committee's conclusions, all without spending bond funds.



# Role of the College Board Compared

- The college board is elected and empowered to direct the operations of the college, including, with respect to bond measures, which projects are to be funded with bond proceeds and how such projects are to be completed.
- The college board has no authority to delegate these decisions to any other body, including a citizens' oversight committee.
- With respect to the college board's bond related actions, the committee is to perform the important function of reviewing such actions and reporting whether the bond proceeds are spent appropriately.



# Operation

- The committee's meetings are subject to the Brown Act; they must be noticed and open to the public.
- The committee must issue a report on its activities at least once a year, and its minutes and reports are a matter of public record.
- The District must provide a website for posting of the reports.



# Organization

- The committee must consist of at least seven members, and must include the following:
  - a member active in a business organization representing the business community located within the college district,
  - a member active in a senior citizens' organization,
  - a member active in a bona fide taxpayers' organization,
  - a member who is a student who is both currently enrolled in the college district and active in a community college group, such as student government, and
  - a member who is active in the support and organization of a community college or the community colleges of the college district, such as a member of an advisory council or foundation.
- Willful failure to appoint the committee can subject the board to taxpayer lawsuits and an injunction against spending any bond funds.



# Independence of Committee; Term of Members

- No district employee, official, vendor, contractor, or consultant may serve on the committee.
- Members serve a term of two years, without compensation, and may serve no more than three consecutive terms.



# Important Reference Materials for Committee Members

- California Education Code Sections 15728 through 15278 governing citizens' oversight committees.
- Citizens' oversight committee bylaws setting forth operation procedures for the committee.
- Full text of the bond measure approved by the voters of the college district, including, particularly, the bond project list.





**Questions?**

