

Woodburn School District
Bond Advisory and Accountability Committee Charter

Woodburn School District referred a Capital Construction Bond Measure for voter approval on the May 2015 ballot. The Woodburn School Board and Superintendent desire to establish a Bond Advisory and Accountability Committee to assist in monitoring the progress of executing the Bond Program.

1. Committee Charge:

The Bond Advisory and Accountability Committee's (BAAC or "committee") responsibility is to monitor and report 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 BAAC will actively review and regularly report to the School Board and Superintendent about the following elements of the Bond Program:

- a. The BAAC will review the use of bond revenues to assure they are used for the purposes consistent with the voter approved bond measure ballot and consistent with state law;
- b. The BAAC will review projects to determine that they are in alignment with the Bond Program Goals approved by the School Board and Board Policies;
- c. The BAAC will review projects to determine that they reduce long term maintenance, construction costs and improve efficiency and longevity, and innovative practices that achieve these; consistent with District standards and best practices;
- d. The BAAC will assist the district in communicating key information related to the bond to District stakeholders;
- e. The BAAC will receive and review copies of Bond Program performance and financial audits, and has the option to inspect school facilities and

grounds related to bond activities when coordinated with and accompanied by District staff;

f. The BAAC will review quarterly reports produced by the District each year the bond proceeds are being spent in order to assess general compliance with the purposes set forth in the capital improvement program as approved by the voters;

g. The BAAC will perform other reasonable duties requested by the School Board or Superintendent.

2. Committee Membership:

The BAAC shall consist of five members appointed by the School Board and two School Board Members. The committee members will elect a committee chair. The School Board seeks individuals with a good reputation in the community for fairness and transparency. Committee membership will reflect a combination of experience in building design; construction; construction financing; public contracting, budgeting, and/or auditing.

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 staggered 2, 3 and 4-year terms and may reapply for consideration to serve additional terms. A member may not serve more than eight consecutive years.

3. Committee Scope and Limitations:

The responsibilities of the committee do 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 quarterly or as requested by the School Board, Superintendent, or District staff.
- b. Committee meetings are advisory and do not constitute decision-making by the School Board.
- c. Committee meetings shall be publicly noticed and include opportunity for public comments.
- d. The Superintendent, the Director of Business and the Maintenance Supervisor will provide support to the committee.

e. The Committee Chair will draft and submit a quarterly report to the Superintendent and School Board within two weeks of each committee meeting. The report will represent a consensus of committee members. The School Board may request reporting at a regular School Board Business Meeting.

f. 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. Quarterly reports covering the bond program.
- iv. Preparation of committee meeting minutes and posting for public viewing on the District 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.

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 BAAC, 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 BAAC, 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 Woodburn 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.