

BERKELEY UNIFIED SCHOOL DISTRICT

TO: William Huyett, Superintendent
FROM: Lew Jones, Director of Facilities
DATE: March 23, 2011
SUBJECT: By-Laws for the Measure I Citizens' Oversight Committee

BACKGROUND INFORMATION

Attached to this cover memo are the bylaws for the Measure I Citizens' Oversight Committee. The document includes a signature line for the Clerk of the Board. The Board provided direction to staff at its February 23, 2011 meeting.

If approved by the Board, the current policy which created a reconstituted Construction Committee (Board Policy 9131) on March 5, 2003, would be voided.

It is our intent to provide a list of proposed appointments at the next Board meeting. The Board may wish to appoint some members for a one year term to avoid all the appointments becoming due at once.

POLICY/CODE

Education Code 15282 and 15278. Board Policy 9131.

FISCAL IMPACT

There is no fiscal impact to creating by-laws.

STAFF RECOMMENDATION

Approve the attached by-laws.

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Section 7. Actions and Reports

The Committee may engage in the following activities:

1. Receiving and reviewing copies of the annual, independent

3. The annual report shall be accompanied by any report thereon of independent accountants, or, if there is no such report, the certificate of an authorized officer of the Committee that such statements were prepared without audit from the books and records of the Committee.
4. The Committee shall also cause, when appropriate, to be published a public report containing the information on any improper use of Measure I proceeds. The Secretary of the

approximately once per month. Meetings shall be cancelled if a quorum

when present, preside at all meetings, and shall see that all orders and resolutions of the Committee are carried into effect. The Chairperson shall: put to a vote and announce the results of actions taken on questions before the Committee; resolve all questions of order (subject to appeal); call special meetings when deemed necessary; make reports to the Board of Education as required by these Bylaws, statute, or as may be requested by the Board of Education, and shall exercise and perform such other duties as may be prescribed by the Committee from time to time.

Section 17. Duties of the Secretary

The Secretary shall be elected by the members of the Committee, and shall:

1. Keep at the principal office of the Committee the original, or a copy of the Bylaws, as amended or otherwise altered to date.
2. Keep at the principal office of the Committee or at such other place as the Committee may determine, a book of minutes of all meetings, recording therein the time and place of holding, whether regular or special, how called, how notice thereof was given, the names of those present or represented at the meeting, and the proceedings thereof.
3. See that all notices are duly given in accordance with the provisions of these Bylaws or as required by law.
4. Be custodian of the records.
5. In general, perform all duties incident to the office of Secretary and such other duties as may be required by law, or by these Bylaws, or which may be assigned to him or her from time to time by the Committee.

Section 18. Amendment of Bylaws

Only the Board can amend these Bylaws. Subject to any provision of applicable law, these Bylaws, or any of them, may be recommended by majority vote of the committee, for alteration, amendment, or repeal. Subject to any provision of applicable law, these Bylaws, or any of them, may be altered, amended, or repealed and new Bylaws adopted by approval of the Board of Education.

Section 19. Other Duties as Assigned

The Board may assign additional duties to the Committee as it determines by majority vote of the Board. Such additional duties will not interfere with the Committee completing its duties stipulated in the law or contained in these by-laws.

Date Adopted:

Clerk of the Board of Education