

North Marion School District 15

Code: FCB
Adopted: 1/14/19

Bond Oversight Committee

Purpose

The Bond Oversight Committee's responsibility is to monitor and report on the progress of the Bond Construction Program as described in Board Policy FC-Capital Construction Program, relative to the below-listed objectives. The School Board has overall responsibility to ensure the Bond Construction Program is implemented within the parameters of the law and meets the commitments we made to the community and voters. The Superintendent and designated staff have responsibility for the implementation of the Bond Construction Program. The Committee shall be formed as soon as possible after a successful bond election. This policy shall be reviewed three years after passage of a bond measure and the School Board shall determine when the Committee shall be disbanded after substantial completion of all bond projects.

Organization, Membership and Terms of Office

The Bond Oversight Committee shall consist of up to 9 members selected by the School Board and Superintendent consisting of one or two School Board members and other appointed members. The committee members will elect a Committee Chair. The committee members shall receive no direct or indirect compensation from the District for their services as members of the Committee. 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 and School Board will determine if the member should step down from the Committee. The Committee may not include any employee or official of the District, or any vendor, contractor, or consultant of the District. A committee member serves to advise the Superintendent and School Board.

If a committee member resigns, violates the ethics provisions contained herein, fails to attend two consecutive committee meetings without reasonable excuse, or otherwise becomes unable to serve on the committee, the School Board and Superintendent may declare the position on the committee to be vacant and appoint another qualified person to the committee. The School Board and Superintendent may remove any committee member at its discretion.

Meetings of the Bond Oversight Committee

The Bond Oversight Committee shall meet as often as monthly, or at least quarterly, or as requested by the School Board, Superintendent, or District Staff. Committee meetings are advisory and do not constitute decision-making. Committee meetings shall be publicly noticed and include opportunity for public comments. The Bond Project Manager, Business Manager, and Facilities Manager will provide support to the Committee. The Committee Chair will draft and submit a quarterly report to the Superintendent and School Board members. The School Board or Superintendent may request reporting at a regular School Board Business Meeting. District Staff will provide necessary technical and administrative assistance. 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.

Function of the Bond Oversight Committee

1. The Bond Oversight Committee will actively review and regularly report to the School Board and Superintendent about the following elements of the Bond Program:
 - a. Ensuring that the bond revenues are used only for the purposes consistent with the voter-approved bond measure ballot and consistent with state law;
 - b. Communicating key information related to the bond to District stakeholders;
 - c. The Committee will receive and review financial information, and has the option to inspect school facilities and grounds related to bond activities when coordinated with and accompanied by District staff or Bond Project Manager;
 - d. The Committee will receive and 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;
 - e. The Committee will perform other reasonable duties requested by the School Board or Superintendent.

2. The responsibilities of the Bond Oversight 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 designee(s), nor any policy-making responsibilities.

Ethics Considerations

This 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 ethics provisions of this policy.

1. Conflict of Interest: A committee member shall not attempt to influence a District decision related to:

- a. Any contract funded by bonds proceeds; or
 - b. Any construction project which will benefit the committee member's outside employment, business, or provide a financial benefit to a family member, such as spouse, child, parent, or sibling.
2. 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:
- a. Any contract funded by bond proceeds; or
 - b. Any construction projects.
 - c. 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.

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:

- a. Bidding or proposing to provide services on projects funded by the bond proceeds; or
 - b. Any construction project funded by the District.
3. 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 North Marion School District.
4. Commitment to the Public: A committee member shall represent the interests of the public and not the personal or business interests of the member.

END OF POLICY

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