

2003-2004 SANTA CLARA COUNTY CIVIL GRAND JURY

**INQUIRY INTO THE GILROY UNIFIED SCHOOL DISTRICT'S
CITIZENS BOND OVERSIGHT COMMITTEE**

Summary

Responding to an external complaint, the 2003-2004 Santa Clara County Civil Grand Jury (Grand Jury) inquired into the procedures of the Gilroy Unified School District's Citizens Bond Oversight Committee (CBOC) – a committee formed to closely watch the district's Measure I (passed November 5, 2002) expenditures.

The complaint was based on four (4) issues:

- The CBOC's meetings had not been given proper notice;
- The CBOC had not established a website as required by state law (Proposition 39);
- The CBOC had not listed attendance at its meetings, and
- The CBOC had not published an annual report.

Background and Discussion

The Grand Jury examined the CBOC's procedures and minutes, interviewed its chairperson and senior members of the district.

1. Concerning the charge that the meetings were not given proper notice, the Grand Jury found the meetings had been posted using the same guidelines as the school board meetings, and thus satisfied the requirements of the Ralph M. Brown Act (Brown Act).
2. Concerning the charge that the website had not been established, the CBOC and the school district officials probably could have established a website earlier, but since none of the funds had been spent, and the committee was just in its formative stages, they did not feel a website was an urgent priority. The website was operational on January 23, 2004.
3. As for meeting attendance, the CBOC Chairperson and the school district agreed that the minutes of the first two meetings had not included a list of committee members in attendance. This was corrected for the first two meetings, and all subsequent meetings have included a listing of CBOC members in attendance.
4. As far as the annual report is concerned, the CBOC was formed in February 2003. Its first annual report was issued on March 17, 2004.

Finding I

The agendas for all meetings were properly posted, according to established school board rules and in compliance with the Brown Act.

Recommendation I

None.

Finding II

The school district, working with the CBOC, eventually established a website, as required by Proposition 39.

Recommendation II

None.

Finding III

The complainant was correct in that the minutes of the first two CBOC meetings did not list those in attendance. The record has been corrected for those two meetings. The attendance listing for the latest meeting was included in its minutes.

Recommendation III

None.

Finding IV

The annual report was published as required.

Recommendation IV

None

PASSED and **ADOPTED** by the Santa Clara County Civil Grand Jury on this 25th day of March 2004.

Richard H. Woodward
Foreperson

References

Documents

Proposition 39: School Facilities. Bonds, Taxes. 55% Vote. Accountability Requirements
<http://www.cde.ca.gov/fiscal/p39/>

The Ralph M. Brown Act:
California Government Code Sections 54950 et seq.
http://www.cfac.org/Law/BrownAct/Text/ba_text.html

Gilroy Unified School District Facilities Master Plan, updated Nov. 12, 2003

GUSD 2003 Measure I Citizens' Oversight Committee Report to the Board of Trustees and GUSD Residents, approved by the COC March 17, 3004.

Interviews

Chairperson, Citizens Oversight Committee, February 26, 2004

Charlie Van Meter, Director, Facilities, Planning & Construction, GUSD, March 12, 2004

Stephen L. Brinkman, Assistant Superintendent, Administrative Services, GUSD, March 12, 2004