



# SANTA ROSA CITY SCHOOLS

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2cc  
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October 28, 2004

Judge Allan D. Hardcastle  
Superior Court State of California  
County of Sonoma  
Hall of Justice  
600 Administration Drive  
Santa Rosa, CA 95403

*Allan*  
Dear Judge Hardcastle,

On behalf of the Board of Education and the Citizens' Bond Oversight Committee, I am forwarding the attached responses to Recommendations R1, R2, R3, and R4 contained in the Sonoma County Grand Jury's 2003-04 Final Report. The Board of Education approved its responses to R1 and R2 on October 27, 2004. The Citizens' Bond Oversight Committee approved its responses to R3 and R4 on October 15, 2004.

In closing, we wish to thank the Grand Jury for taking the time to look into this very important aspect of our school district operations. If any further action is required, please contact me at your convenience.

Sincerely,

  
DOUGLAS R. BOWER  
Associate Superintendent  
Business

DRB:ll

Cc: Board of Education  
Citizens' Bond Oversight Committee  
Board of Supervisors  
c/o Clerk of the Board  
575 Administration Drive, Room 100-A  
Santa Rosa, CA 95403  
Mel Solie, Superintendent  
Robert Henry, Legal Counsel

**Santa Rosa City School District  
Response to Grand Jury Report**

**Grand Jury Recommendation – R1**

“The Board should remove the wording specifying that ‘members serve at the pleasure of the board’ from its regulations. Substitute language should be used to the effect that members and Chairpersons of the Committee may be removed by the Board with due discretion, but that it cannot be arbitrary, capricious or discriminatory.”

**Board of Education Response – R1**

The Board of Education hereby finds that, acting with the advice of its Legal Counsel, Administrative Regulation 1172.4 (I)(D) should be modified as follows: “Members of the Citizens’ Oversight committee serve at the pleasure of the Board of Education and may be removed at the sole discretion of the Board of Education. Within that parameter, the Board agrees that removal should be based on such considerations as attendance at meetings.”

**Grand Jury Recommendation – R2**

“The Board should devote more attention to staffing and supporting its Committee. All five specified demographic slots must be filled in accordance with law.”

**Board of Education Response – R2**

“The Board of Education has filled the legally required demographic membership slots. The District staff support provided to the Committee has met with the full satisfaction of Committee members.”

**Grand Jury Recommendation – R3**

“The Committee should develop an oversight plan that encompasses the complete expenditure process for Proposition 39 construction funds. Review of the activities of other Committees may provide examples to emulate. Beyond the review of audits, the Committee could add value by active review of proposals and plans prior to expenditure and on-site visits. These activities are authorized by Proposition 39.”

**Citizens’ Bond Oversight Committee Response - R3**

“It is the view of the Committee that it is functioning within the scope of the law and that it is satisfying the purpose of the Committee in being a mechanism for communicating with the public the District’s compliance or non-compliance with the requirements of Proposition 39 and the bonds. Therefore, the Committee does not believe the recommended action is necessary or appropriate.

The paid professional auditors are more capable of determining compliance with requirements of the bond than the committee. The questions in the performance audit report thoroughly address the compliance issues with which the Committee is to be concerned. The appropriate role for the Committee should not be to duplicate the work of the auditors, but to provide a mechanism to communicate the results, especially in the case of non-compliance, to the community.

It is also important to note that the Committee is comprised of unpaid citizen volunteers. Some are parents; some are seniors and others represent taxpayer or business groups. To expect this group to somehow "...develop an oversight plan that encompasses the complete expenditure process..." is not a realistic or necessary recommendation. Placing a highly active role on unpaid citizen volunteers is not only duplicative effort, but would lead to greater difficulty in recruiting and retaining committee members.

Despite the fact that Proposition 39 authorizes a larger role for the Committee, the activities authorized resulted more from a political trade-off to achieve a lower level for approval, rather than a well thought out plan for managing the expenditures. The Committee can adequately serve a meaningful communications role without the recommended activity.

In fact the Committee has met that goal by reporting on the District's website the results of its actions, including a finding that the District was not in compliance in standing up a committee and fully populating it in a timely manner."

#### **Grand Jury Recommendation – R4**

"The Committee should use its website to keep the public well-informed about the proposed and actual expenditures of Proposition 39 funds."

#### **Citizens' Bond Oversight Committee Response – R4**

"The Committee is presently reporting its activities on its website, which is part of the District's website. Early in its life, the Committee directed the District to make the link to the Committee material in a more prominent place on the District's website, and the District complied with that request. The Committee reports its activities and findings primarily by posting meeting agendas and minutes on the website. The Committee discussed the merits of posting more information and details about project lists, construction progress and expenditures on the website, both before the Grand Jury's recommendation, and afterward, and concluded that the information posted provided adequate knowledge for the public to achieve the primary goal of the Committee. We weighed the cost and burden to the District of adding more project information with the benefit of doing so, and concluded that the cost exceeded the benefit. One of the charges to the District in connection with bonds authorized under Proposition 39 was to be efficient in the use of its funds. It is the desire of the Committee not to detract from this objective, while still fulfilling the role of communicating compliance with the public.

The Committee did request the District make a more prominent notice on the website of the availability of complete auditor's reports, and the District has agreed to do that."