

BYLAWS OF THE BOARD ADVISORY COMMITTEE ON SCHOOL CONSTRUCTION OF THE CALEXICO UNIFIED SCHOOL DISTRICT

1.0 Identification

The Calexico Unified School District Board of Trustees ("Board") hereby establishes the Calexico Unified School District Board Advisory Committee on School Construction. This body will hereinafter be referred to as the Committee, which shall have the duties and rights set forth in these Bylaws.

2.0 Committee Purpose and Duties

2.1 Purpose

The Board appoints individuals to the Committee to evaluate capital improvement needs of the District and provide recommendations to the Board on long-range facilities and technology planning; amendments to the Facility Master Plan; and the scope of work and timing of future bond projects.

2.2 Duties and Responsibilities

To accomplish its purpose, the Committee shall have the following responsibilities and duties:

- A. Provide recommendations on long-range facilities planning and amendments to the Facility Master Plan.
- B. Evaluate current use of District facilities and review critical needs, including overcrowded and under enrolled schools.
- C. Evaluate technology, transportation, and unmet facility needs.
- D. Evaluate potential boundary changes needed to optimize the use of District facilities.
- E. Engage the community in dialogue regarding long-range facilities and capital improvement needs in support of the District's strategic plan.
- F. Assist District-wide community outreach efforts to increase public awareness of the facilities planning process, capital improvement plans, and proposed bond programs.
- G. Develop recommendations for long-range capital improvement needs.
- H. Develop facilities modernization plans.
- I. Evaluate tax impact and long-term investments of taxpayers.
- J. Develop recommendations for the scope of work for potential future proposed District bond program(s).
- K. Review and make recommendations for all contracts for equipment and non-construction services above the annual adjustment to the bid threshold under Public Contract Code §20111, as requested by the Superintendent.
- L. Review and make recommendations for all contracts for construction services above the bid threshold limits under the Uniform Public Construction Cost Accounting Act.

3.0 Committee Composition

The Board shall have sole discretion to select and appoint Committee members and to determine its final size. The Committee shall consist of at least twelve (12) members, including the following:

- A. Two (2) members shall, at the time of appointment, be active and current District Board Members;
- B. Two (2) members shall, at the time of appointment, be a union representative from the California School Employees Association (CSEA);
- C. Two (2) members shall, at the time of appointment, be a union representative from the California Teachers Association (CTA);
- D. Four (4) members shall, at the time of appointment, be community members, preferably with professional experience in areas relating to facilities (e.g. construction, architecture design and engineering, and/or public contracts);
- E. One (1) member shall, at the time of appointment, be the District's secondary school principal; and
- F. One (1) member shall, at the time of appointment, be the District's primary school (elementary or junior high school) principal.

3.1 Eligibility

- A. The Committee shall be comprised of individuals who either live or work within the boundaries of the District.
- B. Committee members shall be subject to prohibitions regarding incompatibility of office pursuant to Government Code sections 1125-1129 and financial interest in contracts pursuant to Government Code sections 1090-1099.

3.2 Term of Service

- A. Committee members serve without compensation for a term of two (2) years, except that in the Committee's first term, four (4) members shall serve a term of one (1) year to establish a staggering of board positions. The determination of who shall serve for one (1) year will be made by the Committee by whatever reasonable method the Committee shall choose. A person may serve for no more than three (3) consecutive terms.
- B. After appointment, Committee members who wish to be appointed for a second or third two (2) year term shall reapply to the Board for consideration.

3.3 Replacing a Committee Member

- A. If a Committee position becomes vacant, the Committee Chair shall request that the Board appoint a replacement. Unless failure to act results in the inability to meet a Committee quorum, if six (6) months

or less remain of the unexpired two (2) year term, the Board may choose to leave that position vacant for the remainder of the term.

- B. Any Committee member may request that the removal of another Committee member be placed on the agenda for the Committee's next meeting and may, at that meeting, introduce a motion to remove said member from the Committee for excessive absence or for any other egregious violation(s) of the Committee's Code of Conduct, attached to these Bylaws as Attachment A. Specific cause must be cited in the meeting agenda and motion for removal.
- C. A replacement Committee member may be appointed by the Board if one (1) or more of the following events occurs:
 - 1. The Committee member submits a written resignation to the Board, with a copy to the Committee Chair;
 - 2. The Committee approves a motion to remove a member for cause, including non-attendance at meetings (ref: Section 5.9, below), violating these Bylaws, and/or violating the Committee's Code of Conduct. A motion to remove a member shall be approved by an affirmative vote of not less than two-thirds (2/3) of the members present at a Committee meeting, a quorum being present. The motion and its result shall be communicated in writing to the member under consideration and to the Board President within one (1) week after the meeting that the motion was approved. Removal shall be effective immediately upon passing the motion.
- D. Within sixty (60) days of being notified of a Committee vacancy, the Board will appoint a new member to complete the term of the vacancy, following the process used to select the original Committee members.
- E. Committee members appointed to fill vacant, unexpired terms may apply and shall be eligible for reappointment to subsequent terms.
- F. A Committee member, who no longer serves the group s/he was appointed to represent, shall be allowed to complete his/her current term. However, that Committee member shall not be entitled to serve a subsequent term as a representative of that group.

4.0 Committee Officers

Officers of the Committee shall be a Chair and a Vice-Chair. The Committee may choose to establish other elected positions by amending these Bylaws pursuant to Section 8.0.

4.1 Elections

At the annual organizational meeting of the Committee, the Committee shall place into nomination and elect a Chair and a Vice-Chair. If the Committee amends these Bylaws to

establish other elected positions, their election shall take place at the same meeting as the elections of the Chair and the Vice-Chair.

4.2 Term of Office

Officers shall be elected for a one (1) year term and shall not be term-limited except for the limit on the terms of Committee members set forth in Section 3.2 above.

4.3 Duties of the Chair

- A. The Chair shall call Committee meetings (ref: Sections 5.0 and 5.1, below).
- B. The Chair shall establish the agenda for each Committee meeting in coordination with the District or its representative.
- C. The Chair shall preside over each Committee meeting, following the adopted Rules of Procedure (ref: Section 5.5, below).
- D. The Chair shall, upon willing concurrence of candidates, appoint the members of each Subcommittee that the Committee chooses to form (ref: Section 7.0 et seq., below).
- E. The Chair shall attend, or appoint another Committee member to attend, Board meetings at which facilities and bond planning items are on the agenda.
- F. The Chair, or his/her Committee-approved designee, shall serve as spokesperson for the Committee in all representations of the Committee to the public, the Board, and the media (ref: Sections 5.0.A and B, below).
- G. The Chair is an ex-officio member of all subcommittees.
- H. The Chair may appoint a Parliamentarian to assist in complying with Robert's Rules of Order during Committee meetings (ref: Section 5.5, below).

4.4 Duties of the Vice-Chair

The Vice-Chair shall perform each of the duties of the Chair as necessary in the absence of the Chair.

4.5 Duties of the District

- A. The District shall be responsible for providing administrative support to the Committee:
 - 1. Prepare Committee meeting agendas, in conjunction with the Chair.

2. Compile reports, materials, and meeting packets as reasonably requested by the Committee.
3. Prepare the minutes of Committee meetings (ref: Section 5.8, below) for approval by the Committee.
4. Compile all written material submitted by the public during Committee meetings.
5. Compile and disseminate to the Committee all official correspondence addressed to the Committee.
6. Keep copies of all reports adopted or prepared by the Committee.
7. Post all Committee documents on the District's website.

4.6 Succession

The Vice-Chair will accede to Chair when a vacancy occurs in that office. In the event of a vacancy in the office of Vice-Chair, the position will be filled by election, placed on the agenda at its next regular Committee meeting.

5.0 Meetings

All Committee meetings subject to the Brown Act will be held in a handicapped-accessible facility at a District or other accessible facility.

- A. The regularly scheduled meeting date shall be at _:00 P.M. on the first or second Thursday of every month. A calendar of these Committee meetings shall be adopted at the annual organizational meeting of the Committee.
- B. The Committee officers must make themselves available to attend Board meetings when facilities and bond planning items are on the agenda (ref: Section 4.3.E).

5.1 Calling Meetings

Committee meetings may be scheduled on dates selected by the Committee in the months set forth in Section 5.0 above, unless changed by action of the Committee. In addition, special meetings may be called by the Chair or Vice Chair, or by any group of Committee members whose number represents a quorum, with approval of the District. All Committee meetings shall be arranged through the District-appointed liaison and be noticed in accordance with the Brown Act.

5.2 Agendas

- A. Agendas for regular Committee meetings will be prepared by the District liaison in coordination with the Chair (ref: Section 4.3.B, above). To the extent possible, all documents applicable to agenda items shall be distributed in advance of meetings.

- B. Any member of the Committee may submit a request for placing an item on a future agenda.
- C. After roll-call and the establishment of a quorum, meetings will begin with approval of minutes from the prior meeting.

5.3 Quorum

No meeting of the Committee may be called in the absence of a quorum. Actions may be undertaken at a meeting only if a quorum of seated members is present. A quorum is established when any whole number of Committee members greater than half the seated members is present. "Seated members" means the number of members set by the Board, regardless of vacancies.

5.4 Committee Voting

Unless otherwise specified in these Bylaws, an action item on the agenda may be approved by a simple majority of Committee members in attendance, a quorum being present.

5.5 Rules of Procedure

Meetings shall be conducted with courtesy and decorum and in accordance with Robert's Rules of Order.

5.6 California's Open Meeting Law

All meetings of the Committee shall be open to the public and shall be noticed and conducted in compliance with the Brown Act.

5.7 Public Participation

Any member of the public present at a meeting may address the Committee, and the Committee shall comply with the standards of the District's Board for public participation in meetings.

5.8 Minutes

Minutes of Committee proceedings and all documents received and reports issued shall be a matter of public record, and the District shall make them available on the District's internet website. The District shall provide administrative services to assist the Committee Chair in preparation, distribution, and posting of minutes for all Committee meetings (ref: Section 4.5, above). Minutes published before adoption by the Committee shall always be labeled "Unadopted Minutes."

All documents received by the Committee that are not otherwise exempt from disclosure under the California Public Records Act (Gov. Code, § 6250 et seq.) shall be posted on the Committee's page of the District's internet website for a minimum period of one (1) year after their dated date, and reports of the Committee shall be kept for seven (7) years from the conclusion of the work of the Committee. The Committee Chair, in consultation with District staff, may decline to post on the Committee's page of the District's website any

documents received by the Committee that are determined to be defamatory, or offensive, or outside the jurisdiction of the Committee.

5.9 Attendance

Regular attendance at Committee and applicable subcommittee meetings is a fundamental obligation of every member of the Committee. Absences are disruptive to Committee activity and representation. Failure to attend two (2) consecutive meetings without acceptable reason announced in advance shall constitute due cause for member removal (ref: Section 3.3.C, above).

- A. Members anticipating an absence must call or email the Committee Chair no later than twenty-four (24) hours before the scheduled meeting.
- B. Committee attendance reports will be distributed annually and upon request by the Chair.

6.0 Committee Reports

The Committee shall prepare regular reports on its activities, including one (1) comprehensive, written report for each fiscal year summarizing its activities and conclusions. The Committee Chair shall prepare or cause to be prepared the final written report.

7.0 Subcommittees

The Committee may, on majority vote, form or disband subcommittees (standing or ad hoc) to perform specific parts of its purpose and duties, such as preparing and issuing reports. The Committee Chair shall appoint all subcommittee members. Subcommittees shall elect their own chairs and vice-chairs. Subcommittee meetings may proceed only when a quorum is present, a quorum being defined as half-plus-one of the full number of subcommittee members. Subcommittee chairs shall be responsible for calling its meetings, preparing its agendas, noticing its members, and delivering timely reports of subcommittee actions to the Committee. Subcommittee meetings shall be conducted in accordance with the adopted Rules of Procedure (ref: Section 5.5, above).

7.1 Standing Subcommittees

A standing subcommittee undertakes ongoing duties in preparation for deliberation by the Committee. All standing subcommittees must fully comply with the Brown Act, irrespective of their number of members. Membership can include any number up to the full membership of the Committee.

7.2 Ad Hoc Subcommittees

An ad hoc subcommittee is temporary in nature. An ad hoc subcommittee may be formed to undertake specific, one-time duties in preparation for deliberation by the Committee. An ad hoc subcommittee shall be automatically disbanded upon acceptance of its final report to the Committee. Membership on an ad hoc subcommittee will normally be limited to less than a quorum of the Committee. If thus limited, ad hoc subcommittee meetings need not comply with Brown Act noticing.

8.0 Amendment

These Bylaws may be proposed for amendment by majority vote of the Committee at any regular meeting at which said amendment is placed on the agenda and a quorum is present. Amendments shall be consistent with District Board Policy and applicable legal requirements. No substantive amendment will be effective until approved by the District's Board.

9.0 Liability Insurance

In acting within its official capacity as defined in these Bylaws, Committee members shall be covered by the District's liability insurance. In no event shall anything herein contained be construed as authorizing the District to insure any such officers or Committee members against any liability or expense by reason of willful malfeasance, bad faith, gross negligence or reckless disregard of the duties involved in the conduct of their office.

Attachment A

Calexico Unified School District

Board Advisory Committee on School Construction

Code of Conduct

The following is expected of every member of the Board Advisory Committee on School Construction ("Committee"):

1. Regularly attend all Committee and subcommittee meetings. Call in advance if you cannot attend.
2. Be prepared. Always read your meeting packets in advance of meetings.
3. Stay focused on the statutory purposes of the Committee.
4. Be courteous and respectful during all Committee meetings.
5. Faithfully observe the Brown Act, the Committee Bylaws, District Board policies, all applicable laws and this Code of Conduct.
6. Always direct questions of District staff through the Committee Chair, your subcommittee chair, or their designees.
7. Avoid any personal or financial conflicts of interest. A Committee member shall not make or influence a District decision related to: (1) any contract funded by bond proceeds, or (2) any construction project that will benefit the Committee member's outside employment, business or personal financial interests, that of an immediate family member, such as a spouse, child or parent. A Committee member shall place the interest of the District above any personal or business interest.
8. Do not speak for the Committee unless specifically assigned or approved to do so.
9. If invited to speak to the public as a member of the Committee, do so in the company of at least two (2) other Committee members. Make it clear to the requester that the delegation does not represent the Committee as a whole. A report of the substance of any such meeting must be provided to the Committee at its next meeting.