

**BOND ADVISORY COMMITTEE (BAC)
“BYLAWS”**

Section 1 Committee Established

The Sunnyside Unified School District (the “District”) was successful at the election conducted on November 8, 2011, in obtaining authorization from the District’s voters to issue up to \$88 million aggregate principal amount of the District’s Class B bonds, pursuant an approximate approval of 57% of voters. The election was conducted under Proposition 403, which reads ”be authorized to issue and sell school improvement bonds of the School District in the form of class B general obligation bonds in the principal amount of not to exceed \$88,000,000 for the purpose of raising money for purchasing or leasing school lots, building or renovating school buildings, supplying school buildings with furniture, equipment and technology, improving school grounds, purchasing pupil transportation vehicles and providing for other general capital expenses or for liquidating any indebtedness already incurred for such purposes.”

School Renovations and New Construction	\$32,000,000
Athletic Facility Improvements	10,000,000
Student Technology Improvement and Security Upgrades (including lighting and cameras)	28,000,000
Fine Arts Magnet School Construction	12,000,000
Pupil Transportation Vehicle	6,000,000

The District is in the process of appointing Bond Advisory Committee (BAC) comprised of business and community leaders, which will be charged with the responsibility of ensuring that the funds are spent as intended and most effectively.

Section 2 Purpose

The purpose of the Bond Advisory Committee is to oversee the expenditure of \$88 million dollars in bonds over the next several years in projects that will benefit the students, staff and community of the District, in accordance with the public vote.

Section 3 Membership

3.1 Number. The BAC shall consist of nine (9) members. Each District Governing Board member shall appoint one (1) BAC member and four (4) BAC members shall be selected and appointed by District Governing Board from a pool of applicants expressing an interest to serve on the BAC. Every effort shall be made by the Governing Board to ensure representation on the BAC from all areas of the Sunnyside Community.

3.2 Qualification Standards.

(a) To be a qualified person, he or she must be a registered voter.

(b) The BAC **may not** include any employee, official of the District or any vendor, contractor or paid consultant of the District.

3.3 Ethics; Conflicts of Interest. By accepting appointment to the BAC, each member agrees to comply with the BAC Ethics Policy attached as Exhibit A to these Bylaws.

3.4 Term. Except as otherwise provided herein, the four (4) BAC members selected by the Governing Board via the application process shall serve a two (2) year term from the date appointed by the District Governing Board and the five (5) BAC members appointed by individual Governing Board members shall serve a three (3) year term from the date appointed by the District Governing Board.

Current members are listed in Exhibit D.

BAC members may be reappointed to serve additional terms by the District Governing Board upon his/her request and with the recommendation of at least 4 current BAC members.

3.5 Removal: Vacancy. The BAC may remove any BAC member for cause, including failure to comply with the BAC Attendance Policy (Exhibit B) The District Governing Board may remove any BAC member for failure to comply with the BAC Ethics Policy (Exhibit A). Upon a member's removal, his or her seat shall be declared vacant. Vacant BAC seats which were originally filled by appointment of an individual Governing Board member shall be filled by that same Governing Board member (or new Governing Board member that has replaced the seat of this Governing Board member). In the event the seat of this appointing Governing Board member is vacant, the Governing Board shall fill the seat by appointment. The Governing Board shall fill, by appointment, any other vacancies on the BAC or any additional membership on the BAC.

3.6 Compensation. The BAC members **shall not** be compensated for their services.

Section 4. Duties.

To carry out its stated purpose, the BAC shall perform the following duties:

4.1 Review Expenditures. The BAC shall review monthly expenditure reports produced by the District to ensure that (a) bond proceeds are expended only for the purposes set forth in the ballot measure; and (b) no bond proceeds are used for teacher/administrative salaries or other operating expenses (with the exception of Project Managers and staff specifically approved for the bond program as approved by Bond Counsel).

4.2 Project Design and Review. The BAC shall be responsible for project design and review of all projects and shall utilize District Staff to review proposed projects' detail, scope, budget and schedule. A Project Review Team consisting of no more than three (3) BAC members and

District Staff shall be created for the following areas: School Renovations and New Construction, Athletic Facilities Improvements, and K-8 Fine Arts Magnet School. The Project Review Team's recommendation(s) shall be submitted to the full nine (9) member BAC who shall then forward their recommendation(s) to the Governing Board for implementation. Only those recommendations that comply with the intent of the District's voters' authorization may be considered and approved. Furthermore, in light of the current existence of the "District Executive Technology Committee", this committee shall serve as the "Project Review Team" for "Student Technology Improvements and Security Upgrades" and shall include no more than three (3) BAC members that will address and make recommendations to the full nine (9) member BAC. Every "Project Review Team" shall be co-chaired by one of the three BAC members serving on the Project Review Team (as selected by the full nine member BAC) and the appropriate District Staff member (as determined by the Superintendent).

4.3 Annual Report. The BAC shall present to the District Governing Board, in public session, an annual written report which shall include the following: (a) A statement indicating whether the District is spending funds as intended and most effectively (b) A summary of the BAC's proceedings and activities for the preceding year.

Section 5. Authorized Activities.

5.1 In order to perform the duties set forth in Section 4, the BAC may engage in the following authorized activities:

- (a) Receive and review copies of the District's annual independent performance audit and annual independent financial audit.
- (b) Inspect school site facilities and grounds for which bond proceeds have been or will be expended, in accordance with any access procedure established by the District.
- (c) Review copies of deferred maintenance proposals or plans developed by the District.
- (d) Review the District's efforts to maximize bond proceeds in ways designed to: (1) reduce costs of professional fees, (2) incorporate efficiencies in school site design; (3) encourage joint use of core facilities; (4) involve cost-effective and efficient reusable facility plans, or (5) reduce costs to the bond funds for site acquisition or construction.

5.2 Make requests for copies or inspection of District records in writing to the District's Chief Financial Officer.

Section 6. Meetings of the BAC.

6.1 Regular Meetings. The BAC shall establish a schedule for the date and time of regular meetings to be held at least monthly to include an annual organizational meeting.

A majority of five (5) BAC members shall constitute a quorum for the transaction of any business except adjournment. All meetings shall be held in compliance with the open meeting law.

6.2 Location. All meetings shall be held at District Governing Board Room, 2238 E. Ginter Road, Tucson Arizona. An alternate location is permissible with notice to the BAC members and the public as required by law.

6.3 Procedures. All meetings shall be open to the public and follow open meeting laws as advised by the district's attorney. Meetings shall be conducted according to such additional procedural rules and meeting norms (See Exhibit E) as the BAC may adopt. Meeting minutes as prepared by district staff shall be available to the public within three business days.

VOTE BY TELEPHONIC. A Committee member may select to attend telephonically any BAC meeting that does not require physical attendance. The Committee member will establish said attendance in writing to the BAC secretary/recordkeeper.

Section 7. District Support.

7.1 The District shall provide to the BAC necessary technical, administrative assistance and office support staff as follows:

- (a) preparation of and posting of public notices as required by law, ensuring that all notices to the public are provided in the same manner as notices regarding meetings of the District Governing Board,
- (b) provision of a meeting room, including any necessary audio/visual equipment,
- (c) preparation and copies of any documentary meeting materials, such as agendas, meeting minutes and reports, and
- (d) retention of all BAC records, and providing public access to such records on an Internet website maintained by the District.

7.2 District staff as determined by the Superintendent, including but not limited to the Chief Financial Officer, Executive Director of Information Technologies, other Cabinet members and Project Managers shall attend all BAC proceedings in order to report on the status of projects and the expenditures of bond proceeds.

Section 8. Reports.

In addition to the Annual Report required in Section 3.2, the BAC shall report to the District Governing Board following each meeting in order to advise the District on the activities of the

BAC. Such a report shall be in writing, shall summarize the proceedings and activities conducted by the BAC, and shall be reported in person by the Chair or Vice-Chair of the BAC at a Governing Board meeting upon advance request of the Governing Board.

Section 9. Officers.

The BAC shall elect a Chair and a Vice-Chair who shall act as Chair only when the Chair is absent, those positions shall continue for one (1) year terms. No person shall serve as Chair for more than two consecutive terms.

9.1 Timeframe. The process outlined in Sections 9.2 and 9.3 for Election of Officers shall be initiated by the Chair or a quorum of members prior to the end of the current officers' term, or within two months of a vacancy if either of the positions becomes vacant.

9.2 Nominations. Nominations will be solicited during the regularly scheduled BAC meeting. Those nominated must agree to place their names in consideration for the position.

9.3 Voting. Elections shall be held during one of the regularly scheduled BAC meetings. Voting shall follow the same voting procedures as outlined in 6.3 Procedures. The candidate with the most votes for Chair or Vice-Chair shall assume their respective positions at either the conclusion of the current term or at the next BAC meeting following the election, in the case of a vacancy.

Section 10. Amendment of Bylaws.

Any amendment to these Bylaws shall be approved by the Governing Board.

Section 11. Termination.

The BAC shall automatically terminate and disband at the earlier of the date when (a) all bond proceeds are spent, or (b) all projects funded by bond proceeds are completed and a final report has been approved.

Approved by Governing Board Date

EXHIBIT A – CITIZENS’ BOND ADVISORY COMMITTEE ETHICS

POLICY STATEMENT

This Ethics Policy Statement provides general guidelines for BAC members to follow while carrying out their roles. Not all ethical issues that BAC members face are covered in this Statement. However, this Statement captures some of the critical areas that help define ethical and professional conduct for BAC members. The provisions of this Statement were developed from existing laws, rules, policies and procedures as well as from concepts that define generally accepted good business practices. BAC members are expected to strictly adhere to the provisions of this Ethics Policy.

POLICY

CONFLICT OF INTEREST. A BAC member shall not make or influence a District decision related to: (1) any contract funded by bond proceeds or (2) any construction project which will benefit the BAC member’s outside employment, business, or a personal finance or benefit an immediate family member, such as a spouse, child or parent.

OUTSIDE EMPLOYMENT. A BAC member shall not use his or her authority over a particular matter to negotiate future employment with any person or organization that relates to: (1) any contract funded by bond proceeds, or (2) any construction project. A BAC member shall not make or 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. For a period of two (2) years after leaving the BAC, a former BAC member may not represent any person or organization for compensation in connection with any matter pending before the District that, as a BAC member, he or she participated in personally and substantially. Specifically, for a period of two (2) years after leaving the BAC, a former BAC member and the companies and businesses for which the member works shall be prohibited from contracting with the District with respect to: (1) bidding on projects funded by the bond proceeds, and (2) any construction project.

COMMITMENT TO DISTRICT. A BAC member shall place the interests of the District above any personal or business interest of the member.

EXHIBIT B – CITIZENS’ BOND OVERSIGHT COMMITTEE ATTENDANCE POLICY STATEMENT

The Sunnyside Unified School District Bond Advisory Committee (BAC) recognizes that regular attendance on the part of BAC members is critical to the success of the BAC’s Mission. The BAC understands that the attendance of BAC members is not only key to the proper functioning of the BAC but is a major component in the comprehensive knowledge required to understand the 2011 Bond Program and to provide the necessary fiscal oversight and advisory assistance to the Governing Board.

Purpose

The emphasis of the attendance policy is on the importance of the regular attendance of BAC members. To be successful, it is imperative that all members of the BAC are aware and supportive of the policy, its purpose, procedures and the consequences for non-compliance.

The BAC members are community members that have agreed to voluntarily serve on the BAC in support of the 2011 Bond Program. By the acceptance of their membership, these members have pledged themselves to support the mission of the BAC and have accepted the obligation of regular attendance. BAC members are expected to attend 100% of the BAC meetings. Regular attendance is essential for success of the mission; therefore, absences shall be excused only for necessary and important reasons. Such reasons include illness, bereavement, other family emergencies and observance of major religious holidays of faith.

Attendance Guidelines

- The BAC Record Keeper will take the attendance of members.
- Members shall notify the District if they have scheduled to be in attendance or if they will not be able to attend. Any change in attendance status should be provided to the District.
- Members, who cannot physically attend but are willing to participate via telephone, should notify the District of that level of availability. Such participation shall not count as an absence.

Absences and Dismissal

- The BAC Secretary/Record Keeper will document members’ attendance as described above.
- The BAC may dismiss from the BAC any member that has had three (3) consecutive unexcused absences or five (5) absences in any 12-month time period. Dismissal requires a majority vote of a quorum of the BAC.
- The BAC may provide a member an extended leave of absence at the request of the member. If a member is on extended leave, the quorum shall be reduced to reflect the absence of the member on leave.



**BOND ADVISORY COMMITTEE
“CALL TO AUDIENCE”**

EXHIBIT C

If you desire to speak before the Sunnyside Unified School District **Bond Advisory Committee**, please complete the following information and submit this card to the secretary to the Bond Advisory Committee prior to the time of the scheduled meeting. Please limit your comments to three (3) minutes.

Name: _____ Date: _____

Address: _____ Phone: _____

City/State: _____ Zip Code: _____

Topic: _____

Relationship to SUSD as a parent:

Child(ren) _____ School _____

Children _____ School _____

Children _____ School _____

If you are a SUSD student :Grade _____ School _____

If you are a SUSD employee: Worksite _____

If you are a Community Representative:

Affiliation(s) _____

Business Occupation: _____

Taxpayer: Own home _____ Own business _____ Own property _____ Other _____

Public Participation at Bond Advisory Committee Meetings

- Members of the public may speak during the “Call to Audience” portion of the agenda. The Chairman shall be responsible for recognizing speakers and for maintaining proper order by setting such limitations as may be appropriate.
- Any person desiring to speak shall complete the “Call to Audience” form. When addressing the Bond Advisory Committee, an individual shall state his/her full name and address before going into the subject matter.
- Individuals are encouraged to be brief, with a maximum time limit of three (3) minutes. Individuals attending the meeting and/or speaking before the Bond Advisory Committee shall observe rules of propriety, decorum and good conduct, and refrain from impertinent or slanderous remarks.
- At the conclusion of the “Call to Audience”, the Chairman will ask if individual BAC members wish to respond to criticism made by those who have addressed the BAC, wish to ask staff to review a matter, or wish to ask that a member be put on a future agenda. No more than one member may address each criticism.

CONTENTS OF THIS FORM ARE PUBLIC INFORMATION

Exhibit E - Meeting Norms List

<p>Meeting Logistics</p> <ul style="list-style-type: none"> • Meeting Time • Place • Duration • *Frequency 	
<p>Attendance</p> <ul style="list-style-type: none"> • What will our attendance policy be? 	
<p>Promptness</p> <ul style="list-style-type: none"> • What will our promptness policy be? 	
<p>Equal Opportunity Participate</p> <ul style="list-style-type: none"> • How will we encourage everyone's participation? • How can we share the workload? 	
<p>Assignments</p> <ul style="list-style-type: none"> • What will we expect from members? • Are there requirements for participation? 	
<p>Decision Making</p> <ul style="list-style-type: none"> • How will we make decisions? • How will we deal with conflicts? • How will we set priorities? 	

<p>Confidentiality</p> <ul style="list-style-type: none"> • How will we know what is confidential? • What can be said after the meeting? 	
<p>Meeting Evaluation</p> <ul style="list-style-type: none"> • How will we review our work together? 	
<p>Meeting Mechanics</p> <ul style="list-style-type: none"> • Agenda • Minutes • Meeting Record Form 	Comply with the open meeting law
<p>Courtesy</p> <ul style="list-style-type: none"> • How will we encourage listening? • How will we discourage interrupting? • How will we deal with disagreements? • How can we promote respect and empathy? 	
<p>Following our Norms</p> <ul style="list-style-type: none"> • How do we handle violations to our norms? 	



SUNNYSIDE UNIFIED SCHOOL DISTRICT No. 12

Sunnyside Unified School District Bond Advisory Committee Application

Name _____

Email _____

Address _____

Phone Number: Home _____ Mobile _____

Please check: Local Business Member _____ Public Organization Member _____ Parent _____

Site Council or District Foundation Member _____ Other (specify) _____

Specify Title _____

I have expertise in _____

I am interested in participating because

Signature _____

Date _____

Information on the BAC can be found at

[\[Link here\]](#)

**Applications are due _____ to:
Sunnyside Unified School District
Operations Department**

_____ AZ _____

Phone _____; Fax _____

OR via e-mail to: _____

Committee will be selected and applicants notified by November