

Proposed Edits

**Resolution of the Board of Education of the Los Angeles Unified School District
Establishing an Independent Taxpayer Oversight Committee for Measure EE (Res- __ -
18/19)**

Whereas, on February 28, 2019, the Board of Education (“Board”) of the Los Angeles Unified School District (“The District”) adopted a Resolution Ordering an Election to authorize a qualified special tax, otherwise known as a parcel tax, to be placed on the June 4, 2019 special election ballot;

Whereas, The Board placed the Quality Teacher, Class Size Reduction, and Local School Safety Measure (“Measure EE”) on the ballot in order to address decades of underinvestment in public education, provide all Los Angeles area public school students with access to a high-quality educational program, to lower class sizes, and to attract and retain quality teachers, counselors, nurses, librarians, and support staff;

Whereas, Measure EE will help further the implementation of the Los Angeles Unified School District’s commitments to closing the opportunity gaps that persist within its school system and improving education outcomes for all children, in keeping with its goals of increasing graduation rates, proficiency in English Language Arts and math, and preparing all students for college, career and life. The District shares with communities, families, and the State, and posts on its website, the progress being made to improve these educational outcomes annually in the Local Control and Accountability Plan (LCAP);

Whereas, significant progress has been made to improve student outcomes; approximately 76 percent of students are graduating, approximately 42 percent of students are proficient in English Language Arts, approximately 32 percent of students are proficient in math, and approximately 48 percent of students are A-G college and career ready, but additional improvements and investments are needed to continue our work for children;

Whereas, The Board, when it voted to place Measure EE on the June 4, 2019 ballot, confirmed its commitment to oversight by stating in the full text of Measure EE that “it is the intent of the Board of Education that there be strict oversight, transparency and accountability for the expenditure of funds generated by this measure”, and required the Board, upon approval of the measure, to “provide a structure and mechanisms for oversight of the expenditure of the funds”;

Whereas, To ensure public accountability of Measure EE revenue, the Board desires to authorize the establishment of an Independent Taxpayer Oversight Committee prior to the June 4, 2019 election so that the structure and mechanisms for oversight can be immediately implemented should Measure EE be approved by voters;

[NOTE: This “Whereas” was moved below to become a “Resolved”]

~~Whereas; the purpose of the Independent Taxpayer Oversight Committee is to ensure the proceeds are used only for voter approved purposes as stated in the full text of Measure EE, that the expenditure and use of the proceeds are made publicly available, and that the District is held~~

~~fiscally responsible to the public and taxpayers for the expenditure of Measure EE revenue, and that Measure EE revenue is directed to purposes intended to positively impact student outcomes, pursuant to the uses authorized by voters;~~

Whereas; The allocation and expenditure of Measure EE funds shall (a) be designed to sustain the long-term fiscal stability of L.A. Unified; (b) be equitable and supportive of the needs of all students; and (c) help achieve Measure EE's stated purposes to improve achievement;

Whereas, The Board seeks to ensure the prompt and orderly process for selection of such committee members in the event that Measure EE passes by at least two-thirds vote on June 4, 2019; Now, therefore, be it

Resolved, That the Board hereby establishes the formation of an Independent Taxpayer Oversight Committee ("Committee") for the purpose of providing an enhanced level of accountability for the District allocation and expenditure of Measure EE parcel tax funds.

~~Resolved, Whereas; the purpose of the Independent Taxpayer Oversight Committee is to ensure the proceeds are distributed and used only for voter-approved purposes as stated in the full text of Measure EE, that the expenditure and use of the proceeds are made publicly available, and that the District is held fiscally responsible to the public and taxpayers for the expenditure of Measure EE revenue, and that Measure EE revenue is directed to purposes intended positively impact student outcomes, pursuant to the uses authorized by voters;~~

~~Resolved, That t~~The Committee shall convene at least quarterly to carry out ~~the its~~ purposes, as defined in Measure EE, of this Resolution, and in the Committee's bylaws, which are attached to this Resolution;

Resolved; That the membership of the Independent Taxpayer Oversight Committee shall consist of nine (9) independent representatives, whom shall be nominated by a Membership Selection Panel (Panel). Each representative shall have with (1) have significant expertise in education program evaluation academia; (2) have significant expertise in school/public finance; or (3) be a parent of a student attending a public school. parent and family; performance measurements and reviews; among other things;. Each nominated member shall reside within the boundaries of the District and the Committee shall reflect a balance of participants with each of the above expertise areas; and

Resolved; That the Panel shall be comprised of three (3) seven-(7) members:

- One (1) Two-(2) of which shall be selected by the Board;
- One (1) by the Mayor of Los Angeles;
- One (1) by the Los Angeles County Department of Education;
- One (1) by the Los Angeles County Board of Supervisors, who shall consult with mayors or designees from the cities that are fully or partially contained within the jurisdiction of the District;
- One (1) by the members of the South Bay Cities Association, selected by the member cities located within Los Angeles Unified boundaries; and

- ~~One (1) by the Gateway Cities Council of Governments, selected by the member cities located within Los Angeles Unified boundaries.~~

The Panel shall screen and recommend potential candidates for membership to the Independent Taxpayer Oversight Committee. The Panel will develop guidelines to solicit, collect, and review applications of potential candidates for the Committee. The Superintendent of Schools, Chief Financial Officer and Chief Academic Officer shall receive and review the nominations from the Panel and make final recommendations to the Board. The recommendations are subject to approval by the Board of Education by a majority vote;

Resolved, That ~~and~~ the Independent Taxpayer Oversight Committee’s duties shall include but not be limited to: be to receive, review, make recommendations, findings, and publicly report annually on:

[NOTE – The purpose in the revisions below is to make clear that there is: (1) a district plan for spending money aligned to Measure EE, (2) receipt of information about progress towards that plan by the Committee, and (3) a report from the Committee showing how money was spent and how that spent money moved the ball towards the goals in the district’s plan]

- Receive and review tThe District’s expenditure plan for Measure EE revenue, which shall include: (a) which programs, initiatives, and/or positions will be supported, and (b) how the funding has-been will be allocated for Measure EE’s stated purposes, (c) how expenditures are anticipated to further the equitable distribution of resources and their efficient use to support the long-term fiscal stability of the District; and (d) measurable student outcome goals, aligned with the LCAP and Realizing the Promise for All: Close the Gap by 2023! Board Resolution (Res-047-17/18) tied to the expenditure of funds; and
- Annually report: (a) The amount of Measure EE revenues received, (b) the amount and allocation of expenditures in such the prior year; and The (b)-(c) prior year progress on measurable student achievement outcomes, as outlined in the district expenditure plan, aligned with the LCAP Local Control and Accountability Plan and Realizing the Promise for All: Close the Gap by 2023! Board Resolution (Res-047-17/18), expected to result from the allocation and expenditure of Measure EE funds; (including but not limited to: (a) increasing graduation rates; (b) preparing all students to be proficient in English Language Arts and math; and (c) increasing the number of students that are A-G college and career ready); and
- Annually, meet with the independent financial auditing firm and review the independent financial audit of Measure EE; and
- ~~Resolved, That the Independent Taxpayer Oversight Committee shall~~ Inform the public concerning ~~Los Angeles Unified School~~ the District’s expenditure of Measure EE proceeds, including but not limited to publicly distributing an annual report that communicates the Committee’s annual findings and recommendations regarding the prior fiscal year, and public hearings (in addition to quarterly meetings) at least once per year

to discuss critical topics related to the expenditure of Measure EE revenues, ~~which shall take place no less than once per year;~~

Resolved, That the Independent Taxpayer Oversight Committee shall prepare, approve, and distribute any other progress reports of any activities, findings, and recommendations of the Committee to the Superintendent, the Board, and the public, regarding the receipt, allocation, and expenditure of Measure EE funds;

Resolved, That each member of the Taxpayer Oversight Committee shall serve for a term of three (3) years, and/or until a successor is appointed, except that initial appointments may be staggered with terms of two (2) years. ~~Term limits for Committee members will be staggered to prevent significant turnover at any one time.~~ There is no limit as to the number of terms that a Committee member may serve; ~~and, finally be it;~~

Resolved, That to ensure the Taxpayer Oversight Committee's independence, no employee, official, vendor, contractor, or consultant of the Los Angeles Unified School District shall be appointed to the Committee, and each member shall strictly follow the ethics and conflict of interest rules pursuant to the Los Angeles Unified School District's policies and guidelines. All Committee proceedings shall be subject to open meeting laws, including the Brown Act; and, finally be it;

Resolved, That each local educational agency ("LEA") that receives revenue from Measure EE shall also establish an independent and publicly transparent committee to ensure that Measure EE funds are expended in accordance with the terms of Measure EE and this Resolution, as applicable. Each independent committee shall provide an annual report certifying whether the LEA's expenditure of Measure EE funds was appropriate.