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**MT. DIABLO UNIFIED SCHOOL DISTRICT BOARD OF EDUCATION'S
RESPONSE TO 2024-25 CONTRA COSTA CIVIL GRAND JURY REPORT # 2507**

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SUMMARY

The Grand Jury Report # 2507 (the “Report”) concludes that Mt. Diablo Unified School District (the “District” or “MDUSD”) has “impeded” the ability of the Measure J Citizens’ Bond Oversight Committee (“CBOC”) to carry out its oversight duties. This conclusion has no basis in law, including the California Education Code. In fact, the Report contradicts the first sentence of Education Code § 15278, begging the question of whether the Grand Jury reviewed the Education Code sections attached to its report.

The Grand Jury opined that MDUSD impeded the Measure J CBOC by not allowing it to: 1) appoint its own members; 2) draft bylaws; and 3) retain legal counsel. First, Education Code § 15278 states: “the governing board ... shall establish and appoint members to an independent citizens’ oversight committee.” Thus, MDUSD could not have impeded the CBOC when the democratically elected board members are legally required to establish a committee and appoint members. Second, part and parcel of establishing a committee is drafting bylaws. The Grand Jury admits: “The EDCODE is silent on this issue, neither granting nor denying a CBOC the right to create or change its own bylaws.” When the Education Code does not grant an oversight committee a power, then that power resets with the governing board. California Education Code §§ 35160 & 35161. Third, Education Code § 15282 requires a district to provide technical and administrative assistance. If the legislature had wanted districts to provide legal support, then the legislature would have directed districts to provide technical and administrative services and legal counsel.

In this respect, none of the Grand Jury’s recommendations are warranted, as the District is in full compliance with Education Code §§ 15278 - 15282. The Report should have been entitled a *Case of Facilitated Oversight* as demonstrated by the considerable autonomy and independence afforded Measure J CBOC in its operations, including but not limited to, preparing its own agendas, holding special meetings, establishing subcommittees, having its own [link](#) available on the Internet website maintained by the District, receiving and reviewing thousands

of District documents, requesting and receiving the MDUSD's approval of the expenditure of funds on independent legal counsel with limits, reviewing and accepting financial and performance audits reports, questioning a District contractor at an open public meeting, and visiting school sites to inspect facilities.

RESPONSE TO BACKGROUND

Education Code §§ 15278 - 15282 governs Citizens' Oversight Committees. The duties and powers of a citizens' bond oversight committee are outlined in Education Code § 15278. When the Education Code does not grant the independent oversight committee a power, then that power resets with the governing board. *See* California Education Code §§ 35160 & 35161.

On July 23, 2018, the MDUSD Board passed [Resolution No. 18/19-1](#)—Ordering an Election to Authorize the Issuance of School Bonds, Establishing Specifications of The Election Order, and Requesting Consolidation with Other Elections Occurring On November 6, 2018. The purpose of the Bond Measure was to “improve and upgrade science, engineering, technology and vocational education classrooms; replace outdated plumbing/electrical wiring, upgrade alarm/emergency communication systems; improve student safety/campus security; and qualify for State matching funds.”¹ The Bond Measure also provided for the establishment of an Independent Citizens' Oversight Committee in compliance with Education Code § 15278 “to ensure bond proceeds are expended only on the types of school facilities projects listed.” On March 25, 2019, the MDUSD Board passed Resolution [18/19-49](#)—Certifying to the Board of Supervisors of Costa County All Proceedings in the November 6, 2018 General Obligation Bond Election on Measure J, Establishing Oversight Committee and Adopting Bylaws.²

On May 13, 2019, the MDUSD Board appointed six applicants to the District's Measure J Citizens' Bond Oversight Committee (“CBOC”): 1) Gina Haynes; 2) Alejandro Hernandez; 3) Jay Bedecarre; 4) Dennis Chow; 5) John Ferrante; and 6) Michael Langley.³ On June 10 & 24, 2019, the MDUSD Board appointed Jim Walsh, Jack Weir and Marc Wills to the Measure J CBOC.⁴ On December 14, 2022, the Board appointed three new members: Thomas Paradiso, Justin Pickering and Denise Huffman Cruz.⁵ On June 12, 2024, the Board appointed Ms. Erin Adrian to the CBOC.⁶

¹MDUSD, Public Board Agenda, July 23, 2018; Item # 4.1

(https://mtdiablopublishic-board.com/public_itemview.aspx?ItemId=9+T27CcyUjA=&mtgId=jXXciMavo+U).

²MDUSD, Public Board Agenda, March 25, 2019; Item # 18.3

(https://mtdiablopublishic-board.com/public_itemview.aspx?ItemId=to26KNM1UyI=&mtgId=yCsVwBumOVk).

³MDUSD, Public Board Agenda, May 13, 2019; Item # 17.2

(https://mtdiablopublishic-board.com/public_itemview.aspx?ItemId=S7uqza0THtg=&mtgId=/X8yf6Kr5vw).

⁴MDUSD, Public Board Agenda, June 10, 2019; Item # 17.6

(https://mtdiablopublishic-board.com/public_itemview.aspx?ItemId=PFnNxvoE/eg=&mtgId=NrFvtnPG0RU);

MDUSD, Public Board Agenda, June 24, 2019; Item # 16.7

(https://mtdiablopublishic-board.com/public_itemview.aspx?ItemId=4vOuTCyNo14=&mtgId=bN0RGpJ6IoU).

⁵MDUSD, Public Board Agenda, December 14, 2022; Item # 18.8

(https://mtdiablo.ic-board.com/public_itemview.aspx?ItemId=8kJLMjRnqL8=&mtgId=2erordLFsnO).

⁶MDUSD, Public Board Agenda, June 12, 2024; Item # 18.9

(https://mtdiablo.ic-board.com/public_itemview.aspx?ItemId=I9EXTNXIeIc=&mtgId=jVUlwZBfgs).

The Grand Jury Report ignores that the CBOC's independence is demonstrated through its reports, which on their face are highly critical of the District. On September 8, 2021, the Measure J CBOC presented two annual reports for the 2018-19 and 2019-20 school years respectively.⁷ The [2018-19 Report](#) held: "The 2018 Measure J Citizens' Bond Oversight Committee Has Not Uncovered Any Deviation From Prop 39 Requirements."⁸ The [2019-20 Report](#) held: "no significant facility improvements have been completed to-date[.]" and concluded: "the district is not fulfilling its promises to voters, and is not managing the bond program responsibly."⁹ On September 14, 2022, the CBOC presented its [2020-21 Report](#), which held: "The 2018 Measure J Citizens' Bond Oversight Committee Has Not Uncovered Any Deviation From Prop. 39 Requirements."¹⁰

On September 27, 2023, the CBOC presented its [2021-22 Report](#), stating: "The 2018 Measure J Citizens' Bond Oversight Committee Has Not Uncovered Any Deviation From Prop 39 requirements for the Annual Report from July 1, 2021, to June 30, 2022."¹¹ In addition, the CBOC opined that "serious concerns" existed:

1. Measure J CBOC has requested independent legal counsel to address questions regarding possible government code section violations and questionable energy savings contracts/amendments. Access to an independent legal council [sic] has not been provided.
2. The Measure J CBOC requested that the Board consider an expanded performance audit.
3. Public access to meeting minutes/agendas and annual reports, as required by Prop 39, are not currently available and have not been for the last 2 month[s].¹²

On August 28, 2024, the CBOC presented its [2022-23 Report](#) which concluded: 1) "District property owners are already paying interest on bonds sold, yet actual construction results lag years later than originally proposed;" 2) "There is question as to whether state contract law has been violated;" and 3) "The district is not meeting its obligation to residents and taxpayers to achieve the promises in Measure J bond language in a timely, and efficient, manner[.]"¹³

RESPONSE TO METHODOLOGY

The Grand Jury wrote that its investigation included: "Interviews with individuals who have experience with issues related to the CBOC; Review of MDUSD information including

⁷MDUSD, Public Board Agenda, September 8, 2021; Item # 11.3

(https://mtdiablo.ic-board.com/public_itemview.aspx?ItemId=fzH+/2YweY=&mtgId=oqgvmoFrUOc=).

⁸ *Id.*

⁹ *Id.*

¹⁰MDUSD, Public Board Agenda, September 14, 2022; Item # 14.3

(https://mtdiablopública.ic-board.com/public_itemview.aspx?ItemId=Lc/zEBReRlk=&mtgId=3KhERTHYpfU=).

¹¹MDUSD, Public Board Agenda, September 27, 2023; Item # 12.2

(https://mtdiablo.ic-board.com/public_itemview.aspx?ItemId=KJOHNBn8l5A=&mtgId=8sGEm33y+UE=).

¹² *Id.*

¹³MDUSD, Public Board Agenda, August 28, 2024; Item # 12.1

(https://mtdiablo.ic-board.com/public_itemview.aspx?ItemId=kr1lEiWP3Tl=&mtgId=9orXPN+uiDs=).

Bylaws, agendas, meeting minutes, documents; and reports; Review of State Proposition 39 (2000), the State’s Proposition 39 Best Practices Handbook and associated sections of the California Education Code; Review of the Little Hoover Commission (2009) Report: ‘Bond Spending: Expanding and Enhancing Oversight,’ Association of Bond Oversight Committees (CABOC) information and materials from other school districts with a CBOC; and Attendance via video of a Measure J CBOC meeting.” While the Grand Jury claims to have reviewed the “associated sections of the California Education Code,” the Grand Jury’s bias is exposed by 1) its findings which directly contradict the Education Code’s requirements and 2) its omission of key undisputed facts such as, to date, the CBOC never presented new Bylaws for the Board’s considerations.

RESPONSE TO DISCUSSION

The District responds to the discussion section as follows:

- A. *Measure J CBOC*. Report finds: “The CBOC webpage is in the Business Services Department section of the District website (Measure J CBOC - Mt. Diablo Unified School District). It is the only means by which the reports are disseminated to the public.” GJ Report, p. 6. Education Code § 15280 requires: “Minutes of the proceedings of the citizens’ oversight committee and all documents received and reports issued shall be a matter of public record and be made available on an Internet Web site maintained by the governing board of the district.” The Report disregards that the District is in full compliance with this requirement as demonstrated by the [Measure J CBOC website](#).¹⁴ Further, the Report ignores that CBOC Reports are published on the Board’s agenda.
- B. *CBOC Independence*. The most telling part of this discussion is what the section omits. A simple review of the [Measure J CBOC website](#) would highlight the following:¹⁵
 - 1. The Measure J CBOC prepares its own agenda. The CBOC Chair sends the Agendas to the Executive Director of Maintenance, Operations & Facilities for posting.¹⁶
 - 2. The Measure J CBOC is able to meet whenever it requests. For example, in 2024, the Measure J CBOC held four special meetings on March 7, 2024; April 29, 2024; June 13, 2024; and September 30, 2023.¹⁷
 - 3. To date, the Measure J CBOC has never presented proposed revisions of its Bylaws to the Board of Education. Further, the Grand Jury conceded that the Board has expressed its willingness to consider proposed revisions to the Bylaws. Lastly, only after the Grand Jury issued its report, on August 14, 2025, did the

¹⁴ Measure J CBOC - Mt. Diablo Unified School District
(<https://www.mdusd.org/departments/business-services/mo-home/divisions/facilities/measure-j-j-cboc>) (last visited 8/20/25).

¹⁵ *Id.*

¹⁶ *Id.*

¹⁷ *Id.*

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- CBOC vote to approve new Bylaws and present them to the Board of Education in September 2025.¹⁸
4. The Measure J CBOC has established subcommittees.¹⁹
 5. The Measure J CBOC does not have its own budget as the Education Code § 15280(a)(1) provides “the governing board of the district shall, without expending bond funds, provide technical assistance and shall provide administrative assistance in furtherance of its purpose and sufficient resources to publicize the conclusions of the citizens’ oversight committee.”
 6. The Measure J CBOC has the ability to have documents posted to the CBOC website.²⁰
 7. The District has provided the Measure J CBOC with all documents requested.²¹
 8. The District approved the expenditure of funds for an independent legal counsel, which the Measure J CBOC never acted on. Specifically, on August 11, 2023, the District informed the CBOC Chair that it would approve eight hours of legal work. Subsequently, on March 4, 2024, following a request for additional hours by the CBOC Chair, the District approved fifteen hours of legal work for the CBOC. The CBOC Chair continued to request 30 hours.²²
 9. The Measure J CBOC has received and accepted financial and performance audit reports. For example, on February 15, 2024, the CBOC received the Independent Auditors’ Report for the fiscal year ending on June 30, 2023.²³
 10. The CBOC prepares and presents its reports.²⁴
 11. The District has facilitated a contractor presenting to the CBOC and answering the CBOC’s questions.²⁵
 12. The District facilitates CBOC members visiting sites and the Bylaws provide that members are authorized to “inspect school facilities.”²⁶
- C. *Bylaws.* The Grand Jury opined: “While MDUSD has acknowledged that the CBOC can request changes in its bylaws, MDUSD also believes that any changes in the bylaws must be approved by the school board. The EDCODE is silent on this issue, neither granting nor denying a CBOC the right to create or change its own bylaws.” GJ Report, p. 7. The

¹⁸ *Id.*

¹⁹ *Id.*; see Minutes from 3/18/21 CBOC Meeting.

²⁰ *Id.*

²¹ For example, the CBOC Chair has made numerous requests for records, which the District has diligently responded to.

²² MDUSD, Public Board Agenda, March 27, 2024; Item # 17.5

(https://mtdiablo.ic-board.com/public_itemview.aspx?ItemId=BOJELAOGrj8=&mtgId=mACFu7oRX5A=) (“The District previously approved funding up to 15 hours for independent legal counsel. The CBOC seeks funding for a total of 30 hours.”).

²³ Measure J CBOC - Mt. Diablo Unified School District

(<https://www.mdusd.org/departments/business-services/mo-home/divisions/facilities/measure-j-i-cboc>).

²⁴ See MDUSD Board Agendas [2018-19 Report](#), 9/8/21; [2019-20 Report](#), 9/8/21; [2020-21 Report](#), 9/14/22; [2021-22 Report](#), 9/27/23; and [2022-23 Report](#), 8/28/24.

²⁵ Measure J CBOC - Mt. Diablo Unified School District, Minutes from 5/15/25 CBOC Meeting

(<https://www.mdusd.org/departments/business-services/mo-home/divisions/facilities/measure-j-i-cboc>).

²⁶ MDUSD, Public Board Agenda, March 25, 2019; Item # 18.3

(https://mtdiablopbl.ic-board.com/public_itemview.aspx?ItemId=to26KNM1UvI=&mtgId=yCsVwBumOVk=) (Resolution # [18/19-49](#) (Bylaws)).

Grand Jury's legal analysis is faulty. First, a fundamental matter of public agency law is that every public entity has only such powers as have been conferred upon it by law, either expressly or by necessary implication. *City of Ukiah v. Fones*, 64 Cal.2d 104, 107 (1964). Put simply, citizens' bond oversight committees are statutory bodies, meaning that they can only act within the authority granted to them by the constitution, statute or ordinance. Applying that principle to the CBOC, if the Education Code does not specifically grant the independent oversight committee a specific power, then that power rests with the Board of Education. California Education Code §§ 35160 & 35161. Further, the CBOC's authorized activities are outlined in Education Code §§ 15278(c) & 15280 and do not include drafting their own bylaws. Moreover, Education Code § 15278 provides: "the governing board of the school district or community college shall establish and appoint members to an independent citizens' oversight committee." Accordingly, part and parcel of establishing the committee is drafting bylaws.

- D. *Selection of CBOC Members.* The Grand Jury reflected: "Other districts have organized a committee consisting of CBOC representatives, district board members and staff that screens, reviews and approves members of the CBOC directly (without approval by the school board)." As outlined above, Education Code § 15278 provides that the Board appoints members of the independent oversight committee. Simply stated, the CBOC cannot usurp the Board's authority to appoint its own members.
- E. *MDUSD CBOC Support.* The Grand Jury summarily concludes: "EDCODE section 15280 (a) (1) requires that the MDUSD shall provide the CBOC with any necessary technical and administrative assistance. Legal support is one form of such assistance. By not providing the requested assistance the MDUSD is not providing the required support." GJ Report, p. 9. Education Code §§ 15278 - 15282 govern the scope of the CBOC's authority. The CBOC's purpose is to: 1) Review and report on the proper expenditure of taxpayer money for the "construction, reconstruction, rehabilitation, or replacement of school facilities, including the furnishing and equipping of school facilities, or the acquisition or lease of real property for school facilities[;]" 2) Ensure bond revenues are expended only for projects on the project list; 3) Ensure the District performs annual financial and performance audits; and 4) Ensure no funds are used for teacher or administrator salaries or other school operating expenses. Cal. Const. Art. XIII A § 1(b)(3); Education Code § 15278(b). The scope does not include providing legal analysis, which is why the membership consists of ordinary citizens. Education Code § 15282.

In order to discharge the above, the CBOC is permitted to engage in the following activities: 1) Receive and review copies of the annual financial and performance audits; 2) Inspect school facilities and grounds; 3) Receive and review any deferred maintenance plans or proposals; 4) Review efforts by the District to maximize bond revenues by implementing cost saving measures; 5) Conduct meetings that are open to the public and noticed in accordance with the Brown Act; 6) Maintain minutes of the committee and all documents received and reports issued by the committee on a website provided by the District; and 7) Issue at least one report per year on its activities. Education Code §§ 15278(c) & 15280. The authorized activities do not include expending public funds to

hire independent legal counsel; in contrast, the Education Code requires hiring independent auditors.

Lastly, as discussed above, the Education Code provides for technical and administrative assistance. The Grand Jury's summary conclusion that "[l]egal support is one form of such assistance" is wrong. For example, the Government Code § 53060 (Special services and advice) provides: "The legislative body of any public or municipal corporation or district may contract with and employ any persons for the furnishing to the corporation or district special services and advice in financial, economic, accounting, engineering, legal, or administrative matters if such persons are specially trained and experienced and competent to perform the special services required." This section gives districts the power to contract for legal services. Legal services are distinct and separate from, for example, administrative, accounting, and engineering. In this respect, if the Legislature had wanted the CBOC to receive legal counsel, then it would have directed the districts to provide oversight committees with legal support.

Lastly, the CBOC does not have the authority to move into closed session, as all proceedings must be open to the public. Education Code § 15280(b). Accordingly, how the CBOC would even receive confidential legal advice is unclear.

- F. *Additional Concerns.* The Grand Jury held: "The sole means of publicizing the required CBOC annual reports is via the MDUSD website. Thus, the information isn't widely distributed to the taxpayers. Other districts provide the information through local government, civic, business and taxpayer associations." GJ Report, p. 9. As outlined above, the Education Code does not require any such wide distribution. Moreover, the CBOC's annual report is also presented to the Board of Education and published on the Board's agenda.²⁷

RESPONSE TO FINDINGS

1. **Finding 1.** By the California Education Code, the Measure J CBOC is to be independent of MDUSD and represents and informs the taxpayers.²⁸

Response: Agree. Education Code § 15278 states: "the governing board of the school district ... shall establish and appoint members to an independent citizens' oversight committee."

2. **Finding 2.** The CBOC does not prepare its own Bylaws which detail how the committee operates.

Response: Agree. Pursuant to Education Code § 15278, on March 15, 2019, the Board

²⁷ See MDUSD Board Agendas: [2018-19 Report](#), 9/8/21; [2019-20 Report](#), 9/8/21; [2020-21 Report](#), 9/14/22; [2021-22 Report](#), 9/27/23; and [2022-23 Report](#), 8/28/24.

²⁸ The Report, page 4, erroneously concludes that the CBOC's role includes determining whether the District has "Complied with laws regarding school bond program management." This requirement is not in the Education Code.

passed Resolution # 18/19-49, establishing the Measure J Oversight Committee and approving Bylaws for the committee. The Bylaws provide that any Amendments to the Bylaws must be approved by the majority of the Board. To date, the Measure J CBOC has never presented any proposed amendments to the Bylaws for the Board to consider.

3. **Finding 3.** The MDUSD provides the CBOC Bylaws.

Response: Agree. The Grand Jury found that the Education Code has not granted (is silent) the CBOC the ability to draft or change its own Bylaws. When the Education Code does not grant the independent oversight committee a power, then that power rests with the Board. *See* California Education Code §§ 35160 & 35161. The CBOC's authorized activities are outlined in Education Code §§ 15278(c) & 15280 and do not include drafting their own bylaws. Thus, in accordance with the requirement to establish a CBOC, the Board adopted Bylaws.

4. **Finding 4.** The CBOC cannot modify the Bylaws without MDUSD approval.

Response: Agree. This finding is accurate, as outlined above.

5. **Finding 5.** The MDUSD reviews and appoints CBOC renewing and new members.

Response: Agree. Education Code § 15278 provides that the Board appoints members of an independent oversight committee. In compliance with the Education Code § 15278, the Board appointed Measure J CBOC members. The CBOC cannot usurp the Board's authority to appoint its own members.

6. **Finding 6.** The MDUSD is required by the EDCODE to provide support to the CBOC.

Response: Partially disagree. Education Code § 15280 states: "the governing board of the district shall, without expending bond funds, provide the citizens' oversight committee with any necessary technical assistance and shall provide administrative assistance." The District provides the CBOC with technical and administrative assistance. The Grand Jury is wrong that legal counsel is a form of technical or administrative assistance. Simply stated, MDUSD's support of the CBOC is not unlimited, especially given the budget and time limitations placed on school districts.

7. **Finding 7.** The CBOC does not have an independent legal consultant.

Response: Agree. As outlined above, the Education Code § 15280 does not provide that the citizens oversight committee be provided with legal assistance, only technical and administrative assistance. If the Legislature had wanted the CBOC to receive such assistance, then it would have directed the District to provide CBOC with technical assistance, administrative assistance and legal counsel.

8. **Finding 8.** CBOC is not independent as intended by Proposition 39.

Response: Disagree. The Measure J CBOC is independent and complies with all requirements of Education Code §§ 15278 - 15282. The Grand Jury's determination that the CBOC is not independent is not ground in the Education Code. The Education Code requires the Board to: 1) establish an independent oversight committee; 2) appoint members; and 3) provide technical and administrative assistance, which the Board has done. *Id.* The Education Code does not give the CBOC the power to: 1) draft its own bylaws; or 2) hire its own legal counsel. *Id.* In fact, the essence of the CBOC is for it to be a lay committee, which is why its membership includes a member of: a business organization; a senior citizen's organization; a taxpayer association; PTA member; and a parent or guardian of a child enrolled in the District. Education Code § 15282. There is no requirement for a lawyer.

9. **Finding 9.** The last annual report from CBOC presented negative findings.

Response: Agree. On August 28, 2024, the Measure J CBOC presented its annual report for the 2022-23 fiscal year, which was critical of the District. Most significantly, the CBOC's criticism demonstrates the CBOC's independence.

10. **Finding 10.** The CBOC reports are not widely distributed to the taxpayers and are only posted on the MDUSD website.

Response: Disagree. Education Code § 15280 requirements: "Minutes of the proceedings of the citizens' oversight committee and all documents received and reports issued shall be a matter of public record and be made available on an Internet Web site maintained by the governing board of the district." The Measure J CBOC has its own link on the District's website, which includes all meetings and annual reports. Further, the Measure J CBOC has presented reports to the Board, and its reports are published on the Board Agenda.

RESPONSE TO RECOMMENDATIONS

1. **Recommendation 1.** By December 31, 2025, the MDUSD should recognize that California Education Code requires that the Measure J CBOC is an independent oversight committee reporting to the taxpayers and not controlled by the MDUSD.

Response: This recommendation will not be implemented because it is not warranted. Resolution No. 18/19-41 specifically held: "Section 3. Establishment of Oversight Committee. Pursuant to Proposition 39 and Section 15278 of the Education Code, the Board hereby establishes an Oversight Committee for the Proposition J Bonds. The Oversight Committee shall perform all of the duties imposed on it under Sections 15278 through 15282, inclusive, of the Education Code with respect to the Measure J Bonds." Thus, the Board of Education imparted to the Measure J CBOC all the duties the Education Code delineated.

2. **Recommendation 2.** By December 31, 2025, the MDUSD should permit the Measure J CBOC to independently prepare, modify and approve the committee's Bylaws.

Response: This recommendation will not be implemented because it is not warranted. As outlined above, the Grand Jury correctly recognized that the Education Code has not granted (is silent) on the CBOC's ability to draft or change its Bylaws. When the Education Code does not grant the independent oversight committee a power, then that power rests with the Board. *See* California Education Code §§ 35160 & 35161. The CBOC's authorized activities are outlined in Education Code §§ 15278(c) & 15280 and do not include drafting their own bylaws. Thus, in accordance with the requirement to establish a CBOC, the Board adopted Bylaws for the CBOC.

3. **Recommendation 3.** By December 31, 2025, the MDUSD should provide assistance the CBOC has requested.

Response: This recommendation will not be implemented because it is not warranted. As outlined above, the District has provided the CBOC with all technical and administrative assistance as required by the Education Code.

4. **Recommendation 4.** By December 31, 2025, the MDUSD should include the CBOC in activities associated with screening, selection and approval of CBOC candidates for continuing and new members' positions.

Response: This recommendation will not be implemented because it is not warranted. As outlined above, the Education Code requires the Board of Education to appoint members to the oversight committee and the Board will continue to discharge this duty.

5. **Recommendation 5.** By December 31, 2025, the MDUSD should distribute CBOC annual reports electronically to taxpayers within the district via local governments, parent groups and civic organizations.

Response: This recommendation will not be implemented because it is not warranted. As outlined above, the District distributes the CBOC Annual Reports by posting them on its websites and by publication on the Board Agendas and in doing so, is in full compliance with the Education Code.