



**FISCAL CRISIS & MANAGEMENT ASSISTANCE TEAM
DRAFT STUDY AGREEMENT
April 21, 2017**

The Fiscal Crisis and Management Assistance Team (FCMAT), hereinafter referred to as the team, and the Oakland Unified School District, hereinafter referred to as the district, mutually agree as follows:

1. BASIS OF AGREEMENT

The team provides a variety of services to local education agencies (LEAs). The district has requested that the team assign professionals to study specific aspects of the district’s operations. These professionals may include staff of the team, county offices of education, the California State Department of Education, school districts, or private contractors. All work shall be performed in accordance with the terms and conditions of this agreement.

In keeping with the provisions of Assembly Bill 1200, the county superintendent will be notified of this agreement between the district and FCMAT and will receive a copy of the final report. The final report will also be published on the FCMAT website.

2. SCOPE OF THE WORK

A. Scope and Objectives of the Study

Prepare an analysis using the 20 factors in FCMAT’s Fiscal Health Risk Analysis, and determine the district’s risk rating.

B. Services and Products to be Provided

1. Orientation Meeting - The team will conduct an orientation session at the district to brief district management and supervisory personnel on the team’s procedures and the purpose and schedule of the study.
2. On-site Review - The team will conduct an on-site review at the district office and at school sites if necessary.
3. Exit Meeting - The team will hold an exit meeting at the conclusion of the on-site review to inform the district of significant findings and recommendations to that point.

4. Exit Letter – Approximately 10 days after the exit meeting, the team will issue an exit letter briefly memorializing the topics discussed in the exit meeting.
5. Draft Management Letter - Electronic copies of a preliminary draft management letter will be delivered to the district’s administration for review and comment.
6. Final Management Letter - Electronic copies of the final management letter will be delivered to the district’s administration and to the county superintendent following completion of the review. Printed copies are available from FCMAT upon request.
7. Follow-Up Support – If requested by the district within six to 12 months after completion of the study, FCMAT will return to the district at no cost to assess the district’s progress in implementing the recommendations included in the management letter. Progress in implementing the recommendations will be documented to the district in a FCMAT management letter. FCMAT will work with the district on a mutually convenient time to return for follow-up support that is no sooner than eight months and no later than 18 months after completion of the study.

3. **PROJECT PERSONNEL**

The FCMAT study team may also include:

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| <ol style="list-style-type: none"> A. <i>To be determined</i> B. <i>To be determined</i> C. <i>To be determined</i> | <p><i>FCMAT Staff</i>
 <i>FCMAT Consultant</i>
 <i>FCMAT Consultant</i></p> |
|--|---|

4. **PROJECT COSTS**

The cost for studies requested pursuant to Education Code (EC) 42127.8(d)(1) shall be as follows:

- A. \$650 per day for each staff member while on site, conducting fieldwork at other locations, preparing and presenting reports, or participating in meetings. The cost of independent FCMAT consultants will be billed at their actual daily rate for all work performed.
- B. All out-of-pocket expenses, including travel, meals and lodging.
- C. The district will be invoiced at actual costs, with 50% of the estimated cost due following the completion of the on-site review and the remaining amount due upon the district’s acceptance of the final management letter.

Based on the elements noted in section 2A, the total not-to-exceed cost of the study will be \$30,000.

D. Any change to the scope will affect the estimate of total cost.

Payments for FCMAT's services are payable to Kern County Superintendent of Schools - Administrative Agent located on 1300 17th Street, City Centre, Bakersfield, CA 93301.

5. RESPONSIBILITIES OF THE DISTRICT

A. The district will provide office and conference room space during on-site reviews.

B. The district will provide the following if requested:

1. Policies, regulations and prior reports that address the study scope.
2. Current or proposed organizational charts.
3. Current and two prior years' audit reports.
4. Any documents requested on a supplemental list. Documents requested on the supplemental list should be provided to FCMAT only in electronic format; if only hard copies are available, they should be scanned by the district and sent to FCMAT in electronic format.
5. Documents should be provided in advance of field work; any delay in the receipt of the requested documents may affect the start date and/or completion date of the project. Upon approval of the signed study agreement, access will be provided to FCMAT's online SharePoint document repository, where the district will upload all requested documents.

C. The district's administration will review a preliminary draft copy of the management letter resulting from the study. Any comments regarding the accuracy of the data presented in the management letter or the practicability of the recommendations will be reviewed with the team prior to completion of the final management letter.

Pursuant to EC 45125.1(c), representatives of FCMAT will have limited contact with pupils. The district shall take appropriate steps to comply with EC 45125.1(c).

6. PROJECT SCHEDULE

The following schedule outlines the planned completion dates for different phases of the study and will be established upon the receipt of a signed study agreement:

Orientation:	to be determined
Staff Interviews:	to be determined
Exit Meeting:	to be determined
Preliminary Management letter Submitted:	to be determined

Final Management Letter Submitted:	to be determined
Board Presentation:	to be determined, if requested
Follow-Up Support:	if requested

7. **COMMENCEMENT, TERMINATION AND COMPLETION OF WORK**

FCMAT will begin work as soon as it has assembled an available and appropriate study team consisting of FCMAT staff and independent consultants, taking into consideration other jobs FCMAT has previously undertaken and assignments from the state. The team will work expeditiously to complete its work and deliver its management letter, subject to the cooperation of the district and any other parties from which, in the team’s judgment, it must obtain information. Once the team has completed its fieldwork, it will proceed to prepare a preliminary draft management letter and a final management letter. Prior to completion of fieldwork, the district may terminate its request for service and will be responsible for all costs incurred by FCMAT to the date of termination under Section 4 (Project Costs). If the district does not provide written notice of termination prior to completion of fieldwork, the team will complete its work and deliver its management letter and the district will be responsible for the full costs. The district understands and agrees that FCMAT is a state agency and all FCMAT management letter or reports are published on the FCMAT website and made available to interested parties in state government. In the absence of extraordinary circumstances, FCMAT will not withhold preparation, publication and distribution of a management letter or report once fieldwork has been completed, and the district shall not request that it do so.

8. **INDEPENDENT CONTRACTOR**

FCMAT is an independent contractor and is not an employee or engaged in any manner with the district. The manner in which FCMAT’s services are rendered shall be within its sole control and discretion. FCMAT representatives are not authorized to speak for, represent, or obligate the district in any manner without prior express written authorization from an officer of the district.

9. **INSURANCE**

During the term of this agreement, FCMAT shall maintain liability insurance of not less than \$1 million unless otherwise agreed upon in writing by the district, automobile liability insurance in the amount required under California state law, and workers compensation as required under California state law. FCMAT shall provide certificates of insurance, with Oakland Unified School District named as additional insured, indicating applicable insurance coverages upon request, prior to the commencement of on-site work.

10. HOLD HARMLESS

FCMAT shall hold the district, its board, officers, agents and employees harmless from all suits, claims and liabilities resulting from negligent acts or omissions of its board, officers, agents and employees undertaken under this agreement. Conversely, the district shall hold FCMAT, its board, officers, agents and employees harmless from all suits, claims and liabilities resulting from negligent acts or omissions of its board, officers, agents and employees undertaken under this agreement.

11. CONTACT PERSON

Name: James Harris, Board President
Telephone: (510) 879-8200
E-mail: james.harris@ousd.org

Dr. Devin Dillon, Interim Superintendent
Oakland Unified School District

Date

Michael H. Fine
Chief Administrative Officer
Fiscal Crisis and Management Assistance Team

Date

About FCMAT

The Fiscal Crisis and Management Assistance Team (FCMAT) was created by legislation in 1992 as an independent and external state agency. FCMAT's mission is to provide proactive and preventive fiscal, business and management services that help local educational agencies comply with fiscal accountability standards and incorporate best practices.

FCMAT has performed more than 700 reviews for K-12 school districts, county offices of education, community colleges and charter schools. Management assistance requests represent approximately 90% of FCMAT's reviews. Areas of review include budgets and multiyear financial projections, reviews of business services, organizational effectiveness, transportation services, maintenance and operations, and technology. Approximately 10% of FCMAT's reviews are assigned by the state Legislature or county superintendents and involve assistance with the goal of averting the need for emergency state loans.

FCMAT also develops and provides numerous publications, software tools, workshops and professional development opportunities to help local educational agencies operate more effectively and fulfill their oversight responsibilities. FCMAT manages the California School Information Services (CSIS) database, the largest known K-12 educational data collection system.

Funding

FCMAT is funded through appropriations in the state budget and modest fees to client agencies.

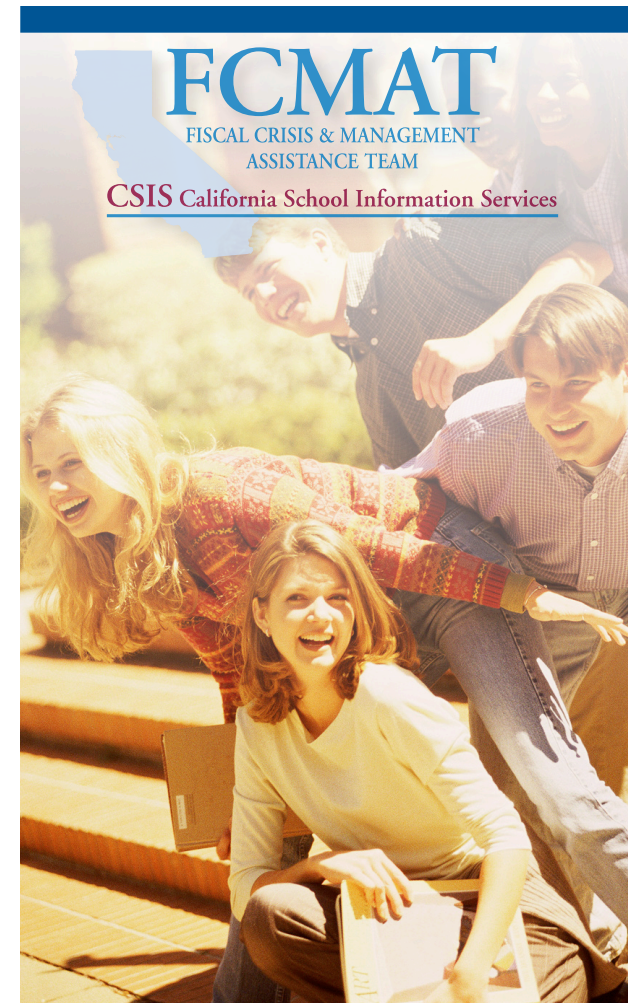
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Chief Executive Officer
Joel D. Montero

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Management & Technical Assistance
Professional Development
Software & Publications
California School Information Services

FCMAT's Services

Fiscal & Management Assistance

FCMAT's primary mission is to help California's local educational agencies identify, prevent and resolve financial challenges. FCMAT's services are used not just to help avert fiscal crises, but to promote sound financial practices and effective and efficient operations.

FCMAT may be called in by a school district, charter school, community college, county office of education, the state Superintendent of Public Instruction, or the Legislature.

When a request or assignment is received, FCMAT assembles a study team that works closely with the local educational agency to define the scope of the study, conduct a review and provide a written report with careful findings and realistic recommendations to help resolve issues, overcome challenges and successfully plan for the future. This approach, combined with a high level of professionalism and service, has resulted in consistently high ratings on clients' post-study evaluations.

Study Teams

FCMAT study teams are led by one or more experienced full-time staff members and include highly qualified consultants with demonstrated expertise in their respective fields. Most consultants are actively working in a school agency or JPA, or are retired from a successful career in the specific area to be reviewed.

Fiscal Advisor Services

FCMAT staff members occasionally serve as short-term fiscal advisors to districts and county offices that are in a fiscal or leadership transition or that require additional fiscal expertise.

Fiscal Tools

Budget Explorer Software

FCMAT's free online Budget Explorer software provides school districts and county offices of education with a streamlined and intuitive tool for budgeting and creating multiyear financial projections.

Fiscal Health Risk Analysis

FCMAT's Fiscal Health Risk Analysis uses a simple question-and-answer format to help school districts gauge their overall fiscal and operational health in 17 key areas. The analysis document is available at no charge on FCMAT's Web site.

Professional Development

CBO Mentor Program

FCMAT's Chief Business Official (CBO) Mentor Program is a year-long experience that provides in-depth training, peer review and one-to-one mentoring for current and prospective chief business officials in educational agencies statewide. The depth of information, analysis, feedback and individual assistance make this program one of the strongest of its kind. More than 90% of participants are subsequently promoted to CBO or other positions of increased fiscal responsibility.

ASB Workshops

FCMAT's ASB workshops are provided upon request and are designed to help school district and site staff understand and comply with the numerous and sometimes complex financial and legal requirements for administering Associated Student Body organizations and finances.

Technical Assistance

Online Help Desk

FCMAT's Web site features a free online Help Desk for fiscal questions. Answers are usually provided within 48 hours. Archived questions and answers are also available for reference.

E-mail Lists

FCMAT maintains several peer e-mail lists to help administrators in school districts and county offices of education share information.

Publications

All of the below publications are available as free downloads from FCMAT's Web site, www.fcmat.org.

ASB Accounting Manual

This manual provides guidance for Associated Student Body organization, governance, finance and accounting.

Fiscal Oversight Guide

This publication provides in-depth information and procedures related to the fiscal oversight and compliance responsibilities of school districts and county offices of education.

COE Fiscal Procedural Manual

The COE manual provides detailed information regarding fiscal procedures and requirements to assist chief business officials in California county offices of education.

CSIS

California School Information Services is managed by FCMAT and maintains the largest known K-12 educational data collection system. CSIS helps districts use this data to track and transfer student information statewide. More information is available at the CSIS Web site, www.csis.k12.ca.us.

FCMAT's services are used not just to help avert fiscal crises, but to promote effective and efficient operations.
