



AGENDA REGULAR MEETING GOVERNING BOARD

1:00 P.M. April 27, 2023

Ed Tech JPA will hold a Board meeting on April 27, 2023, at 1:00 PM at the Irvine Unified School District Office: 5050 Barranca Parkway, Irvine, CA 92604, Fullerton School District Office: 1401 W. Valencia Drive, Fullerton, CA 92883, Capistrano Unified School District Office: 33122 Valle Road, San Juan Capistrano, CA 92675, ASCIP offices: 16550 Bloomfield, Ave, Cerritos, CA 90703, El Dorado County Office of Education Office: 6767 Green Valley Road, Placerville, CA 95667, San Juan Unified School District Office: 3738 Walnut Avenue, Carmichael, CA 95608, San Ramon Valley Unified School District Office: 3280 Crow Canyon Road, San Ramon, CA 94526.

Board agendas may be viewed at <https://edtechjpa.org/department/board-meetings>.

The meetings of the Board at which official action is taken shall be public meetings, and no person shall be excluded therefrom.

The agenda will be published at least 72 hours prior to the meeting. Supporting documentation will be provided at the meeting or emailed electronically to members prior to the meeting as it becomes available.

President	Brianne Ford
Vice-President	Jeremy Davis
Secretary	David Seabury
Treasurer	Michael Johnston

Board of Directors Founding Members

Irvine Unified	Founding Member	Brianne Ford/alternate Michelle Bennett
Capistrano Unified	Founding Member	Sean Rozell/alternate Stephanie Avera
Clovis Unified	Founding Member	Michael Johnston/alternate Susan Rutledge
Fullerton	Founding Member	Jeremy Davis/alternate Mike McAdam
El Dorado County of Education	Founding Member	David Seabury/alternate Kevin Monsma
San Juan Unified	Founding Member	Peter Skibitzki/alternate Laura Fry
San Ramon Valley Unified	Founding Member	Stella Kemp/alternate Kelly Hilton

Agenda

1. Determination of a quorum and call to order - roll call
2. Approve the Minutes of the previous regular meeting
3. Public Comment

Anyone may address the Board on any item that is within the Board's subject matter jurisdiction. However, the Board may not take action on any item not on this agenda except as authorized by Government Code section 54954.2. Each topic or item is limited to 30 minutes; each speaker is limited to 3 minutes.

4. Approval of the Agenda

5. Board Member and Staff Reports

6. Treasurer Report

Michael Johnston will provide an update to the board.

7. Standing Reports

- 7.a. Membership
- 7.b. Communications
- 7.c. Procurement
- 7.d. Goals and Objectives

8. Consent Agenda

All matters of the Consent Agenda are considered to be routine and will be enacted by the Board in one motion, without prior discussion. At this time an item may be removed from the consent calendar by the Board, staff, or community for discussion.

Recommendation: Approve all items on the Consent Agenda.

Motion:

9. Items Removed from Consent Agenda

- 9.a.

10. Items of Business (Action)

10.a. Approve Changes to the Administrative Fee.

Background Information: At the December 5, 2019 board meeting Brianne Ford and Michael Johnston were authorized to develop an Administrative Fee. A revision to the Administrative Fee was approved by the Board at the January 23, 2020 board meeting. An additional review to the Administrative Fee was approved by the Board at the January 26, 2023 board meeting. The board desires to change the Administrative Fee to be based on individual sales, rather than cumulative sales throughout each fiscal year.

Recommendation: Approve the updated Administrative Fee as presented effective July 1, 2023, with the understanding that terms may be negotiated on a case-by-case basis and that the Nutrition RFP will have a different Administrative Fee structure. The updated Administrative Fee shall be retroactive for all previous procurements and contracts as of July 1, 2023.

Motion:

10.b. Approve Proposed Regular Board Meeting Schedule

Background Information: Ed Tech JPA is required to meet on a regular basis. At this time regular meetings approximately once a month will suffice the needs of the Board.

Recommendation: Approve the Regular Board meeting Schedule as attached, with the understanding that dates may change as needed by Board Members.

Motion:

11. Items for Discussion

11.a. Conference debrief and planning.

Closing Items

12. Adjournment

Future Meetings

May 25, 2023



Consent Agenda REGULAR MEETING GOVERNING BOARD

1:00 P.M. April 26, 2023

1. Ratify Approval of New Associate Members

Background Information: The following organizations have applied for associate membership and, pursuant to Ed Tech JPA's Associate Member Operating Procedures, were granted provisional approval:

- Novato Unified School District
- Shasta County Office of Education

The Board must formally ratify the approval of their membership.

Recommendation: Ratify associate membership for the organizations listed.

*Ratify

2. Approve Extension of Instructure Agreement.

Background Information: Ed Tech JPA awarded RFP No. 19/20-03 Educational Intelligence and Analytics Solution to Certica Solutions, Inc. ("Certica") at the January 23, 2020 board meeting. At the June 24, 2021 Board meeting the Board approved an amendment assigning the agreement to Instructure, Inc. ("Instructure") due to an acquisition. Instructure would like to extend the term of the current agreement for an additional two (2) year term for a total of five (5) years, in accordance with Education Code Section 17596.

Recommendation: Approve an amendment to the existing agreement with Instructure to extend the term for a total of five (5) years.

*Ratify

3. Approve Extension of XAP Agreement.

Background Information: Ed Tech JPA awarded RFP No. 19/20-06 College and Career Planning Platform to XAP Corporation ("XAP") at the May 8, 2020 board meeting. XAP would like to extend the term of the current agreement for an additional two (2) year term for a total of five (5) years, in accordance with Education Code Section 17596.

Recommendation: Approve an amendment to the existing agreement with XAP to extend the term for a total of five (5) years.

*Ratify

4. Approve Amendment to Illuminate/Renaissance Agreement and Pricing.

Background Information: Ed Tech JPA awarded RFP No. 19/20-02 Assessment Platform to Illuminate Education, Inc. ("Illuminate") at the December 5, 2019 board meeting. Renaissance Learning, Inc. ("Renaissance") has recently acquired Illuminate. Agreements with Illuminate shall be assumed by Renaissance.

The Master Agreement specifies Vendor may add products introduced to the market by the manufacturer that added products are either a direct replacement or are substantially equivalent to original products listed in the RFP, Vendor’s proposal, the Master Agreement and/or any Purchase Agreements or Added Products are enriched capabilities, new modules, technology advancements, and/or service categories within the solution that Vendor did not have at the time the proposal was submitted.

Recommendation: Approve an amendment to the existing agreement with a name change and updated pricing with Renaissance.

*Ratify

5. Approve Amendment and Extension of MajorClarity Agreement and Pricing.

Background Information: Ed Tech JPA awarded RFP No. 19/20-06 College and Career Planning Platform to MajorClarity, Inc. (“MajorClarity”) at the May 8, 2020 board meeting. MajorClarity by Paper Inc. (“Paper”) recently acquired MajorClarity. Agreements with MajorClarity shall be assumed by Paper. Paper would like to extend the term of the current agreement for an additional two (2) year term for a total of five (5) years, in accordance with Education Code Section 17596.

Recommendation: Approve an amendment to the existing agreement and with a name change and updated pricing with Paper and to extend the term for a total of five (5) years.

*Ratify

6. Approve Amendment to Companion Data Services, LLC dba Docfinity Agreement and Pricing.

Background Information: Ed Tech JPA awarded RFP No. 18/19-04 Electronic Document Routing Solution to Companion Data Services, LLC (“Docfinity”) at the May 30, 2019 board meeting. Docfinity has recently made available additional products that weren’t available at the time their proposal was submitted and would like to amend the Master Agreement to include these products.

The Master Agreement specifies Vendor may add products introduced to the market by the manufacturer that added products are either a direct replacement or are substantially equivalent to original products listed in the RFP, Vendor’s proposal, the Master Agreement and/or any Purchase Agreements or Added Products are enriched capabilities, new modules, technology advancements, and/or service categories within the solution that Vendor did not have at the time the proposal was submitted.

Recommendation: Approve an amendment to the existing agreement and updated pricing with Docfinity.

*Ratify

7. Approve Check Register.

Background Information: A Check Register is presented to the Board listing checks which have been issued in accordance with established purchasing procedures of Ed Tech JPA. These checks are presented to the Board for ratification in accordance with the applicable provisions of the Education and Government Code Statutes of the State of California. A copy of the full report is attached.

Recommendation: Ratify issuance of checks as listed.

*Ratify



List of Attachments Board Meeting April 27, 2023

Item No.	Page No.	Description
1	8	March 30, 2023 Board Meeting Minutes
2	11	2022-23 Annual Goals Progress Report
3	12	Proposed Administrative Fee Structure
4	15	Proposed 2023-24 Board Meeting Schedule
5	16	Check Register

EDUCATION TECHNOLOGY JOINT POWERS AUTHORITY

Minutes

REGULAR MEETING OF THE GOVERNING BOARD

March 30, 2023 1:00 P.M.

Irvine Unified School District Office: 5050 Barranca Parkway, Irvine, CA 92604, Fullerton School District Office: 1401 W. Valencia Drive, Fullerton, CA 92883, Capistrano Unified School District Office: 33122 Valle Road, San Juan Capistrano, CA 92675, Clovis Unified School District Office: 1450 Herndon Avenue, Clovis, CA 93611, El Dorado County Office of Education Office: 6767 Green Valley Road, Placerville, CA 95667, San Juan Unified School District Office: 3738 Walnut Avenue, Carmichael, CA 95608, San Ramon Valley Unified School District Office: 3280 Crow Canyon Road, San Ramon, CA 94526

1. CALL TO ORDER AND ROLL CALL

Minutes:

Brianne Ford called the meeting to order at 1:05 PM.

Present In Person:

N/A

Present by Telephone:

Brianne Ford with Irvine Unified School District

Sean Rozell with Capistrano Unified School District

Jeremy David with Fullerton School District

Michael Johnston with Clovis Unified School District

Peter Skibitski with San Juan Unified School District

2. APPROVAL OF MINUTES

Motion Passed: Approve the Minutes from the February 23, 2023 Regular Board Meeting.

Passed with a motion by Peter Skibitzki and a second by Sean Rozell.

Aye Brianne Ford

Aye Sean Rozell

Aye Jeremy Davis

Aye Michael Johnston

Aye Peter Skibitzki

3. PUBLIC COMMENT

Anyone may address the Board on any item that is within the Board's subject matter jurisdiction. However, the Board may not take action on any item not on this agenda except as authorized by Government Code section 54954.2.

4. APPROVAL OF AGENDA

Motion Passed: Adopt Agenda, as presented.

Passed with a motion by Peter Skibitzki and a second by Sean Rozell.

Aye Brianne Ford
Aye Sean Rozell
Aye Jeremy Davis
Aye Michael Johnston
Aye Peter Skibitzki

5. ACCEPTANCE OF BOARD MEMBER AND STAFF REPORTS

Minutes: Board members shared their district/counties' situations related to purchases and administrative matters.

6. ACCEPTANCE OF TREASURER REPORT

Minutes: Revenues are increasing slightly.

7. ACCEPTANCE OF STANDING REPORTS

7.a. Membership

Minutes: Membership was discussed.

7.b. Communications

Minutes: Membership survey and CASBO conference are fast approaching.

7.c. Procurement

Minutes: Current and Future RFPs were discussed.

7.d. Goals and Objectives

Minutes: The Annual Goals Progress Report and budget projections were reviewed.

8. ACCEPTANCE OF CONSENT AGENDA

8.a. At this time an item may be removed from the consent calendar by the Board, staff, or community for discussion. Approve all items on the Consent Agenda.

Motion Passed: Approve all items on the Consent Agenda.

Passed with a motion by Peter Skibitzki and a second by Sean Rozell.

Aye Brianne Ford
Aye Sean Rozell
Aye Jeremy Davis
Aye Michael Johnston
Aye Peter Skibitzki

9. ITEMS REMOVED FROM CONSENT AGENDA

9.a. Items Removed from Consent Agenda: None.

10. ITEMS OF BUSINESS (ACTION)

None.

11. ITEMS FOR DISCUSSION

11.a. CITE conference participation

Minutes: A presentation and participation in the expo hall at the CITE conference was discussed.

11.b. Discuss the Member Survey and Review Draft in support of the Annual Evaluation and Plan (Pursuant to the Bylaws).

Minutes: The member survey was reviewed and approved.

11.c. Discuss Administrative Fee structure

Minutes: Revisions to the Administrative Fee structure and different options were discussed.

12. ADJOURNMENT

Motion Passed: Adjourn the meeting at 2:20 pm.

Passed with a motion by Peter Skibitzki and a second by Jeremy Davis.

Aye Brianne Ford
Aye Sean Rozell
Aye Jeremy Davis
Aye Michael Johnston
Aye Peter Skibitzki

Future Meetings
April 27, 2023



EDUCATION TECHNOLOGY JOINT POWERS AUTHORITY

2022-23 ANNUAL GOALS PROGRESS REPORT *April 2023*

The Education Technology Joint Powers Authority (Ed Tech JPA) aims to streamline procurement, provide competitive pricing, and secure favorable technology contracts for educational agencies and other eligible entities.

CURRENT POSITION

June 30, 2022	April 12, 2023	Goal for June/July 2023
113 Members	129 Members	130 Members
1,519,934 Students	1,797,271 Students	
18 Completed Procurements	19 Completed Procurements	20 Completed Procurements
62 Available Contracts	62 Available Contracts	
\$187,521.53 Admin Fee Revenue 2021-22	\$140,945.03 Admin Fee Revenue 2022-23	\$200K Admin Fee Revenue 2022-23

Administrative Fee Tiers - Per Sale - Updated effective 7/1/23

Individual Sale Amount*	Administrative Fee**
Under \$300,000.00	4%
\$300,000.00 and above	3%

MASTER AGREEMENT CLAUSE

14. ADMINISTRATIVE FEE

A. Vendor agrees to pay Ed Tech JPA an administrative fee (the "Admin Fee") calculated as four percent (4%) of the gross invoiced amount of any Participant agreement with Vendor based on an award under the RFP and all revenue derived directly from any PA, including any additional services, and agreement extensions or renewals. ~~Vendors whose gross sales exceed two million dollars (\$2,000,000.00) each fiscal year~~ Individual Transactions of ThreeHundred Thousand Dollars (\$300,000.00) and above ("Threshold") may receive a discount and pay Admin Fees as follows:

Individual Transaction Sale Amount*	Administrative Fee**
Under \$300,000.00	4%
\$300,000.00 and above	3%

~~*The fiscal year term is July 1 – June 30.~~

~~**Any discounted Admin Fee resulting from meeting the Threshold shall be applied to sales in the quarter after the Threshold has been met. Discounted Admin Fees shall revert to four percent (4%) after the Threshold is no longer met.~~

An Individual Transaction shall be the total sale made by Vendor to individual Ed Tech JPA Members for each Ed Tech JPA Agreement within the same Reporting Period/Quarter.

For purchases made with federal funds, a different fee structure may apply. Computations of the Admin Fee shall exclude state, local, or federal taxes levied on invoiced amounts. Unless otherwise stated herein, the Admin Fee is not refundable to Participants or Vendors under any circumstances. In the event Ed Tech JPA's ~~operating costs increase~~, the Admin Fee is subject to an increase to offset such increased costs pursuant to authorization by Ed Tech JPA's Board of Directors ("Board"). ~~Any increase determines to modify the Admin Fee or how it is calculated the changes shall be~~ communicated to Vendors with no less than thirty (30) days notice from Ed Tech JPA, and Vendor shall be permitted to amend this MA to increase pricing in the attached Exhibit A in direct proportion to the adjusted Admin Fee. Such amendment shall take effect thirty (30) days after notifying Vendor and shall apply to all PAs entered into thereafter.

B. Quarterly Reports shall be reported and Admin Fees shall be payable at the end of each quarter as follows:

Reporting Period	Due Date
January 1 - March 31	April 30
April 1 - June 30	July 15 *to allow for fiscal year end

July 1 - September 30	October 31
October 1 - December 31	January 31

- C. Vendor must submit a check, payable to Education Technology Joint Powers Authority remitted to:
 Ed Tech JPA
 % Clovis Unified School District
 Business Services Department
 1450 Herndon Ave
 Clovis, CA 93611
- D. The Admin Fee shall **not** be included as an adjustment to Vendor's Proposal and MA pricing.
- E. The Admin Fee shall **not** be invoiced or charged to the Participant.
- F. Payment of the Admin Fee is due from Participant to Ed Tech JPA when Vendor submits Quarterly Reports or when Vendor receives payment from Participant(s), whichever is later.
- G. Any payments that a Vendor makes to Ed Tech JPA after the due date as indicated in this MA shall accrue interest at a rate of eighteen percent (18%) per annum or the maximum rate permitted by law, whichever is less, until such overdue amount shall have been paid in full. The right to interest on late payments shall not preclude Ed Tech JPA from exercising any of its other rights or remedies pursuant to this agreement or otherwise with regards to Vendor's failure to make timely remittances.
- H. Failure to meet Quarterly Reporting, Admin Fee requirements, and to submit fees on a timely basis shall constitute grounds for suspension of this contract.

2023-24 Regular Board Meeting Schedule

Date	Agenda Posting Deadline
July 27, 2023	July 24, 2023
September 7, 2023	September 4, 2023
October 26, 2023	October 23, 2023
December 7, 2023	December 4, 2023
January 25, 2024	January 22, 2024
February 29, 2024	February 26, 2024
March 28, 2024	March 25, 2024
April 25, 2024	April 22, 2024
May 30, 2024	May 27, 2024
June 27, 2024	June 24, 2024

ACCOUNT	YEAR	PER	JOURNAL	EFF DATE	POST DATE	AMOUNT	CHECK NO	WARRANT	VDR NAME/ITEM DESC
580009-820-0000-8200-7200-7110-0-60082- -82	2023		9	3274	03/21/2023	03/22/2023	1,339.78	655322 032323JL	CLOVIS UNIFIED SCHOOL DISTRICT
580009-820-0000-8200-7200-7110-0-60082- -82	2023		9	3274	03/21/2023	03/22/2023	1,500.00	655322 032323JL	CLOVIS UNIFIED SCHOOL DISTRICT
580005-820-0000-8200-7200-7110-0-60082- -82	2023		10	723	04/05/2023	04/06/2023	3,646.50	656060 040623WB	FAGEN FRIEDMAN AND FULFROST LLP
580005-820-0000-8200-7200-7110-0-60082- -82	2023		10	723	04/05/2023	04/06/2023	3,213.00	656060 040623WB	FAGEN FRIEDMAN AND FULFROST LLP