

Rochester Board of Education
Audit Committee Meeting of the Whole
May 5, 2009
Continuation of Meeting Recessed on
April 7, 2009

Minutes

Attendance: Commissioners Williams, Powell, Elliott, Campos, White, and Board President Evans.
Board Staff: Ms. Henry-Wheeler and Ms. Lee. **Absent:** Commissioner Brennan.

Commissioner Williams convened the meeting at 5:37PM.

- I. Capital Projects Discussion:** Ms. Henry-Wheeler discussed the Capital Projects Audit Report and Management Responses that were received. Ms. Henry-Wheeler stated that the Capital Report was not the first report received by OAG with problems in management responses from administration. Additionally, this report had three levels of review and subsequently, someone should have noticed that the audit recommendations were either not answered or were not answered properly. Also, Ms. Henry-Wheeler stated that the Board must be clear, from a risk standpoint, if (1) does Management's responses address the risk and (2) is this a risk that the Board is willing to live with. Commissioner Williams stated that we (the Board) get to decide what's important; and that's what we want done and how we want it done. If the administration says no, we decide if that's appropriate and then we negotiate back and forth. The administration does not take the Board seriously. The administration gives the Board what they want and when they want. Commissioner Elliott stated that this has to stop and there must be consequences for this behavior and asked if the Board needed to establish a policy to address and correct this issue. Board President Evans stated that he doesn't know why this is so difficult (getting the administration to cooperate with Board directives). The Superintendent has made it clear that the Board tells him what we want. We made him accountable to us. We need to be clear and list what we want from him and give him the list to carry forth our requests. We need to work directly with him and if he doesn't do what we want, then we will deal with him. Commissioner Powell stated that if there is a need to go beyond this measure, a form of escalation available to the Board is to draft a resolution for the Superintendent to carry out a specific task and vote on and pass the resolution by the Board. This should be done only as a last resort. Ms. Henry-Wheeler made it clear that OAG does not experience difficulty with administration across the board. There are some departments that are amazing in their willingness to work with OAG during the audit process. Commissioner Elliott asked if OAG ties in the Superintendent's core values and the Board's in OAG's Annual Audit Plan. Ms. Henry-Wheeler stated that that was a great idea and that she will attempt to align OAG's, the Superintendent's and the Board's core values in the next Annual Audit Plan.

Action Item: We will draft a memo to the Superintendent outlining the Board's expectations for Management Responses to all OAG Audit Report Recommendations on a go forward basis.

II. FOIL Request: Commissioner Williams stated that due to a negative story that was in the media about spending for food, in which the information for the article was FOILED, that some period of time passed and someone was aware, for some time, that the information was requested, couldn't someone have assessed the issue and informed the Board before the story broke to the media. Commissioner Elliott suggested that if we could not catch or prevent the negative publicity on the front end of the process through being made aware of FOIL requests, that we could publish our own letters to the media refuting the negative publicity on the back end. Board President Evans stated that we would do a better job in anticipating negative media publicity through being informed of FOIL requests.

Action Item: Ms. Henry-Wheeler will research the tracking process for FOIL requests by the Chief Communications Officer, Tom Petronio, and make a recommendation to the Board to receive FOIL request information on a regular basis.

III. Old Business - Audit Committee External Candidate: Commissioner Powell asked when the committee was going to revisit the selection of an External Candidate to the Audit Committee. Commissioner Williams provided a status update on the selection process. Commissioner White stated that City Council would be in a position to provide an External Candidate to the Audit Committee after their designation process. Commissioner Powell asked if the candidates that we have expressed interest to date and the candidate(s) from City Council had to be linked. Board President Evans stated that according to the Audit Committee Charter, there was no limit to the number of External Candidates that could be selected to the Audit Committee. Ms. Henry-Wheeler stated that the Audit Committee raised some concerns about the authority of the External Candidate once appointed to the Audit Committee. Commissioner Powell stated that External Candidates would have to be "re-validated" each January along with the selection of new Audit Committee members. The Audit Committee will review the External Candidates that have provided resumes to date and make a recommendation at an upcoming Audit Committee meeting.

IV. New Business – Meeting with the External Auditors on June 25, 2009: The full Board agreed to meet on June 25th at 5:30PM with the External Auditors, Freed Maxick and Battaglia, prior to the June Business Meeting.

V. Recess/Adjournment: Meeting adjourned at 6:27PM.