

November 13, 2007

Fremont Unified School District
Human Resources
Attn: Steve Betando
4210 Technology Drive
Fremont, CA 94538

Re: Request for District Information

Dear Mr. Betando:

This is a public records request pursuant to California Government Code §§ 6250 - 6276.48.

I hereby request the following documents from Fremont Unified School District:

1. A count of the number of administrators in the district plus a count of teachers (broken down into permanent and probationary teachers).
2. A list of all administrators and permanent teachers who resigned or retired in lieu of termination, and of all who were terminated during or after the school years ending in 2007, 2006, 2005, 2004, and 2003. This list must include the reason(s) why each was separated from the district, if such records are kept, and the last job title(s) held by each listed person.
3. A count (names are not needed) of all probationary teachers who resigned or retired in lieu of termination, and of all who were terminated during or after the school years ending in 2007, 2006, 2005, 2004, and 2003. This item must include counts of the reason(s) why such teachers were separated from the district, if such records are kept.
4. Any written settlements or agreements between the district and any and all administrators, educators, and support employees terminated (voluntarily or involuntarily) during or after the school years ending in 2007, 2006, 2005, 2004, and 2003 -- including the last salary rate paid, the last benefits paid, the last position(s) held, and the employment status (permanent or probationary) of the person in each case. To fulfill the public information request, these records must include any provisions that the district modify the personnel file (including performance evaluations) of the employee, pay a settlement to the employee, or decline to inform future employers of the reason for termination.
5. Any and all documents from the district for each settlement case detailing why the employee's termination, retirement, or resignation was pursued (such as a principal's observation that a teacher was incompetent or inefficient, or a district's determination that an administrator was embezzling district funds).

Please group documents responsive to requests 4 and 5 so that all paperwork concerning one individual is arranged in chronological order; Microsoft Excel format is preferable in the response to request 2.

This request is not meant to be exclusive of any documents which, though not specifically requested, would have a reasonable relationship to the subject matter of this request.

To expedite the information retrieval process, I request that you send any and all of the information requested above that is available electronically (e.g., as a Microsoft Word, Excel, or Access file) to me at this address: berry@unionfacts.com. If sending the information electronically is not feasible, my fax number is (202) 463-7107.

In the event that my request for access to any of the documentation listed above is denied under state law, I further request that I be provided with any and all non-exempt portions of the documentation which are reasonably segregable.

I further request that you describe the withheld material in detail and specify the statutory basis for the denial as well as your reasons for believing that the alleged statutory justification applies in this instance. Please separately state your reasons for not invoking your discretionary powers to release the requested documents in the public interest. Such statements will be helpful in deciding whether to appeal an adverse determination, and in formulating arguments in case an appeal is taken.

Written justification will also help to avoid unnecessary litigation. I reserve my right to appeal the withholding, deletion, redaction or censoring of any information and request that you provide me with the contact information of the office where such an appeal may be sent.

I am willing to pay up to \$250.00 (two-hundred and fifty dollars) to cover the costs of document search and duplication, provided the response to my request is satisfactory. Please inform me if the cost exceeds this amount; I am willing to discuss other options.

I will be happy to discuss or clarify any aspect of this request. Please contact me as soon as possible to discuss time and cost estimates as well as an efficient means of transmission.

Sincerely,

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