

**Education Audit Appeals Panel  
State of California**

Appeal of 2012-13 Audit Finding 2013-1 by:

Camino Science and Natural Resources  
Charter School,  
Appellant.

EAAP Case No. 14-04

OAH No. 2014110086

**Decision**

The Education Audit Appeals Panel has adopted the attached Stipulated Agreement of the parties as its Decision in the above-entitled matter.

Effective date: February 23, 2015.

IT IS SO ORDERED.

February 23, 2015

Date

*Original Signed*

David Botelho, Chairperson  
for Education Audit Appeals Panel

1 Richard J. Chivaro, SBN 124391  
Justin W. Dersch, SBN 258603  
2 **OFFICE OF THE STATE CONTROLLER**  
300 Capitol Mall, Suite 1850  
3 Sacramento, CA 95814  
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5 Attorneys for Respondent,  
6 BETTY YEE, California State Controller

7 **BEFORE THE EDUCATION AUDIT APPEALS PANEL**  
8 **FOR THE STATE OF CALIFORNIA**

9 In the Matter of the Audit Appeal of: ) EAAP Case No. 14-04  
10 2012-2013 Audit Finding 2013-1 by: ) OAH Case No. 2014110086  
11 CAMINO SCIENCE AND NATURAL ) **STIPULATED AGREEMENT**  
12 RESOURCES CHARTER SCHOOL, )  
13 Appellant. )  
14 )  
15 )

16 Appellant CAMINO SCIENCE AND NATURAL RESOURCES CHARTER SCHOOL  
17 (Appellant), Respondent BETTY YEE, California State Controller (SCO), and Respondent  
18 DEPARTMENT OF FINANCE (Finance) (collectively known as "the Parties") agree to a  
19 complete resolution of the above-captioned matters as follows:

20 RECITALS

- 21 A. The independent accounting firm of Goodell, Porter, Sanchez & Bright, LLP  
22 (Auditor) conducted an audit of the Appellant for the 2012-13 fiscal year, the results of which  
23 were included in the audit report issued on or about December 3, 2013.
- 24 B. In Audit Finding 2013-1, the Auditor determined that the Appellant was not in  
25 compliance with Education Code section 51747(c)(5), which requires independent study  
26 agreements to be no longer than one semester.
- 27 C. The SCO certified the audit.
- 28

1 D. The Auditor determined that there was material noncompliance with Education  
2 Code section 51747(c)(5) which resulted in an overstatement in the amount of apportionment the  
3 Appellant claimed from the State in the amount of \$12,210 (2.39 ADA).

4 E. Appellant then timely filed a request for formal appeal of Audit Finding 2013-1  
5 pursuant to Education Code section 41344(d) instituting this appeal.

6 F. Finance intervened as a Respondent pursuant to Education Code section  
7 41344.1(b).

8 G. In order to avoid the cost and uncertainty of litigation, the parties to this case  
9 agree to resolve this dispute on the terms and conditions described herein.

10 AGREEMENT

11 For the purpose of completely settling and resolving the appeal of Audit Finding 2013-1,  
12 the Parties agree as set forth below:

13 1. This stipulated agreement fully and completely resolves all claims, demands,  
14 appeals, obligations, or causes of actions arising from or relating to Audit Finding 2013-1.  
15 Accordingly, the Parties expressly waive any right or claim to assert or pursue thereafter any  
16 claim, demand, obligation, and/or cause of action relating to Audit Finding 2013-1.

17 2. The Appellant shall have nothing withheld from its future apportionment in  
18 regard to Audit Finding 2013-1.

19 3. This stipulated agreement is subject to and conditioned upon approval and  
20 adoption by EAAP, pursuant to Education Code section 41344.1(b).

21 4. This stipulated agreement may be executed in counterparts, each of which shall  
22 constitute an original. Facsimile and pdf signatures transmitted to other parties to this stipulated  
23 agreement are deemed to be the equivalent of original signatures.

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5. The parties shall be responsible for their own attorneys' fees and costs.

Dated: Jan 5, 2015

CAMINO SCIENCE AND NATURAL RESOURCES  
CHARTER SCHOOL

*Original Signed*

By:

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BOYD HOLLER, Principal  
Representative for Appellant

Dated: 1/15, 2015

DEPARTMENT OF FINANCE

*Original Signed*

By:

\_\_\_\_\_  
NICK SCHWEIZER  
Program Budget Manager,  
Department of Finance

Dated: 1/21, 2015

OFFICE OF THE STATE CONTROLLER

*Original Signed*

By:

\_\_\_\_\_  
JUSTIN W. DERSCH  
Staff Counsel for Respondent,  
BETTY YEE, California State Controller