

**Education Audit Appeals Panel  
State of California**

Appeal of 2005-06 Audit Finding 06-06 by:

Orcutt Union School District,

Appellant.

EAAP Case No. 09-17

OAH No. 2011020887

**Decision**

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

Effective date: February 27, 2012.

IT IS SO ORDERED.

February 27, 2012  
Date

*Original Signed*  
Diana L. Ducay, Chairperson  
for Education Audit Appeals Panel

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8 BEFORE THE EDUCATION AUDIT APPEALS BOARD  
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12 **Appeal of Fiscal Year 2007-08 Audit**  
**Finding 2008-06 by ORCUTT UNION**  
13 **SCHOOL DISTRICT,**

14 Appellant,

15 v.

16 **CALIFORNIA STATE CONTROLLER,**

17 Respondent.  
18

Case No. EAAP 09-17

**SETTLEMENT AGREEMENT**

19  
20 The Orcutt Union School District (Appellant or District), respondent California State  
21 Controller (Controller), and intervener California Department of Finance (Finance) (collectively  
22 the Parties) agree to a complete resolution of this matter as follows:

23 **I.**

24 **RECITALS**

25 A. This matter involves Audit Finding 2008-6 of the District's final local education  
26 agency audit report dated June 30, 2008 for 2007-08 attendance at Alice Shaw School.  
27  
28

1 B. Insufficient attendance records for the 2007-08 school year resulted in Audit Finding  
2 2008-6.

3 C. The Controller certified the Audit Findings for fiscal year 2007-08 on May 26, 2009.  
4 Audit Finding 2008-6 reported that appellant implemented a new computerized attendance system  
5 (IST), and that four months of attendance documentation was missing.

6 D. Appellant requested summary review on June 23, 2009, and thereafter filed this  
7 timely appeal.

8 E. The Parties have reviewed Alice Shaw School attendance records for school years  
9 2003-04 through 2007-08, and base this settlement on those attendance records.

10 **II**  
11 **AGREEMENT**

12 For the purpose of completely settling and resolving Audit Finding 2008-6, the Parties  
13 hereby agree:

14 1. In resolution of the District's Appeal, the Parties agree to settle this matter for  
15 \$1,715.00 to be paid, with no interest, through reduction of the payment of the District's next  
16 Total Principal Apportionment by the California Department of Education (CDE).

17 2. The Parties further agree that this Agreement constitutes a full and final resolution  
18 of all claims and issues arising from the Appeal of Audit Finding 2008-6.

19 3. This Agreement is subject to and conditioned upon approval by the District.

20 4. This Agreement is subject to and conditioned upon approval and adoption by  
21 the Education Audit Appeals Panel, pursuant to Education Code section 41344.1, subdivision (b).  
22 A copy of this Agreement shall be provided to the Office of Administrative Hearings to document  
23 the agreement of the Parties and the pending resolution of this matter.

24 5. This Agreement may be executed in counterparts, each of which shall constitute an  
25 original. Facsimile signatures transmitted to other parties to this Agreement are deemed to be the  
26 equivalent of original signatures or counterparts.

27 6. Each party shall bear its own attorney's fees and costs of this proceeding.

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