

**Education Audit Appeals Panel
State of California**

Appeal of 2015-16 Audit Finding 2016-001
by:

GRACE HOPPER S.T.E.M. ACADEMY,
Appellant.

EAAP Case No. 17-15
OAH No. 2017-09-0797

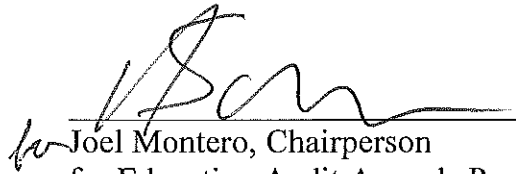
Decision

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

Effective date: JAN. 28, 2019.

IT IS SO ORDERED.

JAN. 28, 2019
Date



Joel Montero, Chairperson
for Education Audit Appeals Panel

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2 LESLIE P. MCELROY
Supervising Deputy Attorney General
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8 BEFORE THE EDUCATION AUDIT APPEALS PANEL

9 STATE OF CALIFORNIA

11 **In the Matter of the Audit Appeal of:**

12 **Appeal of 2015-16 Audit Finding 2016-001**
13 **by GRACE HOPPER S.T.E.M.**
14 **ACADEMY,**

Appellant,

15 v.

17 **CALIFORNIA STATE CONTROLLER,**

18 Respondent,

19 **CALIFORNIA DEPARTMENT OF**
20 **FINANCE,**

21 Intervenor.

OAH Case No. 2017090797

EAAP Case No. 17-15

STIPULATED AGREEMENT

22
23 Appellant Grace Hopper S.T.E.M. Academy (Appellant), Respondent State Controller's
24 Office (SCO), and Intervenor Department of Finance (Finance), collectively known as "the
25 Parties," agree to a complete resolution of the above-captioned matter as follows:

26 RECITALS

27 A. The independent accounting firm of Vicenti, Lloyd & Stutzman, LLP (Auditor)
28 conducted an audit of Appellant for the 2015-2016 fiscal year, the results of which were included

1 in an audit report issued on or about March 3, 2017.

2 B. In Audit Finding 2016-001, the Auditor determined that Appellant's average daily
3 attendance reports did not agree with Appellant's attendance records on file, as required by
4 Education Code section 46000.

5 C. The SCO certified the audit on July 20, 2017.

6 D. The Auditor determined that there was material noncompliance which resulted in
7 an overpayment in the amount of apportionment that Appellant claimed from the State in the
8 amount of \$19,721 relative to Audit Finding 2016-001.

9 E. Appellant appealed Audit Finding 2016-001 pursuant to Education Code section
10 41344, subdivision (d).

11 F. Finance intervened as a Respondent in the appeal pursuant to Education Code
12 section 41344.1, subdivision (b).

13 G. In order to avoid the cost and uncertainty of litigation, the Parties agree to resolve
14 this matter on the terms and conditions described herein.

15 AGREEMENT

16 For the purpose of completely settling and resolving the appeal of Audit Finding 2016-
17 001, the Parties agree as follows:

18 1. This stipulated agreement fully and completely resolves all claims, demands,
19 appeals, obligations, or causes of action arising from or relating to Audit Finding 2016-001.
20 Accordingly, the Parties expressly waive any right or claim to assert or pursue thereafter any
21 claim, demand, obligation, and/or cause of action relating to Audit Finding 2016-001.

22 2. As a matter of compromise only, the Parties agree that Appellant is not responsible
23 for repaying the audit finding amount of \$19,721, which was identified in Audit Finding 2016-
24 001.

25 3. This stipulated agreement is subject to and conditioned upon approval and
26 adoption by the Education Audit Appeals Panel, pursuant to Education Code section 41344.1,
27 subdivision (b).

28 4. This stipulated agreement may be executed in counterparts, each of which shall

1 constitute an original. Facsimile and PDF signature transmitted to other parties to this stipulated
2 agreement are deemed to be the equivalent of original signatures.

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

4
5 Dated: Dec. 31., 2019 GRACE HOPPER S.T.E.M. ACADEMY

6
7 By: Margo Harris
Margo Harris, Executive Director

8
9 Dated: _____, 2019 DEPARTMENT OF FINANCE

10
11 By: _____
Jeff Bell, Program Budget Manager

12
13 Dated: _____, 2019 OFFICE OF THE STATE CONTROLLER

14
15 By: _____
John E. Dickerson, Staff Counsel

16
17
18 *AS TO FORM ONLY*

19 Dated: January 2, 2019

Respectfully Submitted,

20 XAVIER BECERRA
Attorney General of California
21 LESLIE P. MCELROY
Supervising Deputy Attorney General

22
23
24 CHARA L. CRANE
Deputy Attorney General
25 *Attorneys for Intervenor Department of*
26 *Finance for the State of California*

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4
5 Dated: _____, 2019 GRACE HOPPER S.T.E.M. ACADEMY

6
7 By: _____
8 Margo Harris, Executive Director

9 Dated: _____, 2019 DEPARTMENT OF FINANCE

10
11 By: _____
12 Jeff Bell, Program Budget Manager

13 Dated: 1-2, 2019 OFFICE OF THE STATE CONTROLLER


14
15 By: 
16 John E. Dickerson, Staff Counsel

17
18 *AS TO FORM ONLY*

19 Dated: January 2, 2019

20 Respectfully Submitted,

21 XAVIER BECERRA
22 Attorney General of California
23 LESLIE P. MCELROY
24 Supervising Deputy Attorney General

25 
26 for CHARA L. CRANE
27 Deputy Attorney General
28 Attorneys for Intervenor Department of Finance for the State of California

SUPERVISING
DEPUTY ATTORNEY
GENERAL

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4
5 Dated: _____, 2019 GRACE HOPPER S.T.E.M. ACADEMY

6
7 By: _____
8 Margo Harris, Executive Director

9 Dated: 1-17, 2019 DEPARTMENT OF FINANCE

10
11 By: Jessica Holmes for
12 Jeff Bell, Program Budget Manager

13 Dated: _____, 2019 OFFICE OF THE STATE CONTROLLER

14
15 By: _____
16 John E. Dickerson, Staff Counsel

17
18 *AS TO FORM ONLY*

19 Dated: January 2, 2019

20 Respectfully Submitted,

21 XAVIER BECERRA
22 Attorney General of California
23 LESLIE P. MCELROY
24 Supervising Deputy Attorney General

25 CHARA L. CRANE
26 Deputy Attorney General
27 *Attorneys for Intervenor Department of*
28 *Finance for the State of California*

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