

**Education Audit Appeals Panel
State of California**

Appeal of Audit Finding 1 of 2017-18
Program Audit of California Clean Energy
Jobs Act by:

Yreka Union High School District,

Appellant.

EAAP Case No. 19-09

OAH No. 2019110387

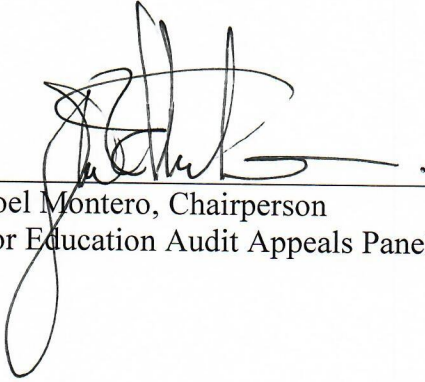
Decision

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

Effective date: July 27, 2020.

IT IS SO ORDERED.

July 27, 2020
Date



Joel Montero, Chairperson
for Education Audit Appeals Panel

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Deputy Attorney General
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8
9 BEFORE THE
10 EDUCATION AUDIT APPEALS PANEL
11 STATE OF CALIFORNIA
12

13 **IN THE MATTER OF THE APPEAL OF**
14 **AUDIT FINDING 1 OF PROGRAM**
15 **AUDIT OF CALIFORNIA CLEAN**
ENERGY JOBS ACT BY YREKA UNION
HIGH SCHOOL DISTRICT,

16 Appellant.

17 **OFFICE OF THE STATE CONTROLLER,**

18 Respondent.

19 **DEPARTMENT OF FINANCE,**

20 Respondent.
21
22

Case No. EAAP 19-09

OAH No. 2019110387

**STIPULATION AND SETTLEMENT
AGREEMENT**

23
24 Appellant Yreka Union High School District (“Appellant”), respondent Office of the State
25 Controller (“SCO”), and respondent Department of Finance (“DOF”) (collectively known as “the
26 Parties”) agree to a complete settlement of the above-captioned matter as follows:

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RECITALS

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2 A. The SCO conducted an audit of Appellant’s Proposition 39 program expenditures for
3 the period of July 1, 2017 through June 30, 2018, the results of which were included in an audit
4 report issued by SCO to Appellant on or about June 28, 2019 (“June 28, 2019 SCO Audit”).

5 B. The June 28, 2019 SCO Audit found that the Appellant sole-sourced its planning
6 services in violation of Public Resources Code section 26235(c), which prohibits local education
7 agencies from using a sole source process to award Proposition 39 funds (“Audit Finding 1”). In
8 Audit Finding 1, with respect to Yreka Union High School District, the SCO found that Appellant
9 sole-sourced a Proposition 39 planning services contract, totaling \$20,257 (“Audit Amount”).

10 C. Appellant timely filed a request for formal appeal of the foregoing audit finding
11 pursuant to Education Code section 41344, subdivision (d), instituting this appeal before the
12 Education Audit Appeals Panel (“EAAP”).

13 D. To avoid the cost and uncertainty of litigation, the Parties to this case agree to
14 completely resolve this dispute on the terms and conditions described below.

AGREEMENT

15
16 For the purpose of completely settling and resolving the appeal of Audit Finding 1, with
17 respect to Yreka Union High School District, the Parties do agree as set forth below:

18 1. Appellant shall repay in full satisfaction of Audit Finding 1, with respect to Yreka
19 Union High School District, the total sum of \$20,257, without interest, by December 31, 2020.

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

22 3. This stipulated agreement may be executed in counterparts, each of which shall
23 constitute an original. Facsimile and pdf signatures by the Parties and/or their designated
24 representatives are deemed the equivalent of original signatures.

25 4. The Parties shall bear their own attorneys’ fees and costs.

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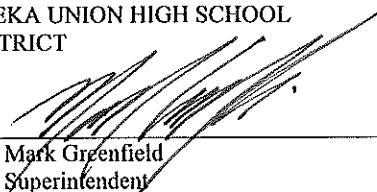
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Dated: 9/24/20

YREKA UNION HIGH SCHOOL
DISTRICT

By: 
Mark Greenfield
Superintendent

OFFICE OF STATE CONTROLLER

Dated: _____

By: _____
John E. Dickerson
Attorney for State Controller

DEPARTMENT OF FINANCE

Dated: _____

By: _____
Jeff Bell
Program Budget Manager
Department of Finance

AS TO FORM ONLY:

LOZANO SMITH

Dated: _____

By: _____
Nicholas Clair
Attorney for Yreka Union High School
District

OFFICE OF THE ATTORNEY GENERAL

Dated: _____

By: _____
Judy Y. Wong
Deputy Attorney General
Attorney for Department of Finance

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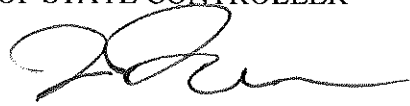
Dated: _____

YREKA UNION HIGH SCHOOL
DISTRICT

By: _____
Mark Greenfield
Superintendent

Dated: 4/7/2020

OFFICE OF STATE CONTROLLER

By: 
John E. Dickerson
Attorney for State Controller

DEPARTMENT OF FINANCE

Dated: _____

By: _____
Jeff Bell
Program Budget Manager
Department of Finance

AS TO FORM ONLY:

LOZANO SMITH

Dated: _____

By: _____
Nicholas Clair
Attorney for Yreka Union High School
District

OFFICE OF THE ATTORNEY GENERAL

Dated: _____

By: _____
Judy Y. Wong
Deputy Attorney General
Attorney for Department of Finance

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YREKA UNION HIGH SCHOOL
DISTRICT

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Mark Greenfield
Superintendent

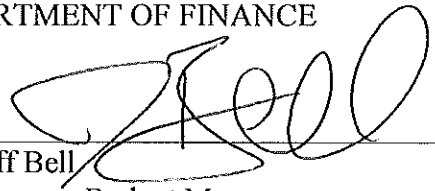
Dated: _____

OFFICE OF STATE CONTROLLER

By: _____
John E. Dickerson
Attorney for State Controller

Dated: 14 APR 2008

DEPARTMENT OF FINANCE

By: _____

Jeff Bell
Program Budget Manager
Department of Finance

AS TO FORM ONLY:

LOZANO SMITH

Dated: _____

By: _____
Nicholas Clair
Attorney for Yreka Union High School
District

Dated: _____

OFFICE OF THE ATTORNEY GENERAL

By: _____
Judy Y. Wong
Deputy Attorney General
Attorney for Department of Finance

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Dated: _____

YREKA UNION HIGH SCHOOL
DISTRICT

By: _____
Mark Greenfield
Superintendent

Dated: _____

OFFICE OF STATE CONTROLLER

By: _____
John E. Dickerson
Attorney for State Controller

Dated: _____

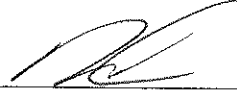
DEPARTMENT OF FINANCE

By: _____
Jeff Bell
Program Budget Manager
Department of Finance

AS TO FORM ONLY:

Dated: 4/10/20

LOZANO SMITH

By:  _____
Nicholas Clair
Attorney for Yreka Union High School
District

Dated: _____

OFFICE OF THE ATTORNEY GENERAL

By: _____
Judy Y. Wong
Deputy Attorney General
Attorney for Department of Finance

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Dated: _____

YREKA UNION HIGH SCHOOL
DISTRICT

By: _____
Mark Greenfield
Superintendent

Dated: _____

OFFICE OF STATE CONTROLLER

By: _____
John E. Dickerson
Attorney for State Controller

Dated: _____

DEPARTMENT OF FINANCE

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Jeff Bell
Program Budget Manager
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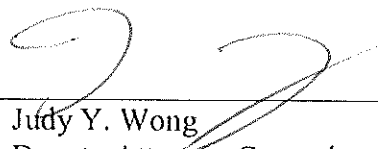
LOZANO SMITH

Dated: _____

By: _____
Nicholas Clair
Attorney for Yreka Union High School
District

Dated: 4/21/2020

OFFICE OF THE ATTORNEY GENERAL

By: _____

Judy Y. Wong
Deputy Attorney General
Attorney for Department of Finance

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