

**Education Audit Appeals Panel  
State of California**

Appeal of 2015-16 Audit Finding 2016-002  
by:

ST HOPE PUBLIC SCHOOLS,  
Appellant.

EAAP Case No. 17-14  
OAH No. 2017-09-0781

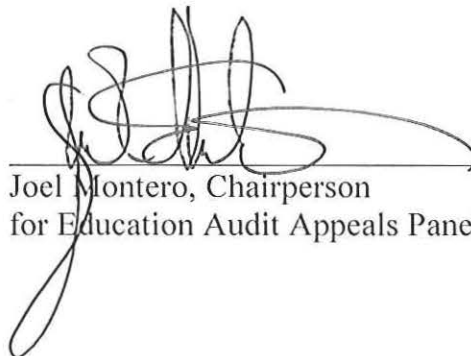
**Decision**

The Education Audit Appeals Panel has adopted the attached Stipulated Agreement of the parties as its Decision in the above-entitled matter. The Panel understands that of the agreed amount, PS7 is responsible for \$505,372, and Sacramento Charter High School is responsible for the balance of \$521,937.

Effective date: FEB. 25, 2019.

IT IS SO ORDERED.

FEB. 25, 2019  
Date

  
\_\_\_\_\_  
Joel Montero, Chairperson  
for Education Audit Appeals Panel

1 XAVIER BECERRA  
Attorney General of California  
2 NIROMI W. PFEIFFER  
Supervising Deputy Attorney General  
3 JULIA R. JACKSON  
Deputy Attorney General  
4 State Bar No. 255506  
1300 I Street, Suite 125  
5 P.O. Box 944255  
Sacramento, CA 94244-2550  
6 Telephone: (916) 210-7899  
Fax: (916) 324-5567  
7 E-mail: Julia.Jackson@doj.ca.gov  
*Attorneys for Intervener*  
8 *California Department of Finance*

9  
10 BEFORE THE EDUCATION AUDIT APPEALS PANEL

11 STATE OF CALIFORNIA

12 Case No. 2017-09-0781

13 IN THE MATTER OF THE AUDIT APPEAL OF:

**STIPULATED AGREEMENT**

14 Fiscal Year 2015-2016 Audit Finding 2016-002  
by

15 ST HOPE PUBLIC SCHOOLS,

16 Appellant,

17 v.

18 CALIFORNIA STATE CONTROLLER,

19 Respondent.

20 DEPARTMENT OF FINANCE,

21 Intervenor.  
22

23  
24 Appellant ST. HOPE PUBLIC SCHOOLS (Appellant), Respondent BETTY YEE,  
25 California State Controller (SCO), and Intervener DEPARTMENT OF FINANCE (Finance)  
26 (collectively known as "the Parties") agree to a complete resolution of the above-captioned matter  
27 as follows:

28 ///

1 **RECITALS**

2 A. The independent auditing firm Gilbert Associates, Inc., (Auditor) conducted an  
3 audit of the Appellant for the 2015-16 fiscal year, the results of which were included in the final  
4 audit report issued on or about December 15, 2016.

5 B. In audit Finding 2016-002, the Auditor determined that the Appellant was not in  
6 compliance with California Education Code section 47605, subdivision (1), which requires  
7 teachers in charter schools to hold a valid teaching certification and that applicable documentation  
8 be maintained at the charter school. As a result, the Appellant did not meet the required  
9 minimum minutes of instruction pursuant to Education Code section 47612.5.

10 C. The audit revealed that nine teachers at St. HOPE Public School 7 (PS7), five  
11 teachers at Oak Park Preparatory Academy (OPPA), and seven teachers at Sacramento Charter  
12 High School (SCHS) did not possess a valid certification document for a portion or all of the  
13 2015-16 school year, which resulted in an overstatement in the amount of apportionment the  
14 Appellant claimed from the State in the amount of \$1,058,175.

15 D. The SCO certified the subject audit and audit report and audit finding on or about  
16 July 20, 2017.

17 E. Appellant then timely filed a request for a formal appeal of Finding 2016-002 (the  
18 "Appeal") pursuant to Education Code section 41344, subdivision (d), instituting this appeal  
19 before the Education Audit Appeals Panel (EAAP).

20 F. Finance intervened pursuant to Education Code section 41344.1, subdivision (b).

21 G. In order to avoid the cost and uncertainty of litigation, the Parties to this case agree  
22 to resolve this dispute on the terms and conditions described below.

23 **AGREEMENT**

24 For the purpose of completely settling and resolving the audit findings between the  
25 Appellant and SCO and Finance, the Parties agree as set forth:

26 1. Appellant St. HOPE Public Schools shall repay in full satisfaction of Finding  
27 2016-02 the sum of \$1,027,309 over a period of eight years without interest, beginning with its  
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1 next principal apportionment following EAAP approval and adoption of this settlement  
2 agreement.

3 2. This stipulated agreement is subject to and conditioned upon approval and  
4 adoption by EAAP, pursuant to section 41344.1, subdivision (b), of the Education Code, and  
5 upon ratification by the Appellant's Governing Board.

6 3. This stipulated agreement may be executed in counterparts, each of which shall  
7 constitute an original. Facsimile and PDF signatures transmitted to other parties to this  
8 Agreement are deemed to be the equivalent of original signatures or counterparts.

9 4. The parties shall be responsible for their own attorney fees and costs relative to the  
10 Appeal.

11 5. This stipulated agreement fully and completely resolves all claims, demands,  
12 appeals, obligations, or causes of action relating to Finding 2016-002 of St. HOPE Public Schools  
13 2015-2016 Annual Audit.

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(signatures on page 4)

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The parties ratify the preceding terms and conditions through the signatures of their respective representatives, as follows:

DATED: 9/26/2018, 2018

ST. HOPE PUBLIC SCHOOLS

DocuSigned by:  
Jake Mossawir  
By: JAKE MOSSAWIR  
CHIEF EXECUTIVE OFFICER  
ST. HOPE PUBLIC SCHOOLS

DATED: 9/27, 2018

By: [Signature]  
PAUL C. MINNEY  
KEVIN TROY  
LAW OFFICES OF YOUNG, MINNEY & CORR, LLP.  
*Attorney for Appellant St. HOPE Public Schools*

DATED: \_\_\_\_\_, 2018

OFFICE OF THE STATE CONTROLLER

By: \_\_\_\_\_  
JOHN DICKERSON  
*Attorney for Respondent Office of the State Controller*

DATED: \_\_\_\_\_, 2018

DEPARTMENT OF FINANCE

By: \_\_\_\_\_  
JEFF BELL  
Program Budget Manager  
*Department of Finance*

DATED: \_\_\_\_\_, 2018

OFFICE OF THE ATTORNEY GENERAL

By: \_\_\_\_\_  
JULIA R. JACKSON  
Deputy Attorney General  
*Attorneys for Intervenor Department of Finance*

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The parties ratify the preceding terms and conditions through the signatures of their respective representatives, as follows:

DATED: \_\_\_\_\_, 2018

ST. HOPE PUBLIC SCHOOLS

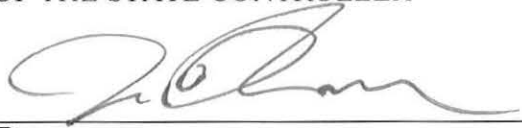
By: \_\_\_\_\_  
JAKE MOSSAWIR  
CHIEF EXECUTIVE OFFICER  
ST. HOPE PUBLIC SCHOOLS

DATED: \_\_\_\_\_, 2018

By: \_\_\_\_\_  
PAUL C. MINNEY  
KEVIN TROY  
LAW OFFICES OF YOUNG, MINNEY & CORR, LLP.  
*Attorney for Appellant St. HOPE Public Schools*

DATED: 9-17, 2018

OFFICE OF THE STATE CONTROLLER

By:   
JOHN DICKERSON  
*Attorney for Respondent Office of the State Controller*


DATED: 10/2, 2018

DEPARTMENT OF FINANCE

By:   
JEFF BELL  
Program Budget Manager  
*Department of Finance*

DATED: Oct. 4, 2018

OFFICE OF THE ATTORNEY GENERAL

By:   
JULIA R. JACKSON  
Deputy Attorney General  
*Attorneys for Intervenor Department of Finance*

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The parties ratify the preceding terms and conditions through the signatures of their respective representatives, as follows:

DATED: \_\_\_\_\_, 2018 ST. HOPE PUBLIC SCHOOLS

By: \_\_\_\_\_  
JAKE MOSSAWIR  
CHIEF EXECUTIVE OFFICER  
ST. HOPE PUBLIC SCHOOLS

DATED: 1/18, <sup>2019</sup>2018

By: \_\_\_\_\_  
PAUL C. MINNEY  
KEVIN TROY  
LAW OFFICES OF YOUNG, MINNEY & CORR, LLP.  
*Attorney for Appellant St. HOPE Public Schools*

DATED: 9-17, 2018

OFFICE OF THE STATE CONTROLLER  
By: \_\_\_\_\_  
JOHN DICKERSON  
*Attorney for Respondent Office of the State Controller*

DATED: \_\_\_\_\_, 2018 DEPARTMENT OF FINANCE

By: \_\_\_\_\_  
JEFF BELL  
Program Budget Manager  
*Department of Finance*

DATED: \_\_\_\_\_, 2018 OFFICE OF THE ATTORNEY GENERAL

By: \_\_\_\_\_  
JULIA R. JACKSON  
Deputy Attorney General  
*Attorneys for Intervenor Department of Finance*

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