

**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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Attorney General of California  
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*Attorneys for Department of Finance*

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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28 ///

**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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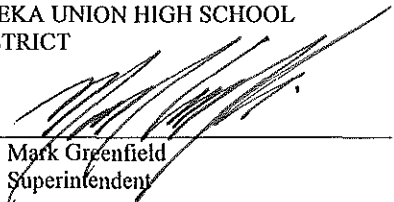
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Dated: 9/24/20

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:*

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Dated: \_\_\_\_\_

By: \_\_\_\_\_  
Nicholas Clair  
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YREKA UNION HIGH SCHOOL  
DISTRICT

Dated: \_\_\_\_\_

By: \_\_\_\_\_  
Mark Greenfield  
Superintendent

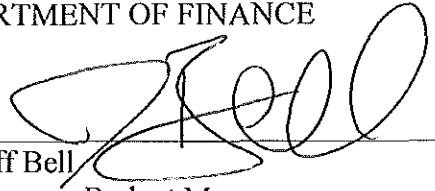
OFFICE OF STATE CONTROLLER

Dated: \_\_\_\_\_

By: \_\_\_\_\_  
John E. Dickerson  
Attorney for State Controller

DEPARTMENT OF FINANCE

Dated: 14 APR 20

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: \_\_\_\_\_  
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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: \_\_\_\_\_

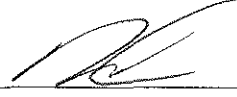
DEPARTMENT OF FINANCE

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: \_\_\_\_\_  
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YREKA UNION HIGH SCHOOL  
DISTRICT

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By: \_\_\_\_\_  
Mark Greenfield  
Superintendent

OFFICE OF STATE CONTROLLER

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John E. Dickerson  
Attorney for State Controller

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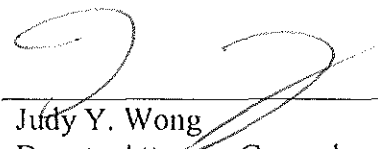
LOZANO SMITH

Dated: \_\_\_\_\_

By: \_\_\_\_\_  
Nicholas Clair  
Attorney for Yreka Union High School  
District

OFFICE OF THE ATTORNEY GENERAL

Dated: 4/21/2020

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

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