

Minutes of the Education Audit Appeals Panel

Monday, April 23, 2018
915 L Street, Cedar Room
Sacramento

Call to Order and Roll Call

Chair Joel Montero called the meeting to order at 1:34 p.m.

Panel members present: Joel Montero, designee of the Fiscal Crisis and Management Assistance Team; Nick Schweizer, designee of the Superintendent of Public Instruction and Jennifer Whitaker, designee of the Director of the Department of Finance.

Review of Agenda

Mr. Montero read the agenda items.

Approval of Minutes

Action: The Panel members unanimously approved minutes of the March 26, 2018 meeting.

Item 1	Report of the Executive Officer 1. Summary of appeal activities 2. Appeals and Summary Review Caseload 3. Other items of interest	Information
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Ms. Kelly reported that since the last meeting, no additional summary reviews have been filed, Bonsall Unified School District is still under review. EAAP is awaiting additional materials from the school district in order to make a determination on their summary review. Three additional summary reviews were filed after the meeting materials were sent out. Summary review requests for the 2016-17 year are beginning to be submitted.

There were no formal appeals filed since the last meeting. The closed session agenda has proposed settlements in the cases of San Ysidro Elementary School District and West Contra Costa Unified School District.

Item 2	Public Participation This time is reserved for any person to address the Panel. If the subject is on the Public Session Agenda, individuals may comment now or at the time the item is considered. If the subject is not on the Public Session Agenda, the Panel is not empowered to take action on it. Public comment is limited to 3 minutes per speaker; the Panel may extend the limit by a uniform amount per speaker. No comment will be taken on matters at issue in items on the Closed Session Agenda, or on any pending adjudicatory proceeding.	Information
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There were no comments from the public.

Item 3	Legislation Report Discussion and action as appropriate regarding any legislation that may affect EAAP	Information Action
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Ms. Kelly reported that there was no legislation to discuss that will directly affect EAAP.

Item 5	Permanent Supplemental Regulations: 2017-18 Supplemental Audit Guide No comments were received during the 45-day notice period, which ended April 2, 2018. Take action as appropriate to adopt or amend the proposed regulations.	Information Action
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Ms. Kelly reported that the 2017-18 permanent supplemental regulations includes Section P, which was not included in the Emergency Regulations for 2017-18 supplemental regulations. Section P Transportation Maintenance of Effort is technically amended for clarity and to cite to a more appropriate page of the Department of Education’s website (listing the adjusted amount of 2012-13 transportation revenues) than previously cited.

In addition, an edit on page 27 of the audit guide is needed. The audit guide will be corrected before being submitted to OAL for certification.

Action: The Panel members unanimously adopted the proposed Permanent Supplemental Regulations for the 2017-18 Supplemental Audit Guide.

Item 7	Next Meeting May 21, 2018 (discuss delay to June 4)	Information Action
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Ms. Kelly suggested canceling the tentative May 21, 2018 meeting and rescheduling the June 25, 2018 meeting to June 4, 2018, in order to have the panel authorize to begin the rulemaking process for the 2018-19 Audit Guide Regulations and to meet the July 1, 2018 deadline. She feels there will be a lot of public interest regarding the school facilities program.

Action: The Panel members unanimously agreed to cancel the May 21, 2018 meeting and reschedule the June 25, 2018 to June 4, 2018.

The Public Session recessed at 1:44 p.m.

Closed Session

The Panel met in closed session from approximately 1:44 p.m. until 2:00 p.m.

Call to Order: Public Session

Mr. Montero recalled the public session to order at 2:00 p.m.

Closed Session Report:

Mr. Montero reported that in closed session, the Panel heard a comment related to pending litigation and unanimously approved the Stipulated Agreement of the parties in the matter West Contra Costa Unified School District, EAAP Case 17-09. The Panel took no action in the matter of San Ysidro Elementary School District, EAAP Case 17-16.

Adjournment

Mr. Montero adjourned the meeting at 2:01 p.m.