

Minutes of the Education Audit Appeals Panel

Monday, July 26, 2021

Skype Conference Call

Sacramento

Call to Order and Roll Call

Joel Montero called the meeting to order at 1:35 p.m.

Panel members present: Joel Montero, designee of the Fiscal Crisis and Management Assistance Team, Lisa Constancio, designee of the Superintendent of Public Instruction and Cheryl McCormick, designee of the Director of the Department of Finance.

Approval of Minutes

Action: The minutes of the April 26, 2021 meeting were approved.

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, three summary reviews were filed and two determinations were made. The summary review requests for Saddleback Valley & Ralph A. Gates and William S. Hart Union HSD were denied.

There were three formal appeals filed since the last meeting. SCALE Leadership Academy, SCALE Leadership Academy-EAST and Saddleback Valley & Ralph A. Gates filed for formal appeal. The closed session agenda has the proposed settlement in the case of Mojave River Academy - Rockview Park.

Mr. Montero asked if the SCALE Leadership Academy and SCALE Leadership Academy-EAST cases were a violation of statute. Mr. Morgan said both were Independent Study cases, their independent study agreement was missing key items and expects the cases to take some time to be resolved.

Discussions were held with the Office of Administrative Law (OAL), and it was suggested to not file any certificates of compliance. rulemaking activities will not occur until the supplement of the Audit Guide 2021-22. Ms. Kelly does not anticipate any additional rulemaking agenda items until February 2022.

Work continues on updating EAAP's new website. Martin Vazquez is working on making EAAP files into web-accessible PDFs. EAAP underwent an audit from the State Personnel Board, Ms. Kelly is awaiting the audit report.

EAAP is currently working on succession planning and working with the DOF and EDD. If staff changes are needed, it will be considered in the budget.

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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Mr. Morgan spoke on Assembly Bills 13 and 16. AB 13 and 16 are in the inactive file but expected to come up in the next legislative year. The Education Trailer Bill extended the deadline for filing Audit Reports by 47 days, the deadline for LEAs to review Audit Reports by 28 days (instead of January 31st), and the deadline to submit a response and corrective action plan to the county office of education by April 15th. The nominal SCO certification date for 2020-21 Audits is extended a month to May 15th. The legislation did not extend the appeal deadlines. Also included was an extended payment ability for school facilities, extending the allowed time for resolving audit findings from 5 years to 20 years, and an increase in concentration grants as a part of the LCFF.

Mr. Morgan also spoke on 51747.5, subsection f. Revamped Independent Study rules call for the Audit Guide to incorporate requirements for compliance reviews of the previous four subdivisions, which are: general supervision by a certificated teacher, evaluation of time value of their work, documentation of daily participation, and a written or computer-based record of daily engagement. This will affect future audit guides.

Item 4	Next Meeting August 30, 2021	Information Action
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The Public Session recessed at 1:52p.m. M. Vazquez advised the members of the public to email him to request a Closed Session Report. Members of the public disconnected from the Skype conference call and EAAP staff and Panel members went into closed session. EAAP staff and Panel members met in closed session until 2:07 p.m.

Closed Session Report:

In closed session, the Panel unanimously approved the Stipulated Agreement of the parties in the matter of Mojave River Academy – Rockview Park, EAAP Case 20-09. Thereafter, there being no public participants in contact, the meeting was adjourned.