

ITEM 8
EXECUTIVE DIRECTOR’S REPORT
Workload, Budget, and
Upcoming Tentative Agendas

I. WORKLOAD:

A. PENDING COMMISSION CASELOAD (Info)

| Type of Action | October 14, 2008 |
|--|------------------|
| Test Claims ¹ to be Heard and Determined | 63 |
| Test Claims to be Reconsidered | 0 |
| Test Claims to be Reconsidered Based on Court Action | 0 |
| Test Claims to be Reconsidered, as Directed by the Legislature | 1 |
| Incorrect Reduction Claims to be Heard and Determined | 141 |
| Incorrect Reduction Claims to be Reconsidered Based on Court Action | 0 |
| Reasonable Reimbursement Methodologies/Statewide Estimate of Costs | 1 |
| Proposed Parameters and Guidelines, and Amendments | 23 |
| Parameters and Guidelines to be Amended or Set Aside, as Directed by the Legislature or Court Action | 0 |
| Statewide Cost Estimates to be Adopted | 12 |
| New Test Claim Filings to be Reviewed | 0 |
| New Incorrect Reduction Claim Filings to be Reviewed | 0 |
| Appeals of Executive Director’s Decision | 0 |
| Regulatory Actions Pending | 0 |

B. PENDING REQUESTS TO JOINTLY DEVELOP LEGISLATIVELY DETERMINED MANDATES

| Type of Action | |
|--|---|
| Notice of Intent to Pursue Legislatively Determined Mandates | 2 |

II. STATE BUDGET (Info/Action)

A. Commission Budget

The State Budget was signed on September 23, 2008. The Commission’s budget for 2008-2009 is \$1.739 million. When the Budget was enacted, the Governor announced that Executive Order S-08-09, which placed a hiring freeze on state agencies, required termination of part-time employees, such as student assistants, and placed a freeze on other personnel contracts, would remain in effect in order to achieve greater General

¹ This includes 40 test claims filed by school districts and 23 filed by local agencies.

Fund savings. Therefore, the Commission terminated its contract with student assistants. The Commission received an exemption to continue to contract for court reporter services.

Effective September 29, 2008, the Commission has a vacant staff counsel III position.

On October 9, 2008, the Governor's Office and Department of Finance directed state agencies to make \$190 million in additional General Fund savings for 2008-2009. If a state agency or department can achieve this savings and can show that the continuation of Executive order S-08-09 has a detrimental effect on a department's mission, it can be exempted from the Executive order.

The Commission's portion of these additional required savings is \$17,000. The Commission is achieving these savings through salary savings from staff on maternity leave, and by terminating student assistant contracts. Therefore, the Commission received approval from Finance Director Mike Genest to fill our vacant staff counsel position.

III. TENTATIVE AGENDAS (Info)

The tentative agendas are subject to change based on Commission staff's litigation workload, requests for extensions of time to file comments on draft staff analyses, hearing postponements, pre-hearing conferences, and the complexity of the statutes and executive orders that are pled.

Friday, January 30, 2009

A. Test Claims (7)

1. *Tuition Fee Waivers*, 02-TC-21
Contra Costa Community College District, Claimant
2. *Surplus Property Advisory Committees*, 02-TC-36
Clovis Unified School District, Claimants
3. *Notice to Students and Minimum Conditions for State Aid*,
02-TC-25 and 02-TC-31
Los Rios and Santa Monica Community College Districts, Claimants
4. *Cal Grants*, 02-TC-28,
Long Beach Community College District, Claimant
5. *Student Records*, 02-TC-34
Riverside Unified School District and Palomar Community College
Districts, Claimants
6. *Prevailing Wage Rate*,
Grossmont Union High School District, Claimant

B. Proposed Parameters and Guidelines (5)

1. *Expulsions II and Suspensions II*, 96-358-03, 03A-03B, 04,
04A-04B, 98-TC-22, 23, 01-TC-17, and 18 consolidated with
Education Services Plan, 97-TC-09
San Juan Unified School District, Claimant
2. *Modified Primary Election*, 01-TC-13
County of Orange, Claimant
3. *Permanent Absent Voter II*, 03-TC-11
County of Sacramento, Claimant

4. *Interagency Child Abuse and Neglect {ICAN} Investigation Reports*, 00-TC-22
County of Los Angeles, Claimant
 5. *Local Government Employment Relations*, 01-TC-30
County of Sacramento, Claimant
- C. Proposed Parameters and Guidelines Amendments (1)
1. *Integrated Waste Management*, 05-PGA-16
California Integrated Waste Management Board, Requestor
- D. Proposed Reasonable Reimbursement Methodologies (1)
1. *Voter Identification Procedures*, 03-TC-23
County of San Bernardino and Department of Finance, Requestors
- E. Statewide Cost Estimates (6)
1. *Domestic Violence Arrests and Victims Assistance*, 98-TC-14
County of Los Angeles, Claimant
 2. *Pupil Expulsion Hearing Costs*, (*San Diego Unified School District v. Commission on State Mandates, et al.*, 2004 – 33Cal.4th 859)
 3. *Mentally Disordered Offenders: Treatment as a Condition of Parole*, 00-TC-28
County of San Bernardino, Claimant
 4. *Racial Profiling: Law Enforcement Training*, 01-TC-01
County of Sacramento, Claimant
 5. *Fire Safety Inspections of Care Facilities*, 01-TC-16
City of San Jose, Claimant
 6. *National Norm-Referenced Achievement Tests (Formerly STAR)*
04-RL-9723-01