

COMMISSION ON STATE MANDATES

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June 3, 2004

Keith Petersen, President
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5252 Balboa Ave, Suite 807
San Diego, CA 92117

Deborah S. Bailey
Associate Superintendent of Business
Services
Modesto City School District
426 Locust Street
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And interested parties – see enclosed mailing list

Re: Notice to sever Title 5, California Code of Regulations sections 11510 – 11517 from 03-TC-06, *California English Language Development Test II* and consolidate them with 00-TC-16, *California English Language Development Test*

On June 13, 2001, claimant Modesto City School District filed test claim 00-TC-16, *California English Language Development Test* (“CELDT”). Claimant did not plead the regulations implementing the program: California Code of Regulations, title 5, sections 11510 - 11517. The CELDT claim is tentatively scheduled for hearing on September 30, 2004.

On September 22, 2003, claimant Castro Valley Unified School District filed test claim 03-TC-06, *California English Language Development Test II* (“CELDT II”). In its claim, claimant included sections 11510 - 11517 of the title 5 regulations, which implement the program pled in CELDT.

Therefore, California Code of Regulations, title 5, sections 11510 – 11517 are being severed from the CELDT II test claim and consolidated with the CELDT test claim. This is pursuant to the Executive Director’s authority to consolidate all or part of a claim “to ensure the complete, fair, or timely consideration” of the claim. (Cal. Code Regs., tit. 2, § 1183.06, subd. (a)). If the parties in interest do not object, this consolidation would be effective June 15, 2004.

The parties in interest may appeal any decision of the Executive Director pursuant to California Code of Regulations, title 2, section 1181, subdivision (c).

Please contact Eric Feller, (916) 323-8221, if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Paula Higashi".

PAULA HIGASHI
Executive Director

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MAILED: Mail List FAXED: _____
DATE: 6/13/07 INITIAL: VS
CHRON: _____ FILE: _____
WORKING BINDER: _____

Commission on State Mandates

Original List Date: 9/30/2003 Mailing Information: Other
Last Updated: 6/3/2004
List Print Date: 06/03/2004 **Mailing List**
Claim Number: 03-TC-06
Issue: California English Language Development Test - 2

TO ALL PARTIES AND INTERESTED PARTIES:

Each commission mailing list is continuously updated as requests are received to include or remove any party or person on the mailing list. A current mailing list is provided with commission correspondence, and a copy of the current mailing list is available upon request at any time. Except as provided otherwise by commission rule, when a party or interested party files any written material with the commission concerning a claim, it shall simultaneously serve a copy of the written material on the parties and interested parties to the claim identified on the mailing list provided by the commission. (Cal. Code Regs., tit. 2, § 1181.2.)

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Commission on State Mandates

Original List Date: 6/15/2001 Mailing Information: Other
Last Updated: 6/1/2004
List Print Date: 06/03/2004 **Mailing List**
Claim Number: 00-TC-16
Issue: California English Language Development Test (CELDT)

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