

COMMISSION ON STATE MANDATES

980 NINTH STREET, SUITE 300
SACRAMENTO, CA 95814
PHONE: (916) 323-3562
FAX: (916) 445-0278
E-mail: csminfo@csm.ca.gov



October 30, 2007

Ms. Kelly Hargreaves, Chief Counsel
Department of Rehabilitation, Legal Affairs
721 Capitol Mall
Sacramento, CA 95814

Ms. Jeannie Oropeza
Department of Finance
915 L Street, 8th Floor
Sacramento, CA 95814

Mr. Keith B. Petersen
Sixten & Associates
3841 North Freeway Blvd., Suite 170
Sacramento, CA 95834

And Affected State Agencies and Interested Parties (see enclosed mailing list)

Re: **Request for Comments and Tentative Hearing Date**
Disabled Student Programs and Services; 02-TC-22
West Kern Community College District, Claimant
Education Code Section 67300, et al.

Dear Ms. Hargreaves, Ms. Oropeza, and Mr. Petersen:

Request for Comments. The Department of Rehabilitation (DOR) did not receive a copy of above-named test claim at the time of the completeness review. Based upon comments filed by the California Community Colleges Chancellor's Office, dated March 11, 2004, it appears that the DOR may have program and fiscal information that would be useful to the Commission on State Mandates in the analysis of this claim for state reimbursement. Copies of the test claim filing and subsequent comments are enclosed with the letter to DOR.

In addition, staff notes that no correspondence has been received from the Department of Finance on this test claim since the last request for extension of time for comments dated February 3, 2006.

The key issues before the Commission are:

- Do the provisions listed above impose a new program or higher level of service within an existing program upon local entities within the meaning of section 6, article XIII B of the California Constitution and costs mandated by the state pursuant to section 17514 of the Government Code?
- Does Government Code section 17556 preclude the Commission from finding that any of the test claim provisions impose costs mandated by the state?
- Have funds been appropriated for this program (e.g., state budget) or are there any other sources of funding available? If so, what is the source?

Based on the filing date of the test claim, the potential reimbursement period begins July 1, 2001. (Gov. Code, § 17557.) **Please file comments no later than November 20, 2007.** Written responses shall include a "declaration that it is true and complete to the best of the representative's personal knowledge or information or belief," and shall be signed under penalty of perjury. (Cal. Code Regs, tit. 2, § 1183.02, subd. (d).)

October 30, 2007

Page 2

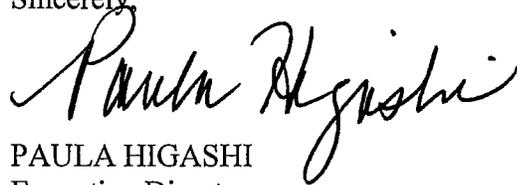
Hearing and Staff Analysis. The hearing on this test claim is tentatively set for Thursday, January 31, 2008. At least eight weeks before a hearing is conducted the draft staff analysis will be issued to parties, interested parties, and interested persons, and a three-week period for comments will be given, pursuant to section 1183.07 of the Commission's regulations. Before the hearing, a final staff analysis will be issued.

Mailing Lists. Under section 1181.2 of the Commission's regulations, the Commission will promulgate a mailing list of parties, interested parties, and interested persons for each test claim. Any written material filed with the Commission on a claim shall be simultaneously served on the other parties listed on the mailing list provided by the Commission.

To all other parties, please use the updated mailing list enclosed for further correspondence on this test claim.

Please contact Katherine Tokarski at (916) 445-9429 if you have any questions on this matter.

Sincerely,

A handwritten signature in cursive script that reads "Paula Higashi". The signature is written in black ink and is positioned above the printed name and title.

PAULA HIGASHI
Executive Director

Enclosures: Copy of Test Claim, CCCCCO comments, and Claimant Rebuttal (DOR only)
Updated Mailing List (all)

Commission on State Mandates

Original List Date: 6/18/2003
Last Updated: 4/26/2007
List Print Date: 10/30/2007
Claim Number: 02-TC-22
Issue: Disabled Student Programs and Services

Mailing Information: Other

Mailing List

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.)

Mr. Jim Spano
State Controller's Office (B-08)
Division of Audits
300 Capitol Mall, Suite 518
Sacramento, CA 95814

Tel: (916) 323-5849
Fax: (916) 327-0832

Ms. Kelly Hargreaves
Department of Rehabilitation
721 Capitol Mall
Sacramento, CA 95814

Tel: 916-58-5825
Fax:

Mr. Joe Rombold
School Innovations & Advocacy
11130 Sun Center Drive, Suite 100
Rancho Cordova, CA 95670

Tel: (916) 669-5116
Fax: (888) 487-6441

Mr. Allan Burdick
MAXIMUS
4320 Auburn Blvd., Suite 2000
Sacramento, CA 95841

Tel: (916) 485-8102
Fax: (916) 485-0111

Ms. Donna Ferebee
Department of Finance (A-15)
915 L Street, 11th Floor
Sacramento, CA 95814

Tel: (916) 445-3274
Fax: (916) 323-9584

Ms. Harmeet Barkschat
Mandate Resource Services
5325 Elkhorn Blvd. #307
Sacramento, CA 95842

Tel: (916) 727-1350
Fax: (916) 727-1734

Ms. Sandy Reynolds
Reynolds Consulting Group, Inc.
P.O. Box 894059
Temecula, CA 92589

Tel: (951) 303-3034
Fax: (951) 303-6607

Mr. Steve Smith
Steve Smith Enterprises, Inc.
3323 Watt Avenue #291
Sacramento, CA 95821

Tel: (916) 216-4435
Fax: (916) 972-0873

Mr. Robert Miyashiro
Education Mandated Cost Network
1121 L Street, Suite 1060
Sacramento, CA 95814

Tel: (916) 446-7517
Fax: (916) 446-2011

Mr. Arthur Palkowitz
San Diego Unified School District
Office of Resource Development
4100 Normal Street, Room 3209
San Diego, CA 92103-8363

Tel: (619) 725-7785
Fax: (619) 725-7564

Mr. Steve Shields
Shields Consulting Group, Inc.
1536 36th Street
Sacramento, CA 95816

Tel: (916) 454-7310
Fax: (916) 454-7312

Ms. Beth Hunter
Centration, Inc.
8570 Utica Avenue, Suite 100
Rancho Cucamonga, CA 91730

Tel: (866) 481-2621
Fax: (866) 481-2682

Mr. William Duncan
West Kern Community College District
29 Emmons Park Drive
Taft, CA 93268

Claimant
Tel: (661) 763-7700
Fax:

Mr. Erik Skinner
California Community Colleges
Chancellor's Office (G-01)
1102 Q Street, Suite 300
Sacramento, CA 95814-6549

Tel: (916) 322-4005
Fax: (916) 323-8245

Mr. David E. Scribner
Scribner Consulting Group, Inc.
3840 Rosin Court, Suite 190
Sacramento, CA 95834

Tel: (916) 922-2636
Fax: (916) 922-2719

Ms. Ginny Brummels
State Controller's Office (B-08)
Division of Accounting & Reporting
3301 C Street, Suite 500
Sacramento, CA 95816

Tel: (916) 324-0256

Fax: (916) 323-6527

Ms. Jeannie Oropeza
Department of Finance (A-15)
Education Systems Unit
915 L Street, 7th Floor
Sacramento, CA 95814

Tel: (916) 445-0328

Fax: (916) 323-9530

Ms. Susan Geanacou
Department of Finance (A-15)
915 L Street, Suite 1190
Sacramento, CA 95814

Tel: (916) 445-3274

Fax: (916) 324-4888

Mr. J. Bradley Burgess
Public Resource Management Group
895 La Sierra Drive
Sacramento, CA 95864

Tel: (916) 595-2646

Fax:

Mr. Keith B. Petersen
SixTen & Associates
3841 North Freeway Blvd., Suite 170
Sacramento, CA 95834

Claimant Representative

Tel: (916) 565-6104

Fax: (916) 564-6103

