

COMMISSION ON STATE MANDATES

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April 3, 2014

Mr. Arthur Palkowitz
Stutz Artiano Shinoff & Holtz
2488 Historic Decatur Road, Suite 200
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Ms. Jill Kanemasu
State Controller's Office
Division of Accounting and Reporting
3301 C Street, Suite 700
Sacramento, CA 95816

And Parties, Interested Parties and Interested Persons (See Mailing List)

RE: Draft Staff Analysis, Proposed Statewide Cost Estimate, Schedule for Comments, and Notice of Hearing

Teacher Credentialing, 03-TC-09

California Code of Regulations, Title 5, Sections 80556(a),(c),(f) and (j) and 80556.1(e) as added and amended by Register 86, No. 40; Register 94, No. 19
San Diego County Office of Education, Claimant

Dear Mr. Palkowitz and Ms. Kanemasu:

The draft staff analysis and proposed statewide cost estimate for this matter are enclosed for your review and comment.

Written Comments

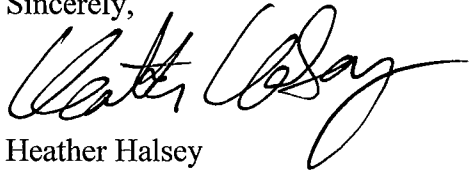
Written comments on the draft staff analysis and proposed statewide cost estimate may be filed by **April 14, 2013**. If you would like to request an extension of time to file comments, please refer to section 1183.01(c)(1) of the Commission's regulations (California Code of Regulations, title 2).

Hearing

This matter is set for hearing on **Friday, May 30, 2014** at 10:00 a.m. in Room 447, State Capitol, Sacramento, CA. The final staff analysis will be issued on or about May 16, 2014. This matter is proposed for the Consent Calendar. Please let us know in advance if you oppose having this item placed on consent and wish to testify at the hearing, or have a representative testify on your behalf, and if other witnesses will appear. If you would like to request postponement of the hearing, please refer to section 1183.01(c)(2) of the Commission's regulations.

Please contact Jason Hone at (916) 323-3562 if you have questions.

Sincerely,



Heather Halsey
Executive Director

Item ____

**Draft Staff Analysis
Proposed Statewide Cost Estimate**

\$21,283

California Code of Regulations, Title 5, Sections 80556(a),(c),(f) and (j) and 80556.1(e)
as added and amended by Register 86, No. 40; Register 94, No. 19

Teacher Credentialing
03-TC-09

Period of reimbursement begins July 1, 2002 and ends December 31, 2006.

STAFF ANALYSIS

Background and Summary of the Mandate

This program addresses the teacher credentialing process and employment of K-12 teachers.

On April 19, 2013, the Commission on State Mandates (Commission) adopted a statement of decision finding that the test claim regulations impose a partially reimbursable state-mandated program upon school districts within the meaning of article XIII B, section 6 of the California Constitution and Government Code section 17514 from July 1, 2002 until December 31, 2006¹.

Parameters and Guidelines were adopted on July 26, 2013 approving the reimbursable activities described below under the *Reimbursable Activities* section².

Eligible claimants were required to file initial reimbursement claims (for costs incurred between fiscal years 2002-2003 and December 31, 2006) with the State Controller's Office (SCO) by February 26, 2014. Late initial reimbursement claims may be filed until February 26, 2015.

Eligible Claimants and Period of Reimbursement

Any "school district" as defined in Government Code section 17519, excluding community colleges, which incurs increased costs as a result of this mandate, is eligible to claim reimbursement. However, charter schools are not eligible for reimbursement for this program.

Government Code section 17557(e) states that a test claim shall be submitted on or before June 30 following a given fiscal year to establish eligibility for that fiscal year. The claimant, San Diego County Office of Education, filed the test claim on September 25, 2003 establishing eligibility for reimbursement beginning July 1, 2002, and ending December 31, 2006, when the program became optional and no longer mandated by the state. All of the reimbursable activities approved in the *Teacher Credentialing* test claim were eligible for reimbursement beginning July 1, 2002.

Reimbursable Activities

¹ Exhibit A.

² Exhibit B.

The parameters and guidelines authorize reimbursement of each eligible claimant for the following activities from July 1, 2002 until December 31, 2006:

A. Professional growth activities related to renewing clear single or multiple subject credentials:

- If a school district employs one or more holders of professional clear credentials, the chief administrative officer of the employing school district, or his or her designee, shall designate one or more certificated persons to be professional growth advisors.³
- The employing school district shall adopt policies and procedures for the selection of professional growth advisors which contribute the best possible match between the credential holder and the advisor. *This is a one-time activity.*⁴
- The employing school district shall give each credential holder the names and work locations of any professional growth advisors who have been designated by the district.⁵
- The chief administrative officer of the employing school district, or his or her designee, shall remove any professional growth advisor who has been determined by the district or CTC to have willfully and arbitrarily violated Education Code Section 44277 or Article 4 of the regulations.⁶

B. Professional growth activities related to renewing clear service or specialist credentials:

- The school district shall identify professional growth advisors and give each credential holder the names and work locations of any professional growth advisors who have been designated by the agency for these credential areas.⁷

Statewide Cost Estimate

Assumptions

Staff reviewed the reimbursement claims data submitted by 3 school districts and compiled by the SCO⁸. The actual claims data showed that 7 initial claims were filed for fiscal years 2002-2003 through December 31, 2006 for a total of \$21,283. Reimbursement for this program ended on December 31, 2006 therefore there will not be any annual claims filed on the program. Based on this data, staff made the following assumptions and used the following methodology to develop a statewide cost estimate for this program.

- *The actual amount claimed for reimbursement may increase and exceed the statewide cost estimate.*
 - There are currently 1043 school districts in California. Of those, only 3 school districts filed initial reimbursement claims totaling \$21,283 for this program for fiscal years 2002-2003 through December 31, 2006. If other eligible claimants file late or

³ California Code of Regulations, title 5, section 80556(a).

⁴ California Code of Regulations, title 5, section 80556(c).

⁵ California Code of Regulations, title 5, section 80556(f).

⁶ California Code of Regulations, title 5, section 80556(j).

⁷ California Code of Regulations, title 5, section 80556.1(e).

⁸ Claims data reported as of December 4, 2013.

amended initial claims, the amount of reimbursement claims may exceed the statewide cost estimate. Late initial reimbursement claims for this program for fiscal years 2002-2003 through December 31, 2006 may be filed until February 26, 2015.

- There also may be several reasons that non-claiming school districts did not file reimbursement claims, including but not limited to, (1) they did not incur more than \$1,000 in increased costs for this program and (2) they did not have supporting documentation to file a reimbursement claim.
- *The total amount of reimbursement for this program may be lower than the statewide cost estimate because the SCO may reduce any reimbursement claim for this program.*
 - The SCO may conduct audits and reduce any claims it deems to be excessive or unreasonable.

Methodology

Fiscal Years 2002-2003 through December 31, 2006

The statewide cost estimate for fiscal years 2002-2003 through December 31, 2006 was developed by totaling the 7 reimbursement claims filed with the SCO for these years totaling \$21, 283.⁹ This averages to \$4,257 annually in costs for the state over this five-year period. Following is a breakdown of estimated total costs per fiscal year:

Fiscal Year	Number of Claims Filed with SCO	Estimated Cost
2002-2003	1	\$2,997
2003-2004	1	\$3,269
2004-2005	3	\$8,890
2005-2006	1	\$4,022
2006-2007	1	\$2,105
TOTAL	7	\$21,283

Staff Recommendation

Staff recommends the Commission adopt the proposed statewide cost estimate of **\$21,283** for costs incurred in complying with the *Teacher Credentialing* program.

⁹ Sonoma County Office of Education and Woodville Elementary School District each submitted claims for 3 years of the reimbursement period and Fresno Unified School District submitted a claim for one year.

DECLARATION OF SERVICE BY EMAIL

I, the undersigned, declare as follows:

I am a resident of the County of Placer and I am over the age of 18 years, and not a party to the within action. My place of employment is 980 Ninth Street, Suite 300, Sacramento, California 95814.

On April 3, 2014, I served the:

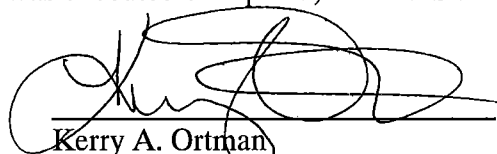
Draft Staff Analysis, Proposed Statewide Cost Estimate, Schedule for Comments, and Notice of Hearing

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San Diego County Office of Education, Claimant

by making it available on the Commission's website and providing notice of how to locate it to the email addresses provided on the attached mailing list.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed on April 3, 2014 at Sacramento, California.



Kerry A. Ortman
Commission on State Mandates
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COMMISSION ON STATE MANDATES

Mailing List

Last Updated: 4/3/14

Claim Number: 03-TC-09

Matter: Teacher Credentialing

Claimant: San Diego County Office of Education

TO ALL PARTIES, INTERESTED PARTIES, AND INTERESTED PERSONS:

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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