

EMCN

EDUCATION MANDATED COST NETWORK

REPRESENTING OVER FOUR MILLION ADA

REPRESENTING OVER 600 LOCAL EDUCATION AGENCIES

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SPECIAL COUNSEL

Art Palkowitz, Esq.

June 10, 2011

Mr. Drew Bohan, Executive Director
Commission on State Mandates
980 9th Street, Suite 300
Sacramento, CA 95814

Dear Mr. Bohan:

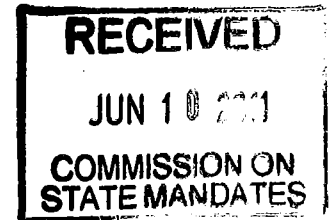
First, on behalf of the Education Mandated Cost Network (EMCN), I would like to take this opportunity to congratulate you on your recent appointment as Executive Director of the Commission on State Mandates. Yours is one of the most important, and yet often overlooked, positions in state government that directly affects relations between the state of California and its local governments and school districts. I wish you the greatest success in this new position.

The EMCN is a coalition of school districts and county offices of education that actively participates in all aspects of the mandates process. Its executive committee comprises officers employed by some of the largest school districts and county offices of education in the state. Each member has an in-depth knowledge of the mandates process as it affects local educational agencies (LEAs).

I am writing in response to the Commission's recent report *Backlog Reduction Plan, A Comprehensive Plan Prepared by Staff to Complete All Pending Claims*, issued on May 25, 2011. The report notes that the Commission has had a long-standing practice of hearing test claims in the order that they were filed and that the approach has served the Commission well over the years. However, the report also acknowledges that the Commission has made exceptions to this policy under certain circumstances. I am asking that such an exception be considered for the *Williams Case Implementation, II and III*; (05-TC-04, 07-TC-06, and 08-TC-01).

These cases, filed by San Diego County Office of Education and Sweetwater Union High School District, should be considered for priority attention of the Commission on the basis of two criteria set forth in the May 25 report: claim consolidation and stakeholder request.

Each of these test claims is directly related to the settlement agreement and subsequent legislation pertaining to the *Williams* lawsuit. This suit challenged the practice of teacher assignments, the adequacy of instructional materials, and the condition of school facilities in LEAs that have a high proportion of disadvantaged students. EMCN believes that the significance of the state requirements



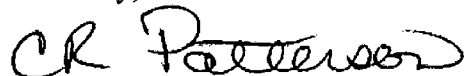
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related to *Williams* and its broad scope merit consideration for priority review and consideration by the Commission. I would note that even if the Commission grants this test claim priority consideration, more than six years have already elapsed since the initial filing.

If you have any questions or require any additional information, please feel free to contact Robert Miyashiro, EMCN consultant, at (916) 446-7517.

And again, congratulation on your new appointment. EMCN is very supportive of your efforts to address the backlog of test claims and incorrect reduction claims. We look forward to working with you in the future.

Sincerely,

A handwritten signature in cursive script that reads "CR Patterson". The initials "CR" are written in a larger, more prominent font than the last name "Patterson".

COLLEEN PATTERSON
Chair, Education Mandated Cost Network
Assistant Superintendent, Business Services
Fullerton Joint Union High School District