



**RECEIVED**  
April 30, 2024  
**Commission on  
State Mandates**

April 30, 2024

Via: *Electronic Submittal:* <https://csm.ca.gov/dropbox.shtml>

Gayle Miller, Chairperson  
Commission on State Mandates  
980 9th Street, Suite 300  
Sacramento, CA 95814

**Re: Transitional Kindergarten Program, 23-TC-02**

**Position: Support**

Dear Ms. Miller:

On behalf of the Nevada City Elementary School District, I am writing in support of the test claim: Transitional Kindergarten Program, 23-TC-02, which is tentatively scheduled to be considered by the Commission on State Mandates (Commission) at its November 22, 2024, hearing.

California is currently in the second year of phasing in universal transitional kindergarten (UTK). By 2025-26, the state expects all local educational agencies (LEAs) to make transitional kindergarten (TK available to all children who will have their fourth birthday by September 1 of the school year. To assist with the implementation of UTK, the state funds TK average daily attendance by annually rebenching Proposition 98 with General Fund dollars to account for the newly eligible TK students. Over the past two fiscal years, the state has provided nearly \$1 billion in ongoing funding for the implementation of UTK. That annual cost is expected to grow to approximately \$2.7 billion when UTK is fully implemented in 2025-26.

While the state has highlighted its commitment to fund UTK, the funding distribution methodology that is being utilized leaves out community-funded (basic aid) school districts, which means that districts like ours do not receive funding for implementing TK. Although interpretations of current law vary, the state has clearly expressed that TK should be offered by all districts, making it an unfunded mandate for community-funded districts not receiving dollars to implement this new, full grade level.

The requirement for community-funded districts to implement UTK clearly meets the determination requirement of the state imposing a new program or higher level of service on LEAs. The state continues to maintain that implementation of UTK is an expectation of all school

districts; however, the state is only providing funding for UTK to state-funded districts. The refusal of the state to provide funding for community-funded districts for UTK implementation, while at the same time maintaining that it is still an obligation to implement, constitutes an unfunded mandate by the state.

For these reasons, we strongly support the test claim filed by the Hope Elementary School District and the Sunnyvale School District. Without support from the Commission on this test claim, community-funded districts will be forced to take funding from other programs that currently serve students in order to implement this new grade.

We implore that the Commission staff recommends the test claim to be approved and that Commission members approve the claim when it is heard this fall.

Sincerely,

*Paige Moore*

Paige Moore, Business Manager  
Nevada City School District

cc: Members and Staff, Commission on State Mandates

## DECLARATION OF SERVICE BY EMAIL

I, the undersigned, declare as follows:

I am a resident of the County of Sacramento 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 May 3, 2024, I served the:

- **Current Mailing List dated May 2, 2024**
- **Robert Bravo, Superintendent, Campbell Union High School District Comments on the Test Claim filed April 30, 2024**
- **Jennifer Dudley, Superintendent-Principal Fort Ross Elementary School District Comments on the Test Claim filed April 30, 2024**
- **Christine Mallery, CBO Associate Superintendent, Fremont Union High School District Comments on the Test Claim filed April 30, 2024**
- **Dr. Diana Galindo-Roybal, Superintendent, Goleta Union School District Comments on the Test Claim filed April 30, 2024**
- **Chris Vanden Heuvel, Superintendent, Healdsburg Unified School District Comments on the Test Claim filed April 30, 2024**
- **Brett Geithman, Superintendent, Larkspur-Corte Madera School District Comments on the Test Claim filed April 30, 2024**
- **Sarah Tellez, Assistant Superintendent, Los Gatos Union School District Comments on the Test Claim filed April 30, 2024**
- **Paige Moore, Business Manager, Nevada City School District Comments on the Test Claim filed April 30, 2024**
- **Gary Hanning, President, Board of Trustees, Portola Valley School District Comments on the Test Claim filed April 30, 2024**
- **Connie Ngo, Chief Business Official, Portola Valley School District Comments on the Test Claim filed April 30, 2024**
- **Kimberley Morris Rosen, Trustee, Portola Valley School District Comments on the Test Claim filed April 30, 2024**
- **Roberta Zarea, Superintendent, Portola Valley School District Comments on the Test Claim filed April 30, 2024**
- **Kris Munro, Superintendent, Santa Cruz City School District Comments on the Test Claim filed April 30, 2024**
- **Rena Seifts, Associate Superintendent, Sonoma Valley Unified School District Comments on the Test Claim filed April 30, 2024**

- **Kay Vang, Chief Business Official, St. Helena Unified School District  
Comments on the Test Claim filed April 30, 2024**
- **Michael Gallagher, Superintendent, Sunnyvale School District  
Comments on the Test Claim filed April 30, 2024**
- **Bree Valla, Superintendent-Principal, Vista Del Mar Union School  
District Comments on the Test Claim filed April 30, 2024**

*Transitional Kindergarten Program, 23-TC-02*

Statutes 2021, Chapter 44, Section 60 (AB 130);

Education Code Section 48000, Effective July 9, 2021

Hope Elementary School District and Sunnyvale School District, Claimants

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 May 3, 2024 at Sacramento, California.



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Jill Magee  
Commission on State Mandates  
980 Ninth Street, Suite 300  
Sacramento, CA 95814  
(916) 323-3562

# COMMISSION ON STATE MANDATES

## Mailing List

**Last Updated:** 5/2/24

**Claim Number:** 23-TC-02

**Matter:** Transitional Kindergarten Program

**Claimants:** Hope Elementary School District  
Sunnyvale School District

### 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, § 1181.3.)

**Amber Alexander**, *Department of Finance*

Education Systems Unit, 915 L Street, 7th Floor, Sacramento, Ca

Phone: (916) 445-0328

Amber.Alexander@dof.ca.gov

**Michael Alferes**, Fiscal and Policy Analyst, K-12, *Legislative Analyst's Office*

925 L Street, Suite 1000, Sacramento, CA 95816

Phone: (916) 319-8332

michael.alferes@lao.ca.gov

**Brooks Allen**, Executive Director, *California State Board of Education (SBE)*

1430 N Street, Suite 5111, Sacramento, CA 95814

Phone: (916) 319-0708

BRAllen@cde.ca.gov

**Lili Apgar**, Specialist, *State Controller's Office*

Local Reimbursements Section, 3301 C Street, Suite 740, Sacramento, CA 95816

Phone: (916) 324-0254

lapgar@sco.ca.gov

**Socorro Aquino**, *State Controller's Office*

Division of Audits, 3301 C Street, Suite 700, Sacramento, CA 95816

Phone: (916) 322-7522

SAquino@sco.ca.gov

**Harmeet Barkschat**, *Mandate Resource Services, LLC*

5325 Elkhorn Blvd. #307, Sacramento, CA 95842

Phone: (916) 727-1350

harmeet@comcast.net

**Ginni Bella Navarre**, Deputy Legislative Analyst, *Legislative Analyst's Office*  
925 L Street, Suite 1000, Sacramento, CA 95814  
Phone: (916) 319-8342  
Ginni.Bella@lao.ca.gov

**Robert Bravo**, Superintendent, *Campbell Union High School District*  
3235 Union Ave, San Jose, CA 95124-2095  
Phone: (408) 371-0960  
rbravo@cuhisd.org

**Mike Brown**, *School Innovations & Advocacy*  
5200 Golden Foothill Parkway, El Dorado Hills, CA 95762  
Phone: (916) 669-5116  
mikeb@sia-us.com

**Guy Burdick**, Consultant, *MGT Consulting*  
2251 Harvard Street, Suite 134, Sacramento, CA 95815  
Phone: (916) 833-7775  
gburdick@mgtconsulting.com

**Shelby Burguan**, Budget Manager, *City of Newport Beach*  
100 Civic Center Drive, Newport Beach, CA 92660  
Phone: (949) 644-3085  
sburguan@newportbeachca.gov

**Edgar Cabral**, Fiscal and Policy Analyst, K-12, *Legislative Analyst's Office*  
925 L Street, Suite 100, Sacramento, CA 95816  
Phone: (916) 319-8332  
edgar.cabral@lao.ca.gov

**Evelyn Calderon-Yee**, Bureau Chief, *State Controller's Office*  
Local Government Programs and Services Division, Bureau of Payments, 3301 C Street, Suite 740,  
Sacramento, CA 95816  
Phone: (916) 324-5919  
ECalderonYee@sco.ca.gov

**Veronica Causor-Lara**, Manager, Internal Audit, *San Jose Unified School District*  
855 Lenzen Avenue, San Jose, CA 95126  
Phone: (408) 535-6000  
vcausorlara@sjusd.org

**Carolyn Chu**, Senior Fiscal and Policy Analyst, *Legislative Analyst's Office*  
925 L Street, Suite 1000, Sacramento, CA 95814  
Phone: (916) 319-8326  
Carolyn.Chu@lao.ca.gov

**Arthur Cuffy**, Director of Finance, *San Jose Unified School District*  
855 Lenzen Avenue, San Jose, CA 95126  
Phone: (408) 535-6000  
acuffy@sjusd.org

**Margaret Demauro**, Finance Director, *Town of Apple Valley*  
14955 Dale Evans Parkway, Apple Valley, CA 92307  
Phone: (760) 240-7000  
mdemauro@applevalley.org

**Martina Dickerson**, Staff Finance Budget Analyst, *Department of Finance*  
Education, Department of Finance, Sacramento, CA 95814

Phone: (916) 445-0328  
Martina.Dickerson@dof.ca.gov

**Andra Donovan**, *San Diego Unified School District*  
Legal Services Office, 4100 Normal Street, Room 2148, , San Diego, CA 92103  
Phone: (619) 725-5630  
adonovan@sandi.net

**Jennifer Dudley**, Superintendent - Principal, *Fort Ross Elementary School District*  
30600 Seaview Road, Cazadero, CA 95421  
Phone: (707) 847-3390  
jdudley@fortrossschool.org

**Donna Ferebee**, *Department of Finance*  
915 L Street, Suite 1280, Sacramento, CA 95814  
Phone: (916) 445-8918  
donna.ferebee@dof.ca.gov

**Chris Ferguson**, *Department of Finance*  
Education Systems Unit, 915 L Street, 7th Floor, 915 L Street, 7th Floor, Sacramento, CA 95814  
Phone: (916) 445-3274  
Chris.Ferguson@dof.ca.gov

**Diana Galindo-Roybal**, Superintendent, *Goleta Union School District*  
401 North Fairview Avenue, Goleta, CA 93117  
Phone: (805) 681-1200  
droybal@gusd.us

**Michael Gallagher**, Superintendent, *Sunnyvale School District*  
**Claimant Contact**  
819 Iowa Ave, Sunnyvale, CA 94086  
Phone: (408) 522-8200  
michael.gallagher@sesd.org

**Brianna Garcia**, *Education Mandated Cost Network*  
1121 L Street, Suite 1060, Sacramento, CA 95814  
Phone: (916) 446-7517  
briannag@sscal.com

**Len Garfinkel**, General Counsel, *California Department of Education*  
1430 N Street, Sacramento, CA 95814  
Phone: (916) 319-0860  
lgarfinkel@cde.ca.gov

**Brett Geithman**, Superintendent, *Larkspur-Corte Madera School District*  
230 Doherty Drive, Larkspur, CA 94939  
Phone: (415) 927-6960  
bgeithman@lcmschools.org

**Juliana Gmur**, Acting Executive Director, *Commission on State Mandates*  
980 9th Street, Suite 300, Sacramento, CA 95814  
Phone: (916) 323-3562  
juliana.gmur@csm.ca.gov

**Heather Halsey**, Executive Director, *Commission on State Mandates*  
980 9th Street, Suite 300, Sacramento, CA 95814  
Phone: (916) 323-3562  
heather.halsey@csm.ca.gov

**Gary Hanning**, President, *Portola Valley School District*  
Board of Trustees, 4575 Alpine Road, Portola Valley, CA 94028  
Phone: (650) 851-1777  
pvsdboard@pvsd.net

**Tiffany Hoang**, Associate Accounting Analyst, *State Controller's Office*  
Local Government Programs and Services Division, Bureau of Payments, 3301 C Street, Suite 740,  
Sacramento, CA 95816  
Phone: (916) 323-1127  
THoang@sco.ca.gov

**Anne Hubbard**, Superintendent, *Hope Elementary School District*

**Claimant Contact**

3970 La Colina Road, Suite #14, Santa Barbara, CA 93110  
Phone: (805) 682-2564  
ahubbard@hopeschooldistrict.org

**Jason Jennings**, Director, *Maximus Consulting*  
Financial Services, 808 Moorefield Park Drive, Suite 205, Richmond, VA 23236  
Phone: (804) 323-3535  
SB90@maximus.com

**Angelo Joseph**, Supervisor, *State Controller's Office*  
Local Government Programs and Services Division, Bureau of Payments, 3301 C Street, Suite 740,  
Sacramento, CA 95816  
Phone: (916) 323-0706  
AJoseph@sco.ca.gov

**Doug Kimberly**, Superintendent, *Lake Elsinore Unified School District*  
545 Chaney Street, Lake Elsinore, CA 92530  
Phone: (951) 253-7000  
Doug.Kimberly@leusd.k12.ca.us

**Jennifer Kuhn**, Deputy, *Legislative Analyst's Office*  
925 L Street, Suite 1000, Sacramento, CA 95814  
Phone: (916) 319-8332  
Jennifer.kuhn@lao.ca.gov

**Lisa Kurokawa**, Bureau Chief for Audits, *State Controller's Office*  
Compliance Audits Bureau, 3301 C Street, Suite 700, Sacramento, CA 95816  
Phone: (916) 327-3138  
lkurokawa@sco.ca.gov

**Audin Leung**, Student Leader, *Free the Period California*  
1 Shield Ave, Pierce Co-op TB14, Davis, CA 95616  
Phone: (415) 318-9343  
freetheperiod.ca@gmail.com

**Kristin Lindgren-Bruzzone**, General Counsel, *California School Boards Association*  
3251 Beacon Boulevard, West Sacramento, CA 95691  
Phone: (916) 669-3243  
klindgren-bruzzone@csba.org

**Diego Lopez**, Consultant, *Senate Budget and Fiscal Review Committee*  
1020 N Street, Room 502, Sacramento, CA 95814  
Phone: (916) 651-4103  
Diego.Lopez@sen.ca.gov



**Everett Luc**, Accounting Administrator I, Specialist, *State Controller's Office*  
3301 C Street, Suite 740, Sacramento, CA 95816  
Phone: (916) 323-0766  
ELuc@sco.ca.gov

**Jill Magee**, Program Analyst, *Commission on State Mandates*  
980 9th Street, Suite 300, Sacramento, CA 95814  
Phone: (916) 323-3562  
Jill.Magee@csm.ca.gov

**Christine Mallery**, CBO Associate Superintendent, *Fremont Union High School District*  
589 W. Fremont Avenue, PO Box F, Sunnyvale, CA 94087  
Phone: (408) 522-2200  
christine\_mallery@fuhisd.org

**Darryl Mar**, Manager, *State Controller's Office*  
3301 C Street, Suite 740, Sacramento, CA 95816  
Phone: (916) 323-0706  
DMar@sco.ca.gov

**Tina McKendell**, *County of Los Angeles*  
Auditor-Controller's Office, 500 West Temple Street, Room 603, Los Angeles, CA 90012  
Phone: (213) 974-0324  
tmckendell@auditor.lacounty.gov

**Michelle Mendoza**, *MAXIMUS*  
17310 Red Hill Avenue, Suite 340, Irvine, CA 95403  
Phone: (949) 440-0845  
michellemendoza@maximus.com

**Paige Moore**, Business Manager, *Nevada City School District*  
800 Hoover LN, Nevada City, CA 95959  
Phone: (530) 265-1823  
pmoore@ncsd.k12.ca.us

**Kimberley Morris Rosen**, Trustee, *Portola Valley School District*  
4575 Alpine Road, Portola Valley, CA 94028  
Phone: (650) 851-1777  
pvsdboard@pvsd.net

**Marilyn Munoz**, Senior Staff Counsel, *Department of Finance*  
915 L Street, Sacramento, CA 95814  
Phone: (916) 445-8918  
Marilyn.Munoz@dof.ca.gov

**Kris Munro**, Superintendent, *Santa Cruz City Schools District*  
133 Mission St, Santa Cruz., CA 95060  
Phone: (831) 429-3410  
superintendent@sccs.net

**Melissa Ng**, Staff Finance Budget Analyst, *Department of Finance*  
Education, 915 L Street, 7th Floor, Sacramento, CA 95814  
Phone: (916) 445-0328  
Melissa.Ng@dof.ca.gov

**Connie Ngo**, Chief Business Official, *Portola Valley School District*  
4575 Alpine Road, Portola Valley, CA 94028

Phone: (650) 851-1777  
engo@pvdsd.net

**Michelle Nguyen**, *Department of Finance*  
Education Unit, 915 L Street, Sacramento, CA 95814  
Phone: (916) 445-0328  
Michelle.Nguyen@dof.ca.gov

**Andy Nichols**, *Nichols Consulting*  
1857 44th Street, Sacramento, CA 95819  
Phone: (916) 455-3939  
andy@nichols-consulting.com

**Arthur Palkowitz**, *Law Offices of Arthur M. Palkowitz*  
**Claimant Representative**  
12807 Calle de la Siena, San Diego, CA 92130  
Phone: (858) 259-1055  
law@artpalk.onmicrosoft.com

**Kirsten Pangilinan**, *Specialist, State Controller's Office*  
Local Reimbursements Section, 3301 C Street, Suite 740, Sacramento, CA 95816  
Phone: (916) 322-2446  
KPangilinan@sco.ca.gov

**Roberta Raper**, *Director of Finance, City of West Sacramento*  
1110 West Capitol Ave, West Sacramento, CA 95691  
Phone: (916) 617-4509  
robertar@cityofwestsacramento.org

**Seth Reddy**, *San Jose Unified School District*  
855 Lenzen Avenue, San Jose, CA 95126  
Phone: (408) 535-6000  
sreddy@sjusd.org

**Sandra Reynolds**, *President, Reynolds Consulting Group, Inc.*  
P.O. Box 891359, Temecula, CA 92589-1359  
Phone: (888) 202-9442  
rcginc19@gmail.com

**Cindy Sconce**, *Director, MGT*  
Performance Solutions Group, 3600 American River Drive, Suite 150, Sacramento, CA 95864  
Phone: (916) 276-8807  
csconce@mgtconsulting.com

**Rena Seifts**, *Associate Superintendent, Sonoma Valley Unified School District*  
17850 Railroad Avenue, Sonoma, CA 95476  
Phone: (707) 935-4246  
rseifts@sonomaschools.org

**Camille Shelton**, *Chief Legal Counsel, Commission on State Mandates*  
980 9th Street, Suite 300, Sacramento, CA 95814  
Phone: (916) 323-3562  
camille.shelton@csm.ca.gov

**Carla Shelton**, *Commission on State Mandates*  
980 9th Street, Suite 300, Sacramento, CA 95814  
Phone: (916) 323-3562  
carla.shelton@csm.ca.gov

**Steve Shields, Shields Consulting Group, Inc.**

1536 36th Street, Sacramento, CA 95816

Phone: (916) 454-7310

steve@shieldscg.com

**Natalie Sidarous, Chief, State Controller's Office**

Local Government Programs and Services Division, 3301 C Street, Suite 740, Sacramento, CA 95816

Phone: 916-445-8717

NSidarous@sco.ca.gov

**Amy Tang-Paterno, Educational Fiscal Services Consultant, California Department of Education**

Government Affairs, 1430 N Street, Suite 5602, Sacramento, CA 95814

Phone: (916) 322-6630

ATangPaterno@cde.ca.gov

**Sarah Tellez, Assistant Superintendent of Educational Services, Los Gatos Union School District**

17010 Roberts Road, Los Gatos, CA 95032

Phone: (408) 335-2000

stellez@lgusd.org

**Jolene Tollenaar, MGT Consulting Group**

2251 Harvard Street, Suite 134, Sacramento, CA 95815

Phone: (916) 243-8913

jolenetollenaar@gmail.com

**Brian Uhler, Principal Fiscal & Policy Analyst, Legislative Analyst's Office**

925 L Street, Suite 1000, Sacramento, CA 95814

Phone: (916) 319-8328

Brian.Uhler@LAO.CA.GOV

**Bree Valla, Superintendent-Principal, Vista Del Mar Union School District**

Vista de las Cruces School, 9467 San Julian Rd., Gaviota, CA 93117

Phone: (805) 686-1880

bvalla@vdmusd.org

**Chris Vanden Heuvel, Superintendent, Healdsburg Unified School District**

1028 Prince Street, Healdsburg, CA 95448

Phone: (707) 431-3488

cvandenheuvel@husd.com

**Kay Vang, Chief Business Official, St. Helena Unified School District**

465 Main Street, St. Helena, CA 94575

Phone: (707) 967-2708

kvang@sthelenaunified.org

**Adam Whelen, Director of Public Works, City of Anderson**

1887 Howard St., Anderson, CA 96007

Phone: (530) 378-6640

awhelen@ci.anderson.ca.us

**Colleen Winchester, Senior Deputy City Attorney, City of San Jose**

200 East Santa Clara Street, 16th Floor, San Jose, CA 95113

Phone: (408) 535-1987

Colleen.Winchester@sanjoseca.gov

**Jacqueline Wong-Hernandez, Deputy Executive Director for Legislative Affairs, California State Association of Counties (CSAC)**

1100 K Street, Sacramento, CA 95814  
Phone: (916) 650-8104  
jwong-hernandez@counties.org

**Elisa Wynne**, Staff Director, *Senate Budget & Fiscal Review Committee*  
California State Senate, State Capitol Room 5019, Sacramento, CA 95814  
Phone: (916) 651-4103  
elisa.wynne@sen.ca.gov

**Bruce Yonehiro**, Chief Counsel, *California Department of Education*  
1430 N Street, Sacramento, CA 95814-5901  
Phone: (916) 319-0860  
BYonehiro@cde.ca.gov

**Roberta Zarea**, Superintendent, *Portola Valley School District*  
4575 Alpine Road, Portola Valley, CA 94028  
Phone: (650) 851-1777  
rzarea@pvsd.net

**Helmholt Zinser-Watkins**, Associate Governmental Program Analyst, *State Controller's Office*  
Local Government Programs and Services Division, Bureau of Payments, 3301 C Street, Suite 700,  
Sacramento, CA 95816  
Phone: (916) 324-7876  
HZinser-watkins@sco.ca.gov