

**COMMISSION ON STATE MANDATES**

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September 14, 2012

Ms. Ana J. Matosantos, Director  
Department of Finance  
State Capitol  
Sacramento, CA 95814

Re: Commission on State Mandates: Report to the Director of Finance  
Statutes 2009, Chapter 1  
Item 8885-001-0001, Schedule 1, Provision 2

Dear Ms. Matosantos:

Enclosed is the Commission on State Mandates' annual Report to the Director of Finance on Workload Levels, as required by Provision 2 of Item 8885-001-0001 of Statutes 2009, chapter 1. This provision requires the Commission "on or before September 15, 2009, and annually thereafter, to submit to the Director of Finance a report identifying the workload levels and any backlog for the staff of the commission."

Sincerely,

A handwritten signature in cursive script, appearing to read "Heather Halsey".

Heather Halsey  
Executive Director

Edmund G. Brown Jr.  
Governor



# STATE OF CALIFORNIA COMMISSION ON STATE MANDATES

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## REPORT TO THE DIRECTOR, DEPARTMENT OF FINANCE: WORKLOAD LEVELS AND BACKLOG

September 15, 2012

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**COMMISSION ON STATE MANDATES**  
**2012 WORKLOAD LEVELS AND CONSIDERATIONS**  
**REPORT TO THE DIRECTOR, DEPARTMENT OF FINANCE**

The 2012 Budget Act requires the Commission on State Mandates (Commission) to report to the Director, Department of Finance on workload levels and backlog. Specifically, it states:<sup>1</sup>

The Commission on State Mandates shall, on or before September 15, 2012, and annually thereafter, submit to the Director of Finance a report identifying the workload levels and any backlog for the staff of the Commission.

This report to the Director of the Department of Finance satisfies this requirement.

**BACKGROUND**

**Commission on State Mandates**

Article XIII B, section 6 of the California Constitution requires the state to provide a subvention of funds to reimburse local government for the costs of new programs or increased levels of service mandated by the state. Because the State Board of Control had failed to “adequately and consistently resolve complex legal questions involved in the determination of state-mandated costs” the Legislature created the Commission to succeed the in making determinations on whether new statutes or executive orders are state-mandated programs within the meaning of article XIII B, section 6.<sup>2</sup> Specifically, the Commission was established to “relieve unnecessary congestion of the judicial system . . .” and render sound quasi-judicial decisions and to provide an effective means of resolving disputes over the existence of state-mandated local programs.<sup>3</sup> The Commission’s process provides the sole and exclusive procedure for local agencies and school districts (claimants) to claim reimbursement for costs mandated by the state as required by article XIII B, section 6 of the California Constitution.<sup>4</sup> The Commission is required to hear and decide claims filed by local agencies and school districts that they are entitled to be reimbursed by the state for costs mandated by the state.<sup>5</sup>

State law requires the Commission to adopt procedures to ensure that a statewide cost estimate (SCE) is adopted within 12 to 18 months after receipt of a test claim, when the Commission determines that a reimbursable mandate exists.<sup>6</sup> Prior to adopting a SCE for a mandated program, the Commission must first hear and decide the test claim and parameters and guidelines (Ps&Gs). Therefore, the test claim decision, Ps&Gs, and SCE are required by statute to be adopted within 12 to 18 months of a test claim filing. The Commission is also required to hear and decide claims by local agencies and school districts that the State Controller’s Office (SCO) has incorrectly reduced payments to them (incorrect reduction claims or IRCs)<sup>7</sup> and requests to

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<sup>1</sup> Statutes 2012, chapter 21, (AB 1464), Item 8885-001-0001, Provision 2.

<sup>2</sup> Statutes 1984, chapter 1459, Government Code section 17500, et seq.

<sup>3</sup> Government Code section 17500.

<sup>4</sup> Government Code section 17552.

<sup>5</sup> Government Code section 17551.

<sup>6</sup> Government Code section 17553(a).

<sup>7</sup> Government Code section 17551.

amend Ps&Gs (PGAs)<sup>8</sup>. There is no statutory timeframe for completing IRCs or PGAs. However, an administrative agency is required to hold a hearing within a reasonable time when the statutes governing the process do not fix a time limit to conduct the hearing.<sup>9</sup>

## COMMISSION WORKLOAD CONSIDERATIONS

### Workload Completed in 2011-2012

In fiscal year 2011-2012, 16 test claims, 8 Ps&Gs, 8 PGAs, 6 SCEs, 35 IRCs and 1 request for review of claiming instructions were completed. As can be seen in Table A. below, per capita productivity has significantly improved despite reductions in staff hours and a lack of a permanent executive director for nearly five months of the fiscal year. This increased productivity can be attributed to a number of factors including: institution of the use of a single final staff analysis/proposed statement of decision document, electronic filing, electronic hearing binders; an intense push by staff to complete the remaining 2002-2003 test claims, a reduction in the use of vacation hours over this period; and, the Commission's strategic approach to resolution of IRCs.

### Position Authority

Like most other state agencies, during the ongoing budget crisis, Commission staffing levels have continued to decrease. In the 2001-2002 to 2003-2004 budget years, Commission staff was drastically reduced from a high of 17 positions to a low of 9.7 positions as a result of the energy crisis and budget crisis that followed. In 2002, AB 3000 imposed a statute of limitation for filing a test claim and provided a grandfather clause, allowing the filing of claims back to 1975 until September 30, 2003. Thus, a great number of large and complex test claims were filed without sufficient staff to analyze them resulting in a significant backlog of claims. In 2006, the Legislature provided the Commission with three limited-term positions to eliminate the backlog. Since those positions were very difficult to fill, they were made permanent in 2007. However, in 2008 and 2009, two positions were eliminated. Finally, for most of the time since 2008, Commission staff, like most state employees, has been subject to various furlough and personal leave programs. This has effectively reduced staff hours by an additional five to fifteen percent over the past four years.<sup>10</sup>

According to the Bureau of State Audits (BSA): "despite the State's budget issues, cutting staff who determine state mandates has been shortsighted. Specifically, such actions over the last few years have contributed to delays related to stalled test claims that allow the buildup of millions of dollars of potential claims that the State is constitutionally required to reimburse."<sup>11</sup> Currently, the Commission has 10.5 positions. Table A. shows completed workload and position authority for the past eleven fiscal years.

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<sup>8</sup> Government Code section 17557.

<sup>9</sup> *Horner v. Board of Trustees of Excelsior Union High School District of Los Angeles* (1964) 61 Cal.2d 79, 86.

<sup>10</sup> Note that Bargaining Unit 2 (attorneys) was furloughed for three days per month for about five months longer than most other employees. The attorneys perform all of the test claim analyses and most of the analyses of Ps&Gs and IRCs. For most months since the furloughs, all employees have been subject to a one day per month paid leave program.

<sup>11</sup> California State Auditor Report 2009-501, p. 22.

**Table A. Commission Decision Making and Position Authority 2001-2002 to 2011-2012<sup>12</sup>**

|   | 2001-2002        | 2002-2003        | 2003-2004 | 2004-2005 | 2005-2006 | 2006-2007 | 2007-2008          | 2008-2009          | 2009-2010 | 2010-2011          | 2011-2012          |
|---|------------------|------------------|-----------|-----------|-----------|-----------|--------------------|--------------------|-----------|--------------------|--------------------|
| Test Claims Determined  | 16               | 19               | 22        | 17        | 6         | 30        | 16                 | 18                 | 18        | 11                 | 16                 |
| Test Claims Reconsidered <sup>13</sup>                        | 0                | 0                | 0         | 5         | 9         | 1         | 2                  | 0                  | 0         | 0                  | 0                  |
| Parameters and Guidelines and Amendments Adopted or Set Aside | 16               | 7                | 20        | 6         | 43        | 24        | 11                 | 11                 | 62        | 8                  | 16                 |
| Statewide Cost Estimates                                      | 10               | 10               | 3         | 14        | 2         | 7         | 3                  | 11                 | 5         | 6                  | 6                  |
| Requests to Review SCO's Claiming Instructions                | 0                | 0                | 0         | 0         | 0         | 0         | 0                  | 1                  | 0         | 0                  | 1                  |
| Incorrect Reduction Claims                                    | 3                | 70               | 10        | 0         | 0         | 0         | 5                  | 0                  | 1         | 15                 | 35 <sup>14</sup>   |
| Positions   | 17 <sup>15</sup> | 15 <sup>16</sup> | 9.7       | 9.7       | 13.6      | 13.6      | 12.0 <sup>17</sup> | 12.0 <sup>18</sup> | 11.0      | 10.5 <sup>19</sup> | 10.5 <sup>20</sup> |

<sup>12</sup> This table does not reflect work completed litigation, regulations, and special projects. Also it does not reflect the one IRC that has been withdrawn in the 2012-2013 fiscal year.

<sup>13</sup> Directed by the Legislature.

<sup>14</sup> The Commission decided 11 IRCs and 24 were resolved and withdrawn by the claimant.

<sup>15</sup> The chief legal counsel position was vacant for four months.

<sup>16</sup> Includes a staff counsel III position that was authorized beginning in 2002-03 but never filled due to hiring freeze and then budget reductions.

<sup>17</sup> Positions were reduced from 13.6 to 12 by eliminating one staff counsel position and temporary help funding in the 2008-09 State Budget.

<sup>18</sup> Includes one staff counsel position that was left vacant during fiscal year 2008-2009 to reduce General Fund operations budgets by 1.5 percent, as ordered by Governor's Executive Order S-01-08. This position was eliminated as part of the 2009-2010 State Budget.

<sup>19</sup> During most of the 2010-2011 fiscal year Commission staff was furloughed three days per month, resulting in an effective 15% reduction in staff hours for that year.

<sup>20</sup> For nearly five months of the 2011-2012 fiscal year, the assistant executive director served as interim executive director and the executive director position was vacant. In addition, one of the staff counsel III positions was vacant for nearly three months because it was vacated by the current executive director. All staff was furloughed for a portion of the fiscal year and on the personal leave program for all or most of the remainder of the fiscal year.

## Pending Caseload

The Commission’s caseload consists of: test claims; IRCs; Ps&Gs and PGAs, which may include a RRM pursuant to Government Code sections 17557 or 17557.1; SCEs; and, requests to review claiming instructions. Caseload may also consist of regulatory actions, litigation, inquires from state agencies and joint proposals for legislatively-determined mandates. To address the backlog in Table B., Commission staff annually publishes its *Backlog Reduction Plan*.

**Table B. Pending Caseload, September 15, 2012**

| Type of Action   | Number Pending        |
|--|-----------------------|
| Test Claims <sup>21</sup>  | 36                    |
| Test Claims to be Reconsidered   | 0                     |
| Test Claims to be Reconsidered or Reinstated Based on Court Action                       | 0                     |
| Incorrect Reduction Claims <sup>22</sup>   | 121                   |
| Incorrect Reduction Claims to be Reconsidered Based on Court Action                      | 0                     |
| Joint Reasonable Reimbursement Methodologies/Statewide Estimate of Costs                 | 0                     |
| Proposed Parameters and Guidelines <sup>23</sup>   | 11                    |
| Proposed Parameters and Guidelines Amendments <sup>24</sup>                              | 12                    |
| Ps&Gs to be Amended, Set Aside, or Reinstated, Directed by the Legislature or the Courts | 0                     |
| Statewide Cost Estimates <sup>25</sup>   | 9                     |
| New Test Claim Filings to be Reviewed  | 0                     |
| New Incorrect Reduction Claim Filings to be Reviewed                                     | 0                     |
| Appeals of Executive Director Decisions  | 0                     |
| Regulatory Actions Pending   | 0                     |
| Litigation Matters Pending   | 4                     |
| Responding to inquires from the BSA and other state agencies                             | Ongoing <sup>26</sup> |
| Notice of Intent to Pursue Legislatively Determined Mandates                             | 0                     |

<sup>21</sup> This includes 15 test claims filed by school districts and 21 filed by local agencies. See Exhibit A.

<sup>22</sup> See Exhibit B.

<sup>23</sup> See Exhibit C.

<sup>24</sup> See Exhibit D.

<sup>25</sup> See Exhibit E.

<sup>26</sup> We regularly respond to inquires from the LAO regarding mandates. Though the BSA is not currently auditing us, we are still considered out of compliance with the BSA’s recommendation that we work with Finance to secure additional staff to eliminate the backlog. The BSA will continue to include the Commission in its annual report on “Recommendations Not Fully Implemented After One Year” until the backlog is eliminated or additional staff is secured.

## Test Claims

The Commission's test claim caseload is backlogged. There are 36 test claims pending completion. Table C. shows the pending test claim filings by fiscal year and claimant type.

**Table C. Pending Test Claims  
By Fiscal Year of Filing and Claimant Type**

| <b>Filing Date by<br/>Fiscal Year</b> | <b>Total<br/>Claims Filed<sup>27</sup></b> | <b>Pending<br/>School District<br/>Test Claims (K-14)</b> | <b>Pending<br/>Local Agency<br/>Test Claims</b> | <b>Total<br/>Pending<br/>Test Claims</b> |
|---------------------------------------|--|---|---|--|
| 2003-2004                             | 23   | 4   | 1   | 5  |
| 2004-2005                             | 4  | 0   | 0   | 0  |
| 2005-2006                             | 6  | 3   | 1   | 4  |
| 2006-2007                             | 2  | 0   | 1   | 1  |
| 2007-2008                             | 12   | 2   | 2   | 4  |
| 2008-2009                             | 6  | 3   | 2   | 5  |
| 2009-2010                             | 3  | 0   | 2   | 2*                                       |
| 2010-2011                             | 12   | 2   | 10  | 12*                                      |
| 2011-2012                             | 3  | 1   | 2   | 3*                                       |
| <b>Totals</b>                         |  | <b>15</b>   | <b>21</b>                                       | <b>36</b>                                |

\* Ten of the pending test claims filed between 2009 and 2012 are claims regarding stormwater National Pollutant Discharge Elimination System (NPDES) permits, some of which have been placed on inactive status by the claimants until pending litigation is complete. Those which have not been placed on inactive status or otherwise postponed by the parties will be taken up after all of the pre-2009 test claims, Ps&Gs and SCEs are completed.

The following factors contribute to the backlog and are evaluated by staff when assigning work and projecting workload completion:

### *1. Number of Filings*

Prior to 2002, test claim filings averaged approximately 24 per year. In 2002, AB 3000 was passed which imposed a statute of limitations for the filing of test claims. Specifically, it allowed the filing of test claims going back three years from the effective date of the statute or executive order,<sup>28</sup> and provided a one-year grandfather clause (to September 30, 2003) to file test claims on statutes and executive orders going back to 1975, resulting in 51 new test claims filed in fiscal year 2002-03 and 23 test claims filed in 2003-2004. Five of these 2003 claims, which alleged statutes and regulations going back to 1975, are still pending. However, test claim filings are decreasing. Some say the reason for this is the short statute of limitations (now twelve months from the effective date of the statute or executive order or from first incurring costs), others say that it is because of frustration at the time and effort required to process a test claim. Whatever the reason, between 2004 and 2012, only 46 new test claims were filed for those years combined.

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<sup>27</sup> All test claims filed prior to 2003-2004 are complete; however, there are still outstanding Ps&Gs and SCEs pending for some of those test claims.

<sup>28</sup> Note that the definition of executive order includes regulations.



However, other caseload has increased. For example, many PGAs, including PGAs with proposed RRM pursuant to 17557 have been filed in this time frame. For RRM pursuant to Government Code section 17557, the Commission is required to make additional factual determinations, based on substantial evidence in the record, that the proposed formula or unit cost fairly represents the costs mandated by the state for all eligible claimants in the state. The proposed RRM must be based on cost information from a representative sample of eligible claimants, information provided by associations of local agencies and school districts, or other projections of local costs; and shall consider the variation in costs among local agencies and school districts to implement the mandate in a cost-efficient manner. If these findings are made and an RRM is adopted by the Commission in the Ps&Gs, then the claiming is based on the adopted formula or unit cost, in lieu of requiring detailed documentation of actual costs incurred. The adoption of an RRM pursuant to Government Code sections 17557 or 17518.1 streamlines the claiming process and reduces or eliminates auditing issues on reimbursement claims filed with the Controller and was proposed by the Legislative Analyst's Office for that reason. However, the process of adopting an RRM pursuant to Government Code 17557 increases the responsibility of the Commission when adopting or amending Ps&Gs, by requiring the additional factual finding that the proposal reasonably represents the mandated costs incurred by all eligible claimants in the state pursuant to article XIII B, section 6 of the California Constitution. Analyzing such proposals requires significant staff time, in some instances longer than the time required for a test claim analysis. There are currently eight proposed RRM in PGAs pending before the Commission. To date no joint RRM have been approved and the Commission has adopted two proposed RRM in Ps&Gs and has denied one proposal based on a lack of evidence. Additionally, Commission staff has been informed by claimant representatives that, due to recent SCO audits, there are numerous IRCs that will be filed in the near future.

## *2. Number and Level of Positions*

The Commission's position authority has decreased over the past several fiscal years. This continual decrease in position authority is one of the major factors that has caused the backlog in the Commission's caseload. The number of test claims completed is based on the number of positions we have for a particular fiscal year, but also on the level of those positions. We have one staff counsel and two staff counsel III positions. All attorney positions complete test claims. However, a staff counsel III is expected to handle the most complex test claims with minimal supervision. A staff counsel III may also handle other workload, including litigation, which could reduce the time available to complete test claims.

## *3. Size and Complexity of Each Test Claim*

Test claims are often thought to be filed on one individual statute. This is not correct, especially when evaluating the backlog. Test claims are filed on numerous statutes, regulations, and executive orders. For example, the 74 test claims filed in 2002 and 2003 allege that nearly 500 statutes, and 400 regulatory sections and executive orders are mandated programs. By law, each statute, regulation, and executive order pled requires a finding by the Commission.

Likewise, test claims can raise complex issues of law and fact such as claims that may involve federal law or programs involving complex areas of law or complex funding issues. Some test claims filed after 2003 are relatively simple, pleading only a few statutes. However, others, such as the 10 pending NPDES stormwater test claims, raise complex issues of fact and law.

## *4. Delays Caused by Litigation and Requests for Extensions or Postponements*

Commission decisions on test claims are sometimes litigated. When that occurs, Commission proceedings on Ps&Gs and SCEs are stayed. This can result in a delay of several years. Additionally, handling litigation on one matter takes away staff time from other pending matters.

Likewise, the parties and interested parties often request numerous extensions of time to comment and postponements of hearings on items. The handling of these requests also takes away staff time from the processing of other matters before the Commission. Moreover, hearing postponements, by definition, delay the completion of matters before the Commission.

5. *Other Pending Work*

Litigation, Ps&Gs, PGAs that include complex RRM requests pursuant to 17557, IRCs, and past requests to reconsider existing test claims, have contributed to the delay in eliminating the test claim backlog.

6. *Potential Work*

On October 15, 2009 the BSA published a report that was critical of the Commission’s backlog (<http://www.bsa.ca.gov/pdfs/reports/2009-501.pdf>). It recommended that the Legislature establish a reconsideration process to allow mandate decision to be redetermined by the Commission, when appropriate. In 2010, SB 894 was enacted to implement this process. Since its enactment no requests for redetermination have been filed. However, this new process represents a potential increase in the Commission’s workload.

7. *Number of Commission Meetings*

We also factor in how many meetings will be conducted for a particular fiscal year. The Commission is required by statute to conduct at least six public meetings per year, and we tentatively schedule two additional meetings each year. Preparation for each Commission meeting consumes a significant amount of staff time, regardless of the number of items set for hearing. Though it may seem counterintuitive, if the Commission has fewer meetings, it can focus more staff time on completing items, thus completing more items in less time.

Incorrect Reduction Claims (IRCs)

The IRC workload is also backlogged. There are currently 121 IRCs pending before the Commission that allege a total of \$65,175,896 in reductions to mandate reimbursement claims. Table D. shows the pending IRC caseload by fiscal year and claimant type.

**Table D. Pending Incorrect Reduction Claims  
By Fiscal Year of Filing and Claimant Type**

| Filing Date by Fiscal Year | Total New Filings <sup>29</sup> | Pending School District Claims | Pending Local Agency Claims | Total Pending Claims |
|----------------------------|---------------------------------|--------------------------------|-----------------------------|----------------------|
| 2002-2003                  | 74                              | 0                              | 54                          | 54                   |
| 2003-2004                  | 7                               | 0                              | 0                           | 0                    |
| 2004-2005                  | 5                               | 2                              | 1                           | 3                    |
| 2005-2006                  | 30                              | 20                             | 1                           | 21                   |
| 2006-2007                  | 2                               | 1                              | 1                           | 2                    |
| 2007-2008                  | 28                              | 6                              | 3                           | 9                    |
| 2008-2009                  | 9                               | 8                              | 1                           | 9                    |
| 2009-2010                  | 17                              | 7                              | 1                           | 8                    |
| 2010-2011                  | 13                              | 11                             | 2                           | 13                   |
| 2011-2012                  | 3                               | 1                              | 2                           | 3                    |
| 2012-2013                  | 0                               | 0                              | 0                           | 0                    |
| <b>Totals</b>              | <b>188</b>                      | <b>55</b>                      | <b>66</b>                   | <b>121</b>           |

IRCs are filed with the Commission based on actions taken by the State Controller’s Office. Unlike test claims, where one claimant represents all potential claimants statewide, individual

<sup>29</sup> All incorrect reduction claims filed prior to 2002-2003 are complete.

claimants file IRCs with the Commission on individual reimbursement claims filed by the claimant.<sup>30</sup> Though the Commission may combine IRCs on the same program and similar issues for purposes of analysis, oftentimes IRCs do not lend themselves to consolidation because issues unique to each claim must be addressed.

The process for resolving IRCs can be complex, and differs with each claim. For some claims, once the claimant files an IRC, an informal conference is conducted where Commission staff mediates the issues in dispute between the claimant and the SCO. If the issues are resolved in the informal conference, the IRC is settled. When the issues cannot be resolved, attorney and analytical staff prepare a detailed analysis of the legal and fiscal issues, the Commission approves or denies the IRC, and a statement of decision is prepared. Whether or not the issues are resolved at the informal conference, staff must spend time to prepare and review the record (including the original test claim record, parameters and guidelines, and claiming instructions) review detailed reimbursement claims, and determine the legal and fiscal issues. This process can be lengthy, particularly in cases where numerous IRCs are filed on one program. For example, for the *Graduation Requirements* program, the Commission adopted statements of decision on 11 IRCs in 12 months.

There are currently IRCs filed on 22 state-mandated programs. Table E. shows the programs listed by type of claimant and the dollar amounts per program.

**Table E. Pending IRCs and Amount of Alleged Reductions by Program**

|     | <b>Program</b>  | <b>Number of IRCs Filed</b>   | <b>Amount of Alleged Reductions</b> |
|-----|---|-------------------------------|-------------------------------------|
|     |   | <b>Local Agency Claims</b>    |                                     |
| 1.  | <i>Absentee Ballots</i>   | 1                             | \$19,284                            |
| 2.  | <i>Animal Adoption</i>  | 1                             | \$1,339,152                         |
| 3.  | <i>Child Abduction and Recovery</i>   | 1                             | \$1,268,210                         |
| 4.  | <i>Domestic Violence Treatment Services</i>   | 1                             | \$748,675                           |
| 5.  | <i>Firefighters' Cancer Presumption</i>   | 1                             | \$516,132                           |
| 6.  | <i>Handicapped and Disabled Students</i>  | 1                             | \$3,232,423                         |
| 7.  | <i>Investment Reports</i>   | 54                            | \$1,703,164                         |
| 8.  | <i>Open Meetings Act</i>  | 1                             | \$4,653,917                         |
| 9.  | <i>Peace Officers Bill of Rights</i>  | 1                             | \$526,802                           |
| 10. | <i>Seriously Emotionally Disturbed Pupils (SEDS): Out-of-State Mental Health Services</i> | 2                             | \$4,953,214                         |
| 11. | <i>Sexually Violent Predators</i>   | 2                             | \$373,643                           |
|     | <b><i>Subtotal</i></b>  | <b>66</b>                     | <b>\$19,334,616</b>                 |
|     |   | <b>School District Claims</b> |                                     |
| 12. | <i>Emergency Procedures, Earthquake &amp;</i>   | 2                             | \$1,941,572                         |

<sup>30</sup> California has 58 counties so county claims are limited to 58 potential IRCs per program, per year. However, mandates involving cities, school districts, and special districts create thousands of potential IRCs.

|     |  |  |                     |
|-----|--|--|---------------------|
|     | <i>Disasters</i>   |  |                     |
| 13. | <i>Graduation Requirements</i>   | 2  | \$16,106,950        |
| 14. | <i>Interdistrict Attendance Permits</i>                                    | 2  | \$24,556            |
| 15. | <i>National Norm-Referenced Achievement Test (NNRAT)</i>                   | 1  | \$160,120           |
| 16. | <i>Notification of Truancy</i>   | 10                                       | \$3,246,985         |
| 17. | <i>Notification to Teachers: Pupils Subject to Suspension or Expulsion</i> | 1  | \$354,046           |
| 18. | <i>School District of Choice: Transfer and Appeals</i>                     | 1  | \$25,081            |
| 19. | <i>Standardized Testing and Reporting (STAR)</i>                           | 1  | \$1,446,786         |
|     | <b>Subtotal</b>  | <b>20</b>                                | <b>\$23,306,096</b> |
|     |  |  |                     |
|     |  | <b>Community College District Claims</b> |                     |
| 20. | <i>Collective Bargaining</i>   | 7  | \$2,119,937         |
| 21. | <i>Health Fee Elimination</i>  | 27                                       | \$20,405,243        |
| 22. | <i>Mandate Reimbursement Process</i>                                       | 1  | \$10,004            |
|     | <b>Subtotal</b>  | <b>35</b>                                | <b>\$22,535,184</b> |
|     | <b>TOTAL</b>   | <b>121</b>                               | <b>\$65,175,896</b> |

### The Role of the State Controller's Office

The filing of an IRC is an appeal of a SCO decision. The SCO is authorized, by desk review or field audit, to reduce reimbursement claims that it deems excessive or unreasonable. The claimant is then authorized to appeal any reduction by filing an IRC with the Commission. Fifty-four of the pending IRCs are on the *Investment Reports* program. These reductions, along with many of the reductions to other programs, were based on desk reviews of claims. To date, 18 IRCs on the *Investment Reports* program have been resolved, and Commission staff has worked with SCO staff and claimant representatives to develop a work plan to address the remaining claims. Fifty-two of the pending IRCs on other programs are on claims that were reduced based on a field audit that resulted in a published audit report.

### Completing the Pending Incorrect Reduction Claims Caseload

The same factors that contribute to the test claim backlog also contribute to the IRC backlog, including the number of filings, number and level of positions, number of Commission meetings, and other pending work. Additionally, unlike other pending matters including test claims, Ps&Gs and SCEs, there is no statutory deadline for completing IRCs. Therefore, IRCs have lower priority when setting matters for hearing, though the Commission makes every effort to hear all matters filed within a reasonable time.

Despite our decreasing position authority and other pending work, Commission staff is working to eliminate the pending IRCs by encouraging the informal resolution of these claims. Though this process may take significantly longer than anticipated in the Commission's 2011 Backlog Reduction Plan, we are making positive strides towards resolving these claims and will continue to do so. Specifically, staff has been focusing on the completion of IRCs with cross cutting issues and is actively encouraging and facilitating meetings between the claimants and the SCO

to resolve the remaining claims. The Commission decided one IRC in 2009-2010, one IRC in 2010-2011, and eleven in 2011-2012. However, an additional 24 IRCs were informally resolved and withdrawn in 2011-2012 totaling 35 IRCs completed in that fiscal year, as a result of this strategic approach.

The Commission has many options in how to address IRCs. For example, it may be appropriate to consolidate IRCs filed by different claimants so that one analysis and statement of decision are adopted by the Commission. However, this only works if the issues are the same, and the Controller's auditors were consistent in making claim reductions, based on similar documentation, which is rare. It is also possible that once the Commission determines one IRC that other claims on the same program will be settled and withdrawn based on that decision. But, it may also be necessary for the Commission to adopt individual decisions on IRCs filed on the same program because documentation and the way reimbursement claims were filed may differ. Most IRCs involve issues of law and fact. Thus, the analysis of each IRC requires legal, analytical, and audit review.

### Caseload Projections

It is difficult to predict if a substantial number of IRCs will be filed in the future. In fact, as the number of mandated programs for which the state must reimburse local agencies and school districts grows, exposure to IRCs increases. On the other hand, if schools opt in to the new block grant established in the 2012 Budget Act, the number of IRCs filed may be reduced, since the block grant avoids the SCO's claiming process. In addition, the number of audits the SCO conducts on reimbursement claims directly affects the number of IRCs that may be filed.

Since auditor positions have been added to the Controller's staff, the number of audits of mandate reimbursement claims has increased. While the SCO does not have current numbers, claimants report that the audits have reduced 85 percent of costs claimed for reimbursement. An increase in claim reductions will result in more IRCs.

**Commission on State Mandates**  
**21 Pending Local Agency Test Claims**  
**August 27, 2012**

Exhibit A

|    | <b>TC #</b> | <b>FILED</b> | <b>DATE RECORD CLOSED<sup>1</sup></b> | <b>CLAIMANT</b>         | <b>NAME OF CLAIM</b>  | <b>TENTATIVE HEARING DATE</b> |
|----|-------------|--------------|---------------------------------------|-------------------------|---|-------------------------------|
| 1. | 03-TC-15    | 9/26/03      | 1/18/04                               | City of Kingsburg       | <b>Reserve Peace Officer Training</b> , Stats 1977, Ch 987; Stats 1979, Ch 987; Stats 1980, Chs 1301 and 1340; Stats 1982, Ch 79; Stats 1983, Ch 446; Stats 1984, Ch 761; Stats 1986, Ch 160; Stats 1988, Ch 1482; Stats 1989, Chs 594 and 1165; Stats 1990, Ch 1695; Stats 1991, Ch 509; Stats 1993, Chs 169 and 718; Stats 1994, Chs 117 and 676; Stats 1993-94 Extra Session, Ch 26; Stats 1995, Ch 54; Stats 1996, Ch 1142; Stats 1997, Ch 127; Stats 1998, Ch 190; Stats 1999, Ch 111; Stats 2000, Ch 287; and Stats 2001, Ch 473; and the Post Administrative Manual, Section B   | 9/28/2012                     |
| 2. | 05-TC-01    | 8/12/05      | 11/6/05                               | County of Los Angeles   | <b>Accounting for Local Revenue Realignment</b> , Health & Safety Code § 33681.1.2; Stats of 2004, Ch 211 (SB 1096) Stats 2004, Ch 610 (AB 2115); Health & Safety Code §§ 33681.13, 33681.14 (SB 1096); Health & Safety Code § 33681.15 (AB 2115); Revenue & Taxation Code §§ 96.81, 97.75, 97.76, 97.77 (SB 1096); Revenue & Taxation Code §§ 97.31, 98.02, (SB 1096); Revenue & Taxation Code § 97.68 Stats of 2003, Ch 162 (AB 1766) (SB 1096); Revenue & Taxation Code §§ 97.70, 97.71, 97.72, 97.73 (SB 1096) and AB 2115)   | 3/22/2013                     |
| 3. | 06-TC-02    | 10/13/06     | 12/30/06                              | County of Santa Barbara | <b>County Formation Cost Recovery</b> , Government Code §§ 23300-23397; Stats 1974, Ch 1392, section 3; Press Release from Governor Schwarzenegger, appointing members of the Mission County Formation Review Commission (May 10, 2004)   | 1/25/2013                     |
| 4. | 07-TC-05    | 12/13/07     | 2/22/08                               | County of Los Angeles   | <b>Public Guardianship Omnibus Conservatorship Reform</b> , Probate Code Sections 1850, Subdivision (a); 1851, Subdivision (a); 2113; 2250, Subdivisions (a), (b), (c); 2250.4; Subdivisions (a)-(d); 2352, Subdivisions (a)-(f); 2410; 2540, Subdivisions (a)-(b); 2543, Subdivisions (a)-(d); 2610, Subdivision (a); 2620, Subdivisions (a)-(e); 2620.2; Subdivisions (a)-(d); 2590; 2591, Subdivisions (a)-(q); 2591.5, Subdivisions (a)-(d); 2623, Subdivisions (a)-(b); 2640, Subdivisions (a)-(c); 2640.1, Subdivisions (a)-(c); 2641, Subdivisions (a)-(b); 2653, Subdivisions (a)-(c); 2920, Subdivisions (a)-(c); 2923; Statutes 2006; Chapter 490 (SB 1116); Statutes 2006, Chapter 492 (SB 1716); Statutes 2006, Chapter 493 (AB 1363) | 3/22/2013                     |

<sup>1</sup> This is the date that all comments have been submitted or parties have indicated they will not file comments, and the claim is ready for staff analysis.

**Commission on State Mandates**  
**21 Pending Local Agency Test Claims**  
 August 27, 2012

Exhibit A

|    | <b>TC #</b> | <b>FILED</b> | <b>DATE RECORD CLOSED<sup>2</sup></b> | <b>CLAIMANT</b>       | <b>NAME OF CLAIM</b>  | <b>TENTATIVE HEARING DATE</b> |
|----|-------------|--------------|---------------------------------------|-----------------------|---|-------------------------------|
| 5. | 07-TC-12    | 6/30/08      | 8/22/09                               | County of Orange      | <i>General Health Care Services for Inmates</i> , Penal Code, Section 4011.10, Statutes 2005, Chapter 481 (SB 159). Statutes 2006, Chapter 303 (SB 896)   | 3/22/2013                     |
| 6. | 08-TC-03    | 1/28/09      | 6/2/09                                | County of Los Angeles | <i>State Authorized Risk of Assessment Tool for Sex Offenders (SARATSO)</i> ; Statutes of 2006, Chapter 337 (SB 1128) amending Sections 290, 290.3, 290.46, 1203, 1203c, 1203.6, 1203.075, to add Sections 290.03, 290.04, 290.05, 290.06, 290.07, 290.08, 1203e, 1203f; Statutes of 2006, Chapter 886 (SB 1849), amending Sections, 290.46, 1202.8 and to repeal Sections 290.04, 290.05 and 290.06 of the Penal Code; Statutes of 2006, Chapter 336 (SB 1178) amending Sections 1202.8 and add Sections 290.04, 290.05 and 290.06 of the Penal Code; Statutes of 2007, Chapter 579 (SB 172) amending Sections 290.04, 290.05, 290.03 adding Sections 290.011, 290.012 and to repeal and add Section 290 to the Penal Code, relating to Sex Offenders and California Department of Mental Health's Executive Order, SARATSO (State Authorized Risk Assessment Tool for Sex Offenders) Review Committee Notification, issued February 1, 2008 | 5/24/2013                     |
| 7. | 08-TC-04    | 1/29/09      | 9/12/09                               | County of Alameda     | <i>Medi-Cal Eligibility of Juvenile Offenders</i> ; Welfare and Institutions Code section 14029.5, Statutes 2006, Chapter 657 (SB 1469)   | 5/24/2013                     |

<sup>2</sup> This is the date that all comments have been submitted or parties have indicated they will not file comments, and the claim is ready for staff analysis.

**Commission on State Mandates**  
**21 Pending Local Agency Test Claims**  
 August 27, 2012

Exhibit A

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|----|-------------|--------------|---------------------------------------|-----------------------|--|-------------------------------|
| 8. | 09-TC-02    | 6/30/10      | 9/15/10                               | County of Los Angeles | <i>Sheriff Court-Security Services</i> ; Government Code Section 69926 as amended by Statutes 2009, Chapter 22 (SB 13) and as added by Statutes 2002, Chapter 1010 (SB 1396); and Government Code Sections 69927(a)(6) as amended and renumbered by Statutes 2009, Chapter 22 (SB 13) and as added as 69927(a)(5) by Statutes 2002, Chapter 1010 (SB 1396); and Government Code Sections 69927(b) as amended by Statutes 2009, Chapter 22 (SB 13) and as added by Statutes 2002, Chapter 1010 (SB 1396); and Government Code Sections 69920, 69921, 69921.5, 69922, and 69925 added by Statutes 2002, Chapter 1010 (SB 1396); and, Government Code Section 77212.5 as added by Statutes 1998, Chapter 764 (AB 92) and repealed but replaced and modified by Statutes 2002, Chapter 1010 (SB 1396) under Government Code Section 69926; and, Rule 10.810 of the California Rules of Court Sections (a), (b), (c), (d) and Function 8 (Court Security). Rule 10.810 amended and renumbered effective January 1, 2007; adopted as Rule 810 effective July 1, 1988; previously amended effective July 1, 1989, July 1, 1990, July 1, 1991, and July 1, 1995. Subdivision (d) amended effective January 1, 2007 and previously amended and relettered effective July 1, 1995. Rule 10.810 identical to former Rule 810, except for the rule number. All references in statutes or rules to Rule 810 apply to this Rule. | 5/24/2013                     |

<sup>3</sup> This is the date that all comments have been submitted or parties have indicated they will not file comments, and the claim is ready for staff analysis.



**Commission on State Mandates**  
**21 Pending Local Agency Test Claims**  
 August 27, 2012

Exhibit A

|     | <b>TC #</b> | <b>FILED</b> | <b>DATE RECORD CLOSED<sup>4</sup></b> | <b>CLAIMANT</b>   | <b>NAME OF CLAIM</b>   | <b>TENTATIVE HEARING DATE</b> |
|-----|-------------|--------------|---------------------------------------|---|--|-------------------------------|
| 9.  | 09-TC-03    | 6/30/10      | 6/20/11                               | County of Orange, Orange County Flood Control District, & Cities of Anaheim, Brea, Buena park, Costa Mesa, Cypress, Fountain Valley, Fullerton, Huntington Beach, Irvine, Lake Forest, Newport Beach, Placentia, Seal Beach, Villa Park | <i>Santa Ana Regional Water Permit – Orange County</i> , California Regional Water Quality Control Board, Santa Ana Region, Order No. R8-2009-0030   | To be set                     |
| 10. | 10-TC-01    | 10/11/10     | 9/16/11                               | City of Brisbane  | <i>Municipal Regional Stormwater Permit – San Mateo County</i> , Municipal Regional Stormwater Permit Number CAS612008, issued by the Regional Water Quality Control Board, San Francisco Region as Order No. R2-2009-0074, October 14, 2009 | To be set                     |
| 11. | 10-TC-02    | 10/13/10     | 9/16/11                               | City of Alameda   | <i>Municipal Regional Stormwater Permit – Alameda County</i> , Municipal Regional Stormwater Permit Number CAS612008, issued by the Regional Water Quality Control Board, San Francisco Region as Order No. R2-2009-0074, October 14, 2009   | To be set                     |

<sup>4</sup> This is the date that all comments have been submitted or parties have indicated they will not file comments, and the claim is ready for staff analysis.

**Commission on State Mandates**  
**21 Pending Local Agency Test Claims**  
 August 27, 2012

Exhibit A

|     | <b>TC #</b> | <b>FILED</b> | <b>DATE RECORD CLOSED<sup>5</sup></b> | <b>CLAIMANT</b>  | <b>NAME OF CLAIM</b>  | <b>TENTATIVE HEARING DATE</b>        |
|-----|-------------|--------------|---------------------------------------|--|---|--------------------------------------|
| 12. | 10-TC-03    | 10/14/10     | 9/16/11                               | County of Santa Clara  | <b><i>Municipal Regional Stormwater Permit – Santa Clara County</i></b> , Municipal Regional Stormwater Permit Number CAS612008, issued by the Regional Water Quality Control Board, San Francisco Region as Order No. R2-2009-0074, October 14, 2009   | To be set                            |
| 13. | 10-TC-05    | 11/30/10     | 9/16/11                               | City of San Jose   | <b><i>Municipal Regional Stormwater Permit –Municipal Operations (C.2)- City of San Jose</i></b> , Municipal Regional Stormwater Permit Number CAS612008, issued by the Regional Water Quality Control Board, San Francisco Region as Order No. R2-2009-0074, October 14, 2009                      | To be set                            |
| 14. | 10-TC-07    | 1/31/11      | Open                                  | Riverside County Flood Control & Water Conservation District, the County of Riverside, and the Cities of Beaumont, Corona, Hemet, Lake Elsinore, Moreno Valley, Perris and San Jacinto | <b><i>Santa Ana Regional Water Permit – Riverside County</i></b> , California Regional Water Quality Control Board, Santa Ana Region, Order No. R8-2010-0033, effective January 29, 2010  | Inactive Status Per Claimant Request |
| 15. | 10-TC-08    | 3/28/11      | 7/12/11                               | County of Santa Barbara  | <b><i>Post Election Manual Tally (PEMT)</i></b> , Office of Administrative Law File No. 2008-2009-002E, effective October 20, 2008; California Code of Regulations, Title 2, Division 7, Chapter 3, Post Election Manual Tallies Sections 20120, 20121, 20122, 20123, 20124, 20125, 20126 and 20127 | 7/26/2013                            |

<sup>5</sup> This is the date that all comments have been submitted or parties have indicated they will not file comments, and the claim is ready for staff analysis.

**Commission on State Mandates**  
**21 Pending Local Agency Test Claims**  
 August 27, 2012

Exhibit A

|     | <b>TC #</b> | <b>FILED</b> | <b>DATE RECORD CLOSED<sup>6</sup></b> | <b>CLAIMANT</b>   | <b>NAME OF CLAIM</b>   | <b>TENTATIVE HEARING DATE</b> |
|-----|-------------|--------------|---------------------------------------|---|--|-------------------------------|
| 16. | 10-TC-09    | 3/30/11      | 9/28/11                               | Santa Clarita Valley Sanitation District of Los Angeles   | <b><i>Upper Santa Clara River Chloride Requirements,</i></b> Los Angeles Regional Water Quality Control Board Resolution No. R4-2008-012, Effective December 11, 2008                      | 9/27/2013                     |
| 17. | 10-TC-10    | 6/30/11      | Open                                  | San Bernardino County Flood Control District, County of San Bernardino, Cities of Big Bear Lake, Chino, Chino Hills, Colton, Fontana, Highland, Montclair, Ontario and Rancho Cucamonga | <b><i>Santa Ana Region Water Permit – San Bernardino County,</i></b> California Regional Water Quality Control Board, Santa Ana Region, Order No. R8-2010-0036, effective January 29, 2010 | To be set                     |
| 18. | 10-TC-11    | 6/30/11      | Open                                  | County of Orange, Orange County Flood Control District, Cities of Dana Point, Laguna Hills, Laguna Niguel, Lake Forest, Mission Viejo and San Juan Capistrano                           | <b><i>San Diego Region Water Permit – Orange County</i></b> California Regional Water Quality Control Board, Santa Diego Region, Order No. R9-2009-0002, adopted December 16, 2009         | To be set                     |

<sup>6</sup> This is the date that all comments have been submitted or parties have indicated they will not file comments, and the claim is ready for staff analysis.

**Commission on State Mandates**  
**21 Pending Local Agency Test Claims**  
 August 27, 2012

Exhibit A

|     | <b>TC #</b> | <b>FILED</b> | <b>DATE RECORD CLOSED<sup>7</sup></b> | <b>CLAIMANT</b>   | <b>NAME OF CLAIM</b>   | <b>TENTATIVE HEARING DATE</b>        |
|-----|-------------|--------------|---------------------------------------|---|--|--------------------------------------|
| 19. | 10-TC-12    | 6/30/11      | Open                                  | South Feather Water & Power Agency, Paradise Irrigation District, Richvale Irrigation District, and Biggs-West Gridley Water District | <b><i>Water Conservation Act of 2009</i></b> , Water Conservation Act of 2009, S.B. x7-7, (Amend and repeal Section 10631.5 of, to add Part 2.55 [commencing with section 10608] to Division 6 of, and to repeal and add Part 2.8[commencing with section 10800] of division 6 of the Water Code). | 9/27/2013                            |
| 20. | 11-TC-01    | 8/26/11      | Open                                  | County of Ventura and Ventura County Watershed Protection District  | <b><i>Los Angeles Region Water Permit – Ventura County</i></b> California Regional Water Quality Control Board, Los Angeles Region, Order No. R4-2010-0108, NPDES Permit No. CAS00-4002, Adopted July 8, 2010  | Inactive Status Per Claimant Request |
| 21. | 11-TC-03    | 11/10/11     | Open                                  | County of Riverside, Riverside County Flood Control & Water Conservation District and the Cities of Murrieta, Temecula and Wildomar   | <b><i>San Diego Region Water Permit – Riverside County</i></b> , California Regional Water Quality Control Board, San Diego Region, Order No. R9-2010-0016, NPDES No. CAS 0108766, Adopted November 10, 2010   | To be set                            |

<sup>7</sup> This is the date that all comments have been submitted or parties have indicated they will not file comments, and the claim is ready for staff analysis.

**Commission on State Mandates**  
**15 Pending School District Test Claims**  
 August 27, 2012

Exhibit A

|    | <b>TC#</b> | <b>FILED</b> | <b>DATE RECORD CLOSED<sup>1</sup></b> | <b>CLAIMANT</b>   | <b>NAME OF CLAIM</b>   | <b>TENTATIVE HEARING DATE</b> |
|----|------------|--------------|---------------------------------------|-------------------|--|-------------------------------|
| 1. | 03-TC-02   | 7/28/03      | 12/8/03                               | Solana Beach SD   | <i>Uniform Complaint Procedures (K-12)</i> , Ed Code §§ 200, 220, 231.5, 250, 251, 253, 260, 261, 262.3, and 262.4; and Gov. Code §§ 11135, 11136, 11137, 11138, and 11139; Stats. 1977, Ch 972; Stats. 1982, Ch 1117; Stats. 1988, Ch 1514; Stats. 1990, Ch 1372; Stats. 1992, Chs 417, 906, and 913; Stats. 1993, Ch 1123; Stats. 1994, Ch 146; Stats. 1998, Ch 914; Stats. 1999, Chs 587 and 591; Stats. 2001, Ch 708; Stats. 2002, Chs 300 and 1102; and Title 5, CCR §§ 4600, 4610, 4611, 4620, 4621, 4622, 4630, 4631, 4632, 4640, 4650, 4651, 4652, 4660, 4661, 4662, 4663, 4664, 4665 and 4670   | 9/28/2012                     |
| 2. | 03-TC-07   | 9/22/03      | 3/23/04                               | Castro Valley USD | <i>Instructional Materials Funding Requirements</i> , Ed Code §§ 60000, 60002, 60045, 60048, 60119, 60200, 60242, 60242.5, 60248, 60252, 60421, 60422, 60423, 60424, 60501, 60510.5, and 60521; Stats 1976, Ch 817; Stats 1977, Ch 36; Stats 1979, Ch 282; Stats 1982, Ch 1503; Stats 1983, Ch 498; Stats 1985, Ch 1440; Stats 1985, Chs 1470, 1546, and 1597; Stats 1986, Ch 211; Stats 1987, Ch 1452; Stats 1989, Ch 1181; Stats 1991, Chs 353, 529, and 1028; Stats 1993, Ch 56; Stats 1994, Ch 927; Stats 1995, Chs 325, 413, 534, and 764; Stats 1996, Ch 124; Stats 1997, Ch 251; Stats 1999, Chs 276 and 646; Stats 2000, Ch 461; Stats 2002, Ch 802; and Stats 2003, Ch 4; CCR, Title 5, §§ 9505, 9530, 9531, 9532, and 9535; and Standards for Evaluating Instructional Materials for Social Content (2000 Edition) | 9/28/2012                     |

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**Commission on State Mandates**  
**15 Pending School District Test Claims**  
 August 27, 2012

Exhibit A

|    | <b>TC#</b> | <b>FILED</b> | <b>DATE RECORD CLOSED<sup>2</sup></b> | <b>CLAIMANT</b>       | <b>NAME OF CLAIM</b>   | <b>TENTATIVE HEARING DATE</b> |
|----|------------|--------------|---------------------------------------|-----------------------|--|-------------------------------|
| 3. | 03-TC-09   | 9/25/03      | 10/22/05                              | San Diego COE         | <b>Teacher Credentialing</b> , Ed Code §§ 44225, 44225.7, 44300, 44301, 44326, 44327, 44332, 44830, 44830.3, 44842, 44885.5, 44901, and 45037, Stats 1975, Ch 228; Stats 1981, Ch 1136; Stats 1982, Chs 206, 436, 471, and 1388; Stats 1983, Chs 498, 536, 1038, and 1302; Stats 1984, Ch 482; Stats 1985, Ch 747; Stats 1986, Ch 989; Stats 1987, Ch 1468; Stats 1988, Ch 1355; Stats 1989, Ch 375; Stats 1991, Ch 590; Stats 1992, Ch 1050; Stats 1993, Ch 378; Stats 1994, Chs 673 and 922; Stats 1996, Chs 303 and 948; Stats 1997, Ch 934; Stats 1998, Chs 533 and 547; Stats 1999, Chs 281 and 381; Stats 2001, Ch 585; Stats 2002, Chs 1069 and 1087; and CCR, Title 5, §§ 80005, 80016, 80020.4.1, 80023.1, 80023.2, 80025, 80025.1, 80025.5, 80026, 80026.1, 80026.5, 80026.6, 80027, 80035, 80035.5, 80036, 80036.1, 80036.3, 80037, 80037.5, 80038, 80040, 80043, 80045, 80047.2, 80047.4, 80048.2, 80048.3, 80048.3.1, 80048.4, 80054, 80055.1, 80055.2, 80058.2, 80070.2, 80070.3, 80070.4, 80070.6, 80071.4, 80413.3, 80435, 80441, 80466, 80556, 80556.1, and 80601 | 12/7/2012                     |
| 4. | 03-TC-16   | 9/29/03      | 5/27/04                               | San Jose USD          | <b>Parental Involvement Programs</b> , Ed Code §§ 11500, 11501, 11502, 11503, 11504, 11506, 49091.10, 49091.14, 51101, 51101.1, Stats 1990, Ch 1400; Stats 1998, Chs 864 and 1031; Stats 2001, Ch 749; and Stats 2002, Ch 1037   | 12/7/2012                     |
| 5. | 05-TC-02   | 8/15/05      | 3/3/06                                | San Diego USD         | <b>Standardized Testing and Reporting II</b> , Ed Code §§ 60601, 60602, 60603, 60604, 60605, 60605.6, 60606, 60607, 60611, 60640 and 60641, Relating to Pupil Assessment; Stats 2004, Ch 233   | 1/25/2013                     |
| 6. | 05-TC-03   | 9/21/05      | 3/3/06                                | Grant Joint Union HSD | <b>Standardized Testing and Reporting II</b> , Ed Code Sections 60640, 60641, and 60642.5 ; Stats 2003, Ch 773 (AB 1485); California Code of Regulations, Title 5, Sections 850, 851, 852, 853, 855, 857, 858, 859, 861, 862, 863, 864.5, 865, 866, 867, 867.5, and 868  | 1/25/2013                     |

<sup>2</sup> This is the date that all comments have been submitted or parties have indicated they will not file comments, and the claim is ready for staff analysis.

**Commission on State Mandates**  
**15 Pending School District Test Claims**  
 August 27, 2012

Exhibit A

|    | <b>TC#</b> | <b>FILED</b> | <b>DATE RECORD CLOSED<sup>3</sup></b> | <b>CLAIMANT</b>  | <b>NAME OF CLAIM</b>  | <b>TENTATIVE HEARING DATE</b> |
|----|------------|--------------|---------------------------------------|--|---|-------------------------------|
| 7. | 05-TC-04   | 9/21/05      | 9/23/06                               | San Diego COE & Sweetwater Union HSD   | <b>Williams Case Implementation</b> , Ed Code Sections 88, 1240, 14501, 17002, 17014, 17032.5, 17070.15, 17070.75, 17087, 17089, 17592.70, 17592.71, 17592.72, 17592.73, 32228.6, 33126, 33126.1, 35186, 41020, 41207.5, 41344.4, 41500, 41501, 41572 42127.6, 44258.9, 44274, 44275.3, 44325, 44453, 44511, 48642, 49436, 52055.625, 52055.640, 52055.662, 52055.640, 52059, 52295.35, 56836.165, 60119, 60240, 60252, 62000.4; Stats 2004, Ch 899 (SB 6); Stats of 2004, Ch 900; Stats 2004, Ch 902 (AB 3001); Stats 2004, Ch 903 (AB 2727); Stats 2005, Ch 118 (AB 831); California Code of Regulations, Title 5, Sections 4600-4671; California Code of Regulations, Title 2, Sections 1859.300-1859.329; Executive Orders: Office of Public School Construction/State Allocation Board; Certification of Eligibility; Interim Evaluation Instrument; Needs Assessment Report, SAB 61-01; Needs Assessment Report Worksheet; Expenditure Report, SAB 61-02; Application for Reimbursement and Expenditure Report, SAB 61-03; Web-Based Progress Report Survey; Web-Based Needs Assessment | 12/7/2012                     |
| 8. | 07-TC-03   | 9/28/07      | 12/15/07                              | San Diego Unified School District  | <b>Pupil Health: Oral Health Assessment</b> , Education Code Section 49452.8; Statutes 2006, Chapter 413 (AB 1433).   | 9/28/2012                     |
| 9. | 07-TC-06   | 12/14/07     | 5/15/08                               | San Diego County Office of Education and the Sweetwater Union High School District, Claimants. | <b>Williams Case Implementation II</b> ; Education Code Sections 1240, 1242, 1242.5, 17002, 17592.72, 35186, and 60119; Statutes 2006, Chapter 704 (AB 607); California Code of Regulations, Title 2, Sections 1859.300 - 1859.330, Register 2007, No. 27 Executive Orders: Office of Public School Construction/State Allocation Board; Application Submittal Requirements Checklist and Grant Request, SAB 61-03 (Revised January 2007); Expenditure Report, SAB 61-04 (January 2007); Online School Facilities Needs Assessment Submittal (Web-based) Program; Facility Inspection Tool (FIT) (June 2007)  | 12/7/2012                     |

<sup>3</sup> This is the date that all comments have been submitted or parties have indicated they will not file comments, and the claim is ready for staff analysis.

**Commission on State Mandates**  
**15 Pending School District Test Claims**  
 August 27, 2012

Exhibit A

|     | <b>TC#</b> | <b>FILED</b> | <b>DATE RECORD CLOSED<sup>4</sup></b> | <b>CLAIMANT</b>  | <b>NAME OF CLAIM</b>  | <b>TENTATIVE HEARING DATE</b> |
|-----|------------|--------------|---------------------------------------|--|---|-------------------------------|
| 10. | 08-TC-01   | 7/7/01       | 9/22/08<br>(no comments filed)        | San Diego County Office of Education and Sweetwater Union High School District | <b>Williams Case Implementation III</b> , Education Code Sections 1240 and 35186, Statutes 2007, Chapter 526 (AB 347); California Code of Regulations, Title 2, Sections 1859.300 - 1859.330, Register 2007, No. 51   | 12/7/2012                     |
| 11. | 08-TC-02   | 10/14/08     | 12/4/08                               | San Jose Unified School District   | <b>High School Exit Examination II</b> , Education Code Section 37254, 52378, 52379; Statutes 2007, Chapter 526 (AB 347)<br>Statutes 2007, Chapter 730 (SB 132)   | 3/22/2013                     |
| 12. | 08-TC-06   | 6/25/09      | 7/6/09<br>(no comments filed)         | Twin Rivers Unified School District  | <b>Standardized Testing and Reporting, (STAR) III</b> , Education Code Sections 60640,60641, 60642.5, 60607, 60615, and 60630; Statutes 1995, Chapter 975 (AB 265); Statutes 1997, Chapter 828, Effective October 10, 1997 (SB 376); Statutes 1999, Chapter 735, Effective October 10,1999 (SB 366); Statutes 2000, Chapter 576 (AB 2812); Statutes 2001, Chapters 20, Effective June 15, 2001 (SB 245); 722 (SB 233); Statutes 2002, Chapter 1168, Effective September 30, 2002 (AB 1818); Statutes 2003, Chapter 773 (AB 1485); Statutes 2004, Chapters 23 (SB 1448); 183 (AB 3082), 233 (SB 1448); Statutes 2005, Chapter 676, Effective October 7, 2005 ; (SB 755); Statutes 2007, Chapters 174, Effective August 24, 2007, (SB 90); 730 (SB 132); Statutes 2008, Chapters 473 (SB 946); 757, Effective September 30, 2008 (AB 519); California Code of Regulations, Title 5, Sections 850, 851, 852, 853, 855, 857, 858, 859, 861, 862, 863, 864.5, 865, 866, 867, 867.5, and 86, Effective 2005 and February 2007 | 1/25/2013                     |

<sup>4</sup> This is the date that all comments have been submitted or parties have indicated they will not file comments, and the claim is ready for staff analysis.



**Commission on State Mandates**  
**15 Pending School District Test Claims**  
 August 27, 2012

Exhibit A

|     | <b>TC#</b> | <b>FILED</b> | <b>DATE RECORD CLOSED<sup>5</sup></b> | <b>CLAIMANT</b>                     | <b>NAME OF CLAIM</b>  | <b>TENTATIVE HEARING DATE</b> |
|-----|------------|--------------|---------------------------------------|-------------------------------------|---|-------------------------------|
| 13. | 10-TC-04   | 11/03/10     | 4/9/11<br>(no comments filed)         | Los Angeles Unified School District | <i>Special Education Services for Adult Students in County Jail</i> , January 2010 Compliance Report from the California Department of Education; November 16, 2009 Decision of the California Office of Administrative Hearing in the Matter of Student v. Los Angeles Unified School District, Case No. 2009060442, California Education Code section 56041   | 7/26/2013                     |
| 14. | 10-TC-06   | 11/23/10     | 2/21/11<br>(no comments filed)        | Twin Rivers Unified School District | <i>Race to the Top</i> , Education Code Sections 53100, 53101, 53200, 53201, 53201.5, 53202 and 53203, as added by Statutes 2009-2010, 5th Extraordinary Session, Chapter 2, Section 8 (SB5X 1), effective April 13, 2010;; Education Code Section 60601, Section 9 as added by Statutes 1995, Chapter 975, Section 1 (AB 265); Amended Statutes 1996, Chapter 69, Section 1 (SB 430), effective June 21, 1996, operative until January 1 2002; Statutes 2001, Chapter 722, Section 2 (SB 233); Statutes 2004, Chapter 233, Section 1 (SB 1448), repealed January 1, 2011; Statutes 2007, Chapter 174, Section 11 (SB 80), effective August 24, 2007, repealed January 1, 2012; Statutes 2009-2010, 5th Extraordinary Session, Chapter 2, Section 9 (SBX5 1), effective April 13, 2010, inoperative July 1, 2013, repealed January 1, 2014; Education Code Sections 48353, 48354, 48355, 48356, 48357, 48358, 48359, 48359.5, 48360 and 48361, as added by Statutes 2009-2010, 5th Extraordinary Session, Chapter 3, Section 1 (SBX5 4), effective April 13, 2010; Education Code Sections 53300, 53301 and 53303, as added by Statutes 2009-2010, 5th Extraordinary Session, Chapter 3, Section 2 (SBX5 4), effective April 13, 2010; California Code of Regulations, Title 5, Section 4702; new section filed as emergency and operative August 2, 2010 (Register 2010, No. 32). A Certificate of Compliance must be transmitted to OAL by January 31, 2011, or emergency language will be repealed by operation of law on the following day. | 7/26/2013                     |

<sup>5</sup> This is the date that all comments have been submitted or parties have indicated they will not file comments, and the claim is ready for staff analysis.

**Commission on State Mandates**  
**15 Pending School District Test Claims**  
 August 27, 2012

Exhibit A

|     | <b>TC#</b> | <b>FILED</b> | <b>DATE RECORD CLOSED<sup>6</sup></b> | <b>CLAIMANT</b>                     | <b>NAME OF CLAIM</b>   | <b>TENTATIVE HEARING DATE</b> |
|-----|------------|--------------|---------------------------------------|-------------------------------------|--|-------------------------------|
| 15. | 11-TC-02   | 9/26/11      | 12/4/11<br>(no comments filed)        | Twin Rivers Unified School District | <i>Immunization Records – Pertussis</i> , Health & Safety Code Sections 120325 and 120335; Statutes 2010, Chapter 434 (AB 354) | 9/27/2013                     |

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<sup>6</sup> This is the date that all comments have been submitted or parties have indicated they will not file comments, and the claim is ready for staff analysis.

**Commission on State Mandates**  
Pending Community College Test Claims\*  
August 27, 2012

|  | <b>TC#</b> | <b>FILED</b> | <b>RECORD<br/>CLOSED*</b> | <b>CLAIMANT</b> | <b>NAME OF CLAIM</b> | <b>TENTATIVE<br/>HEARING<br/>DATE</b> |
|--|------------|--------------|---------------------------|-----------------|----------------------|---------------------------------------|
|--|------------|--------------|---------------------------|-----------------|----------------------|---------------------------------------|

\*There are no pending community college test claims.

Commission on State Mandates  
121 Incorrect Reduction Claims  
August 30, 2012

Exhibit B

| #  | R | File Number     | Filing Date | Date Comments Filed       | Record Closed | Claimant                 | Fiscal Year                      | Amount of Claim | Name               | Type  |
|----|---|-----------------|-------------|---------------------------|---------------|--------------------------|----------------------------------|-----------------|--------------------|-------|
| 1  |   | 02-9635802-I-03 | 9/6/02      | 7/23/03*                  | Yes           | City of Pleasanton       | 1995-1996, 1996-1997, 1997-1998  | \$15,000        | Investment Reports | Local |
| 2  |   | 02-9635802-I-04 | 9/6/02      | 7/22/03*                  | Yes           | City of Sunnyvale        | 1995-1996, 1996-1997, 1997-1998  | \$43,978        | Investment Reports | Local |
| 3  |   | 02-9635802-I-05 | 9/6/02      | 7/7/03*                   | Yes           | County of Santa Barbara  | 1995-1996, 1996-1997, 1997-1998  | \$41,308        | Investment Reports | Local |
| 4  |   | 02-9635802-I-06 | 9/6/02      | 8/21/03*                  | Yes           | City of Hayward          | 1995 -1996, 1996-1997, 1997-1998 | \$55,732        | Investment Reports | Local |
| 5  |   | 02-9635802-I-07 | 9/6/02      | 8/21/03*                  | Yes           | City of Oakland          | 1995 -1996, 1996-1997, 1997-1998 | \$122,530       | Investment Reports | Local |
| 6  |   | 02-9635802-I-08 | 9/6/02      | 8/21/03*                  | Yes           | City of Palm Desert      | 1995-1996, 1996-1997, 1997-1998  | \$37,748        | Investment Reports | Local |
| 7  |   | 02-9635802-I-09 | 9/6/02      | 5/9/05 (C) 8/21/03 (SCO)  | Yes           | City of Redwood City     | 1995-1996, 1996-1997, 1997-1998  | \$15,755        | Investment Reports | Local |
| 8  |   | 02-9635802-I-10 | 9/6/02      | 8/21/03 (SCO) 6/3/04 (C)  | Yes           | City of San Bernardino   | 1995-1996, 1996-1997, 1997-1998  | \$10,083        | Investment Reports | Local |
| 9  |   | 02-9635802-I-12 | 9/6/02      | 5/9/05 (C) 7/14/03 (SCO)  | Yes           | City of Santa Clara      | 1995-1996, 1996-1997, 1997-1998  | \$47,125        | Investment Reports | Local |
| 10 |   | 02-9635802-I-14 | 9/6/02      | 7/16/03*                  | Yes           | County of Plumas         | 1995-1996, 1996-1997, 1997-1998  | \$34,166        | Investment Reports | Local |
| 11 |   | 02-9635802-I-17 | 9/6/02      | 7/14/03*                  | Yes           | City of Santa Barbara    | 1995-1996, 1996-1997, 1997-1998  | \$49,049        | Investment Reports | Local |
| 12 |   | 02-9635802-I-18 | 9/17/02     | 7/27/03*                  | Yes           | County of Kern           | 1995-1996, 1997-1998             | \$57,160        | Investment Reports | Local |
| 13 |   | 02-9635802-I-19 | 9/19/02     | 7/16/03*                  | Yes           | County of Glenn          | 1995-1996, 1997-1998             | \$20,332        | Investment Reports | Local |
| 14 |   | 02-9635802-I-20 | 9/19/02     | 7/14/03*                  | Yes           | City of Huntington Beach | 1995-1996, 1996-1997             | \$21,578        | Investment Reports | Local |
| 15 |   | 02-9635802-I-22 | 9/19/02     | 8/20/04 (C) 7/21/03 (SCO) | Yes           | City of Redding          | 1995-1996, 1996-1997             | \$13,756        | Investment Reports | Local |
| 16 |   | 02-9635802-I-23 | 9/19/02     | 6/3/04 (C) 7/21/03 (SCO)  | Yes           | City of West Covina      | 1995-1996, 1996-1997             | \$10,380        | Investment Reports | Local |
| 17 |   | 02-9635802-I-24 | 9/19/02     | 6/3/04 (C)                | Yes           | City of Cerritos         | 1995-1996, 1996-1997             | \$26,983        | Investment Reports | Local |
| 18 |   | 02-9635802-I-25 | 9/19/02     | 6/29/04 (C) 7/21/03 (SCO) | Yes           | City of Irvine           | 1995-1996, 1996-1997             | \$82,486        | Investment Reports | Local |
| 19 |   | 02-9635802-I-27 | 9/19/02     | 7/16/03*                  | Yes           | County of Marin          | 1995-1996, 1997-1998,            | \$54,004        | Investment Reports | Local |
| 20 |   | 02-9635802-I-29 | 9/19/02     | 5/9/05 (C) 5/25/03 (SCO)  | Yes           | County of Nevada         | 1995-1996, 1997-1998             | \$30,755        | Investment Reports | Local |
| 21 |   | 02-9635802-I-30 | 9/30/02     | 7/16/03*                  | Yes           | County of Riverside      | 1995-1996, 1997-1998             | \$70,510        | Investment Reports | Local |
| 22 |   | 02-9635802-I-32 | 9/30/02     | 3/11/04 (C) 7/23/03(SCO)  | Yes           | City of Visalia          | 1995-1996, 1996-1997             | \$26,617        | Investment Reports | Local |
| 23 |   | 02-9635802-I-33 | 10/9/02     | 7/15/03 (c) 6/23/03 (SCO) | Yes           | City of Orange           | 1995-1996, 1996-1997             | \$24,420        | Investment Reports | Local |
| 24 |   | 02-9635802-I-34 | 10/11/02    | 1/30/04 (c) 7/23/03 (SCO) | Yes           | City of Milpitas         | 1995-1996, 1996-1997             | \$11,129        | Investment Reports | Local |
| 25 |   | 02-9635802-I-36 | 10/11/02    | 1/30/04 (C) 8/18/03 (SCO) | Yes           | City of Rialto           | 1995-1996, 1997-1998             | \$48,743        | Investment Reports | Local |
| 26 |   | 02-9635802-I-38 | 10/11/02    | 2/17/04 (C) 8/18/03 (SCO) | Yes           | City of Upland           | 1995-1996, 1997-1998             | \$53,160        | Investment Reports | Local |

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August 30, 2012

Exhibit B

| #  | R | File Number     | Filing Date | Date Comments Filed       | Record Closed | Claimant                 | Fiscal Year                     | Amount of Claim | Name               | Type  |
|----|---|-----------------|-------------|---------------------------|---------------|--------------------------|---------------------------------|-----------------|--------------------|-------|
| 27 |   | 02-9635802-I-39 | 10/11/02    | 2/2/04 (C) 8/18/2003      | Yes           | City of Palmdale         | 1995-1996, 1996-1997, 1997-1998 | \$36,856        | Investment Reports | Local |
| 28 |   | 02-9635802-I-41 | 10/11/02    | 1/22/04 (C) 8/11/03 (SCO) | Yes           | City of Downey           | 1995-1996, 1997-1998            | \$69,265        | Investment Reports | Local |
| 29 |   | 02-9635802-I-42 | 10/11/02    | 1/30/04 (C) 8/11/03 (SCO) | Yes           | City of Bell Gardens     | 1995-1996, 1997-1998            | \$78,938        | Investment Reports | Local |
| 30 |   | 02-9635802-I-44 | 10/11/02    | 1/20/04 (C) 8/11/03 (SCO) | Yes           | City of Rancho Cucamonga | 1995-1996, 1997-1998            | \$96,502        | Investment Reports | Local |
| 31 |   | 02-9635802-I-46 | 10/11/02    | 1/29/04 (C) 8/14/03 (SCO) | Yes           | City of Montclair        | 1995-1996, 1996-1997            | \$11,492        | Investment Reports | Local |
| 32 |   | 02-9635802-I-48 | 10/11/02    | 8/14/03*                  | Yes           | City of Costa Mesa       | 1995-1996, 1997-1998            | \$68,546        | Investment Reports | Local |
| 33 |   | 02-9635802-I-49 | 10/11/02    | 1/22/04 (C) 8/14/03 (SCO) | Yes           | City of Norwalk          | 1995-1996, 1997-1998            | \$56,055        | Investment Reports | Local |
| 34 |   | 02-9635802-I-50 | 10/16/02    | 8/5/03 (C) 6/27/03 (SCO)  | Yes           | City Of Lodi             | 1995-1996, 1996-1997, 1998-1999 | \$17,496        | Investment Reports | Local |
| 35 |   | 02-9635802-I-52 | 10/16/02    | 8/5/03 (C) 6/30/03 (SCO)  | Yes           | City Of Walnut Creek     | 1995-1996, 1996-1997, 1998-1999 | \$48,107        | Investment Reports | Local |
| 36 |   | 02-9635802-I-53 | 10/16/02    | 9/7/05 (C) 7/31/03 (SCO)  | Yes           | City Of South Lake Tahoe | 1995-1996, 1996-1997            | \$3,683         | Investment Reports | Local |
| 37 |   | 02-9635802-I-54 | 10/16/02    | 8/5/05 (C) 6/25/03 (SCO)  | Yes           | City Of San Carlos       | 1995-1996, 1996-1997, 1998-1999 | \$19,992        | Investment Reports | Local |
| 38 |   | 02-9635802-I-55 | 10/16/02    | 8/2/03 (C) 7/31/03 (SCO)  | Yes           | City Of Reedley          | 1995-1996                       | \$2,167         | Investment Reports | Local |
| 39 |   | 02-9635802-I-56 | 10/16/02    | 9/2/03 (C) 7/31/03 (SCO)  | Yes           | City Of Pleasant Hill    | 1995-1996                       | \$1,814         | Investment Reports | Local |
| 40 |   | 02-9635802-I-57 | 10/16/02    | 9/2/03 (C) 7/31/03 (SCO)  | Yes           | City Of Albany           | 1996-1997                       | \$5,397         | Investment Reports | Local |
| 41 |   | 02-9635802-I-58 | 10/16/02    | 8/5/03 (C) 6/27/03 (SCO)  | Yes           | City Of Concord          | 1995-1996, 1996-1997            | \$3,203         | Investment Reports | Local |
| 42 |   | 02-9635802-I-61 | 10/16/02    | 8/28/03 (C) 7/25/03 (SCO) | Yes           | City Of Patterson        | 1995-1996                       | \$914           | Investment Reports | Local |
| 43 |   | 02-9635802-I-62 | 10/16/02    | 8/28/03 (C) 7/25/03 (SCO) | Yes           | City Of Lathrop          | 1995-1996, 1996-1997            | \$7,003         | Investment Reports | Local |
| 44 |   | 02-9635802-I-63 | 10/16/02    | 8/5/03 (C) 7/25/03 (SCO)  | Yes           | City Of Monterey         | 1995-1996, 1996-1997, 1998-1999 | \$10,576        | Investment Reports | Local |
| 45 |   | 02-9635802-I-64 | 10/16/02    | 8/28/03 (C) 7/25/03 (SCO) | Yes           | City Of Gilroy           | 1995-1996                       | \$12,810        | Investment Reports | Local |
| 46 |   | 02-9635802-I-65 | 10/16/02    | 8/5/03 (C) 6/25/03 (SCO)  | Yes           | City Of Hanford          | 1995-1996, 1996-1997, 1998-1999 | \$7,935         | Investment Reports | Local |
| 47 |   | 02-9635802-I-66 | 10/16/02    | 8/28/03 (C) 7/25/03 (SCO) | Yes           | City Of Antioch          | 1995-1996                       | \$4,494         | Investment Reports | Local |
| 48 |   | 02-9635802-I-67 | 10/16/02    | 8/5/03 (C) 6/23/03 (SCO)  | Yes           | City Of Stockton         | 1995-1996, 1996-1997, 1998-1999 | \$30,048        | Investment Reports | Local |
| 49 |   | 02-9635802-I-68 | 10/16/02    | 8/5/03 (C) 6/25/03 (SCO)  | Yes           | City Of Turlock          | 1995-1996, 1996-1997, 1998-1999 | \$11,877        | Investment Reports | Local |
| 50 |   | 02-9635802-I-69 | 10/16/02    | No Comments               | No            | City Of San Mateo        | 1995-1996, 1996-1997, 1998-1999 | \$29,810        | Investment Reports | Local |
| 51 |   | 02-9635802-I-70 | 10/16/02    | 7/7/03 (SCO)              | No            | City of Coachella        | 1996-1997                       | \$2,112         | Investment Reports | Local |

Commission on State Mandates  
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August 30, 2012

Exhibit B

| #  | R | File Number                              | Filing Date | Date Comments Filed        | Record Closed | Claimant                                       | Fiscal Year   | Amount of Claim | Name  | Type   |
|----|---|--|-------------|----------------------------|---------------|--|---|-----------------|---|--------|
| 52 |   | 02-9635802-I-71                          | 10/16/02    | 7/3/03 (C)                 | Yes           | City Of Menlo Park                             | 1995-1996, 1996-1997                                  | \$20,283        | Investment Reports  | Local  |
| 53 |   | 02-9635802-I-72                          | 10/17/02    | 2/23/04 (C) 6/23/03 (SCO)  | Yes           | City Of San Marcos                             | 1995-1996, 1996-1997                                  | \$4,767         | Investment Reports  | Local  |
| 54 |   | 02-9635802-I-73                          | 10/17/02    | 2/9/04 (C) 6/23/03 (SCO)   | Yes           | City Of Santa Ana                              | 1996-1997   | \$16,535        | Investment Reports  | Local  |
| 55 |   | 04-4241-I-01                             | 4/13/05     | 10/17/05*                  | Yes           | San Diego Unified School District              | 2001-2002, 2002-2003                                  | \$1,203,208     | Emergency Procedures, Earthquake Procedures, and Disasters          | School |
| 56 |   | 04-4257-I-367                            | 5/16/05     | 4/24/08*                   | Yes           | County of Santa Clara                          | 1999-2000, 2000-2001, 2001-2002                       | \$4,653,917     | Open Meetings   | Local  |
| 57 | R | 04-904133-I-01<br>Revised 07-904133-I-04 | 6/27/05     | No Comments                | No            | Sweetwater Union High School District          | 1999-2000, 2000-2001, 2001-2002                       |                 | Notification of Truancy (Revised)                                   | School |
| 58 |   | 05-4206-I-03                             | 9/6/05      | 12/16/08 (SCO) 8/11/09 (C) | Yes           | Long Beach Community College District          | 2001-2002, 2002-2003                                  | \$466,629       | Health Fee Elimination  | CCD    |
| 59 |   | 05-4206-I-04                             | 9/6/05      | 4/24/08 (SCO) 7/15/09 (C)  | Yes           | San Mateo County Community College District    | 1999-2000, 2000-2001, 2001-2002                       | \$1,017,386     | Health Fee Elimination  | CCD    |
| 60 |   | 05-4206-I-05                             | 9/6/05      | 02/11/08 (SCO)             | No            | State Center Community College District        | 1999-2000, 2000-2001, 2001-2002                       | \$887,665       | Health Fee Elimination  | CCD    |
| 61 |   | 05-4206-I-06                             | 9/9/05      | 3/12/08 (SCO) 6/9/09 (C)   | Yes           | Los Rios Community College District            | 1997-1998, 1998-1999, 1999-2000, 2000-2001, 2001-2002 | \$3,205,600     | Health Fee Elimination  | CCD    |
| 62 |   | 05-4206-I-07                             | 9/9/05      | 3/24/08 (SCO) 5/12/09 (C)  | Yes           | Glendale Community College District            | 2000-2001, 2001-2002                                  | \$131,047       | Health Fee Elimination  | CCD    |
| 63 |   | 05-4206-I-08                             | 9/15/05     | 1/7/08*                    | Yes           | San Bernardino Community College District      | 2001-2002, 2002-2003                                  | \$610,323       | Health Fee Elimination  | CCD    |
| 64 |   | 05-4206-I-09                             | 9/15/05     | 4/24/08 (SCO) 5/12/09 (C)  | Yes           | North Orange County Community College District | 2001-2002, 2002-2003                                  | \$346,582       | Health Fee Elimination  | CCD    |
| 65 |   | 05-4206-I-10                             | 9/15/05     | 3/12/08 (SCO) 7/13/09 (C)  | Yes           | Foothill-De Anza Community College District    | 1999-2000, 2000-2001, 2001-2002                       | \$1,817,357     | Health Fee Elimination  | CCD    |
| 66 |   | 05-4206-I-11                             | 3/27/06     | 11/24/08 (SCO) 8/11/09 (C) | Yes           | El Camino Community College District           | 2000-2001, 2001-2002, 2002-2003                       | \$399,891       | Health Fee Elimination  | CCD    |
| 67 |   | 05-4206-I-12                             | 6/16/06     | 12/23/08*                  | Yes           | Santa Monica Community College District        | 2001-2002, 2002-2003                                  | \$364,407       | Health Fee Elimination  | CCD    |
| 68 |   | 05-4241-I-06                             | 11/10/05    | 3/12/08 (SCO) 9/3/09 (C)   | Yes           | Poway Unified School District                  | 2000-2001, 2001-2002, 2002-2003                       | \$738,364       | Emergency Procedures, Earthquake Procedures, and Disasters          | School |
| 69 |   | 05-4282-I-03                             | 5/25/06     | 6/3/09 (SCO) 3/15/10 (C)   | Yes           | County of San Mateo                            | 1996-1997, 1997-1998, 1998-1999                       | \$3,232,423     | Handicapped and Disabled Students                                   | Local  |
| 70 |   | 05-4425-I-09                             | 9/6/05      | No Comments                | No            | San Mateo County Community College District    | 1999-2000, 2000-2001, 2001-2002                       | \$735,450       | Collective Bargaining   | CCD    |
| 71 |   | 05-4425-I-10                             | 9/19/05     | 3/10/08 (SCO) 8/24/09 (C)  | Yes           | Foothill-De Anza Community College District    | 1999-2000, 2000-2001, 2001-2002                       | \$448,696       | Collective Bargaining   | CCD    |
| 72 |   | 05-4425-I-11                             | 12/19/05    | 3/23/10 (SCO)              | No            | Gavilan Joint Community College District       | 1995-1996   | \$124,245       | Collective Bargaining   | CCD    |
| 73 |   | 05-4435-I-50                             | 9/6/05      | 10/11/07 (SCO) 11/5/07 (C) | Yes           | Clovis Unified School District                 | 1998-1999, 1999-2000, 2000-2001, 2001-2002            | \$8,053,485     | Graduation Requirements   | School |
| 74 |   | 05-4452-I-01                             | 6/26/06     | No Comments                | No            | San Diego Unified School District              | 2001-2002, 2002-2003                                  | \$354,046       | Notification to Teachers: Pupils Subject to Suspension or Expulsion | School |

**Commission on State Mandates  
121 Incorrect Reduction Claims  
August 30, 2012**

**Exhibit B**

| #  | R | File Number   | Filing Date | Date Comments Filed | Record Closed | Claimant                                   | Fiscal Year                                | Amount of Claim | Name  | Type   |
|----|---|---|-------------|---------------------|---------------|--|--|-----------------|---|--------|
| 75 |   | 05-4485-I-03  | 9/9/05      | 2/11/08*            | Yes           | Los Rios Community College District        | 1999-2000, 2000-2001                       | \$10,004        | Mandate Reimbursement Process                     | CCD    |
| 76 |   | 05-904133-I-02  | 12/12/05    | No Comments         | No            | Los Angeles Unified School District        | 1998-1999, 1999-2000, 2000-2001            | \$2,352,507     | Notification of Truancy                           | School |
| 77 | R | 05-904133-I-03 Revised 08-904133-I-06 & 10-904133-I-08          | 6/16/06     | No Comments         | No            | Riverside Unified School District          | 1999-2000, 2000-2001, 2001-2002            |                 | Notification of Truancy (Revised)                 | School |
| 78 |   | 06-4206-I-13  | 7/3/06      | 1/7/08*             | Yes           | Pasadena Area Community College District   | 1999-2000, 2000-2001, 2001-2002            | \$375,941       | Health Fee Elimination                            | CCD    |
| 79 |   | 06-4509-I-01  | 11/22/06    | No Comments         | No            | County of Santa Cruz                       | 1999-2000, 2000-2001, 2001-2002            | \$173,280       | Sexually Violent Predators                        | Local  |
| 80 |   | 07-3713-I-02  | 7/25/07     | 3/15/10 (SCO)       | No            | Santa Clara County                         | 2000-2001, 2001-2002, 2002-2003            | \$19,284        | Absentee Ballots                                  | Local  |
| 81 |   | 07-4206-I-14  | 8/14/07     | 3/15/10 (SCO)       | No            | Pasadena Area Community College District   | 2002-2003, 2003-2004                       | \$192,755       | Health Fee Elimination                            | CCD    |
| 82 |   | 07-4206-I-15  | 10/2/07     | No Comments         | No            | Rancho Santiago Community College District | 2000-2001, 2001-2002, and 2002-2003        | \$1,319,583     | Health Fee Elimination                            | CCD    |
| 83 |   | 07-4206-I-16  | 10/11/07    | 3/15/10 (SCO)       | No            | Sierra Joint Community College District    | 2001-2002, 2002-2003, and 2003-2004        | \$560,846       | Health Fee Elimination                            | CCD    |
| 84 |   | 07-4442-I-01  | 7/26/07     | No Comments         | No            | San Diego County Office of Education       | 2004-2005, 2005-2006                       | \$13,353        | Interdistrict Attendance Permits                  | School |
| 85 |   | 07-4509-I-02  | 7/25/07     | No Comments         | No            | Santa Clara County                         | 1998-1999, 1999-2000, 2000-2001            | \$203,363       | Sexually Violent Predators                        | Local  |
| 86 |   | 07-904133-I-04 (Revised) Consolidated with 04-904133-I-01       | 10/5/07     | No Comments         | No            | Sweetwater Union High School District      | 1999-2000, 2000-2001, and 2001-2002        | \$49,949        | Notification of Truancy (Revised)                 | School |
| 87 |   | 07-9628101-I-01   | 8/15/07     | No Comments         | No            | County of Santa Clara                      | 1998-1999, 1999-2000, 2000-2001            | \$748,675       | Domestic Violence Treatment Services              | Local  |
| 88 | R | 07-904133-I-05 Revised 10-904133-I-07                           | 12/18/07    | No Comments         | No            | San Juan Unified School District           | 1999-2000; 2000-2001; 2001-2002            |                 | Notification of Truancy (Revised)                 | School |
| 89 |   | 08-4206-I-17  | 2/5/09      | No Comments         | No            | Santa Monica Community College District    | 2003-2004; 2004-2005; 2005-2006            | \$795,942       | Health Fee Elimination                            | CCD    |
| 90 |   | 08-4206-I-18  | 2/5/09      | No Comments         | No            | Los Rios Community College District        | 2002-2003; 2003-2004; 2004-2005            | \$2,554,615     | Health Fee Elimination                            | CCD    |
| 91 |   | 08-4237-I-02  | 1/28/09     | No Comments         | No            | County of Santa Clara                      | 1999-2000; 2000-2001; 2001-2002            | \$1,268,210     | Child Abduction and Recovery Program              | Local  |
| 92 |   | 08-4425-I-15  | 7/22/08     | No Comments         | No            | Contra Costa Community College District    | 2001-2002; 2002-2003; 2003-2004            | \$494,564       | Collective Bargaining                             | CCD    |
| 93 |   | 08-4425-I-16  | 2/5/09      | No Comments         | No            | Los Rios Community College District        | 2001-2002; 2002-2003; 2003-2004            | \$286,895       | Collective Bargaining                             | CCD    |
| 94 |   | 08-4435-I-52  | 8/4/08      | No Comments         | No            | Clovis Unified School District             | 1998-1999, 1999-2000, 2000-2001, 2001-2002 | \$8,053,465     | Graduation Requirements                           | School |
| 95 | R | 08-904133-I-06 (Revised) Consolidated with 05-904133-I-03 & 10- | 8/26/08     | No Comments         | No            | Riverside Unified School District          | 1999-2000, 2000-2001, 2001-2002            |                 | Notification of Truancy (Revised)                 | School |
| 96 |   | 08-9723-I-01  | 5/21/09     | No Comments         | No            | Sweet water Union High School District     | 2004-2005 and 2005-2006                    | \$160,120       | National Norm-Referenced Achievement Test (NNRAT) | School |

**Commission on State Mandates  
121 Incorrect Reduction Claims  
August 30, 2012**

**Exhibit B**

| #   | R | File Number   | Filing Date | Date Comments Filed | Record Closed | Claimant                                    | Fiscal Year  | Amount of Claim | Name                                      | Type   |
|-----|---|---|-------------|---------------------|---------------|---|--|-----------------|---|--------|
| 97  |   | 08-9723-I-02  | 5/21/09     | No Comments         | No            | Sweetwater Union High School District       | 1997-1998, 1998-1999, 1999-2000, 2000-2001, 2001-2002, 2002-2003 2003-2004 | \$1,446,786     | Standardized Testing and Reporting (STAR) | School |
| 98  |   | 09-4081-I-01  | 1/14/10     | No comments         | No            | City of Los Angeles                         | 2003-2004  | \$516,132       | Firefighter's Cancer Presumption          | Local  |
| 99  | R | 09-4206-I-21 Revised<br>10-4206-I-36  | 9/25/09     | No comments         | No            | Kern Community College District             | 2003-2004, 2004-2005, 2005-2006, 2006-2007                                 |                 | Health Fee Elimination (Revised)          | CCD    |
| 100 |   | 09-4206-I-22  | 9/25/09     | No comments         | No            | Long Beach Community College District       | 2003-2004, 2004-2005, 2005-2006  | \$676,727       | Health Fee Elimination                    | CCD    |
| 101 |   | 09-4206-I-24  | 10/5/09     | No comments         | No            | Foothill-De Anza Community College District | 2002-2003, 2003-2004, 2004-2005, 2005-2006                                 | \$440,752       | Health Fee Elimination                    | CCD    |
| 102 |   | 09-4206-I-25  | 10/5/09     | No Comments         | No            | Yosemite Community College District         | 2002-2003, 2003-2004, 2004-2005, 2005-2006, 2006-2007                      | \$451, 873      | Health Fee Elimination                    | CCD    |
| 103 |   | 09-4206-I-29  | 6/15/10     | No Comments         | No            | San Diego Community College District        | 2003-2004, 2004-2005, 2005-2006, 2006-2007                                 | \$379,946       | Health Fee Elimination                    | CCD    |
| 104 |   | 09-4425-I-17  | 8/4/09      | No comments         | No            | Sierra Joint Community College District     | 2002-2003, 2003-2004, 2004-2005, 2005-2006                                 | \$17,971        | Collective Bargaining                     | CCD    |
| 105 |   | 09-4442-I-02  | 6/29/10     | No Comments         | No            | San Diego County Office of Education        | 2006-2007; 2007-2008   | \$11,203        | Interdistrict Attendance Permits          | School |
| 106 |   | 10-4206-I-31  | 7/16/10     | No Comments         | No            | San Bernardino Community College District   | 2003-2004; 2004-2005; 2005-2006; 2006-2007                                 | \$895,614       | Health Fee Elimination                    | CCD    |
| 107 |   | 10-4206-I-32  | 9/1/10      | No Comments         | No            | State Center Community College District     | 2002-2003, 2003-2004, 2005-2006, 2006-2007                                 | \$902,744       | Health Fee Elimination                    | CCD    |
| 108 |   | 10-4206-I-33  | 10/26/10    | No Comments         | No            | El Camino Community College District        | 2003-2004, 2004-2005, 2005-2006, 2006-2007                                 | \$674,212       | Health Fee Elimination                    | CCD    |
| 109 |   | 10-4206-I-34  | 11/22/10    | No Comments         | No            | Foothill-De Anza Community College District | 2002-2003, 2003-2004, 2004-2005  | \$284,615       | Health Fee Elimination                    | CCD    |
| 110 |   | 10-4206-I-35  | 11/29/10    | No Comments         | No            | San Mateo County Community College District | 2002-2003, 2003-2004, 2004-2005, 2005-2006, 2006-2007                      | \$781,934       | Health Fee Elimination                    | CCD    |
| 111 |   | 10-4206-I-36 (Revised)<br>Consolidated with 09-4206-I-21                      | 12/9/10     | No Comments         | No            | Kern Community College District             | 2003-2004, 2004-2005, 2005-2006, 2006-2007                                 | \$762,882       | Health Fee Elimination                    | CCD    |
| 112 |   | 10-4425-I-18  | 2/4/11      | No Comments         | No            | Sierra Joint Community College District     | 2002-2003  | \$12,116        | Collective Bargaining                     | CCD    |
| 113 |   | 10-4499-I-01  | 9/16/10     | No Comments         | No            | County of Santa Clara                       | 2003-2004, 2004-2005, 2005-2006  | \$526,802       | Peace Officers Bill of Rights (POBOR)     | Local  |
| 114 |   | 10-904133-I-07 (Revised)<br>Consolidated with 07-                             | 7/16/10     | No Comments         | No            | San Juan Unified School District            | 1999-2000; 2000-2001; 2001-2002  | \$87,312        | Notification of Truancy (Revised)         | School |
| 115 |   | 10-904133-I-08 (Revised)<br>Consolidated with 05-904133-I-03 & 08-904133-I-06 | 9/13/10     | No Comments         | No            | Riverside Unified School District           | 2000-2001, 2001-2002   | \$298,282       | Notification of Truancy (2nd Revised)     | School |
| 116 |   | 10-904133-I-09  | 10/6/10     | No Comments         | No            | San Juan Unified School District            | 2002-2003, 2003-2004, 2004-2005, 2005-2006                                 | \$132,847       | Notification of Truancy                   | School |
| 117 |   | 10-904133-I-10  | 11/1/10     | No Comments         | No            | Riverside Unified School District           | 2003-2004, 2004-2005, 2005-2006, 2006-2007                                 | \$326,088       | Notification of Truancy                   | School |



Commission on State Mandates  
 121 Incorrect Reduction Claims  
 August 30, 2012

Exhibit B

| #   | R | File Number  | Filing Date | Date Comments Filed | Record Closed | Claimant                               | Fiscal Year  | Amount of Claim | Name   | Type   |
|-----|---|--------------|-------------|---------------------|---------------|--|--|-----------------|--|--------|
| 118 |   | 10-9705-I-01 | 11/10/10    | No Comments         | No            | County of San Diego                    | 2001-2002, 2002-2003, 2003-2004, 2004-2005   | \$1,979,388     | Seriously Emotionally Distrubed Pupils (SEDS): Out-of-State Mental Health Services | Local  |
| 119 |   | 11-4451-I-05 | 7/29/11     | No Comments         | No            | Chula Vista Elementary School District | 1997-1998  | \$25,081        | School District of Choice: Transfers and Appeals                                   | School |
| 120 |   | 11-9705-I-02 | 11/9/11     | No Comments         | No            | County of Orange                       | 2000-2001, 2001-2002, 2002-2003, 2003-2004, 2004-2005, 2005-2006                       | \$2,973,826     | Seriously Emotionally Distrubed Pupils (SEDS): Out-of-State Mental Health Services | Local  |
| 121 |   | 11-9811-I-01 | 3/8/12      | No Comments         | No            | City of Hayward                        | 1998-1999, 1999-2000, 2000-2001, 2001-2002, 2002-2003, 2005-2006, 2006-2007, 2007-2008 | \$1,339,152     | Animal Adoption  | Local  |
|     |   |              |             |                     |               |  |  | \$65,619,648    |  |        |

**Commission on State Mandates**  
**11 Pending Parameters and Guidelines Determinations**  
**August 27, 2012**

|    | <b>FILE NUMBER</b>     | <b>ORIGINAL FILING DATE</b> | <b>DATE SOD ADOPTED</b> | <b>PS&amp;GS RECORD CLOSE DATE<sup>1</sup></b> | <b>CLAIMANT</b>   | <b>NAME OF TEST CLAIM</b>  | <b>TENTATIVE HEARING DATE</b> |
|----|------------------------|-----------------------------|-------------------------|--|---|--|-------------------------------|
| 1. | 4464                   | 9/28/94                     | 9/28/00                 | 8/9/11   | Butte County Office of Education,<br>San Diego Unified School District,<br>San Joaquin County Office of Education | <b><i>Behavioral Intervention Plans</i></b> , Ed. Code § 56523; Stats. 1990, Ch. 959; Tit. 5, CCR, §§ 3001 and 3052  | 1/25/2013<br>(RRM)            |
| 2. | 00-TC-22               | 6/29/01                     | 12/6/07                 | 5/1/10   | County of Los Angeles   | <b><i>Interagency Child Abuse and Neglect {ICAN} Investigation Reports</i></b> , Pen. Code §§ 11165.9, 11166, 11166.2, 11166.9, 11168 (formerly 11161.7), 11169, 11170, Stats. 1977, ch. 958, Stats. 1980, ch. 1071, Stats. 1981, ch. 435, Stats. 1982, ch.s162 and 905, Stats. 1984, ch. 1423 and 1613, Stats. 1985, ch. 1598, Stats. 1986, ch. 1289 and 1496, Stats. 1987, ch. 82, 531 and 1459, Stats. 1988, ch. 269, 1497 and 1580, Stats. 1989, ch. 153, Stats. 1990, ch. 650, 1330, 1363 and 1603, Stats. 1992, ch. 163, 459 and 1338, Stats. 1993, ch. 219 and 510, Stats. 1996, ch. 1080 and 1081, Stats. 1997, ch. 842, 843 and 844, Stats. 1999, ch. 475 and 1012, and Stats. 2000, ch. 916; and executive orders California Code of Regulations, title 11, section 903, and "Child Abuse Investigation Report" Form SS 8583 | 12/7/2012<br>(RRM)            |
| 3. | 02-TC-10 &<br>02-TC-51 | 10/15/02 &<br>6/26/03       | 5/26/11                 | 8/30/11  | County of Los Angeles &<br>Riverside Unified School District  | <b><i>California Public Records Act</i></b> , Gov. Code, §§ 6253, 6253.1, 6253.9, 6254.3, and 6255, Stats. 2001, ch 355; Stats. 2000, ch 982; Stats 1992, ch 463,  | 1/25/2013                     |
| 4. | 02-TC-25 &<br>02-TC-31 | 6/5/03 &<br>6/23/03         | 5/26/11                 | 8/25/11  | Los Rios & Santa Monica CCDs  | <b><i>Minimum Conditions for State Aid</i></b> , Education Code Sections 66721, et al.   | 12/7/2012                     |

<sup>1</sup> This is the date that all comments have been submitted or parties have indicated they will not file comments, and the Ps&Gs are ready for staff analysis.

**Commission on State Mandates**  
 11 Pending Parameters and Guidelines Determinations  
 August 27, 2012

|    | <b>FILE NUMBER</b> | <b>ORIGINAL FILING DATE</b> | <b>DATE SOD ADOPTED</b> | <b>PS&amp;GS RECORD CLOSE DATE</b> | <b>CLAIMANT</b>  | <b>NAME OF TEST CLAIM</b>   | <b>TENTATIVE HEARING DATE</b> |
|----|--------------------|-----------------------------|-------------------------|------------------------------------|--|---|-------------------------------|
| 5. | 02-TC-35           | 6/24/03                     | 5/25/2012               | Open                               | Clovis Unified School District and Santa Monica Community College District | <b>Public Contracts (K-14)</b> Public Contract Code §§ 2000, 2001, 3300, 6610, 7104, 7101, 7109, 9203, 10299, 12109, 20100, 20101, 20102, 20103.5, 20103.6, 20103.8, 20104, 20104.2, 20104.4, 20104.6, 20104.50, 20107, 20110, 20111, 20111.5, 20116, 20650, 20651, 20651.5, 20657, 20659, 22300; Bus. & Prof. Code § 7028.15; and CCR, Title 5, §§ 59500, 59504, 59505, 59506, and 59509. Stats 1976, Ch 921; Stats 1977, Chs 36 and 631; Stats 1980, Ch 1255; Stats 1981, Chs 194 and 470; Stats 1982, Chs 251, 465, and 513; Stats 1983, Ch 256; Stats 1984, Chs 173, 728, and 758; Stats 1985, Ch 1073; Stats 1986, Chs 886 and 1060; Stats 1987, Ch 102; Stats 1988, Chs 538 and 1408; Stats 1989, Chs 330, 869, and 1163; Stats 1990, Chs 321, 694, 808, and 1414; Stats 1991, Chs 785 and 933; Stats 1992, Chs 294, 799, and 1042; Stats 1993, Chs 1032 and 1195; Stats 1994, Ch 726; Stats 1995, Ch 504, and 897; Stats 1997, Chs 390 and 722; Stats 1998, Chs 657 and 857; Stats 1999, Ch 972; Stats 2000, Chs 126, 127, 159, 292, and 776; and Stats 2002, Ch 455 | 9/28/2012                     |

**Commission on State Mandates**  
 11 Pending Parameters and Guidelines Determinations  
 August 27, 2012

|    | <b>FILE NUMBER</b> | <b>ORIGINAL FILING DATE</b> | <b>DATE SOD ADOPTED</b> | <b>PS&amp;GS RECORD CLOSE DATE</b> | <b>CLAIMANT</b>       | <b>NAME OF TEST CLAIM</b>   | <b>TENTATIVE HEARING DATE</b> |
|----|--------------------|-----------------------------|-------------------------|------------------------------------|-----------------------|---|-------------------------------|
| 6. | 02-TC-46           | 6/27/03                     | 3/24/11                 | 5/27/11                            | Santa Monica CCD      | <b><i>Discrimination Complaint Procedures</i></b> , Government Code Sections 11135, 11136, 11137, 11137, 11138, and 11139 as added and amended by Stats. 1977, Chapter 972, Stats. 1992, Chapter 913; Stats. 1994, Chapter 146; Stats. 1999, Chapter 591; Stats. 2001, Chapter 708; and Stats. 2002, Chapters 300 and 1102; and California Code of Regulations, Title 5, Sections 59300, 59303, 59304, 59310, 59311, 59320, 59322, 59324, 59326, 59327, 59328, 59329, 59330, 59332, 59334, 59336, 59338, 59339, 59340, 59342, 59350, 59351, 59352, 59354, 59356, 59358, 59360 and 59362 | 9/28/2012                     |
| 7. | 03-TC-03           | 8/29/03                     | 1/27/12                 | 4/2/12                             | San Diego USD         | <b><i>Charter Schools IV</i></b> , Ed Code §§ 1628, 42100, 47602, 47604.3, 47604.4, 47605, 47605.1, 47605.6, 47605.8, 47611.5, 47612.1, 47613.1, 47620, 47626, and 47652; Gov. Code § 3540.1, Stats 1999, Ch 828 and Stats 2002, Ch 1058  | 9/28/2012                     |
| 8. | 03-TC-14           | 9/26/03                     | 10/27/11                | 2/3/12                             | County of Santa Clara | <b><i>Tuberculosis Control</i></b> , Health and Safety Code §§ 121361, 121362, 121363, 121364, 121365, 121366, 121367, 121368, and 121369, Stats 1993, Ch 676; Stats 1994, Ch 685; Stats 1997, Chs 116 and 294; and Stats 2002, Ch 763  | 12/7/2012                     |
| 9  | 03-TC-18           | 9/29/03                     | 12/1/11                 | 3/19/12                            | City of Newport Beach | <b><i>Peace Officers Procedural Bill of Rights II</i></b> , Stats 1976, Ch 465; Stats 1994, Ch 1259; Stats 1997, Ch 148; Stats 1998, Chs 786, 263, and 112; Stats 1999, Ch 338; Stats 2000, Ch 209; and Stats 2002, Chs 1156 and 170  | 5/24/2013                     |

**Commission on State Mandates**  
**11 Pending Parameters and Guidelines Determinations**  
 August 27, 2012

|     | <b>FILE NUMBER</b> | <b>ORIGINAL FILING DATE</b> | <b>DATE SOD ADOPTED</b> | <b>PS&amp;GS RECORD CLOSE DATE</b> | <b>CLAIMANT</b>                                   | <b>NAME OF TEST CLAIM</b>   | <b>TENTATIVE HEARING DATE</b>        |
|-----|--------------------|-----------------------------|-------------------------|------------------------------------|---|---|--------------------------------------|
| 10. | 07-TC-04           | 10/23/07                    | 5/25/12                 | Open                               | City of Newport Beach and Union Sanitary District | <b>Local Agency Ethics (AB 1234)</b><br>Government Code Sections 25008 and 36514.5; Government Code Articles 2.3 and 2.4; Harbors and Navigation Code Sections 6060 and 7047; Health and Safety Code Sections 2030, 2851, 4733, 4733.5, 6489, 9031, 13857, 13866, and 32103; Military and Veterans Code Section 1197; Public Resources Code Sections 5536, 5536.5, 5784.15, and 9303; Public Utilities Code Sections 11908, 11908.1, 11908.2, 16002, and 22407; and Water Code Sections 20201, 21166, 30507, 30507.1, 34741, 40355, 50605, 55305, 56031, 60143, 70078, 71255, 74208, and 20201.5; Statutes 2005, Chapter 700 (AB 1234). | 9/28/2012                            |
| 11. | 07-TC-09           | 6/30/08                     | 3/26/10                 | 11/16/10                           | County of San Diego                               | <b>Discharge of Stormwater Runoff</b> , California Regional Water Quality Control Board, San Diego Region, Order No. R9-2007-001, (NPDES No. CAS0108758); Waste Discharge Requirements for Discharges of Urban Runoff From the Municipal Separate Storm Sewer Systems (MS4s) Draining the Watersheds of the County of San Diego, the Incorporated Cities of San Diego County, the San Diego Unified Port District, and the San Diego County Regional Airport Authority, adopted on January 24, 2007   | No hearing date pending court action |

**Commission on State Mandates**  
**12 Pending Parameters and Guidelines Amendments**  
 August 27, 2012

|    | <b>Claim Number</b>                         | <b>Date Filed</b> | <b>Requestor</b>  | <b>Program</b>   | <b>Hearing Date</b> |
|----|---|-------------------|---|--|---------------------|
| 1. | 01-PGA-06<br>(CSM-4487)                     | 4/29/02           | Clovis Unified School District  | <i>Habitual Truants</i>                                      | 1/25/2013<br>(RRM)  |
| 2. | 08-PGA-02<br>(99-TC-13 &<br>00-TC-15)       | 5/22/09           | Los Rios, Cerritos, Citrus, El Camino, Gavilan, Kern, Long Beach, Mt. San Jacinto, Palomar, Pasadena Area, San Bernardino, Santa Monica, State Center, Sierra Joint, Victor Valley, West Kern, and Yosemite Community College Districts | <i>Enrollment Fee Collection and Waivers</i>                 | 1/25/2013<br>(RRM)  |
| 3. | 09-PGA-01<br>(CSM-4487)                     | 1/19/10           | San Jose Unified School District  | <i>Habitual Truants</i>                                      | 1/25/2013<br>(RRM)  |
| 4. | 10-PGA-01<br>(4442)                         | 2/9/11            | State Controller's Office   | <i>Interdistrict Attendance Permits</i>                      | 9/28/2012           |
| 5. | 10-PGA-05<br>(02-TC-04, 02-TC-11, 07-TC-10) | 6/30/11           | CSAC  | <i>Crime Statistic Reports for the Department of Justice</i> | 3/22/2013<br>(RRM)  |
| 6. | 10-PGA-06<br>(CSM-4499)                     | 6/30/11           | CSAC  | <i>Police Officer Procedural Bill of Rights</i>              | 5/24/2013<br>(RRM)  |

|     | <b>Claim Number</b>   | <b>Date Filed</b> | <b>Requestor</b>          | <b>Program</b>  | <b>Hearing Date</b> |
|-----|---|-------------------|---------------------------|---|---------------------|
| 7.  | 11-PGA-01<br>(05-PGA-56,<br>07-PGA-01,<br>CSM-4133)                   | 7/1/11            | State Controller's Office | <i>Notification of Truancy</i>  | 7/26/2013           |
| 8.  | 11-PGA-03<br>(CSM-4435)   | 7/25/11           | Department of Finance     | <i>Graduation Requirements</i>  | Inactive Status     |
| 9.  | 11-PGA-06<br>(04-RL-4282-<br>10, 02-TC-40,<br>02-TC-49, 97-<br>TC-05) | 12/21/11          | Department of Finance     | <i>Handicapped and Disabled Students,<br/>Handicapped and Disabled Students II,<br/>Seriously Emotionally Disturbed (SED)<br/>Pupils: Out-of-State Mental Health<br/>Services</i> | 9/28/2012           |
| 10. | 11-PGA-09<br>(CSM-4499,<br>05-RL-4499-<br>01,<br>06-PGA-06)           | 3/29/12           | County of Los Angeles     | <i>Peace Officers Procedural Bill of<br/>Rights (POBOR)</i>   | 5/24/2013<br>(RRM)  |
| 11. | 11-PGA-10<br>(01-TC-29)   | 4/27/12           | CSAC                      | <i>Domestic Violence Background Checks</i>  | 9/27/2013<br>(RRM)  |
| 12. | 11-PGA-11<br>(03-TC-08)   | 4/27/12           | CSAC                      | <i>Identity Theft</i>   | 12/6/2013<br>(RRM)  |

**COMMISSION ON STATE MANDATES**  
**9 Pending Statewide Cost Estimate Determinations**  
**August 27, 2012**

|    | <b>File Number</b>  | <b>Original Filing Date</b>  | <b>Date SOD Adopted</b>                            | <b>Date Ps&amp;Gs Adopted</b> | <b>Date Claims Due at SCO</b> | <b>Claimant</b>                                  | <b>Name of Test Claim</b>  | <b>Tentative Hearing Date</b> |
|----|---|--|--|-------------------------------|-------------------------------|--|--|-------------------------------|
| 1. | 96-358-03,<br>96-358-03A, 03B,<br>96-358-04,<br>96-358-04A, 04B,<br>97-TC-09,<br>98-TC-22,<br>98-TC-23,<br>01-TC-17,<br>01-TC-18, | 12/23/96,<br>6/6/97,<br>12/23/96,<br>6/6/97;<br>12/28/97;<br>6/28/99,<br>6/30/02 | 8/1/08<br>(Corrected<br>& Issued<br>on<br>5/20/11) | 10/27/11                      | 10//17/12                     | San Juan USD, Kern<br>County Supt. Of<br>Schools | <b>*Pupil Expulsions II,</b><br><b>*Educational Services Plan for Expelled Pupils</b><br><b>*Pupil Suspensions II And Amendments</b><br>Ed Code Sections 48900 and 48900.3, as amended by Stats 1999, Ch 646; Stats 2001, Ch 484. (Amendment to 96-358-04, 96-358-04A, 96-358-03, 98-TC-23)<br>Ed Code §§ 48900, 48900.3, 48915, 48916.1, 48918, 48919, 48923, Stats 1998, Ch 489; Stats 1999, Chs 332 and 646; and Stats 2001, Chs 116, 484, Stats 1995, Ch. 972, 974; Stats 1996, Ch 15.; Ch. 1052; 951;<br>(Amendment to 96-358-03, 96-358-03A, 96-358-03B, 98-TC-23) | 1/25/2013                     |
| 2. | 01-TC-13  | 4/18/02  | 7/28/06  | 10/27/11                      | 5/2/12                        | County of Orange                                 | <b>Modified Primary Election,</b><br>Elections Code §§ 2151, 13102, Subdivision (b); Stats 2000, Ch 898  | 9/28/2012                     |
| 3. | 01-TC-29  | 6/27/02  | 7/26/07  | 7/28/11                       | 1/30/12                       | County of Alameda                                | <b>Domestic Violence Background Checks,</b> Pen. Code § 274.75; Stats 2001, Chs 572 and 713. (re-submitted on 8/1/02)  | 9/28/2012                     |
| 4. | 02-TC-42  | 6/7/03   | 12/01/11   | 5/25/12                       | 12/12<br>(est.)               | Clovis Unified School District                   | <b>Developer Fees</b><br>Government Code Sections 65970, et al   | 3/22/2013                     |



|    |   |   |          |          |          |  |  |                                      |
|----|---|---|----------|----------|----------|--|--|--------------------------------------|
| 5. | 02-TC-47  | 6/27/03   | 10/27/11 | 3/23/12  | 10/23/12 | Santa Monica<br>Community College<br>District  | <b>Community College Construction</b> ,<br>Education Code Sections 81820, 81821(a), (b),<br>(e), and (f); Statutes 1980, Chapter 910,<br>Statutes 1981, Chapter 470, Statutes 1981,<br>Chapter 891, Statutes 1995, Chapter 758 | 12/7/2012                            |
| 6. | 03-TC-04,<br>03-TC-19,<br>03-TC-20,<br>03-TC-21 | 9/5/03,<br>Refiled<br>10/18/2007                        | 7/31/09  | 3/24/11  | 9/28/11  | County of Los<br>Angeles, Cities of<br>Artesia, Beverly Hills,<br>Carson, Norwalk,<br>Rancho Palos Verdes,<br>Westlake Village,<br>Azusa, Commerce,<br>Vernon, Bellflower,<br>Covina, Downey,<br>Monterey Park, Signal<br>Hill | <b>Municipal Storm Water and<br/>Urban Runoff Discharges</b> , Los<br>Angeles Regional Quality Control Board<br>Order No. 01-182, Permit CAS004001, Part<br>4Fc3   | To be set<br>pending<br>court action |
| 7. | 03-TC-08  | 9/25/03   | 3/27/09  | 7/28/11  | 1/30/12  | City of Newport Beach  | <b>Identity Theft</b> , Penal Code §§ 530.6;<br>Stats. 2000, Ch 956 (AB 1897)  | 9/28/2012                            |
| 8. | 03-TC-11  | 9/26/03 &<br>amended<br>1/27/04 &<br>revised<br>7/11/11 | 7/28/06  | 12/01/11 | 6/5/12   | County of Sacramento   | <b>Permanent Absent Voter II</b> ,<br>Elections Code §§ 3201, 3203, Stats 1996, Ch<br>724; Stats 2001, Ch 918; Stats 2001, Ch 922;<br>Stats 2002, Ch 664   | 9/28/2012                            |
| 9. | 03-TC-23  | 10/1/03   | 10/4/06  | 3/23/12  | 10/23/12 | County of San<br>Bernardino  | <b>Voter Identification Procedures</b> ,<br>Elections Code Section 14310; Statutes 2000,<br>Chapter 260  | 1/25/2013                            |