

COMMISSION ON STATE MANDATES

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January 25, 2008

TO: ALL INTERESTED PERSONS
FROM: Paula Higashi, Executive Director
RE: January 31, 2008 Hearing
New Location

The State Capitol is not available for the January 31, 2008 Commission hearing. Therefore, the hearing has been moved to the offices of Department of Finance, 915 L Street, Redwood Room, Sacramento, CA. at 9:30 a.m.

Special Accommodations. If you need any special accommodations such as a sign language interpreter, an assistive listening device, materials in an alternative format, or any other accommodations, please contact the Commission Office at least five to seven *working* days prior to the meeting.

Enclosed is the revised agenda. The only change to the agenda is notice of the new location.

Enclosure

NOTICE AND AGENDA¹

~~State Capitol, Room 126
Sacramento, California~~

NEW LOCATION

**DEPARTMENT OF FINANCE
915 L STREET
REDWOOD ROOM
SACRAMENTO, CA 95814**

January 31, 2008
9:30 A.M.

I. CALL TO ORDER AND ROLL CALL

II. ELECTION OF OFFICERS (action)

Item 1 Staff Report

III. APPROVAL OF MINUTES (action)

Item 2 December 6, 2007

IV. APPEAL OF EXECUTIVE DIRECTOR DECISIONS PURSUANT TO CALIFORNIA CODE OF REGULATIONS, TITLE 2, SECTION 1181, SUBDIVISION (C). (action)

(Note: This item is limited to appeals regarding this month's agenda items.)

Item 3 Staff Report (if necessary)

V. PROPOSED CONSENT CALENDAR (action)

If there are no objections to any of the following action items designated by an asterisk (*), the Executive Director will include it on the Proposed Consent Calendar that will be presented at the hearing. The Commission will determine which items will remain on the Consent Calendar.

VI. IMPLEMENTATION OF AB 1222

Item 4 Staff Report and Discussion

VII. HEARINGS AND DECISIONS ON CLAIMS, PURSUANT TO CALIFORNIA CODE OF REGULATIONS, TITLE 2, CHAPTER 2.5, ARTICLE 7 (GOV. CODE, § 17551) (ACTION)

A. Dismissal of Incorrect Reduction Claims

Item 5* *Graduation Requirements*
Statutes 1983, Chapter 498 (SB 813)

1. Castro Valley Unified School District, 03-4435-I-47
Fiscal Years 1999-2000, 2000-2001, 2001-2002
2. Fullerton Joint Union High School District, 03-4435-I-48

¹. This public meeting notice is available on the Internet at <http://www.csm.ca.gov>.

- Fiscal Years 1999-2000, 2000-2001, 2001-2002
- 3. Grossmont Union High School District, 03-4435-I-44
Fiscal Year 1999-2000
- 4. San Jose Unified School District, 03-4435-I-46
Fiscal Years 1999-2000, 2000-2001, 2001-2002
- 5. Sweetwater Union High School District, 05-4435-I-51
Fiscal Years 1999-2000, 2000-2001

VIII. INFORMATIONAL HEARING PURSUANT TO CALIFORNIA CODE OF REGULATIONS, TITLE 2, CHAPTER 2.5, ARTICLE 8 (action)

A. PARAMETERS AND GUIDELINES

Item 6* *Mentally Disordered Offenders: Treatment as a Condition of Parole* -
00-TC-28, 05-TC-06
Penal Code Section 2966
Statutes 1985, Chapter 1419(SB 1296); Statutes 1986, Chapter 858
(SB 1845); Statutes 1987, Chapter 687 (SB 425); Statutes 1988, Chapter
658 (SB 538); Statutes 1989, Chapter 228 (SB 1625); Statutes 1994,
Chapter 706 (SB 1918)
County of San Bernardino, Claimant

B. AMENDMENTS TO PARAMETERS AND GUIDELINES

Item 7* *Notice of Truancy*, 4133
Education Code Section 48260.5,
Statutes 1983, Chapter 498 (SB 813);
As Directed by the Legislature
Statutes 2007, Chapter 69 (AB 1698)

C. ADOPTION OF STATEWIDE COST ESTIMATE

Item 8 *TENTATIVE: Enrollment Fee Collection and Waivers*,
99-TC-13 and 00-TC-15
Education Code Section 76300, Subdivisions (a), (b), (g), (h)
Statutes 1984xx, Chapter 1 (AB 1xx); Statutes 1984, Chapters 274
(AB 207) and 1401 (AB 3776); Statutes 1985, Chapters 920 (AB 602)
and 1454 (AB 2262); Statutes 1986, Chapters 46 (AB 2352) and 394
(SB 993); Statutes 1987, Chapter 1118 (AB 2336); Statutes 1989,
Chapter 136 (SB 653); Statutes 1991, Chapter 114 (SB 381); Statutes
1992, Chapter 703 (SB 766); Statutes 1993, Chapters 8 (AB 46), 66
(SB 399), 67 (SB 1012), and 1124 (AB 1561); Statutes 1994, Chapters
153 (AB 2480) and 422(AB 2589); Statutes 1995, Chapter 308 (AB
825); Statutes 1996, Chapter 63 (AB 3031); and Statutes 1999, Chapter
72
(AB 1118)
California Code of Regulations, Title 5, Sections 58501-58503, 58611-
58613, 58620, and 58630, Subdivision (b)
Los Rios and Glendale Community College Districts, Claimants

IX. STAFF REPORTS (info/action)

Item 9 Chief Legal Counsel
Recent Decisions, Litigation Calendar

Item 10 Executive Director
Workload, Budget, and Next Hearing

X. PUBLIC COMMENT

XI. CLOSED EXECUTIVE SESSION PURSUANT TO GOVERNMENT CODE SECTIONS 11126 and 17526 (action).

A. PENDING LITIGATION

To confer with and receive advice from legal counsel, for consideration and action, as necessary and appropriate, upon the following matters pursuant to Government Code section 11126, subdivision (e)(1):

1. *State of California, Department of Finance v. Commission on State Mandates, et al.*, Sacramento Superior Court Case No. 03CS01432, [Behavioral Intervention Plans]
2. *County of San Bernardino v. Commission on State Mandates, et al.*, Los Angeles County Superior Court, Case No. BS106052; San Bernardino County Superior Court, Case No. SCVSS 138622 [Standardized Emergency Management Systems (SEMs)]
3. California School Boards Association, Education Legal Alliance; County of Fresno; City of Newport Beach; Sweetwater Union High School District and County of Los Angeles v. State of California, Commission on State Mandates and Steve Westly, in his capacity as State Controller, Third District Court of Appeal, Case No. C055700; [AB 138; Open Meetings Act, Brown Act Reform, Mandate Reimbursement Process I and II; and School Accountability Report Cards (SARC) I and II]
4. Department of Finance v. Commission on State Mandates, Third District Court of Appeal, Case No. C056833; [Peace Officer Procedural Bill of Rights]
5. Department of Finance and California Integrated Waste Management Board v. Commission on State Mandates, Santa Monica Community College District, and Lake Tahoe Community College District, Sacramento County Superior Court, Case No. 07CS00355, [Integrated Waste Management]
6. San Diego Unified School District v. Commission on State Mandates and California Department of Finance, San Diego County Superior Court, Case No. 37-2007-00064077-CU-PT-CTL, [Emergency Procedures: Earthquake Procedures and Disasters]
7. California School Boards Association, Education Legal Alliance, and Sweetwater Union High School Dist. v. State of California, Commission on State Mandates, and John Chiang, in his capacity as State Controller, Sacramento County Superior Court, Case No. 07CS01399, [Reconsideration of School Accountability Report Cards, SARC]

To confer with and receive advice from legal counsel, for consideration and action, as necessary and appropriate, upon the following matter pursuant to Government Code section 11126, subdivision (e)(2):

Based on existing facts and circumstances, there is a specific matter which presents a significant exposure to litigation against the Commission on State Mandates, its members and/or staff (Gov. Code, § 11126, subd. (e)(2)(B)(i).)

B. PERSONNEL

Report from Personnel Subcommittee and to confer on personnel matters pursuant to Government Code sections 11126, subdivision (a) and 17526.

RECONVENE IN PUBLIC SESSION

XII. REPORT FROM CLOSED EXECUTIVE SESSION

XIII. PERSONNEL (action)

- Item 10 Salary Adjustment: Attorney to the Commission/Chief Legal Counsel (CEA IV), pursuant to Government Code Section 17529

ADJOURNMENT

For information, contact:

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