

COMMISSION ON STATE MANDATES

980 NINTH STREET, SUITE 300
SACRAMENTO, CA 95814
PHONE: (916) 323-3562
FAX: (916) 445-0278
E-mail: csminfo@csm.ca.gov



October 7, 2010

Ms. Jeannie Oropeza
Department of Finance
Education Systems Unit
915 L Street, 7th Floor
Sacramento, CA 95814

Mr. Keith Petersen
President
SixTen and Associates
3270 Arena Blvd., Suite 400-363
Sacramento, CA 95834

And Affected State Agencies and Interested Parties (see enclosed mailing list)

RE: Requests for Extension of Time

Discrimination Complaint Procedures (02-TC-46)

Education Code Sections 212, 212.5, 213, 214, 221.5, 221.7, 66010.2, 66010.7, 66016, 66030, 66251, 66252, 66261, 66261.5, 66262, 66262.5, 66263, 66264, 66270, 66271.7, 66281.5, 66290, 66291, 66292, 66292.3, 72011, 72012, 72013, 72014, 87101, 87102;

Government Code Sections 11135, 11136, 11137, 11138, 11139

California Code of Regulations, Title 5, Sections 51010, 51026, 53001, 53002, 53003, 53004, 53005, 53006, 53020, 53021, 53022, 53023, 53024, 53025, 53026, 53033, 53034, 54220, 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.

Santa Monica Community College District, Los Rios Community College District, and West Kern Community College District, Claimants

Dear Ms. Oropeza and Mr. Petersen:

On October 5, 2010, we received Department of Finance's request for a 120-day extension of time to file comments on the above-named program. On October 6, 2010, we received claimants' request for a 60-day extension of time to file comments on the above-named program.

Your requests for extension of time are approved **for sixty days** for good cause. Comments are now due on **December 6, 2010**.

Hearing Date

This test claim is now set for hearing on March 24, 2011, at 9:30 a.m., State Capitol, Sacramento, California.

Pursuant to the Commission's regulations, you may appeal to the Commission for review of the actions and decisions of the executive director. Please refer to California Code of Regulations, title 2, section 1181, subdivision (c).

Please contact Nancy Patton at (916) 323-8217 if you have questions.

Sincerely,

Handwritten signature of Paula Higashi in black ink.
PAULA HIGASHI
Executive Director



DEPARTMENT OF
FINANCE

ARNOLD SCHWARZENEGGER, GOVERNOR

915 L STREET ■ SACRAMENTO CA ■ 95814-3706 ■ WWW.DOF.CA.GOV

October 5, 2010

Ms. Paula Higashi
Executive Director
Commission on State Mandates
980 Ninth Street, Suite 300
Sacramento, CA 95814



Dear Ms. Higashi:

The Department of Finance respectfully requests a 120-day extension to respond to the Commission on State Mandates (Commission) draft staff analysis of the Discrimination Complaint Procedures (02-TC-46) mandated cost claim.

We are unable to complete our review of the draft staff analysis and submit comments by October 6, 2010 due to the workload associated with the impending enactment of the Budget Act of 2010, the development of the 2010-11 Governor's Budget, and the preparation for a new Administration.

As required by the Commission's regulations, we are including a "Proof of Service" indicating that the parties included on the mailing list which accompanied your letter have been provided with copies of this letter via either United States Mail or, in the case of other state agencies, Interagency Mail Service.

If you have any questions regarding this letter, please contact Ed Hanson, Principal Program Budget Analyst at (916) 445-0328.

Sincerely,

JEANNIE OROPEZA
Program Budget Manager

Attachment

Enclosure A

DECLARATION OF *Edward Hanson*
DEPARTMENT OF FINANCE
CLAIM NO.

1. I am currently employed by the State of California, Department of Finance (Finance), am familiar with the duties of Finance, and am authorized to make this declaration on behalf of Finance.
2. We concur that the sections relevant to this claim are accurately quoted in the test claim submitted by claimants and, therefore, we do not restate them in this declaration.

I certify under penalty of perjury that the facts set forth in the foregoing are true and correct of my own knowledge except as to the matters therein stated as information or belief and, as to those matters, I believe them to be true.

10/05/10

at Sacramento, CA

Edward Hanson

PROOF OF SERVICE

Test Claim Name:

Test Claim Number:

I, the undersigned, declare as follows:

I am employed in the County of Sacramento, State of California, I am 18 years of age or older and not a party to the within entitled cause; my business address is 915 L Street, 7 Floor, Sacramento, CA 95814.

On 10/05/2010, I served the attached recommendation of the Department of Finance in said cause, by facsimile to the Commission on State Mandates and by placing a true copy thereof: (1) to claimants and nonstate agencies enclosed in a sealed envelope with postage thereon fully prepaid in the United States Mail at Sacramento, California; and (2) to state agencies in the normal pickup location at 915 L Street, Floor, for Interagency Mail Service, addressed as follows:

A-16

Ms. Paula Higashi, Executive Director
Commission on State Mandates
980 Ninth Street, Suite 300
Sacramento, CA 95814
Facsimile No. 445-0278

Mr. Robert Miyashiro
Education Mandated Cost Network
1121 L Street, Suite 1060
Sacramento, CA 95814

Sixten & Associates

Attention: Keith Petersen
3270 Arena Blvd., Suite 400-363
Sacramento, CA 95834

Ms. Harmeet Barkschat
Mandate Resource Services, LCC
5325 Elkhorn Blvd. #307
Sacramento, CA 95842

B-08

Ms. Angie Teng
State Controller's Office
Division of Accounting and Reporting
3301 C Street, Suite 700
Sacramento, CA 95816

Ms. Jolene Tollenaar
MGT of America
2001 P Street, Suite 200
Sacramento, CA 95811

A-15

Ms. Jeannie Oropeza
Department of Finance
Education Systems Unit
915 L Street, 7th Floor
Sacramento, CA 95814

Mr. William Duncan
West Kern Community College District
29 Emmons Park Drive
Taft, CA 93268

B-08

Ms. Jill Kanemasu
State Controller's Office
Division of Accounting and Reporting
3301 C Street, Suite 700
Sacramento, CA 95816

Mr. Douglas R. Brinkley
State Center Community College District
1525 East Weldon
Fresno, CA 93704-6398

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Page 2

Ms. Sandy Reynolds
Reynolds Consulting Group, Inc.
P.O. Box 894059
Temecula, CA 92589

B-08

Mr. Jim Spano
State Controller's Office
Division of Audits
300 Capitol Mall, Suite 518
Sacramento, CA 95814

Mr. Michael Johnston
Clovis Unified School District
1450 Herndon Ave
Clovis, CA 936110599

B-29

Mr. Paul Steenhausen
Legislative Analyst's Office
925 L Street, Suite 1000
Sacramento, CA 95814

Mr. Jon Sharpe
Los Rios Community College District
1919 Spanos Court
Sacramento, CA 95825

Mr. Mike Brown
School Innovations & Advocacy
11130 Sun Center Drive, Suite 100
Rancho Cordova, CA 95670

Mr. David E. Scribner
Scribner Consulting Group, Inc.
2200 Sunrise Blvd., Suite #240
Gold River, CA 95670

G-01

Mr. Erik Skinner
California Community Colleges
Chancellor's Office
1102 Q Street, Suite 300
Sacramento, CA 95814-6549

Ms. Beth Hunter
Centration, Inc.
8570 Utica Avenue, Suite 100
Rancho Cucamonga, CA 91730

B-08

Mr. Jay Lal
State Controller's Office
Division of Audits & Reporting
3301 C Street, Suite 700
Sacramento, CA 95816

Mr. Chris Bonvenuto
Santa Monica Community College District, CA
1900 Pico Blvd.
Santa Monica, CA 90405-6511

G-01

Mr. Steve Bruckman
California Community Colleges
Chancellor's Office
1102 Q Street, Suite 300
Sacramento, CA 95814-6549

Mr. Arthur Palkowitz
San Diego Unified School District
Office of Resource Development
4100 Normal Street, Room 3209
San Diego, CA 92103-8363

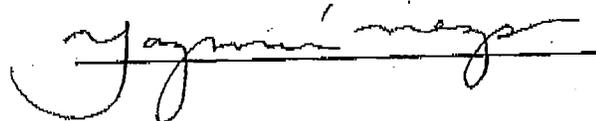
Mr. Steve Shields
Shields Consulting Group, Inc.
1536 36th Street
Sacramento, CA 95816

E-08

Ms. Carol Bingham
California Department of Education
Fiscal Policy Division
1430 N Street, Suite 5602
Sacramento, CA 95814

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October 5, 2010
Page 3

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed on October 5, 2010 at Sacramento, California.

A handwritten signature in cursive script, appearing to read "Jaymin Meyer", is written over a solid horizontal line.

Nancy Patton

From: Kbpsixten@aol.com
Sent: Wednesday, October 06, 2010 1:46 PM
To: Paula Higashi
Cc: Camille Shelton; Nancy Patton; Sbruckman@CCCCO.edu; FHARRIS@CCCCO.edu; Paul.Steenhausen@LAO.CA.GOV; Jeannie.Oropeza@dof.ca.gov; Ed.Hanson@dof.ca.gov; RobertM@sscal.com; Jeff.Carosone@dof.ca.gov; Susan.Geanacou@dof.ca.gov; Donna.Ferebee@dof.ca.gov
Subject: *02-TC-46 Discrimination Complaint Procedure

*02-TC-46 Discrimination Complaint Procedure

Santa Monica Community College District

Los Rios Community College District

West Kern Community College District

On behalf of the claimants, I am requesting additional time to respond to the Draft Staff Analysis of the above referenced test claim. I will need at least sixty days. However, if the commission grants a longer continuance to another party, I would like the same time period.

This request for delay is necessary as a result of competing workload that I cannot delegate to my staff. Currently, I am assisting my clients in four field audits in process and four more field audit draft reports are pending that when issued require a 15 day turnaround to respond to the Controller. I also have ten incorrect reduction claims in the drafting process and eight incorrect reduction claim rebuttals that I have to prepare in due course. As you know from all of the staff work to prepare the DSA over the past year or more, this is a complex/merged, detailed, and extensive DSA that will require significant time to evaluate to determine if all code sections and issues have been addressed.

Thank-you for your consideration of this request.

Keith B. Petersen, President
SixTen and Associates
www.sixtenandassociates.com

SAN DIEGO OFFICE:
5252 Balboa Avenue, Suite 900
San Diego, CA 92117
Voice: 858-514-8605
Fax: 858-514-8645

SACRAMENTO OFFICE:
3270 Arena Blvd., Suite 400-363
Sacramento, CA 95834
Voice: 916-419-7093
Fax: 916-263-9701

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Commission on State Mandates

Original List Date: 7/8/2003
Last Updated: 10/5/2010
List Print Date: 10/07/2010
Claim Number: 02-TC-46
Issue: Discrimination Complaint Procedures (CCD)

Agenda Mailing List

TO ALL PARTIES AND INTERESTED PARTIES:

Each commission mailing list is continuously updated as requests are received to include or remove any party or person on the mailing list. A current mailing list is provided with commission correspondence, and a copy of the current mailing list is available upon request at any time. Except as provided otherwise by commission rule, when a party or interested party files any written material with the commission concerning a claim, it shall simultaneously serve a copy of the written material on the parties and interested parties to the claim identified on the mailing list provided by the commission. (Cal. Code Regs., tit. 2, § 1181.2.)

Ms. Angie Teng State Controller's Office (B-08) Division of Accounting and Reporting 3301 C Street, Suite 700 Sacramento, CA 95816	Tel: (916) 323-0706 Fax:
Mr. William Duncan West Kern Community College District 29 Emmons Park Drive Taft, CA 93268	Tel: (661) 763-7700 Fax:
Mr. Jon Sharpe Los Rios Community College District 1919 Spanos Court Sacramento, CA 95825	Tel: (559) 244-5910 Fax: (559) 243-1949
Ms. Jill Kanemasu State Controller's Office (B-08) Division of Accounting and Reporting 3301 C Street, Suite 700 Sacramento, CA 95816	Tel: (916) 322-9891 Fax:
Mr. Steve Bruckman California Community Colleges Chancellor's Office (G-01) 1102 Q Street Sacramento, CA 95814-6511	Tel: (916) 323-7007 Fax: (916) 322-4783
Ms. Cheryl Miller CLM Financial Consultants, Inc. 1241 North Fairvale Avenue Covina, CA 91722	Tel: (626) 484-0660 Fax: (626) 332-4886
Mr. Jim Spano State Controller's Office (B-08) Division of Audits 3301 C Street, Suite 700 Sacramento, CA 95816	Tel: (916) 323-5849 Fax: (916) 327-0832
Mr. Douglas R. Brinkley State Center Community College District 1525 East Weldon Avenue Fresno, CA 93704-6398	Tel: (559) 244-5901 Fax: (559) 243-1949

Mr. Paul Steenhausen Legislative Analyst's Office (B-29) 925 L Street, Suite 1000 Sacramento, CA 95814	Tel: (916) 319-8324 Fax: (916) 324-4281
Mr. Mike Brown School Innovations & Advocacy 11130 Sun Center Drive, Suite 100 Rancho Cordova, CA 95670	Tel: (916) 669-5116 Fax: (888) 487-6441
Mr. Chris Bonvenuto Santa Monica Community College District 1900 Pico Blvd. Santa Monica, CA 90405-1628	Tel: (310) 434-4201 Fax: (310) 434-8200
Mr. Frederick E. Harris California Community Colleges Chancellor's Office (G-01) 1102 Q Street Sacramento, CA 95814-6511	Tel: (916) 324-9508 Fax: (916) 322-4783
Ms. Harmeet Barkschat Mandate Resource Services, LLC 5325 Elkhorn Blvd. #307 Sacramento, CA 95842	Tel: (916) 727-1350 Fax: (916) 727-1734
Ms. Sandy Reynolds Reynolds Consulting Group, Inc. P.O. Box 894059 Temecula, CA 92589	Tel: (951) 303-3034 Fax: (951) 303-6607
Mr. Robert Miyashiro Education Mandated Cost Network 1121 L Street, Suite 1060 Sacramento, CA 95814	Tel: (916) 446-7517 Fax: (916) 446-2011
Mr. Steve Shields Shields Consulting Group, Inc. 1536 36th Street Sacramento, CA 95816	Tel: (916) 454-7310 Fax: (916) 454-7312
Ms. Beth Hunter Centration, Inc. 8570 Utica Avenue, Suite 100 Rancho Cucamonga, CA 91730	Tel: (866) 481-2621 Fax: (866) 481-2682
Mr. David E. Scribner Max8550 2200 Sunrise Boulevard, Suite 240 Gold River, California 95670	Tel: (916) 852-8970 Fax: (916) 852-8978
Mr. Michael Johnston Clovis Unified School District 1450 Herndon Ave Clovis, CA 93611-0599	Tel: (559) 327-9000 Fax: (559) 327-9129
Mr. Jay Lal State Controller's Office (B-08) Division of Accounting & Reporting 3301 C Street, Suite 700 Sacramento, CA 95816	Tel: (916) 324-0256 Fax: (916) 323-6527

Ms. Carol Bingham California Department of Education (E-08) Fiscal Policy Division 1430 N Street, Suite 5602 Sacramento, CA 95814	Tel: (916) 324-4728 Fax: (916) 319-0116
Ms. Jeannie Oropeza Department of Finance (A-15) Education Systems Unit 915 L Street, 7th Floor Sacramento, CA 95814	Tel: (916) 445-0328 Fax: (916) 323-9530
Ms. Susan Geanacou Department of Finance (A-15) 915 L Street, Suite 1280 Sacramento, CA 95814	Tel: (916) 445-3274 Fax: (916) 449-5252
Ms. Jolene Tollenaar MGT of America 2001 P Street, Suite 200 Sacramento, CA 95811	Tel: (916) 443-9136 Fax: (916) 443-1766
Mr. Keith B. Petersen SixTen & Associates 3270 Arena Blvd., Suite 400-363 Sacramento, CA 95834	Tel: (916) 419-7093 Fax: (916) 263-9701