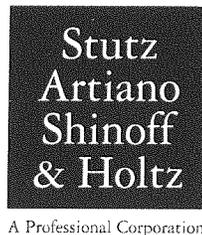


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LATE FILING
March 12, 2014



Via E-Mail

Heather.Halsey@csm.ca.gov

Heather Halsey
Executive Director
COMMISSION ON STATE MANDATES
980 9th Street, Suite 300
Sacramento, CA 95814

**Re: Draft Staff Analysis and Proposed Statement of Decision,
Race to the Top, 10TC-06**

Dear Ms. Halsey:

Please be advised Twin Rivers Unified School District, claimant, hereby submits the following in response to the Department of Finance (“DOF”) late filing regarding the above-matter.

The Draft Staff Analysis (p. 12) states the following in support of its recommendation Education Code section 53202(a) and (b) imposes a state-mandated new program:

“The state enacted these requirements to implement a school intervention program that incorporates selection criteria from the federal RTTT legislation to compete for the federal competitive grant award. *The federal grant program is voluntary and not mandated by federal law.*” (italics added)

If state law requires additional activities included in a voluntary federal program, a reimbursable mandate is present and the state must provide subvention of funds to reimburse local governments for costs of state-mandated programs or increased levels of service. (Cal. Const., art. XIII B, § 6), (*San Diego Unified School District. v. Commission on State Mandates* (2004) 33 Cal.4th 859.)

Heather Halsey
Executive Director

March 12, 2014
Page 2

CERTIFICATION

I certify by my signature below, under penalty of perjury under the laws of the State of California, that the statements made in this document are true and complete to the best of my own personal knowledge or information and belief.



Arthur M. Palkowitz
Attorney for the Claimant

AMP:dlk

DECLARATION OF SERVICE BY EMAIL

I, the undersigned, declare as follows:

I am a resident of the County of Sacramento and I am over the age of 18 years, and not a party to the within action. My place of employment is 980 Ninth Street, Suite 300, Sacramento, California 95814.

On March 13, 2014, I served the:

Comments on Draft Staff Analysis and Proposed Statement of Decision

Race to the Top, 10-TC-06

Education Code Sections 48353 et al.

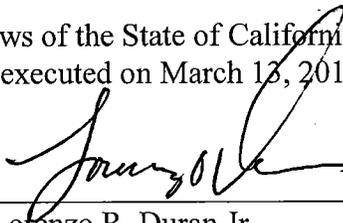
Statutes 2009-2010, 5th Extraordinary Session, Chapters 2 and 3, SBX5 1 and SBX5 4 et al.

California Code of Regulations, Title 5, Section 4702 (Register 2010, No. 32)

Twin Rivers Unified School District, Claimant

by making it available on the Commission's website and providing notice of how to locate it to the email addresses provided on the attached mailing list.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed on March 13, 2014 at Sacramento, California.



Lorenzo R. Duran Jr.
Commission on State Mandates
980 Ninth Street, Suite 300
Sacramento, CA 95814
(916) 323-3562

COMMISSION ON STATE MANDATES

Mailing List

Last Updated: 1/28/14

Claim Number: 10-TC-06

Matter: Race to the Top

Claimant: Twin Rivers Unified School District

TO ALL PARTIES, INTERESTED PARTIES, AND INTERESTED PERSONS:

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

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