

1. INCORRECT REDUCTION CLAIM TITLE

Oceanside Unified School District

498/83 Stull Act Program, FY 1997-2005

2. CLAIMANT INFORMATION

Oceanside Unified School District

Name of Local Agency or School District

Karen Huddleston

Claimant Contact

Controller

Title

2111 Mission Avenue

Street Address

Oceanside, CA 92058

City, State, Zip

(760) 966-4045

Telephone Number

(760) 754-9036

Fax Number

khuddleston@oside.k12.ca.us

E-Mail Address

3. CLAIMANT REPRESENTATIVE INFORMATION

Claimant designates the following person to act as its sole representative in this incorrect reduction claim. All correspondence and communications regarding this claim shall be forwarded to this representative. Any change in representation must be authorized by the claimant in writing, and sent to the Commission on State Mandates.

Arthur M. Palkowitz

Claimant Representative Name

Attorney

Title

Stutz Artiano Shinoff & Holtz, APC

Organization

2488 Historic Decatur Road, Suite 200

Street Address

San Diego, CA 92106

City, State, Zip

(619) 232-3122

Telephone Number

(619) 232-3264

Fax Number

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E-Mail Address

<i>For CSM Use Only</i>
Filing Date:
RECEIVED August 20, 2014 Commission on State Mandates
IRC #: 14-9825-I-01

4. IDENTIFICATION OF STATUTES OR EXECUTIVE ORDERS

Please specify the subject statute or executive order that claimant alleges is not being fully reimbursed pursuant to the adopted parameters and guidelines.

Education Code sections 44660-44665

5. AMOUNT OF INCORRECT REDUCTION

Please specify the fiscal year and amount of reduction. More than one fiscal year may be claimed.

<u>Fiscal Year</u>	<u>Amount of Reduction</u>
1997-2005	\$1,270,420.00
See Attachment #5 - Amount of Incorrect Reduction	
TOTAL:	\$1,270,420.00

6. NOTICE OF INTENT TO CONSOLIDATE

Please check the box below if there is intent to consolidate this claim.

Yes, this claim is being filed with the intent to consolidate on behalf of other claimants.

Sections 7 through 11 are attached as follows:

7. Written Detailed

Narrative: pages 1 to 5.

8. Documentary Evidence

and Declarations: Exhibit A, B, M, N, O

9. Claiming Instructions:

Exhibit C.

10. Final State Audit Report

or Other Written Notice

of Adjustment:

Exhibit D.

11. Reimbursement Claims:

Exhibit E, F, G, H, I, J, K, L

12. CLAIM CERTIFICATION

*Read, sign, and date this section and insert at the end of the incorrect reduction claim submission. **

This claim alleges an incorrect reduction of a reimbursement claim filed with the State Controller's Office pursuant to Government Code section 17561. This incorrect reduction claim is filed pursuant to Government Code section 17551, subdivision (d). I hereby declare, under penalty of perjury under the laws of the State of California, that the information in this incorrect reduction claim submission is true and complete to the best of my own knowledge or information or belief.

Karen Huddleston

Print or Type Name of Authorized Local Agency
or School District Official



Signature of Authorized Local Agency or
School District Official

Controller

Print or Type Title

8/19/14

Date

** If the declarant for this Claim Certification is different from the Claimant contact identified in section 2 of the incorrect reduction claim form, please provide the declarant's address, telephone number, fax number, and e-mail address below.*

Attachment #5
to IRC Claim

Oceanside Unified School District
Stull Act Program

Fiscal Year	Audit Adjustment
1997-98	(54,305)
1998-99	(74,656)
1999-2000	(105,477)
2000-01	(148,092)
2001-02	(203,727)
2002-03	(207,885)
2003-04	(230,431)
2004-05	(245,847)
TOTAL	\$(1,270,420)

1 **STUTZ ARTIANO SHINOFF & HOLTZ**
2 *A Professional Corporation*

3 Arthur M. Palkowitz, Esq. (SBN 106141)
4 2488 Historic Decatur Road, Suite 200
5 San Diego, California 92106
6 Telephone: (619) 232-3122
7 Facsimile: (619) 232-3264

8 Attorneys for Claimant
9 OCEANSIDE UNIFIED SCHOOL DISTRICT

10 **BEFORE THE COMMISSION ON STATE MANDATES**

11 **STATE OF CALIFORNIA**

12 **IN RE INCORRECT REDUCTION**
13 **CLAIM ON:**

14 **CHAPTER 498 STATUTES OF 1983;**
15 **CHAPTER 4, STATUTES OF 1999;**
16 ***THE STULL ACT PROGRAM : FISCAL***
17 ***YEARS 1997-1998, 1998-1999,***
18 ***1999-2000, 2000-2001, 2001-2002, 2002-***
19 ***2003, 2003-2004, 2004-2005.***

Case No.:

INCORRECT REDUCTION CLAIM OF
OCEANSIDE UNIFIED SCHOOL
DISTRICT;

CHAPTER 498, STATUTES OF 1983
CHAPTER 4, STATUTES OF 1999
(THE STULL ACT PROGRAM)

20 **I.**

21 **NARRATIVE OF THE INCORRECT REDUCTION CLAIM**

22 Oceanside Unified School District (“the District”) filed claims for reimbursement of
23 costs that the District incurred during Fiscal Years 1997-1998, 1998-1999, 1999-2000, 2000-
24 2001, 2001-2002, 2002-2003, 2003-2004, 2004-2005 to implement the state mandated Stull
25 Program Act Program set forth in Chapter 498, Statutes (Chapter 498/83) and Chapter 4,
26 Statutes of 1999 (Chapter 4/99). The costs claimed were primarily for the salaries and
27 benefits of the school site staff and related indirect costs. The State Controller’s Office
28 [SCO] denied these costs contending the District did not support claimed costs with source
documents.

1. **Statement of the Dispute.**

A. **The Mandate** – Chapter 498/1983 and Chapter 4/99, among other things added
or amended Educational Code sections 44660-44665, which required school districts to

1 develop and adopt specific guidelines to evaluate and assess certificated instructional
2 employees that perform the requirements of educational programs mandated by state or
3 federal law as it reasonably relates to the instructional techniques and strategies used by the
4 employee and the employee's adherence to curricular objectives. On May 27, 2004, the
5 Commission on State Mandates (Commission) determined that Chapters 498/83, 4/99
6 impose a reasonable state mandate. **(Exhibit A)**

7 B. Parameters and Guidelines – On September 27, 2005, the Commission adopted
8 parameters and guidelines (original parameters and guidelines) for Chapter 498/83 and 4/99
9 **(Exhibit B)** The original parameters and guidelines described the reimbursable activities to
10 include salary and benefits of employees who evaluate and assess the performance of
11 certificated instructional employees.

12 C. The Controller's Claiming Instructions – The SCO first issued its claiming
13 instructions for Chapter 498/83 and Chapter 4/99 on December 12, 2005. The claiming
14 instructions included a description of reimbursable components and were substantially the
15 same as the description in the parameters and guidelines. **(Exhibit C)**

16 D. The SCO's Notice of Claim Reduction – In the Audit Report dated August 24,
17 2011, the SCO notified the District that \$1,270,420 was disapproved. The SCO stated that
18 the District did not support claim costs with source documents. **(Exhibit D)**

19 E. The District's Claim

20 Fiscal Year 1997-1998 – On April 11, 2006, the District filed its reimbursement
21 of the costs that the District incurred during Fiscal Year 1997-1998. **(Exhibit E)** The
22 District cost for Fiscal Year 1997-1998 was \$54,305. The SCO disallowed the entire
23 amount.

24 Fiscal Year 1998-1999 – On April 11, 2006, the District filed its claim for
25 reimbursement of the costs that the District incurred during Fiscal Year 1998-99. **(Exhibit**
26 **F)** The District cost for FY 1998-99 was \$74,656. The SCO disallowed the entire amount.

27 Fiscal Year 1999-2000 – On April 11, 2006, the District filed its claim for
28 reimbursement of the costs that the District incurred during Fiscal Year 1999-2000 **(Exhibit**

1 G). The District cost for FY 1999-2000 was \$105,477. The entire amount was disallowed.

2 Fiscal Year 2000 – 2001 – On April 11, 2006, the District filed its claim for
3 reimbursement of the costs that the District incurred during Fiscal Year 2000-2001 (**Exhibit**
4 **H**). The claim was \$148,092. The entire amount was disallowed.

5 Fiscal Year 2001 – 2002 – On April 11, 2006, the District filed its claim for
6 reimbursement of the costs that the District incurred during Fiscal Year 2001-2002 (**Exhibit**
7 **I**). The amount of the claim was \$203,727. The entire amount was disallowed.

8 Fiscal Year 2002 – 2003 – On April 11, 2006, date, the District filed its claim
9 for reimbursement of the costs that the District incurred during Fiscal Year 2002-2003.
10 (**Exhibit J**). The amount of the claim was \$207,885. The total amount was disallowed.

11 Fiscal Year 2003 – 2004 – On April 11, 2006, the District filed its claim for
12 reimbursement of the costs that the District incurred during Fiscal Year 2003-2004.
13 (**Exhibit K**). The amount of the claim was \$230,431. The entire amount was disallowed.

14 Fiscal Year 2004 – 2005 – On April 11, 2006, the District filed its claim for
15 reimbursement of the costs that the District incurred during Fiscal Year 2004-2005.
16 (**Exhibit L**). The amount of the claim was \$245,847. The total amount was disallowed.

17 II.

18 DISTRICT PROVIDED TIME RECORDS FOR MANDATED COSTS.

19 The District provided list of employees, title, hourly rate for each fiscal year that
20 evaluations were performed. The District provided employee average time records for
21 mandated costs. (**Exhibit M**). Each employee recorded average time performing evaluation
22 activities for the period of Fiscal Year 1997-98 through Fiscal Year 2004-05. The Audit
23 Report states “The District did not provide source documents supporting the average time or
24 access to employee evaluations to support the number of employees evaluated.” (**Exhibit D**,
25 p. 8.)

26 “The audit developed alternative methods to determine the allowable salary benefits
27 and related indirect costs given the District’s inadequate documentation detailed above. We
28 obtained a copy of the District’s teacher evaluation procedures and forms and interviewed

1 administrators who actually performed the mandated activities in the ordered years. The
2 District's teacher evaluation forms disclosed half-an-hour of actual classroom observation.
3 The District requested that it be allowed to support its claim with auditor verification of its
4 written observations and final summary performance teacher evaluations from the personnel
5 records. The District agreed to our recommendation that it allow half-an-hour for each
6 written observation and final teacher evaluation verified." (Exhibit D; p. 8).

7 The District complied with the evaluation requirements contained in Article 15 of the
8 Collective Bargaining Agreement for years 1997- 2005. (Exhibit N)

9 The above ratifies that the District performed the activities required under the state
10 mandate. Despite confirming that the activities were performed and receiving the District's
11 procedure and forms, the State Controller disallowed all of the activities claimed for in the
12 fiscal years noted above.

13 There can be no doubt the District's school site staff performed the reimbursable
14 activities. Thus, the District has sufficient documentation to prove each school site
15 performed the activities of assessing and evaluating the certificated employees as required by
16 the mandate. The District documents are evidenced that all school sites perform the
17 reimbursable activities. The statistical method used by the District is reasonable and non-
18 excessive. The amount of \$1,270,420 must be reinstated.

19 The Office of Management and Budget Circular A-87 establishes costs, principles of
20 standards for state and local governments to determine administrative costs applicable to
21 grants, contracts, and other agreements with state and local governments. Randomly
22 sampling workers to find out what they are working on is one of the federally approved
23 methods of identifying worker effort. Such method is reasonable and may be implemented
24 rather than 100 percent time reporting method. (Exhibit O)

25 **CERTIFICATION**

26 I certify by my signature below, that the statements made on this document are true
27 and correct of my own knowledge or as to all other matters, I believe them to be true and
28 correct based upon information and belief.

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Executed on August 20, 2014

STUTZ ARTIANO SHINOFF & HOLTZ
A Professional Corporation


Bv: 
Arthur M. Palkowitz
Attorneys for Claimant OCEANSIDE UNIFIED
SCHOOL DISTRICT

Exhibit A

BEFORE THE
COMMISSION ON STATE MANDATES
STATE OF CALIFORNIA

IN RE TEST CLAIM ON:

Education Code Sections 44660-44665
(Former Ed. Code, §§ 13485-13490);

Statutes 1975, Chapter 1216; Statutes 1983,
Chapter 498; Statutes 1986, Chapter 393;
Statutes 1995, Chapter 392; Statutes 1999,
Chapter 4;

Filed on July 7, 1999;

By Denair Unified School District, Claimant.

No. 98-TC-25

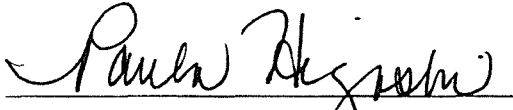
The Stull Act

STATEMENT OF DECISION PURSUANT
TO GOVERNMENT CODE SECTION **17500**
ET SEQ.; CALIFORNIA CODE OF
REGULATIONS, TITLE 2, DIVISION 2,
CHAPTER 2.5, ARTICLE 7

(Adopted on May 27, 2004)

STATEMENT OF DECISION

The attached Statement of Decision of the Commission on State Mandates is hereby adopted in the above-entitled matter.



PAULA HIGASHI, Executive Director

6-1-2004
Date

BEFORE THE
COMMISSION ON STATE MANDATES
STATE OF CALIFORNIA

IN RE TEST CLAIM ON:

Education Code Sections 44660-44665
(Former Ed. Code, §§ 1348513490);

Statutes 1975, Chapter 1216; Statutes 1983,
Chapter 498; Statutes 1986, Chapter 393;
Statutes 1995, Chapter 392; Statutes 1999,
Chapter 4;

Filed on July 7, 1999;

By Denair Unified School District, Claimant.

No. 98-TC-25

The Stull Act

STATEMENT OF DECISION PURSUANT
TO GOVERNMENT CODE SECTION 17500
ET SEQ.; CALIFORNIA CODE OF
REGULATIONS, TITLE 2, DIVISION 2,
CHAPTER 2.5, ARTICLE 7

(Adopted on May 27, 2004)

PROPOSED STATEMENT OF DECISION

The Commission on State Mandates (Commission) heard and decided this test claim during a regularly scheduled hearing on May 27, 2004. David E. Scribner appeared for the claimant, Denair Unified School District. Barbara Taylor appeared for the Department of Finance.

The law applicable to the Commission's determination of a reimbursable state-mandated program is article XIII B, section 6 of the California Constitution, Government Code section 17500 et seq., and related case law.

The Commission adopted the staff analysis at the hearing by a vote of 4 to 0.

BACKGROUND

This test claim addresses the Stull Act. The Stull Act was originally enacted in 1971 to establish a uniform system of evaluation and assessment of the performance of "certificated personnel" within each school district. (Former Ed. Code, §§ 13485-13490.)¹ The Stull Act required the governing board of each school district to develop and adopt specific guidelines to evaluate and assess certificated personnel², and to avail itself of the advice of certificated instructional personnel before developing and adopting the guidelines.³ The evaluation and assessment of the certificated personnel was required to be reduced to writing and a copy transmitted to the employee no later than sixty days before the end of the school year.⁴ The employee then had the right to initiate a written response to the evaluation, which became a permanent part of the

Statutes 1971, chapter 361.

² Former Education Code section 13487.

³ Former Education Code section 13486.

⁴ Former Education Code section 13488.

employee's personnel file.⁵ The school district was also required to hold a meeting with the employee to discuss the evaluation!

Former Education Code section 13489 required that the evaluation and assessment be continuous. For probationary employees, the evaluation had to occur once each school year. For permanent employees, the evaluation was required every other year. Former section 13489 also required that the evaluation include recommendations, if necessary, for areas of improvement in the performance of the employee. If the employee was not performing his or her duties in a satisfactory manner according to the standards, the "employing authority"⁷ was required to notify the employee in writing, describe the unsatisfactory performance, and confer with the employee making specific recommendations as to areas of improvement and endeavor to assist in the improvement.

In 1976, the Legislature renumbered the provisions of the Stull Act. The Stull Act can now be found in Education Code sections 44660-44665.⁸

The test claim legislation, enacted between 1975 and 1999, amended the Stull Act. The claimant alleges that the amendments constitute a reimbursable state-mandated program within the meaning of article XIII B, section 6 of the California Constitution."

In addition, the claimant, a school district, alleges that compliance with the Stull Act is new as to county offices of education and, thus, counties are entitled to reimbursement for all activities under the Stull Act.¹⁰

However, no county office of education has appeared in this action as a claimant, nor filed a declaration alleging mandated costs exceeding \$1000, as expressly required by Government Code section 17564 and section 1183 of the Commission's regulations.

Therefore, the test claim has not been perfected as to county offices of education. The findings in this analysis, therefore, are limited to school districts.

⁵ *Ibid.*

⁶ *Ibid.*

⁷ Former Education Code section 13490 defined "employing authority" as "the superintendent of the school district in which the employee is employed, or his designee, or in the case of a district which has no superintendent, a school principal or other person designated by the governing board."

⁸ Statutes 1976, chapter 1010.

⁹ In 1999, the Legislature added Education Code section 44661.5 to the Stull Act. (Stats. 1999, ch. 279.) Education Code section 44661.5 authorizes a school district to include objective standards from the National Board for Professional Teaching Standards or any objective standards from the California Standards for the Teaching Profession when developing evaluation and assessment guidelines. The claimant did not include Education Code section 4466 1.5 in this test claim.

¹⁰ Exhibit A (Test Claim, pages 7-9) to Item 9 of the May 27, 2004 Commission Hearing.

Claimant's Position

The claimant contends that the test claim legislation constitutes a reimbursable state-mandated program for the following "new" activities:

- Rewrite standards for employee assessment to reflect expected student "achievement" (as opposed to the prior requirement of expected student "progress") and to expand the standards to reflect expected student achievement at each "grade level." (Stats. 1975, ch. 1216.)
- Develop job responsibilities for certificated non-instructional personnel, including but not limited to, supervisory and administrative personnel. (Stats. 1975, ch. 1216.)
- Assess and evaluate non-instructional personnel. (Stats. 1975, ch. 1216; Stats. 1995, ch. 392.)
- Receive and review responses from certificated non-instructional personnel regarding the employee's evaluation. (Stats. 1986, ch. 393 .)
- Conduct a meeting between the certificated non-instructional employee and the evaluator to discuss the evaluation and assessment. (Stats. 1986, ch. 393.)
- Conduct additional evaluations of certificated employees who receive an unsatisfactory evaluation. (Stats. 1983, ch. 498.)
- Review the results of a certificated instructional employee's participation in the Peer Assistance and Review Program for Teachers as part of the assessment and evaluation. (Stats. 1999, ch. 4.)
- Assess and evaluate the performance of certificated instructional personnel as it relates to the instructional techniques and strategies used and the employee's adherence to curricular objectives. (Stats. 1983, ch. 498.)
- Assess and evaluate certificated instructional personnel as it relates to the progress of pupils towards the state adopted academic content standards, if applicable, as measured by state adopted criterion referenced assessments. (Stats. 1999, ch. 4.)
- Assess and evaluate certificated personnel employed by county superintendents of education. (Stats. 1975, ch. 1216.)¹¹

Department of Finance's Position

The Department of Finance filed comments on March 6, 2001, contending that most of the activities requested by the claimant do not constitute reimbursable state-mandated activities. The Department of Finance states, however, that the following activities "may" be reimbursable:

- Assess and evaluate the performance of certificated instructional personnel as it relates to the progress of students toward the attainment of state academic standards, as measured by state-adopted assessments.

¹¹ Exhibit A (Test Claim) to Item 9 of the May 27, 2004 Commission Hearing.

- Modification of assessment and evaluation methods to determine whether instructional staff is adhering to the curricular objectives and instructional techniques and strategies associated with the updated state academic standards.
- Assess and evaluate permanent certificated staff that has received an unsatisfactory evaluation at least once each year, until the employee receives a satisfactory evaluation, or is separated from the school district.
- Implementation of the Stull Act by county offices of education.”

Discussion

The courts have found that article XIII B, section 6 of the California Constitution¹³ recognizes the state constitutional restrictions on the powers of local government to tax and spend.¹⁴ “Its purpose is to preclude the state from shifting financial responsibility for carrying out governmental functions to local agencies, which are ‘ill equipped’ to assume increased financial responsibilities because of the taxing and spending limitations that articles XIII A and XIII B impose.”¹⁵ A test claim statute or executive order may impose a reimbursable state-mandated program if it orders or commands a local agency or school district to engage in an activity or task.¹⁶ In addition, the required activity or task must be new, constituting a “new program,” or it must create a “higher level of service” over the previously required level of service.¹⁷

¹² Exhibit B to Item 9 of the May 27, 2004 Commission Hearing.

¹³ Article XIII B, section 6 provides: “Whenever the Legislature or any state agency mandates a new program or higher level of service on any local government, the state shall provide a subvention of funds to reimburse such local government for the costs of such program or increased level of service, except that the Legislature may, but need not, provide such subvention of funds for the following mandates: (a) Legislative mandates requested by the local agency affected; (b) Legislation defining a new crime or changing an existing definition of a crime; or (c) Legislative mandates enacted prior to January 1, 1975, or executive orders or regulations initially implementing legislation enacted prior to January 1, 1975 .”

¹⁴ *Department of Finance v. Commission on State Mandates* (2003) 30 Cal.4th 727, 735.

¹⁵ *County of San Diego v. State of California* (1997) 15 Cal.4th 68, 81.

¹⁶ *Long Beach Unified School Dist. v. State of California* (1990) 225 Cal.App.3d 155, 174. In *Department of Finance v. Commission on State Mandates*, *supra*, 30 Cal.4th at page 742, the court agreed that “activities undertaken at the option or discretion of a local government entity (that is, actions undertaken without any legal compulsion or threat of penalty for nonparticipation) do not trigger a state mandate and hence do not require reimbursement of funds - even if the local entity is obligated to incur costs as a result of its discretionary decision to participate in a particular program or practice.” The court left open the question of whether non-legal compulsion could result in a reimbursable state mandate, such as in a case where failure to participate in a program results in severe penalties or “draconian” consequences. (*Id.*, at p. 754.)

¹⁷ *Lucia Mar Unified School District v. Honig* (1988) 44 Cal.3d 830, 835-836.

The courts have defined a “program” subject to article XIII B, section 6, of the California Constitution, as one that carries out the governmental function of providing public services, or a law that imposes unique requirements on local agencies or school districts to implement a state policy, but does not apply generally to all residents and entities in the state? To determine if the program is new or imposes a higher level of service, the test claim legislation must be compared with the legal requirements in effect immediately before the enactment of the test claim legislation.” Finally, the newly required activity or increased level of service must impose costs mandated by the state.²⁰

The Commission is vested with exclusive authority to adjudicate disputes over the existence of state-mandated programs within the meaning of article XIII B, section 6.²¹ In making its decisions, the Commission must strictly construe article XIII B, section 6 and not apply it as an “equitable remedy to cure the perceived unfairness resulting from political decisions on funding priorities.”²²

Issue 1: Is the test claim legislation subject to article XIII B, section 6 of the California Constitution?

Certain statutes in the test claim legislation do not require school districts to perform activities and, thus, are not subject to article XIII B, section 6.

In order for a statute to be subject to article XIII B, section 6 of the California Constitution, the statutory language must require local agencies or school districts to perform an activity or task. If the statutory language does not mandate local agencies or school districts to perform a task, then compliance with the test claim statute is within the discretion of the local entity and a reimbursable state-mandated program does not exist.

Here, there are two test claim statutes, Education Code section 44664, subdivision (b) (as amended by Stats. 1983, ch. 498 and Stats. 1999, ch. 4) and Education Code section 44662, subdivision (d) (as amended by Stats. 1999, ch. 4) that do not require school districts to perform activities and, thus, are not subject to article XIII B, section 6 of the California Constitution.

Education Code section 44664, subdivision (b), as amended by Statutes 1983, chapter 498. In 1983, the Legislature amended Education Code section 44664 by adding subdivision (b). Subdivision (b) authorizes a school district to require a certificated employee that receives an

¹⁸ *County of Los Angeles v. State of California* (1987) 43 Cal.3d 46, 56; *Lucia Mar, supra*, 44 Cal.3d 830, 835.

¹⁹ *Lucia Mar, supra*, 44 Cal.3d 830, 835.

²⁰ *County of Fresno v. State of California* (1991) 53 Cal.3d 482, 487; *County of Sonoma v. Commission on State Mandates* (2000) 84 Cal.App.4th 1265, 1284; Government Code sections 17514 and 17556.

²¹ *Kinlaw v. State of California* (1991) 54 Cal.3d 326, 331-334; Government Code sections 17551, 17552.

²² *City of San Jose v. State of California* (1996) 45 Cal.App.4th 1802, 1817; *County of Sonoma, supra*, 84 Cal.App.4th 1265, 1280.

unsatisfactory evaluation to participate in a program to improve the employee's performance. Education Code section 44664, subdivision (b), stated the following:

Any evaluation performed pursuant to this article which contains an unsatisfactory rating of an employee's performance in the area of teaching methods or instruction *may* include the requirement that the certificated employee shall, as determined by the employing authority, participate in a program designed to improve appropriate areas of the employee's performance and to further pupil achievement and the instructional objectives of the employing authority.
(Emphasis added.)

The plain language of the statute authorizes, but does not mandate, a school district to require its certificated employees to participate in a program designed to improve performance if the employee receives an unsatisfactory evaluation. Thus, the Commission finds that Education Code section 44664, subdivision (b), as amended by Statutes 1983, chapter 498, does not mandate school districts to perform an activity and, thus, it is not subject to article XIII B, section 6 of the California Constitution.

Education Code section 44662, subdivision (d), and Education Code section 44664, subdivision (b), as amended by Statutes 1999, chapter 4. In 1999, the Legislature amended Education Code section 44664, subdivision (b), by adding the following underlined sentence:

Any evaluation performed pursuant to this article which contains an unsatisfactory rating of an employee's performance in the area of teaching methods or instruction may include the requirement that the certificated employee shall, as determined by the employing authority, participate in a program designed to improve appropriate areas of the employee's performance and to further pupil achievement and the instructional objectives of the employing authority. If a district participates in the Peer Assistance and Review Program for Teachers established pursuant to Article 4.5 (commencing with Section 44500), any certificated employee who receives an unsatisfactory rating on an evaluation performed pursuant to this section shall participate in the Peer Assistance and Review Program for Teachers.

The 1999 test claim legislation also amended Education Code section 44662 by adding subdivision (d), which states:

Results of an employee's participation in the Peer Assistance and Review Program for Teachers established by Article 4.5 (commencing with Section 44500) shall be made available as part of the evaluation conducted pursuant to this section.

The claimant requests reimbursement to "receive and review, for purposes of a certificated employee's assessment and evaluation, if applicable, the results of an employee's participation in the Peer Assistance and Review Program for Teachers established by Article 4.5 (commencing with section 44500.)"

²³ Exhibit A (Test Claim, page 7) to Item 9 of the May 27, 2004 Commission Hearing.

The Department of Finance contends that reviewing the results of the Peer Assistance and Review Program, as part of the Stull Act evaluation of the employee's performance, is not a reimbursable state-mandated activity because participation in the Peer Assistance and Review Program is voluntary.²⁴

In response to the Department of Finance, the claimant states the following:

The legislative intent behind the amendments to the Stull Act was to ensure that school districts adopt objective, uniform evaluation and assessment guidelines that effectively assess certificated employee performance. To meet this desired goal, school districts that participate in the Peer Assistance and Review Program must include an employee's results of participation in the employee's evaluation. If this information was not considered by the district, inconsistent, incomplete, and inaccurate evaluations and assessments would occur a result contrary to the Legislature's stated intent. Therefore, the claimant contends that the activities associated with the receipt and review of an employee's participation in the Peer Assistance and Review Program impose reimbursable state-mandated activities upon school districts.²⁵

For the reasons described below, the Commission finds that the receipt and review of the results of an employee's participation in the Peer Assistance and Review Program is not a state-mandated activity and, therefore, the 1999 amendments to Education Code sections 44662 and 44664 are not subject to article XIII B, section 6 of the California Constitution.

In *Department of Finance v. Commission on State Mandates*²⁶, the Supreme Court reviewed test claim legislation that required school site councils to post a notice and an agenda of their meetings. The court determined that school districts were not legally compelled to establish eight of the nine school site councils and, thus, school districts were not mandated by the state to comply with the notice and agenda requirements for these school site councils." The court reviewed the ballot materials for article XIII B, which provided that "a state mandate comprises something that a local government entity is required or forced to do."²⁸ The ballot summary by the Legislative Analyst further defined "state mandates" as "requirements imposed on local governments by legislation or executive orders."²⁹

The court also reviewed and affirmed the holding of the *City of Merced* case.^{30, 31} The court stated the following:

²⁴ Exhibit B to Item 9 of the May 27, 2004 Commission Hearing.

²⁵ Exhibit C (Claimant Rebuttal, page 7) to Item 9 of the May 27, 2004 Commission Hearing.

²⁶ *Department of Finance, supra*, 20 Cal.4th 727.

²⁷ *Id.* at page 731.

²⁸ *Id.* at page 737.

²⁹ *Ibid.*

³⁰ *Id.* at page 743,

³¹ *City of Merced v. State of California* (1984) 153 Cal.App.3d 777.

In *City of Merced*, the city was under no legal compulsion to resort to eminent domain-but when it elected to employ that means of acquiring property, its obligation to compensate for lost business goodwill was not a reimbursable state mandate, because the city was not required to employ eminent domain in the first place. Here as well, if a school district elects to participate in or continue participation in any underlying *voluntary* education-related funded program, the district's obligation to comply with the notice and agenda requirements related to that program does not constitute a reimbursable state mandate. (Emphasis in original.)³²

Thus, the Supreme Court held as follows:

[W]e reject claimants' assertion that they have been legally compelled to incur notice and agenda costs, and hence are entitled to reimbursement from the state, based merely upon the circumstance that notice and agenda provisions are mandatory elements of education-related programs in which claimants have participated, *without regard to whether claimant's participation in the underlying program is voluntary or compelled*. [Emphasis added.]³³

The Supreme Court left undecided whether a reimbursable state mandate "might be found in circumstances short of legal compulsion-for example, if the state were to impose a substantial penalty (independent of the program funds at issue) upon any local entity that declined to participate in a given program."³⁴

The decision of the California Supreme Court in *Department of Finance* is relevant and its reasoning applies in this case. The Supreme Court explained that "the proper focus under a legal compulsion inquiry is upon the nature of the claimants' participation in the underlying programs themselves."³⁵ Thus, based on the Supreme Court's decision, the Commission is required to determine if the underlying program (in this case, participation in the Peer Assistance and Review Program) is a voluntary decision at the local level or is legally compelled by the state.

The Peer Assistance and Review Program and the amendment to the Stull Act to reflect the Peer Assistance and Review Program were sponsored by Governor Davis and were enacted by the Legislature during the 1999 special legislative session on education. As expressly provided in the legislation, the intent of the Legislature, in part, was to coordinate the Peer Assistance and Review Program with the evaluations of certificated employees under the Stull Act. Section 1 of the 1999 test claim legislation states the following:

It is the intent of the Legislature to establish a teacher peer assistance and review system as a critical feedback mechanism that allows exemplary teachers to assist

³² *Ibid.*

³³ *Id.* at page 731.

³⁴ *Ibid.*

³⁵ *Id.* at page 743.

veteran teachers in need of development in subject matter knowledge or teaching strategies, or both,

It is further the intent of the Legislature that a school district that operates a program pursuant to Article 4.5 (commencing with Section 44500) of Chapter 3 of Part 25 of the Education Code coordinate its employment policies and procedures for that program with its activities for professional staff development, the Beginning Teacher Support and Assessment Program, and the biennial evaluations of certificated employees required pursuant to Section 44664 [of the Stull Act].

The plain language of Education Code section 44500, subdivision (a), authorizes, but does not require, school districts to participate in the Peer Assistance and Review Program. That section states in pertinent part that “[t]he governing board of a school district and the exclusive representative of the certificated employees in the school district *may* develop and implement a program authorized by this article that meets local conditions and conforms with the principles set forth in subdivision (b).” (Emphasis added.) If a school district implements the program, the program must assist a teacher to improve his or her teaching skills and knowledge, and provide that the final evaluation of a teacher’s participation in the program be made available for placement in the personnel file of the teacher receiving assistance. (Ed. Code, § 44500, subd. (b).) Furthermore, school districts that participate in the Peer Assistance and Review Program receive state funding pursuant to Education Code sections 44505 and 44506.

Therefore, the Commission finds that school districts are not legally compelled to participate in the Peer Assistance and Review Program and, thus, not legally compelled to receive and review the results of the program as part of the Stull Act evaluation.

The Commission further finds that school districts are not practically compelled to participate in the Peer Assistance and Review Program and review the results as part of the Stull Act evaluation. In *Department of Finance*, the California Supreme Court, when considering the practical compulsion argument raised by the school districts, reviewed its earlier decision in *City of Sacramento v. State of California* (1990) 50 Cal.3d 51.³⁶ The *City of Sacramento* case involved test claim legislation that extended mandatory coverage under the state’s unemployment insurance law to include state and local governments and nonprofit corporations. The state legislation was enacted to conform to a 1976 amendment to the Federal Unemployment Tax Act, which required for the first time that a “certified” state plan include unemployment coverage of employees of public agencies. States that did not comply with the federal amendment faced a loss of a federal tax credit and an administrative subsidy.³⁷ The local agencies, knowing that federally mandated costs are not eligible for state subvention, argued against a federal mandate. The local agencies contended that article XIII B, section 9 requires clear legal compulsion not present in the Federal Unemployment Tax Act.³⁸ The state, on the other hand, contended that California’s failure to comply with the federal “carrot and stick” scheme was so substantial that the state had no realistic “discretion” to refuse. Thus, the state

³⁶ *Department of Finance*, 30 Cal.4th 497-511.

³⁷ *City of Sacramento*, 50 Cal.3d 51.

³⁸ *Id.* at page 71.

contended that the test claim statute merely implemented a federal mandate and that article XIII B, section 6 does not require strict legal compulsion to apply.³⁹

The Supreme Court in *City of Sacramento* concluded that although local agencies were not strictly compelled to comply with the test claim legislation, the legislation constituted a federal mandate. The Supreme Court concluded that because the financial consequences to the state and its residents for failing to participate in the federal plan were so onerous and punitive, and the consequences amounted to “certain and severe federal penalties” including “double taxation” and other “draconian” measures, the state was mandated by federal law to participate in the plan.⁴⁰

The Supreme Court applied the same analysis in the *Department of Finance* case and found that the practical compulsion finding for a state mandate requires a showing of “certain and severe penalties” such as “double taxation” and other “draconian” consequences. The Court stated the following:

Even assuming, for purposes of analysis only, that our construction of the term “federal mandate” in *City of Sacramento* [citation omitted], applies equally in the context of article XIII B, section 6, for reasons set below we conclude that, contrary to the situation we described in that case, claimants here have not faced “certain and severe . . . penalties” such as “double . . . taxation” and other “draconian” consequences⁴¹

Although there are statutory consequences for not participating in the Peer Assistance and Review Program, the Commission finds, as explained below, that the consequences do not constitute the type of draconian penalties described in the *Department of Finance* case.

Pursuant to Education Code section 44504, subdivision (b), school districts that do not participate in the Peer Assistance and Review Program are not eligible to receive state funding for specified programs. Education Code section 44504, subdivision (b), states the following:

A school district that does not elect to participate in the program authorized under this article by July 1, 200 1, is not eligible for any apportionment, allocation, or other funding from an appropriation for the program authorized pursuant to this article or for any apportionments, allocations, or other funding from funding for local assistance appropriated pursuant to the Budget Act Item 6 11 O-23 I-000 1, funding appropriated for the Administrator Training and Evaluation Program set forth in Article 3 (commencing with Section 44681) of Chapter 3.1 of Part 25, from an appropriation for the Instructional Time and Staff Development Reform Program as set forth in Article 7.5 (commencing with Section 44579) of Chapter 3, or from an appropriation for school development plans as set forth in Article 1 (commencing with Section 44670.1) of Chapter 3.1 and the Superintendent of Public Instruction shall not apportion, allocate, or otherwise provide any funds to the district pursuant to those programs.

³⁹ *Ibid.*

⁴⁰ *Id.* at pages 73-76.

⁴¹ *Department of Finance, supra*, 30 Cal.4th at page 75 1.

The funding appropriated under the programs specified in Education Code section 44504, subdivision (b), are not state-mandated programs. Most are categorical programs undertaken at the discretion of the school district in order to receive grant funds. For example, the funding appropriated pursuant to the Budget Act Item 6 11 O-23 I-0001 is local assistance funding to school districts “for the purpose of the Proposition 98 educational programs specified in subdivision (b) of Section 12.40 of this act.” (Stats. 1999, ch. 50, State Budget Act.) The education programs specified in subdivision (b) of Section 12.40 of the 1999 State Budget Act include the Tenth Grade Counseling Program, the Reader Service for Blind Teacher Program, and the Home to School Transportation Program. (A full list of the educational programs identified in section 12.40 of the 1999 State Budget Act is provided in the footnote below.)⁴³

The same is true for the other programs identified in Education Code section 44504, subdivision (b), all of which are voluntary: i.e., the Administrator Training and Evaluation Program, the Instructional Time and Staff Development Reform Program, and the School Development Plans Program.

Accordingly, the Commission finds that the 1999 amendment to Education Code sections 44662, subdivision (d), and 44664, subdivision (b), does not impose a mandate on school districts to receive and review the results of the Peer Assistance and Review Program as part of the Stull Act

⁴³ Section 12.40 of the 1999 State Budget Act identifies the following programs: Item 6 1 10-108-000 1 Tenth Grade Counseling (Ed. Code, § 4843 1.7); Item 6 1 10- 11 0-0001 Reader Service for Blind Teachers (Ed. Code, §§ 45371, 44925); Item 6110-1 1 1-0001 – Home to School Transportation and Small District Transportation (Ed. Code, § 41850, 42290); Item 611 O-1 16-0001 – School Improvement Program (Ed. Code, § 52000 et seq.); Item 611 O-1 18-0001 – State Vocational Education (in lieu of funds otherwise appropriated pursuant to Business and Professions Code section 19632); Item 6 1 IO- 119-0001 Educational Services for Foster Youth (Ed. Code, § 42920 et seq.); Item 6 1 10- 120-000 1 – Pupil Dropout Prevention Programs (Ed. Code, §§ 52890, 52900, 54720, 58550); Item 6110-122-0001 – Specialized Secondary Programs (Ed. Code, § 58800 et seq.); Item 611 O-124-0001 Gifted and Talented Pupil Program (Ed. Code, § 52200 et seq.); Item 611 O-126-0001 – Miller-Unruh Basic Reading Act of 1965 (Ed. Code, § 54100 et seq.); Item 611 O-127-0001 – Opportunity Classes and Programs (Ed. Code, § 48643 et seq.); Item 6110-128-0001 – Economic Impact Aid (Ed. Code, §§ 54020, 5403 1, 54033, 54040); Item 61 10- 13 1-0001 American Indian Early Childhood Education Program (Ed. Code, § 52060 et seq.); Item 6110-1 46-0001 – Demonstration Programs in Intensive Instruction (Ed. Code, § 5 8600 et seq.); Item 6 1 10- 15 1-000 1 – California Indian Education Centers (Ed. Code, § 33380); Item 6110-163-0001 The Early Intervention for School Success Program (Ed. Code, § 54685 et seq.); Item 6110-167-0001 – Agricultural Vocational Education Incentive Program (Ed. Code, § 52460 et seq.); Item 6 11 O-1 80-0001 grant money pursuant to the federal Technology Literacy Challenge Grant Program; Item 6 11 0-18 1-000 1 Educational Technology Programs (Ed. Code, § 5 1870 et seq.); Item 6 1 10- 193-000 1 – Administrator Training and Evaluation Program, School Development Plans and Resource Consortia, Bilingual Teacher Training Program; Item 6 1 10- 197-0001 – Instructional Support-Improving School Effectiveness – Intersegmental Programs; Item 6110-203-0001 Child Nutrition Programs (Ed. Code, §§ 41311, 49536, 49501, 49550, 49552, 49559); Item 6110-204-000 1 – 7th and 8th Grad Math Academies; and Item 6 11 O-209-000 1 – Teacher Dismissal Apportionments (Ed. Code, § 44944).

evaluation and, thus, these sections are not subject to article XIII B, section 6 of the California Constitution.

The remaining requirements imposed by the test claim legislation constitute a state-mandated program only for those certificated employees that perform the duties mandated by state and federal law.

The remaining test claim legislation requires school districts, in their evaluation of certificated personnel, to perform the following activities:

- assess and evaluate the performance of non-instructional certificated personnel (former Ed. Code, §§ 13485, 13487, as amended by Stats. 1975, ch. 1216; Ed. Code, § 44663, as amended by Stats. 1986, ch. 393);
- establish standards of expected student achievement at each grade level in each area of study to be included in a district's evaluation and assessment guidelines (former Ed. Code, § 13487, as repealed and reenacted by Stats. 1975, ch. 1216);
- evaluate and assess the performance of instructional certificated employees as it reasonably relates to the instructional techniques and strategies used by certificated employees, the certificated employee's adherence to curricular objectives, and the progress of pupils towards the state adopted academic content standards (Ed. Code, § 44662, subd. (b), as amended by Stats. 1983, ch. 498 and Stats. 1999, ch. 4); and
- assess and evaluate certificated personnel that receive an unsatisfactory evaluation once each year until the employee achieves a positive evaluation, or is separated from the school district (Ed. Code, § 44664, as amended by Stats. 1983, ch. 498).

Pursuant to the Supreme Court's decision in the *Department of Finance* case, the Commission finds that the evaluation and assessment activities required by the test claim legislation constitute state-mandated activities only for those certificated employees that perform the duties mandated by state or federal law. The activities associated with evaluating and assessing certificated personnel employed in local, discretionary educational programs do not constitute state-mandated activities and, thus, are not subject to article XIII B, section 6 of the California Constitution.

In *Department of Finance, supra*, the Court found, on page 731 of the decision, that:

[W]e reject claimants' assertion that they have been legally compelled to incur notice and agenda costs, and hence are entitled to reimbursement from the state, based merely upon the circumstance that notice and agenda provisions are mandatory elements of education-related program in which claimants have participated, without regard to whether claimant's participation in the underlying program is voluntary or compelled. [Emphasis added.]

In the present case, the California Constitution gives the Legislature plenary authority over education by requiring the Legislature to encourage by all suitable means the promotion of education and to provide for a system of common schools.⁴³ A system of common schools

⁴³ California Constitution, article IX, sections 1, 5; *Hayes v. Commission on State Mandates* (1992) 11 Cal. App.4th 1564, 1579, fn. 5.

means one system, which prescribes the courses of study and educational progression from grade to grade.⁴⁴ Schools are required to meet the minimum standards and guidelines regarding course instruction and educational progression established by the Legislature.⁴⁵

Given this background, the Legislature has historically mandated specified educational programs that school districts are required to follow. For example, Education Code section 48200 provides that each person between the ages of six and 18 years is subject to compulsory full-time education. School districts are required to adopt a course of study for grades 1 to 6 that shall include English, Mathematics, Social Sciences, Science, Visual and Performing Arts, Health, and Physical Education.⁴⁶ School districts are required to offer the following courses for grades 7 to 12: English, Social Sciences, Foreign Language, Physical Education, Science, Mathematics, Visual and Performing Arts, Career Technical Education; and Driver Education.⁴⁷ Education Code section 5 1225.3 describes the state-mandated courses of instruction required for high school graduation. In addition, in the appropriate elementary and secondary grade levels, the required course of study shall include instruction in personal and public safety and accident prevention (Ed. Code, § 5 1202), instruction about the nature and effects of alcohol, narcotics, and restricted dangerous drugs (Ed. Code, § 5 1203), and, in grades 7 and 8, instruction on parenting skills and education (Ed. Code, 5 1220.5). Finally, Education Code section 44805 states that “every teacher in the public schools shall enforce the course of study . . . prescribed for schools.”

In addition, federal law requires school districts to provide a free and appropriate education to all handicapped children.⁴⁸

Thus, school districts are required to employ certificated personnel to fulfill the requirements of the state and federal mandated educational programs. Accordingly, pursuant to the *Department of Finance* case, school districts are mandated by the state to perform the test claim requirements to evaluate and assess the certificated personnel performing the mandated functions.

Moreover, the Commission finds that the test claim requirements to evaluate and assess the certificated personnel performing mandated functions constitutes a program subject to article XIII B, section 6 of the California Constitution. The California Supreme Court, in the case of *County of Los Angeles v. State of California*⁴⁹, defined the word “program” within the meaning of article XIII B, section 6 as a program that carries out the governmental function of providing a

⁴⁴ *Wilson v. State Board of Education* (1999) 75 Cal.App.4th 1123, 1135-1 136. In *Wilson*, the court determined that charter schools fall within the system of common schools because their educational programs are required to meet the same state standards, including minimum duration of instruction applicable to all public schools, measurement of student progress by the same assessments required of all public school students, and students are taught by teachers meeting the same minimum requirements as all other public school teachers. (ICE. at p. 1138.)

⁴⁵ *Burton v. Pasadena City Board of Education* (1977) 71 Cal.App.3d 52, 58.

⁴⁶ Education Code section 5 1210.

⁴⁷ Education Code section 5 1220.

⁴⁸ *Hayes, supra*, 11 Cal.App.4th at page 1592.

⁴⁹ *County of Los Angeles, supra*, 43 Cal.3d at page 56.

service to the public, or laws which, to implement a state policy, impose unique requirements on local governments and do not apply generally to all residents and entities in the state, Only one of these findings is necessary to trigger the applicability of article XIII B, section 6.⁵⁰

Legislative intent of the test claim legislation is provided in Education Code section 44660 as follows:

It is the intent of the Legislature that governing boards establish a uniform system of evaluation and assessment of the performance of all certificated personnel within each school district of the state, including schools conducted or maintained by county superintendents of education. The system shall involve the development and adoption by each school district of objective evaluation and assessment guidelines, which may, at the discretion of the governing board, be uniform throughout the district, or for compelling reasons, be individually developed for territories or schools within the district, provided that all certificated personnel of the district shall be subject to a system of evaluation and assessment adopted pursuant to this article?

The Commission finds that objectively evaluating the performance of certificated personnel performing mandated functions within a school district carries out the governmental function of providing a service to the public. Public education is a governmental function within the meaning of article XIII B, section 6. The California Supreme Court in *Lucia Mar* stated that “the contributions called for [in the test claim legislation] are used to fund a ‘program’ . . . for the education of handicapped children is clearly a governmental function providing a service to the public.”⁵² Additionally, the court in the *Long Beach Unified School District* case held that “although numerous private schools exist, education in our society is considered to be a peculiarly governmental function.”⁵³ In addition, the test claim legislation imposes unique requirements on school districts.

However, the activities associated with evaluating and assessing certificated personnel employed in local, discretionary educational programs do not constitute state-mandated activities and, thus, are not subject to article XIII B, section 6 of the California Constitution. Pursuant to existing law, school districts are encouraged to develop their own local programs that best fit the needs and interests of the pupils. Unless the Legislature expressly imposes statutory requirements on school districts, school districts have discretionary control with their educational programs.”

⁵⁰ *Carmel Valley Fire Protection Dist.*, *supra*, 190 Cal.App.3d at page 537.

⁵¹ As originally enacted, former Education Code section 13485 stated the legislative intent as follows: “It is the intent of the Legislature to establish a uniform system of evaluation and assessment of the performance of certificated personnel within each school district of the state. The system shall involve the development and adoption by each school district of objective evaluation and assessment guidelines.”

⁵² *Lucia Mar*, *supra*, 44 Cal.3d at page 835.

⁵³ *Long Beach Unified School District*, *supra*, 225 Cal.App.3d at page 172.

⁵⁴ California Constitution, article IX, section 14; Education Code sections 35 160, 35 160.1, 51002,

For example, the Supreme Court in the *Department of Finance* case found that eight of the nine educational programs were voluntary and not mandated by the state. These include the following programs: School Improvement Program (Ed. Code, § 52010 et seq.); American Indian Early Childhood Education Program (Ed. Code, § 52060 et seq.); School-Based Coordinated Categorical Program (Ed. Code, § 52850 et seq.); Compensatory Education Programs (Ed. Code, § 54420 et seq.); Migrant Education Program (Ed. Code, § 54440 et seq.); Motivation and Maintenance Program (Ed. Code, § 54720 et seq.); Parental Involvement Program (Ed. Code, § 11500 et seq.); and Federal Indian Education Program (25 U.S.C, § 2604).⁵⁵

The Commission finds that school districts are free to discontinue their participation in these underlying voluntary programs and free to discontinue employing certificated personnel funded by these programs. Accordingly, the test claim requirements to evaluate and assess certificated personnel funded or employed in local discretionary programs are not mandated by the state and not subject to article XIII B, section 6 of the California Constitution?

Since the parties did not file comments in response to the request for additional briefing on this issue, the determination of the certificated employees performing mandated functions for which schools districts are eligible to receive reimbursement will be addressed during the parameters and guidelines phase.

Issue 2: Does the test claim legislation impose a new program or higher level of service within the meaning of article XIII B, section 6 of the California Constitution?

The California Supreme Court and the courts of appeal have held that article XIII B, section 6 was not intended to entitle local agencies and school districts for all costs resulting from legislative enactments, but only those costs mandated by a new program or higher level of service imposed on them by the state.⁵⁷ Generally, to determine if the program is new or imposes a higher level of service, the analysis must compare the test claim legislation with the legal requirements in effect immediately before the enactment of the test claim legislation?

As indicated above, the Stull Act was enacted in 1971. The test claim legislation, enacted from 1975 to 1999, amended the Stull Act. The issue is whether the amendments constitute a new program or higher level of service within the meaning of article XIII B, section 6 of the California Constitution.

⁵⁵ *Department of Finance, supra*, 30 Cal.4th at page 745.

⁵⁶ The court did not conclude whether school districts were legally compelled to participate in the Bilingual-Bicultural Education program (Ed. Code, § 52160 et seq.) since the case was denied on other grounds. (*Department of Finance, supra*, 30 Cal.4th at p. 746-747.)

⁵⁷ *Lucia Mar Unified School Dist., supra*, 44 Cal.3d at page 834; *City of San Jose v. State of California* (1996) 45 Cal.App.4th 1802, 1816.

⁵⁸ *Lucia Mar Unified School Dist., supra*, 44 Cal.3d at page 835.

Develop job responsibilities for certificated non-instructional personnel, and assess and evaluate the performance of certificated non-instructional personnel (Former Ed. Code, §§ 13485, 13487, as amended by Stats. 1975, ch. 1216; Ed. Code, § 44663, as amended by Stats. 1986, ch. 393).

The claimant is requesting reimbursement for the following activities relating to certificated non-instructional employees:

- Establish and define job responsibilities for certificated non-instructional personnel, including, but not limited to, supervisory and administrative personnel.
- Evaluate and assess the performance of certificated non-instructional personnel as it reasonably relates to the fulfillment of the established job responsibilities.
- Prepare and draft a written evaluation of the certificated non-instructional employee. The evaluation shall include recommendations, if necessary, as to areas of improvement.
- Receive and review from a certificated non-instructional employee written responses regarding the evaluation.
- Prepare and hold a meeting between the certificated non-instructional employee and the evaluator to discuss the evaluation and assessment.⁵⁹

As originally enacted in 1971, the Stull Act stated in former Education Code section 13485 the following:

It is the intent of the Legislature to establish a uniform system of evaluation and assessment of the performance of certificated personnel within each school district of the state. The system shall involve the development and adoption by each school district of objective evaluation and assessment guidelines.

Former Education Code section 13486 stated the following:

In the development and adoption of these guidelines and procedures, the governing board shall avail itself of the advice of the certificated instructional personnel in the district's organization of certificated personnel.

Former Education Code section 13487 required school districts to develop and adopt specific evaluation and assessment guidelines for certificated personnel. Former section 13487 stated the following:

The governing board of each school district shall develop and adopt specific evaluation and assessment guidelines which shall include but shall not necessarily be limited in content to the following elements:

- (a) The establishment of standards of expected student progress in each area of study and of techniques for the assessment of that progress.
- (b) Assessment of certificated personnel as it relates to the established standards.
- (c) Assessment of other duties normally required to be performed by certificated employees as an adjunct to their regular assignments.

⁵⁹ Exhibit A (Test Claim, page 6) to Item 9 of the May 27, 2004 Commission Hearing.

- (d) The establishment of procedures and techniques for ascertaining that the certificated employee is maintaining proper control and is preserving a suitable learning environment.

Former Education Code section 13488 required that the evaluation and assessment be reduced to writing, that an opportunity to respond be given to the certificated employee, and that a meeting be held between the certificated employee and the evaluator to discuss the evaluation. Former section 13488 stated the following:

Evaluation and assessment made pursuant to this article shall be reduced to writing and a copy thereof shall be transmitted to the certificated employee not later than 60 days before the end of each school year in which the evaluation takes place. The certificated employee shall have the right to initiate a written reaction or response to the evaluation. Such response shall become a permanent attachment to the employee's personnel file. Before the end of the school year, a meeting shall be held between the certificated personnel and the evaluator to discuss the evaluation.

And, former Education Code section 13489 required that the evaluation and assessment be performed on a continuing basis, and that the evaluation include necessary recommendations as to areas of improvement. Former Education Code section 13489, as enacted in 1971, stated the following:

Evaluation and assessment of the performance of each certificated employee shall be made on a continuing basis, at least once each school year for probationary personnel, and at least every other year for personnel with permanent status. The evaluation shall include recommendations, if necessary, as to areas of improvement in the performance of the employee. In the event an employee is not performing his duties in a satisfactory manner according to the standards prescribed by the governing board, the employing authority shall notify the employee in writing of such fact and describe such unsatisfactory performance. The employing authority shall thereafter confer with the employee making specific recommendations as to areas of improvement in the employee's performance and endeavor to assist him in such performance.

In addition, section 42 of the 1971 statute provided a specific exemption for certificated employees of community colleges if a related bill was enacted. Section 42 stated the following:

Article 5 (commencing with Section 1340 1) and Article 5.5 (commencing with Section 13485) of Chapter 2 of Division 10 of the Education Code shall not apply to certificated employees in community colleges if Senate Bill No. 696 or Assembly Bill No. 3032 is enacted at the 1971 Regular Session of the Legislature.

According to the history, Senate Bill 696 was enacted as Statutes 1971, chapter 1654. **Thus**, certificated employees of community colleges were not required to comply with the Stull Act.

In 1972, former Education Code section 13485 was amended to specifically exclude from the requirements of the Stull Act certificated personnel employed on an hourly basis in adult education classes.⁶⁰

In 1973, former Education Code section 13489 was amended to exclude hourly and temporary certificated employees and substitute teachers, at the discretion of the governing board, from the requirement to evaluate and assess on a continuing basis.⁶¹

Thus, under prior law, school districts were required to perform the following activities as they related to “certificated personnel:”

- Develop and adopt specific evaluation and assessment guidelines for the performance of “certificated personnel.”
- Evaluate and assess “certificated personnel” as it relates to the established standards.
- Prepare and draft a written evaluation of the “certificated employee.” The evaluation shall include recommendations, if necessary, as to areas of improvement.
- Receive and review from a “certificated employee” written responses regarding the evaluation.
- Prepare and hold a meeting between the “certificated employee” and the evaluator to discuss the evaluation and assessment.

The test claim legislation, in 1975 (Stats. 1975, ch. 1216), amended the Stull Act by adding language relating to certificated “non-instructional” employees. As amended, former Education Code section 13485 stated in relevant part the following (with the amended language underlined) :

It is the intent of the Legislature that governing boards establish a uniform system of evaluation and assessment of the performance of all certificated personnel within each school district of the state

Former Education Code section 13487 was also repealed and reenacted by Statutes 1975, chapter 12 16, as follows (amendments relevant to this issue are underlined):

- (a) The governing board of each school district shall establish standards of expected student achievement at each grade level in each area of study.
- (b) The governing board of each school district shall evaluate and assess certificated employee competency as it reasonably relates to (1) the progress of students toward the established standards, (2) the performance of those noninstructional duties and responsibilities, including supervisory and advisory duties, as may be prescribed by the board, and (3) the establishment and maintenance of a suitable learning environment within the scope of the employee’s responsibilities.

⁶⁰ Statutes 1972, chapter 535.

⁶¹ Statutes 1972, chapter 1973.

- (c) The governing board of each school district shall establish and define job responsibilities for those certificated noninstructional personnel, including, but not limited to, supervisorv and administrative personnel, whose responsibilities cannot be evaluated appropriately under the provisions of subdivision (b), and shall evaluate and assess the competency of such noninstructional employees as it reasonably relates to the fulfillment of those responsibilities. . . .

The 1975 test claim legislation did not amend the requirements in fonner Education Code sections 13488 or 13489 to prepare written evaluations of certificated employees, receive responses to those evaluations, and conduct a meeting with the certificated employee to discuss the evaluation.

Additionally, in 1986, the test claim legislation (Stats. 1986, ch. 393) amended Education Code section 44663 (which derived from former Ed. Code, § 13488) by adding subdivision (b) to provide that the evaluation and assessment of certificated non-instructional employees shall be reduced to writing before June 30 of the year that the evaluation is made, that an opportunity to respond be given to the certificated non-instructional employee, and that a meeting be held between the certificated non-instructional employee and the evaluator to discuss the evaluation before July 30. Education Code section 44663, subdivision (b), as added by the test claim legislation, states the following:

In the case of a certificated noninstructional employee, who is employed on a 12-month basis, the evaluation and assessment made pursuant to this article shall be reduced to writing and a copy thereof shall be transmitted to the certificated employee no later than June 30 of the year in which the evaluation and assessment is made. A certificated noninstructional employee, who is employed on a 12-month basis shall have the right to initiate a written reaction or response to the evaluation. This response shall become a permanent attachment to the employee's personnel file. Before July 30 of the year in which the evaluation and assessment take place, a meeting shall be held between the certificated employee and the evaluator to discuss the evaluation and assessment.

The claimant contends that the Stull Act, as originally enacted in 1971, required the assessment and evaluation of teachers, or certificated instructional employees, only. The claimant argues that when the Stull Act was amended in 1975 and 1986, it added the requirement for schools districts to develop job responsibilities to assess and evaluate the performance of non-instructional personnel. The claimant contends that under the rules of statutory construction, an amendment indicates the legislative intent to change the law. The claimant contends that this amendment imposed additional activities on school districts to develop job responsibilities and evaluate certificated non-instructional employees, which constitute a higher level of service?

The Department of Finance argues that school districts have always had the requirement to assess and evaluate non-instructional personnel because the original legislation enacted in 1971 refers to all certificated personnel. The Department of Finance contends that the subsequent

⁶² Exhibit C to Item 9 of the May 27, 2004 Commission Hearing.

amendments that specifically list certificated non-instructional personnel, were clarifying edits and not new requirements.⁶³

The Stull Act was an existing program when the test claim legislation was enacted. Thus, the issue is whether the 1975 and 1986 amendments to the Stull Act mandated an increased, or higher level of service to develop job responsibilities and to evaluate and assess certificated non-instructional employees. In 1987, the California Supreme Court in *County of Los Angeles v. State of California* expressly stated that the term “higher level of service” must be read in conjunction with the phrase “new program.” Both are directed at *state-mandated increases in the services* provided by local agencies?”

In 1990, the Second District Court of Appeal decided the *Long Beach Unified School District* case, which challenged a test claim filed with the Board of Control on executive orders issued by the Department of Education to alleviate racial and ethnic segregation in schools.⁶⁵ The court determined that the executive orders did not constitute a “new program” since schools had an existing constitutional obligation to alleviate racial segregation? However, the court found that the executive orders constituted a “higher level of service” because the requirements imposed by the state went beyond constitutional and case law requirements. The court stated in relevant part the following:

The phrase “higher level of service” is not defined in article XIII B or in the ballot materials. [Citation omitted.] A mere increase in the cost of providing a service which is the result of a requirement mandated by the state is not tantamount to a higher level of service. [Citation omitted.] However, a review of the Executive Order and guidelines shows that a higher level of service is mandated because the requirements go beyond constitutional and case law requirements. . . . While these steps fit within the “reasonably feasible” description of [case law], the point is that these steps are no longer merely being suggested as options which the local school district may wish to consider but are *required acts*. *These requirements constitute a higher level of service*. We are supported in our conclusion by the report of the Board to the Legislature regarding its decision that the Claim is reimbursable: “Only those costs that are above and beyond the regular level of service for like pupils in the district are reimbursable.”^{67, 68}

⁶³ Exhibit B to Item 9 of the May 27, 2004 Commission Hearing.

⁶⁴ *County of Los Angeles, supra*, 43 Cal.3d at page 56.

⁶⁵ *Long Beach Unified School District, supra*, 225 Cal.App.4th 155.

⁶⁶ *Id.* at page 173.

⁶⁷ *Ibid.*, emphasis added.

⁶⁸ See also, *County of Los Angeles v. Commission on State Mandates* (2003) 110 Cal.App.4th 1176, 1193- 1194, where the Second District Court of Appeal followed the earlier rulings and held that in the case of an existing program, reimbursement is required only when the state is divesting itself of its responsibility to provide fiscal support for a program, or is forcing a new program on a locality for which it is ill-equipped to allocate funding.

Thus, in order for the 1975 and 1986 amendments to the Stull Act, relating to certificated non-instructional personnel, to impose a new program or higher level of service, the Commission must find that the state is imposing new required acts or activities on school districts beyond those already required by law.

For the reasons described below, the Commission finds that school districts have been required to develop job responsibilities for certificated non-instructional employees, evaluate and assess certificated non-instructional employees, draft written evaluations of certificated non-instructional employees, receive and review written responses to the evaluation from certificated non-instructional employees, and conduct meetings regarding the evaluation with certificated non-instructional employees under the Stull Act since 1971, before the enactment of the test claim legislation.

Claimant argues that the statutory amendments to the Stull Act, by themselves, reflect the legislative intent to change the law. However, the intent to change the law may not always be presumed by an amendment, as suggested by the claimant. The court has recognized that changes in statutory language can be intended to clarify the law, rather than change it,

We assume the Legislature amends a statute for a purpose, but that purpose need not necessarily be to change the law. [Citation.] Our consideration of the suwounding circumstances can indicate that the Legislature made . . . changes in statutory language in an effort only to clarify a statute’s true meaning. [Citations omitted.]”

Thus, to determine whether the Stull Act, as originally enacted in 1971, applied to all certificated employees of a school district, instructional and non-instructional employees alike, the Commission must apply the rules of statutory construction. Under the rules of statutory construction, the first step is to look at the statute’s words and give them their plain and ordinary meaning. Where the words of the statute are not ambiguous, they must be applied as written and may not be altered in any way. Moreover, the intent must be gathered with reference to the whole system of law of which it is a part so that all may be harmonized and have effect.⁶⁹

As indicated by the plain language of former Education Code sections 13485, 13487, 13488, and 13489, school districts were required under prior law to develop evaluation and assessment guidelines for the evaluation of “certificated” employees, evaluate and assess “certificated” employees on a continuing basis, draft written evaluations of “certificated” employees, receive and review written response to the evaluation from “certificated” employees, and conduct meetings regarding the evaluation with “certificated” employees. The plain language of these statutes does not distinguish between instructional employees (teachers) and non-instructional employees (principals, administrators), or specifically exclude certificated non-instructional employees. When read in context with the whole system of law of which these statutes are a part, the requirements of the Stull Act originally applied to *all* certificated employees under prior law.

As enacted, the Stull Act was placed in Chapter 2 of Division 10 of the 1971 Education Code, a chapter addressing “Certificated Employees.” Certificated employees are those employees

⁶⁹ *Western Security Bank v. Superior Court* (1997) 15 Cal.4th 232, 243.

⁷⁰ *People v. Thomas* (1992) 4 Cal.4th 206, 210.

directly involved in the educational process and include both instructional and non-instructional employees such as teachers, administrators, supervisors, and principals.” Certificated employees must be properly credentialed for the specific position they hold.” A “certificated person” was defined in former Education Code section 12908 as “a person who holds one or more documents such as a certificate, a credential, or a life diploma, which singly or in combination license the holder to engage in the school service designated in the document or documents.” The definition of “certificated person” governs the construction of Division 10 of the former Education Code and is not limited to instructional employees.⁷³

Thus, the plain language of former Education Code sections 13485, 13487, 13488, and 13489 read within the context of Chapter 2 of Division 10 of the 1971 Education Code, a division that governs both instructional and non-instructional certificated employees, required school districts to develop evaluation and assessment guidelines and to evaluate both instructional and non-instructional certificated employees based on the guidelines on a continuing basis.

In addition, former Education Code section 13486, as enacted in 1971, expressly required school districts to avail themselves “of the advice of the *certificated instructional personnel* in the district’s organization of certificated personnel” when developing and adopting the evaluation guidelines. (Emphasis added.) Former Education Code sections 13485, 13487, 13488, and 13489, enacted at the same time, did not limit the evaluation and assessment requirements to “certificated instructional personnel” only. Rather, “certificated employees” were required to be evaluated. Thus, had the Legislature intended to require school districts to evaluate and assess only teachers, as argued by claimant, they would have limited the requirements of former Education Code sections 13485, 13487, 13488, 13489 to “certificated instructional personnel.” Under the rules of statutory construction, the Commission is prohibited from altering the plain language of a statute, or writing into a statute, by implication, express requirements that the Legislature itself has not seen fit to place in the statute.⁷⁴

Moreover, under prior law, the Legislature expressly excluded certain types of certificated employees from the requirements of the Stull Act, and never expressly excluded non-instructional employees. When the Stull Act was originally enacted in 1971, the Legislature excluded employees of community colleges from the requirements.⁷⁵ In 1972, the Legislature revisited the Stull Act and expressly excluded certificated personnel employed on an hourly basis in adult education classes.⁷⁶ In 1973, school districts were authorized to exclude hourly and temporary certificated employees, and substitute teachers from the evaluation requirement.⁷⁷ Under the rules of statutory construction, where exceptions to a general rule are specified by

⁷¹ Former Education Code section 13 187 et seq. of the 1971 Education Code.

⁷² Former Education Code section 1325 1 et seq. of the 1971 Education Code.

⁷³ Former Education Code 12901 of the 1971 Education Code.

⁷⁴ *Whitcomb v. California Employment Commission* (1944) 24 Cal.2d 753, 757; *In re Rudy L.* (1994) 29 Cal.App.4th 1007, 1011.

⁷⁵ Section 42 of Statutes 1971, chapter 361.

⁷⁶ Statutes 1972, chapter 535.

⁷⁷ Statutes 1973, chapter 220.

statute, other exceptions are not to be implied or presumed, absent a discernible and contrary legislative intent.⁷⁸ Thus, it cannot be implied from the plain language of the legislation that the Legislature intended to exclude certificated non-instructional employees from the requirements of the Stull Act.

The conclusion that the Stull Act applied to non-instructional employees under prior law is further supported by case law. In 1977, the First District Court of Appeal considered *Grant v. Adams*.⁷⁹ The *Grant* case involved a school district employee who was a certified teacher with credentials as an administrator who had been serving as a principal (a non-instructional employee) of an elementary school from 1973 through 1974. In May 1974, the employee was reassigned and demoted to a teaching position for the 1974- 1975 school year.⁸⁰ The employee made the argument that the Stull Act, when coupled with other statutory provisions, created a property interest in his position as a principal and required that an evaluation be conducted before termination of an administrative assignment. The court disagreed with the employee's argument, holding that the Stull Act evaluation was not a precondition to reassignment or dismissal.*⁸¹ When analyzing the issue, the court made the following findings:

In 1971, the Legislature passed the so-called "Stull Act," Education Code sections 13485-13490. Among other things the Stull Act required that all school districts establish evaluation procedures for certificated personnel. (Ed. Code, § 13485.) *The state board of education developed guidelines for evaluation of administrators and teachers pursuant to the Stull Act. Respondents [school district] adopted those guidelines without relevant change in June 1972. The guidelines called for evaluation of personnel on permanent status at least once every two years. Appellant was given no evaluation pursuant to the guidelines. (Emphasis added.)*⁸²

In 1979, the California Supreme Court decided *Miller v. Chico Unified School District Board of Education*, a case with similar facts.⁸³ In the *Miller* case, the employee was a principal of a junior high school from 1958 until 1976, when he was reassigned to a teaching position. In 1973, the school board adopted procedures to formally evaluate administrators pursuant to the Stull Act.⁸⁴ The employee received a Stull Act evaluation in 1973, 1974, and 1975.⁸⁵ In 1976, the school board requested the employee's cooperation in his fourth annual Stull evaluation report, but the employee refused on advice of counsel.⁸⁶ The employee sought reinstatement to

⁷⁸ *People v. Galambos* (2002) 104 Cal.App.4th 1147.

⁷⁹ *Grant v. Adams* (1977) 69 Cal.App.3d 127.

⁸⁰ *Id.* at page 130.

⁸¹ *Id.* at pages 134-135.

⁸² *Id.* at page 143, footnote 3.

⁸³ *Miller v. Chico Unified School District Board of Education* (1979) 24 Cal.3d 703.

⁸⁴ *Id.* at page 707.

⁸⁵ *Id.* at pages 708-710, 717.

⁸⁶ *Id.* at page 709.

his position as a principal on the ground that the school board failed to comply with the Stull Act.⁸⁷ The court denied the employee's request and made the following findings:

The record indicates, however, that the school board substantially complied with the Stull Act's mandate that the board fix performance guidelines for its certificated personnel, evaluate plaintiff in light of such guidelines, inform plaintiff of the results of any evaluation, and suggest to plaintiff ways to improve his performance.

The school board's guidelines provide for annual evaluations of supervisory personnel; accordingly, the board evaluated plaintiff in 1973, 1974, and 1975. Although plaintiff received generally satisfactory evaluations in 1973 and 1974, the board's evaluation report in 1974 contains suggestions for specific areas of improvement. . . .

Plaintiff's final Stull Act evaluation in June 1975 plainly notified plaintiff "in writing" of any unsatisfactory conduct on his part, and in addition provided a forum for plaintiff's supervisors to make "specific recommendations as to areas of improvement in the employee's performance and endeavor to assist him in such performance." [Former Ed. Code, § 13489.]

The court is surely obligated to understand the purpose of . . . [the Stull Act] and to apply those sections to the relevant facts.**

Finally, the legislative history of the 1986 test claim legislation supports the conclusion that the specific language added to the Stull Act was not intended to impose new required acts on school districts. As stated above, the test claim legislation (Stats. 1986, ch. 393) amended Education Code section 44663 by adding subdivision (b) to provide that the evaluation and assessment of certificated non-instructional employees shall be reduced to writing before June 30 of the year that the evaluation is made, that an opportunity to respond be given to the certificated non-instructional employee, and that a meeting be held between the certificated non-instructional employee and the evaluator to discuss the evaluation before July 30. The legislative history of Statutes 1986, chapter 393 (Assem. Bill No. 3878) indicates that the purpose of the bill was to extend for 45 days the *current* requirement for the evaluation of certificated non-instructional employees.⁸⁹ The analysis of Assembly Bill 3878 by the Assembly Education Committee, dated

⁸⁷ *Id.* at page 7 16.

⁸⁸ *Id.* at pages 717-718.

⁸⁹ Letter from San Diego Unified School District to the Honorable Teresa Hughes, Chairperson of the Assembly Education Committee, on Assembly Bill 3878, April 4, 1986; Assembly Education Committee, Republican Analysis on Assembly Bill 3878, April 7, 1986; Department of Finance, Enrolled Bill Report on Assembly Bill 3878, April 21, 1986; Legislative Analyst, Analysis of Assembly Bill 3878, April 24, 1986; Assembly Education Committee, Republican Analysis on Assembly Bill 3878, April 26, 1986; Senate Committee on Education, Staff Analysis on Assembly Bill 3878, May 28, 1986; Legislative Analyst, Analysis of Assembly Bill 3878, June 18, 1986. (Exhibit I to Item 9 of the May 27, 2004 Commission Hearing.)

April 7, 1986, states the following:

Current statute requires evaluations of noninstructional certificated employees on 12 month contracts to be conducted within 30 days before the last school day. This apparently is a problem for San Diego [Unified School District] because all evaluations are jammed in at the end of the school year. They feel it would make more sense to allow extra time to evaluate those on 12 month contracts and spread the process out over a longer period of time.⁹⁰

The April 24, 1986 analysis of Assembly Bill 3878 by the Legislative Analyst states the following:

Our review indicates that this bill does not mandate any new duties on school district governing boards, but simply extends the date by which evaluations of certain certificated employees must be completed.”

Based on the foregoing authorities, the Commission finds that school districts were required under prior law to perform the following activities:

- Develop and adopt specific evaluation and assessment guidelines for the performance of certificated non-instructional personnel.
- Evaluate and assess certificated non-instructional personnel as it relates to the established standards.
- ✓ Prepare and draft a written evaluation of the certificated non-instructional employee. The evaluation shall include recommendations, if necessary, as to areas of improvement.
- ✓ Receive and review from a certificated non-instructional employee written responses regarding the evaluation.
- ✓ Prepare and hold a meeting between the certificated non-instructional employee and the evaluator to discuss the evaluation and assessment.

The Commission further finds that the language added to former Education Code section 13487 by the 1975 test claim legislation to “establish and define job responsibilities” for certificated non-instructional personnel falls within the preexisting duty to develop and adopt objective evaluation and assessment guidelines for all certificated employees, does not mandate any new required acts, and, thus, does not constitute a new program or higher level of service,“

Accordingly, the Commission finds that the 1975 and 1986 amendments to former Education Code sections 13485 and 13487 and Education Code section 44663 as they relate to certificated non-instructional employees do not constitute a new program or higher level of service.⁹³

⁹⁰ Id. at page 301.

⁹¹ Id. at page 306.

⁹² *Long Bench Unified School District, supra*, 225 Cal.App.4th at page 173.

⁹³ It is noted that the analysis by the Legislative Analyst on Senate Bill 777, which was enacted as Statutes 1975, chapter 1216, concludes that “there would also be undetermined increased local costs due to the addition of. . . non-instructional certificated employees in evaluation and

Establish standards of expected pupil achievement at each grade level in each area of study
[Former Ed. Code, § 13487, as repealed and reenacted by Stats. 1975, ch. 1216).

The claimant is requesting reimbursement to establish standards of expected pupil achievement at each grade level in each area of study.

Former Education Code section 13487, as originally enacted in 1971, required school districts to develop and adopt specific evaluation and assessment guidelines for certificated personnel. Former section 13487 stated in relevant part the following:

The governing board of each school district shall develop and adopt specific evaluation and assessment guidelines which shall include but shall not necessarily be limited in content to the following elements:

- (a) The establishment of standards of expected student progress in each area of study and of techniques for the assessment of that progress.

The test claim legislation, in Statutes 1975, chapter 1216, repealed and reenacted former Education Code section 13487. As reenacted, the statute provided the following (amendments relevant to this issue are reflected with strikeout and underline):

- (a) The governing board of each school district shall establish standards of expected student ~~progress~~ achievement at each grade level in each area of study.

The claimant contends that the 1975 test claim legislation imposed a new program or higher level of service on school districts to rewrite standards for employee assessment to reflect expected student “achievement” (as opposed expected student “progress”) and to expand the standards to reflect expected student achievement at each “grade level.”⁹⁴ The claimant further states the following:

Prior law only required that the standards of expected student achievement be established to show student progress. Under prior law, these standards may have tracked student progress over time. For example, a school district may have established reading standards for pupils upon graduating from eighth grade. Under the test claim legislation, school districts no longer have the ability to determine over what period standards of expected student achievement will be

assessment requirements.” (See, Exhibit I, pp. 292-294.) The courts have determined, however, that legislative findings are not relevant to the issue of whether a reimbursable state-mandated program exists:

[T]he statutory scheme [in Government Code section 17500 et seq.] contemplates that the Commission, as a quasi-judicial body, has the sole and exclusive authority to adjudicate whether a state mandate exists. Thus, any legislative findings are irrelevant to the issue of whether a state mandate exists” (*City of San Jose, supra*, 45 Cal.App.4th at pp. 1817-1818, quoting *County of Los Angeles v. Commission on State Mandates* (1995) 32 Cal. App.4th 805, 819, and *Kinlaw v. State of California, supra*, 54 Cal.3d at p. 333.)

⁹⁴ Exhibit A (Test Claim, page 4) to Item 9 of the May 27, 2004 Commission Hearing.

established: The standards must be established by each grade level. The new standards outlined in the test claim legislation align more closely with the state's new content standards . . ."⁹⁵

The Department of Finance contends that the 1975 amendment to former Education Code section 13487 does not constitute a new program or higher level of service. The Department states the following:

Finance notes that in practice, school district standards required by Chapter 36 1/7 1 would have had to have been differentiated by grade in order to provide a measure of "expected student progress." Finance also notes that changing the term "expected student progress" to the term "expected student achievement" is a wording change that would not require additional work on the part of school districts. These changes did not require additional work on the part of school districts, and therefore, are not reimbursable.^{96,97}

In order for the 1975 reenactment of former Education Code section 13487 to constitute a new program or higher level of service, the Commission must find that the state is imposing new required acts or activities on school districts beyond those already required by law.⁹⁸ For the reasons below, the Commission finds that the 1975 reenactment of former Education Code section 13487 does not constitute a new program or higher level of service.

On its face, the activities imposed by the 1975 reenactment of former Education Code section 13487 do not appear different than the activities required by the original 1971 version of former Education Code section 13487. Both versions require that standards for evaluation be established so that certificated personnel are evaluated based on student progress. As originally enacted in 1971, "[t]he governing board of each school district shall develop and adopt specific evaluation and assessment guidelines which shall include . . . the establishment of standards of *expected student progress* in each area of study . . . [and the] . . . assessment of certificated personnel competence as it relates to the established standards." (Emphasis added.) As reenacted in 1975, "[t]he governing board of each school district shall establish standards of *expected student achievement* at each grade level in each area of study . . . and evaluate and assess certificated employee competency as it reasonably relates to . . . *the progress of students toward the established standards.*" (Emphasis added.)

⁹⁵ Exhibit C, page 2, to Item 9 of the May 27, 2004 Commission Hearing.

⁹⁶ Exhibit B, page 1, to Item 9 of the May 27, 2004 Commission Hearing.

⁹⁷ The Department of Finance's factual assertion is not supported by "documentary evidence . . . authenticated by declarations under penalty of perjury signed by persons who are authorized and competent to do so," as required by the Commission's regulations. (Cal. Code Regs., tit. 2, § 1183 .02, subd. (c)(1).)

⁹⁸ *County of Los Angeles, supra*, 43 Cal.3d at page 56; *Long Beach Unified School Dist., supra*, 225 Cal.App.4th at page 173; and *County of Los Angeles, supra*, 110 Cal.App.4th at pages 1193-1194.

In addition, the legislative history of the test claim statute, Statutes 1975, chapter 1216 (Sen. Bill No. 777), does not reveal an intention by the Legislature to impose new required acts. Legislative history simply indicates that the language was “modified.”⁹⁹

Moreover, claimant’s argument, that the test claim statute imposes a higher level of service because, under prior law, school districts “may” have only tracked student progress over time (for example, by establishing “reading standards for pupils upon graduating from eighth grade”), is not persuasive. Under the claimant’s interpretation, the performance of a first grade teacher could be evaluated and assessed based on reading standards for eighth grade students; students that the teacher did *not* teach. The Stull Act, as originally enacted, required the school district to evaluate and assess the performance of all certificated employees based on the progress of their pupils. In addition, the claimant’s factual assertion is not supported by “documentary evidence ... authenticated by declarations under penalty of perjury signed by persons who are authorized and competent to do so, ” as required by the Commission’s regulations.¹⁰⁰

Finally, assuming for the sake of argument only, that school districts were required to establish new standards of expected student achievement due to the 1975 test claim statute, that activity would have occurred outside the reimbursement period for this claim. The reimbursement period for this test claim, if approved by the Commission, begins July 1, 1998. The test claim statute was enacted in 1975, 23 years earlier than the reimbursement period. There is no requirement in the test claim statute that establishing the standards is an ongoing activity.

Therefore, based on the evidence in the record, the Commission finds that former Education Code section 13487 as reenacted by Statutes 1975, chapter 1216, does not impose a new program or higher level of service on school districts.

Evaluate and assess the performance of certificated instructional employees (Ed. Code, § 44662, subd. (b), as amended by Stats. 1983, ch. 498 and Stats. 1999, ch. 4).

The claimant requests reimbursement to evaluate and assess the performance of certificated instructional employees as it reasonably relates to the following:

- the instructional techniques and strategies used by the certificated employee (Stats. 1983, ch. 498);
- the certificated employee’s adherence to curricular objectives (Stats 1983, ch. 498); and
- the progress of pupils towards the state adopted academic content standards as measured by state adopted criterion referenced assessments (Stats. 1999, ch. 4).¹⁰¹

⁹⁹ Senate Committee on Education, Staff Analysis on Senate Bill 777, as amended on May 7, 1975; Assembly Education Committee, Analysis of Senate Bill 777, as amended on August 12, 1975; Ways and Means Staff Analysis on Senate Bill 777, as amended on August 19, 1975; Legislative Analyst, Analysis of Senate Bill 777, as amended on August 19, 1975, dated August 22, 1975; Assembly Third Reading of Senate Bill 777, as amended on August 19, 1975. (Exhibit I to Item 9 of the May 27, 2004 Commission Hearing.)

¹⁰⁰ Cal. Code Regs., tit. 2, § 1183.02, subd. (c)(1).

¹⁰¹ Exhibit A (Test Claim, page 6) to Item 9 of the May 27, 2004 Commission Hearing.

The Department of Finance agrees that these activities constitute reimbursable state-mandated activities under article XIII B, section 6.¹⁰²

For the reasons described below, the Commission finds that evaluating and assessing the performance of certificated instructional employees that perform the requirements of educational programs mandated by state or federal law based on these factors constitutes a new program or higher level of service.

The instructional techniques and strategies used by the employee, and the employee's adherence to curricular objectives. In 1983, the test claim legislation amended Education Code section 44662, subdivision (b), to require the school district to evaluate and assess certificated employee competency as it reasonably relates to “the instructional techniques and strategies used by the employee,” and “the employee’s adherence to curricular objectives.” (Stats. 1983, ch. 498.)

Before the 1983 test claim legislation was enacted, the Stull Act required school districts to establish an objective and uniform system of evaluation and assessment of the performance of certificated personnel.¹⁰³ When developing these guidelines, school districts were required to receive advice from certificated instructional personnel. The court interpreted this provision to require districts to meet and confer, and engage in collective bargaining, with representatives of certificated employee organizations before adopting the evaluation guidelines?¹⁰⁴ Thus, certificated instructional employees were evaluated based on the guidelines developed through collective bargaining, and on the following criteria required by the state:

- the progress of students toward the established standards of expected student achievement at each grade level in each area of study; and
- the establishment and maintenance of a suitable learning environment within the scope of the employee’s responsibilities.¹⁰⁵

Under prior law, the evaluation had to be reduced to writing and a copy of the evaluation given to the employee. An evaluation meeting had to be held between the certificated employee and the evaluator to discuss the evaluation and assessment.¹⁰⁶

The 1983 test claim statute still requires school districts to reduce the evaluation to writing, to transmit a copy to the employee, and to conduct a meeting with the employee to discuss the evaluation and assessment.¹⁰⁷ These activities are not new. However, the 1983 test claim statute amended the evaluation requirements by adding two new evaluation factors: the instructional

¹⁰² Exhibit B to Item 9 of the May 27, 2004 Commission Hearing.

¹⁰³ Former Education Code sections 13485 and 13487.

¹⁰⁴ *Certificated Employees Council of the Monterey Peninsula Unified School District v. Monterey Peninsula Unified School District* (1974) 42 Cal.App.3d 328, 334,

¹⁰⁵ Former Education Code section 13487, subdivision (b), as amended by Statutes 1975, chapter 1216.

¹⁰⁶ Former Education Code sections 13485-13490, as originally enacted by Statutes 1971, chapter 361.

¹⁰⁷ Education Code sections 44662, 44663, 44664.

techniques and strategies used by the employee, and the employee's adherence to curricular objectives. Thus, school districts are now required by the state to evaluate and assess the competency of certificated instructional employees as it reasonably relates to:

- the progress of students toward the established standards of expected student achievement at each grade level in each area of study;
- the instructional techniques and strategies used by the employee;
- the employee's adherence to curricular objectives; and
- the establishment and maintenance of a suitable learning environment, within the scope of the employee's responsibilities.

School districts may have been evaluating teachers on their instructional techniques and adherence to curricular objectives before the enactment of the test claim statute based on the evaluation guidelines developed through the collective bargaining process. But, the state did not previously require the evaluation in these two areas. Government Code section 17565 states that "if a . . . school district, at its option, has been incurring costs which are subsequently mandated by the state, the state shall reimburse the . . . school district for those costs after the operative date of the mandate."

Accordingly, the Commission finds that Education Code section 44662, subdivision (b), as amended by Statutes 1983, chapter 498, imposes a new required act and, thus, a new program or higher level of service on school districts to evaluate and assess the performance of certificated instructional employees that perform the requirements of educational programs mandated by state or federal law as it reasonably relates to the instructional techniques and strategies used by the employee and the employee's adherence to curricular objectives.

Reimbursement for this activity is limited to the review of the employee's instructional techniques and strategies and adherence to curricular objectives, and to include in the written evaluation of the certificated instructional employees the assessment of these factors during the following evaluation periods:

- once each year for probationary certificated employees;
- every other year for permanent certificated employees; and
- beginning January 1, 2004, every five years for certificated employees with permanent status who have been employed at least ten years with the school district, are highly qualified (as defined in 20 U.S.C. § 7801)¹⁰⁸, and whose previous evaluation rated the employee as meeting or exceeding standards, if the evaluator and certificated employee being evaluated agree.¹⁰⁹

¹⁰⁸ Section 7801 of title 20 of the United States Code defines "highly qualified" as a teacher that has obtained full state certification as a teacher or passed the state teacher licensing examination, and holds a license to teach, and the teacher has not had certification requirements waived on an emergency, temporary, or provisional basis.

¹⁰⁹ Education Code section 44664, subdivision (a)(3), as amended by Statutes 2003, chapter 566.

State adopted academic content standards as measured by state adopted assessment tests. In 1999, the test claim legislation (Stats. 1999, ch. 4) amended Education Code 44662, subdivision (b)(1), by adding the following underlined language:

The governing board of each school district shall evaluate and assess certificated employee competency as it reasonably relates to:

The progress of pupils toward the standards established pursuant to subdivision (a) [standards of expected pupil achievement at each grade level in each area of study] and, if applicable, the state adopted academic content standards as measured by state adopted criterion referenced assessments.

Before the 1999 test claim legislation, school districts were required to evaluate and assess certificated employees based on the progress of pupils. The progress of pupils was measured by standards, adopted by *local school districts*, of expected student achievement at each grade level in each area of study. The evaluation had to be reduced to writing and a copy of the evaluation given to the employee. An evaluation meeting had to be held between the certificated employee and the evaluator to discuss the evaluation and assessment.“

The 1999 test claim legislation still requires school districts to evaluate and assess certificated employees based on the progress of pupils. It also still requires school districts to reduce the evaluation to writing, to transmit a copy to the employee, and to conduct a meeting with the employee to discuss the evaluation and assessment.¹¹¹ These activities are not new.

However, the test claim legislation, beginning January 1, 2000¹¹², imposes a new requirement on school districts to evaluate the performance of certificated employees as it reasonably relates to the progress of pupils based not only on standards adopted by local school districts, but also on the academic content standards adopted by the *state*, as measured by the state adopted assessment tests.

The state academic content standards and the assessment tests that measure the academic progress of students were created in 1995 with the enactment of the California Assessment of Academic Achievement Act.¹¹³ The act required the State Board of Education to develop and adopt a set of statewide academically rigorous content standards in the core curriculum areas of reading, writing, mathematics, history/social science, and science to serve as the basis for assessing the academic achievement of individual pupils and of schools.¹¹⁴ In addition, the Act established the Standardized Testing and Reporting Program (otherwise known as the STAR Program)¹⁵, which requires each school district to annually administer to all pupils in grades 2 to 11 a nationally normed achievement test of basic skills, and an achievement test based on the

¹¹⁰ Former Education Code sections 13485-1 3490, as originally enacted by Statutes 197 1, chapter 36 1.

¹¹ Education Code sections 44662, 44663, 44664.

¹¹² Statutes 1999, chapter 4 became operative and effective on January 1, 2000.

¹¹³ Education Code section 60600 et seq.

¹¹⁴ Education Code section 60605, subdivision (a).

¹¹⁵ Education Code section 60640, subdivision (a).

state's academic content standards? The Commission determined that the administration of the STAR test to pupils constitutes a partial reimbursable state-mandated program (CSM 97-TC-23).

Although evaluating the performance of a certificated employee based on the progress of pupils is not new, the Commission finds that the requirement to evaluate and assess the performance of certificated instructional employees that teach reading, writing, mathematics, history/social science, and science in grades 2 to 11, as it reasonably relates to the progress of pupils towards the state adopted academic content standards as measured by state adopted criterion referenced assessments is a new required act and, thus a higher level of service within the meaning of article XIII B, section 6 of the California Constitution.

This higher level of service is limited to the review of the results of the STAR test as it reasonably relates to the performance of those certificated employees that teach reading, writing, mathematics, history/social science, and science in grades 2 to 11, and to include in the written evaluation of those certificated employees the assessment of the employee's performance based on the STAR results for the pupils they teach during the evaluation periods specified in Education Code section 44664, and described below:

- once each year for probationary certificated employees;
- every other year for permanent certificated employees; and
- beginning January 1, 2004, every five years for certificated employees with permanent status who have been employed at least ten years with the school district, are highly qualified (as defined in 20 U.S.C. § 7801), and whose previous evaluation rated the employee as meeting or exceeding standards, if the evaluator and certificated employee being evaluated agree.¹¹⁷

Assess and evaluate permanent certificated, instructional and non-instructional, employees that receive an unsatisfactory evaluation once each year until the employee achieves a positive evaluation, or is separated from the school district (Ed. Code, § 44664, as amended by Stats. 1983, ch. 498).

The claimant is requesting reimbursement to conduct additional assessments and evaluations for permanent certificated employees that receive an unsatisfactory evaluation as follows:

Conduct additional annual assessments and evaluations of permanent certificated instructional and non-instructional employees who have received an unsatisfactory evaluation. The school district must conduct the annual assessment and evaluation of a permanent certificated employee until the employee achieves a positive evaluation or is separated from the school district. This mandated activity is limited to those annual assessments and evaluations that occur in years in which the employee would not have been required to be evaluated as per Section 44664 (i.e., permanent certificated employees shall be evaluated every other year). When conducting these additional evaluations the full cost of the

¹¹⁶ Education Code section 60640, subdivision (b).

¹¹⁷ Education Code section 44664, subdivision (a)(3), as amended by Statutes 2003, chapter 566.

evaluation is reimbursable (e.g., evaluation under all criterion, preparing written evaluation, review of comments, and holding a hearing with the teacher).¹¹⁸

The Department of Finance agrees that the 1983 amendment to Education Code section 44664 imposes a reimbursable state-mandated activity.

Before the enactment of the test claim legislation, former Education Code section 13489 (as last amended by Stats. 1973, ch. 220) required that an evaluation for permanent certificated employees occur every other year. Former Education Code section 13489 stated in relevant part the following:

Evaluation and assessment of the performance of each certificated employee shall be made on a continuing basis, at least once each school year for probationary personnel, and at *least every other year for personnel with permanent status*. The evaluation shall include recommendations, if necessary, as to areas of improvement in the performance of the employee. In the event an employee is not performing his duties in a satisfactory manner according to the standards prescribed by the governing board, the employing authority shall notify the employee in writing of such fact and describe such unsatisfactory performance. The employing authority shall thereafter confer with the employee making specific recommendations as to areas of improvement in the employee's performance and endeavor to assist him in such performance. (Emphasis added.)

In 1976, former Education Code section 13489 was renumbered to Education Code section 44664.¹¹⁹ The test claim legislation (Stats. 1983, ch. 498) amended Education Code section 44664, by adding the following sentence: "When any permanent certificated employee has received an unsatisfactory evaluation, the employing authority shall *annually evaluate* the employee until the employee achieves a positive evaluation or is separated from the district." (Emphasis added.)¹²⁰

The Commission finds that Education Code section 44664, as amended by Statutes 1983, chapter 498, imposes a new required act and, thus, a new program or higher level of service by requiring school districts to perform additional evaluations for permanent certificated employees that perform the requirements of educational programs mandated by state or federal law and receive an unsatisfactory evaluation.

This higher level of service is limited to those annual assessments and evaluations that occur in years in which the permanent certificated employee would not have otherwise been evaluated pursuant to Education Code section 44664 (i.e., every other year) and lasts until the employee achieves a positive evaluation or is separated from the school district. This additional evaluation

¹¹⁸ Exhibit A (Test Claim) to Item 9 of the May 27, 2004 Commission Hearing.

¹¹⁹ Statutes 1976, chapter 1010.

¹²⁰ Statutes 2003, chapter 566, amended Education Code section 44664 by changing the word "when" to "if." The language now states the following: "~~When~~ If any permanent certificated employee has received an unsatisfactory evaluation, the employing authority shall annually evaluate the employee until the employee achieves a positive evaluation or is separated from the district."

and assessment of the permanent certificated employee requires the school district to perform the following activities:

- evaluate and assess the certificated employee performance as it reasonably relates to the following criteria: (1) the progress of pupils toward the standards established by the school district of expected pupil achievement at each grade level in each area of study, and, if applicable, the state adopted content standards as measured by state adopted criterion referenced assessments; (2) the instructional techniques and strategies used by the employee; (3) the employee's adherence to curricular objectives; (4) the establishment and maintenance of a suitable learning environment, within the scope of the employee's responsibilities; and, if applicable, (5) the fulfillment of other job responsibilities established by the school district for certificated non-instructional personnel (Ed. Code, § 44662, subs. (b) and (c));
- the evaluation and assessment shall be reduced to writing. (Ed. Code, § 44663, subd. (a).) The evaluation shall include recommendations, if necessary, as to areas of improvement in the performance of the employee. If the employee is not performing his or her duties in a satisfactory manner according to the standards prescribed by the governing board, the school district shall notify the employee in writing of that fact and describe the unsatisfactory performance (Ed. Code, § 44664, subd. (b));
- transmit a copy of the written evaluation to the certificated employee (Ed. Code, § 44663, subd. (a));
- attach any written reaction or response to the evaluation by the certificated employee to the employee's personnel file (Ed. Code, § 44663, subd. (a)); and
- conduct a meeting with the certificated employee to discuss the evaluation (Ed. Code, § 44553, subd. (a)).

Issue 3: Does Education Code Section 44662 (As Amended by Stats. 1999, ch. 4) and Education Code Section 44664 (As Amended by Stats. 1983, ch. 498) Impose Costs Mandated by the State Within the Meaning of Government Code Section 17514?

As indicated above, the Commission finds that the following activities constitute a new program or higher level of service:

- evaluate and assess the performance of certificated instructional employees that perform the requirements of educational programs mandated by state or federal law as it reasonably relates to the instructional techniques and strategies used by the employee and the employee's adherence to curricular objectives (Ed. Code, § 44662, subd. (b), as amended by Stats. 1983, ch. 498);
- evaluate and assess the performance of certificated instructional employees that teach reading, writing, mathematics, history/social science, and science in grades 2 to 11 as it reasonably relates to the progress of pupils towards the state adopted academic content standards as measured by state adopted assessment tests (Ed. Code, § 44662, subd. (b), as amended by Stats. 1999, ch. 4); and
- assess and evaluate permanent certificated, instructional and non-instructional, employees that perform the requirements of educational programs mandated by state or federal law

and receive an unsatisfactory evaluation in the years in which the permanent certificated employee would not have otherwise been evaluated until the employee receives achieves a positive evaluation, or is separated from the school district (Ed. Code, § 44664, as amended by Stats. 1983, ch. 498).

The Commission must continue its inquiry to determine if these activities result in increased costs mandated by the state pursuant to Government Code section 175 14.

Government Code section 175 14 defines “costs mandated by the state” as any increased cost a local agency or school district is required to incur as a result of a statute that mandates a new program or higher level of service. The claimant states that it has incurred significantly more than \$200 to comply with the test claim statutes plead in this claim.^{121, 122}

The Commission finds that there is nothing in the record to dispute the costs alleged by the claimant. The parties have not identified any sources of state or federal funds appropriated to school districts that can be applied to the activities identified above. Moreover, none of the exceptions to finding a reimbursable state-mandated program under Government Code section 17556 apply to this claim.

Therefore, the Commission finds that Education Code section 44662 (as amended by Stats. 1999, ch. 4) and Education Code section 44664 (as amended by Stats. 1983, ch. 498), result in costs mandated by the state under Government Code section 17514.

CONCLUSION

The Commission concludes that Education Code section 44662, as amended by Statutes 1999, chapter 4, and Education Code section 44664, as amended by Statutes 1983, chapter 498, mandate a new program or higher level of service for school districts within the meaning of article XIII B, section 6 of the California Constitution, and impose costs mandated by the state pursuant to Government Code section 175 14 for the following activities only:

- Evaluate and assess the performance of certificated instructional employees that perform the requirements of educational programs mandated by state or federal law as it reasonably relates to the instructional techniques and strategies used by the employee and the employee’s adherence to curricular objectives (Ed. Code, § 44662, subd. (b), as amended by Stats. 1983, ch. 498).

Reimbursement for this activity is limited to the review of the employee’s instructional techniques and strategies and adherence to curricular objectives, and to include in the written evaluation of the certificated instructional employees the assessment of these factors during the following evaluation periods:

- o once each year for probationary certificated employees;
- o every other year for permanent certificated employees; and

¹²¹ Exhibit A to Item 9 of the May 27, 2004 Commission Hearing (Test Claim and Declaration of Larry S. Phelps, Superintendent of Denair Unified School District).

¹²² After this test claim was filed, Government Code section 17564 was amended to require that all test claims and reimbursement claims submitted exceed \$1000 in costs. (Stats. 2002, ch. 1 124.)

- o beginning January 1, 2004, every five years for certificated employees with permanent status who have been employed at least ten years with the school district, are highly qualified (as defined in 20 U.S.C. § 7801), and whose previous evaluation rated the employee as meeting or exceeding standards, if the evaluator and certificated employee being evaluated agree.
- Evaluate and assess the performance of certificated instructional employees that teach reading, writing, mathematics, history/social science, and science in grades 2 to 11 as it reasonably relates to the progress of pupils towards the state adopted academic content standards as measured by state adopted assessment tests (Ed. Code, § 44662, subd. (b), as amended by Stats. 1999, ch. 4).

Reimbursement for this activity is limited to the review of the results of the STAR test as it reasonably relates to the performance of those certificated employees that teach reading, writing, mathematics, history/social science, and science in grades 2 to 11, and to include in the written evaluation of those certificated employees the assessment of the employee's performance based on the STAR results for the pupils they teach during the evaluation periods specified in Education Code section 44664, and described below:

- o once each year for probationary certificated employees;
- o every other year for permanent certificated employees; and
- o beginning January 1, 2004, every five years for certificated employees with permanent status who have been employed at least ten years with the school district, are highly qualified (as defined in 20 U.S.C. § 7801), and whose previous evaluation rated the employee as meeting or exceeding standards, if the evaluator and certificated employee being evaluated agree.
- Assess and evaluate permanent certificated, instructional and non-instructional, employees that perform the requirements of educational programs mandated by state or federal law and receive an unsatisfactory evaluation in the years in which the permanent certificated employee would not have otherwise been evaluated pursuant to Education Code section 44664 (i.e., every other year). The additional evaluations shall last until the employee achieves a positive evaluation, or is separated from the school district. (Ed. Code, § 44664, as amended by Stats. 1983, ch. 498). This additional evaluation and assessment of the permanent certificated employee requires the school district to perform the following activities:
 - o evaluate and assess the certificated employee performance as it reasonably relates to the following criteria: (1) the progress of pupils toward the standards established by the school district of expected pupil achievement at each grade level in each area of study, and, if applicable, the state adopted content standards as measured by state adopted criterion referenced assessments; (2) the instructional techniques and strategies used by the employee; (3) the employee's adherence to curricular objectives; (4) the establishment and maintenance of a suitable learning environment, within the scope of the employee's responsibilities; and, if applicable, (5) the fulfillment of other job responsibilities established by the school district for certificated non-instructional personnel (Ed. Code, § 44662, subds. (b) and (c));

- o the evaluation and assessment shall be reduced to writing. (Ed. Code, § 44663, subd. (a).) The evaluation shall include recommendations, if necessary, as to areas of improvement in the performance of the employee. If the employee is not performing his or her duties in a satisfactory manner according to the standards prescribed by the governing board, the school district shall notify the employee in writing of that fact and describe the unsatisfactory performance (Ed. Code, § 44664, subd. (b));
- o transmit a copy of the written evaluation to the certificated employee (Ed. Code, § 44663, subd. (a));
- o attach any written reaction or response to the evaluation by the certificated employee to the employee's personnel file (Ed. Code, § 44663, subd. (a)); and
- o conduct a meeting with the certificated employee to discuss the evaluation (Ed. Code, § 44553, subd. (a)).

The Commission further finds that the activities listed above do not constitute reimbursable state-mandated programs with respect to certificated personnel employed in local, discretionary educational programs.

Finally, the Commission finds that all other statutes in the test claim not mentioned above are not reimbursable state-mandated programs within the meaning of article XIII B, section 6 and Government Code section 175 14.

DECLARATION OF SERVICE BY MAIL

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 95 8 14.

June 1, 2004, I served the:

Adopted Statement of Decision

The Stull Act, 98-TC-25

Education Code Sections 44660 – 44665 (formerly Ed. Code §§ 13485-13490)

Statutes 1975, Chapter 1216; Statutes 1983, Chapter 498; Statutes 1986, Chapter 393;

Statutes 1995, Chapter 392; Statutes 1999, Chapter 4

Denair Unified School District, Claimant

by placing a true copy thereof in an envelope addressed to:

Mr. David Scribner
Executive Director
School Mandates Group
3 113 Catalina Island Road
West Sacramento, CA 95691

State Agencies and Interested Parties (See attached mailing list);

and by sealing and depositing said envelope in the United States mail at Sacramento, California, with postage thereon fully paid.

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 June 1, 2004, at Sacramento, California.


VICTORIA SORIANO

Exhibit B

BEFORE THE
COMMISSION ON STATE MANDATES
STATE OF CALIFORNIA

IN RE TEST CLAIM ON:

Education Code Sections 44660-44665
(Former Ed. Code, §§ 13485-13490);

Statutes 1983, Chapter 498;
Statutes 1999, Chapter 4;

Filed on June 30, 1999;

By Denair Unified School District, Claimant.

No. 98-TC-25


The Stull Act

ADOPTION OF PARAMETERS AND
GUIDELINES PURSUANT TO
GOVERNMENT CODE SECTION 17557
AND TITLE 2, CALIFORNIA CODE OF
REGULATIONS, SECTION 1183.12

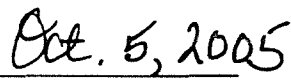
(Adopted on September 27, 2005)

PARAMETERS AND GUIDELINES

On September 27, 2005, the Commission on State Mandates adopted the attached Parameters and Guidelines.



PAULA HIGASHI, Executive Director



Date

PARAMETERS AND GUIDELINES

Education Code Sections 44660-44665
(Former Ed. Code, §§ 13485-13490)

Statutes 1983, Chapter 498
Statutes 1999, Chapter 4

The Stull Act (98-TC-25)

Denair Unified School District and Grant Joint Union High School District, Claimants

I. SUMMARY OF THE MANDATE

On May 27, 2004, the Commission on State Mandates (Commission) adopted the Statement of Decision for *The Stull Act* test claim. The Commission found that Education Code sections 44660-44665 (formerly Ed. Code, §§ 13485-13490) constitute a new program or higher level of service and impose a state-mandated program upon school districts within the meaning of article XIII B, section 6 of the California Constitution and Government Code section 17514.

Accordingly, the Commission approved this test claim for the following reimbursable activities:

- Evaluate and assess the performance of certificated instructional employees that perform the requirements of educational programs mandated by state or federal law as it reasonably relates to the instructional techniques and strategies used by the employee and the employee's adherence to curricular objectives. (Ed. Code, § 44662, subd. (b), as amended by Stats. 1983, ch. 498.)

Reimbursement for this activity is limited to the review of the employee's instructional techniques and strategies and adherence to curricular objectives, and to include in the written evaluation of the certificated instructional employees the assessment of these factors during the following evaluation periods:

- Once each year for probationary certificated employees;
 - Every other year for permanent certificated employees; and
 - Beginning January 1, 2004, every five years for certificated employees with permanent status who have been employed at least ten years with the school district, are highly qualified (as defined in 20 U.S.C. § 7801), and whose previous evaluation rated the employee as meeting or exceeding standards, if the evaluator and certificated employee being evaluated agree.
- Evaluate and assess the performance of certificated instructional employees that teach reading, writing, mathematics, history/social science, and science in grades 2 to 11 as it reasonably relates to the progress of pupils towards the state adopted academic content standards as measured by state adopted assessment tests. (Ed. Code, § 44662, subd. (b), as amended by Stats. 1999, ch. 4.)

Reimbursement for this activity is limited to the review of the results of the STAR test as it reasonably relates to the performance of those certificated employees that

teach reading, writing, mathematics, history/social science, and science in grades 2 to 11, and to include in the written evaluation of those certificated employees the assessment of the employee's performance based on the STAR results for the pupils they teach during the evaluation periods specified in Education Code section 44664, and described below:

- Once each year for probationary certificated employees;
 - Every other year for permanent certificated employees; and
 - Beginning January 1, 2004, every five years for certificated employees with permanent status who have been employed at least ten years with the school district, are highly qualified (as defined in 20 U.S.C. § 7801), and whose previous evaluation rated the employee as meeting or exceeding standards, if the evaluator and certificated employee being evaluated agree.
- Assess and evaluate permanent certificated, instructional and non-instructional, employees that perform the requirements of educational programs mandated by state or federal law and receive an unsatisfactory evaluation in the years in which the permanent certificated employee would not have otherwise been evaluated pursuant to Education Code section 44664 (i.e., every other year). The additional evaluations shall last until the employee achieves a positive evaluation, or is separated from the school district. (Ed. Code, § 44664, as amended by Stats. 1983, ch. 498.) This additional evaluation and assessment of the permanent certificated employee requires the school district to perform the following activities:
 - Evaluate and assess the certificated employee performance as it reasonably relates to the following criteria: (1) the progress of pupils toward the standards established by the school district of expected pupil achievement at each grade level in each area of study, and, if applicable, the state adopted content standards as measured by state adopted criterion referenced assessments; (2) the instructional techniques and strategies used by the employee; (3) the employee's adherence to curricular objectives; (4) the establishment and maintenance of a suitable learning environment, within the scope of the employee's responsibilities; and, if applicable, (5) the fulfillment of other job responsibilities established by the school district for certificated non-instructional personnel (Ed. Code, § 44662, subds. (b) and (c));
 - The evaluation and assessment shall be reduced to writing. (Ed. Code, § 44663, subd. (a).) The evaluation shall include recommendations, if necessary, as to areas of improvement in the performance of the employee. If the employee is not performing his or her duties in a satisfactory manner according to the standards prescribed by the governing board, the school district shall notify the employee in writing of that fact and describe the unsatisfactory performance (Ed. Code, § 44664, subd. (b));
 - Transmit a copy of the written evaluation to the certificated employee (Ed. Code, § 44663, subd. (a));
 - Attach any written reaction or response to the evaluation by the certificated employee to the employee's personnel file (Ed. Code, § 44663, subd. (a)); and

- Conduct a meeting with the certificated employee to discuss the evaluation (Ed. Code, § 44553, subd. (a).)

The Commission further found that the activities listed above do not constitute reimbursable state-mandated programs with respect to certificated personnel employed in local, discretionary educational programs.

Finally, the Commission found that all other statutes in the test claim not mentioned above are not reimbursable state-mandated programs within the meaning of article XIII B, section 6 and Government Code section 17514.

II. ELIGIBLE CLAIMANTS

Any "school district" as defined in Government Code section 17519, except for community colleges, which incurs increased costs as a result of this mandate is eligible to claim reimbursement. Charter schools are not eligible claimants.

III. PERIOD OF REIMBURSEMENT

Government Code section 17557 states that a test claim must be submitted on or before June 30 following a given fiscal year to establish eligibility for that fiscal year. The test claim for this mandate was filed on June 30, 1999. Therefore, the costs incurred for compliance with Statutes 1983, chapter 498 are eligible for reimbursement on or after July 1, 1997. Statutes 1999, chapter 4 was an urgency statute operative March 15, 1999; therefore, costs incurred for compliance with Statutes 1999, chapter 4 are eligible for reimbursement on or after March 15, 1999.

Actual costs for one fiscal year should be included in each claim. Estimated costs for the subsequent year may be included on the same claim, if applicable. Pursuant to Government Code section 17561, subdivision (d)(1)(A), all claims for reimbursement of initial fiscal year costs shall be submitted to the State Controller within 120 days of the issuance date for the claiming instructions.

If the total costs for a given fiscal year do not exceed \$1,000, no reimbursement shall be allowed, except as otherwise allowed by Government Code section 17564.

IV. REIMBURSABLE ACTIVITIES

To be eligible for mandated cost reimbursement for any fiscal year, only actual costs may be claimed. Actual costs are those costs actually incurred to implement the mandated activities. Actual costs must be traceable and supported by source documents that show the validity of such costs, when they were incurred, and their relationship to the reimbursable activities. A source document is a document created at or near the same time the actual cost was incurred for the event or activity in question. Source documents may include, but are not limited to, employee time records or time logs, sign-in sheets, invoices, and receipts.

Evidence corroborating the source documents may include, but is not limited to, worksheets, cost allocation reports (system generated), purchase orders, contracts, agendas, and declarations. Declarations must include a certification or declaration stating, "I certify (or declare) under penalty of perjury under the laws of the State of California that the foregoing is true and correct," and must further comply with the requirements of Code of Civil Procedure section 2015.5. Evidence corroborating the source documents may include data relevant to the reimbursable

activities otherwise in compliance with local, state, and federal government requirements. However, corroborating documents cannot be substituted for source documents.

The claimant is only allowed to claim and be reimbursed for increased costs for the reimbursable activities identified below. Increased cost is limited to the cost of an activity that the claimant is required to incur as a result of the mandate.

For each eligible claimant, the following activities are reimbursable:

A. Certificated Instructional Employees

1. Evaluate and assess the performance of certificated instructional employees that perform the requirements of educational programs mandated by state or federal law as it reasonably relates to the instructional techniques and strategies used by the employee and the employee's adherence to curricular objectives (Ed. Code, § 44662, subd. (b), as amended by Stats. 1983, ch. 498.). (*Reimbursement period begins July 1, 1997.*)

Reimbursement for this activity is limited to:

- a. reviewing the employee's instructional techniques and strategies and adherence to curricular objectives, and
- b. including in the written evaluation of the certificated instructional employees the assessment of these factors during the following evaluation periods:
 - once each year for probationary certificated employees;
 - every other year for permanent certificated employees; and
 - beginning January 1, 2004, every five years for certificated employees with permanent status who have been employed at least ten years with the school district, are highly qualified (as defined in 20 U.S.C. § 7801), and whose previous evaluation rated the employee as meeting or exceeding standards, if the evaluator and certificated employee being evaluated agree.

Note: For purposes of claiming reimbursement, eligible claimants must identify the state or federal law mandating the educational program being performed by the certificated instructional employees.

2. Evaluate and assess the performance of certificated instructional employees that teach reading, writing, mathematics, history/social science, and science in grades 2 to 11 as it reasonably relates to the progress of pupils towards the state adopted academic content standards as measured by state adopted assessment tests (Ed. Code, § 44662, subd. (b), as amended by Stats. 1999, ch. 4.). (*Reimbursement period begins March 15, 1999.*)

Reimbursement for this activity is limited to:

- a. reviewing the results of the Standardized Testing and Reporting test as it reasonably relates to the performance of those certificated employees that teach reading, writing, mathematics, history/social science, and science in grades 2 to 11, and
- b. including in the written evaluation of those certificated employees the assessment of the employee's performance based on the Standardized Testing and Reporting

results for the pupils they teach during the evaluation periods specified in Education Code section 44664, and described below:

- once each year for probationary certificated employees;
- every other year for permanent certificated employees; and
- beginning January 1, 2004, every five years for certificated employees with permanent status who have been employed at least ten years with the school district, are highly qualified (as defined in 20 U.S.C. § 7801), and whose previous evaluation rated the employee as meeting or exceeding standards, if the evaluator and certificated employee being evaluated agree.

B. Certificated (Instructional and Non-Instructional) Employees

1. Evaluate and assess permanent certificated, instructional and non-instructional, employees that perform the requirements of educational programs mandated by state or federal law and receive an unsatisfactory evaluation in the years in which the permanent certificated employee would not have otherwise been evaluated pursuant to Education Code section 44664 (i.e., every other year). The additional evaluations shall last until the employee achieves a positive evaluation, or is separated from the school district (Ed. Code, § 44664, as amended by Stats. 1983, ch. 498). (*Reimbursement period begins July 1, 1997.*)

This additional evaluation and assessment of the permanent certificated employee requires the school district to perform the following activities:

- a. evaluating and assessing the certificated employee performance as it reasonably relates to the following criteria: (1) the progress of pupils toward the standards established by the school district of expected pupil achievement at each grade level in each area of study, and, if applicable, the state adopted content standards as measured by state adopted criterion referenced assessments; (2) the instructional techniques and strategies used by the employee; (3) the employee's adherence to curricular objectives; (4) the establishment and maintenance of a suitable learning environment, within the scope of the employee's responsibilities; and, if applicable, (5) the fulfillment of other job responsibilities established by the school district for certificated non-instructional personnel (Ed. Code, § 44662, subds. (b) and (c));
- b. reducing the evaluation and assessment to writing (Ed. Code, § 44663, subd. (a)). The evaluation shall include recommendations, if necessary, as to areas of improvement in the performance of the employee. If the employee is not performing his or her duties in a satisfactory manner according to the standards prescribed by the governing board, the school district shall notify the employee in writing of that fact and describe the unsatisfactory performance (Ed. Code, § 44664, subd. (b));
- c. transmitting a copy of the written evaluation to the certificated employee (Ed. Code, § 44663, subd. (a));
- d. attaching any written reaction or response to the evaluation by the certificated employee to the employee's personnel file (Ed. Code, § 44663, subd. (a)); and

- e. conducting a meeting with the certificated employee to discuss the evaluation (Ed. Code, § 44553, subd. (a)).

Note: For purposes of claiming reimbursement, eligible claimants must identify the state or federal law mandating the educational program being performed by the certificated, instructional and non-instructional, employees.

C. Training

1. Train staff on implementing the reimbursable activities listed in Section IV of these parameters and guidelines. (One-time activity for each employee.) (*Reimbursement period begins July 1, 1997.*)

V. CLAIM PREPARATION AND SUBMISSION

Each of the following cost elements must be identified for each reimbursable activity identified in Section IV, Reimbursable Activities, of this document. Each claimed reimbursable cost must be supported by source documentation as described in Section IV. Additionally, each reimbursable claim must be filed in a timely manner.

A. Direct Cost Reporting

Direct costs are those costs incurred specifically for the reimbursable activities. The following direct costs are eligible for reimbursement.

1. Salaries and Benefits

Report each employee implementing the reimbursable activities by name, job classification, and productive hourly rate (total wages and related benefits divided by productive hours). Describe the specific reimbursable activities performed and the hours devoted to each reimbursable activity performed.

2. Materials and Supplies

Report the cost of materials and supplies that have been consumed or expended for the purpose of the reimbursable activities. Purchases shall be claimed at the actual price after deducting discounts, rebates, and allowances received by the claimant. Supplies that are withdrawn from inventory shall be charged on an appropriate and recognized method of costing, consistently applied.

3. Contracted Services

Report the name of the contractor and services performed to implement the reimbursable activities. Attach a copy of the contract to the claim. If the contractor bills for time and materials, report the number of hours spent on the activities and all costs charged. If the contract is a fixed price, report the dates when services were performed and itemize all costs for those services.

4. Fixed Assets and Equipment

Report the purchase price paid for fixed assets and equipment (including computers) necessary to implement the reimbursable activities. The purchase price includes taxes, delivery costs, and installation costs. If the fixed asset or equipment is also used for purposes other than the reimbursable activities, only the pro-rata portion of the purchase price used to implement the reimbursable activities can be claimed.

5. Travel

Report the name of the employee traveling for the purpose of the reimbursable activities. Include the date of travel, destination point, the specific reimbursable activity requiring travel, and related travel expenses reimbursed to the employee in compliance with the rules of the local jurisdiction. Report employee travel time according to the rules of cost element A.1. Salaries and Benefits, for each applicable reimbursable activity.

6. Training

Report the cost of training an employee to perform the reimbursable activities, as specified in Section IV of this document. Report the name and job classification of each employee preparing for, attending, and/or conducting training necessary to implement the reimbursable activities. Provide the title, subject, and purpose (related to the mandate of the training session), dates attended, and location. If the training encompasses subjects broader than the reimbursable activities, only the pro-rata portion can be claimed. Report employee training time for each applicable reimbursable activity according to the rules of cost element A. 1, Salaries and Benefits, and A.2, Materials and Supplies. Report the cost of consultants who conduct the training according to the rules of cost element A.3, Contracted Services.

B. Indirect Cost Rates

Indirect costs are costs that have been incurred for common or joint purposes. These costs benefit more than one cost objective and cannot be readily identified with a particular final cost objective without effort disproportionate to the results achieved. After direct costs have been determined and assigned to other activities, as appropriate, indirect costs are those remaining to be allocated to benefited cost objectives. A cost may not be allocated as an indirect cost if any other cost incurred for the same purpose, in like circumstances, has been claimed as a direct cost.

Indirect costs include: (a) the indirect costs originating in each department or agency of the governmental unit carrying out state mandated programs, and (b) the costs of central governmental services distributed through the central service cost allocation plan and not otherwise treated as direct costs.

School districts must use the J-380 (or subsequent replacement) nonrestrictive indirect cost rate provisionally approved by the California Department of Education.

County offices of education must use the J-580 (or subsequent replacement) nonrestrictive indirect cost rate provisionally approved by the California Department of Education.

VI. RECORD RETENTION

Pursuant to Government Code section 17558.5, subdivision (a), a reimbursement claim for actual costs filed by a local agency or school district pursuant to this chapter¹ is subject to the initiation of an audit by the State Controller no later than three years after the date that the actual reimbursement claim is filed or last amended, whichever is later. However, if no funds are appropriated or no payment is made to a claimant for the program for the fiscal year for which the claim is filed, the time for the Controller to initiate an audit shall commence to run from the date of initial payment of the claim. All documentation used to support the reimbursable

¹ This refers to Title 2, division 4, part 7, chapter 4 of the Government Code.

activities, as described in Section IV, must be retained during the period subject to audit. If an audit has been initiated by the Controller during the period subject to audit, the retention period is extended until the ultimate resolution of any audit findings.

VII. OFFSETTING SAVINGS AND REIMBURSEMENTS

Any offsetting savings the claimant experiences in the same program as a result of the same statutes or executive orders found to contain the mandates shall be deducted from the costs claimed. In addition, reimbursement for this mandate from any source, including, but not limited to, service fees collected, federal funds, and other state funds shall be identified and deducted from this claim.

VIII. STATE CONTROLLER'S CLAIMING INSTRUCTIONS

Pursuant to Government Code section 17558, subdivision (b), the Controller shall issue claiming instructions for each mandate that requires state reimbursement no later than 60 days after receiving the adopted parameters and guidelines from the Commission, to assist local agencies and school districts in claiming costs to be reimbursed. The claiming instructions shall be derived from the statute, regulations, or executive order creating the mandate and the parameters and guidelines adopted by the Commission.

Pursuant to Government Code section 17561, subdivision (d)(1), issuance of the claiming instructions shall constitute notice of the right of local agencies and schools districts to file reimbursement claims, based upon parameters and guidelines adopted by the Commission.

IX. REMEDIES BEFORE THE COMMISSION

Upon request of a local agency or school district, the Commission shall review the claiming instructions issued by the State Controller or any other authorized state agency for reimbursement of mandated costs pursuant to Government Code section 17571. If the Commission determines that the claiming instructions do not conform to the parameters and guidelines, the Commission shall direct the Controller to modify the claiming instructions and the Controller shall modify the claiming instructions to conform to the parameters and guidelines as directed by the Commission.

In addition, requests may be made to amend parameters and guidelines pursuant to Government Code section 17557, subdivision (d), and California Code of Regulations, title 2, section 1183.2.

X. LEGAL AND FACTUAL BASIS FOR THE PARAMETERS AND GUIDELINES

The Statement of Decision is legally binding on all parties and provides the legal and factual basis for the parameters and guidelines. The support for the legal and factual findings is found in the administrative record for the test claim. The administrative record, including the Statement of Decision, is on file with the Commission.

DECLARATION OF SERVICE BY MAIL

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.

October 6, 2005, I served the:

Adopted Parameters and Guidelines

The Stull Act, 98-TC-25

Education Code Sections 44660 – 44665 (formerly Ed. Code §§ 13485-13490)

Statutes 1983, Chapter 498; Statutes 1999, Chapter 4

Denair Unified School District and Grant Joint Union High School District, Claimants

by placing a true copy thereof in an envelope addressed to:

Mr. David Scribner
Executive Director
Scribner Consulting Group, Inc.
3840 Rosin Court, Suite 190
Sacramento, CA 95834

Ms. Ginny Brummels
State Controller's Office
Division of Accounting and Reporting
Local Reimbursement Section
3301 C Street, Suite 501
Sacramento, CA 95816

State Agencies and Interested Parties (See attached mailing list);

and by sealing and depositing said envelope in the United States mail at Sacramento, California, with postage thereon fully paid.

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 6, 2005 at Sacramento, California.


VICTORIA SORIANO

Exhibit C

OFFICE OF THE STATE CONTROLLER
STATE MANDATED COSTS CLAIMING INSTRUCTIONS NO. 2005-12

THE STULL ACT

December 12, 2005

In accordance with Government Code Section (GC §) 17561, eligible claimants may submit claims to the State Controller's Office (SCO) for reimbursement of costs incurred for state mandated cost programs. The following are claiming instructions and forms that eligible claimants will use for the filing of claims for the Stull Act program. These claiming instructions are issued subsequent to adoption of the program's Parameters and Guidelines (P's & G's) by the Commission on State Mandates (COSM).

On May 27, 2004, the COSM determined that Education Code Sections 44660 to 44665 (formerly Ed. Code §§ 13485 to 13490) established costs mandated by the State according to the provisions listed in the P's & G's. For your reference, the P's & G's are included as an integral part of the claiming instructions.

Eligible Claimants

Any "school district," as defined in GC§ 17519, except for community colleges, which incurs increased costs as a result of this mandate, is eligible to claim reimbursement. Charter schools are not eligible claimants.

Filing Deadlines

A. Reimbursement Claims

Initial reimbursement claims must be filed within 120 days from the issuance date of claiming instructions. Costs incurred for compliance with Chapter 498, Statutes of 1983, are eligible for reimbursement for fiscal year 1997-98 through 2004-05. Costs incurred for compliance with Chapter 4, Statutes of 1999, are eligible for reimbursement for the period March 15, 1999, to June 30, 1999, and fiscal years 1999-00 through 2004-05. Claims must be filed with the SCO and be delivered or postmarked on or before **April 11, 2006**. Estimated claims for fiscal year 2005-06 must be filed on or before **April 11, 2006**.

In order for a claim to be considered properly filed, it must include any specific supporting documentation requested in the instructions. **Claims filed more than one year after the deadline or without the requested supporting documentation will not be accepted.**

B. Late Penalty

1. Initial Claims

AB 3000 enacted into law on September 30, 2002, amended the late penalty assessments on initial claims. Late initial claims submitted **on or after September 30, 2002**, are assessed a late penalty of 10% of the total amount of the initial claims **without limitation**.

2. Annual Reimbursement Claims

All late annual reimbursement claims are assessed a late penalty of 10% subject to the \$1,000 limitation regardless of when the claims were filed.

C. Estimated Claims

Unless otherwise specified in the claiming instructions, school districts, are not required to provide cost schedules and supporting documents with an estimated claim if the estimated amount does not exceed the previous fiscal year's actual costs by more than 10%. Claimants can simply enter the estimated amount on form FAM-27, line (07).

However, if the estimated claim exceeds the previous fiscal year's actual costs by more than 10%, claimants must complete supplemental claim forms to support their estimated costs as specified for the program to explain the reason for the increased costs. If no explanation supporting the higher estimate is provided with the claim, it will automatically be adjusted to 110% of the previous fiscal year's actual costs. Future estimated claims filed with the SCO must be postmarked by January 15 of the fiscal year in which costs will be incurred. Claims filed timely will be paid before late claims.

Minimum Claim Cost

GC section 17564(a) provides that no claim shall be filed pursuant to Sections 17551 and 17561, unless such a claim exceeds one thousand dollars (\$1,000).

Reimbursement of Claims

To be eligible for mandated cost reimbursement for any fiscal year, only actual costs may be claimed. Actual costs are those costs actually incurred to implement the mandated activities. Actual costs must be traceable and supported by source documents that show the validity of such costs, when they were incurred, and their relationship to the reimbursable activities. A source document is a document created at or near the same time the actual cost was incurred for the event or activity in question.

Source documents may include, but are not limited to, employee time records or time logs, sign-in sheets, invoices, and receipts. Evidence corroborating the source documents may include, but is not limited to, worksheets, cost allocation reports (system generated), purchase orders, contracts, agendas, training packets, and declarations. Evidence corroborating the source documents may include data relevant to the reimbursable activities otherwise in compliance with local, state, and federal government requirements. However, corroborating documents cannot be substituted for source documents.

Certification of Claim

In accordance with the provisions of GC§ 17561, an authorized representative of the claimant shall be required to provide a certification of claim stating: "I certify, (or declare), under penalty of perjury under the laws of the State of California that the foregoing is true and correct," and must further comply with the requirements of the Code of Civil Procedure Section 2015.5, for those costs mandated by the State and contained herein.

Audit of Costs

All claims submitted to the SCO are reviewed to determine if costs are related to the mandate, are reasonable and not excessive, and the claim was prepared in accordance with the SCO's claiming instructions and the P's & G's adopted by the COSM. If any adjustments are made to a claim, a "Notice of Claim Adjustment" specifying the claim component adjusted, the amount adjusted, and the reason for the adjustment, will be mailed within 30 days after payment of the claim.

Pursuant to GC§ 17558.5, subdivision (a), a reimbursement claim for actual costs filed by a school district pursuant to this chapter is subject to the initiation of an audit by the SCO no later than three years after the date that the actual reimbursement claim is filed or last amended, whichever is later. However, if no funds are appropriated or no payment is made to a claimant for the program for the fiscal year for which the claim is filed, the time for the SCO to initiate an audit shall commence to run from the date of initial payment of the claim.

In any case, an audit shall be completed not later than two years after the date that the audit is commenced. All documents used to support the reimbursable activities must be retained during the period subject to audit. If an audit has been initiated by the SCO during the period subject to audit, the retention period is extended until the ultimate resolution of any audit findings. On-site audits will be conducted by the SCO as deemed necessary.

Retention of Claiming Instructions

The claiming instructions and forms in this package should be retained permanently in your Mandated Cost Manual for future reference and use in filing claims. These forms should be duplicated to meet your filing requirements. You will be notified of updated forms or changes to claiming instructions as necessary.

Questions or requests for hard copies of these instructions should be faxed to Ginny Brummels at (916) 323-6527, or e-mailed to LRSDAR@sco.ca.gov. Or, if you wish, you may call the Local Reimbursements Section at (916) 324-5729.

For your reference, these and future mandated costs claiming instructions and forms can be found on the Internet at www.sco.ca.gov/ard/local/locreim/index.shtml.

Address for Filing Claims

Claims should be rounded to the nearest dollar. Submit a signed original and a copy of form FAM-27, Claim for Payment, and all other forms and supporting documents. **(To expedite the payment process, please sign the form in blue ink, and attach a copy of the form FAM-27 to the top of the claim package.)**

Use the following mailing addresses:

If delivered by
U.S. Postal Service:

Office of the State Controller
Attn: Local Reimbursements Section
Division of Accounting and Reporting
P.O. Box 942850
Sacramento, CA 94250

If delivered by
other delivery services:

Office of the State Controller
Attn: Local Reimbursements Section
Division of Accounting and Reporting
3301 C Street, Suite 500
Sacramento, CA 95816

PARAMETERS AND GUIDELINES

Education Code Sections 44660-44665
(Former Ed. Code, §§ 13485-13490)

Statutes 1983, Chapter 498
Statutes 1999, Chapter 4

The Stull Act (98-TC-25)

Denair Unified School District and Grant Joint Union High School District, Claimants

I. SUMMARY OF THE MANDATE

On May 27, 2004, the Commission on State Mandates (Commission) adopted the Statement of Decision for *The Stull Act* test claim. The Commission found that Education Code sections 44660-44665 (formerly Ed. Code, §§ 13485-13490) constitute a new program or higher level of service and impose a state-mandated program upon school districts within the meaning of article XIII B, section 6 of the California Constitution and Government Code section 17514.

Accordingly, the Commission approved this test claim for the following reimbursable activities:

- Evaluate and assess the performance of certificated instructional employees that perform the requirements of educational programs mandated by state or federal law as it reasonably relates to the instructional techniques and strategies used by the employee and the employee's adherence to curricular objectives. (Ed. Code, § 44662, subd. (b), as amended by Stats. 1983, ch. 498.)

Reimbursement for this activity is limited to the review of the employee's instructional techniques and strategies and adherence to curricular objectives, and to include in the written evaluation of the certificated instructional employees the assessment of these factors during the following evaluation periods:

- Once each year for probationary certificated employees;
 - Every other year for permanent certificated employees; and
 - Beginning January 1, 2004, every five years for certificated employees with permanent status who have been employed at least ten years with the school district, are highly qualified (as defined in 20 U.S.C. § 7801), and whose previous evaluation rated the employee as meeting or exceeding standards, if the evaluator and certificated employee being evaluated agree.
- Evaluate and assess the performance of certificated instructional employees that teach reading, writing, mathematics, history/social science, and science in grades 2 to 11 as it reasonably relates to the progress of pupils towards the state adopted academic content standards as measured by state adopted assessment tests. (Ed. Code, § 44662, subd. (b), as amended by Stats. 1999, ch. 4.)

Reimbursement for this activity is limited to the review of the results of the STAR test as it reasonably relates to the performance of those certificated employees that

teach reading, writing, mathematics, history/social science, and science in grades 2 to 11, and to include in the written evaluation of those certificated employees the assessment of the employee's performance based on the STAR results for the pupils they teach during the evaluation periods specified in Education Code section 44664, and described below:

- Once each year for probationary certificated employees;
 - Every other year for permanent certificated employees; and
 - Beginning January 1, 2004, every five years for certificated employees with permanent status who have been employed at least ten years with the school district, are highly qualified (as defined in 20 U.S.C. § 7801), and whose previous evaluation rated the employee as meeting or exceeding standards, if the evaluator and certificated employee being evaluated agree.
- Assess and evaluate permanent certificated, instructional and non-instructional, employees that perform the requirements of educational programs mandated by state or federal law and receive an unsatisfactory evaluation in the years in which the permanent certificated employee would not have otherwise been evaluated pursuant to Education Code section 44664 (i.e., every other year). The additional evaluations shall last until the employee achieves a positive evaluation, or is separated from the school district. (Ed. Code, § 44664, as amended by Stats. 1983, ch. 498.) This additional evaluation and assessment of the permanent certificated employee requires the school district to perform the following activities:
 - Evaluate and assess the certificated employee performance as it reasonably relates to the following criteria: (1) the progress of pupils toward the standards established by the school district of expected pupil achievement at each grade level in each area of study, and, if applicable, the state adopted content standards as measured by state adopted criterion referenced assessments; (2) the instructional techniques and strategies used by the employee; (3) the employee's adherence to curricular objectives; (4) the establishment and maintenance of a suitable learning environment, within the scope of the employee's responsibilities; and, if applicable, (5) the fulfillment of other job responsibilities established by the school district for certificated non-instructional personnel (Ed. Code, § 44662, subs. (b) and (c));
 - The evaluation and assessment shall be reduced to writing. (Ed. Code, § 44663, subd. (a).) The evaluation shall include recommendations, if necessary, as to areas of improvement in the performance of the employee. If the employee is not performing his or her duties in a satisfactory manner according to the standards prescribed by the governing board, the school district shall notify the employee in writing of that fact and describe the unsatisfactory performance (Ed. Code, § 44664, subd. (b));
 - Transmit a copy of the written evaluation to the certificated employee (Ed. Code, § 44663, subd. (a));
 - Attach any written reaction or response to the evaluation by the certificated employee to the employee's personnel file (Ed. Code, § 44663, subd. (a)); and

- Conduct a meeting with the certificated employee to discuss the evaluation (Ed. Code, § 44553, subd. (a).)

The Commission further found that the activities listed above do not constitute reimbursable state-mandated programs with respect to certificated personnel employed in local, discretionary educational programs.

Finally, the Commission found that all other statutes in the test claim not mentioned above are not reimbursable state-mandated programs within the meaning of article XIII B, section 6 and Government Code section 17514.

II. ELIGIBLE CLAIMANTS

Any "school district" as defined in Government Code section 17519, except for community colleges, which incurs increased costs as a result of this mandate is eligible to claim reimbursement. Charter schools are not eligible claimants.

III. PERIOD OF REIMBURSEMENT

Government Code section 17557 states that a test claim must be submitted on or before June 30 following a given fiscal year to establish eligibility for that fiscal year. The test claim for this mandate was filed on June 30, 1999. Therefore, the costs incurred for compliance with Statutes 1983, chapter 498 are eligible for reimbursement on or after July 1, 1997. Statutes 1999, chapter 4 was an urgency statute operative March 15, 1999; therefore, costs incurred for compliance with Statutes 1999, chapter 4 are eligible for reimbursement on or after March 15, 1999.

Actual costs for one fiscal year should be included in each claim. Estimated costs for the subsequent year may be included on the same claim, if applicable. Pursuant to Government Code section 17561, subdivision (d)(1)(A), all claims for reimbursement of initial fiscal year costs shall be submitted to the State Controller within 120 days of the issuance date for the claiming instructions.

If the total costs for a given fiscal year do not exceed \$1,000, no reimbursement shall be allowed, except as otherwise allowed by Government Code section 17564.

IV. REIMBURSABLE ACTIVITIES

To be eligible for mandated cost reimbursement for any fiscal year, only actual costs may be claimed. Actual costs are those costs actually incurred to implement the mandated activities. Actual costs must be traceable and supported by source documents that show the validity of such costs, when they were incurred, and their relationship to the reimbursable activities. A source document is a document created at or near the same time the actual cost was incurred for the event or activity in question. Source documents may include, but are not limited to, employee time records or time logs, sign-in sheets, invoices, and receipts.

Evidence corroborating the source documents may include, but is not limited to, worksheets, cost allocation reports (system generated), purchase orders, contracts, agendas, and declarations. Declarations must include a certification or declaration stating, "I certify (or declare) under penalty of perjury under the laws of the State of California that the foregoing is true and correct," and must further comply with the requirements of Code of Civil Procedure section 2015.5. Evidence corroborating the source documents may include data relevant to the reimbursable

activities otherwise in compliance with local, state, and federal government requirements. However, corroborating documents cannot be substituted for source documents.

The claimant is only allowed to claim and be reimbursed for increased costs for the reimbursable activities identified below. Increased cost is limited to the cost of an activity that the claimant is required to incur as a result of the mandate.

For each eligible claimant, the following activities are reimbursable:

A. Certificated Instructional Employees

1. Evaluate and assess the performance of certificated instructional employees that perform the requirements of educational programs mandated by state or federal law as it reasonably relates to the instructional techniques and strategies used by the employee and the employee's adherence to curricular objectives (Ed. Code, § 44662, subd. (b), as amended by Stats. 1983, ch. 498.). (*Reimbursement period begins July 1, 1997.*)

Reimbursement for this activity is limited to:

- a. reviewing the employee's instructional techniques and strategies and adherence to curricular objectives, and
- b. including in the written evaluation of the certificated instructional employees the assessment of these factors during the following evaluation periods:
 - o once each year for probationary certificated employees;
 - o every other year for permanent certificated employees; and
 - o beginning January 1, 2004, every five years for certificated employees with permanent status who have been employed at least ten years with the school district, are highly qualified (as defined in 20 U.S.C. § 7801), and whose previous evaluation rated the employee as meeting or exceeding standards, if the evaluator and certificated employee being evaluated agree.

Note: For purposes of claiming reimbursement, eligible claimants must identify the state or federal law mandating the educational program being performed by the certificated instructional employees.

2. Evaluate and assess the performance of certificated instructional employees that teach reading, writing, mathematics, history/social science, and science in grades 2 to 11 as it reasonably relates to the progress of pupils towards the state adopted academic content standards as measured by state adopted assessment tests (Ed. Code, § 44662, subd. (b), as amended by Stats. 1999, ch. 4.). (*Reimbursement period begins March 15, 1999.*)

Reimbursement for this activity is limited to:

- a. reviewing the results of the Standardized Testing and Reporting test as it reasonably relates to the performance of those certificated employees that teach reading, writing, mathematics, history/social science, and science in grades 2 to 11, and
- b. including in the written evaluation of those certificated employees the assessment of the employee's performance based on the Standardized Testing and Reporting

results for the pupils they teach during the evaluation periods specified in Education Code section 44664, and described below:

- once each year for probationary certificated employees;
- every other year for permanent certificated employees; and
- beginning January 1, 2004, every five years for certificated employees with permanent status who have been employed at least ten years with the school district, are highly qualified (as defined in 20 U.S.C. § 7801), and whose previous evaluation rated the employee as meeting or exceeding standards, if the evaluator and certificated employee being evaluated agree.

B. Certificated (Instructional and Non-Instructional) Employees

1. Evaluate and assess permanent certificated, instructional and non-instructional, employees that perform the requirements of educational programs mandated by state or federal law and receive an unsatisfactory evaluation in the years in which the permanent certificated employee would not have otherwise been evaluated pursuant to Education Code section 44664 (i.e., every other year). The additional evaluations shall last until the employee achieves a positive evaluation, or is separated from the school district (Ed. Code, § 44664, as amended by Stats. 1983, ch. 498). *(Reimbursement period begins July 1, 1997.)*

This additional evaluation and assessment of the permanent certificated employee requires the school district to perform the following activities:

- a. evaluating and assessing the certificated employee performance as it reasonably relates to the following criteria: (1) the progress of pupils toward the standards established by the school district of expected pupil achievement at each grade level in each area of study, and, if applicable, the state adopted content standards as measured by state adopted criterion referenced assessments; (2) the instructional techniques and strategies used by the employee; (3) the employee's adherence to curricular objectives; (4) the establishment and maintenance of a suitable learning environment, within the scope of the employee's responsibilities; and, if applicable, (5) the fulfillment of other job responsibilities established by the school district for certificated non-instructional personnel (Ed. Code, § 44662, subs. (b) and (c));
- b. reducing the evaluation and assessment to writing (Ed. Code, § 44663, subd. (a)). The evaluation shall include recommendations, if necessary, as to areas of improvement in the performance of the employee. If the employee is not performing his or her duties in a satisfactory manner according to the standards prescribed by the governing board, the school district shall notify the employee in writing of that fact and describe the unsatisfactory performance (Ed. Code, § 44664, subd. (b));
- c. transmitting a copy of the written evaluation to the certificated employee (Ed. Code, § 44663, subd. (a));
- d. attaching any written reaction or response to the evaluation by the certificated employee to the employee's personnel file (Ed. Code, § 44663, subd. (a)); and

- e. conducting a meeting with the certificated employee to discuss the evaluation (Ed. Code, § 44553, subd. (a)).

Note: For purposes of claiming reimbursement, eligible claimants must identify the state or federal law mandating the educational program being performed by the certificated, instructional and non-instructional, employees.

C. Training

1. Train staff on implementing the reimbursable activities listed in Section IV of these parameters and guidelines. (One-time activity for each employee.) (*Reimbursement period begins July 1, 1997.*)

V. CLAIM PREPARATION AND SUBMISSION

Each of the following cost elements must be identified for each reimbursable activity identified in Section IV, Reimbursable Activities, of this document. Each claimed reimbursable cost must be supported by source documentation as described in Section IV. Additionally, each reimbursable claim must be filed in a timely manner.

A. Direct Cost Reporting

Direct costs are those costs incurred specifically for the reimbursable activities. The following direct costs are eligible for reimbursement.

1. Salaries and Benefits

Report each employee implementing the reimbursable activities by name, job classification, and productive hourly rate (total wages and related benefits divided by productive hours). Describe the specific reimbursable activities performed and the hours devoted to each reimbursable activity performed.

2. Materials and Supplies

Report the cost of materials and supplies that have been consumed or expended for the purpose of the reimbursable activities. Purchases shall be claimed at the actual price after deducting discounts, rebates, and allowances received by the claimant. Supplies that are withdrawn from inventory shall be charged on an appropriate and recognized method of costing, consistently applied.

3. Contracted Services

Report the name of the contractor and services performed to implement the reimbursable activities. Attach a copy of the contract to the claim. If the contractor bills for time and materials, report the number of hours spent on the activities and all costs charged. If the contract is a fixed price, report the dates when services were performed and itemize all costs for those services.

4. Fixed Assets and Equipment

Report the purchase price paid for fixed assets and equipment (including computers) necessary to implement the reimbursable activities. The purchase price includes taxes, delivery costs, and installation costs. If the fixed asset or equipment is also used for purposes other than the reimbursable activities, only the pro-rata portion of the purchase price used to implement the reimbursable activities can be claimed.

5. Travel

Report the name of the employee traveling for the purpose of the reimbursable activities. Include the date of travel, destination point, the specific reimbursable activity requiring travel, and related travel expenses reimbursed to the employee in compliance with the rules of the local jurisdiction. Report employee travel time according to the rules of cost element A.1. Salaries and Benefits, for each applicable reimbursable activity.

6. Training

Report the cost of training an employee to perform the reimbursable activities, as specified in Section IV of this document. Report the name and job classification of each employee preparing for, attending, and/or conducting training necessary to implement the reimbursable activities. Provide the title, subject, and purpose (related to the mandate of the training session), dates attended, and location. If the training encompasses subjects broader than the reimbursable activities, only the pro-rata portion can be claimed. Report employee training time for each applicable reimbursable activity according to the rules of cost element A. 1, Salaries and Benefits, and A.2, Materials and Supplies. Report the cost of consultants who conduct the training according to the rules of cost element A.3, Contracted Services.

B. Indirect Cost Rates

Indirect costs are costs that have been incurred for common or joint purposes. These costs benefit more than one cost objective and cannot be readily identified with a particular final cost objective without effort disproportionate to the results achieved. After direct costs have been determined and assigned to other activities, as appropriate, indirect costs are those remaining to be allocated to benefited cost objectives. A cost may not be allocated as an indirect cost if any other cost incurred for the same purpose, in like circumstances, has been claimed as a direct cost.

Indirect costs include: (a) the indirect costs originating in each department or agency of the governmental unit carrying out state mandated programs, and (b) the costs of central governmental services distributed through the central service cost allocation plan and not otherwise treated as direct costs.

School districts must use the J-380 (or subsequent replacement) nonrestrictive indirect cost rate provisionally approved by the California Department of Education.

County offices of education must use the J-580 (or subsequent replacement) nonrestrictive indirect cost rate provisionally approved by the California Department of Education.

VI. RECORD RETENTION

Pursuant to Government Code section 17558.5, subdivision (a), a reimbursement claim for actual costs filed by a local agency or school district pursuant to this chapter¹ is subject to the initiation of an audit by the State Controller no later than three years after the date that the actual reimbursement claim is filed or last amended, whichever is later. However, if no funds are appropriated or no payment is made to a claimant for the program for the fiscal year for which the claim is filed, the time for the Controller to initiate an audit shall commence to run from the date of initial payment of the claim. All documentation used to support the reimbursable

¹ This refers to Title 2, division 4, part 7, chapter 4 of the Government Code.

activities, as described in Section IV, must be retained during the period subject to audit. If an audit has been initiated by the Controller during the period subject to audit, the retention period is extended until the ultimate resolution of any audit findings.

VII. OFFSETTING SAVINGS AND REIMBURSEMENTS

Any offsetting savings the claimant experiences in the same program as a result of the same statutes or executive orders found to contain the mandates shall be deducted from the costs claimed. In addition, reimbursement for this mandate from any source, including, but not limited to, service fees collected, federal funds, and other state funds shall be identified and deducted from this claim.

VIII. STATE CONTROLLER'S CLAIMING INSTRUCTIONS

Pursuant to Government Code section 17558, subdivision (b), the Controller shall issue claiming instructions for each mandate that requires state reimbursement no later than 60 days after receiving the adopted parameters and guidelines from the Commission, to assist local agencies and school districts in claiming costs to be reimbursed. The claiming instructions shall be derived from the statute, regulations, or executive order creating the mandate and the parameters and guidelines adopted by the Commission.

Pursuant to Government Code section 17561, subdivision (d)(1), issuance of the claiming instructions shall constitute notice of the right of local agencies and schools districts to file reimbursement claims, based upon parameters and guidelines adopted by the Commission.

IX. REMEDIES BEFORE THE COMMISSION

Upon request of a local agency or school district, the Commission shall review the claiming instructions issued by the State Controller or any other authorized state agency for reimbursement of mandated costs pursuant to Government Code section 17571. If the Commission determines that the claiming instructions do not conform to the parameters and guidelines, the Commission shall direct the Controller to modify the claiming instructions and the Controller shall modify the claiming instructions to conform to the parameters and guidelines as directed by the Commission.

In addition, requests may be made to amend parameters and guidelines pursuant to Government Code section 17557, subdivision (d), and California Code of Regulations, title 2, section 1183.2.

X. LEGAL AND FACTUAL BASIS FOR THE PARAMETERS AND GUIDELINES

The Statement of Decision is legally binding on all parties and provides the legal and factual basis for the parameters and guidelines. The support for the legal and factual findings is found in the administrative record for the test claim. The administrative record, including the Statement of Decision, is on file with the Commission.

CLAIM FOR PAYMENT Pursuant to Government Code Section 17561 THE STULL ACT	For State Controller Use Only (19) Program Number 00260 (20) Date Filed ____/____/____ (21) LRS Input ____/____/____	Program 260
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L A B E L H E R E	(01) Claimant Identification Number		Reimbursement Claim Data	
	(02) Claimant Name		(22) SA -1, (03)(a)	
	County of Location		(23) SA -1, (03)(b)	
	Street Address or P.O. Box		Suite	
			(24) SA -1, (04)(A)(1)(a)(f)	
	City		State	
		Zip Code		
		(25) SA -1, (04)(A)(1)(b)(f)		
Type of Claim	Estimated Claim	Reimbursement Claim		
	(03) Estimated <input type="checkbox"/>	(09) Reimbursement <input type="checkbox"/>	(26) SA -1, (04)(A)(2)(a)(f)	
	(04) Combined <input type="checkbox"/>	(10) Combined <input type="checkbox"/>	(27) SA -1, (04)(A)(2)(b)(f)	
	(05) Amended <input type="checkbox"/>	(11) Amended <input type="checkbox"/>	(28) SA -1, (04)(B)(1)(a)(f)	
			(29) SA -1, (04)(B)(1)(b)(f)	
Fiscal Year of Cost	(06) ____/____	(12) ____/____	(30) SA -1, (04)(B)(1)(c)(f)	
Total Claimed Amount	(07)	(13)	(31) SA -1, (04)(B)(1)(d)(f)	
Less: 10% Late Penalty		(14)	(32) SA -1, (04)(B)(1)(e)(f)	
Less: Prior Claim Payment Received		(15)	(33) SA -1, (06)	
Net Claimed Amount		(16)	(34) SA -1, (07)	
Due from State	(08)	(17)	(35) SA -1, (09)	
Due to State		(18)	(36) SA -1, (10)	

(37) CERTIFICATION OF CLAIM

In accordance with the provisions of Government Code Section 17561, I certify that I am the officer authorized by the school district to file mandated cost claims with the State of California for this program, and certify under penalty of perjury that I have not violated any of the provisions of Government Code Sections 1090 to 1098, inclusive.

I further certify that there was no application other than from the claimant, nor any grant or payment received, for reimbursement of costs claimed herein, and such costs are for a new program or increased level of services of an existing program. All offsetting savings and reimbursements set forth in the Parameters and Guidelines are identified, and all costs claimed are supported by source documentation currently maintained by the claimant.

The amounts for this Estimated Claim and/or Reimbursement Claim are hereby claimed from the State for payment of estimated and/or actual costs set forth on the attached statements. I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Signature of Authorized Officer _____ Date _____

 Type or Print Name _____ Title _____

(38) Name of Contact Person for Claim Telephone Number () - Ext. _____

E-Mail Address _____

Program 260	THE STULL ACT Certification Claim Form Instructions	FORM FAM-27
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- (01) Enter the payee number assigned by the State Controller's Office.
- (02) Enter your Official Name, County of Location, Street or P. O. Box address, City, State, and Zip Code.
- (03) If filing an estimated claim, enter an "X" in the box on line (03) Estimated.
- (04) If filing a combined estimated claim on behalf of districts within the county, enter an "X" in the box on line (04) Combined.
- (05) If filing an amended estimated claim, enter an "X" in the box on line (05) Amended.
- (06) Enter the fiscal year in which costs are to be incurred.
- (07) Enter the amount of the estimated claim. If the estimate exceeds the previous year's actual costs by more than 10%, complete form SA-1 and enter the amount from line (11).
- (08) Enter the same amount as shown on line (07).
- (09) If filing a reimbursement claim, enter an "X" in the box on line (09) Reimbursement.
- (10) If filing a combined reimbursement claim on behalf of districts within the county, enter an "X" in the box on line (10) Combined.
- (11) If filing an amended reimbursement claim, enter an "X" in the box on line (11) Amended.
- (12) Enter the fiscal year for which actual costs are being claimed. If actual costs for more than one fiscal year are being claimed, complete a separate form FAM-27 for each fiscal year.
- (13) Enter the amount of the reimbursement claim from form SA-1, line (11). The total claimed amount must exceed \$1,000.
- (14) Reimbursement claims must be filed by April 11, 2006, for the fiscal year in which costs were incurred or the claims shall be reduced by a late penalty. Enter zero if the claim was timely filed, otherwise, enter the product of multiplying line (13) by the factor 0.10 (10% penalty).
- (15) If filing a reimbursement claim and a claim was previously filed for the same fiscal year, enter the amount received for the claim. Otherwise, enter a zero.
- (16) Enter the result of subtracting line (14) and line (15) from line (13).
- (17) If line (16), Net Claimed Amount, is positive, enter that amount on line (17), Due from State.
- (18) If line (16), Net Claimed Amount, is negative, enter that amount on line (18), Due to State.
- (19) to (21) Leave blank.
- (22) to (36) Reimbursement Claim Data. Bring forward the cost information as specified on the left-hand column of lines (22) through (36) for the reimbursement claim, e.g., SA-1, (04)(A)(1)(a)(f), means the information is located on form SA-1, block (04)(A)(1), line (a), column (f). Enter the information on the same line but in the right-hand column. Cost information should be rounded to the nearest dollar, i.e., no cents. Indirect costs percentage should be shown as a whole number and without the percent symbol, i.e., 7.548% should be shown as 8. **Completion of this data block will expedite the payment process.**
- (37) Read the statement "Certification of Claim." If it is true, the claim must be dated, signed by the district's authorized officer, and must include the person's name and title, typed or printed. **Claims cannot be paid unless accompanied by an original signed certification. (To expedite the payment process, please sign the form FAM-27 with blue ink, and attach a copy of the form FAM-27 to the top of the claim package.)**
- (38) Enter the name, telephone number, and e-mail address of the person to contact if additional information is required.

SUBMIT A SIGNED ORIGINAL, AND A COPY OF FORM FAM-27, WITH ALL OTHER FORMS AND SUPPORTING DOCUMENTS TO:

Address, if delivered by U.S. Postal Service:

**OFFICE OF THE STATE CONTROLLER
ATTN: Local Reimbursements Section
Division of Accounting and Reporting
P.O. Box 942850
Sacramento, CA 94250**

Address, if delivered by other delivery service:

**OFFICE OF THE STATE CONTROLLER
ATTN: Local Reimbursements Section
Division of Accounting and Reporting
3301 C Street, Suite 500
Sacramento, CA 95816**

Program 260	MANDATED COSTS THE STULL ACT CLAIM SUMMARY	FORM SA-1
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(01) Claimant 	(02) Type of Claim Reimbursement <input type="checkbox"/> Estimated <input type="checkbox"/>	Fiscal Year ___ / ___
-----------------------	--	--------------------------

(03) (a) Number of Certificated Instructional Employees (CIE's) evaluated per (04)(A)	
(b) Number of CIE's and Non-Instructional Employees (NIE's) evaluated per (04)(B)	

Direct Costs	Object Accounts					
(04) Reimbursable Components	(a) Salaries and Benefits	(b) Materials and Supplies	(c) Contract Services	(d) Fixed Assets	(e) Travel and Training	(f) Total

A. CIE's						
1.	Evaluation/Assessment - Ed. Code §44662, subd. (b), as amended by Ch. 498/83; Reimbursement period begins fy 1997-98					
a.	Review employee's techniques and strategies					
b.	Evaluation of techniques and strategies					
2.	Evaluation/Assessment - Ed. Code §44662, subd. (b), as amended by Ch. 4/99; Reimbursement period begins 03/15/99					
a.	Review STAR results					
b.	Assessment per STAR					

B. CIE's and NIE's						
1.	Evaluation/Assessment - Ed. Code §44664, subd. (b), as amended by Ch. 498/83; Reimbursement period begins fy 1997-98					
a.	Evaluating and assessing CIE per certain criteria					
b.	Writing evaluation					
c.	Transmitting evaluation					
d.	Attaching to personnel file					
e.	Discussing evaluation					

(05) Total Direct Costs						
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Indirect Costs						
(06) Indirect Cost Rate	[From J-380 or J-580]					%
(07) Total Indirect Costs	[Line (06) x line (05)(a)]					
(08) Total Direct and Indirect Costs	[Line (05)(f) + line (07)]					

Cost Reduction						
(09) Less: Offsetting Savings						
(10) Less: Other Reimbursements						
(11) Total Claimed Amount	[Line (08) - {line (09) + line (10)}]					

Program 260	THE STULL ACT CLAIM SUMMARY Instructions	FORM SA-1
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- (01) Enter the name of the claimant.
- (02) Type of Claim. Check a box, Reimbursement or Estimated, to identify the type of claim being filed. Enter the fiscal year of costs.
- Form SA-1 must be filed for a reimbursement claim. Do not complete form SA-1 if you are filing an estimated claim and the estimate does not exceed the previous fiscal year's actual costs by more than 10%. Simply enter the amount of the estimated claim on form FAM-27, line (07). However, if the estimated claim exceeds the previous fiscal year's actual costs by more than 10%, form SA-1 must be completed and a statement attached explaining the increased costs. Without this information the estimated claim will automatically be reduced to 110% of the previous fiscal year's actual costs.
- (03) Claim Statistics. (a) Enter the number of CIE's who were evaluated per (04)(A).
- (b) Enter the number of CIE's and NIE's who were evaluated per (04)(B).
- (04) Reimbursable Components. For each reimbursable component, enter the total from form SA-2, line (05), columns (d) through (h) to form SA-1, block (04), columns (a) through (e) in the appropriate row. Total each row.
- (05) Total Direct Costs. Total columns (a) through (f).
- (06) Indirect Cost Rate. Enter the indirect cost rate from the Department of Education form J-380 or J-580 as applicable for the fiscal year of costs.
- (07) Total Indirect Costs. Enter the result of multiplying the Indirect Cost Rate, line (06), by the Total Salaries and Benefits, line (05)(a).
- (08) Total Direct and Indirect Costs. Enter the sum of Total Direct Costs, line (05)(f), and Total Indirect Costs, line (07).
- (09) Less: Offsetting Savings. If applicable, enter the total savings experienced by the claimant as a direct result of this mandate. Submit a detailed schedule of savings with the claim.
- (10) Less: Other Reimbursements. If applicable, enter the amount of other reimbursements received from any source including, but not limited to, service fees collected, federal funds, and other state funds, that reimbursed any portion of the mandated cost program. Submit a schedule detailing the reimbursement sources and amounts.
- (11) Total Claimed Amount. From Total Direct and Indirect Costs, line (08), subtract the sum of Offsetting Savings, line (09), and Other Reimbursements, line (10). Enter the remainder on this line and carry the amount forward to form FAM-27, line (07) for the Estimated Claim or line (13) for the Reimbursement Claim.

Program 260	MANDATED COSTS THE STULL ACT COMPONENT/ACTIVITY COST DETAIL	FORM SA-2
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(01) Claimant _____	(02) Fiscal Year _____
---------------------	------------------------

(03) Reimbursable Components: Check only one box per form to identify the component being claimed.

A. CIE

<input type="checkbox"/> Review employee's techniques and strategies	<input type="checkbox"/> Evaluation to include assessment of techniques and strategies
<input type="checkbox"/> Review STR Results	<input type="checkbox"/> Assessment based on STR results

B. CIE & NIE

<input type="checkbox"/> Evaluating and assessing CIE according to certain criteria	<input type="checkbox"/> Reducing evaluation to writing	<input type="checkbox"/> Transmitting evaluation to CIE
<input type="checkbox"/> Attaching response to personnel file	<input type="checkbox"/> Discussing evaluation with CIE	

(04) Description of Expenses			Object Accounts				
(a) Employee Names, Job Classifications, Functions Performed and Description of Expenses	(b) Hourly Rate or Unit Cost	(c) Hours Worked or Quantity	(d) Salaries and Benefits	(e) Materials and Supplies	(f) Contract Services	(g) Fixed Assets	(h) Travel and Training

(05) Total <input type="checkbox"/> Subtotal <input type="checkbox"/> Page: ____ of ____						
--	--	--	--	--	--	--

Program 260	THE STULL ACT COMPONENT/ACTIVITY COST DETAIL Instructions	FORM SA-2
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- (01) Claimant. Enter the name of the claimant.
- (02) Fiscal Year. Enter the fiscal year for which costs were incurred.
- (03) Reimbursable Components. Check the box which indicates the cost component being claimed. Check only one box per form. A separate form SA-2 shall be prepared for each applicable component.
- (04) Description of Expenses. The following table identifies the type of information required to support reimbursable costs. To detail costs for the component activity box "checked" in block (03), enter the employee names, position titles, a brief description of the activities performed, actual time spent by each employee, productive hourly rates, fringe benefits, supplies used, contract services, and travel and training expenses. **The descriptions required in column (4)(a) must be of sufficient detail to explain the cost of activities or items being claimed.** For audit purposes, all supporting documents must be retained by the claimant for a period of not less than three years after the date the claim was filed or last amended, whichever is later. If no funds were appropriated and no payment was made at the time the claim was filed, the time for the Controller to initiate an audit shall be from the date of initial payment of the claim. Such documents shall be made available to the State Controller's Office on request.

Object/ Sub object Accounts	Columns								Submit supporting documents with the claim
	(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	
Salaries and Benefits	Employee Name/Title	Hourly Rate	Hours Worked	Salaries = Hourly Rate x Hours Worked					
Salaries									
Benefits	Activities Performed	Benefit Rate		Benefits = Benefit Rate x Salaries					
Materials and Supplies	Description of Supplies Used	Unit Cost	Quantity Used		Cost = Unit Cost x Quantity Used				
Contract Services	Name of Contractor Specific Tasks Performed	Hourly Rate	Hours Worked Inclusive Dates of Service			Cost=Hourly Rate x Hours Worked or Total Contract Cost			Copy of Contract and Invoices
Fixed Assets	Description of Equipment Purchased	Unit Cost	Usage				Cost= Unit Cost x Usage		
Travel and Training	Purpose of Trip Name and Title Departure and Return Date	Per Diem Rate Mileage Rate Travel Cost	Days Miles Travel Mode			Total Travel Cost = Rate x Days or Miles		Total Travel Cost = Rate x Days or Miles	
Travel									
Training	Employee Name/Title Name of Class		Dates Attended			Registration Fee		Registration Fee	

- (05) Total line (04), columns (d) through (h) and enter the sum on this line. Check the appropriate box to indicate if the amount is a total or subtotal. If more than one form is needed to detail the component/activity costs, number each page. Enter totals from line (05), columns (d) through (h) to form SA-1, block (04), columns (a) through (e) in the appropriate row.

Exhibit D

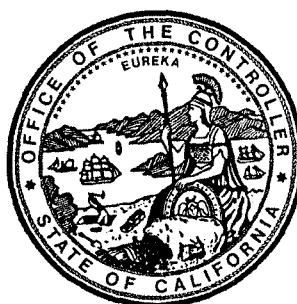
OCEANSIDE UNIFIED SCHOOL DISTRICT

Audit Report

THE STULL ACT PROGRAM

Chapter 498, Statutes of 1983,
and Chapter 4, Statutes of 1999

July 1, 1997, through June 30, 2008



JOHN CHIANG
California State Controller

August 2011



JOHN CHIANG
California State Controller

August 24, 2011

Lillian Adams
President, Board of Education
Oceanside Unified School District
2111 Mission Avenue
Oceanside, CA 92058

Dear Ms. Adams:

The State Controller's Office audited the costs claimed by Oceanside Unified School District for the legislatively mandated Stull Act Program (Chapter 498, Statutes of 1983, and Chapter 4 Statutes of 1999) for the period of July 1, 1997, through June 30, 2008.

The district claimed \$1,286,956 for the mandated program. Our audit disclosed that \$16,536 is allowable and \$1,270,420 is unallowable. The costs are unallowable because the district did not support claimed costs with source documents. The State paid the district \$411,733. The amount paid exceed allowable costs claimed by \$395,197.

If you disagree with the audit findings, you may file an Incorrect Reduction Claim (IRC) with the Commission on State Mandates (CSM). The IRC must be filed within three years following the date that we notify you of a claim reduction. You may obtain IRC information at the CSM's Web site at www.csm.ca.gov/docs/IRCForm.pdf.

If you have any questions, please contact Jim L. Spano, Chief, Mandated Cost Audits Bureau, at (916) 323-5849.

Sincerely,

Original signed by

JEFFREY V. BROWNFIELD
Chief, Division of Audits

JVB/vb

cc: Larry Perondi, Superintendent
Oceanside Unified School District
Luis Ibarra, Ed.D
Associate Superintendent for Business Services
Oceanside Unified School District
Shelly Morr
Associate Superintendent for Human Resources
Oceanside Unified School District
Karen Huddleston, Controller
Oceanside Unified School District
San Diego County Superintendent of Schools
San Diego County Office of Education
Scott Hannan, Director
School Fiscal Services Division
California Department of Education
Carol Bingham, Director
Fiscal Policy Division
California Department of Education
Thomas Todd, Principal Program Budget Analyst
Education Systems Unit
Department of Finance
Jay Lal, Manager
Division of Accounting and Reporting
State Controller's Office

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Audit Report

Summary

The State Controller's Office (SCO) audited the costs claimed by Oceanside Unified School District for the legislatively mandated Stull Act Program (Chapter 498, Statutes of 1983, and Chapter 4 Statutes of 1999) for the period of July 1, 1997, through June 30, 2008.

The district claimed \$1,286,956 for the mandated program. Our audit disclosed that \$16,536 is allowable and \$1,270,420 is unallowable. The costs are unallowable because the district did not support claimed costs with source documents. The State paid the district \$411,733. The amount paid exceed allowable costs claimed by \$395,197.

Background

Chapter 498, Statutes of 1983, and Chapter 4, Statutes of 1999, added Education Code sections 44660-44665. The legislation provided specific reimbursement activities related to evaluation and assessment of the performance of "certificated personnel" within each school district, except for those employed in local, discretionary educational programs.

The following activities are reimbursable:

- Evaluating and assessing the performance of certificated instructional employees who perform the requirements of educational programs mandated by state or federal law for evaluations that reasonably relate to the instructional techniques and strategies used by the employee, as well as the employee's adherence to curricular objectives.
- Evaluating and assessing the performance of certificated instructional employees who teach reading, writing, mathematics, history/social sciences, and science in grades 2 through 11 for evaluations that reasonably relate to the progress of pupils toward the state-adopted academic content standards as measured by state-adopted assessment tests.
- Assessing and evaluating permanent certificated, instructional, and non-instructional employees who perform the requirements of educational programs mandated by state or federal law and receive an unsatisfactory evaluation in the years in which the permanent certificated employee would not have otherwise been evaluated pursuant to Education Code section 44664. The additional evaluations last until the employee achieves a positive evaluation or is separated from the school district.

On May 27, 2004, the Commission on State Mandates (CSM) determined that the legislation imposed a state mandate reimbursable under Government Code section 17561.

The program's parameters and guidelines establish the state mandate and define reimbursement criteria. The CSM adopted the parameters and guidelines on September 27, 2005. In compliance with Government Code section 17558, the SCO issues claiming instructions to assist local agencies and school districts in claiming mandated program reimbursable costs.

**Objective, Scope,
and Methodology**

We conducted the audit to determine whether costs claimed represent increased costs resulting from the Stull Act Program for the period of July 1, 1997, through June 30, 2008.

Our audit scope included, but was not limited to, determining whether costs claimed were supported by appropriate source documents, were not funded by another source, and were not unreasonable and/or excessive.

We conducted this performance audit under the authority of Government Code sections 12410, 17558.5, and 17561. We did not audit the district's financial statements. We conducted the audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

We limited our review of the district's internal controls to gaining an understanding of the transaction flow and claim preparation process as necessary to develop appropriate auditing procedures.

Conclusion

Our audit disclosed instances of noncompliance with the requirements outlined above. These instances are described in the accompanying Summary of Program Costs (Schedule 1) and in the Finding and Recommendation section of this report.

For the audit period, Oceanside Unified School District claimed \$1,286,956 for costs of the Stull Act Program. Our audit disclosed that \$16,536 is allowable and \$1,270,420 is unallowable.

The State paid the district \$411,733. Our audit disclosed that \$16,536 is allowable. The State will offset \$395,197 from other mandated program payments due the district. Alternatively, the district may remit this amount to the State.

**Views of
Responsible
Official**

We issued a draft audit report on February 9, 2011. Karen Huddleston, Controller, responded by letter dated March 22, 2011 (Attachment), disagreeing with the audit results. This final audit report includes the district's response.

Restricted Use

This report is solely for the information and use of Oceanside Unified School District, the San Diego County Office of Education, the California Department of Education, the California Department of Finance, and the SCO; it is not intended to be and should not be used by anyone other than these specified parties. This restriction is not intended to limit distribution of this report, which is a matter of public record.

Original signed by

JEFFREY V. BROWNFIELD
Chief, Division of Audits

August 24, 2011

**Schedule 1—
Summary of Program Costs
July 1, 1997, through June 30, 2008**

Cost Elements	Actual Costs Claimed	Allowable per Audit	Audit Adjustment
<u>July 1, 1997, through June 30, 1998</u>			
Direct costs:			
Salaries and benefits:			
Review certificated instructional employees' (CIE) techniques and strategies	\$ 25,860	\$ —	\$ (25,860)
Evaluation to include assessment of CIEs' techniques and strategies	25,859	—	(25,859)
Total salaries and benefits	51,719	—	(51,719)
Indirect costs	2,586	—	(2,586)
Total program costs	<u>\$ 54,305</u>	—	<u>\$ (54,305)</u>
Less amount paid by the State		—	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ —</u>	
<u>July 1, 1998, through June 30, 1999</u>			
Direct costs:			
Salaries and benefits:			
Review CIEs' techniques and strategies	\$ 35,551	\$ —	\$ (35,551)
Evaluation to include assessment of CIEs' techniques and strategies	35,550	—	(35,550)
Total salaries and benefits	71,101	—	(71,101)
Indirect costs	3,555	—	(3,555)
Total program costs	<u>\$ 74,656</u>	—	<u>\$ (74,656)</u>
Less amount paid by the State		—	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ —</u>	
<u>July 1, 1999, through June 30, 2000</u>			
Direct costs:			
Salaries and benefits:			
Review CIEs' techniques and strategies	\$ 50,227	\$ —	\$ (50,227)
Evaluation to include assessment of CIEs' techniques and strategies	50,227	—	(50,227)
Total salaries and benefits	100,454	—	(100,454)
Indirect costs	5,023	—	(5,023)
Total program costs	<u>\$ 105,477</u>	—	<u>\$ (105,477)</u>
Less amount paid by the State		—	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ —</u>	

Schedule 1 (continued)

Cost Elements	Actual Costs Claimed	Allowable per Audit	Audit Adjustment
<u>July 1, 2000, through June 30, 2001</u>			
Direct costs:			
Salaries and benefits:			
Review CIEs' techniques and strategies	\$ 70,837	\$ —	\$ (70,837)
Evaluation to include assessment of CIEs' techniques and strategies	<u>70,837</u>	<u>—</u>	<u>(70,837)</u>
Total salaries and benefits	141,674	—	(141,674)
Indirect costs	<u>6,418</u>	<u>—</u>	<u>(6,418)</u>
Total program costs	<u>\$ 148,092</u>	<u>—</u>	<u>\$ (148,092)</u>
Less amount paid by the State		<u>—</u>	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ —</u>	
<u>July 1, 2001, through June 30, 2002</u>			
Direct costs:			
Salaries and benefits:			
Review CIEs' techniques and strategies	\$ 97,069	\$ —	\$ (97,069)
Evaluation to include assessment of CIEs' techniques and strategies	<u>97,068</u>	<u>—</u>	<u>(97,068)</u>
Total salaries and benefits	194,137	—	(194,137)
Indirect costs	<u>9,590</u>	<u>—</u>	<u>(9,590)</u>
Total program costs	<u>\$ 203,727</u>	<u>—</u>	<u>\$ (203,727)</u>
Less amount paid by the State		<u>—</u>	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ —</u>	
<u>July 1, 2002, through June 30, 2003</u>			
Direct costs:			
Salaries and benefits:			
Review CIEs' techniques and strategies	\$ 98,937	\$ —	\$ (98,937)
Evaluation to include assessment of CIEs' techniques and strategies	<u>98,936</u>	<u>—</u>	<u>(98,936)</u>
Total salaries and benefits	197,873	—	(197,873)
Indirect costs	<u>10,012</u>	<u>—</u>	<u>(10,012)</u>
Total program costs	<u>\$ 207,885</u>	<u>—</u>	<u>\$ (207,885)</u>
Less amount paid by the State		<u>—</u>	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ —</u>	

Schedule 1 (continued)

Cost Elements	Actual Costs Claimed	Allowable per Audit	Audit Adjustment
<u>July 1, 2003, through June 30, 2004</u>			
Direct costs:			
Salaries and benefits:			
Review CIEs' techniques and strategies	\$ 110,625	\$ —	\$ (110,625)
Evaluation to include assessment of CIEs' techniques and strategies	<u>110,624</u>	<u>—</u>	<u>(110,624)</u>
Total salaries and benefits	221,249	—	(221,249)
Indirect costs	<u>9,182</u>	<u>—</u>	<u>(9,182)</u>
Total program costs	<u>\$ 230,431</u>	—	<u>\$ (230,431)</u>
Less amount paid by the State		<u>165,886</u>	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ (165,886)</u>	
<u>July 1, 2004, through June 30, 2005</u>			
Direct costs:			
Salaries and benefits:			
Review CIEs' techniques and strategies	\$ 117,596	\$ —	\$ (117,596)
Evaluation to include assessment of CIEs' techniques and strategies	<u>117,597</u>	<u>—</u>	<u>(117,597)</u>
Total salaries and benefits	235,193	—	(235,193)
Indirect costs	<u>10,654</u>	<u>—</u>	<u>(10,654)</u>
Total program costs	<u>\$ 245,847</u>	—	<u>\$ (245,847)</u>
Less amount paid by the State		<u>245,847</u>	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ (245,847)</u>	
<u>July 1, 2006, through June 30, 2007</u>			
Direct costs:			
Salaries and benefits:			
Review CIEs' techniques and strategies	\$ 6,788	\$ 5,772	\$ (1,016)
Evaluation to include assessment of CIEs' techniques and strategies	<u>—</u>	<u>4,193</u>	<u>4,193</u>
Total salaries and benefits	6,788	9,965	3,177
Indirect costs	<u>293</u>	<u>430</u>	<u>137</u>
Total direct and indirect costs	7,081	10,395	3,314
Less allowable costs that exceed claimed costs ²	<u>—</u>	<u>(3,314)</u>	<u>(3,314)</u>
Total program costs	<u>\$ 7,081</u>	7,081	<u>\$ —</u>
Less amount paid by the State		<u>—</u>	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 7,081</u>	

Schedule 1 (continued)

Cost Elements	Actual Costs Claimed	Allowable per Audit	Audit Adjustment
<u>July 1, 2007, through June 30, 2008</u>			
Direct costs:			
Salaries and benefits:			
Review CIEs' techniques and strategies	\$ 9,161	\$ 6,371	\$ (2,790)
Evaluation to include assessment of CIEs' techniques and strategies	—	4,263	4,263
Total salaries and benefits	9,161	10,634	1,473
Indirect costs	294	341	47
Total direct and indirect costs	9,455	10,975	1,520
Less allowable costs that exceed claimed costs ²	—	(1,520)	(1,520)
Total program costs	<u>\$ 9,455</u>	9,455	<u>\$ —</u>
Less amount paid by the State		—	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 9,455</u>	
<u>Summary: July 1, 1997, through June 30, 2008</u>			
Direct costs:			
Salaries and benefits:			
Review CIEs' techniques and strategies	\$ 622,651	\$ 12,143	\$ (610,508)
Evaluation to include assessment of CIEs' techniques and strategies	606,698	8,456	(598,242)
Total salaries and benefits	1,229,349	20,599	(1,208,750)
Indirect costs	57,607	771	(56,836)
Total direct and indirect costs	1,286,956	21,370	(1,265,586)
Less allowable costs that exceed claimed costs ²	—	(4,834)	(4,834)
Total program costs	<u>\$ 1,286,956</u>	16,536	<u>\$ (1,270,420)</u>
Less amount paid by the State		411,733	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ (395,197)¹</u>	

¹ See the Finding and Recommendation section.

² Government Code section 17568 stipulates that the State will not reimburse any claim more than one year after the filing deadline specified in the SCO's claiming instructions. That deadline has expired for FY 2006-07, and FY 2007-08.

Finding and Recommendation

**FINDING—
Misstated salaries and
benefits and related
indirect costs**

The district overstated salaries and benefits by \$1,208,750 for the audit period. The related indirect costs total \$56,836. For fiscal year (FY) 1997-98 through FY 2004-05, the district did not support its entire claimed salaries and benefits totaling \$1,213,400. For FY 2006-07 and FY 2007-08, the district understated allowable salaries and benefits by \$4,650.

On March 31, 2010, in reference to the FY 1997-98 through FY 2004-05 claims, the district's Director of Human Resources stated:

We are no longer spending valuable human resource employee time on this audit. If at a future date, we have additional hours, we will continue to print copies of the employee evaluations. It is my understanding you have completed and verified the dollars requested for the years 2007-08 and 2006-07. You can see that we have a verifiable evaluation process in place.

In support of FY 1997-98 through FY 2004-05 costs, the district provided us Sixten and Associates' "Employee Average Time Records for Mandated Costs." Each employee recorded average time performing evaluation activities for the period of FY 1997-98 through FY 2004-05 in one form. All forms were signed by claimed staff and dated in either February or March 2006. The district did not provide source documents supporting the average time or access to employee evaluations to support the number of employees evaluated. The district did not file a claim for FY 2005-06; however, the district provided School Innovations and Advocacy's time logs for this unclaimed year.

In support of FY 2006-07 costs, the district provided School Innovations and Advocacy's time logs. Each employee recorded time spent performing the mandate for all months in the fiscal year in one form. The time logs did not include the date signed or the signature of claimed employee. The district did not provide source documents supporting the time recorded in the annual forms. The district also did not provide School Innovations and Advocacy source documentation to support its FY 2007-08 claims.

We developed alternative methods to determine allowable salaries, benefits, and related indirect costs given the district's inadequate documentation detailed above. We obtained a copy of the district's teacher-evaluation procedures and forms and interviewed administrators who actually performed the mandated activities in the audit years. The district's teacher-evaluation forms disclosed half an hour of actual classroom observation. The district requested that it be allowed to support its claims with auditor verification of its written observations and final summary performance teacher evaluations from personnel records. The district agreed to our recommendation that it allow half an hour for each written observation and final teacher evaluation verified.

We selected a 10% random sample of 23 district school sites. The district provided copies of written observations and summative evaluations of El Camino High School, Jefferson Middle School, and Mission Elementary School for FY 2006-07 and FY 2007-08. Auditor-verified hours for sampled schools exceeded claimed hours only for FY 2006-07 and FY 2007-08. The district also provided actual pay and benefits information as well as resource codes for employees claimed for FY 2006-07 and FY 2007-08. The claimed rates were overstated for FY 2006-07 and understated for FY 2007-08.

The following table summarizes the overstated claimed costs for salaries and benefits and related indirect costs by reimbursable activities:

Fiscal Year	Review CIEs' Techniques and Strategies	Evaluate (and Assess) CIEs' Techniques and Strategies	Total Salaries and Benefits	Indirect Costs	Audit Adjustment
1997-98	\$ (25,860)	\$ (25,859)	\$ (51,719)	\$ (2,586)	\$ (54,305)
1998-99	(35,551)	(35,550)	(71,101)	(3,555)	(74,656)
1999-2000	(50,227)	(50,227)	(100,454)	(5,023)	(105,477)
2000-01	(70,837)	(70,837)	(141,674)	(6,418)	(148,092)
2001-02	(97,069)	(97,068)	(194,137)	(9,590)	(203,727)
2002-03	(98,937)	(98,936)	(197,873)	(10,012)	(207,885)
2003-04	(110,625)	(110,624)	(221,249)	(9,182)	(230,431)
2004-05	(117,596)	(117,597)	(235,193)	(10,654)	(245,847)
2006-07	(1,016)	4,193	3,177	137	3,314
2007-08	(2,790)	4,263	1,473	47	1,520
Total	<u>\$ (610,508)</u>	<u>\$ (598,242)</u>	<u>\$ (1,208,750)</u>	<u>\$ (56,836)</u>	<u>\$ (1,265,586)</u>

CIE = Certificated instructional employee

The parameters and guidelines (section IV) state:

To be eligible for mandated cost reimbursement for any fiscal year, only actual costs may be claimed. Actual costs are those costs actually incurred to implement the mandated activities. Actual costs must be traceable and supported by source documents that show the validity of such costs, when they were incurred, and their relationship to the reimbursable activities. A source document is a document created at or near the same time the actual cost was incurred for the event or activity in question. Source documents may include, but are not limited to employee time records or time logs, sign-in sheets, invoices, and receipts.

Evidence corroborating the source documents may include, but is not limited to, worksheets, cost allocation reports (system generated), agendas, and declarations. Declarations must include a certification or declaration stating, "I certify (or declare) under penalty of perjury under the laws of the State of California that the foregoing is true and correct," and must further comply with the requirements of Code of Civil Procedure section 2015.5. Evidence corroborating the source documents may include data relevant to the reimbursable activities otherwise in compliance with local state, and federal government requirements. However, corroborating documents cannot be substituted for source documents.

Recommendation

We recommend that the district ensure that all costs related to the mandated program are properly reported and supported with source documents.

District's Response

. . . we feel that we submitted claims appropriate to the costs incurred. While we were able to supply supporting documentation, it was not accepted as sufficient by the audit team. The additional documentation requested was, and is, available but would be a significant drain on district resources, including staff and funds, to provide. Consequently, the district cannot expend any further time or resources to produce the requested records.

SCO's Comment

The finding and recommendation remain unchanged.

As noted in the finding, the district provided only estimated time spent performing mandated activities. We worked with the district in developing alternative methods to determine a unit time allowance for time spent on reimbursable activities. The district provided us only with documentation supporting the number of employees evaluated as well as related pay and benefit information for FY 2006-07 and FY 2007-08. The district did not provide us with this type of information for FY 1997-98 through FY 2004-05. Consequently, we allowed no costs for FY 1997-98 through FY 2004-05.

We will reissue the final report, as appropriate, if the district provides us additional documentation supporting costs incurred for FY 1997-98 through FY 2004-05.

**OTHER ISSUE—
Noncompliance with
mandated
requirements**

Probationary certificated instructional employees were not evaluated and assessed.

The district did not evaluate and assess the performance of probationary certificated employees in FY 2006-07 and FY 2007-08. Therefore, it did not claim costs for this activity.

The district provided system-generated lists of certificated instructional employees (CIE) for FY 2006-07 and FY 2007-08. The lists disclosed tenure status as temporary, substitute, probationary, or permanent. The lists reported that 85 out of 152 (56%) probationary CIEs for FY 2006-07 and 41 out of 108 (38%) probationary CIEs for FY 2007-08 were not evaluated. The district researched and printed evidence of evaluation for 18 CIEs for FY 2006-07 and 11 CIEs for FY 2007-08. The district's system-generated lists of probationary employees who were not evaluated were erroneous.

The district's corrected numbers of probationary employees who were not evaluated are as follows:

- FY 2006-07—67 out of 152 (44%)
- FY 2007-08—30 out of 108 (28%)

The parameters and guidelines for the program state that the CSM found that Education Code sections 44660-44665 constitute a new program or higher level of service and impose a state-mandated program upon school districts to evaluate and assess the performance of probationary certificated instructional employees once each year for the following reimbursable activities:

- Reviewing the employee's instructional techniques and strategies and adherence to curricular objectives, and including in the written evaluation the assessment of these factors,
- Reviewing the results of the STAR test as it reasonably relates to the performance of those certificated employees who teach reading, writing, mathematics, history/social science, and science in grades 2 to 11, and including in the written evaluation of those certificated employees the assessment of the employee's performance based on the STAR results for the pupils they teach.

Certificated instructional employees were not evaluated and assessed based on STAR test results.

The district did not evaluate and assess the performance of CIEs based on the STAR test results of the pupils they taught during the evaluation periods.

The district's collective bargaining agreement in effect for the audit period did not allow for teacher evaluation based on the STAR test results of the students they taught.

The parameters and guidelines state that the CSM found that Education Code sections 44660-44665 constitute a new program or higher level of service and impose a state mandated program upon school districts to:

Evaluate and assess the performance of probationary certificated instructional employees that teach reading, writing, mathematics, history/social science, and science in grades 2 to 11 as it reasonably relates to the progress of pupils towards the state adopted academic content standards as measured by state adopted assessment tests.

Reimbursement for this activity is limited to the review of the results of the STAR test as it reasonably relates to the performance of those certificated employees that teach reading, writing, mathematics, history/social science, and science in grades 2 to 11, and to include in the written evaluation of those certificated employees the assessment of the employee's performance based on the STAR results for the pupils they teach during the evaluation periods specific in Education Code section 44664, and described below:

- Once each year for probationary certificated employees;
- Every other year for permanent certificated employees; and
- Beginning January 1, 2004, every five years for certificated employees with permanent status who have been employed at least ten years with the school district, are highly qualified (as defined in 20 USC section 7801), and whose previous evaluation rated the employee as meeting or exceeding standards, if the evaluator and certificated employee being evaluated agree.

Staff were not trained on implementing the mandate.

The district did not train staff on implementing the legislatively mandated Stull Act program reimbursable activities.

The parameters and guidelines state that the following activity is reimbursable:

Train staff on implementing the reimbursable activities listed in section IV of these parameters and guidelines. (One-time activity for each employee.) (*Reimbursement period begins July 1, 1997*)

Recommendation

We recommend that the district:

- Include in the certificated administrator's job description responsibility for the assessment and evaluation of certificated instructional employees according to Education Code section 44660-49665;
- Develop and implement board policies and district procedures on assessment and evaluation of certificated instructional employees that are in compliance with the Education Code; and
- Improve management oversight of mandated activities imposed on school districts.

District's Response

. . . the district complied fully with the requirements of the Stull Act during the claiming period.

SCO's Comment

The observation and recommendation remain unchanged. The district did not respond to the specific issues identified above.

**Attachment—
District's Response to
Draft Audit Report**



March 22, 2011

Jim L. Spano, Chief
Mandated Cost Audits Bureau/Division of Audits
California State Controller's Office
P.O. Box 942850
Sacramento, CA 94250-5874

RE: Stull Act Program - July 1, 1997, through June 30, 2008

Dear Chief Spano,

In connection with the State Controller's Office (SCO) audit of the Oceanside Unified's claims for the mandated program and audit period identified above, we affirm, to the best of our knowledge and belief, the following representations made to the SCO's audit staff during the audit:

1. We maintain accurate financial records and data to support the mandated cost claims submitted to the SCO.
2. We designed and implemented the district's accounting system to ensure accurate and timely records.
3. We prepared and submitted our reimbursement claims according to the Stull Act Program's parameters and guidelines.
4. We claimed mandated costs based on actual expenditures allowable per the Stull Act Program's parameters and guidelines.
5. We made available to the SCO's audit staff all financial records, correspondence, and other data pertinent to the mandated cost claims.
6. We are not aware of any:
 - a. Violations or possible violations of laws and regulations involving management or employees who had significant roles in the accounting system or in preparing the mandated cost claims.
 - b. Violations or possible violations of laws and regulations involving other employees that could have had a material effect on the mandated cost claims.
 - c. Communications from regulatory agencies concerning noncompliance with, or deficiencies in, accounting and reporting practices that could have a material effect on the mandated cost claims.
 - d. Relevant, material transactions that were not properly recorded in the accounting records that could have a material effect on the mandated cost claims.
7. We are not aware of any events that occurred after the audit period that would require us to adjust the mandated cost claims.

Furthermore, the district complied fully with the requirements of the Stull Act during the claiming period and we feel that we submitted claims appropriate to the costs incurred. While we were able to supply supporting documentation, it was not accepted as sufficient by the audit team. The additional documentation requested was, and is, available but would be a significant drain on district resources, including staff and funds, to provide. Consequently, the district cannot expend any further time or resources to produce the requested records.

Sincerely,

Karen Huddleston, Controller

Cc: Shelly Morr, Ed.D.
Associate Superintendent, Human Resources

Oceanside Unified School District
Fiscal Services Department
2111 Mission Avenue • Oceanside, CA 92058
760.966.4075 ph • 760.754.9036 fx

**State Controller's Office
Division of Audits
Post Office Box 942850
Sacramento, CA 94250-5874**

<http://www.sco.ca.gov>

Exhibit E

CLAIM FOR PAYMENT Pursuant to Government Code Section 17561 THE STULL ACT	For State Controller Use Only (19) Program Number 00260 (20) Date Filed APR 11 2006 (21) LRS Input / /	Program 260
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L	(01) Claimant Identification Number: S37135	Reimbursement Claim Data
A	(02) Claimant Name: Oceanside Unified School District	(22) SA-1(03)(a) 507
B	County: San Diego	(23) SA-1(03)(b) -
E	PO Box: 0	(24) SA-1(04)(A)(1)(a)(f) \$ 25,860
L	Address: 2111 Mission Avenue	(25) SA-1(04)(A)(1)(b)(f) \$ 25,860
H	City: Oceanside Zip: 92054-2395	(26) SA-1(04)(A)(2)(a)(f) \$ -
E	(03) Type of Claim	(27) SA-1(04)(A)(2)(b)(f) \$ -
	Estimated Claim	(28) SA-1(04)(B)(1)(a)(f) \$ -
	Reimbursement Claim	(29) SA-1(04)(B)(1)(b)(f) \$ -
	(03) Estimated <input checked="" type="checkbox"/>	
	(04) Combined <input type="checkbox"/>	
	(05) Amended <input type="checkbox"/>	
	(09) Reimbursement <input checked="" type="checkbox"/>	
	(10) Combined <input type="checkbox"/>	
	(11) Amended <input type="checkbox"/>	
	Fiscal Year of Cost (06) 1998-99	(12) 1997-98 (30) SA-1(04)(B)(1)(c)(f) \$ -
	Total Claimed Amount (07)	(13) \$ 54,305
	Less: 10% Late Penalty, not to exceed \$1,000 (14)	(31) SA-1(04)(B)(1)(d)(f) \$ -
	Less: Estimate Payment Received (15)	(32) SA-1(04)(B)(1)(e)(f) \$ -
	Net Claimed Amount (16) \$ 54,305	(33) SA-1 (06) \$ 5.00%
	Due from State (08) \$ -	(34) 2586
	Due to State (17) \$ 54,305	(35) -
	(18)	(36) -

(37) CERTIFICATION OF CLAIM:

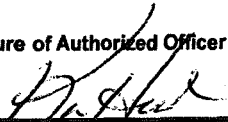
In accordance with the provisions of Government Code 17561, I certify that I am the officer authorized by the school district to file mandated costs claims with the State of California for this program, and certify under penalty of perjury that I have not violated any of the provisions of Government Code Sections 1090 to 1098, inclusive.

I further certify that there was no application other than from the claimant, nor any grants or payments received, for reimbursement of costs claimed herein, and such costs are for a new program or increased level of services of an existing program. All offsetting savings and reimbursements set forth in the Parameters and Guidelines are identified, and all costs claims are supported by source documentation currently maintained by the claimant.

The amounts for the Estimated Claim and/or the Reimbursement Claim are hereby claimed from the State for payment of estimated and/or actual costs set forth on the attached statements. I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Signature of Authorized Officer

Date



4/11/06

Karen Huddleston, Controller

Type or Print Name	Title
(39) Name of Contact person for Claim Sandra Reynolds	Telephone Number (951) 303-3034 E-mail Address sandrareynolds_30@msn.com

Program 260	MANDATED COSTS THE STULL ACT CLAIM SUMMARY	FORM SA-1
------------------------	---	----------------------

(01) Claimant: Oceanside Unified School District	(02) Type of Claim Reimbursement <input checked="" type="checkbox"/> Estimated <input type="checkbox"/>	Fiscal Year 1997-98
---	---	----------------------------

(03) (a) Number of Certificated Instructional Employees (CIE's) evaluated per (04)(A)	507
(b) Number of CIE's and Non-Instructional Employees (NIE's) evaluated per (04)(B)	

Direct Costs **Object Accounts**

(04) Reimbursable Components	(a) Salaries Benefits	(b) Materials & Supplies	(c) Contracted Services	(d) Fixed Assets	(e) Travel & Training	(f) Total
------------------------------	-----------------------------	--------------------------------	-------------------------------	------------------------	-----------------------------	--------------

A. CIE's						
1. Evaluation/Assessment-Ed. Code 44662, subd. (b), as amended by Ch. 4/99; Reimbursement period begins fy 1997-98						
a. Review employee's techniques and strategies	\$ 25,860	\$ -	\$ -	\$ -	\$ -	\$ 25,860
b. Evaluation of techniques and strategies	\$ 25,860	\$ -	\$ -	\$ -	\$ -	\$ 25,860
2. Evaluation/Assessment-Ed. Code 44662, subd. (b), as amended by Ch. 498/83; Reimbursement period begins 3/15/99						
a. Review STAR results	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
b. Assessment per STAR	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

B. CIE's and NIE's

1. Evaluation/Assessment-Ed. Code 44664, subd. (b), as amended by Ch. 498/93; Reimbursement period begins fy 1997-98						
a. Evaluating and assessing CIE per certain criteria	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
b. Writing evaluation	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
c. Transmitting evaluation	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
d. Attaching to personnel file	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
e. Discussing evaluation	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
(05) Total Direct Costs	\$ 51,719	\$ -	\$ -	\$ -	\$ -	\$ 51,719

Indirect Costs

(06) Indirect Cost Rate	[From J-380 or J580]	5.00%
(07) Total Indirect Costs:	[Line (06) x [Line (05)(a)]]	\$ 2,586
(08) Total Direct and Indirect Costs	[Line (05)(f) + Line (07)]	\$ 54,305

Cost Reduction

(09) Less: Offsetting Savings, if applicable		
(10) Less: Other Reimbursements, if applicable		
(11) Total Claimed Amount:	[Line (08) - (Line (9) + Line (10))]	\$ 54,305

Program
260

**MANDATED COSTS
THE STULL ACT
COMPONENT/ACTIVITY COST DETAIL**

**FORM
SA-2**

(01) Claimant: **Oceanside Unified School District**

(02) Fiscal year costs were incurred: **1997-98**

(03) Reimbursable Component: Check only one box per form to identify the cost being claimed.

A. CIE <input checked="" type="checkbox"/> Review employee's techniques and strategies <input type="checkbox"/> Review STAR results	<input type="checkbox"/> Evaluating and assessing CIE according to certain criteria <input type="checkbox"/> Attaching response to personnel file	<input type="checkbox"/> Evaluation to include assessment of techniques and strategies <input type="checkbox"/> Assessment based on STAR results	<input type="checkbox"/> Reducing evaluation to writing <input type="checkbox"/> Discussing evaluation with CIE	<input type="checkbox"/> Transmitting evaluation to CIE
--	--	---	--	---

(04) Description of Expense		Object Accounts					
(a) Employee Names, Job Classifications, Functions Performed, and Description of Expenses	(b) Hourly Rate or Unit Cost	(c) Hours Worked or Quantity	(d) Salaries and Benefits	(e) Materials and Supplies	(f) Fixed Assets	(g) Contracted Services	(h) Travel and Training
<u>Review employee's techniques and strategies</u>							
1 Bob Rowe Principal	\$ 46.52	66.67	\$ 3,101.49				
2 Dan Darts Assistant Principal	\$ 45.28	97.29	\$ 4,405.29				
3 Frank Gomez Principal	\$ 46.52	29.14	\$ 1,355.59				
4 Jeanne Iman Principal	\$ 46.52	89.17	\$ 4,148.19				
5 Kim Marguarat Principal	\$ 46.52	39.13	\$ 1,820.33				
6 Pat Barnes Principal	\$ 49.11	57.23	\$ 2,810.57				
7 Peg Cowman Principal	\$ 53.30	32.07	\$ 1,709.33				
8 Phyllis Morgan Principal	\$ 49.11	52.25	\$ 2,566.00				
9 Raye Clendenin Principal	\$ 49.11	36.00	\$ 1,767.96				
10 Sherry Freeman Principal	\$ 46.52	46.75	\$ 2,174.81				
			\$ -				
			\$ -				
			\$ -				
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			\$ -				
			\$ -				
(05) Total (x) Subtotal Page: 1 of 1			\$ 25,859.55	\$ -	\$ -	\$ -	\$ -

#2 DAN DARTS
#5 KIMO MARQUARDT

Program
260

**MANDATED COSTS
THE STULL ACT
COMPONENT/ACTIVITY COST DETAIL**

FORM
SA-2

(01) Claimant: **Oceanside Unified School District** (02) Fiscal year costs were incurred: **1997-98**

(03) Reimbursable Component: Check only one box per form to identify the cost being claimed.

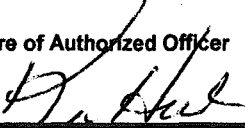
A. CIE Review employee's techniques and strategies Evaluation to include assessment of techniques and strategies
 Review STAR results Assessment based on STAR results

B. Cie & NIE Evaluating and assessing CIE according to certain criteria Reducing evaluation to writing Transmitting evaluation to CIE
 Attaching response to personnel file Discussing evaluation with CIE

(04) Description of Expense		Object Accounts					
(a) Employee Names, Job Classifications, Functions Performed, and Description of Expenses	(b) Hourly Rate or Unit Cost	(c) Hours Worked or Quantity	(d) Salaries and Benefits	(e) Materials and Supplies	(f) Fixed Assets	(g) Contracted Services	(h) Travel and Training
Evaluation to include assessment of techniques and strategies							
1 Bob Rowe Principal	\$ 46.52	66.67	\$ 3,101.49				
2 Dan Darts Assistant Principal	\$ 45.28	97.29	\$ 4,405.29				
3 Frank Gomez Principal	\$ 46.52	29.14	\$ 1,355.59				
4 Jeanne Iman Principal	\$ 46.52	89.17	\$ 4,148.19				
5 Kim Marguarat Principal	\$ 46.52	39.13	\$ 1,820.33				
Pat Barnes Principal	\$ 49.11	57.23	\$ 2,810.57				
Peg Cowman Principal	\$ 53.30	32.07	\$ 1,709.33				
Phyllis Morgan Principal	\$ 49.11	52.25	\$ 2,566.00				
Raye Clendening Principal	\$ 49.11	36.00	\$ 1,767.96				
Sherry Freeman Principal	\$ 46.52	46.75	\$ 2,174.81				
			\$ -				
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			\$ -				
			\$ -				
(05) Total (x) Subtotal			\$ 25,859.55	\$ -	\$ -	\$ -	\$ -

2 DAN DARIS
5 Kim Marguarat

Exhibit F

CLAIM FOR PAYMENT			For State Controller Use Only		Program
Pursuant to Government Code Section 17561 THE STULL ACT			(19) Program Number APR 11 2006		260
			(20) Date Filed ___/___/___		
			(21) LRS Input ___/___/___		
(01) Claimant Identification Number: S37135			Reimbursement Claim Data		
(02) Claimant Name: Oceanside Unified School District			(22) SA-1(03)(a)	550	
County: San Diego			(23) SA-1(03)(b)	-	
PO Box: 0			(24) SA-1(04)(A)(1)(a)(f)	\$	35,551
Address: 2111 Mission Avenue			(25) SA-1(04)(A)(1)(b)(f)	\$	35,551
City: Oceanside Zip: 92054-2395			(26) SA-1(04)(A)(2)(a)(f)	\$	-
(03) Type of Claim	Estimated Claim	Reimbursement Claim	(27) SA-1(04)(A)(2)(b)(f)	\$	-
	(03) Estimated <input checked="" type="checkbox"/>	(09) Reimbursement <input checked="" type="checkbox"/>	(28) SA-1(04)(B)(1)(a)(f)	\$	-
	(04) Combined <input type="checkbox"/>	(10) Combined <input type="checkbox"/>	(29) SA-1(04)(B)(1)(b)(f)	\$	-
	(05) Amended <input type="checkbox"/>	(11) Amended <input type="checkbox"/>	(30) SA-1(04)(B)(1)(c)(f)	\$	-
Fiscal Year of Cost	(06) 1999-00	(12) 1998-99	(31) SA-1(04)(B)(1)(d)(f)	\$	-
Total Claimed Amount	(07)	(13) \$ 74,656	(32) SA-1(04)(B)(1)(e)(f)	\$	-
Less: 10% Late Penalty, not to exceed \$1,000	(14)		(33) SA-1 (06)	\$	5.00%
Less: Estimate Payment Received	(15)		(34)	3555	
Net Claimed Amount	(16) \$ 74,656	(17) \$ 74,656	(35)	-	
Due from State	(08) \$ -	(18)	(36)	-	
Due to State				-	
(37) CERTIFICATION OF CLAIM:					
In accordance with the provisions of Government Code 17561, I certify that I am the officer authorized by the school district to file mandated costs claims with the State of California for this program, and certify under penalty of perjury that I have not violated any of the provisions of Government Code Sections 1090 to 1098, inclusive.					
I further certify that there was no application other than from the claimant, nor any grants or payments received, for reimbursement of costs claimed herein, and such costs are for a new program or increased level of services of an existing program. All offsetting savings and reimbursements set forth in the Parameters and Guidelines are identified, and all costs claims are supported by source documentation currently maintained by the claimant.					
The amounts for the Estimated Claim and/or the Reimbursement Claim are hereby claimed from the State for payment of estimated and/or actual costs set forth on the attached statements. I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.					
Signature of Authorized Officer 			Date 4/11/06		
Karen Huddleston, Controller					
Type or Print Name			Title		
(39) Name of Contact person for Claim Sandra Reynolds			Telephone Number (951) 303-3034 E-mail Address sandrareynolds_30@msn.com		

Program 260	MANDATED COSTS THE STULL ACT CLAIM SUMMARY	FORM SA-1
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(01) Claimant: <p style="text-align: center;">Oceanside Unified School District</p>	(02) Type of Claim <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:50%;">Reimbursement</td> <td style="width:50%; text-align: center;">X</td> </tr> <tr> <td>Estimated</td> <td></td> </tr> </table>	Reimbursement	X	Estimated		Fiscal Year <p style="text-align: center;">1998-99</p>
Reimbursement	X					
Estimated						

3) (a) Number of Certificated Instructional Employees (CIE's) evaluated per (04)(A)	550
3) (b) Number of CIE's and Non-Instructional Employees (NIE's) evaluated per (04)(B)	

Direct Costs **Object Accounts**

4) Reimbursable Components	(a) Salaries Benefits	(b) Materials & Supplies	(c) Contracted Services	(d) Fixed Assets	(e) Travel & Training	(f) Total
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Evaluation/Assessment-Ed. Code 44662, subd. (b), as amended by Ch. 4/99; Reimbursement period begins fy 1997-98

Review employee's techniques and strategies	\$ 35,551	\$ -	\$ -	\$ -	\$ -	\$ 35,551
Evaluation of techniques and strategies	\$ 35,551	\$ -	\$ -	\$ -	\$ -	\$ 35,551

Evaluation/Assessment-Ed. Code 44662, subd. (b), as amended by Ch. 498/83; Reimbursement period begins 3/15/99

Review STAR results	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Assessment per STAR	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

CIE's and NIE's

Evaluation/Assessment-Ed. Code 44664, subd. (b), as amended by Ch. 498/93; Reimbursement period begins fy 1997-98

Evaluating and assessing CIE per certain criteria	\$ -	-	-	-	-	\$ -
Writing evaluation	\$ -	-	-	-	-	\$ -
Transmitting evaluation	\$ -	-	-	-	-	\$ -
Attaching to personnel file	\$ -	-	-	-	-	\$ -
Discussing evaluation	\$ -	-	-	-	-	\$ -

15) Total Direct Costs	\$ 71,101	-	-	-	-	\$ 71,101
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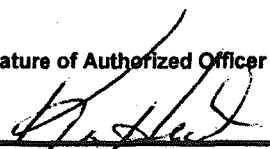
Indirect Costs

16) Indirect Cost Rate	[From J-380 or J580]	5.00%
17) Total Indirect Costs:	[Line (06) x [Line (05)(a)]]	\$ 3,555
18) Total Direct and Indirect Costs	[Line (05)(f) + Line (07)]	\$ 74,656

Cost Reduction

19) Less: Offsetting Savings, if applicable	
20) Less: Other Reimbursements, if applicable	
21) Total Claimed Amount:	\$ 74,656

Exhibit G

CLAIM FOR PAYMENT Pursuant to Government Code Section 17561 THE STULL ACT			For State Controller Use Only		Program 260
			(19) Program Number	(20) Date Filed	
			APR 11 2008		
			(21) LRS Input	/ /	
(01) Claimant Identification Number: S37135			Reimbursement Claim Data		
(02) Claimant Name: Oceanside Unified School District			(22) SA-1(03)(a)		509
County: San Diego			(23) SA-1(03)(b)		-
PO Box: 0			(24) SA-1(04)(A)(1)(a)(f)	\$	50,227
Address: 2111 Mission Avenue			(25) SA-1(04)(A)(1)(b)(f)	\$	50,227
City: Oceanside Zip: 92054-2395			(26) SA-1(04)(A)(2)(a)(f)	\$	-
(03) Type of Claim	Estimated Claim	Reimbursement Claim	(27) SA-1(04)(A)(2)(b)(f)	\$	-
	(03) Estimated [x]	(09) Reimbursement [x]	(28) SA-1(04)(B)(1)(a)(f)	\$	-
	(04) Combined []	(10) Combined []	(29) SA-1(04)(B)(1)(b)(f)	\$	-
	(05) Amended []	(11) Amended []			
Fiscal Year of Cost	(06) 2000-01	(12) 1999-00	(30) SA-1(04)(B)(1)(c)(f)	\$	-
Total Claimed Amount	(07)	(13) \$ 105,477			
Less: 10% Late Penalty, not to exceed \$1,000	(14)		(31) SA-1(04)(B)(1)(d)(f)	\$	-
Less: Estimate Payment Received	(15)		(32) SA-1(04)(B)(1)(e)(f)	\$	-
			(33) SA-1 (06)		5 5.00%
Net Claimed Amount	(16) \$ 105,477	(34)			5023
Due from State	(08) \$ -	(17) \$ 105,477	(35)		-
Due to State	(18)	(36)			-
(37) CERTIFICATION OF CLAIM:					
In accordance with the provisions of Government Code 17561, I certify that I am the officer authorized by the school district to file mandated costs claims with the State of California for this program, and certify under penalty of perjury that I have not violated any of the provisions of Government Code Sections 1090 to 1098, inclusive.					
I further certify that there was no application other than from the claimant, nor any grants or payments received, for reimbursement of costs claimed herein, and such costs are for a new program or increased level of services of an existing program. All offsetting savings and reimbursements set forth in the Parameters and Guidelines are identified, and all costs claims are supported by source documentation currently maintained by the claimant.					
The amounts for the Estimated Claim and/or the Reimbursement Claim are hereby claimed from the State for payment of estimated and/or actual costs set forth on the attached statements. I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.					
Signature of Authorized Officer			Date		
			4/11/08		
Karen Huddleston, Controller					
Type or Print Name			Title		
(39) Name of Contact person for Claim			Telephone Number (951) 303-3034		
Sandra Reynolds			E-mail Address sandrareynolds_30@msn.com		

Program 260	MANDATED COSTS THE STULL ACT CLAIM SUMMARY	FORM SA-1
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(01) Claimant: Oceanside Unified School District	(02) Type of Claim Reimbursement <table border="1" style="display: inline-table; vertical-align: middle;"><tr><td style="text-align: center;">X</td></tr></table> Estimated <table border="1" style="display: inline-table; vertical-align: middle;"><tr><td style="width: 20px; height: 20px;"></td></tr></table>	X		Fiscal Year 1999-00
X				

3) (a) Number of Certificated Instructional Employees (CIE's) evaluated per (04)(A)	509
(b) Number of CIE's and Non-Instructional Employees (NIE's) evaluated per (04)(B)	

Direct Costs **Object Accounts**

4) Reimbursable Components	(a)	(b)	(c)	(d)	(e)	(f)
CIE's	Salaries Benefits	Materials & Supplies	Contracted Services	Fixed Assets	Travel & Training	Total

Evaluation/Assessment-Ed. Code 44662, subd. (b), as amended by Ch. 4/99; Reimbursement period begins fy 1997-98

Review employee's techniques and strategies	\$ 50,227	\$ -	\$ -	\$ -	\$ -	\$ 50,227
Evaluation of techniques and strategies	\$ 50,227	\$ -	\$ -	\$ -	\$ -	\$ 50,227

Evaluation/Assessment-Ed. Code 44662, subd. (b), as amended by Ch. 498/83; Reimbursement period begins 3/15/99

Review STAR results	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Assessment per STAR	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

CIE's and NIE's

Evaluation/Assessment-Ed. Code 44664, subd. (b), as amended by Ch. 498/93; Reimbursement period begins fy 1997-98

Evaluating and assessing CIE per certain criteria	\$ -	-	-	-	-	\$ -
Writing evaluation	\$ -	-	-	-	-	\$ -
Transmitting evaluation	\$ -	-	-	-	-	\$ -
Attaching to personnel file	\$ -	-	-	-	-	\$ -
Discussing evaluation	\$ -	-	-	-	-	\$ -

5) Total Direct Costs	\$ 100,454	-	-	-	-	\$ 100,454
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Indirect Costs

6) Indirect Cost Rate	[From J-380 or J580]	5.00%
7) Total Indirect Costs:	[Line (06) x (Line (05)(a))]	\$ 5,023
8) Total Direct and Indirect Costs	[Line (05)(f) + Line (07)]	\$ 105,477

Cost Reduction

9) Less: Offsetting Savings, if applicable		
0) Less: Other Reimbursements, if applicable		
1) Total Claimed Amount:	[Line (08) - (Line (9) + Line (10))]	\$ 105,477

Program 260	MANDATED COSTS THE STULL ACT COMPONENT/ACTIVITY COST DETAIL	FORM SA-2
------------------------	--	----------------------

) Claimant: **Oceanside Unified School District** (02) Fiscal year costs were incurred: **1999-00**

l) Reimbursable Component: Check only one box per form to identify the cost being claimed.

CIE	<input checked="" type="checkbox"/>	Review employee's techniques and strategies	<input type="checkbox"/>	Evaluation to include assessment of techniques and strategies
	<input type="checkbox"/>	Review STAR results	<input type="checkbox"/>	Assessment based on STAR results

Cie & NIE	<input type="checkbox"/>	Evaluating and assessing CIE according to certain criteria	<input type="checkbox"/>	Reducing evaluation to writing	<input type="checkbox"/>	Transmitting evaluation to CIE
	<input type="checkbox"/>	Attaching response to personnel file	<input type="checkbox"/>	Discussing evaluation with CIE		

l) Description of Expense Object Accounts

(a) Employee Names, Job Classifications, Functions Performed, and Description of Expenses	(b) Hourly Rate or Unit Cost	(c) Hours Worked or Quantity	(d) Salaries and Benefits	(e) Materials and Supplies	(f) Fixed Assets	(g) Contracted Services	(h) Travel and Training
view employee's techniques and strategies							
b Rowe Principal	\$ 51.20	60.00	\$ 3,072.00				
an Kolb Principal	\$ 51.20	50.83	\$ 2,602.50				
n Darts Principal	\$ 52.60	53.20	\$ 2,798.32				
ink Gomez Principal	\$ 51.20	24.66	\$ 1,262.59				
rry Shoenton Assistant Principal	\$ 49.85	149.43	\$ 7,449.09				
anne Iman Principal	\$ 51.20	107.00	\$ 5,478.40				
Shirley Principal	\$ 57.04	69.00	\$ 3,935.76				
n Marguarat Principal	\$ 51.20	44.34	\$ 2,270.21				
rtha Munden Principal	\$ 51.20	84.15	\$ 4,308.48				
t Barnes Principal	\$ 52.60	53.41	\$ 2,809.37				
g Cowman Principal	\$ 57.04	36.08	\$ 2,058.00				
yllis Morgan Principal	\$ 51.20	68.04	\$ 3,483.65				
ndel Gibson Principal	\$ 51.20	59.25	\$ 3,033.60				
ye Clendening Principal	\$ 52.60	27.00	\$ 1,420.20				
n Briggs Principal	\$ 57.04	74.42	\$ 4,244.92				
			\$ -				
			\$ -				
			\$ -				
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			\$ -				
			\$ -				
Total			\$ 50,227.08	\$ -	\$ -	\$ -	\$ -

Gibson - Mis
Briggs - ECHS

1999-00

Program 260	MANDATED COSTS THE STULL ACT COMPONENT/ACTIVITY COST DETAIL	FORM SA-2
------------------------	--	----------------------

) Claimant: **Oceanside Unified School District** (02) Fiscal year costs were incurred: **1999-00**

j) Reimbursable Component: Check only one box per form to identify the cost being claimed.

CIE Review employee's techniques and strategies Evaluation to include assessment of techniques and strategies

Review STAR results Assessment based on STAR results

Cie & NIE Evaluating and assessing CIE according to certain criteria Reducing evaluation to writing Transmitting evaluation to CIE

Attaching response to personnel file Discussing evaluation with CIE

i) Description of Expense		Object Accounts					
(a) Employee Names, Job Classifications, Functions Performed, and Description of Expenses	(b) Hourly Rate or Unit Cost	(c) Hours Worked or Quantity	(d) Salaries and Benefits	(e) Materials and Supplies	(f) Fixed Assets	(g) Contracted Services	(h) Travel and Training
aluation to include assessment of techniques and strategies							
b Rowe Principal	\$ 51.20	60.00	\$ 3,072.00				
an Kolb Principal	\$ 51.20	50.83	\$ 2,602.50				
n Darts Principal	\$ 52.60	53.20	\$ 2,798.32				
ink Gomez Principal	\$ 51.20	24.66	\$ 1,262.59				
rry Shoenton Assistant Principal	\$ 49.85	149.43	\$ 7,449.09				
anne Iman Principal	\$ 51.20	107.00	\$ 5,478.40				
r Shirley Principal	\$ 57.04	69.00	\$ 3,935.76				
n Marguarat Principal	\$ 51.20	44.34	\$ 2,270.21				
rtha Munden Principal	\$ 51.20	84.15	\$ 4,308.48				
t Barnes Principal	\$ 52.60	53.41	\$ 2,809.37				
g Cowman Principal	\$ 57.04	36.08	\$ 2,058.00				
yllis Morgan Principal	\$ 51.20	68.04	\$ 3,483.65				
ndel Gibson Principal	\$ 51.20	59.25	\$ 3,033.60				
ye Clendening Principal	\$ 52.60	27.00	\$ 1,420.20				
n Briggs Principal	\$ 57.04	74.42	\$ 4,244.92				
			\$ -				
			\$ -				
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			\$ -				
			\$ -				
			\$ -				
			\$ -				
			\$ -				
			\$ -				
5) Total (x) Subtotal Page: 1 of 1			\$ 50,227.08	\$ -	\$ -	\$ -	\$ -

Exhibit H

CLAIM FOR PAYMENT Pursuant to Government Code Section 17561 THE STULL ACT	For State Controller Use Only	Program
	(19) Program Number 00260	260
	(20) Date Filed APR 11 2006	
	(21) LRS Input <u> / / </u>	

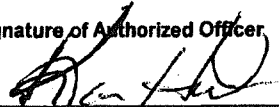
L A B E L H E R E	(01) Claimant Identification Number: S37135		Reimbursement Claim Data		
	(02) Claimant Name: Oceanside Unified School District		(22) SA-1(03)(a)	557	
	County: San Diego		(23) SA-1(03)(b)	-	
	PO Box: 0		(24) SA-1(04)(A)(1)(a)(f)	\$ 70,837	
	Address: 2111 Mission Avenue		(25) SA-1(04)(A)(1)(b)(f)	\$ 70,837	
	City: Oceanside Zip: 92054-2395		(26) SA-1(04)(A)(2)(a)(f)	\$ -	
	(03) Type of Claim	Estimated Claim	Reimbursement Claim	(27) SA-1(04)(A)(2)(b)(f)	\$ -
		(03) Estimated <input checked="" type="checkbox"/> [x]	(09) Reimbursement <input checked="" type="checkbox"/> [x]	(28) SA-1(04)(B)(1)(a)(f)	\$ -
		(04) Combined <input type="checkbox"/> []	(10) Combined <input type="checkbox"/> []	(29) SA-1(04)(B)(1)(b)(f)	\$ -
		(05) Amended <input type="checkbox"/> []	(11) Amended <input type="checkbox"/> []		
Fiscal Year of Cost	(06) 2001-02	(12) 2000-01	(30) SA-1(04)(B)(1)(c)(f)	\$ -	
Total Claimed Amount	(07)	(13) \$ 148,092			
Less: 10% Late Penalty, not to exceed \$1,000		(14)	(31) SA-1(04)(B)(1)(d)(f)	\$ -	
Less: Estimate Payment Received		(15)	(32) SA-1(04)(B)(1)(e)(f)	\$ -	
Net Claimed Amount		(16) \$ 148,092	(33) SA-1 (06)	\$ 5 4.8% 6418	
Due from State	(08) \$ -	(17) \$ 148,092	(34)	-	
Due to State		(18)	(35)	-	
			(36)	-	

(37) CERTIFICATION OF CLAIM:

In accordance with the provisions of Government Code 17561, I certify that I am the officer authorized by the school district to file mandated costs claims with the State of California for this program, and certify under penalty of perjury that I have not violated any of the provisions of Government Code Sections 1090 to 1098, inclusive.

I further certify that there was no application other than from the claimant, nor any grants or payments received, for reimbursement of costs claimed herein, and such costs are for a new program or increased level of services of an existing program. All offsetting savings and reimbursements set forth in the Parameters and Guidelines are identified, and all costs claims are supported by source documentation currently maintained by the claimant.

The amounts for the Estimated Claim and/or the Reimbursement Claim are hereby claimed from the State for payment of estimated and/or actual costs set forth on the attached statements. I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Signature of Authorized Officer

 Karen Huddleston, Controller

Date


Type or Print Name	Title
(39) Name of Contact person for Claim Sandra Reynolds	Telephone Number (951) 303-3034 E-mail Address <u>sandrareynolds_30@msn.com</u>

Program 260	MANDATED COSTS THE STULL ACT CLAIM SUMMARY	FORM SA-1
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(01) Claimant: <p style="text-align: center;">Oceanside Unified School District</p>	(02) Type of Claim Reimbursement <table border="1" style="display: inline-table; vertical-align: middle;"><tr><td style="text-align: center;">X</td></tr></table> Estimated <table border="1" style="display: inline-table; vertical-align: middle;"><tr><td style="width: 20px; height: 15px;"></td></tr></table>	X		Fiscal Year <p style="text-align: center;">2000-01</p>
X				

(03) (a) Number of Certificated Instructional Employees (CIE's) evaluated per (04)(A)	557
(b) Number of CIE's and Non-Instructional Employees (NIE's) evaluated per (04)(B)	

Direct Costs **Object Accounts**

(04) Reimbursable Components	(a) Salaries Benefits	(b) Materials & Supplies	(c) Contracted Services	(d) Fixed Assets	(e) Travel & Training	(f) Total
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A. CIE's

1. Evaluation/Assessment-Ed. Code 44662, subd. (b), as amended by Ch. 4/99; Reimbursement period begins fy 1997-98

a. Review employee's techniques and strategies	\$ 70,837	\$ -	\$ -	\$ -	\$ -	\$ 70,837
b. Evaluation of techniques and strategies	\$ 70,837	\$ -	\$ -	\$ -	\$ -	\$ 70,837

2. Evaluation/Assessment-Ed. Code 44662, subd. (b), as amended by Ch. 498/83; Reimbursement period begins 3/15/99

a. Review STAR results	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
b. Assessment per STAR	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

B. CIE's and NIE's

1. Evaluation/Assessment-Ed. Code 44664, subd. (b), as amended by Ch. 498/93; Reimbursement period begins fy 1997-98

a. Evaluating and assessing CIE per certain criteria	\$ -	-	-	-	-	\$ -
b. Writing evaluation	\$ -	-	-	-	-	\$ -
c. Transmitting evaluation	\$ -	-	-	-	-	\$ -
d. Attaching to personnel file	\$ -	-	-	-	-	\$ -
e. Discussing evaluation	\$ -	-	-	-	-	\$ -
(05) Total Direct Costs	\$ 141,674	-	-	-	-	\$ 141,674

Indirect Costs

(06) Indirect Cost Rate	[From J-380 or J580]	5%
(07) Total Indirect Costs:	[Line (06) x [Line (05)(a)]]	\$ 6,418
(08) Total Direct and Indirect Costs	[Line (05)(f) + Line (07)]	\$ 148,092

Cost Reduction

(09) Less: Offsetting Savings, if applicable		
(10) Less: Other Reimbursements, if applicable		
(11) Total Claimed Amount:	[Line (08) - {Line (9) + Line (10)}]	\$ 148,092

Program 260 **MANDATED COSTS THE STULL ACT COMPONENT/ACTIVITY COST DETAIL** **FORM SA-2**

(01) Claimant: **Oceanside Unified School District** (02) Fiscal year costs were incurred: **2000-01**

(03) Reimbursable Component: Check only one box per form to identify the cost being claimed.

A. CIE Review employee's techniques and strategies Evaluation to include assessment of techniques and strategies
 Review STAR results Assessment based on STAR results

B. CIE & NIE Evaluating and assessing CIE according to certain criteria Reducing evaluation to writing Transmitting evaluation to CIE
 Attaching response to personnel file Discussing evaluation with CIE

(04) Description of Expense

(a) Employee Names, Job Classifications, Functions Performed, and Description of Expenses	(b) Hourly Rate or Unit Cost	(c) Hours Worked or Quantity	(d) Salaries and Benefits		
<u>Review employee's techniques and strategies</u>					
1 Bob Rowe Principal	\$ 55.77	53.33	\$ 2,974.21	1. N.T.	16. KMS
2 Brian Kolb Principal	\$ 55.77	45.75	\$ 2,551.48		
3 Cheri Sanders Assistant Principal	\$ 51.43	92.00	\$ 4,731.56	2. S. Mesa	*17. teacher/ECHS
4 Dan Darte Principal	\$ 57.30	45.60	\$ 2,612.88		
5 Frank Gomez Principal	\$ 55.77	22.42	\$ 1,250.36	3. KMS	18. ECHS
6 Jeanne Iman Principal	\$ 55.77	84.71	\$ 4,724.28		
7 Jim Shirley Principal	\$ 62.19	72.83	\$ 4,529.30	4. JMS	19. Palmy.
8 Kim Marguaret Principal	\$ 55.77	52.17	\$ 2,909.52		
9 Lois Grazioli Assistant Principal	\$ 50.07	83.42	\$ 4,176.84	5. S. Margarita	
10 Martha Munden Principal	\$ 55.77	83.00	\$ 4,628.91		
11 Pat Barnes Principal	\$ 57.30	53.41	\$ 3,060.39	6. Ivey	
12 Paulette Thomps Assistant Principal	\$ 50.07	95.67	\$ 4,790.20		
13 Peg Cowman Principal	\$ 62.19	36.07	\$ 2,243.19	7. CBA	* 8/23/01
14 Phyllis Morgan Principal	\$ 55.77	65.08	\$ 3,629.51		
15 Randel Gibson Principal	\$ 55.77	75.71	\$ 4,222.35	8. OHS	APQ ECHS
16 Raye Clendening Principal	\$ 57.30	45.00	\$ 2,578.50	9. D.Rio	
17 Robert Nelson Assistant Principal	\$ 54.28	132.05	\$ 7,167.67		
18 Ron Briggs Principal	\$ 62.19	70.50	\$ 4,384.40	10. SLR	
19 Shelly Morr Principal	\$ 55.77	65.83	\$ 3,671.34	11. Linc	
			\$ -	12. Reynolds	
			\$ -	13. OHS	
			\$ -	14. D.Rio	
			\$ -	15. Mission	
			\$ -		
			\$ -		
			\$ -		
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			\$ -		
			\$ -		
			\$ -		
			\$ -		

(05) Total (x) Subtotal Page: 1 of 1 \$ 70,836.89 \$ - \$ - \$ - \$ -

Program 260	MANDATED COSTS THE STULL ACT COMPONENT/ACTIVITY COST DETAIL	FORM SA-2
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(01) Claimant: Oceanside Unified School District	(02) Fiscal year costs were incurred: 2000-01
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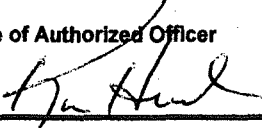
(03) Reimbursable Component: Check only one box per form to identify the cost being claimed.

A. CIE Review employee's techniques and strategies Evaluation to include assessment of techniques and strategies
 Review STAR results Assessment based on STAR results

B. Cie & NIE Evaluating and assessing CIE according to certain criteria Reducing evaluation to writing Transmitting evaluation to CIE
 Attaching response to personnel file Discussing evaluation with CIE

(04) Description of Expense		Object Accounts					
(a) Employee Names, Job Classifications, Functions Performed, and Description of Expenses	(b) Hourly Rate or Unit Cost	(c) Hours Worked or Quantity	(d) Salaries and Benefits	(e) Materials and Supplies	(f) Fixed Assets	(g) Contracted Services	(h) Travel and Training
Evaluation to include assessment of techniques and strategies							
Bob Rowe Principal	\$ 55.77	53.33	\$ 2,974.21				
Brian Kolb Principal	\$ 55.77	45.75	\$ 2,551.48				
Cheri Sanders Assistant Principal	\$ 51.43	92.00	\$ 4,731.56				
Dan Darts Principal	\$ 57.30	45.60	\$ 2,612.88				
Frank Gomez Principal	\$ 55.77	22.42	\$ 1,250.36				
Jeanne Iman Principal	\$ 55.77	84.71	\$ 4,724.28				
Jim Shirley Principal	\$ 62.19	72.83	\$ 4,529.30				
Kim Marguarat Principal	\$ 55.77	52.17	\$ 2,909.52				
Lois Grazioli Assistant Principal	\$ 50.07	83.42	\$ 4,176.84				
Martha Munden Principal	\$ 55.77	83.00	\$ 4,628.91				
Pat Barnes Principal	\$ 57.30	53.41	\$ 3,060.39				
Paulette Thomps Assistant Principal	\$ 50.07	95.67	\$ 4,790.20				
Peg Cowman Principal	\$ 62.19	36.07	\$ 2,243.19				
Phyllis Morgan Principal	\$ 55.77	65.08	\$ 3,629.51				
Randel Gibson Principal	\$ 55.77	75.71	\$ 4,222.35				
Raye Clendening Principal	\$ 57.30	45.00	\$ 2,578.50				
Robert Nelson Assistant Principal	\$ 54.28	132.05	\$ 7,167.67				
Ron Briggs Principal	\$ 62.19	70.50	\$ 4,384.40				
Shelly Morr Principal	\$ 55.77	65.83	\$ 3,671.34				
			\$ -				
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			\$ -				
			\$ -				
			\$ -				
(05) Total (x) Subtotal			\$ 70,836.89	\$ -	\$ -	\$ -	\$ -

Exhibit I

CLAIM FOR PAYMENT			For State Controller Use Only		Program
Pursuant to Government Code Section 17561 THE STULL ACT			(19) Program Number 00260		260
			(20) Date Filed <u>APR 11 2006</u>		
			(21) LRS Input <u> / / </u>		
(01) Claimant Identification Number: S37135			Reimbursement Claim Data		
(02) Claimant Name: Oceanside Unified School District			(22) SA-1(03)(a)		512
County: San Diego			(23) SA-1(03)(b)		-
PO Box: 0			(24) SA-1(04)(A)(1)(a)(f)	\$	97,069
Address: 2111 Mission Avenue			(25) SA-1(04)(A)(1)(b)(f)	\$	97,069
City: Oceanside Zip: 92054-2395			(26) SA-1(04)(A)(2)(a)(f)	\$	-
(03) Type of Claim	Estimated Claim	Reimbursement Claim	(27) SA-1(04)(A)(2)(b)(f)	\$	-
	(03) Estimated <input checked="" type="checkbox"/>	(09) Reimbursement <input checked="" type="checkbox"/>	(28) SA-1(04)(B)(1)(a)(f)	\$	-
	(04) Combined <input type="checkbox"/>	(10) Combined <input type="checkbox"/>	(29) SA-1(04)(B)(1)(b)(f)	\$	-
	(05) Amended <input type="checkbox"/>	(11) Amended <input type="checkbox"/>			
Fiscal Year of Cost	(06) 2002-03	(12) 2001-02	(30) SA-1(04)(B)(1)(c)(f)	\$	-
Total Claimed Amount	(07)	(13) \$ 203,727			
Less: 10% Late Penalty, not to exceed \$1,000		(14)	(31) SA-1(04)(B)(1)(d)(f)	\$	-
Less: Estimate Payment Received		(15)	(32) SA-1(04)(B)(1)(e)(f)	\$	-
Net Claimed Amount		(16) \$ 203,727	(33) SA-1 (06)		5.434% 9590
Due from State	(08) \$ -	(17) \$ 203,727	(34)		-
Due to State		(18)	(35)		-
(37) CERTIFICATION OF CLAIM:					
In accordance with the provisions of Government Code 17561, I certify that I am the officer authorized by the school district to file mandated costs claims with the State of California for this program, and certify under penalty of perjury that I have not violated any of the provisions of Government Code Sections 1090 to 1098, inclusive.					
I further certify that there was no application other than from the claimant, nor any grants or payments received, for reimbursement of costs claimed herein, and such costs are for a new program or increased level of services of an existing program. All offsetting savings and reimbursements set forth in the Parameters and Guidelines are identified, and all costs claims are supported by source documentation currently maintained by the claimant.					
The amounts for the Estimated Claim and/or the Reimbursement Claim are hereby claimed from the State for payment of estimated and/or actual costs set forth on the attached statements. I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.					
Signature of Authorized Officer 			Date <u>4/11/06</u>		
Karen Huddleston, Controller					
Type or Print Name			Title		
(39) Name of Contact person for Claim Sandra Reynolds			Telephone Number (951) 303-3034 E-mail Address <u>sandrareynolds_30@msn.com</u>		

Program 260	MANDATED COSTS THE STULL ACT CLAIM SUMMARY	FORM SA-1
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(01) Claimant: Oceanside Unified School District	(02) Type of Claim Reimbursement <table border="1" style="display: inline-table; vertical-align: middle;"><tr><td style="text-align: center;">X</td></tr></table> Estimated <table border="1" style="display: inline-table; vertical-align: middle;"><tr><td style="width: 20px; height: 20px;"></td></tr></table>	X		Fiscal Year 2001-02
X				

3) (a) Number of Certificated Instructional Employees (CIE's) evaluated per (04)(A)	512
(b) Number of CIE's and Non-Instructional Employees (NIE's) evaluated per (04)(B)	

Direct Costs **Object Accounts**

4) Reimbursable Components	(a)	(b)	(c)	(d)	(e)	(f)
CIE's	Salaries Benefits	Materials & Supplies	Contracted Services	Fixed Assets	Travel & Training	Total

Evaluation/Assessment-Ed. Code 44662, subd. (b), as amended by Ch. 4/99; Reimbursement period begins fy 1997-98

Review employee's techniques and strategies	\$ 97,069	\$ -	\$ -	\$ -	\$ -	\$ 97,069
Evaluation of techniques and strategies	\$ 97,069	\$ -	\$ -	\$ -	\$ -	\$ 97,069

Evaluation/Assessment-Ed. Code 44662, subd. (b), as amended by Ch. 498/83; Reimbursement period begins 3/15/99

Review STAR results	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Assessment per STAR	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

CIE's and NIE's

Evaluation/Assessment-Ed. Code 44664, subd. (b), as amended by Ch. 498/93; Reimbursement period begins fy 1997-98

Evaluating and assessing CIE per certain criteria	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Writing evaluation	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Transmitting evaluation	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Attaching to personnel file	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Discussing evaluation	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

5) Total Direct Costs	\$ 194,137	-	-	-	-	\$ 194,137
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Indirect Costs

6) Indirect Cost Rate	[From J-380 or J580]	4.94%
7) Total Indirect Costs:	[Line (06) x [Line (05)(a)]]	\$ 9,590
8) Total Direct and Indirect Costs	[Line (05)(f) + Line (07)]	\$ 203,727

Cost Reduction

9) Less: Offsetting Savings, if applicable		
10) Less: Other Reimbursements, if applicable		
1) Total Claimed Amount:	[Line (08) - {Line (9) + Line (10)}]	\$ 203,727

Program 260	MANDATED COSTS THE STULL ACT COMPONENT/ACTIVITY COST DETAIL	FORM SA-2
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1) Claimant: **Oceanside Unified School District** (02) Fiscal year costs were incurred: **2001-02**

3) Reimbursable Component: Check only one box per form to identify the cost being claimed.

CIE	<input checked="" type="checkbox"/>	Review employee's techniques and strategies	<input type="checkbox"/>	Evaluation to include assessment of techniques and strategies
	<input type="checkbox"/>	Review STAR results	<input type="checkbox"/>	Assessment based on STAR results

Cie & NIE	<input type="checkbox"/>	Evaluating and assessing CIE according to certain criteria	<input type="checkbox"/>	Reducing evaluation to writing	<input type="checkbox"/>	Transmitting evaluation to CIE
	<input type="checkbox"/>	Attaching response to personnel file	<input type="checkbox"/>	Discussing evaluation with CIE		

4) Description of Expense	Object Accounts						
(a) Employee Names, Job Classifications, Functions Performed, and Description of Expenses	(b) Hourly Rate or Unit Cost	(c) Hours Worked or Quantity	(d) Salaries and Benefits	(e) Materials and Supplies	(f) Fixed Assets	(g) Contracted Services	(h) Travel and Training
<u>Review employee's techniques and strategies</u>							
Miss Johnson Principal	\$ 60.70	65.08	\$ 3,950.36				
Miss Rowe Principal	\$ 60.70	46.67	\$ 2,832.87				
Mr. Ian Kolb Principal	\$ 61.97	57.25	\$ 3,547.78				
Mr. Teri Sanders Principal	\$ 60.70	55.13	\$ 3,346.39				
Mr. Shreves Assistant Principal	\$ 56.09	51.04	\$ 2,862.83				
Mr. Dan Darts Principal	\$ 61.97	49.40	\$ 3,061.32				
Mr. Frank Balanon Assistant Principal	\$ 58.09	49.48	\$ 2,775.33				
Mr. Frank Gomez Principal	\$ 60.70	29.14	\$ 1,768.80				
Mr. Anne Iman Principal	\$ 60.70	98.08	\$ 5,953.46				
Ms. Nancy Shirley Principal	\$ 68.61	61.33	\$ 4,207.85				
Ms. Jois Grazioli Assistant Principal	\$ 54.62	90.96	\$ 4,968.24				
Ms. Jois Ibarra Principal	\$ 60.70	45.50	\$ 2,761.85				
Ms. Martha Munden Principal	\$ 60.70	70.55	\$ 4,282.39				
Ms. Gary Gleisberg Principal	\$ 60.70	65.00	\$ 3,945.50				
Ms. Juliette Thompson Assistant Principal	\$ 54.62	82.00	\$ 4,478.84				
Ms. Doug Cowman Principal	\$ 68.61	36.08	\$ 2,475.45				
Ms. Syllis Morgan Principal	\$ 60.70	71.00	\$ 4,309.70				
Ms. Mandel Gibson Principal	\$ 60.70	65.83	\$ 3,995.88				
Ms. Kaye Clendenen Principal	\$ 61.97	39.00	\$ 2,416.83				
Mr. Robert Miller Assistant Principal	\$ 56.09	59.78	\$ 3,353.06				
Mr. Robert Nelson Assistant Principal	\$ 68.61	170.28	\$ 11,682.91				
Mr. Don Briggs Principal	\$ 68.61	97.92	\$ 6,718.29				
Mr. Kelly Morr Principal	\$ 60.70	75.71	\$ 4,595.60				
Mr. Todd Mcateer Principal	\$ 60.70	45.75	\$ 2,777.03				
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			\$ -				
			\$ -				
			\$ -				
5) Total (x) Subtotal			\$ 97,068.54	\$ -	\$ -	\$ -	\$ -

STULL ACT AUDIT SCHEDULE

DATE	CLAIMED EVALUATOR	YEAR OF CLAIM	LOCATION	TIME
3/1/2010	Todd McAteer	2006-2007	Mission EL	1:15 - 3:15 pm
3/2/2010	Randi Gibson	1999-2005 (Mission ES)	ESS	1:00 - 2:00 pm
3/2/2010	Bess Bronson	2001-2005 (Libby ES)	ESS	1:00 - 2:00 pm
3/3/2010	Eileen Frazier	2006-2008	Jefferson MS	8:00 - 10:00 am
3/3/2010	Bob Rowe	1997-2005 (North Terrace ES)	King MS	8:00 - 10:00 am
3/3/2010	Duane Coleman	2003-05; 2006-07 (Jefferson MS)	District Office	1:30 - 2:30 pm
3/4/2010	Duane Legg	2007-2008	Ocean Shores	8:00 - 10:00 am
3/4/2010	Kimo Marquardt	1997-2001; 2006-2008	Oceanside HS	8:00 - 10:00 am
3/4/2010	Dan Daris	1998-2001 (Jefferson MS)	El Camino HS	11:00 - 1:00 pm
3/5/2010	Betsy Wilcox	2006-2008	North Terrace	9:30 - 11:30 am
3/5/2010	Laura Philyaw	2006-2008	Libby ES	9:30 - 11:30 am
3/5/2010	Margie Oliver	2002-2005; 2006-2007	Garrison	1:15 - 3:15 pm

STULL ACT AUDIT SCHEDULE

DATE	CLAIMED EVALUATOR	YEAR OF CLAIM	LOCATION	TIME
3/1/2010	Todd McAteer	2006-2007	Mission EL	1:15 - 3:15 pm
3/2/2010	Randi Gibson	1999-2005 (Mission ES)	ESS	1:00 - 2:00 pm
3/2/2010	Bess Bronson	2001-2005 (Libby ES)	ESS	1:00 - 2:00 pm
3/3/2010	Eileen Frazier	2006-2008	Jefferson MS	8:00 - 10:00 am
3/3/2010	Bob Rowe	1997-2005 (North Terrace ES)	King MS	8:00 - 10:00 am
3/3/2010	Duane Coleman	2003-05; 2006-07 (Jefferson MS)	District Office	1:30 - 2:30 pm
3/4/2010	Duane Legg	2007-2008	Ocean Shores	8:00 - 10:00 am
3/4/2010	Kimo Marquardt	1997-2001; 2006-2008	Oceanside HS	8:00 - 10:00 am
3/4/2010	Dan Daris	1998-2001 (Jefferson MS)	El Camino HS	11:00 - 1:00 pm
3/5/2010	Betsy Wilcox	2006-2008	North Terrace	9:30 - 11:30 am
3/5/2010	Laura Philyaw	2006-2008	Libby ES	9:30 - 11:30 am
3/5/2010	Margie Oliver	2002-2005; 2006-2007	Garrison	1:15 - 3:15 pm

Program
260

MANDATED COSTS
THE STULL ACT
COMPONENT/ACTIVITY COST DETAIL

FORM
SA-2

1) Claimant:

Oceanside Unified School District

(02) Fiscal year costs were incurred:

2001-02

3) Reimbursable Component: Check only one box per form to identify the cost being claimed.

CIE Review employee's techniques and strategies

Evaluation to include assessment of techniques and strategies

Review STAR results

Assessment based on STAR results

Cie & NIE Evaluating and assessing CIE according to certain criteria

Reducing evaluation to writing

Transmitting evaluation to CIE

Attaching response to personnel file

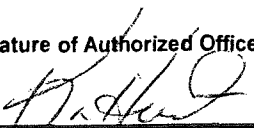
Discussing evaluation with CIE

4) Description of Expense

Object Accounts

(a) Employee Names, Job Classifications, Functions Performed, and Description of Expenses	(b) Hourly Rate or Unit Cost	(c) Hours Worked or Quantity	(d) Salaries and Benefits	(e) Materials and Supplies	(f) Fixed Assets	(g) Contracted Services	(h) Travel and Training
uation to include assessment of techniques and strategies							
ss Johnson Principal	\$ 60.70	65.08	\$ 3,950.36				
b Rowe Principal	\$ 60.70	46.67	\$ 2,832.87				
an Kolb Principal	\$ 61.97	57.25	\$ 3,547.78				
eri Sanders Principal	\$ 60.70	55.13	\$ 3,346.39				
Shreves Assistant Principal	\$ 56.09	51.04	\$ 2,862.83				
n Darts Principal	\$ 61.97	49.40	\$ 3,061.32				
ank Balanon Assistant Principal	\$ 56.09	49.48	\$ 2,775.33				
ank Gomez Principal	\$ 60.70	29.14	\$ 1,768.80				
anne Iman Principal	\$ 60.70	98.08	\$ 5,953.46				
1 Shirley Principal	\$ 68.61	61.33	\$ 4,207.85				
is Grazioli Assistant Principal	\$ 54.62	90.96	\$ 4,968.24				
is Ibarra Principal	\$ 60.70	45.50	\$ 2,761.85				
rtha Munden Principal	\$ 60.70	70.55	\$ 4,282.39				
ry Gleisberg Principal	\$ 60.70	65.00	\$ 3,945.50				
uette Thomps Assistant Principal	\$ 54.62	82.00	\$ 4,478.84				
g Cowman Principal	\$ 68.61	36.08	\$ 2,475.45				
yllis Morgan Principal	\$ 60.70	71.00	\$ 4,309.70				
ndel Gibson Principal	\$ 60.70	65.83	\$ 3,995.88				
ye Clendenin Principal	\$ 61.97	39.00	\$ 2,416.83				
bert Miller Assistant Principal	\$ 56.09	59.78	\$ 3,353.06				
bert Nelson Assistant Principal	\$ 68.61	170.28	\$ 11,682.91				
n Briggs Principal	\$ 68.61	97.92	\$ 6,718.29				
elly Morr Principal	\$ 60.70	75.71	\$ 4,595.60				
dd Mcateer Principal	\$ 60.70	45.75	\$ 2,777.03				
			\$ -				
			\$ -				
			\$ -				
			\$ -				
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			\$ -				
			\$ -				
			\$ -				
			\$ -				
5) Total (x) Subtotal Page: 1 of 1			\$ 97,068.54	\$ -	\$ -	\$ -	\$ -

Exhibit J

CLAIM FOR PAYMENT			For State Controller Use Only		Program	
Pursuant to Government Code Section 17561 THE STULL ACT			(19) Program Number 00260		260	
			(20) Date Filed ___/___/___			
			(21) LRS Input ___/___/___			
(01) Claimant Identification Number: S37135			Reimbursement Claim Data			
L A B E L H E R E	(02) Claimant Name: Oceanside Unified School District		(22) SA-1(03)(a)	562		
	County: San Diego		(23) SA-1(03)(b)	-		
	PO Box: 0		(24) SA-1(04)(A)(1)(a)(f)	\$	98,937	
	Address: 2111 Mission Avenue		(25) SA-1(04)(A)(1)(b)(f)	\$	98,937	
	City: Oceanside Zip: 92054-2395		(26) SA-1(04)(A)(2)(a)(f)	\$	-	
	(03) Type of Claim	Estimated Claim	Reimbursement Claim	(27) SA-1(04)(A)(2)(b)(f)	\$	-
	(03) Estimated <input checked="" type="checkbox"/>	(09) Reimbursement <input checked="" type="checkbox"/>	(28) SA-1(04)(B)(1)(a)(f)	\$	-	
	(04) Combined <input type="checkbox"/>	(10) Combined <input type="checkbox"/>	(29) SA-1(04)(B)(1)(b)(f)	\$	-	
	(05) Amended <input type="checkbox"/>	(11) Amended <input type="checkbox"/>	(30) SA-1(04)(B)(1)(c)(f)	\$	-	
Fiscal Year of Cost	(06) 2003-04	(12) 2002-03	(31) SA-1(04)(B)(1)(d)(f)	\$	-	
Total Claimed Amount	(07)	(13) \$ 207,885	(32) SA-1(04)(B)(1)(e)(f)	\$	-	
Less: 10% Late Penalty, not to exceed \$1,000		(14)	(33) SA-1 (06)		5.06%	
Less: Estimate Payment Received		(15)	(34)			
Net Claimed Amount		(16) \$ 207,885	(35)			
Due from State	(08) \$ -	(17) \$ 207,885	(36)			
Due to State		(18)				
(37) CERTIFICATION OF CLAIM:						
<p>In accordance with the provisions of Government Code 17561, I certify that I am the officer authorized by the school district to file mandated costs claims with the State of California for this program, and certify under penalty of perjury that I have not violated any of the provisions of Government Code Sections 1090 to 1098, inclusive.</p> <p>I further certify that there was no application other than from the claimant, nor any grants or payments received, for reimbursement of costs claimed herein, and such costs are for a new program or increased level of services of an existing program. All offsetting savings and reimbursements set forth in the Parameters and Guidelines are identified, and all costs claims are supported by source documentation currently maintained by the claimant.</p> <p>The amounts for the Estimated Claim and/or the Reimbursement Claim are hereby claimed from the State for payment of estimated and/or actual costs set forth on the attached statements. I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.</p>						
Signature of Authorized Officer			Date			
			4/11/06			
Karen Huddleston, Controller						
Type or Print Name			Title			
(39) Name of Contact person for Claim Sandra Reynolds			Telephone Number (951) 303-3034 E-mail Address sandrareynolds_30@msn.com			

Program 260	MANDATED COSTS THE STULL ACT CLAIM SUMMARY	FORM SA-1
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(01) Claimant: <p style="text-align: center;">Oceanside Unified School District</p>	(02) Type of Claim Reimbursement <input checked="" type="checkbox"/> Estimated <input type="checkbox"/>	Fiscal Year <p style="text-align: center;">2002-03</p>
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(03) (a) Number of Certificated Instructional Employees (CIE's) evaluated per (04)(A)	562
(b) Number of CIE's and Non-Instructional Employees (NIE's) evaluated per (04)(B)	

Direct Costs **Object Accounts**

(04) Reimbursable Components	(a) Salaries Benefits	(b) Materials & Supplies	(c) Contracted Services	(d) Fixed Assets	(e) Travel & Training	(f) Total
i. CIE's						
Evaluation/Assessment-Ed. Code 44662, subd. (b), as amended by Ch. 4/99; Reimbursement period begins fy 1997-98						
Review employee's techniques and strategies	\$ 98,937	\$ -	\$ -	\$ -	\$ -	\$ 98,937
Evaluation of techniques and strategies	\$ 98,937	\$ -	\$ -	\$ -	\$ -	\$ 98,937
Evaluation/Assessment-Ed. Code 44662, subd. (b), as amended by Ch. 498/83; Reimbursement period begins 3/15/99						
Review STAR results	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Assessment per STAR	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
j. CIE's and NIE's						
Evaluation/Assessment-Ed. Code 44664, subd. (b), as amended by Ch. 498/93; Reimbursement period begins fy 1997-98						
Evaluating and assessing CIE per certain criteria	\$ -	-	-	-	-	\$ -
Writing evaluation	\$ -	-	-	-	-	\$ -
Transmitting evaluation	\$ -	-	-	-	-	\$ -
Attaching to personnel file	\$ -	-	-	-	-	\$ -
Discussing evaluation	\$ -	-	-	-	-	\$ -
(05) Total Direct Costs	\$ 197,873	-	-	-	-	\$ 197,873

Indirect Costs		
(06) Indirect Cost Rate	[From J-380 or J580]	5.06%
(07) Total Indirect Costs:	[Line (06) x [Line (05)(a)]]	\$ 10,012
(08) Total Direct and Indirect Costs	[Line (05)(f) + Line (07)]	\$ 207,885

Cost Reduction		
(09) Less: Offsetting Savings, if applicable		
(10) Less: Other Reimbursements, if applicable		
(11) Total Claimed Amount:	[Line (08) - {Line (9) + Line (10)}]	\$ 207,885

Program
260

**MANDATED COSTS
THE STULL ACT
COMPONENT/ACTIVITY COST DETAIL**

FORM
SA-2

(01) Claimant:

Oceanside Unified School District

(02) Fiscal year costs were incurred:

2002-03

(03) Reimbursable Component: Check only one box per form to identify the cost being claimed.

CIE Review employee's techniques
and strategies

Evaluation to include assessment
of techniques and strategies

Review STAR results

Assessment based on STAR results

Cie & NIE Evaluating and assessing
CIE according to certain criteria

Reducing evaluation to
writing

Transmitting
evaluation to CIE

Attaching response to
personnel file

Discussing evaluation with CIE

(04) Description of Expense

Object Accounts

(a) Employee Names, Job Classifications, Functions Performed, and Description of Expenses	(b) Hourly Rate or Unit Cost	(c) Hours Worked or Quantity	(d) Salaries and Benefits	(e) Materials and Supplies	(f) Fixed Assets	(g) Contracted Services	(h) Travel and Training
Review employee's techniques and strategies							
Kess Johnson Principal	\$ 63.24	71.00	\$ 4,490.04				
Job Rowe Principal	\$ 63.24	53.33	\$ 3,372.59				
Brian Kolb Principal	\$ 61.97	57.25	\$ 3,547.78				
Beth Sanders Principal	\$ 63.24	36.75	\$ 2,324.07				
D. Shreves Assistant Principal	\$ 57.25	63.29	\$ 3,623.35				
Jan Darts Principal	\$ 61.97	49.40	\$ 3,061.32				
Edward Bessant Assistant Principal	\$ 57.25	74.83	\$ 4,284.02				
Gay Wilson Principal	\$ 63.24	75.83	\$ 4,795.49				
Frank Balanon Assistant Principal	\$ 57.25	61.35	\$ 3,512.29				
Frank Gomez Principal	\$ 63.24	33.63	\$ 2,126.76				
Deanne Iman Principal	\$ 63.24	99.17	\$ 6,271.51				
Jim Shirley Principal	\$ 70.00	65.17	\$ 4,561.90				
Lois Grazioli Assistant Principal	\$ 55.75	98.58	\$ 5,495.84				
Luis Ibarra Principal	\$ 63.24	39.00	\$ 2,466.36				
Margaret Veoma Principal	\$ 63.24	46.71	\$ 2,953.94				
Martha Munden Principal	\$ 61.97	45.80	\$ 2,838.23				
Paullette Thomps Principal	\$ 63.24	60.75	\$ 3,841.83				
Reg Cowman Principal	\$ 70.00	32.07	\$ 2,244.90				
Phyllis Morgan Principal	\$ 63.24	53.25	\$ 3,367.53				
Randel Gibson Principal	\$ 63.24	72.42	\$ 4,579.84				
Robert Miller Assistant Principal	\$ 57.25	63.30	\$ 3,623.93				
Robert Nelson Assistant Principal	\$ 60.30	156.38	\$ 9,429.71				
Ron Briggs Principal	\$ 70.00	78.33	\$ 5,483.10				
Shelly Morr Principal	\$ 63.24	59.25	\$ 3,746.97				
Todd Mcateer Principal	\$ 63.24	45.75	\$ 2,893.23				
			\$ -				
			\$ -				
			\$ -				
			\$ -				
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			\$ -				
			\$ -				
			\$ -				
			\$ -				
			\$ -				
			\$ -				
			\$ -				
(05) Total (x) Subtotal Page: 1 of 1			\$ 98,936.52	\$ -	\$ -	\$ -	\$ -

Program 260	MANDATED COSTS THE STULL ACT COMPONENT/ACTIVITY COST DETAIL	FORM SA-2
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01) Claimant: **Oceanside Unified School District** (02) Fiscal year costs were incurred: **2002-03**

03) Reimbursable Component: Check only one box per form to identify the cost being claimed.

1. CIE Review employee's techniques and strategies Evaluation to include assessment of techniques and strategies

Review STAR results Assessment based on STAR results

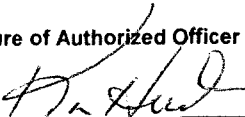
3. CIE & NIE Evaluating and assessing CIE according to certain criteria Reducing evaluation to writing Transmitting evaluation to CIE

Attaching response to personnel file Discussing evaluation with CIE

04) Description of Expense **Object Accounts**

(a) Employee Names, Job Classifications, Functions Performed, and Description of Expenses	(b) Hourly Rate or Unit Cost	(c) Hours Worked or Quantity	(d) Salaries and Benefits	(e) Materials and Supplies	(f) Fixed Assets	(g) Contracted Services	(h) Travel and Training
Evaluation to include assessment of techniques and strategies							
Bess Johnson Principal	\$ 63.24	71.00	\$ 4,490.04				
Bob Rowe Principal	\$ 63.24	53.33	\$ 3,372.59				
Brian Kolb Principal	\$ 61.97	57.25	\$ 3,547.78				
Cheri Sanders Principal	\$ 63.24	36.75	\$ 2,324.07				
D. Shreves Assistant Principal	\$ 57.25	63.29	\$ 3,623.35				
Jan Darts Principal	\$ 61.97	49.40	\$ 3,061.32				
Edward Bessant Assistant Principal	\$ 57.25	74.83	\$ 4,284.02				
Layne Wilson Principal	\$ 63.24	75.83	\$ 4,795.49				
Frank Balanon Assistant Principal	\$ 57.25	61.35	\$ 3,512.29				
Frank Gomez Principal	\$ 63.24	33.63	\$ 2,126.76				
Kearne Iman Principal	\$ 63.24	99.17	\$ 6,271.51				
Kim Shirley Principal	\$ 70.00	65.17	\$ 4,561.90				
Louis Grazioli Assistant Principal	\$ 55.75	98.58	\$ 5,495.84				
Luis Ibarra Principal	\$ 63.24	39.00	\$ 2,466.36				
Margaret Veoma Principal	\$ 63.24	46.71	\$ 2,953.94				
Martha Munden Principal	\$ 61.97	45.80	\$ 2,838.23				
Maulette Thomps Principal	\$ 63.24	60.75	\$ 3,841.83				
Reg Cowman Principal	\$ 70.00	32.07	\$ 2,244.90				
Rhyllis Morgan Principal	\$ 63.24	53.25	\$ 3,367.53				
Randel Gibson Principal	\$ 63.24	72.42	\$ 4,579.84				
Robert Miller Assistant Principal	\$ 57.25	63.30	\$ 3,623.93				
Robert Nelson Assistant Principal	\$ 60.30	156.38	\$ 9,429.71				
Ron Briggs Principal	\$ 70.00	78.33	\$ 5,483.10				
Rhelly Morr Principal	\$ 63.24	59.25	\$ 3,746.97				
Rodd Mcateer Principal	\$ 63.24	45.75	\$ 2,893.23				
			\$ -				
			\$ -				
			\$ -				
			\$ -				
			\$ -				
			\$ -				
			\$ -				
			\$ -				
			\$ -				
			\$ -				
15) Total (x) Subtotal			\$ 98,936.52	\$ -	\$ -	\$ -	\$ -

Exhibit K

CLAIM FOR PAYMENT			For State Controller Use Only		Program
Pursuant to Government Code Section 17561 THE STULL ACT			(19) Program Number 00260		260
			(20) Date Filed ___/___/___		
			(21) LRS Input ___/___/___		
(01) Claimant Identification Number: S37135			Reimbursement Claim Data		
L A B E L H E R E	(02) Claimant Name: Oceanside Unified School District		(22) SA-1(03)(a)		570
	County: San Diego		(23) SA-1(03)(b)		-
	PO Box: 0		(24) SA-1(04)(A)(1)(a)(f)		\$ 110,625
	Address: 2111 Mission Avenue		(25) SA-1(04)(A)(1)(b)(f)		\$ 110,625
	City: Oceanside Zip: 92054-2395		(26) SA-1(04)(A)(2)(a)(f)		\$ -
	(03) Type of Claim		Estimated Claim	Reimbursement Claim	(27) SA-1(04)(A)(2)(b)(f)
		(03) Estimated <input checked="" type="checkbox"/>	(09) Reimbursement <input checked="" type="checkbox"/>	(28) SA-1(04)(B)(1)(a)(f)	\$ -
		(04) Combined <input type="checkbox"/>	(10) Combined <input type="checkbox"/>	(29) SA-1(04)(B)(1)(b)(f)	\$ -
		(05) Amended <input type="checkbox"/>	(11) Amended <input type="checkbox"/>		
Fiscal Year of Cost		(06) 2004-05	(12) 2003-04	(30) SA-1(04)(B)(1)(c)(f)	\$ -
Total Claimed Amount		(07)	(13) \$ 230,431		
Less: 10% Late Penalty, not to exceed \$1,000			(14)	(31) SA-1(04)(B)(1)(d)(f)	\$ -
Less: Estimate Payment Received			(15)	(32) SA-1(04)(B)(1)(e)(f)	\$ -
				(33) SA-1 (06)	4.15%
Net Claimed Amount			(16) \$ 230,431	(34)	
Due from State		(08) \$ -	(17) \$ 230,431	(35)	
Due to State			(18)	(36)	
(37) CERTIFICATION OF CLAIM:					
In accordance with the provisions of Government Code 17561, I certify that I am the officer authorized by the school district to file mandated costs claims with the State of California for this program, and certify under penalty of perjury that I have not violated any of the provisions of Government Code Sections 1090 to 1098, inclusive.					
I further certify that there was no application other than from the claimant, nor any grants or payments received, for reimbursement of costs claimed herein, and such costs are for a new program or increased level of services of an existing program. All offsetting savings and reimbursements set forth in the Parameters and Guidelines are identified, and all costs claims are supported by source documentation currently maintained by the claimant.					
The amounts for the Estimated Claim and/or the Reimbursement Claim are hereby claimed from the State for payment of estimated and/or actual costs set forth on the attached statements. I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.					
Signature of Authorized Officer			Date		
			4/11/06		
Karen Huddleston, Controller					
Type or Print Name			Title		
(39) Name of Contact person for Claim			Telephone Number (951) 303-3034		
Sandra Reynolds			E-mail Address sandrareynolds_30@msn.com		

Program 260	MANDATED COSTS THE STULL ACT CLAIM SUMMARY	FORM SA-1
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(01) Claimant: <p style="text-align: center;">Oceanside Unified School District</p>	(02) Type of Claim <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:50%;">Reimbursement</td> <td style="width:50%; text-align: center;">X</td> </tr> <tr> <td>Estimated</td> <td></td> </tr> </table>	Reimbursement	X	Estimated		Fiscal Year <p style="text-align: center;">2003-04</p>
Reimbursement	X					
Estimated						

(03) (a) Number of Certificated Instructional Employees (CIE's) evaluated per (04)(A)	570
(b) Number of CIE's and Non-Instructional Employees (NIE's) evaluated per (04)(B)	

Direct Costs	Object Accounts
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(04) Reimbursable Components	(a) Salaries Benefits	(b) Materials & Supplies	(c) Contracted Services	(d) Fixed Assets	(e) Travel & Training	(f) Total
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1. Evaluation/Assessment-Ed. Code 44662, subd. (b), as amended by Ch. 4/99; Reimbursement period begins fy 1997-98						
1. Review employee's techniques and strategies	\$ 110,625	\$ -	\$ -	\$ -	\$ -	\$ 110,625
2. Evaluation of techniques and strategies	\$ 110,625	\$ -	\$ -	\$ -	\$ -	\$ 110,625

2. Evaluation/Assessment-Ed. Code 44662, subd. (b), as amended by Ch. 498/83; Reimbursement period begins 3/15/99						
1. Review STAR results	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
2. Assessment per STAR	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

3. CIE's and NIE's						
1. Evaluation/Assessment-Ed. Code 44664, subd. (b), as amended by Ch. 498/93; Reimbursement period begins fy 1997-98						
1. Evaluating and assessing CIE per certain criteria	\$ -	-	-	-	-	\$ -
2. Writing evaluation	\$ -	-	-	-	-	\$ -
3. Transmitting evaluation	\$ -	-	-	-	-	\$ -
4. Attaching to personnel file	\$ -	-	-	-	-	\$ -
5. Discussing evaluation	\$ -	-	-	-	-	\$ -
05) Total Direct Costs	\$ 221,249	-	-	-	-	\$ 221,249

Indirect Costs		
06) Indirect Cost Rate	[From J-380 or J580]	4.15%
07) Total Indirect Costs:	[Line (06) x [Line (05)(a)]]	\$ 9,182
08) Total Direct and Indirect Costs	[Line (05)(f) + Line (07)]	\$ 230,431

Cost Reduction		
09) Less: Offsetting Savings, if applicable		
10) Less: Other Reimbursements, if applicable		
11) Total Claimed Amount:	[Line (08) - {Line (9) + Line (10)}]	\$ 230,431

Program 260	MANDATED COSTS THE STULL ACT COMPONENT/ACTIVITY COST DETAIL	FORM SA-2
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01) Claimant: **Oceanside Unified School District** (02) Fiscal year costs were incurred: **2003-04**

03) Reimbursable Component: Check only one box per form to identify the cost being claimed.

<input checked="" type="checkbox"/> CIE	<input checked="" type="checkbox"/> Review employee's techniques and strategies	<input type="checkbox"/>	Evaluation to include assessment of techniques and strategies
	<input type="checkbox"/> Review STAR results	<input type="checkbox"/>	Assessment based on STAR results
i. Cie & NIE <input type="checkbox"/> Evaluating and assessing CIE according to certain criteria		<input type="checkbox"/>	Reducing evaluation to writing
<input type="checkbox"/> Attaching response to personnel file		<input type="checkbox"/>	Discussing evaluation with CIE
		<input type="checkbox"/>	Transmitting evaluation to CIE

04) Description of Expense	Object Accounts						
(a) Employee Names, Job Classifications, Functions Performed, and Description of Expenses	(b) Hourly Rate or Unit Cost	(c) Hours Worked or Quantity	(d) Salaries and Benefits	(e) Materials and Supplies	(f) Fixed Assets	(g) Contracted Services	(h) Travel and Training
Review employee's techniques and strategies							
Less Johnson Principal	\$ 61.98	59.17	\$ 3,667.36				
Job Rowe Principal	\$ 61.98	63.33	\$ 3,925.19				
Brian Kolb Principal	\$ 64.13	49.62	\$ 3,182.13				
Cheri Sanders Principal	\$ 61.98	52.50	\$ 3,253.95				
D. Shreves Assistant Principal	\$ 56.09	57.17	\$ 3,206.67				
Jan Darts Principal	\$ 68.62	80.85	\$ 5,547.93				
Juane Coleman Principal	\$ 64.13	63.92	\$ 4,099.19				
Edward Bessant Assistant Principal	\$ 59.09	92.65	\$ 5,474.69				
Laye Wilson Principal	\$ 61.98	79.63	\$ 4,935.47				
Frank Balanon Assistant Principal	\$ 56.09	55.42	\$ 3,108.51				
Frank Gomez Principal	\$ 61.98	24.66	\$ 1,528.43				
Deanne Iman Principal	\$ 61.98	74.38	\$ 4,610.07				
Jim Shirley Principal	\$ 68.62	61.33	\$ 4,208.46				
John Schmit Assistant Principal	\$ 56.09	48.00	\$ 2,692.32				
Judy Reimer Principal	\$ 61.98	55.00	\$ 3,408.90				
Maria Obrzut Coordinator	\$ 61.98	82.50	\$ 5,113.35				
Mois Grazioli Principal	\$ 61.98	83.42	\$ 5,170.37				
Muis Ibarra Principal	\$ 61.98	36.83	\$ 2,282.72				
Margaret Veoma Principal	\$ 61.98	36.90	\$ 2,287.06				
Marta Munden Principal	\$ 64.13	49.62	\$ 3,182.13				
Maurlette Thomps Principal	\$ 61.98	91.13	\$ 5,648.24				
Reg Cowman Principal	\$ 68.62	28.06	\$ 1,925.48				
Thyllis Morgan Principal	\$ 61.98	50.29	\$ 3,116.97				
Wandel Gibson Principal	\$ 61.98	79.00	\$ 4,896.42				
Robert Mueller Assistant Principal	\$ 59.09	127.40	\$ 7,528.07				
Robert Nelson Assistant Principal	\$ 59.09	88.61	\$ 5,235.96				
Shelly Morr Principal	\$ 61.98	65.83	\$ 4,080.14				
Todd Mcateer Principal	\$ 61.98	53.38	\$ 3,308.49				
			\$ -				
			\$ -				
			\$ -				
			\$ -				
			\$ -				
05) Total (x) Subtotal Page: 1 of 1			\$ 110,624.67	\$ -	\$ -	\$ -	\$ -

Program 260	MANDATED COSTS THE STULL ACT COMPONENT/ACTIVITY COST DETAIL	FORM SA-2
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01) Claimant: **Oceanside Unified School District** (02) Fiscal year costs were incurred: **2003-04**

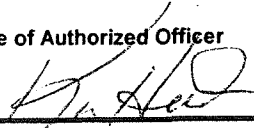
03) Reimbursable Component: Check only one box per form to identify the cost being claimed.

CIE Review employee's techniques and strategies Evaluation to include assessment of techniques and strategies
 Review STAR results Assessment based on STAR results
 CIE & NIE Evaluating and assessing CIE according to certain criteria Reducing evaluation to writing Transmitting evaluation to CIE
 Attaching response to personnel file Discussing evaluation with CIE

04) Description of Expense **Object Accounts**

(a) Employee Names, Job Classifications, Functions Performed, and Description of Expenses	(b) Hourly Rate or Unit Cost	(c) Hours Worked or Quantity	(d) Salaries and Benefits	(e) Materials and Supplies	(f) Fixed Assets	(g) Contracted Services	(h) Travel and Training
valuation to include assessment of techniques and strategies							
ess Johnson Principal	\$ 61.98	59.17	\$ 3,667.36				
ob Rowe Principal	\$ 61.98	63.33	\$ 3,925.19				
rian Kolb Principal	\$ 64.13	49.62	\$ 3,182.13				
heri Sanders Principal	\$ 61.98	52.50	\$ 3,253.95				
. Shreves Assistant Principal	\$ 56.09	57.17	\$ 3,206.67				
an Darts Principal	\$ 68.62	80.85	\$ 5,547.93				
uane Coleman Principal	\$ 64.13	63.92	\$ 4,099.19				
dward Bessant Assistant Principal	\$ 59.09	92.65	\$ 5,474.69				
aye Wilson Principal	\$ 61.98	79.63	\$ 4,935.47				
ank Balanon Assistant Principal	\$ 56.09	55.42	\$ 3,108.51				
ank Gomez Principal	\$ 61.98	24.66	\$ 1,528.43				
anne Iman Principal	\$ 61.98	74.38	\$ 4,610.07				
m Shirley Principal	\$ 68.62	61.33	\$ 4,208.46				
ohn Schmit Assistant Principal	\$ 56.09	48.00	\$ 2,692.32				
dy Reimer Principal	\$ 61.98	55.00	\$ 3,408.90				
asia Obrzut Coordinator	\$ 61.98	82.50	\$ 5,113.35				
is Grazioli Principal	\$ 61.98	83.42	\$ 5,170.37				
is Ibarra Principal	\$ 61.98	36.83	\$ 2,282.72				
argaret Veoma Principal	\$ 61.98	36.90	\$ 2,287.06				
artha Munden Principal	\$ 64.13	49.62	\$ 3,182.13				
ulette Thomps Principal	\$ 61.98	91.13	\$ 5,648.24				
g Cowman Principal	\$ 68.62	28.06	\$ 1,925.48				
yllis Morgan Principal	\$ 61.98	50.29	\$ 3,116.97				
ndel Gibson Principal	\$ 61.98	79.00	\$ 4,896.42				
obert Mueller Assistant Principal	\$ 59.09	127.40	\$ 7,528.07				
obert Nelson Assistant Principal	\$ 59.09	88.61	\$ 5,235.96				
elly Morr Principal	\$ 61.98	65.83	\$ 4,080.14				
dd Mcateer Principal	\$ 61.98	53.38	\$ 3,308.49				
			\$ -				
			\$ -				
			\$ -				
			\$ -				
			\$ -				
5) Total (x) Subtotal Page: 1 of 1			\$ 110,624.67	\$ -	\$ -	\$ -	\$ -

Exhibit L

CLAIM FOR PAYMENT			For State Controller Use Only		Program
Pursuant to Government Code Section 17561 THE STULL ACT			(19) Program Number 00260		260
			(20) Date Filed ___/___/___		
			(21) LRS Input ___/___/___		
(01) Claimant Identification Number: S37135			Reimbursement Claim Data		
L A B E L H E R E	(02) Claimant Name: Oceanside Unified School District		(22) SA-1(03)(a)		507
	County: San Diego		(23) SA-1(03)(b)		-
	PO Box: 0		(24) SA-1(04)(A)(1)(a)(f)		\$ 117,596
	Address: 2111 Mission Avenue		(25) SA-1(04)(A)(1)(b)(f)		\$ 117,596
	City: Oceanside Zip: 92054-2395		(26) SA-1(04)(A)(2)(a)(f)		\$ -
(03) Type of Claim		Estimated Claim	Reimbursement Claim	(27) SA-1(04)(A)(2)(b)(f)	\$ -
		(03) Estimated <input checked="" type="checkbox"/>	(09) Reimbursement <input checked="" type="checkbox"/>	(28) SA-1(04)(B)(1)(a)(f)	\$ -
		(04) Combined <input type="checkbox"/>	(10) Combined <input type="checkbox"/>	(29) SA-1(04)(B)(1)(b)(f)	\$ -
		(05) Amended <input type="checkbox"/>	(11) Amended <input type="checkbox"/>		
Fiscal Year of Cost		(06) 2005-06	(12) 2004-05	(30) SA-1(04)(B)(1)(c)(f)	\$ -
Total Claimed Amount		(07) \$ 50,000	(13) \$ 245,847		
Less: 10% Late Penalty, not to exceed \$1,000			(14)	(31) SA-1(04)(B)(1)(d)(f)	\$ -
Less: Estimate Payment Received			(15)	(32) SA-1(04)(B)(1)(e)(f)	\$ -
Net Claimed Amount			(16) \$ 245,847	(33) SA-1 (06)	4.53%
Due from State		(08) \$ 50,000	(17) \$ 245,847	(34)	
Due to State			(18)	(35)	
				(36)	
(37) CERTIFICATION OF CLAIM:					
<p>In accordance with the provisions of Government Code 17561, I certify that I am the officer authorized by the school district to file mandated costs claims with the State of California for this program, and certify under penalty of perjury that I have not violated any of the provisions of Government Code Sections 1090 to 1098, inclusive.</p> <p>I further certify that there was no application other than from the claimant, nor any grants or payments received, for reimbursement of costs claimed herein, and such costs are for a new program or increased level of services of an existing program. All offsetting savings and reimbursements set forth in the Parameters and Guidelines are identified, and all costs claims are supported by source documentation currently maintained by the claimant.</p> <p>The amounts for the Estimated Claim and/or the Reimbursement Claim are hereby claimed from the State for payment of estimated and/or actual costs set forth on the attached statements. I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.</p>					
Signature of Authorized Officer			Date		
			4/11/06		
Karen Huddleston, Controller					
Type or Print Name			Title		
(39) Name of Contact person for Claim			Telephone Number (951) 303-3034		
Sandra Reynolds			E-mail Address sandrareynolds_30@msn.com		

Program 260	MANDATED COSTS THE STULL ACT CLAIM SUMMARY	FORM SA-1
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(01) Claimant: Oceanside Unified School District	(02) Type of Claim Reimbursement <table border="1" style="display: inline-table; vertical-align: middle;"><tr><td style="text-align: center;">X</td></tr></table> Estimated <table border="1" style="display: inline-table; vertical-align: middle;"><tr><td style="width: 20px; height: 20px;"></td></tr></table>	X		Fiscal Year 2004-05
X				

(03) (a) Number of Certificated Instructional Employees (CIE's) evaluated per (04)(A)	507
(b) Number of CIE's and Non-Instructional Employees (NIE's) evaluated per (04)(B)	

Direct Costs **Object Accounts**

(04) Reimbursable Components	(a) Salaries Benefits	(b) Materials & Supplies	(c) Contracted Services	(d) Fixed Assets	(e) Travel & Training	(f) Total
------------------------------	-----------------------------	--------------------------------	-------------------------------	------------------------	-----------------------------	--------------

1. Evaluation/Assessment-Ed. Code 44662, subd. (b), as amended by Ch. 4/99; Reimbursement period begins fy 1997-98

1. Review employee's techniques and strategies	\$ 117,596	\$ -	\$ -	\$ -	\$ -	\$ 117,596
2. Evaluation of techniques and strategies	\$ 117,596	\$ -	\$ -	\$ -	\$ -	\$ 117,596

2. Evaluation/Assessment-Ed. Code 44662, subd. (b), as amended by Ch. 498/83; Reimbursement period begins 3/15/99

1. Review STAR results	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
2. Assessment per STAR	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

3. CIE's and NIE's

1. Evaluation/Assessment-Ed. Code 44664, subd. (b), as amended by Ch. 498/93; Reimbursement period begins fy 1997-98

1. Evaluating and assessing CIE per certain criteria	\$ -	-	-	-	-	\$ -
2. Writing evaluation	\$ -	-	-	-	-	\$ -
3. Transmitting evaluation	\$ -	-	-	-	-	\$ -
4. Attaching to personnel file	\$ -	-	-	-	-	\$ -
5. Discussing evaluation	\$ -	-	-	-	-	\$ -

(05) Total Direct Costs	\$ 235,193	-	-	-	-	\$ 235,193
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Indirect Costs

(06) Indirect Cost Rate	[From J-380 or J580]	4.53%
(07) Total Indirect Costs:	[Line (06) x [Line (05)(a)]]	\$ 10,654
(08) Total Direct and Indirect Costs	[Line (05)(f) + Line (07)]	\$ 245,847

Cost Reduction

(09) Less: Offsetting Savings, if applicable		
(10) Less: Other Reimbursements, if applicable		
(11) Total Claimed Amount:	[Line (08) - (Line (9) + Line (10))]	\$ 245,847

Program 260	MANDATED COSTS THE STULL ACT COMPONENT/ACTIVITY COST DETAIL	FORM SA-2
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01) Claimant: **Oceanside Unified School District** (02) Fiscal year costs were incurred: **2004-05**

03) Reimbursable Component: Check only one box per form to identify the cost being claimed.

CIE Review employee's techniques and strategies
 Evaluation to include assessment of techniques and strategies
 Review STAR results
 Assessment based on STAR results

CIE & NIE Evaluating and assessing CIE according to certain criteria
 Reducing evaluation to writing
 Transmitting evaluation to CIE
 Attaching response to personnel file
 Discussing evaluation with CIE

04) Description of Expense	Object Accounts						
(a) Employee Names, Job Classifications, Functions Performed, and Description of Expenses	(b) Hourly Rate or Unit Cost	(c) Hours Worked or Quantity	(d) Salaries and Benefits	(e) Materials and Supplies	(f) Fixed Assets	(g) Contracted Services	(h) Travel and Training
Review employee's techniques and strategies							
Less Johnson Principal	\$ 64.90	62.13	\$ 4,032.24				
Job Rowe Principal	\$ 64.90	56.67	\$ 3,677.88				
Trrian Kolb Principal	\$ 67.11	53.43	\$ 3,585.69				
Theri Sanders Principal	\$ 64.90	28.88	\$ 1,874.31				
Th. Shreves Assistant Principal	\$ 58.86	57.17	\$ 3,365.03				
Tan Darts Principal	\$ 71.71	88.20	\$ 6,324.82				
Tuane Coleman Principal	\$ 67.11	72.75	\$ 4,882.25				
Tward Bessant Principal	\$ 64.90	22.67	\$ 1,471.28				
Tward Bessant Assistant Principal	\$ 61.93	55.71	\$ 3,450.12				
Taye Wilson Principal	\$ 64.90	83.42	\$ 5,413.96				
Trank Balanon Assistant Principal	\$ 58.86	55.42	\$ 3,262.02				
Trank Gomez Principal	\$ 64.90	24.66	\$ 1,600.43				
Tarry Shoenton Assistant Principal	\$ 61.93	53.27	\$ 3,299.01				
Teanne Iman Principal	\$ 64.90	109.08	\$ 7,079.29				
Tohn Schmit Assistant Principal	\$ 58.86	54.00	\$ 3,178.44				
Tudy Reimer Principal	\$ 64.90	46.75	\$ 3,034.08				
Tasia Obrzut Coordinator	\$ 61.93	152.63	\$ 9,452.38				
Tois Grazioli Principal	\$ 64.90	83.42	\$ 5,413.96				
Tuis Ibarra Principal	\$ 64.90	39.00	\$ 2,531.10				
Tlargaret Veoma Principal	\$ 64.90	44.28	\$ 2,873.77				
Tlartha Munden Principal	\$ 67.11	61.07	\$ 4,098.41				
Tlaulette Thomps Principal	\$ 64.90	74.25	\$ 4,818.83				
Tleg Cowman Principal	\$ 71.71	28.07	\$ 2,012.90				
Tlyllis Morgan Principal	\$ 64.90	50.29	\$ 3,263.82				
Tmandel Gibson Principal	\$ 64.90	69.13	\$ 4,486.54				
Tmober Mueller Assistant Principal	\$ 61.93	120.87	\$ 7,485.48				
Tmober Nelson Assistant Principal	\$ 61.93	53.27	\$ 3,299.01				
Tmelly Morr Principal	\$ 64.90	72.42	\$ 4,700.06				
Tmodd Mcateer Principal	\$ 64.90	55.92	\$ 3,629.21				
			\$ -				
			\$ -				
			\$ -				
			\$ -				
15) Total (x) Subtotal Page: 1 of 1			\$ 117,596.31	\$ -	\$ -	\$ -	\$ -

Program 260	MANDATED COSTS THE STULL ACT COMPONENT/ACTIVITY COST DETAIL	FORM SA-2
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01) Claimant: **Oceanside Unified School District** (02) Fiscal year costs were incurred: **2004-05**

03) Reimbursable Component: Check only one box per form to identify the cost being claimed.

<input type="checkbox"/> CIE	<input type="checkbox"/> Review employee's techniques and strategies	<input checked="" type="checkbox"/> X	<input type="checkbox"/> Evaluation to include assessment of techniques and strategies
	<input type="checkbox"/> Review STAR results		<input type="checkbox"/> Assessment based on STAR results
<input type="checkbox"/> CIE & NIE	<input type="checkbox"/> Evaluating and assessing CIE according to certain criteria	<input type="checkbox"/>	<input type="checkbox"/> Reducing evaluation to writing
	<input type="checkbox"/> Attaching response to personnel file	<input type="checkbox"/>	<input type="checkbox"/> Discussing evaluation with CIE
		<input type="checkbox"/>	<input type="checkbox"/> Transmitting evaluation to CIE

04) Description of Expense **Object Accounts**

(a) Employee Names, Job Classifications, Functions Performed, and Description of Expenses	(b) Hourly Rate or Unit Cost	(c) Hours Worked or Quantity	(d) Salaries and Benefits	(e) Materials and Supplies	(f) Fixed Assets	(g) Contracted Services	(h) Travel and Training
valuation to include assessment of techniques and strategies							
ess Johnson Principal	\$ 64.90	62.13	\$ 4,032.24				
ob Rowe Principal	\$ 64.90	56.67	\$ 3,677.88				
rian Kolb Principal	\$ 67.11	53.43	\$ 3,585.69				
heri Sanders Principal	\$ 64.90	28.88	\$ 1,874.31				
. Shreves Assistant Principal	\$ 58.86	57.17	\$ 3,365.03				
an Darts Principal	\$ 71.71	88.20	\$ 6,324.82				
uane Coleman Principal	\$ 67.11	72.75	\$ 4,882.25				
dward Bessant Principal	\$ 64.90	22.67	\$ 1,471.28				
dward Bessant Assistant Principal	\$ 61.93	55.71	\$ 3,450.12				
aye Wilson Principal	\$ 64.90	83.42	\$ 5,413.96				
rank Balanon Assistant Principal	\$ 58.86	55.42	\$ 3,262.02				
rank Gomez Principal	\$ 64.90	24.66	\$ 1,600.43				
arry Shoenton Assistant Principal	\$ 61.93	53.27	\$ 3,299.01				
anne Iman Principal	\$ 64.90	109.08	\$ 7,079.29				
ohn Schmit Assistant Principal	\$ 58.86	54.00	\$ 3,178.44				
dy Reimer Principal	\$ 64.90	46.75	\$ 3,034.08				
asia Obrzut Coordinator	\$ 61.93	152.63	\$ 9,452.38				
is Grazioli Principal	\$ 64.90	83.42	\$ 5,413.96				
is Ibarra Principal	\$ 64.90	39.00	\$ 2,531.10				
argaret Veoma Principal	\$ 64.90	44.28	\$ 2,873.77				
artha Munden Principal	\$ 67.11	61.07	\$ 4,098.41				
aulette Thomps Principal	\$ 64.90	74.25	\$ 4,818.83				
eg Cowman Principal	\$ 71.71	28.07	\$ 2,012.90				
yllis Morgan Principal	\$ 64.90	50.29	\$ 3,263.82				
andel Gibson Principal	\$ 64.90	69.13	\$ 4,486.54				
obert Mueller Assistant Principal	\$ 61.93	120.87	\$ 7,485.48				
obert Nelson Assistant Principal	\$ 61.93	53.27	\$ 3,299.01				
nelly Morr Principal	\$ 64.90	72.42	\$ 4,700.06				
odd Mcateer Principal	\$ 64.90	55.92	\$ 3,629.21				
			\$ -				
			\$ -				
			\$ -				
			\$ -				
5) Total (x) Subtotal			\$ 117,596.31	\$ -	\$ -	\$ -	\$ -

Exhibit M

Employee AVERAGE Time Record for Mandated Costs

498/83 The Stull Act (K-12)

Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

OCEANSIDE UNIFIED
District/COE

STUART MESA
Department/Location

TODD MCATEER
Employee Name

ELEMENTARY PRINCIPAL
Exact Position Title

760-757-2560
Telephone #

12mo/11mo/10mo/hrly
Work year length(circle)

Fiscal Year: 97-98 98-99 99-00 00-01
01-02 02-03 03-04 04-05 05-06
Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11 Preparing for the evaluation
- Code 12 Goals and objectives conference with instructor
- Code 13 Pre-observation conference with instructor
- Code 14 Classroom observation of instructor
- Code 15 Post-observation conference with instructor
- Code 16 Final conference with instructor
- Code 17 District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:		Average Time in Minutes			
		A	B	C	D
Code 11	Preparing for the evaluation	20	10	10	10
Code 12	Goals and objectives conference with instructor	15	10	10	10
Code 13	Pre-observation conference with instructor	5	5	5	5
Code 14	Classroom observation of instructor	10	10	10	10
Code 15	Post-observation conference with instructor	5	10	10	5
Code 16	Final conference with instructor	10	10	10	10
Code 17	District Reporting	20	20	20	20

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. PLEASE USE BLUE INK

Employee Signature Todd Mcateer Date 2/21/06

If you have any questions, please contact _____, at _____

PLEASE SUBMIT THIS INFORMATION BY _____ ; TO _____

Employee AVERAGE Time Record for Mandated Costs

498/83 The Stull Act (K-12)

Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

Oceanside
 District/COE
Brian Kolb
 Employee Name

Stuart Mesa
 Department/Location
Principal
 Exact Position Title

Telephone # _____
 Work year length(circle) 12mo/11mo/10mo/hrly

Fiscal Year: 97-98 98-99 99-00 00-01
 01-02 02-03 03-04 04-05 05-06
 Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11 Preparing for the evaluation
- Code 12 Goals and objectives conference with instructor
- Code 13 Pre-observation conference with instructor
- Code 14 Classroom observation of instructor
- Code 15 Post-observation conference with instructor
- Code 16 Final conference with instructor
- Code 17 District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:		Average Time in Minutes			
		A	B	C	D
Code 11	Preparing for the evaluation	20	10	10	10
Code 12	Goals and objectives conference with instructor	15	10	10	10
Code 13	Pre-observation conference with instructor	5	5	5	5
Code 14	Classroom observation of instructor	10	10	10	10
Code 15	Post-observation conference with instructor	5	10	10	5
Code 16	Final conference with instructor	10	10	10	10
Code 17	District Reporting	20	20	20	20

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. PLEASE USE BLUE INK

Employee Signature Brian Kolb, Ph.D. Date 3-1-06

If you have any questions, please contact _____, at _____

PLEASE SUBMIT THIS INFORMATION BY _____; TO _____

Employee AVERAGE Time Record for Mandated Costs
498/83 The Stull Act (K-12)
Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

Oceanside Unified
 District/COE
Jeanne Iman
 Employee Name

Nichols Elementary
 Department/Location
Principal
 Exact Position Title

Telephone # _____
 Work year length(circle) 12mo/11mo/10mo/hrly

Fiscal Year: 97-98 98-99 99-00 00-01
 01-02 02-03 03-04 04-05 05-06
 Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11 Preparing for the evaluation
- Code 12 Goals and objectives conference with instructor
- Code 13 Pre-observation conference with instructor
- Code 14 Classroom observation of instructor
- Code 15 Post-observation conference with instructor
- Code 16 Final conference with instructor
- Code 17 District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:	Average Time In Minutes			
	A	B	C	D
Code 11 Preparing for the evaluation	20	15	15	15
Code 12 Goals and objectives conference with instructor	15	10	10	10
Code 13 Pre-observation conference with instructor	5	10	10	10
Code 14 Classroom observation of instructor	40	40	20	25
Code 15 Post-observation conference with instructor	20	30	20	20
Code 16 Final conference with instructor	25	20	20	20
Code 17 District Reporting	40	40	30	40

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. PLEASE USE BLUE INK

Employee Signature Jeanne A. Iman Date 2-21-06

If you have any questions, please contact _____, at _____

PLEASE SUBMIT THIS INFORMATION BY _____ ; TO _____

Employee AVERAGE Time Record for Mandated Costs

498/83 The Stull Act (K-12)

Routine Evaluations of Instructors

Please report below the *average* amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

OUSD
 District/COE

DVANE COLEMAN
 Employee Name

JEFFERSON MIDDLE SCHOOL
 Department/Location

PRINCIPAL
 Exact Position Title

760-257-6060 12mo/11mo/10mo/hrly
 Telephone # Work year length(circle)

Fiscal Year: 97-98 98-99 99-00 00-01
 01-02 02-03 03-04 04-05 05-06
 Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11 Preparing for the evaluation
- Code 12 Goals and objectives conference with instructor
- Code 13 Pre-observation conference with instructor
- Code 14 Classroom observation of instructor
- Code 15 Post-observation conference with instructor
- Code 16 Final conference with instructor
- Code 17 District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:		Average Time in Minutes			
		A	B	C	D
Code 11	Preparing for the evaluation	30	30	30	20
Code 12	Goals and objectives conference with instructor	20	20	20	20
Code 13	Pre-observation conference with instructor	20	20	20	20
Code 14	Classroom observation of instructor	30	20	30	20
Code 15	Post-observation conference with instructor	25	25	25	25
Code 16	Final conference with instructor	20	20	20	20
Code 17	District Reporting	10	10	10	10

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. PLEASE USE BLUE INK

Employee Signature  Date 2/27/04

If you have any questions, please contact DVANE COLEMAN, at 760-257-6060

PLEASE SUBMIT THIS INFORMATION BY _____; TO _____

Employee AVERAGE Time Record for Mandated Costs 498/83 The Stull Act (K-12) Routine Evaluations of Instructors

Please report below the *average* amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

JMS

District/COE _____

Department/Location _____

DAN DARTS

Principal

Employee Name _____

Exact Position Title _____

757-6060

Telephone # _____

Fiscal Year: 97-98 98-99 99-00 00-01

Work year length(circle) 12mo/11mo/10mo/hrly

01-02 02-03 03-04 04-05 05-06

Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11** Preparing for the evaluation
- Code 12** Goals and objectives conference with instructor
- Code 13** Pre-observation conference with instructor
- Code 14** Classroom observation of instructor
- Code 15** Post-observation conference with instructor
- Code 16** Final conference with instructor
- Code 17** District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:		Average Time In Minutes			
		A	B	C	D
Code 11	Preparing for the evaluation	37	37	37	37
Code 12	Goals and objectives conference with instructor	21	21	21	21
Code 13	Pre-observation conference with instructor	6	6	6	6
Code 14	Classroom observation of instructor	8	9	11	11
Code 15	Post-observation conference with instructor	12	12	12	12
Code 16	Final conference with instructor	7	7	7	7
Code 17	District Reporting	24	24	24	24

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. PLEASE USE BLUE INK

Employee Signature _____ Date 2/20/06

If you have any questions, please contact _____ at _____

PLEASE SUBMIT THIS INFORMATION BY _____ ; TO _____

Employee AVERAGE Time Record for Mandated Costs

498/83 The Stull Act (K-12)

Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

O.H.S.D.
District/COE

Jefferson Middle School
Department/Location

Phyllis T. Morgan
Employee Name

Assistant Principal
Exact Position Title

760-433-3221 12mo/11mo/10mo/hrly
Telephone # Work year length(circle)

Fiscal Year: 97-98 98-99 99-00 00-01
 01-02 02-03 03-04 04-05 05-06
 Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11** Preparing for the evaluation
- Code 12** Goals and objectives conference with instructor
- Code 13** Pre-observation conference with instructor
- Code 14** Classroom observation of instructor
- Code 15** Post-observation conference with instructor
- Code 16** Final conference with instructor
- Code 17** District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:		Average Time in Minutes			
		A	B	C	D
Code 11	Preparing for the evaluation	10	10	10	10
Code 12	Goals and objectives conference with instructor	10	10	10	10
Code 13	Pre-observation conference with instructor	20	20	20	20
Code 14	Classroom observation of instructor	15	30	15	30
Code 15	Post-observation conference with instructor	20	20	20	20
Code 16	Final conference with instructor	10	10	10	10
Code 17	District Reporting	12	12	12	12

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. **PLEASE USE BLUE INK**

Employee Signature Phyllis T. Morgan Date 2/21/06

If you have any questions, please contact _____, at _____

PLEASE SUBMIT THIS INFORMATION BY _____; TO _____

Employee AVERAGE Time Record for Mandated Costs 498/83 The Stull Act (K-12) Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

Oceanside
District/COE

Brian Kolb
Employee Name

Lincoln Middle School
Department/Location

Principal
Exact Position Title

Telephone # _____

12mo/11mo/10mo/hrly
Work year length(circle)

Fiscal Year: 97-98 98-99 99-00 00-01
01-02 02-03 03-04 04-05 05-06
Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11 Preparing for the evaluation
- Code 12 Goals and objectives conference with instructor
- Code 13 Pre-observation conference with instructor
- Code 14 Classroom observation of instructor
- Code 15 Post-observation conference with instructor
- Code 16 Final conference with instructor
- Code 17 District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:		Average Time in Minutes			
		A	B	C	D
Code 11	Preparing for the evaluation	10	10	10	10
Code 12	Goals and objectives conference with instructor	10	10	10	10
Code 13	Pre-observation conference with instructor	20	20	20	20
Code 14	Classroom observation of instructor	15	30	15	30
Code 15	Post-observation conference with instructor	20	20	20	20
Code 16	Final conference with instructor	10	10	10	10
Code 17	District Reporting	22	22	22	22

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. PLEASE USE BLUE INK

Employee Signature Brian Kolb, P. D. Date 3-1-06

If you have any questions, please contact _____, at _____

PLEASE SUBMIT THIS INFORMATION BY _____; TO _____

Employee AVERAGE Time Record for Mandated Costs

498/83 The Stull Act (K-12)

Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

OUSD
 District/COE
Pat Barnes
 Employee Name

Lincoln Middle Sch.
 Department/Location
Principal
 Exact Position/Title

Telephone # _____
 Work year length(circle) 12mo/11mo/10mo/hrly

Fiscal Year: 97-98 98-99 99-00 00-01
 01-02 02-03 03-04 04-05 05-06
 Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11** Preparing for the evaluation
- Code 12** Goals and objectives conference with instructor
- Code 13** Pre-observation conference with instructor
- Code 14** Classroom observation of instructor
- Code 15** Post-observation conference with instructor
- Code 16** Final conference with instructor
- Code 17** District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:		Average Time In Minutes			
		A	B	C	D
Code 11	Preparing for the evaluation	10	10	10	10
Code 12	Goals and objectives conference with instructor	10	10	10	10
Code 13	Pre-observation conference with instructor	20	20	20	20
Code 14	Classroom observation of instructor	15	30	15	30
Code 15	Post-observation conference with instructor	20	20	20	20
Code 16	Final conference with instructor	10	10	10	10
Code 17	District Reporting	22	22	22	22

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. PLEASE USE BLUE INK

Employee Signature Pat Barnes Date 2/27/06

If you have any questions, please contact _____, at _____

PLEASE SUBMIT THIS INFORMATION BY _____; TO _____

Employee AVERAGE Time Record for Mandated Costs 498/83 The Stull Act (K-12) Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program. 8/02 - 8/03

Oceanside USD
District/COE

Jefferson Middle School
Department/Location

Edward S. Bessant
Employee Name

Assistant Principal
Exact Position Title

757 6060 Telephone # 12mo/11mo/10mo/hrly Work year length(circle)

Fiscal Year: 97-98 98-99 99-00 00-01
01-02 02-03 03-04 04-05 05-06
Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11 Preparing for the evaluation
- Code 12 Goals and objectives conference with instructor
- Code 13 Pre-observation conference with instructor
- Code 14 Classroom observation of instructor
- Code 15 Post-observation conference with instructor
- Code 16 Final conference with instructor
- Code 17 District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:	Average Time In Minutes			
	A	B	C	D
Code 11 Preparing for the evaluation	30	30	30	30
Code 12 Goals and objectives conference with instructor	30	30	10	10
Code 13 Pre-observation conference with instructor	3	3	3	3
Code 14 Classroom observation of instructor	6	15	15	15
Code 15 Post-observation conference with instructor	12	18	18	18
Code 16 Final conference with instructor	10	10	10	10
Code 17 District Reporting	35	15	15	15

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. PLEASE USE BLUE INK

Employee Signature Edward S. Bessant Date 2.21.06
If you have any questions, please contact Steve Bunt at (760) 757 0581

PLEASE SUBMIT THIS INFORMATION BY _____ ; TO _____

Employee AVERAGE Time Record for Mandated Costs

498/83 The Stull Act (K-12)

Routine Evaluations of Instructors

Please report below the average amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

Oceanside Unified
 District/COE
JOHN E. SCHMITT
 Employee Name

Lincoln Middle
 Department/Location
Assist Principal
 Exact Position Title

(66) 757-0153
 Telephone # 12mo/11mo/10mo/hrlly
 Work year length(circle)

Fiscal Year: 97-98 98-99 99-00 00-01
 01-02 02-03 03-04 04-05 05-06
 Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11 Preparing for the evaluation
- Code 12 Goals and objectives conference with instructor
- Code 13 Pre-observation conference with instructor
- Code 14 Classroom observation of instructor
- Code 15 Post-observation conference with instructor
- Code 16 Final conference with instructor
- Code 17 District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:		Average Time In Minutes			
		A	B	C	D
Code 11	Preparing for the evaluation	5	5	5	5
Code 12	Goals and objectives conference with instructor	10	10	10	10
Code 13	Pre-observation conference with instructor	10	10	10	10
Code 14	Classroom observation of instructor	25	25	25	25
Code 15	Post-observation conference with instructor	15	15	15	15
Code 16	Final conference with instructor	10	10	10	10
Code 17	District Reporting	15	15	15	15

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. PLEASE USE BLUE INK

Employee Signature [Signature] Date 2/23/06

If you have any questions, please contact _____, at _____

PLEASE SUBMIT THIS INFORMATION BY _____; TO _____

Employee AVERAGE Time Record for Mandated Costs 498/83 The Stull Act (K-12) Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

Oceanside Unified
District/COE
Robert P. Miller, Jr.
Employee Name

Lincoln Middle
Department/Location
Asst. Principal
Exact Position Title

760 726-5644
Telephone #
12mo/11mo/10mo/hrly
Work year length(circle)

Fiscal Year: 97-98 98-99 99-00 00-01
01-02 02-03 03-04 04-05 05-06
Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11 Preparing for the evaluation
- Code 12 Goals and objectives conference with instructor
- Code 13 Pre-observation conference with instructor
- Code 14 Classroom observation of instructor
- Code 15 Post-observation conference with instructor
- Code 16 Final conference with instructor
- Code 17 District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:	Average Time In Minutes			
	A	B	C	D
Code 11 Preparing for the evaluation	5	5	5	5
Code 12 Goals and objectives conference with instructor	10	10	10	10
Code 13 Pre-observation conference with instructor	15	15	15	15
Code 14 Classroom observation of instructor	25	25	20	30
Code 15 Post-observation conference with instructor	20	20	20	20
Code 16 Final conference with instructor	8	8	8	8
Code 17 District Reporting	20	20	20	20

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. PLEASE USE BLUE INK

Employee Signature [Signature] Date 2/21/06

If you have any questions, please contact _____, at _____

PLEASE SUBMIT THIS INFORMATION BY _____ ; TO _____

Employee AVERAGE Time Record for Mandated Costs

498/83 The Stull Act (K-12)

Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

0USD
District/COE

King Middle School
Department/Location

Raye Clendening
Employee Name

Principal
Exact Position Title

757-2560x576 Telephone # 12mo/11mo/10mo/hrly Work year length(circle)

Fiscal Year: 97-98 98-99 99-00 00-01
01-02 02-03 03-04 04-05 05-06
Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11 Preparing for the evaluation
- Code 12 Goals and objectives conference with instructor
- Code 13 Pre-observation conference with instructor
- Code 14 Classroom observation of instructor
- Code 15 Post-observation conference with instructor
- Code 16 Final conference with instructor
- Code 17 District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:		Average Time In Minutes			
		A	B	C	D
Code 11	Preparing for the evaluation	25	10	20	20
Code 12	Goals and objectives conference with instructor	5	15	15	10
Code 13	Pre-observation conference with instructor	5	10	5	5
Code 14	Classroom observation of instructor	5	25	25	10
Code 15	Post-observation conference with instructor	5	30	5	10
Code 16	Final conference with instructor	10	10	20	10
Code 17	District Reporting		20	20	10

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. **PLEASE USE BLUE INK**

Employee Signature Raye Clendening Date _____

If you have any questions, please contact _____, at _____

PLEASE SUBMIT THIS INFORMATION BY R. Clendening; TO _____

Employee AVERAGE Time Record for Mandated Costs

498/83 The Stull Act (K-12)

Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

OUSD
San Diego County Office of Ed.
Martin Luther King

District/COE: Martha Munden Department/Location: Principal
 Employee Name: _____ Exact Position Title: _____
 Telephone #: 760-967-1122 Work year length(circle): 2mo/11mo/10mo/hry Fiscal Year: 97-98 98-99 99-00 00-01
 01-02 02-03 03-04 04-05 05-06
 Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11** Preparing for the evaluation
- Code 12** Goals and objectives conference with instructor
- Code 13** Pre-observation conference with instructor
- Code 14** Classroom observation of instructor
- Code 15** Post-observation conference with instructor
- Code 16** Final conference with instructor
- Code 17** District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:	Average Time In Minutes			
	A	B	C	D
Code 11 <u>10</u> Preparing for the evaluation	10	10	10	10
Code 12 <u>10</u> Goals and objectives conference with instructor	10	10	10	10
Code 13 <u>20</u> Pre-observation conference with instructor	20	20	20	20
Code 14 <u>15</u> Classroom observation of instructor	15	30	15	30
Code 15 <u>20</u> Post-observation conference with instructor	20	20	20	20
Code 16 <u>10</u> Final conference with instructor	10	10	10	10
Code 17 <u>22</u> District Reporting	22	22	22	22

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. PLEASE USE BLUE INK

Employee Signature: Martha Munden Date: 2/21/06

If you have any questions, please contact _____, at _____

PLEASE SUBMIT THIS INFORMATION BY _____ ; TO _____

Employee AVERAGE Time Record for Mandated Costs

498/83 The Stull Act (K-12)

Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

District/COE	King
Employee Name	Department/Location
Cheri Sanders	Asst. Principal
Telephone #	Exact Position Title

12mo/11mo/10mo/hrly	Fiscal Year: 97-98 98-99 99-00 <u>00-01</u>
Work year length(circle)	01-02 02-03 03-04 04-05 05-06
	Circle the years for which you are responding.

- | | |
|--|--|
| <p>Reimbursable Activities Codes:</p> <ul style="list-style-type: none"> Code 11 Preparing for the evaluation Code 12 Goals and objectives conference with instructor Code 13 Pre-observation conference with instructor Code 14 Classroom observation of instructor Code 15 Post-observation conference with instructor Code 16 Final conference with instructor Code 17 District reporting | <p>Evaluation Criteria:</p> <ul style="list-style-type: none"> (A) district standards and test results (B) instructional techniques/strategies (C) adherence to curricular objectives (D) suitable learning environment |
|--|--|

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:	Average Time In Minutes			
	A	B	C	D
Code 11 Preparing for the evaluation	20	20	20	20
Code 12 Goals and objectives conference with instructor	15	15	15	10
Code 13 Pre-observation conference with instructor	20	20	20	20
Code 14 Classroom observation of instructor	20	20	20	5
Code 15 Post-observation conference with instructor	20	20	20	20
Code 16 Final conference with instructor	15	15	15	15
Code 17 District Reporting	15	15	15	15

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. **PLEASE USE BLUE INK**

Employee Signature [Signature] Date 2.21.08

If you have any questions, please contact _____, at _____
 PLEASE SUBMIT THIS INFORMATION BY _____; TO _____

Employee AVERAGE Time Record for Mandated Costs
498/83 The Stull Act (K-12)
Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

0 USD
 District/COE

King M.S.
 Department/Location

Frank Balanon
 Employee Name

Assistant Principal
 Exact Position Title

Telephone # _____
 Work year length(circle) 12mo/11mo/10mo/hrly

Fiscal Year: 97-98 98-99 99-00 00-01
01-02 02-03 03-04 04-05 05-06
 Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11 Preparing for the evaluation
- Code 12 Goals and objectives conference with instructor
- Code 13 Pre-observation conference with instructor
- Code 14 Classroom observation of instructor
- Code 15 Post-observation conference with instructor
- Code 16 Final conference with instructor
- Code 17 District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:	Average Time In Minutes			
	A	B	C	D
Code 11 Preparing for the evaluation	20	20	20	20
Code 12 Goals and objectives conference with instructor	10	15	10	10
Code 13 Pre-observation conference with instructor	15	25	20	20
Code 14 Classroom observation of instructor	15	25	25	25
Code 15 Post-observation conference with instructor	15	25	20	20
Code 16 Final conference with instructor	10	10	10	10
Code 17 District Reporting	15	15	15	15

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. **PLEASE USE BLUE INK**

Employee Signature Frank Balanon Date 2/21/06

If you have any questions, please contact _____, at _____

PLEASE SUBMIT THIS INFORMATION BY _____; TO _____

Employee AVERAGE Time Record for Mandated Costs

498/83 The Stull Act (K-12)

Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

 OUSD
District/COE

 Shrewes
Department/Location

 King
Exact Position Title

 AP
Exact Position Title

 760 907-1067 Telephone # 12mo/11mo/10mo/hrly Work year length(circle)

Fiscal Year: ~~97-98~~ ~~98-99~~ ~~99-00~~ ~~00-01~~
 01-02 02-03 03-04 04-05 05-06
Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11 Preparing for the evaluation
- Code 12 Goals and objectives conference with instructor
- Code 13 Pre-observation conference with instructor
- Code 14 Classroom observation of instructor
- Code 15 Post-observation conference with instructor
- Code 16 Final conference with instructor
- Code 17 District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:	Average Time in Minutes			
	A	B	C	D
Code 11 Preparing for the evaluation	20	20	20	20
Code 12 Goals and objectives conference with instructor	10	10	10	10
Code 13 Pre-observation conference with instructor <i>10 x 2 for 2 observations</i>	20	20	20	20
Code 14 Classroom observation of instructor <i>min x 2 observations</i>	15	30	15	30
Code 15 Post-observation conference with instructor <i>10 x 2 observations</i>	20	20	20	20
Code 16 Final conference with instructor	10	10	10	10
Code 17 District Reporting	20	20	20	20

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. PLEASE USE BLUE INK

Employee Signature Shrewes Date 2-21-06

If you have any questions, please contact _____, at _____

PLEASE SUBMIT THIS INFORMATION BY _____; TO _____

Employee AVERAGE Time Record for Mandated Costs

498/83 The Stull Act (K-12)

Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

OUSD
 District/COE
DAN DAVIS
 Employee Name
757-8550
 Telephone #

EC HS
 Department/Location
Principal
 Exact Position Title
 Fiscal Year: 97-98 98-99 99-00 00-01
 01-02 02-03 03-04 04-05 05-06
 Circle the years for which you are responding.

12mo/11mo/10mo/hrly
 Work year length(circle)

Reimbursable Activities Codes:

- Code 11 Preparing for the evaluation
- Code 12 Goals and objectives conference with instructor
- Code 13 Pre-observation conference with instructor
- Code 14 Classroom observation of instructor
- Code 15 Post-observation conference with instructor
- Code 16 Final conference with instructor
- Code 17 District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:	Average Time In Minutes			
	A	B	C	D
Code 11 Preparing for the evaluation	38	38	38	38
Code 12 Goals and objectives conference with instructor	20	20	20	20
Code 13 Pre-observation conference with instructor	8	3	3	3
Code 14 Classroom observation of instructor	8	11	11	11
Code 15 Post-observation conference with instructor	14	14	14	14
Code 16 Final conference with instructor	7	7	7	7
Code 17 District Reporting	24	24	24	24

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. **PLEASE USE BLUE INK**

Employee Signature [Signature] Date 2/20/04

If you have any questions, please contact _____, at _____

PLEASE SUBMIT THIS INFORMATION BY _____ ; TO _____

Employee AVERAGE Time Record for Mandated Costs

498/83 The Stull Act (K-12)

Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

OUSD
District/COE

Ron Briggs
Employee Name

El Camino High
Department/Location

Principal
Exact Position Title

Telephone # _____

12mo/11mo/10mo/hrly
Work year length(circle)

Fiscal Year: 97-98 98-99 99-00 00-01
01-02 02-03 03-04 04-05 05-06

Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11 Preparing for the evaluation
- Code 12 Goals and objectives conference with instructor
- Code 13 Pre-observation conference with instructor
- Code 14 Classroom observation of instructor
- Code 15 Post-observation conference with instructor
- Code 16 Final conference with instructor
- Code 17 District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:		Average Time In Minutes			
		A	B	C	D
Code 11	Preparing for the evaluation	38	38	38	38
Code 12	Goals and objectives conference with instructor	20	20	20	20
Code 13	Pre-observation conference with instructor	8	3	3	3
Code 14	Classroom observation of instructor	8	11	11	11
Code 15	Post-observation conference with instructor	14	14	14	14
Code 16	Final conference with instructor	7	7	7	7
Code 17	District Reporting	24	24	24	24

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. PLEASE USE BLUE INK

Employee Signature Ron Briggs Date 3/6/06

If you have any questions, please contact _____, at _____

PLEASE SUBMIT THIS INFORMATION BY _____; TO _____

Employee AVERAGE Time Record for Mandated Costs 498/83 The Stull Act (K-12) Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

Oceanside
District/COE
Robert Nelson
Employee Name

El Camino
Department/Location
Asst. Principal
Exact Position Title

Telephone # _____
12mo/11mo/10mo/hrly
Work year length(circle)

Fiscal Year: 97-98 98-99 99-00/00-01
01-02 02-03 03-04 04-05 05-06
Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11 Preparing for the evaluation
- Code 12 Goals and objectives conference with instructor
- Code 13 Pre-observation conference with instructor
- Code 14 Classroom observation of instructor
- Code 15 Post-observation conference with instructor
- Code 16 Final conference with instructor
- Code 17 District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:		Average Time In Minutes			
		A	B	C	D
Code 11	Preparing for the evaluation	30	30	30	30
Code 12	Goals and objectives conference with instructor	20	20	20	20
Code 13	Pre-observation conference with instructor	3	3	3	3
Code 14	Classroom observation of instructor	8	11	11	11
Code 15	Post-observation conference with instructor	15	15	15	15
Code 16	Final conference with instructor	6	6	6	6
Code 17	District Reporting	20	20	20	20

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. PLEASE USE BLUE INK

Employee Signature Robert Nelson Date 2/21/06

If you have any questions, please contact Robert Nelson, at 760 757 8330

PLEASE SUBMIT THIS INFORMATION BY _____ ; TO _____.

Employee AVERAGE Time Record for Mandated Costs

498/83 The Stull Act (K-12)

Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

Oceanside USD
District/COE

ECIS 8/03 - 5/05
Department/Location

Edward S. Bessant
Employee Name

Assistant Principal
Exact Position Title

7520531 Telephone #
12mo Work year length(circle)

Fiscal Year: 97-98 98-99 99-00 00-01
01-02 02-03 03-04 04-05 05-06
Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11 Preparing for the evaluation
- Code 12 Goals and objectives conference with instructor
- Code 13 Pre-observation conference with instructor
- Code 14 Classroom observation of instructor
- Code 15 Post-observation conference with instructor
- Code 16 Final conference with instructor
- Code 17 District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:		Average Time In Minutes			
		A	B	C	D
Code 11	Preparing for the evaluation	30	30	30	30
Code 12	Goals and objectives conference with instructor	20	20	20	20
Code 13	Pre-observation conference with instructor	24	24	24	24
Code 14	Classroom observation of instructor	8	11	11	11
Code 15	Post-observation conference with instructor	10	18	18	18
Code 16	Final conference with instructor	5	10	10	10
Code 17	District Reporting	35	15	15	15

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. PLEASE USE BLUE INK

Employee Signature Steve Bessant Date 2.28.04

If you have any questions, please contact Steve Bessant at (760) 7570531

PLEASE SUBMIT THIS INFORMATION BY _____ ; TO _____

Employee AVERAGE Time Record for Mandated Costs

498/83 The Stull Act (K-12)

Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

Oceanside Unified District/COE OTHS Department/Location
Mary Gleisberg Employee Name Principal Exact Position Title
722-8201 Telephone # 12mo/11mo/10mo/hrly Work year length(circle)
 Fiscal Year: 97-98 ~~98-99~~ ~~99-00~~ ~~00-01~~
 01-02 02-03 03-04 04-05 05-06
 Circle the years for which you are responding.

- | | |
|--|--|
| <p>Reimbursable Activities Codes:</p> <ul style="list-style-type: none"> Code 11 Preparing for the evaluation Code 12 Goals and objectives conference with instructor Code 13 Pre-observation conference with instructor Code 14 Classroom observation of instructor Code 15 Post-observation conference with instructor Code 16 Final conference with instructor Code 17 District reporting | <p>Evaluation Criteria:</p> <ul style="list-style-type: none"> (A) district standards and test results (B) instructional techniques/strategies (C) adherence to curricular objectives (D) suitable learning environment |
|--|--|
- CLASSROOM TEACHER TIME IS NOT REIMBURSED**

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:	Average Time In Minutes			
	A	B	C	D
Code 11 Preparing for the evaluation	20	20	30	30
Code 12 Goals and objectives conference with instructor	15	20	20	20
Code 13 Pre-observation conference with instructor	5	5	5	5
Code 14 Classroom observation of instructor	10	10	15	10
Code 15 Post-observation conference with instructor	10	10	15	10
Code 16 Final conference with instructor	5	5	10	5
Code 17 District Reporting	25	20	20	20

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. PLEASE USE BLUE INK

Employee Signature Mary Gleisberg Date 2/21/00
 If you have any questions, please contact _____, at _____
 PLEASE SUBMIT THIS INFORMATION BY _____; TO _____

Employee AVERAGE Time Record for Mandated Costs 498/83 The Stull Act (K-12) Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

District/COE <u>KIND</u> <u>Marywardt</u> Employee Name <u>722-8201</u> Telephone #	Department/Location <u>OTHS</u> <u>Principals</u> Exact Position Title Fiscal Year: 97-98 98-99 99-00 <u>00-01</u> <u>01-02</u> <u>02-03</u> <u>03-04</u> <u>04-05</u> <u>05-06</u>
12mo/11mo/10mo/hrly Work year length(circle)	Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11** Preparing for the evaluation
- Code 12** Goals and objectives conference with instructor
- Code 13** Pre-observation conference with instructor
- Code 14** Classroom observation of instructor
- Code 15** Post-observation conference with instructor
- Code 16** Final conference with instructor
- Code 17** District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:	Average Time In Minutes			
	A	B	C	D
Code 11 Preparing for the evaluation	30	30	30	30
Code 12 Goals and objectives conference with instructor	20	20	20	20
Code 13 Pre-observation conference with instructor	3	3	3	3
Code 14 Classroom observation of instructor	8	11	11	11
Code 15 Post-observation conference with instructor	12	12	12	12
Code 16 Final conference with instructor	5	5	5	5
Code 17 District Reporting	20	20	20	20

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. PLEASE USE BLUE INK

Employee Signature *S. J. Marywardt* Date 2-21-06

If you have any questions, please contact _____, at _____

PLEASE SUBMIT THIS INFORMATION BY _____; TO _____

Employee AVERAGE Time Record for Mandated Costs 498/83 The Stull Act (K-12) Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

Oceanside Unified
District/COE
Kasia Obrzut
Employee Name

Oceanside High School
Department/Location
Coordinator
Exact Position Title

Telephone # _____
12mo/11mo/10mo/hrly
Work year length(circle)

Fiscal Year: 97-98 98-99 99-00 00-01
01-02 02-03 03-04 04-05 05-06
Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11 Preparing for the evaluation
- Code 12 Goals and objectives conference with instructor
- Code 13 Pre-observation conference with instructor
- Code 14 Classroom observation of instructor
- Code 15 Post-observation conference with instructor
- Code 16 Final conference with instructor
- Code 17 District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:	Average Time In Minutes			
	A	B	C	D
Code 11 Preparing for the evaluation	30	30	30	30
Code 12 Goals and objectives conference with instructor	20	20	20	20
Code 13 Pre-observation conference with instructor	5	5	5	5
Code 14 Classroom observation of instructor	25	25	25	25
Code 15 Post-observation conference with instructor	15	15	15	15
Code 16 Final conference with instructor	5	10	10	10
Code 17 District Reporting	20	20	20	20

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. PLEASE USE BLUE INK

Employee Signature [Signature] Date 2-21-06

If you have any questions, please contact _____, at _____

PLEASE SUBMIT THIS INFORMATION BY _____; TO _____

Employee AVERAGE Time Record for Mandated Costs
498/83 The Stull Act (K-12)
Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

Oceanside Unified
 District/COE

OULS
 Department/Location

Robert P. Mueller Jr.
 Employee Name

Asst Principal
 Exact Position Title

760 757-2560 Telephone # 12mo/11mo/10mo/hrly Work year length(circle)

Fiscal Year: 97-98 98-99 99-00 00-01
 01-02 02-03 03-04 04-05 05-06
 Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11** Preparing for the evaluation
- Code 12** Goals and objectives conference with instructor
- Code 13** Pre-observation conference with instructor
- Code 14** Classroom observation of instructor
- Code 15** Post-observation conference with instructor
- Code 16** Final conference with instructor
- Code 17** District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:	Average Time In Minutes			
	A	B	C	D
Code 11 Preparing for the evaluation	5	5	5	5
Code 12 Goals and objectives conference with instructor	10	10	10	10
Code 13 Pre-observation conference with instructor	15	15	15	15
Code 14 Classroom observation of instructor	25	25	30	30
Code 15 Post-observation conference with instructor	20	20	20	20
Code 16 Final conference with instructor	8	8	8	8
Code 17 District Reporting	20	20	20	20

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. PLEASE USE BLUE INK

Employee Signature [Signature] Date 2/21/06

If you have any questions, please contact _____, at _____

PLEASE SUBMIT THIS INFORMATION BY _____; TO _____

Employee AVERAGE Time Record for Mandated Costs

498/83 The Stull Act (K-12)

Routine Evaluations of Instructors

Please report below the *average* amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

OHS

District/COE
DAN DAVIS
 Employee Name

Department/Location
Asst. Principal
 Exact Position Title

722-820
 Telephone #

12mo/11mo/10mo/hrly
 Work year length(circle)

Fiscal Year: 97-98 98-99 99-00 00-01
 01-02 02-03 03-04 04-05 05-06

Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11 Preparing for the evaluation
- Code 12 Goals and objectives conference with instructor
- Code 13 Pre-observation conference with instructor
- Code 14 Classroom observation of instructor
- Code 15 Post-observation conference with instructor
- Code 16 Final conference with instructor
- Code 17 District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:		Average Time in Minutes			
		A	B	C	D
Code 11	Preparing for the evaluation	36	36	36	36
Code 12	Goals and objectives conference with instructor	21	22	22	22
Code 13	Pre-observation conference with instructor	6	6	6	6
Code 14	Classroom observation of instructor	9	9	9	9
Code 15	Post-observation conference with instructor	12	12	12	12
Code 16	Final conference with instructor	7	7	7	7
Code 17	District Reporting	25	25	25	25

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only.

PLEASE USE BLUE INK

Employee Signature [Signature] Date 2/20/04

If you have any questions, please contact _____, at _____

PLEASE SUBMIT THIS INFORMATION BY _____; TO _____

Employee AVERAGE Time Record for Mandated Costs

498/83 The Stull Act (K-12)

Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

Oceanside Unified
 District/COE
Peg Cowman
 Employee Name

Ocean Shores High School
 Department/Location
Principal
 Exact Position Title

760-439-3142 12mo/11mo/10mo/hrly
 Telephone # Work year length(circle)

Fiscal Year: 97-98 98-99 99-00 00-01
01-02 02-03 03-04 04-05 05-06
 Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11 Preparing for the evaluation
- Code 12 Goals and objectives conference with instructor
- Code 13 Pre-observation conference with instructor
- Code 14 Classroom observation of instructor
- Code 15 Post-observation conference with instructor
- Code 16 Final conference with instructor
- Code 17 District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:		Average Time in Minutes			
		A	B	C	D
Code 11	Preparing for the evaluation	30	30	30	30
Code 12	Goals and objectives conference with instructor	25	28	28	25
Code 13	Pre-observation conference with instructor	3	3	8	3
Code 14	Classroom observation of instructor	8	14	15	14
Code 15	Post-observation conference with instructor	13	14	15	13
Code 16	Final conference with instructor	6	7	7	6
Code 17	District Reporting	23	24	24	21

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. PLEASE USE BLUE INK

Employee Signature Peg Cowman Date 2-21-06

If you have any questions, please contact Peg Cowman, at Ocean Shores

PLEASE SUBMIT THIS INFORMATION BY _____ ; TO _____

Employee AVERAGE Time Record for Mandated Costs

498/83 The Stull Act (K-12)

Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

OUSD
 District/COE

Jim Shirley
 Employee Name

Clair Burgener
 Department/Location

Principal
 Exact Position/Title

Telephone # _____

12mo/11mo/10mo/hrly
 Work year length(circle)

Fiscal Year: 97-98 98-99 99-00 00-01
01-02 02-03 03-04 04-05 05-06

Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11 Preparing for the evaluation
- Code 12 Goals and objectives conference with instructor
- Code 13 Pre-observation conference with instructor
- Code 14 Classroom observation of instructor
- Code 15 Post-observation conference with instructor
- Code 16 Final conference with instructor
- Code 17 District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:		Average Time In Minutes			
		A	B	C	D
Code 11	Preparing for the evaluation	30	30	30	30
Code 12	Goals and objectives conference with instructor	5	5	5	5
Code 13	Pre-observation conference with instructor	5	5	5	5
Code 14	Classroom observation of instructor	30	30	30	30
Code 15	Post-observation conference with instructor	15	15	15	15
Code 16	Final conference with instructor	10	10	10	10
Code 17	District Reporting	35	15	15	15

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. PLEASE USE BLUE INK

Employee Signature James Shirley Date 2/27/06

If you have any questions, please contact _____, at _____

PLEASE SUBMIT THIS INFORMATION BY _____; TO _____

Employee AVERAGE Time Record for Mandated Costs
498/83 The Stull Act (K-12)
Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

04-05

Oceanside USD
 District/COE

Clair Burgum Academy
 Department/Location

Edward S. Bessant
 Employee Name

Principal
 Exact Position Title

760 757 0531 Telephone # 12mo / 1mo / 10mo / hrly Work year length(circle)

Fiscal Year: 97-98 98-99 99-00 00-01
 01-02 02-03 03-04 04-05 05-06
 Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11 Preparing for the evaluation
- Code 12 Goals and objectives conference with instructor
- Code 13 Pre-observation conference with instructor
- Code 14 Classroom observation of instructor
- Code 15 Post-observation conference with instructor
- Code 16 Final conference with instructor
- Code 17 District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:		Average Time in Minutes			
		A	B	C	D
Code 11	Preparing for the evaluation	30	30	30	30
Code 12	Goals and objectives conference with instructor	5	5	5	5
Code 13	Pre-observation conference with instructor	5	5	5	5
Code 14	Classroom observation of instructor	10	10	10	10
Code 15	Post-observation conference with instructor	5	5	5	5
Code 16	Final conference with instructor	10	10	10	10
Code 17	District Reporting	35	15	15	15

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. PLEASE USE BLUE INK

Employee Signature [Signature] Date 2-21-04
 If you have any questions, please contact Steve Bessant, at 760 757 0531

PLEASE SUBMIT THIS INFORMATION BY _____ ; TO _____

Employee AVERAGE Time Record for Mandated Costs

498/83 The Stull Act (K-12)

Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

Oceanside Unified
District/COE

Laurel Elementary
Department/Location

Luis A. Ibarra
Employee Name

Principal
Exact Position Title

966-4200 Telephone # 12mo/11mo/10mo/hrly Work year length(circle)

Fiscal Year: 97-98 98-99 99-00 00-01
01-02 02-03 03-04 04-05 05-06
 Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11 Preparing for the evaluation
- Code 12 Goals and objectives conference with instructor
- Code 13 Pre-observation conference with instructor
- Code 14 Classroom observation of instructor
- Code 15 Post-observation conference with instructor
- Code 16 Final conference with instructor
- Code 17 District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:		Average Time in Minutes			
		A	B	C	D
Code 11	Preparing for the evaluation	20	10	10	10
Code 12	Goals and objectives conference with instructor	15	10	10	10
Code 13	Pre-observation conference with instructor	5	10	5	5
Code 14	Classroom observation of instructor	15	15	15	5
Code 15	Post-observation conference with instructor	10	10	5	5
Code 16	Final conference with instructor	10	10	10	10
Code 17	District Reporting	5	5	5	5

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. PLEASE USE BLUE INK

Employee Signature Luis A. Ibarra Date 2-21-06

If you have any questions, please contact _____, at _____

PLEASE SUBMIT THIS INFORMATION BY _____; TO _____

Employee AVERAGE Time Record for Mandated Costs
498/83 The Stull Act (K-12)
Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

Oceanside Unified Dist Libby Hemminger
 District/COE Department/Location

Bess Johnson Principal
 Employee Name Exact Position Title

757-5901 12mo/11mo/10mo/hrly Fiscal Year: 97-98 98-99 99-00 00-01
 Telephone # Work year length(circle) 01-02 02-03 03-04 04-05 05-06
 Circle the years for which you are responding.

- Reimbursable Activities Codes:**
- Code 11 Preparing for the evaluation
 - Code 12 Goals and objectives conference with instructor
 - Code 13 Pre-observation conference with instructor
 - Code 14 Classroom observation of instructor
 - Code 15 Post-observation conference with instructor
 - Code 16 Final conference with instructor
 - Code 17 District reporting
- Evaluation Criteria:**
- (A) district standards and test results
 - (B) instructional techniques/strategies
 - (C) adherence to curricular objectives
 - (D) suitable learning environment
- CLASSROOM TEACHER TIME IS NOT REIMBURSED**

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:	Average Time In Minutes			
	A	B	C	D
Code 11 Preparing for the evaluation	20	10	10	10
Code 12 Goals and objectives conference with instructor	15	10	10	10
Code 13 Pre-observation conference with instructor	15	5	5	5
Code 14 Classroom observation of instructor	35	5	5	5
Code 15 Post-observation conference with instructor	30	15	15	15
Code 16 Final conference with instructor	30	15	15	15
Code 17 District Reporting	20	20	20	20

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. **PLEASE USE BLUE INK**

Employee Signature Bess Johnson Date 2/21/06

If you have any questions, please contact _____, at _____

PLEASE SUBMIT THIS INFORMATION BY _____ ; TO _____

Employee AVERAGE Time Record for Mandated Costs

498/83 The Stull Act (K-12)

Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

OUSD
District/COE

MISSION ELEMENTARY
Department/Location

Randel Gibson
Employee Name

PRINCIPAL
Exact Position Title

⁷⁶⁰957-2560
Telephone #

12mo / 11mo / 10mo/hrly
Work year length(circle)

Fiscal Year: 97-98 98-99 99-00 00-01
01-02 02-03 03-04 04-05 05-06

Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11 Preparing for the evaluation
- Code 12 Goals and objectives conference with instructor
- Code 13 Pre-observation conference with instructor
- Code 14 Classroom observation of instructor
- Code 15 Post-observation conference with instructor
- Code 16 Final conference with instructor
- Code 17 District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:	Average Time In Minutes			
	A	B	C	D
Code 11 Preparing for the evaluation	20	10	10	10
Code 12 Goals and objectives conference with instructor	15	10	10	10
Code 13 Pre-observation conference with instructor	5	10	5	10
Code 14 Classroom observation of instructor	10	30	30	20
Code 15 Post-observation conference with instructor	10	20	20	20
Code 16 Final conference with instructor	5	15	10	5
Code 17 District Reporting	15	20	20	20

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. PLEASE USE BLUE INK

Employee Signature Randel Gibson Date 2/21/06

If you have any questions, please contact _____, at _____
PLEASE SUBMIT THIS INFORMATION BY _____; TO _____.

Employee AVERAGE Time Record for Mandated Costs

498/83 The Stull Act (K-12)

Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

District/COE	Laurel Elementary
Employee Name	Principal
Telephone #	Fiscal Year: <u>97-98</u> <u>98-99</u> <u>99-00</u> <u>00-01</u> 01-02 02-03 03-04 04-05 05-06
12mo/11mo/10mo/hrly Work year length(circle)	Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11 Preparing for the evaluation
- Code 12 Goals and objectives conference with instructor
- Code 13 Pre-observation conference with instructor
- Code 14 Classroom observation of instructor
- Code 15 Post-observation conference with instructor
- Code 16 Final conference with instructor
- Code 17 District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:	Average Time In Minutes			
	A	B	C	D
Code 11 Preparing for the evaluation	18	8	8	8
Code 12 Goals and objectives conference with instructor	14	12	12	12
Code 13 Pre-observation conference with instructor	5	5	5	5
Code 14 Classroom observation of instructor	8	20	12	10
Code 15 Post-observation conference with instructor	12	12	12	12
Code 16 Final conference with instructor	16	10	10	10
Code 17 District Reporting	15	15	15	12

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. PLEASE USE BLUE INK

Employee Signature [Signature] Date 2-25-04

If you have any questions, please contact _____, at _____

PLEASE SUBMIT THIS INFORMATION BY _____; TO _____

Employee AVERAGE Time Record for Mandated Costs 49B/83 The Stull Act (K-12)

Routine Evaluations of Instructors

Please report below the average amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

Oceanside (760) 943-3539 fax El Comino High
District/COE Department/Location

Morry Shontan Asst. Principal
Employee Name Exact Position Title

Telephone # 12mo/11mo/10mo/9mo Fiscal Year: 97-98 98-99 99-00 00-01
Work year length(circle) 01-02 02-03 03-04 04-05 05-06
Circle the years for which you are responding.

- Reimbursable Activities Codes:**
- Code 11 Preparing for the evaluation
 - Code 12 Goals and objectives conference with instructor
 - Code 13 Pre-observation conference with instructor
 - Code 14 Classroom observation of instructor
 - Code 15 Post-observation conference with instructor
 - Code 16 Final conference with instructor
 - Code 17 District reporting
- Evaluation Criteria:**
- (A) district standards and test results
 - (B) instructional techniques/strategies
 - (C) adherence to curricular objectives
 - (D) suitable learning environment
- A
LA
B
14

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:		Average Time in Minutes			
		A	B	C	D
Code 11	Preparing for the evaluation	30	30	30	30
Code 12	Goals and objectives conference with instructor	20	20	20	20
Code 13	Pre-observation conference with instructor	3	3	3	3
Code 14	Classroom observation of instructor	8	11	11	11
Code 15	Post-observation conference with instructor	15	15	15	15
Code 16	Final conference with instructor	6	6	6	6
Code 17	District Reporting	20	20	20	20

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. PLEASE USE BLUE INK

Employee Signature [Signature] Date 3-23-04

If you have any questions, please contact _____, at _____
PLEASE SUBMIT THIS INFORMATION BY _____; TO _____

Employee AVERAGE Time Record for Mandated Costs

498/83 The Stull Act (K-12)

Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

Oceanside USD
District/COE

Ditmar School
Department/Location

Sherry Freeman de Leyva
Employee Name

Principal
Exact Position Title

(760) 757-2560 12mo/11mo/10mo/hrly
Telephone # Work year length(circle)

Fiscal Year: 97-98 98-99 99-00 00-01
01-02 02-03 03-04 04-05 05-06

Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11** Preparing for the evaluation
- Code 12** Goals and objectives conference with instructor
- Code 13** Pre-observation conference with instructor
- Code 14** Classroom observation of instructor
- Code 15** Post-observation conference with instructor
- Code 16** Final conference with instructor
- Code 17** District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:	Average Time in Minutes			
	A	B	C	D
Code 11 Preparing for the evaluation	20	10	10	10
Code 12 Goals and objectives conference with instructor	15	10	10	10
Code 13 Pre-observation conference with instructor	5	5	5	5
Code 14 Classroom observation of instructor	15	15	15	15
Code 15 Post-observation conference with instructor	15	15	15	15
Code 16 Final conference with instructor	15	10	10	10
Code 17 District Reporting	10	15	10	15

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. **PLEASE USE BLUE INK**

Employee Signature: Sherry Freeman de Leyva Date: 2/21/06

If you have any questions, please contact _____, at _____

PLEASE SUBMIT THIS INFORMATION BY _____; TO _____

Employee AVERAGE Time Record for Mandated Costs

498/83 The Stull Act (K-12)

Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

OCEANSIDE UNIFIED SCHOOL DIST.
District/COE

GARRISON
Department/Location

MARGARET YEOMANS-OLIVER
Employee Name

PRINCIPAL
Exact Position Title

(760) 757-8270
Telephone #

(12mo) 11mo/10mo/hrly
Work year length(circle)

Fiscal Year: 97-98 98-99 99-00 00-01
01-02 02-03 03-04 04-05 05-06
Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11** Preparing for the evaluation
- Code 12** Goals and objectives conference with instructor
- Code 13** Pre-observation conference with instructor
- Code 14** Classroom observation of instructor
- Code 15** Post-observation conference with instructor
- Code 16** Final conference with instructor
- Code 17** District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:		Average Time in Minutes			
		A	B	C	D
Code 11	Preparing for the evaluation	20	10	10	10
Code 12	Goals and objectives conference with instructor	15	10	10	10
Code 13	Pre-observation conference with instructor	5	5	5	5
Code 14	Classroom observation of instructor	5	30	5	5
Code 15	Post-observation conference with instructor	5	20	5	5
Code 16	Final conference with instructor	5	25	10	10
Code 17	District Reporting	5	15	15	15

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. PLEASE USE BLUE INK

Employee Signature Margaret Yeomans-Oliver Date 2-21-06

If you have any questions, please contact _____, at _____

PLEASE SUBMIT THIS INFORMATION BY _____; TO _____

Employee AVERAGE Time Record for Mandated Costs 498/83 The Stull Act (K-12) Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

Oceanside Unified
District/COE

North Terrace Elementary
Department/Location

Bob Rowe
Employee Name

Principal
Exact Position Title

(760) 757-4343
Telephone #

12mo/11mo/10mo/hrly
Work year length(circle)

Fiscal Year: 97-98 98-99 99-00 00-01
01-02 02-03 03-04 04-05 05-06
Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11 Preparing for the evaluation
- Code 12 Goals and objectives conference with instructor
- Code 13 Pre-observation conference with instructor
- Code 14 Classroom observation of instructor
- Code 15 Post-observation conference with instructor
- Code 16 Final conference with instructor
- Code 17 District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:		Average Time in Minutes			
		A	B	C	D
Code 11	Preparing for the evaluation	20	10	10	10
Code 12	Goals and objectives conference with instructor	15	10	10	10
Code 13	Pre-observation conference with instructor	5	10	5	10
Code 14	Classroom observation of instructor	10	30	30	20
Code 15	Post-observation conference with instructor	10	20	20	20
Code 16	Final conference with instructor	5	15	10	5
Code 17	District Reporting	20	20	20	20

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. **PLEASE USE BLUE INK**

Employee Signature Bob Rowe Date 2-21-06

If you have any questions, please contact _____, at _____

PLEASE SUBMIT THIS INFORMATION BY _____; TO _____

Employee AVERAGE Time Record for Mandated Costs
498/83 The Stull Act (K-12)
Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

District/COE _____
 Employee Name Cheri Sanders

Pacific
 Department/Location _____
 Exact Position/Title Principal

Telephone # 760.757.3624 Work year length(circle) 12mo/11mo/10mo/hrly

Fiscal Year: 97-98 98-99 99-00 00-01
~~01-02~~ ~~02-03~~ 03-04 ~~04-05~~ 05-06
 Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11 Preparing for the evaluation
- Code 12 Goals and objectives conference with instructor
- Code 13 Pre-observation conference with instructor
- Code 14 Classroom observation of instructor
- Code 15 Post-observation conference with instructor
- Code 16 Final conference with instructor
- Code 17 District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:		Average Time In Minutes			
		A	B	C	D
Code 11	Preparing for the evaluation	20	10	10	10
Code 12	Goals and objectives conference with instructor	15	10	10	10
Code 13	Pre-observation conference with instructor	5	5	5	5
Code 14	Classroom observation of instructor	15	15	15	15
Code 15	Post-observation conference with instructor	10	10	10	10
Code 16	Final conference with instructor	10	10	10	10
Code 17	District Reporting	15	15	15	15

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. PLEASE USE BLUE INK

Employee Signature [Signature] Date 2.21.04

If you have any questions, please contact _____, at _____

PLEASE SUBMIT THIS INFORMATION BY _____; TO _____

Employee AVERAGE Time Record for Mandated Costs

498/83 The Stull Act (K-12)

Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

Oceanside UniField

District/COE

Shelly D. Morr

Employee Name

760-757-2560

Telephone #

12mo/11mo/10mo/hrly
Work year length(circle)

Palmaquist

Department/Location

Principal

Exact Position Title

Fiscal Year: 97-98 98-99 99-00 00-01

01-02 02-03 03-04 04-05 05-06

Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11 Preparing for the evaluation
- Code 12 Goals and objectives conference with instructor
- Code 13 Pre-observation conference with instructor
- Code 14 Classroom observation of instructor
- Code 15 Post-observation conference with instructor
- Code 16 Final conference with instructor
- Code 17 District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:		Average Time In Minutes			
		A	B	C	D
Code 11	Preparing for the evaluation	20	10	10	10
Code 12	Goals and objectives conference with instructor	15	10	10	10
Code 13	Pre-observation conference with instructor	5	5	5	5
Code 14	Classroom observation of instructor	20	20	20	20
Code 15	Post-observation conference with instructor	20	20	20	20
Code 16	Final conference with instructor	10	10	10	10
Code 17	District Reporting	20	20	20	20

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost-accounting purposes only. PLEASE USE BLUE INK

Employee Signature Shelly D. Morr Date 2/21/06

If you have any questions, please contact _____, at _____

PLEASE SUBMIT THIS INFORMATION BY _____; TO _____

Employee AVERAGE Time Record for Mandated Costs
498/83 The Stull Act (K-12)
Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

San Diego
 District/COE

San Luis Rey Elem.
 Department/Location

Martha Munden
 Employee Name

Principal
 Exact Position Title

760-757-2560 Telephone # 12mo/11mo/10mo/hrly Work year length(circle)

Fiscal Year: 97-98 (~~98-99~~) (~~99-00~~) (~~00-01~~) (~~01-02~~) 02-03 03-04 04-05 05-06
 Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11 Preparing for the evaluation
- Code 12 Goals and objectives conference with instructor
- Code 13 Pre-observation conference with instructor
- Code 14 Classroom observation of instructor
- Code 15 Post-observation conference with instructor
- Code 16 Final conference with instructor
- Code 17 District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:		Average Time in Minutes			
		A	B	C	D
Code 11	Preparing for the evaluation	20	20	20	20
Code 12	Goals and objectives conference with instructor	10	10	10	10
Code 13	Pre-observation conference with instructor	20	20	20	20
Code 14	Classroom observation of instructor	15	30	15	30
Code 15	Post-observation conference with instructor	20	20	20	20
Code 16	Final conference with instructor	10	10	10	10
Code 17	District Reporting	22	22	22	22

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. **PLEASE USE BLUE INK**

Employee Signature Martha Munden Date 2/21/06

If you have any questions, please contact _____, at _____

PLEASE SUBMIT THIS INFORMATION BY _____; TO _____

Employee AVERAGE Time Record for Mandated Costs 498/83 The Stull Act (K-12) Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

District/COE
Paulette Thompson
Employee Name

San Luis Rey
Department/Location
Principal
Exact Position Title

760-757-2560 Telephone # 12mo/11mo/10mo/hrly Work year length(circle)

Fiscal Year: 97-98 98-99 99-00 00-01
01-02 02-03 03-04 04-05 05-06
Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11 Preparing for the evaluation
- Code 12 Goals and objectives conference with instructor
- Code 13 Pre-observation conference with instructor
- Code 14 Classroom observation of instructor
- Code 15 Post-observation conference with instructor
- Code 16 Final conference with instructor
- Code 17 District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:		Average Time in Minutes			
		A	B	C	D
Code 11	Preparing for the evaluation	20	10	10	10
Code 12	Goals and objectives conference with instructor	15	10	10	10
Code 13	Pre-observation conference with instructor	5	15	5	5
Code 14	Classroom observation of instructor	20	30	20	20
Code 15	Post-observation conference with instructor	15	15	15	15
Code 16	Final conference with instructor	15	10	15	15
Code 17	District Reporting	20	20	15	20

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. PLEASE USE BLUE INK

Employee Signature Paulette Thompson Date 2/21-06

If you have any questions, please contact _____, at _____

PLEASE SUBMIT THIS INFORMATION BY _____; TO _____

Employee AVERAGE Time Record for Mandated Costs 498/83 The Stull Act (K-12) Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

District/COE _____
Employee Name Frank Gómez

Santa Margarita Elementary
Department/Location _____
Principal
Exact Position Title _____

Telephone # _____
Work year length(circle) 12mo/11mo/10mo/hrly

Fiscal Year: 97-98 98-99 99-00 00-01
01-02 02-03 03-04 04-05 05-06
Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11** Preparing for the evaluation
- Code 12** Goals and objectives conference with instructor
- Code 13** Pre-observation conference with instructor
- Code 14** Classroom observation of instructor
- Code 15** Post-observation conference with instructor
- Code 16** Final conference with instructor
- Code 17** District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:		Average Time In Minutes			
		A	B	C	D
Code 11	Preparing for the evaluation	20	10	10	10
Code 12	Goals and objectives conference with instructor	15	10	10	10
Code 13	Pre-observation conference with instructor	5	5	5	5
Code 14	Classroom observation of instructor	10	20	20	10
Code 15	Post-observation conference with instructor	5	5	5	5
Code 16	Final conference with instructor	8	10	10	10
Code 17	District Reporting	8	10	10	8

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. PLEASE USE BLUE INK

Employee Signature Fred Gómez Date 2/21/06

If you have any questions, please contact _____, at _____

PLEASE SUBMIT THIS INFORMATION BY _____; TO _____

Employee AVERAGE Time Record for Mandated Costs 498/83 The Stull Act (K-12) Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

District/COE _____
 Employee Name Judy Reimer

South Deanside
 Department/Location _____
Principal
 Exact Position Title _____

Telephone # 760 435-2100 Work year length(circle) 12mo/11mo/10mo/hrly

Fiscal Year: 97-98 98-99 99-00 00-01
 01-02 02-03 03-04 04-05 05-06 ⁵⁰
 Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11 Preparing for the evaluation
- Code 12 Goals and objectives conference with instructor
- Code 13 Pre-observation conference with instructor
- Code 14 Classroom observation of instructor
- Code 15 Post-observation conference with instructor
- Code 16 Final conference with instructor
- Code 17 District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:	Average Time In Minutes			
	A	B	C	D
Code 11 Preparing for the evaluation	20	10	10	10
Code 12 Goals and objectives conference with instructor	15	10	10	10
Code 13 Pre-observation conference with instructor	5	5	5	5
Code 14 Classroom observation of instructor	15	20	15	10
Code 15 Post-observation conference with instructor	10	15	10	5
Code 16 Final conference with instructor	10	15	10	10
Code 17 District Reporting	20	20	15	15

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. PLEASE USE BLUE INK

Employee Signature Judy Reimer Date 2-21-06

If you have any questions, please contact _____, at _____

PLEASE SUBMIT THIS INFORMATION BY _____; TO _____.

Employee AVERAGE Time Record for Mandated Costs 498/83 The Stull Act (K-12) Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

O.U.S.D.
District/COE

Del Rio Elementary
Department/Location

PHYLLIS T. MORGAN
Employee Name

Principal
Exact Position Title

760-433-3232 (12mo/11mo/10mo/hrly)
Telephone # Work year length(circle)

97-98 98-99 99-00 00-01 01-02 02-03 03-04 04-05 05-06
Fiscal Year: ^{Jefferson} ¹ ² ³

from: 1998-2006 Del Rio

Circle the years for which you are responding. Del Rio

Reimbursable Activities Codes:

- Code 11** Preparing for the evaluation
- Code 12** Goals and objectives conference with instructor
- Code 13** Pre-observation conference with instructor
- Code 14** Classroom observation of instructor
- Code 15** Post-observation conference with instructor
- Code 16** Final conference with instructor
- Code 17** District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:		Average Time in Minutes			
		A	B	C	D
Code 11	Preparing for the evaluation	20	10	20	10
Code 12	Goals and objectives conference with instructor	15	20	20	10
Code 13	Pre-observation conference with instructor	5	5	5	5
Code 14	Classroom observation of instructor	15	15	15	5
Code 15	Post-observation conference with instructor	10	10	10	10
Code 16	Final conference with instructor	15	15	15	10
Code 17	District Reporting	20	20	20	5

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. PLEASE USE BLUE INK

Employee Signature Phyllis T. Morgan Date 2/21/06

If you have any questions, please contact _____, at _____

PLEASE SUBMIT THIS INFORMATION BY _____; TO _____

Employee AVERAGE Time Record for Mandated Costs 498/83 The Stull Act (K-12) Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

OCEANSIDE UNIFIED
District/COE

Del Rio
Department/Location

LOIS E. GRAZIANI
Employee Name

Assistant Principal
Exact Position Title

760-757-2560 Telephone # 12mo(11mo)(10mo/hrly) Work year length(circle)

Fiscal Year 97-98 98-99 99-00 00-01
 01-02 02-03 03-04 04-05 05-06
Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11** Preparing for the evaluation
- Code 12** Goals and objectives conference with instructor
- Code 13** Pre-observation conference with instructor
- Code 14** Classroom observation of instructor
- Code 15** Post-observation conference with instructor
- Code 16** Final conference with instructor
- Code 17** District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:		Average Time In Minutes			
		A	B	C	D
Code 11	Preparing for the evaluation	20	10	10	10
Code 12	Goals and objectives conference with instructor	15	10	10	10
Code 13	Pre-observation conference with instructor	5	5	5	5
Code 14	Classroom observation of instructor	40	25	25	25
Code 15	Post-observation conference with instructor	30	15	15	10
Code 16	Final conference with instructor	30	15	15	15
Code 17	District Reporting	20	20	20	20

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. PLEASE USE BLUE INK

Employee Signature Dr. Lois E. Graziani Date 2/21/06

If you have any questions, please contact _____, at _____

PLEASE SUBMIT THIS INFORMATION BY _____ ; TO _____

Employee AVERAGE Time Record for Mandated Costs
498/83 The Stull Act (K-12)
Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

District/COE
Paulette Thompson
 Employee Name

Reynolds Elementary
 Department/Location
Assistant Principal
 Exact Position Title

760-757-2560 12mo/11mo/10mo/hrly
 Telephone # Work year length(circle)

Fiscal Year: 97-98 98-99 99-00 00-01
01-02 02-03 03-04 04-05 05-06
 Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11 Preparing for the evaluation
- Code 12 Goals and objectives conference with instructor
- Code 13 Pre-observation conference with instructor
- Code 14 Classroom observation of instructor
- Code 15 Post-observation conference with instructor
- Code 16 Final conference with instructor
- Code 17 District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:		Average Time in Minutes			
		A	B	C	D
Code 11	Preparing for the evaluation	20	10	10	10
Code 12	Goals and objectives conference with instructor	15	10	10	10
Code 13	Pre-observation conference with instructor	5	15	5	10
Code 14	Classroom observation of instructor	20	30	20	20
Code 15	Post-observation conference with instructor	15	15	15	15
Code 16	Final conference with instructor	15	10	15	15
Code 17	District Reporting	20	20	15	20

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. **PLEASE USE BLUE INK**

Employee Signature Paulette Thompson Date 2-21-06

If you have any questions, please contact _____, at _____

PLEASE SUBMIT THIS INFORMATION BY _____; TO _____

Employee AVERAGE Time Record for Mandated Costs

498/83 The Stull Act (K-12)

Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

OCEANSIDE UNIFIED
District/COE

Reynolds
Department/Location

LOIS E. GRAZIOCI
Employee Name

02-03 - Inst. Principal; 03-06 - Principal
Exact Position Title

760 757-2560 12mo 11mo 10mo/hrly
Telephone # Work year length(circle)

Fiscal Year: 97-98 98-99 99-00 00-01
01-02 02-03 03-04 04-05 05-06

Principal 03-04; 04-05; 05-06

Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11 Preparing for the evaluation
- Code 12 Goals and objectives conference with instructor
- Code 13 Pre-observation conference with instructor
- Code 14 Classroom observation of instructor
- Code 15 Post-observation conference with instructor
- Code 16 Final conference with instructor
- Code 17 District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:		Average Time In Minutes			
		A	B	C	D
Code 11	Preparing for the evaluation	20	10	10	10
Code 12	Goals and objectives conference with instructor	15	10	10	10
Code 13	Pre-observation conference with instructor	5	5	5	5
Code 14	Classroom observation of instructor	20	25	25	25
Code 15	Post-observation conference with instructor	30	15	15	10
Code 16	Final conference with instructor	30	15	15	15
Code 17	District Reporting	20	20	20	20

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. PLEASE USE BLUE INK

Employee Signature Lois E. Graziochi Date 2/21/06

If you have any questions, please contact _____, at _____

PLEASE SUBMIT THIS INFORMATION BY _____; TO _____

Employee AVERAGE Time Record for Mandated Costs

498/83 The Stull Act (K-12)

Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

District/COE
Mary Gleisberg
 Employee Name

Christie McAuliffe
 Department/Location
Principal - Elementary
 Exact Position/Title

Telephone # _____
 Work year length(circle) 12mo/11mo/10mo/hrly

Fiscal Year: 97-98 98-99 99-00 00-01
 01-02 02-03 03-04 04-05 05-06
 Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11 Preparing for the evaluation
- Code 12 Goals and objectives conference with instructor
- Code 13 Pre-observation conference with instructor
- Code 14 Classroom observation of instructor
- Code 15 Post-observation conference with instructor
- Code 16 Final conference with instructor
- Code 17 District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:	Average Time in Minutes			
	A	B	C	D
Code 11 Preparing for the evaluation	20	10	10	10
Code 12 Goals and objectives conference with instructor	15	10	10	10
Code 13 Pre-observation conference with instructor	5	5	5	5
Code 14 Classroom observation of instructor	10	20	15	5
Code 15 Post-observation conference with instructor	10	10	10	10
Code 16 Final conference with instructor	15	10	10	10
Code 17 District Reporting	20	20	20	15

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. PLEASE USE BLUE INK

Employee Signature Mary Gleisberg Date 2/21/06

If you have any questions, please contact Karen Huddles at DD

PLEASE SUBMIT THIS INFORMATION BY _____ ; TO _____

Employee AVERAGE Time Record for Mandated Costs 498/83 The Stull Act (K-12) Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

Oceanside Unified
District/COE

Ivey Ranch Elementary
Department/Location

Jeanne Iman
Employee Name

Principal
Exact Position Title

757-2560 12mo/11mo/10mo/hrly
Telephone # Work year length(circle)

Fiscal Year: 97-98 98-99 99-00 00-01
01-02 02-03 03-04 04-05 05-06

Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11 Preparing for the evaluation
- Code 12 Goals and objectives conference with instructor
- Code 13 Pre-observation conference with instructor
- Code 14 Classroom observation of instructor
- Code 15 Post-observation conference with instructor
- Code 16 Final conference with instructor
- Code 17 District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:	Average Time In Minutes			
	A	B	C	D
Code 11 Preparing for the evaluation	20	10	10	10
Code 12 Goals and objectives conference with instructor	15	10	10	10
Code 13 Pre-observation conference with instructor	5	5	5	5
Code 14 Classroom observation of instructor	40	40	15	25
Code 15 Post-observation conference with instructor	20	30	20	20
Code 16 Final conference with instructor	15	20	15	20
Code 17 District Reporting	40	40	30	30

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. PLEASE USE BLUE INK

Employee Signature Jeanne A. Iman Date 2-21-06

If you have any questions, please contact _____, at _____

PLEASE SUBMIT THIS INFORMATION BY _____; TO _____

Employee AVERAGE Time Record for Mandated Costs 498/83 The Stull Act (K-12) Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

District/COE	<u>Ivey Beach</u>
Employee Name	Principal
Telephone #	Fiscal Year: 97-98 98-99 99-00 00-01
Work year length(circle)	01-02 02-03 03-04 04-05 05-06

Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11 Preparing for the evaluation
- Code 12 Goals and objectives conference with instructor
- Code 13 Pre-observation conference with instructor
- Code 14 Classroom observation of instructor
- Code 15 Post-observation conference with instructor
- Code 16 Final conference with instructor
- Code 17 District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

PGS.
Table.

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:		Average Time In Minutes			
		A	B	C	D
Code 11	Preparing for the evaluation	20	10	10	10
Code 12	Goals and objectives conference with instructor	15	10	10	10
Code 13	Pre-observation conference with instructor	5	5	5	5
Code 14	Classroom observation of instructor	30	30	30	30
Code 15	Post-observation conference with instructor	20	20	20	20
Code 16	Final conference with instructor	10	10	20	10
Code 17	District Reporting	25	25	25	25

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EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. PLEASE USE BLUE INK

Employee Signature Jane T. Wilson Date 2/21/06

If you have any questions, please contact _____, at _____
PLEASE SUBMIT THIS INFORMATION BY _____; TO _____

Exhibit N

1 **STUTZ ARTIANO SHINOFF & HOLTZ**
2 *A Professional Corporation*
3 Arthur M. Palkowitz, Esq. (SBN 106141)
4 2488 Historic Decatur Road, Suite 200
5 San Diego, California 92106
6 Telephone: (619) 232-3122
7 Facsimile: (619) 232-3264

8 Attorneys for Claimant
9 OCEANSIDE UNIFIED SCHOOL DISTRICT

10 **BEFORE THE COMMISSION ON STATE MANDATES**

11 **STATE OF CALIFORNIA**

12 **IN RE INCORRECT REDUCTION
13 CLAIM ON:**

14 **CHAPTER 498 STATUTES OF 1983;
15 CHAPTER 4, STATUTES OF 1999;
16 *THE STULL ACT PROGRAM* : FISCAL
17 YEARS 1997-1998, 1998-1999,
18 1999-2000, 2000-2001, 2001-2002, 2002-
19 2003, 2003-2004, 2004-2005.**

**INCORRECT REDUCTION CLAIM OF
20 OCEANSIDE UNIFIED SCHOOL
21 DISTRICT;**

**CHAPTER 498, STATUTES OF 1983
22 CHAPTER 4, STATUTES OF 1999
23 (THE STULL ACT PROGRAM)**

DECLARATION OF KATHY FERGUSON

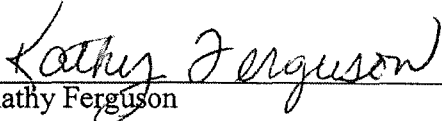
24 I, KATHY FERGUSON, declare as follows:

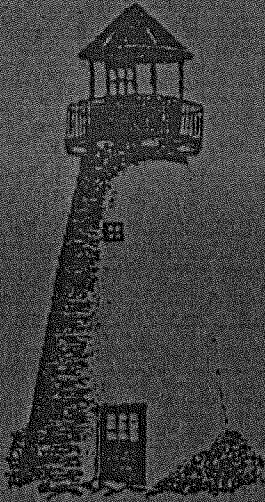
25 1. I am the Director of Payroll and Benefits at Oceanside Unified School District.

26 I have personal knowledge of the matters stated herein, and if called as a witness could, and
27 would, competently testify thereto.

28 2. I have provided true and correct copies of the Article 15 (Evaluation) from the
Bargaining Unit agreements with the Oceanside Teachers Association for the Fiscal Years of
1997-2005.

I declare under penalty of perjury under the laws of the State of California that the
foregoing is true and correct, executed this 19 day of August, 2014, at
San Diego, California.


Kathy Ferguson



MASTER CONTRACT

between

the Oceanside
Teachers Association
CTA/NEA

and

the Oceanside Unified
School District

July 1, 1994 - January 31, 1997

1 ARTICLE XV: EVALUATION

2 15.1. Personal and Academic Freedom

3 15.1.1. The Board will not institute dismissal action against
4 employees solely on the basis of unsubstantiated
5 allegations in citizen or parent complaints.

6 15.1.2. The Board will not predicate any adverse action upon
7 employees' personal, political, or organizational
8 activities and preferences, unless those activities
9 and preferences affect the employees' job performance.

10 15.2. Evaluation Procedures

11 15.2.1. All probationary certificated employees will be
12 evaluated by the administration in writing at least
13 once each school-year, and this written evaluation
14 will be transmitted to employees not later than thirty
15 (30) calendar days prior to the end of the student-
16 year in which the evaluation takes place.

17 15.2.2. All permanent certificated employees will be evaluated
18 by the administration on a continuing basis in writing
19 at least once every other year, and this written
20 evaluation will be transmitted to employees not later
21 than thirty (30) calendar days prior to the end of the
22 student-year in which the evaluation takes place.

23 15.2.3. Prior to the end of the seventh school-week of the
24 appropriate semester, Evaluatees and Evaluators will
25 meet to establish acceptable goals and objectives upon

1 which evaluations will be based. In the event mutual
2 consent cannot be reached on the goals and objectives,
3 Evaluators will inform Evalutees, in writing, of the
4 goals and objectives on which final evaluations will
5 be based. If Evalutees do not concur with said goals
6 and objectives, they may submit written statements
7 indicating why the Evaluator's statements are not
8 appropriate. The Evalutees' statements as described
9 herein will become part of the official evaluation
10 documentation.

11 15.2.4. If, during the course of the evaluation period,
12 mitigating circumstances arise which may require
13 modification of goals and objectives, the modification
14 may be initiated by Evaluators or Evalutees, and any
15 amended goals and objectives will be established in
16 accordance with 15.2.3.

17 15.2.5. Evaluations will include at least one
18 classroom/assignment observation. Negative comments
19 will not be included in the final evaluation, unless
20 Evalutees have previously been notified in writing of
21 the areas of concern and provided opportunities for
22 written response.

23 15.2.6. Before the end of the school-year, Evaluators and
24 Evalutees will meet to discuss the evaluations.

- 1 15.2.7. Evaluatees will have the right to initiate written
2 reactions or responses to their evaluations. These
3 responses will become attachments to the evaluations
4 and will be placed in the Evaluatee's personnel files.
- 5 15.2.8. In the event Evaluatees receive "unsatisfactory"
6 evaluations, Evaluators will provide Evaluatees with
7 specific recommendations as to areas of needed
8 improvement, and Evaluators will endeavor to assist
9 Evaluatees to improve.
- 10 15.2.9. Employees will not be required to participate in the
11 evaluation of other employees, nor will any self-
12 evaluation be included in the formal evaluation.
13 However, at the option of their immediate
14 administrators, department chairpersons may be
15 required to serve as resources to the administration
16 in employee evaluation matters.
- 17 15.2.10. Prior to setting goals and objectives, Evaluatees will
18 be given copies of existing relevant sections of the
19 goals and objectives of their Evaluators, schools, or
20 departments.
- 21 15.2.11. The evaluation process established by the District
22 will not be in conflict with the provisions of this
23 article or prevailing state law.
- 24 15.2.12. Neither the District evaluation process nor the
25 Evaluators' judgments and recommendations contained in

1 classroom observation reports and formal evaluations
2 will be subject to the provisions contained in Article
3 VII. However, alleged violations of the provisions of
4 this article are grievable.

5 15.3. Personnel Files

6 15.3.1. Materials in personnel files of employees which may
7 serve as a basis for affecting the status of their
8 employment will be made available for their
9 inspection.

10 15.3.2. Materials in Personnel Files will not include ratings,
11 reports, or records which (1) were obtained prior to
12 employment, (2) were prepared by identifiable
13 examination committee members, or (3) were obtained in
14 connection with promotional examinations.

15 15.3.3. Employees will have the right to inspect materials in
16 their Personnel Files upon request, normally during
17 non-instructional time.

18 15.3.4. Information of a derogatory nature, except material
19 mentioned in 15.3.2, will not be entered or filed in
20 Personnel Files unless and until employees are given
21 notice and an opportunity to review and comment, and
22 employees will have the right to enter, and have
23 attached to any such derogatory statements, their own
24 comments. The review will take place during normal
25 business hours, and, if convenient for the employees

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and their immediate administrators, may be done during the instructional day without salary reduction.

15.3.5. Upon written authorization by employees, representatives of the Association will be permitted to examine materials in the employees' personnel files.

15.3.6. Individuals who draft non-routine material for placement in employees' personnel files will sign the material and signify the dates on which the material was placed in the files.

15.3.7. The District will keep a log listing individuals other than District management employees and appropriate Personnel Department employees who have examined personnel files, as well as the dates when the examinations were made. The log will be available for examination by employees or their Association representatives, if authorized by the employees.

15.3.8. Access to personnel files will be limited to members of the District Management Team, members of the Board of Education, and appropriate Personnel Department employees, on a need-to-know basis. The contents of all personnel files will be kept in the strictest confidence.

15.3.9. These provisions will apply to employee personnel files maintained at the District Central Office.

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15.4. Evaluation Documentation Files

Employees may have reasonable access to any evaluation documentation files that their immediate administrators may maintain at the work-sites.

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MASTER CONTRACT

between

the Oceanside
Teachers Association
CTA/NEA

and

the Oceanside Unified
School District

February 1, 1997 – June 30, 2000

ARTICLE 15: EVALUATION

15.1. Evaluation Procedures

The purposes of the evaluation system are: 1) to improve the delivery of educational services; 2) to provide constructive assistance to employees; and 3) to rate the service of employees to the District.

15.1.1. Probationary Employees

All probationary certificated employees will be evaluated in writing at least once each school-year, and this written evaluation will be transmitted to employees not later than thirty (30) calendar days prior to the end of the student-year in which the evaluation takes place.

15.1.2. Permanent Employees

All permanent certificated employees will be evaluated on a continuing basis in writing at least once every other year, and this written evaluation will be transmitted to employees not later than thirty (30) calendar days prior to the end of the student-year in which the evaluation takes place.

15.1.3. Goals and Objectives

Prior to the end of the seventh school-week of the appropriate semester, Evaluatees and Evaluators will meet to establish acceptable goals and objectives upon which evaluations will be based. In the event mutual consent cannot be reached on the goals and objectives, Evaluators

will inform Evaluatees, in writing, of the goals and objectives on which final evaluations will be based. If Evaluatees do not concur, they may submit written statements indicating why the goals and objectives prepared by their Evaluators are not appropriate, and those statements will become part of their official evaluation documentation.

15.1.3.1. Prior to setting goals and objectives, Evaluatees will be given copies of existing relevant sections of the goals and objectives of their Evaluators, schools, and/or departments.

15.1.3.2. If, during the course of the evaluation period, mitigating circumstances arise which require changing goals and objectives, modifications may be initiated by Evaluators or Evaluatees, and any amended goals and objectives will be established in accordance with 15.1.3.

15.1.4. Basis for Evaluation

15.1.4.1. Evaluations of all employees will include, but not be limited to, consideration of:

15.1.4.1.1. Goals and objectives of employees.

- 15.1.4.1.2. The progress of students toward standards of expected student achievement;
 - 15.1.4.1.3. Instructional techniques and strategies;
 - 15.1.4.1.4. Adherence to curricular objectives;
 - 15.1.4.1.5. Establishment and maintenance of suitable learning environments, including classroom control;
 - 15.1.4.1.6. Performance of other duties normally required as adjunct to the regular assignments of employees.
- 15.1.4.2. Evaluation of student progress will be based upon standards expected of students at each grade level in each area of study. Information to support evaluations will be obtained through a variety of sources including, but not limited to: classroom observations, student work products, judgments,

responsibilities carried, criterion-referenced tests, and anecdotal records.

5.1.4.3. The basis for objective evaluation and student progress assessment will be data collected related to standards of expected student growth and progress.

15.1.4.4. Evaluation of non-instructional employees will be based on their fulfillment of defined job responsibilities.

15.1.5. Classroom Observations

15.1.5.1. Evaluations of classroom performance will include at least one formal classroom/assignment observation, normally by December 15. Observations will be followed by personal conferences between Evaluators and Evaluatees, normally within five (5) work-days; this timeline may be extended by mutual agreement. Evaluators will prepare written classroom observation reports for conferences, which will be presented to and discussed with Evaluatees. If Evaluators have concerns about performances of Evaluatees in any of the observed areas,

Evaluators will discuss those concerns with Evaluatees at the post-observation conferences. Continuing concerns will be reduced to writing and given to Evaluatees, along with assistance plans.

15.1.5.2. Except in cases of significant violations of job duties, work-rules or professional competence, at least three (3) formal and scheduled classroom/assignment observations will take place prior to issuance of final annual evaluations with overall ratings of unsatisfactory.

15.1.5.3. Classroom observations may be made by more than one administrator provided that administrators who are not the primary Evaluators have discussed the goals and objectives with Evaluatees prior to observations. Evaluatees or their primary Evaluators may request that formal scheduled classroom observations be done by other administrators.

15.1.5.4. Nothing herein will prevent Evaluators from making unscheduled classroom observations in addition to formal scheduled observations. Unscheduled classroom observations are formal

observations as opposed to informal walk-throughs or drop-in visits. Evaluators are expected to meet with Evaluatees to discuss unscheduled classroom observations within (3) three work-days unless deadlines are extended by mutual agreement. If Evaluators have concerns about performances of Evaluatees in any of the observed areas, Evaluators will discuss those concerns with Evaluatees at post-observation conferences.

15.1.6. Lesson Plans

15.1.6.1. Temporary and probationary employees and employees on assistance plans (Section 15.14.8) will prepare daily lesson plans and provide them to their immediate administrators. All other employees will be responsible for preparing daily lesson plans and having them available for review; however, they will not be required to turn in the lesson plans.

15.1.6.2. If employees fail to leave lesson plans for substitutes on at least two occasions within a school-year, they may be required by their immediate administrators to turn in lesson plans for the remainder of that school-year.

15.1.7. Final Annual Evaluations

- 15.1.7.1. There should be no surprises in final evaluations; therefore, negative comments will not be included unless Evaluatees have previously been notified in writing of the area(s) of concern and provided opportunities for written responses.
- 15.1.7.2. Before the end of the school-year, Evaluators and Evaluatees will meet to discuss evaluations; normally, these meetings will occur by June 1.
- 15.1.7.3. Evaluatees will have the right to initiate written responses to their evaluations. These responses will become attachments to the evaluations and will be placed in the personnel files of Evaluatees.
- 15.1.7.4. In the event Evaluatees receive "unsatisfactory" evaluations, Evaluators will provide Evaluatees with specific recommendations about areas of needed improvement, and Evaluators will offer assistance intended to help Evaluatees improve.
- 15.1.7.5. Employees will not be required to participate in evaluations of other employees, nor will

self-evaluations be included in the formal evaluations. However, at the option of their immediate administrators, department chairpersons may be required to serve as resources in employee evaluations.

15.1.8. Employee Assistance Plans

15.1.8.1. Employee Assistance Plans are written plans, with timelines, to help employees who voluntarily request assistance or for whom remediation is recommended by their immediate administrators. Employee Assistance Plans will not be required in instances of egregious behavior by employees or when notices of unprofessional conduct have been issued.

15.1.8.2. If employees receive overall unsatisfactory evaluations or unsatisfactory ratings in any areas designated in 15.1.4.1, their Evaluators will prepare written assistance plans with specific timelines and strategies that will include, but not be limited to, the following:

15.1.8.2.1. Identification of specific deficiencies;

15.1.8.2.2. Detailed outline of assistance;

- 15.1.8.2.3. Specific expectations;
- 15.1.8.2.4. Date by which deficiencies must be corrected;
- 15.1.8.2.5. Method for reassessment.
- 15.1.8.3. If final evaluations contain areas ranked as "unsatisfactory," assistance plans will be implemented for the following school-year.
- 15.1.8.4. Before plans are implemented, Evaluatees and their Evaluators will meet to discuss and review employee assistance plans, including timelines for reassessment. At the end of reassessment periods, Evaluatees and Evaluators will meet again to discuss progress of Evaluatees. Evaluators may require Evaluatees to continue on assistance plans until reaching satisfactory levels of performance.
- 15.1.8.5. Employee assistance plans may include, but will not be limited to: a) weekly meetings with their Evaluators to review the lesson plans of Evaluatees; b) having administrators or peer coaches model lessons; c) providing Evaluatees with released time to observe other classes; or d) attendance at in-service training or other applicable courses. If

Evaluators require Evaluatees to take specific training or in-service for which there is a fee, the District will pay for the cost of the required training. Evaluators will meet regularly with Evaluatees to monitor progress on assistance plans.

15.1.8.6. Employees who receive overall unsatisfactory evaluations, or who are within the duration of notices of unprofessional conduct, will not be eligible to receive step increases or anniversary increments (see section 8.17). Employees will have the right to appeal to the District Personnel Administrator whose decision will be final. If employees achieve overall satisfactory evaluations when they are reassessed as specified in employee assistance plans, they will receive step increases at the next pay period.

15.1.8.7. "Overall unsatisfactory evaluation," will mean a final annual evaluation in which three (3) or more areas are ranked as "unsatisfactory" by the Evaluator.

15.1.9. Legal Conformance

The evaluation process established by the District will not be in conflict with the provisions of this article or prevailing state law.

15.1.10. Greivability

Neither the District evaluation process nor judgments and recommendations of Evaluators contained in classroom observation reports and formal evaluations will be subject to the provisions contained in the Grievance and Arbitration Article of this agreement; however, alleged violations of the provisions of this article are grievable.

15.2. Personal and Academic Freedom

15.2.1. The District will not begin dismissal action against employees solely on the basis of unsubstantiated allegations in citizen or parent complaints.

15.2.2. The District will not base any adverse action against employees on their personal, political, or organizational activities and preferences, unless those activities and preferences affect the job performance of the employees.

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MASTER CONTRACT

between

the Oceanside
Teachers Association
CTA/NEA

and

the Oceanside Unified
School District

July 1, 2000 – June 30, 2001

ARTICLE 15: EVALUATION**15.1. Evaluation Procedures**

The purposes of the evaluation system are: 1) to improve the delivery of educational services; 2) to provide constructive assistance to employees; and 3) to rate the service of employees to the District.

15.1.1. Probationary Employees

All probationary certificated employees will be evaluated in writing at least once each school-year, and this written evaluation will be transmitted to employees not later than thirty (30) calendar days prior to the end of the student-year in which the evaluation takes place.

15.1.2. Permanent Employees

All permanent certificated employees will be evaluated on a continuing basis in writing at least once every other year, and this written evaluation will be transmitted to employees not later than thirty (30) calendar days prior to the end of the student-year in which the evaluation takes place.

15.1.3. Goals and Objectives

Prior to the end of the seventh school-week of the appropriate semester, Evaluatees and Evaluators will meet to establish acceptable goals and objectives upon which evaluations will be based. In the event mutual consent cannot be reached on the goals and objectives, Evaluators will inform Evaluatees, in writing, of the goals and objectives on which final evaluations will be based. If Evaluatees do not concur, they may submit written statements indicating why the goals and objectives prepared by their Evaluators are not appropriate, and those statements will become part of their official evaluation documentation.

15.1.3.1. Prior to setting goals and objectives, Evaluatees will be given copies of existing relevant sections of the goals and objectives of their Evaluators, schools, and/or departments.

15.1.3.2. If, during the course of the evaluation period, mitigating circumstances arise which require changing goals and objectives, modifications may be initiated by Evaluators or Evaluatees, and any amended goals and objectives will be established in accordance with 15.1.3.

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15.1.4.1. Evaluations of all employees will include, but not be limited to, consideration of:

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15.1.4.1.2. The progress of students toward standards of expected student achievement;

15.1.4.1.3. Instructional techniques and strategies;

15.1.4.1.4. Adherence to curricular objectives;

15.1.4.1.5. Establishment and maintenance of suitable learning environments, including classroom control; and

15.1.4.1.6. Performance of other duties normally required as adjunct to the regular assignments of employees.

15.1.4.2. Evaluation of student progress will be based upon standards expected of students at each grade level in each area of study. Information to support evaluations will be obtained through a variety of sources including, but not limited to: classroom observations, student work products, judgments, responsibilities carried, criterion-referenced tests, and anecdotal records.

15.1.4.3. The basis for objective evaluation and student progress assessment will be data collected related to standards of expected student growth and progress.

15.1.4.4. Evaluation of non-instructional employees will be based on their fulfillment of defined job responsibilities.

15.1.5. Classroom Observations

- 15.1.5.1.** Evaluations of classroom performance will include at least one formal classroom/assignment observation, normally by December 15. Observations will be followed by personal conferences between Evaluators and Evaluatees, normally within five (5) work-days; this timeline may be extended by mutual agreement. Evaluators will prepare written classroom observation reports for conferences, which will be presented to and discussed with Evaluatees. If Evaluators have concerns about performances of Evaluatees in any of the observed areas, Evaluators will discuss those concerns with Evaluatees at the post-observation conferences. Continuing concerns will be reduced to writing and given to Evaluatees, along with assistance plans.
- 15.1.5.2.** Except in cases of significant violations of job duties, work-rules or professional competence, at least three (3) formal and scheduled classroom/assignment observations will take place prior to issuance of final annual evaluations with overall ratings of unsatisfactory.
- 15.1.5.3.** Classroom observations may be made by more than one administrator provided that administrators who are not the primary Evaluators have discussed the goals and objectives with Evaluatees prior to observations. Evaluatees or their primary Evaluators may request that formal scheduled classroom observations be done by other administrators.
- 15.1.5.4.** Nothing herein will prevent Evaluators from making unscheduled classroom observations in addition to formal scheduled observations. Unscheduled classroom observations are formal observations as opposed to informal walk-throughs or drop-in visits. Evaluators are expected to meet with Evaluatees to discuss unscheduled classroom observations within (3) three work-days unless deadlines are extended by mutual agreement. If Evaluators have concerns about performances of

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15.1.6. Lesson Plans

15.1.6.1. Temporary and probationary employees and employees on assistance plans (Section 15.14.8) will prepare daily lesson plans and provide them to their immediate administrators. All other employees will be responsible for preparing daily lesson plans and having them available for review; however, they will not be required to turn in the lesson plans.

15.1.6.2. If employees fail to leave lesson plans for substitutes on at least two occasions within a school-year, they may be required by their immediate administrators to turn in lesson plans for the remainder of that school-year.

15.1.7. Final Annual Evaluations

15.1.7.1. There should be no surprises in final evaluations; therefore, negative comments will not be included unless Evaluatees have previously been notified in writing of the area(s) of concern and provided opportunities for written responses.

15.1.7.2. Before the end of the school-year, Evaluators and Evaluatees will meet to discuss evaluations; normally, these meetings will occur by June 1.

15.1.7.3. Evaluatees will have the right to initiate written responses to their evaluations. These responses will become attachments to the evaluations and will be placed in the personnel files of Evaluatees.

15.1.7.4. In the event Evaluatees receive "unsatisfactory" evaluations, Evaluators will provide Evaluatees with specific recommendations about areas of needed improvement, and Evaluators will offer assistance intended to help Evaluatees improve.

15.1.7.5. Employees will not be required to participate in evaluations of other employees, nor will self-evaluations be included in the formal

evaluations. However, at the option of their immediate administrators, department chairpersons may be required to serve as resources in employee evaluations.

15.1.8. Employee Assistance Plans

- 15.1.8.1.** Employee Assistance Plans are written plans, with timelines, to help employees who voluntarily request assistance or for whom remediation is recommended by their immediate administrators. Employee Assistance Plans will not be required in instances of egregious behavior by employees or when notices of unprofessional conduct have been issued.
- 15.1.8.2.** If employees receive overall unsatisfactory evaluations or unsatisfactory ratings in any areas designated in 15.1.4.1, their Evaluators will prepare written assistance plans with specific timelines and strategies that will include, but not be limited to, the following:
- 15.1.8.2.1.** Identification of specific deficiencies;
 - 15.1.8.2.2.** Detailed outline of assistance;
 - 15.1.8.2.3.** Specific expectations;
 - 15.1.8.2.4.** Date by which deficiencies must be corrected; and
 - 15.1.8.2.5.** Method for reassessment.
- 15.1.8.3.** If final evaluations contain areas ranked as “unsatisfactory”, assistance plans will be implemented for the following school-year.
- 15.1.8.4.** Before plans are implemented, Evaluatees and their Evaluators will meet to discuss and review employee assistance plans, including timelines for reassessment. At the end of reassessment periods, Evaluatees and Evaluators will meet again to discuss progress of Evaluatees. Evaluators may require Evaluatees to continue on assistance plans until reaching satisfactory levels of performance.

- 15.1.8.5.** Employee assistance plans may include, but will not be limited to: a) weekly meetings with their Evaluators to review the lesson plans of Evaluatees; b) having administrators or peer coaches model lessons; c) providing Evaluatees with released time to observe other classes; or d) attendance at in-service training or other applicable courses. If Evaluators require Evaluatees to take specific training or in-service for which there is a fee, the District will pay for the cost of the required training. Evaluators will meet regularly with Evaluatees to monitor progress on assistance plans.
- 15.1.8.6.** Employees who receive overall unsatisfactory evaluations, or who are within the duration of notices of unprofessional conduct, will not be eligible to receive step increases or anniversary increments (see section 8. 18). Employees will have the right to appeal to the District Personnel Administrator whose decision will be final. If employees achieve overall satisfactory evaluations when they are reassessed as specified in employee assistance plans, they will receive step increases at the next pay period.
- 15.1.8.7.** "Overall unsatisfactory evaluation" will mean a final annual evaluation in which three (3) or more areas are ranked as "unsatisfactory" by the Evaluator.

15.1.9. Legal Conformance

The evaluation process established by the District will not be in conflict with the provisions of this article or prevailing state law.

15.1.10. Grievability

Neither the District evaluation process nor judgments and recommendations of Evaluators contained in classroom observation reports and formal evaluations will be subject to the provisions contained in Article 7 of this agreement; however, alleged violations of the provisions of this article are grievable.

15.2. Personal and Academic Freedom

15.2.1. The District will not begin dismissal action against employees solely on the basis of unsubstantiated allegations in citizen or parent complaints.

15.2.2. The District will not base any adverse action against employees on their personal, political, or organizational activities and preferences, unless those activities and preferences affect the job performance of the employees.

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MASTER CONTRACT

between

**The Oceanside Teachers Association
CTA/NEA**

and

The Oceanside Unified School District

July 1, 2001 – June 30, 2004

ARTICLE 15: EVALUATION**15.1. Evaluation Procedures**

The purposes of the evaluation system are: 1) to improve the delivery of educational services; 2) to provide constructive assistance to employees; and 3) to rate the service of employees to the District.

15.1.1. Probationary Employees

All probationary employees will be evaluated in writing at least once each school-year, and this written evaluation will be transmitted to employees not later than thirty (30) calendar days prior to the end of the student-year in which the evaluation takes place.

15.1.2. Permanent Employees

All permanent employees will be evaluated on a continuing basis in writing at least once every other year, and this written evaluation will be transmitted to employees not later than thirty (30) calendar days prior to the end of the student-year in which the evaluation takes place.

15.1.3. Goals and Objectives

Prior to the end of the seventh school-week of the appropriate semester, employees scheduled for evaluation and their Evaluators will meet to establish acceptable goals and objectives upon which evaluations will be based. In the event mutual consent cannot be reached on the goals and objectives, Evaluators will inform Evaluatees, in writing, of the goals and objectives on which final evaluations will be based. If Evaluatees do not concur, they may submit written statements indicating why the goals and objectives prepared by their Evaluators are not appropriate, and those statements will become part of their official evaluation documentation.

15.1.3.1. Prior to setting goals and objectives, Evaluatees will be given copies of existing relevant sections of the goals and objectives of their Evaluators, schools, and/or departments.

15.1.3.2. If, during the course of the evaluation period, mitigating circumstances arise which require changing goals and objectives, modifications may be initiated by Evaluators or Evaluatees, and any amended goals and objectives will be established in accordance with 15.1.3.

15.1.4. Basis for Evaluation

15.1.4.1. Evaluations of all employees will include, but not be limited to, consideration of:

15.1.4.1.1. Goals and objectives of employees;

15.1.4.1.2. The progress of students toward standards of expected student achievement;

15.1.4.1.3. Instructional techniques and strategies;

15.1.4.1.4. Adherence to curricular objectives;

15.1.4.1.5. Establishment and maintenance of suitable learning environments, including classroom control; and

15.1.4.1.6. Performance of other duties normally required as adjunct to the regular assignments of employees.

15.1.4.2. Evaluation of student progress will be based upon standards expected of students at each grade level in each area of study. Information to support evaluations will be obtained through a variety of sources including, but not limited to: classroom observations, student work products, judgments, responsibilities carried, criterion-referenced tests, and anecdotal records.

15.1.4.3. The basis for objective evaluation and student progress assessment will be data collected related to standards of expected student growth and progress.

15.1.4.4. Evaluation of non-instructional employees will be based on their fulfillment of defined job responsibilities.

15.1.5. Classroom Observations

15.1.5.1. Evaluations of classroom performance will include at least two formal classroom/assignment observations of 30 minutes each, with one completed prior to December 15. Observations will be followed by personal conferences between Evaluators and Evaluatees, normally within five (5) work-days, (this timeline may be extended by mutual agreement), unless the primary evaluator finds that the observation was completely satisfactory and that a formal conference is not necessary, in which case the evaluatee will sign the observation report and return it to the evaluator to distribute copies as indicated on the report itself. Evaluators will prepare written classroom observation reports for conferences, which will be presented to and may be discussed with Evaluatees. If Evaluators have concerns about performances of Evaluatees in any of the observed areas, Evaluators will discuss those concerns with Evaluatees at the post-observation conferences. Continuing concerns will be reduced to writing and given to Evaluatees, along with assistance plans.

15.1.5.2. Except in cases of significant violations of job duties, work-rules or professional competence, at least three (3) formal and scheduled classroom/assignment observations will take place prior to issuance of final annual evaluations with overall ratings of unsatisfactory.

15.1.5.3. Classroom observations may be made by more than one administrator provided that administrators who are not the primary Evaluators have discussed the goals and objectives with Evaluatees prior to observations. Evaluatees or their primary

Evaluators may request that formal scheduled classroom observations be done by other administrators.

15.1.5.4. Nothing herein will prevent Evaluators from making unscheduled classroom observations in addition to formal scheduled observations. Unscheduled classroom observations are formal observations as opposed to informal walk-throughs or drop-in visits. If Evaluators have concerns about performances of Evaluatees in any of the observed areas, Evaluators will discuss those concerns with Evaluatees at post-observation conferences.

15.1.6. Lesson Plans

15.1.6.1. All employees will be responsible for preparing daily lesson plans and having them available for review; however, they will not be required to turn in the lesson plans.

15.1.6.2. If employees fail to leave lesson plans for substitutes on at least two occasions within a school-year, they may be required by their immediate administrators to turn in lesson plans for the remainder of that school-year.

15.1.7. Final Annual Evaluations

15.1.7.1. There should be no surprises in final evaluations; therefore, negative comments will not be included unless Evaluatees have previously been notified in writing of the area(s) of concern and provided opportunities for written responses.

15.1.7.2. Evaluators and Evaluatees will meet to discuss evaluations not later than thirty (30) calendar days prior to the end of the student year in which the evaluation takes place.

15.1.7.3. Evaluatees will have the right to initiate written responses to their evaluations. These responses will become attachments to the evaluations and will be placed in the personnel files of Evaluatees.

15.1.7.4. In the event Evaluatees receive “unsatisfactory” evaluations, Evaluators will provide Evaluatees with specific recommendations about areas of needed improvement, and Evaluators will offer assistance intended to help Evaluatees improve.

15.1.7.5. Employees will not be required to participate in evaluations of other employees, nor will self-evaluations be included in the formal evaluations except those staff members who volunteer and qualify to participate in an alternative evaluation. . However, at the option of their immediate administrators, department chairpersons may be required to serve as resources in employee evaluations.

15.1.8. Employee Assistance Plans

15.1.8.1. Employee Assistance Plans are written plans, with timelines, to help employees who voluntarily request assistance or for whom remediation is recommended by their immediate administrators. Employee Assistance Plans will not be required in instances of egregious behavior by employees or when notices of unprofessional conduct have been issued.

15.1.8.2. If employees receive overall unsatisfactory evaluations or unsatisfactory ratings in any areas designated in 15.1.4.1, their Evaluators will prepare written assistance plans with specific timelines and strategies that will include, but not be limited to, the following:

- 15.1.8.2.1. Identification of specific deficiencies;**
- 15.1.8.2.2. Detailed outline of assistance;**
- 15.1.8.2.3. Specific expectations;**
- 15.1.8.2.4. Date by which deficiencies must be corrected; and**
- 15.1.8.2.5. Method for reassessment.**

- 15.1.8.3. If final evaluations contain areas ranked as “unsatisfactory”, assistance plans will be implemented for the following school-year.**
- 15.1.8.4. Before plans are implemented, Evaluatees and their Evaluators will meet to discuss and review employee assistance plans, including timelines for reassessment. At the end of reassessment periods, Evaluatees and Evaluators will meet again to discuss progress of Evaluatees. Evaluators may require Evaluatees to continue on assistance plans until reaching satisfactory levels of performance.**
- 15.1.8.5. Employee Assistance Plans may include, but will not be limited to:**
- a) weekly meetings with their Evaluators to review the lesson plans of Evaluatees;**
 - b) having administrators or other teachers model lessons;**
 - c) providing Evaluatees with released time to observe other classes; or**
 - d) attendance at in-service training or other applicable courses. If Evaluators require Evaluatees to take specific training or in-service for which there is a fee, the District will pay for the cost of the required training. Evaluators will meet regularly with Evaluatees to monitor progress on assistance plans.**
- 15.1.8.6. Employees who receive overall unsatisfactory evaluations or who are within the duration of notices of unprofessional conduct (pursuant to Education Code Section 44932 of the 2001 edition) will not be eligible to receive step increases or anniversary increments (see Section 8.18). Employees will have the right to appeal to the District Personnel Administrator whose decision will be final. If employees achieve overall satisfactory evaluations**

when they are reassessed as specified in employee assistance plans, they will receive step increases at the next pay period.

15.1.8.7. "Overall unsatisfactory evaluation" will mean a final annual evaluation in which three (3) or more areas are ranked as "unsatisfactory" by the Evaluator.

15.1.9. **Alternative Evaluation Program**

Immediate administrators will invite tenured employees who meet the requirements outlined below to participate in the Alternative Evaluation Program.

15.1.9.1. To participate in the voluntary Alternative Evaluation Program, employees must:

15.1.9.1.1. Be nominated by their immediate administrators;

15.1.9.1.2. Be scheduled as "on-year" for evaluations;

15.1.9.1.3. Have received an overall rating of "Satisfactory" during the previous evaluation period.

15.1.9.2. Participants will be limited to not more than fifty (50) percent of the employees scheduled as "on-year" for evaluation at any given school.

15.1.9.3. Participants may not withdraw from this year-long evaluation option during the course of the school term.

15.1.9.4. Formal classroom observations are not required for participants in the Alternative Evaluation Program, although nothing in this language prevents their Evaluators from conducting and writing such observations.

15.1.9.5. Once participants in the Alternative Evaluation are identified, they will meet individually with their Evaluators to develop goals to be used as part of the evaluation process. The goal, or goals, will be

in addition to those described in the "Evaluation Goals and Objectives Review Report."

15.1.9.6. Evaluators and Evaluatees will also determine the criteria for evaluating goals. The following information summarizes the types of evaluation methods that may be used to determine attainment of goals:

15.1.9.6.1. Portfolio Assessment – Employees will assemble portfolios of materials to illustrate progress in meeting a goal or goals. Sample portfolio items may include logs of activities, student work, examples of assignments for curriculum, photographs, video-tapes, or student evaluations of activities.

15.1.9.6.2. Classroom Action Research – Employees will outline specific concepts, instructional strategies, or learning theories to be researched and implemented in their work. Research projects will include specific evaluation methods and documentation.

15.1.9.7. Regardless of the alternative evaluation option selected, the Alternative Evaluation Program will include regularly scheduled interactive sessions regarding the progress of employees on identified goals.

15.1.9.8. Evaluatees and their Evaluators participating in the Alternative Evaluation Program will complete end-of-year summaries of their work not later than thirty (30) days before the last school-day. Employees participating in the Alternative Evaluation Program will provide written self-analyses on their progress toward meeting their established goal or goals on an Alternative Evaluation Goals

form. Copies of the forms will be given to participants and will be filed in their personnel files.

15.1.10. Legal Conformance

The evaluation process established by the District will not be in conflict with the provisions of this article or prevailing state law.

15.1.11. Grievability

Neither the District evaluation process nor judgments and recommendations of Evaluators contained in classroom observation reports and formal evaluations will be subject to the Grievance and Arbitration Article; however, alleged violations of the provisions of this article are grievable.

15.2. Personal and Academic Freedom

15.2.1. The District will not begin dismissal action against employees solely on the basis of unsubstantiated allegations in citizen or parent complaints.

15.2.2. The District will not base any adverse action against employees on their personal, political, or organizational activities and preferences, unless those activities and preferences affect the job performance of the employees.

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MASTER CONTRACT

Between

**The Oceanside Teachers Association
CTA/NEA**

and

The Oceanside Unified School District

July 1, 2004 – June 30, 2007

1 **ARTICLE 15: EVALUATION**

2 **15.1. Evaluation Procedures**

3 The purposes of the evaluation system are to (1) improve the delivery of educational
4 services, (2) provide constructive assistance to employees, and (3) rate the service
5 of employees to the District.

6 **15.1.1. Probationary Employees**

7 All probationary employees will be evaluated in writing at least once each
8 school year, and this written evaluation will be transmitted to employees
9 not later than thirty (30) calendar days prior to the end of the student year
10 in which the evaluation takes place.

11 **15.1.2. Permanent Employees**

12 All permanent employees will be evaluated in writing on a continuing basis,
13 at least once every other year, and this written evaluation will be
14 transmitted to employees not later than thirty (30) calendar days prior to
15 the end of the student year in which the evaluation takes place.

16 **15.1.3. Goals and Objectives**

17 Prior to the end of the seventh school week of the appropriate semester,
18 employees scheduled for evaluation and their Evaluators will meet to
19 establish acceptable goals and objectives upon which evaluations will be
20 based. In the event mutual consent cannot be reached on the goals and
21 objectives, Evaluators will inform Evaluatees, in writing, of the goals and
22 objectives on which final evaluations will be based. If Evaluatees do not
23 concur, they may submit written statements indicating why the goals and
24 objectives prepared by their Evaluators are not appropriate, and those
25 statements will become part of their official evaluation documentation.

26 **15.1.3.1.**Prior to setting goals and objectives, Evaluatees will be given
27 copies of existing relevant sections of the goals and
28 objectives of their Evaluators, schools, and/or departments.

1 **15.1.3.2. If during the course of the evaluation period, mitigating**
 2 **circumstances arise that require changing goals and**
 3 **objectives, modifications may be initiated by Evaluators or**
 4 **Evaluates, and any amended goals and objectives will be**
 5 **established in accordance with 15.1.3.**

6 **15.1.3.3. A subcommittee comprised of the District and the**
 7 **Association negotiating teams shall meet to resolve**
 8 **outstanding issues (regarding unsatisfactory ratings) in the**
 9 **new Professional Growth System (PGS).**

10 **15.1.3.3.1. The PGS shall be piloted Districtwide as the**
 11 **evaluation system during the 2004-2005 school**
 12 **year.**

13 **15.1.3.3.2. Following the pilot, focus groups will provide**
 14 **feedback, and appropriate notification, if any,**
 15 **will be made.**

16 **15.1.3.3.3. The Agreement reached by this subcommittee**
 17 **shall be submitted to the District and the**
 18 **Association negotiation teams for potential**
 19 **agreement.**

20 **15.1.3.3.4. Upon agreement, any recommendation shall be**
 21 **submitted for ratification.**

22 **15.1.4. Basis for Evaluation**

23 **15.1.4.1. Evaluations of all employees will include, but not be limited**
 24 **to, consideration of the following:**

25 **15.1.4.1.1. Goals and objectives of employees.**

26 **15.1.4.1.2. The progress of students toward standards of**
 27 **expected student achievement.**

28 **15.1.4.1.3. Instructional techniques and strategies.**

29 **15.1.4.1.4. Adherence to curricular objectives:**

1 15.1.4.1.5. The Professional Growth System (PGS) will be
2 submitted for ratification as the exclusive
3 evaluation program commencing with the 2005-
4 2006 school year.

5 15.1.4.1.6. Establishment and maintenance of suitable
6 learning environments, including classroom
7 Control.

8 15.1.4.1.7. And, performance of other duties normally
9 required as adjunct to the regular assignments
10 of employees.

11 15.1.4.2. Evaluation of student progress will be based upon standards
12 expected of students at each grade level in each area of study.
13 Information to support evaluations will be obtained through a variety
14 of sources including, but not limited to classroom observations,
15 student work products, judgments, responsibilities carried, criterion-
16 referenced tests, and anecdotal records.

17 15.1.4.3. The basis for objective evaluation and student progress assessment
18 will be data collected related to standards of expected student
19 growth and progress.

20 15.1.4.4. Evaluation of noninstructional employees will be based on their
21 fulfillment of defined job responsibilities.

22 15.1.5. Classroom Observations

23 15.1.5.1. Evaluations of classroom performance will include at least
24 two (2) formal classroom/assignment observations of thirty
25 (30) minutes each, with one (1) completed prior to December
26 15. Observations will be followed by personal conferences
27 between Evaluators and Evaluatees, normally within five (5)
28 workdays, (this timeline may be extended by mutual
29 agreement), unless the primary Evaluator finds that the

1 observation was completely satisfactory and that a formal
2 conference is not necessary, in which case the Evaluatee will
3 sign the observation report and return it to the Evaluator to
4 distribute copies as indicated on the report itself. Evaluators
5 will prepare written classroom observation reports for
6 conferences that will be presented to and may be discussed
7 with Evaluatees. If Evaluators have concerns about
8 performances of Evaluatees in any of the observed areas,
9 Evaluators will discuss those concerns with Evaluatees at the
10 post-observation conferences. Continuing concerns will be
11 reduced to writing and given to Evaluatees, along with
12 assistance plans.

13 **15.1.5.2.** Except in cases of significant violations of job duties, work
14 rules, or professional competence, at least three (3) formal
15 and scheduled classroom/assignment observations will take
16 place prior to issuance of final annual evaluations with
17 overall ratings of unsatisfactory.

18 **15.1.5.3.** Classroom observations may be made by more than one
19 administrator provided that administrators who are not the
20 primary Evaluators have discussed the goals and objectives
21 with Evaluatees prior to observations. Evaluatees or their
22 primary Evaluators may request that formal, scheduled
23 classroom observations be done by other administrators.

24 **15.1.5.4.** Nothing herein will prevent Evaluators from making
25 unscheduled classroom observations in addition to formal,
26 scheduled observations. Unscheduled classroom
27 observations are formal observations as opposed to informal
28 walk-throughs or drop-in visits. If Evaluators have concerns
29 about performances of Evaluatees in any of the observed

1 areas, Evaluators will discuss those concerns with
2 Evaluatees at post-observation conferences.

3 **15.1.6. Lesson Plans**

4 **15.1.6.1. All employees will be responsible for preparing daily lesson
5 plans and having them available for review; however, they
6 will not be required to turn in the lesson plans.**

7 **15.1.6.2. If employees fail to leave lesson plans for substitutes on at
8 least two (2) occasions within a school year, they may be
9 required by their immediate administrators to turn in lesson
10 plans for the remainder of that school year.**

11 **15.1.7. Final Annual Evaluations**

12 **15.1.7.1. There should be no surprises in final evaluations; therefore,
13 negative comments will not be included unless Evaluatees
14 have previously been notified in writing of the area(s) of
15 concern and provided opportunities for written responses.**

16 **15.1.7.2. Evaluators and Evaluatees will meet to discuss evaluations
17 not later than thirty (30) calendar days prior to the end of the
18 student year in which the evaluation takes place.**

19 **15.1.7.3. Evaluatees will have the right to initiate written responses to
20 their evaluations. These responses will become attachments
21 to the evaluations and will be placed in the personnel files of
22 Evaluatees.**

23 **15.1.7.4. In the event Evaluatees receive unsatisfactory evaluations,
24 Evaluators will provide Evaluatees with specific
25 recommendations about areas of needed improvement, and
26 Evaluators will offer assistance intended to help Evaluatees
27 improve.**

28 **15.1.7.5. Employees will not be required to participate in evaluations of
29 other employees, nor will self-evaluations be included in the**

1 formal evaluations except those staff members who volunteer
2 and qualify to participate in an alternative evaluation;
3 however, at the option of their immediate administrators,
4 department chairpersons may be required to serve as
5 resources in employee evaluations.

6 **15.1.8. Employee Assistance Plans**

7 **15.1.8.1. Employee Assistance Plans are written plans, with timelines,**
8 **to help employees who voluntarily request assistance or for**
9 **whom remediation is recommended by their immediate**
10 **administrators. Employee Assistance Plans will not be**
11 **required in instances of egregious behavior by employees or**
12 **when notices of unprofessional conduct have been issued.**

13 **15.1.8.2. If employees receive overall unsatisfactory evaluations or**
14 **unsatisfactory ratings in any areas designated in 15.1.4.1,**
15 **their Evaluators will prepare written assistance plans with**
16 **specific timelines and strategies that will include, but not be**
17 **limited to, the following:**

18 **15.1.8.2.1. Identification of specific deficiencies.**

19 **15.1.8.2.2. Detailed outline of assistance.**

20 **15.1.8.2.3. Specific expectations.**

21 **15.1.8.2.4. Date by which deficiencies must be corrected.**

22 **15.1.8.2.5. Method for reassessment.**

23 **15.1.8.3. If final evaluations contain areas ranked as unsatisfactory,**
24 **assistance plans will be implemented for the following school**
25 **year.**

26 **15.1.8.4. Before plans are implemented, Evaluatees and their**
27 **Evaluators will meet to discuss and review Employee**
28 **Assistance Plans, including timelines for reassessment. At**
29 **the end of reassessment periods, Evaluatees and Evaluators**

1 will meet again to discuss progress of Evaluatees.

2 Evaluators may require Evaluatees to continue on assistance
3 plans until reaching satisfactory levels of performance.

4 **15.1.8.5.** Employee Assistance Plans may include, but will not be
5 limited to (1) weekly meetings with their Evaluators to review
6 the lesson plans of Evaluatees, (2) having administrators or
7 other teachers' model lessons, (3) providing Evaluatees with
8 released time to observe other classes, or (4) attendance at
9 in-service training or other applicable courses. If Evaluators
10 require Evaluatees to take specific training or in-service for
11 which there is a fee, the District will pay for the cost of the
12 required training. Evaluators will meet regularly with
13 Evaluatees to monitor progress on assistance plans.

14 **15.1.8.6.** Employees who receive overall unsatisfactory evaluations or
15 who are within the duration of notices of unprofessional
16 conduct (pursuant to Education Code Section 44932 of the
17 2001 Edition) will not be eligible to receive step increases or
18 anniversary increments (see Section 8.18). Employees will
19 have the right to appeal to the District Personnel
20 Administrator whose decision will be final. If employees
21 achieve overall satisfactory evaluations when they are
22 reassessed as specified in Employee Assistance Plans, they
23 will receive step increases at the next pay period.

24 **15.1.8.7.** "Overall unsatisfactory evaluation" will mean a final annual
25 evaluation in which three (3) or more areas are ranked as
26 unsatisfactory by the Evaluator.

1 **15.1.9. Alternative Evaluation Program**

2 Immediate administrators will invite tenured employees who meet the
3 requirements outlined below to participate in the Alternative Evaluation
4 Program.

5 **15.1.9.1. To participate in the voluntary Alternative Evaluation**
6 **Program, employees must have the following:**

7 **15.1.9.1.1. Be nominated by their immediate administrators.**

8 **15.1.9.1.2. Be scheduled as “on-year” for evaluations.**

9 **15.1.9.1.3. Have received an overall rating of satisfactory**
10 **during the previous evaluation period.**

11 **15.1.9.2. Participants will be limited to not more than fifty (50) percent**
12 **of the employees scheduled as “on-year” for evaluation at**
13 **any given school.**

14 **15.1.9.3. Participants may not withdraw from this yearlong evaluation**
15 **option during the course of the school term.**

16 **15.1.9.4. Formal classroom observations are not required for**
17 **participants in the Alternative Evaluation Program, although**
18 **nothing in this language prevents their Evaluators from**
19 **conducting and writing such observations.**

20 **15.1.9.5. Once participants in the Alternative Evaluation Program are**
21 **identified, they will meet individually with their Evaluators to**
22 **develop goals to be used as part of the evaluation process.**
23 **The goal or goals will be in addition to those described in the**
24 **Evaluation Goals and Objectives Review Report.**

25 **15.1.9.6. Evaluators and Evaluatees will also determine the criteria for**
26 **evaluating goals. The following information summarizes the**
27 **types of evaluation methods that may be used to determine**
28 **attainment of goals:**

1 **15.1.9.6.1. Portfolio Assessment—Employees will**
 2 **assemble portfolios of materials to illustrate**
 3 **progress in meeting a goal or goals. Sample**
 4 **portfolio items may include logs of activities,**
 5 **student work, examples of assignments for**
 6 **curriculum, photographs, videotapes, or**
 7 **student evaluations of activities.**

8 **15.1.9.6.2. Classroom Action Research—Employees will**
 9 **outline specific concepts, instructional**
 10 **strategies, or learning theories to be researched**
 11 **and implemented in their work. Research**
 12 **projects will include specific evaluation**
 13 **methods and documentation.**

14 **15.1.9.7. Regardless of the alternative-evaluation option selected, the**
 15 **Alternative Evaluation Program will include regularly**
 16 **scheduled interactive sessions regarding the progress of**
 17 **employees on identified goals.**

18 **15.1.9.8. Evaluatees and their Evaluators participating in the**
 19 **Alternative Evaluation Program will complete end-of-year**
 20 **summaries of their work not later than thirty (30) days before**
 21 **the last school day. Employees participating in the Alternative**
 22 **Evaluation Program will provide written self-analyses on their**
 23 **progress toward meeting their established goal or goals on an**
 24 **alternative-evaluation-goals form. Copies of the forms will be**
 25 **given to participants and will be filed in their personnel files.**

26 **15.1.10. Legal Conformance**

27 **The evaluation process established by the District will not be in conflict**
 28 **with the provisions of this Article or prevailing state law.**

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15.1.11. Grievability

Neither the District evaluation process nor judgments and recommendations of Evaluators contained in classroom observation reports and formal evaluations will be subject to the Grievance, Arbitration and Complaint Procedure Article; however, alleged violations of the provisions of this Article are grievable.

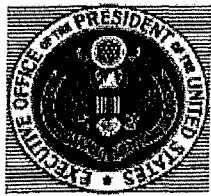
15.2. Personal and Academic Freedom

15.2.1. The District will not begin dismissal action against employees solely on the basis of unsubstantiated allegations in citizen or parent complaints.

15.2.2. The District will not base any adverse action against employees on their personal, political, or organizational activities and preferences, unless those activities and preferences affect the job performance of the employees.

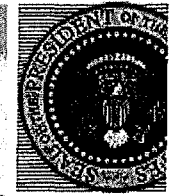
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Exhibit O



Office of Management and Budget

The Executive Office of the President



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Monday, November 8, 2004

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Information for Agencies

Circular No. A-87

Attachment B

SELECTED ITEMS OF COST

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19. Equipment and other capital expenditures
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21. Fund raising and investment management costs
22. Gains and losses on disposition of depreciable property and other capital and substantial relocation of Federal programs.

6. Substitute systems for allocating salaries and wages to Federal awards may be used in place of activity reports. These systems are subject to approval if required by the cognizant agency. Such systems may include, but are not limited to, random moment sampling, case counts, or other quantifiable measures of employee effort.
 - (a) Substitute systems which use sampling methods (primarily for Aid to Families with Dependent Children (AFDC), Medicaid, and other public assistance programs) must meet acceptable statistical sampling standards including:
 - (i) The sampling universe must include all of the employees whose salaries and wages are to be allocated based on sample results except as provided in subsection (c);
 - (ii) The entire time period involved must be covered by the sample; and
 - (iii) The results must be statistically valid and applied to the period being sampled.
 - (b) Allocating charges for the sampled employees' supervisors, clerical and support staffs, based on the results of the sampled employees, will be acceptable.
 - (c) Less than full compliance with the statistical sampling standards noted in subsection (a) may be accepted by the cognizant agency if it concludes that the amounts to be allocated to Federal awards will be minimal, or if it concludes that the system proposed by the governmental unit will result in lower costs to Federal awards than a system which complies with the standards.