

COMMISSION ON STATE MANDATES

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December 2, 1999

Mr. Paul C. Minney , Esq.
Girard & Vinson
Growers Square
1676 N. California Blvd., Suite 450
Walnut Creek, California 94596

And Affected Parties and State Agencies (See Enclosed Mailing List)

Re: **Charter School Collective Bargaining, CSM 99-TC-05**
Western Placer Unified School District, Claimant
Statutes of 1999, Chapter 828
Education Code Sections 47605(b)(5)(o) and 47611.5
Government Code Sections 3540, et seq.

Dear Mr. Minney :

The Commission on State Mandates determined that the subject test claim submittal is complete. The test claim initiates the process for the Commission to consider whether the provisions of the chapters listed above impose a reimbursable state-mandated program upon local entities. State agencies and interested parties are receiving a copy of this test claim because they may have an interest in the Commission's determination.

The key issues before the Commission are:

- ⚡ Do the subject statutes, executive orders, standards and procedures result in a new program or higher level of service within an existing program upon local entities within the meaning of section 6, article XIII B of the California Constitution and section 17514 of the Government Code? If so, are there costs associated with the mandate that are reimbursable?
- ⚡ Do any of the provisions of Government Code section 17556 preclude the Commission from finding that the provisions of the subject statutes impose a reimbursable state-mandated program upon local entities?

The Commission requests your participation in the following activities concerning this test claim:

- **Informal Conference.** An informal conference may be scheduled if requested by any interested party. See Title 2, California Code of Regulations, section 1183 .04 (the regulations).
- **State Agency Review of Test Claim.** State agencies receiving this letter are requested to analyze the merits of the test claim and to file written comments on its validity under the provisions of Government Code sections 17500 through 17630 and section 1183.02 of the regulations. Alternatively, if a state agency chooses not to respond to this request, please submit a written statement of non-response to the Commission. Requests for extensions of time may be filed in accordance with sections 1183 .01 (c) and 118 1.1 (g) of the regulations. State agency comments are due 30 days from the date of this letter.
- **Claimant Rebuttal.** The claimant and interested parties may file a rebuttal to state agencies' comments on the test claim under section 1183.02 of the regulations. The rebuttal is due 30 days from the service date of written comments.
- **Public Hearing.** The public hearing on the test claim is tentatively set for **July 27, 2000**, at 9:30 a.m., in Room 126, State Capitol, Sacramento. State and local representatives may provide testimony at this hearing. A court reporter will tape the proceedings in order to prepare a transcript. Requests for postponement of the hearing may be filed with the Executive Director in accordance with section 1183.01 of the regulations.

If the Commission determines that a reimbursable state mandate exists, the claimant is responsible for submitting proposed parameters and guidelines for reimbursing all eligible local entities. All interested parties, including affected state agencies, will be given an opportunity to comment on the claimant's proposal before consideration and adoption by the Commission. Finally, the Commission is required to adopt a statewide cost estimate of the reimbursable state-mandated program within 12 months of receipt of a test claim. This deadline may be extended for up to six months upon the request of either the claimant or the Commission,

Please contact Nancy Patton at (9 16) 323-8217 if you have any questions.

Sincerely,



SHIRLEY OPIE
Staff Services Manager

Enclosures: Mailing List and Test Claim
F:/mandates/1999/99tc05/completeltr

MAILED: 12/3/99
 FILED: 12/3/99
 INITIAL: gpb
 WORKING BINDER: _____

Commission on State Mandates

Originated: 12/02/1999

Mailing Information Completeness Review

Mailing List

CSM/SB # 99-TC-05 Claimant Claim of Western Placer Unified School District
Government Code Section 3540, et seq & Ed. Code 47605 (b) (5) (o) and 47611.5
Chapters Statutes of 1999 (AB 63 1), Ch. 828
Issue Charter School Collective Bargaining

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