

ITEM 12

PROPOSED STATEMENT OF DECISION DISMISSAL OF TEST CLAIM

Education Code Sections 87610.1 and 87611

Statutes 1988, Chapter 973 (AB 1725)

Tenure Grievance Arbitration (98-TC-18)

Sierra Joint Community College District, Claimant

EXECUTIVE SUMMARY

On June 14, 1999, the Sierra Joint Community College District filed the *Tenure Grievance Arbitration* test claim with the Commission on State Mandates (Commission). By letter received April 22, 2005, the claimant withdrew the test claim.

Under the California Code of Regulations, title 2, section 1183.08, local agencies and school districts have an opportunity to take over the claim by substitution of parties within 60 days of service of the request to withdraw. Commission staff issued a letter dated May 4, 2005, to the claimant, the claimant's representative, and interested parties that the claim would be dismissed if a substitution of parties to take over the claim was not requested. No request to take over the claim has been received.

Therefore, in accordance with California Code of Regulations, title 2, section 1183.08, the Commission shall issue a decision dismissing the claim.

Staff Recommendation

Based on the foregoing, staff recommends that the Commission adopt the attached proposed Statement of Decision to record the dismissal of this test claim.

BEFORE THE
COMMISSION ON STATE MANDATES
STATE OF CALIFORNIA

IN RE TEST CLAIM ON:

Education Code Sections 87610.1 and 87611;

Statutes 1988, Chapter 973;

Filed on June 14, 1999;

By the Sierra Joint Community College
District, Claimant.

NO. 98-TC-18

Tenure Grievance Arbitration
Dismissal of Test Claim

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

(Proposed for adoption on July 28, 2005)

PROPOSED STATEMENT OF DECISION

On June 14, 1999, the Sierra Joint Community College District filed the *Tenure Grievance Arbitration* test claim with the Commission on State Mandates. By letter received April 22, 2005, the claimant withdrew the test claim. Timely notice was provided to the claimant, the claimant's representative, and interested parties that the claim would be dismissed if a substitution of parties to take over the claim was not requested. No request to take over the claim has been received.

CONCLUSION

IT IS HEREBY ORDERED that a dismissal of the test claim on Statutes 1988, Chapter 973, is entered pursuant to California Code of Regulations, title 2, section 1183.08; and Government Code sections 17527, subdivision (g), and 17553, subdivision (a).