

**COMMISSION ON STATE MANDATES**

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November 23, 2011

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*And Affected State Agencies and Interested Parties (See Mailing List)*

**RE: Revised Final Staff Analysis, Proposed Statewide Cost Estimate, and Hearing Date**  
*Comprehensive School Safety Plans II and Amendment*  
02-TC-33, 07-TC-11  
Education Code Sections 32281, 32282, 32286, and 32288  
Statutes 1997, Chapter 736; Statutes 1999, Chapter 996; Statutes 2001, Chapter 890;  
Statutes 2002, Chapter 506; Statutes 2004, Chapter 895  
Bakersfield City School District, Sweetwater Union High School District, and  
San Diego Unified School District, Claimants

Dear, Mr. Petersen, Ms. Russo, Mr. Ashworth, Ms. Donovan and Ms. Kanemasu:

The Commission on State Mandates is revising its proposed statewide cost estimate on the above-named matter from \$3,298,953 to \$26,174. The revised staff analysis and estimate are attached.

**Hearing**

This matter remains set for hearing on **Thursday, December 1, 2011** at 9:30 a.m. in Room 447, State Capitol, Sacramento, CA. This matter continues to be proposed for the Consent Calendar. Please let us know in advance if you or a representative of your agency will testify at the hearing, and if other witnesses will appear. If you would like to request postponement of the hearing, please refer to section 1183.01(c)(2) of the Commission's regulations.

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**Special Accommodations**

For any special accommodations such as a sign language interpreter, an assistive listening device, materials in an alternative format, or any other accommodations, please contact the Commission Office at least five to seven *working* days prior to the meeting.

Please contact me at (916) 327-8217 if you have questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Nancy Patton". The signature is fluid and cursive, with a large initial "N" and a long, sweeping underline.

Nancy Patton  
Acting Executive Director

**ITEM 7**  
**REVISED FINAL STAFF ANALYSIS**  
**PROPOSED STATEWIDE COST ESTIMATE**

**\$26,174**

Education Code Sections 32281, 32282, 32286, and 32288

Statutes 1997, Chapter 736; Statutes 1999, Chapter 996  
Statutes 2001, Chapter 890; Statutes 2002, Chapter 506;  
Statutes 2004, Chapter 895

*Comprehensive School Safety Plans II, and Amendment*  
02-TC-33, 07-TC-11

Bakersfield City School District, Sweetwater Union High School District, and San Diego Unified  
School District, Co-Claimants

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**REVISED STAFF ANALYSIS**

Commission staff issued a final staff analysis on this matter recommending adoption of a statewide cost estimate of \$3,298,953. Staff is revising this estimate and is now proposing adoption of a statewide cost estimate of \$26,174, based on the following information.

**Background and Summary of the Mandate**

In 2001 and 2002, the Commission on State Mandates (Commission) approved the *Comprehensive School Safety Plans I* test claim (98-TC-01, 99-TC-10), for school districts to develop and adopt a comprehensive school safety plan. The statewide cost estimate was adopted in 2004.

In 2008 and 2009, the Commission approved the *Comprehensive School Safety Plans II* test claim (02-TC-33) and a subsequent amendment to the test claim (07-TC-11) for: 1) addressing the timing for new schools to adopt their safety plans; and for all school districts to 2) add two new elements to the safety plan; 3) specify particular parties or entities that must be notified of the public meeting when school districts are adopting their safety plans; 4) develop an earthquake emergency procedure system; 5) develop a procedure to allow a public agency, including the American Red Cross, to use school buildings, grounds, and equipment for mass care and welfare shelters during disasters or other emergencies; and 6) include these systems and procedures in the comprehensive school safety plans.

In 2010, the Commission adopted the parameters and guidelines for *Comprehensive School Safety Plans II*, and consolidated the parameters and guidelines for *Comprehensive School Safety Plans I and II* beginning July 1, 2009.<sup>1</sup> Costs incurred before July 1, 2009, may be claimed under the individual parameters and guidelines for *Comprehensive School Safety Plans I* (98-TC-01, 99-TC-10), and *Comprehensive School Safety Plans II* (02-TC-33, 07-TC-11).

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<sup>1</sup> Exhibit A.

## Statewide Cost Estimate

This proposed statewide cost estimate is for the *Comprehensive School Safety Plans II* program. Staff initially used claiming data for fiscal years 2001-2002 through 2009-2010 to develop the statewide cost estimate. However, a claimant representative pointed out that the claims filed for 2009-2010 include over \$3 million claimed for the *Comprehensive School Safety Plans I* program. Therefore, the proposed statewide cost estimate for *Comprehensive School Safety Plans II* program is incorrect and is being revised.

The claims data submitted shows that for fiscal years 2001-2002 through 2008-2009, only 10 claims were filed for a total of \$23,710. For fiscal year 2009-2010, 480 claims were filed for a total of \$3,275,243 for costs for both *Comprehensive School Safety Plans I* and *II*.<sup>2</sup> The reimbursement claims for 2009-2010 do not clarify what costs are attributable to each program. Based on this data, staff made the following revised assumptions and used the following revised methodology to develop a statewide cost estimate for this program.

### Assumptions

1. *The actual amount claimed for reimbursement may increase if late or amended claims are filed.*

Only six school districts filed reimbursement claims between 2001 and 2010. Other school districts may file late or amended claims, and therefore, the amount of reimbursement claims may exceed the statewide cost estimate. Late claims for this program may be filed until June 7, 2012.

2. *There may be several reasons that non-claiming school districts did not file for reimbursement, including but not limited to:*

- The Commission approved only a portion of this program as a mandate. Therefore, school districts may not be able to reach the \$1,000 threshold for filing reimbursement claims.
- They did not have supporting documentation to file a reimbursement claim.

3. *The total amount of reimbursement for this program may be lower than the statewide cost estimate because the SCO may reduce any reimbursement claim for this program.*

The SCO conducted a preliminary desk review of these claims and approved them for reimbursement. The SCO may conduct full field audits, and reduce any claims it deems to be excessive or unreasonable.

4. *For fiscal year 2009-2010, a similar number of claimants filed claims for the reimbursable activities approved in Comprehensive School Safety Plans II, and for similar amounts as in previous fiscal years.*

As stated previously, we are unable to differentiate the claims filed in 2009-2010 for the *Comprehensive School Safety Plans I* and *II* programs. In order to develop a cost estimate for fiscal year 2009-2010, staff averaged the number of claims filed and averaged the estimated cost of the claims filed in the eight previous fiscal years.

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<sup>2</sup> Claims data reported as of September 20, 2011.

Methodology

*Fiscal Years 2001-2002 through 2008-2009*

The proposed statewide cost estimate for the above-named fiscal years was developed by totaling the 10 reimbursement claims filed with the SCO for these years.

*Fiscal Year 2009-2010*

Staff totaled the claims filed for 2001-2002 through 2008-2009 and averaged these costs for a total of \$2,964 for 2009-2010.

The revised proposed statewide cost estimate includes nine fiscal years for a total of \$26,674 for the *Comprehensive School Safety II* program.

Following is a breakdown of estimated total costs per fiscal year:

<b>Fiscal Year</b>	<b>Number of Claims Filed with SCO</b>	<b>Estimated Cost</b>
2001-2002	1	\$6,973
2002-2003	2	\$3,668
2003-2004	0	0
2004-2005	1	\$1,029
2005-2006	1	\$1,649
2006-2007	1	\$3,045
2007-2008	2	\$3,730
2008-2009	2	\$3,616
2009-2010	1*	\$2,964*
<b>TOTAL</b>		<b>\$26,674</b>

\* Estimated based on previous years' filings.

**Staff Recommendation**

Staff recommends that the Commission adopt the proposed statewide cost estimate of **\$26,674** for costs incurred in complying with the *Comprehensive School Safety Plans II* program.

## Commission on State Mandates

Original List Date: 6/26/2003  
Last Updated: 11/14/2011  
List Print Date: 11/14/2011  
Claim Number: 02-TC-33  
Issue: Comprehensive School Safety Plans II

### Mailing List

#### TO ALL PARTIES AND INTERESTED PARTIES:

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

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