

**ITEM 8**  
**EXECUTIVE DIRECTOR'S REPORT**  
**Workload, Reports to the Legislature, New Practices, Pending Rulemaking**  
**and Next Meeting(s)**

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**I. WORKLOAD**

**A. PENDING COMMISSION CASELOAD (Info)**

Type of Action	November 22, 2010
Test Claims <sup>1</sup> to be Heard and Determined	49
Test Claims to be Reconsidered	0
Test Claims to be Reconsidered or Reinstated Based on Court Action	0
Incorrect Reduction Claims to be Heard and Determined	155
Incorrect Reduction Claims to be Reconsidered Based on Court Action	0
Reasonable Reimbursement Methodologies/Statewide Estimate of Costs	2
Proposed Parameters and Guidelines	13
Proposed Parameters and Guidelines Amendments	5
Requests to Review Claiming Instructions	1
Parameters and Guidelines to be Amended, Set Aside, or Reinstated, as Directed by the Legislature or Court Action	0
Statewide Cost Estimates to be Adopted	10
Revised Statewide Cost Estimates to be Adopted Following Amendment to Parameters and Guidelines Based on Court Action	1
New Test Claim Filings to be Reviewed	1
New Incorrect Reduction Claim Filings to be Reviewed	1
Appeals of Executive Director's Decision	0
Regulatory Actions Pending	2

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<sup>1</sup> This includes 30 test claims filed by school districts and 19 filed by local agencies.

**B. PENDING REQUESTS TO JOINTLY DEVELOP LEGISLATIVELY DETERMINED MANDATES**

Type of Action	
Notice of Intent to Pursue Legislatively Determined Mandates	3

**C. APPLICATIONS FOR FINDINGS OF SIGNIFICANT FINANCIAL DISTRESS**

Type of Action	
Applications for Findings of Significant Financial Distress Pending	0

No applications have been filed.

**II. REPORT TO THE LEGISLATURE**

State Controller's AB 3000 Report

On November 12, 2010, the State Controller submitted the State Mandated Cost Program Report required pursuant to Government Code section 17562, subdivision (b) to the Legislature. According to the State Controller:

This report summarizes data by state mandate and fiscal year, total amount of claims paid in 2009-2010, and reports deficiencies and surpluses. It also includes program costs and payments for mandated claims filed with the State Controller's Office for fiscal years 1995-1996 through 2008-2009.

This report compares the annual appropriation to the estimated annual cost of each mandate in the preceding fiscal year to the amount determined to be payable by the state for that fiscal year.

A copy of this report is attached as Exhibit A. A copy may also be viewed at [http://www.sco.ca.gov/ard\\_mancost\\_ab3000.html](http://www.sco.ca.gov/ard_mancost_ab3000.html).

Commission Reports

Commission staff submitted its Report to the Legislature on Denied Mandates to the Governor's Office for approval. The Report to the Legislature on Approved Mandates and the Report to the Legislature on Incorrect Reduction Claims are being prepared, and will be submitted to the Governor's Office for approval on or before December 3, 2010.

**III. NEW PRACTICES**

The Commission adopted amendments to the regulations at the September 30, 2010 hearing that allow for increased electronic filing of documents and posting of documents on the website. Staff developed policies and procedures and instructions for accepting filings and issuing Commission documents in electronic format and posting them to the website. Staff will conduct a workshop on December 1, 2010, to review and demonstrate the new process, and will implement the new process on January 3, 2011.

**IV. PENDING RULEMAKING 2011**

Commission staff is reviewing the Commission's regulations for proposed general cleanup, and will recommend the Commission initiate a rulemaking package in 2011.

## V. TENTATIVE AGENDA ITEMS FOR NEXT NINE MONTHS

*The tentative agenda items are subject to change based on when the first Commission meeting will be held in 2011, the new Executive Director, Commission staff's actual authorized work days, workload, litigation, requests for extensions of time to file comments on draft staff analyses, hearing postponements, pre-hearing conferences, and the complexity of the statutes and executive orders that are pled.*

### A. Test Claims (15)

1. *Discrimination Complaint Procedures*, 02-TC-46  
Los Rios, Santa Monica and West Kern Community College Districts, Claimants (March)
2. *Employment of College Faculty and Instructors*, 02-TC-27  
Santa Monica Community College District, Claimant (January/March)
3. *Notice to Students and Minimum Conditions for State Aid*,  
02-TC-25 and 02-TC-31  
Los Rios and Santa Monica Community College Districts, Claimants  
(January/March)
4. *School Facilities Funding Requirements*, 02-TC-30, 02-TC-43, 09-TC-01  
Clovis Unified School District, Claimant (January/March)
5. *Community College Construction*, 02-TC-47, Santa Monica Community  
College District (January/March)
6. *Developer Fees*, 02-TC-42, Clovis Unified School District (May/July)
7. *Deferred Maintenance*, 02-TC-44 and 02-TC-48, Clovis Unified School  
District and Santa Monica Community College District, Claimants  
(May/July)
8. *California Public Records Act*, 02-TC-10 and 02-TC-51, County of  
Los Angeles and Riverside Unified School District, Claimants (July)
9. *Public Contracts (K-14)*, 02-TC-35  
Clovis Unified School District and Santa Monica Community College  
District (September)
10. *Design Build Contracts*, 02-TC-45  
Clovis Unified School District and Santa Monica Community College  
District (September)

### B. Parameters and Guidelines (7)

1. *Expulsions II* (96-358-03, 03A, 03B, 98-TC-22., 01-TC-18),  
*Pupil Suspensions II* (98-TC-23) and *Educational Services Plan*  
(97-TC-09), San Juan Unified School District, Claimant (January/March)
2. *Comprehensive School Safety Plans II, and Amendment*,  
02-TC-33 07-TC-11  
Bakersfield City School District, Sweetwater Union High School District,  
Claimants (December)
3. *Municipal Stormwater and Urban Runoff*, 03-TC-04, 03-TC-20, 03-TC-21  
County of Los Angeles, Cities of Artesia, Azusa, Beverly Hills, Carson,  
Commerce Norwalk, Rancho Palos Verdes, Westlake Village, Vernon,

Bellflower, Covina, Downey, Monterey Park, and Signal Hill,  
Claimants (January/March)

4. *Interagency Child Abuse and Neglect (ICAN) Investigation Reports*,  
00-TC-22  
County of Los Angeles, Claimant (March/May)
5. *Discharge of Stormwater Runoff*, 07-TC-09, County of San Diego, et al,  
Claimants (May/July)
6. *Modified Primary Election*, 01-TC-13  
County of Orange, Claimant (July)
7. *Voter Identification Procedures*, 03-TC-23  
County of San Bernardino, Claimant (July)

C. Requests to Amend Parameters and Guidelines (2)

1. *Habitual Truants*, 01-PGA-06  
Clovis Unified School District, Requestor (March)
2. *Enrollment Fee Collection and Waivers*, 08-PGA-02  
Los Rios, Cerritos, Citrus, El Camino, Gavilan, Kern, Long Beach,  
Mt. San Jacinto, Palomar, Pasadena Area, San Bernardino, Santa Monica,  
State Center, Sierra Joint, Victor Valley, West Kern, and Yosemite  
Community College Districts, Requestors (March/May)

D. Statewide Cost Estimates (10)

1. *Local Government Employment Relations*, 01-TC-30  
City of Sacramento and County of Sacramento, Claimants (January)
2. *Integrated Waste Management (Post-Litigation)*, 05-PGA-16 (00-TC-07)  
Santa Monica and Lake Tahoe Community College Districts,  
Claimants (January)
3. *Tuition Fee Waivers*, 02-TC-21  
Contra Costa Community College District, Claimant (January)
4. *Local Agency Formation Commissions*, 02-TC-23  
Sacramento Metropolitan Fire District, Claimant (January)
5. *Cal Grants*, 02-TC-28  
Long Beach Community College District, Claimants (March)
6. *Prevailing Wage Rates*, 01-TC-28  
Grossmont Union High School District, Claimant  
(January)
7. *Academic Performance Index*, 01-TC-22  
San Juan Unified School District, Claimant (March)
8. *Child Abuse and Neglect Reporting*, 01-TC-21  
San Bernardino Community College District, Claimant  
(May)
9. *Crime Victims' Domestic Violence Incident Reports II*, 02-TC-18  
County of Los Angeles, Claimant (May)

10. *Crime Statistic Reports for Department of Justice,*  
02-TC-04, 02-TC-11, 07-TC-10  
City of Newport Beach and County of Sacramento, Claimants  
(July)