

COMMISSION ON STATE MANDATES

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May 20, 2011

Mr. Keith Petersen
SixTen and Associates
P.O. Box 340430
Sacramento, CA 95834-0430

And Interested Parties and Affected State Agencies (see enclosed mailing list)

RE: Statement of Decision, Draft Staff Analysis, Proposed Parameters and Guidelines, Comment Period, and Notice of Hearing

Pupil Suspensions II, Pupil Expulsions II, and Educational Services Plan for Expelled Pupils, 96-358-03, 03A, 03B, 98-TC-22, 01-TC-18, 96-358-04, 04A, 04B, 98-TC-23, 01-TC-17, 97-TC-09

and

Proposed Consolidation with

Pupil Suspensions from School, Pupil Expulsions from School, and Pupil Expulsion Appeals, CSM-4456, 4455, and 4463

San Juan Unified School District and Kern County Office of Education, Claimants

Dear Mr. Petersen:

The Commission has issued the enclosed statement of decision, draft staff analysis, and proposed parameters and guidelines for the above-named matter. The proposed parameters and guidelines include six sets of proposed parameters and guidelines, and the amended parameters and guidelines for *Pupil Suspensions from School, Pupil Expulsions from School, and Pupil Expulsion Appeals*.

Please note that the statement of decision indicated that two activities are effective January 1, 1996: (1) providing a notice of the education alternative placement to the pupil or pupil's parent or guardian at the time of the expulsion order, (§ 48918, subd. (j)); and (2) the one-time activity for school districts to amend their expulsion rules and regulations to provide for issuing subpoenas, (§48918, subd. (i)). Although the January 1, 1996 date is technically correct, the statute was operative July 1, 1996 because it was enacted as Statutes 1995, chapter 974. Since the operative date is when reimbursement for these activities would begin, the attached parameters and guidelines reflect the July 1, 1996 operative date.

Written Comments

Any party or interested person may file written comments on the draft staff analysis by Monday, **July 18, 2011**.

You are advised that comments filed with the Commission are required to be simultaneously served on the other interested parties on the mailing list, and to be accompanied by a proof of service. (Cal. Code Regs., tit. 2, § 1181.2.) However, this requirement may also be satisfied by electronically filing your documents on the Commission's website. Please see the Commission's website at http://www.csm.ca.gov/dropbox_procedures.shtml for instructions on electronic filing. (Cal. Code Regs., tit. 2, § 1181.2.) The comments will be posted on the Commission's website

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and the mailing list will be notified by electronic mail of the posting and the comment period. This procedure will satisfy all the service requirements under California Code of Regulations, title 2, section 1181.2, subdivision (c).

If you would like to request an extension of time to file comments, please refer to section 1183.01, subdivision (c)(1), of the Commission's regulations.

Hearing

This matter is tentatively set for hearing on Thursday, **September 29, 2011**, at 9:30 a.m. in Room 447, State Capitol, Sacramento, CA. The final staff analysis will be issued on or about September 15, 2011. If you would like to request postponement of the hearing, please refer to section 1183.01, subdivision (c)(2), of the Commission's regulations.

Please contact Nancy Patton at (916) 323-8217 if you have questions.

Sincerely,

Drew Bohan
Executive Director

Enclosure