

**ITEM 23**  
**EXECUTIVE DIRECTOR'S REPORT**  
**Workload, Budget, and Next Hearing**

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**I. WORKLOAD**

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

Type of Action	January 14, 2009
Test Claims <sup>1</sup> to be Heard and Determined	52
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	163
Incorrect Reduction Claims to be Reconsidered Based on Court Action	0
Reasonable Reimbursement Methodologies/Statewide Estimate of Costs	2
Proposed Parameters and Guidelines	19
Proposed Parameters and Guidelines Amendments	51 <sup>2</sup>
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	4
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	0
New Incorrect Reduction Claim Filings to be Reviewed	0
Appeals of Executive Director's Decision	0
Regulatory Actions Pending	0

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<sup>1</sup> This includes 33 test claims filed by school districts and 19 filed by local agencies.

<sup>2</sup> Forty-six of the proposed amendments are requests from the State Controller's Office to update boilerplate language.

**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

Although no applications have been filed, four counties have inquired about the process (Sacramento, Los Angeles, San Diego, and Alameda).

**II. BUDGET**

On January 7, 2010, the Governor and the Director of Finance issued the proposed 2010-2011 budget. There are no significant changes in the Commission on State Mandates budget. Here are excerpts regarding mandate reimbursements:

A. Education

- An increase of \$65 million for the ongoing costs of mandated behavioral assessments and intervention plans.
- An increase of \$14.5 million for K-12 mandates.
- The Administration proposes to suspend all K-14 education mandates with the exception of the following mandates which will be fully funded:
  1. An increase of \$7.7 million for mandated costs related to interdistrict and intradistrict transfers.
  2. An increase of \$6.8 million for mandated costs related to the California High School Exit Exam.
- No funding is included for the science class graduation requirement, nor is the Administration proposing to suspend this requirement. The Administration believes this is not a reimbursable state mandate because funding is available to offset the cost of this requirement and, as a result, the Administration is seeking a court decision to reject the reimbursement rate methodology adopted by the Commission.

B. Local Agencies

- An increase of \$236 million for state reimbursable mandates, consisting of \$141 million for current mandates.
- A one-time reduction of \$137 million by suspending most mandates not related to elections, law enforcement, or property taxes, consistent with the mandate suspensions included in the Amended 2009 Budget Act.
- A one-time reduction of \$95 million by deferring the 2010-11 payment of mandate obligation for costs incurred prior to 2004-05, which are statutorily required to be completely paid by 2020-21. The balance will be refinanced over the remaining payment period.

C. Commission Membership

The Commission may also be impacted by the proposal to eliminate the Office of Planning and Research. The Director of OPR is a statutory member of the Commission. We understand that Government Code section 17525 will be amended by a budget trailer bill to replace the Director of OPR.

**III. REPORTS TO THE LEGISLATURE**

A. Commission on State Mandates

1. Approved Mandates

The Commission's Report on Approved Mandates for the period April 1, 2009 through September 30, 2009 was submitted to the Legislature on January 5, 2010, and reported a statewide cost estimate for six programs totaling \$4,485,157. This report may be viewed on the Commission's website.

2. Denied Mandates

The Commission's Report on Denied Mandates for 2009 is pending approval in the Governor's Office.

B. State Controller's Office

1. AB 3000 Report

The State Controller's Office issued its annual State-Mandated Cost Report (AB 3000 Report) on January 7, 2010. This report summarizes data by state mandate and fiscal year, the total amount of claims paid, and appropriation deficiencies or surpluses for each program. The report includes program costs and payments for mandated claims filed with the Controller for the fiscal years 1995-96 through 2008-09. The report may be viewed on the State Controller's Office website. (Use link from [csm.ca.gov](http://csm.ca.gov) to reach mandates page)

**III. NEXT MEETING AND TENTATIVE AGENDA**

The next meeting will be held on March 26, 2010

*The tentative agendas are subject to change based on Commission staff's actual authorized work days, workload, 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 (3)

1. *Discharge of Stormwater Runoff, 07-TC-09*  
County of San Diego, Incorporated Cities of San Diego County,  
Co-Claimants
2. *Airport Land Use Commissions II and Amendment*  
03-TC-12 and 08-TC-05,  
County of Santa Clara, Claimant

B. Parameters and Guidelines (5)

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

2. *Academic Performance Index*, 01-TC-22  
San Juan Unified School District
  3. *Crime Victims' Domestic Violence Incident Reports II*, 02-TC-18  
County of Los Angeles, Claimant
  4. *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
  5. *Municipal Storm Water and Urban Runoff*, 03-TC-04, 03-TC-19,  
03-TC-20, 03-TC-21  
County of Los Angeles, Cities of Artesia, Beverly Hills, Carson, Norwalk,  
Rancho Palos Verdes, Westlake Village, Azusa, Commerce, Vernon,  
Bellflower, Covina, Downey, Monterey Park, and Signal Hill, Claimants
- C. Parameters and Guidelines Amendments, Update Boilerplate Language  
State Controller's Office, Requestor (21)
1. *Seriously Emotionally Disturbed Pupils: Out of State Mental Health  
Services*, 05-PGA-42
  2. *Notification of Truancy*, 05-PGA-56
  3. *Annual Parent Notification*, 05-PGA-45
  4. *Notification to Teachers: Pupils Subject to Suspension or Expulsion*,  
05-PGA-57
  5. *Pupil Suspensions, Expulsions, and Expulsions Appeals*, 05-PGA-65
  6. *Caregiver Affidavits*, 05-PGA-46
  7. *County Office of Education; Fiscal Accountability Reporting*, 05-PGA-47
  8. *Financial Compliance Audits*, 05-PGA-49
  9. *Graduation Requirements*, 05-PGA-50
  10. *Health Benefits for Survivors of Peace Officers and Firefighters*,  
05-PGA-52
  11. *Intradistrict Attendance*, 05-PGA-53
  12. *Law Enforcement Agency Notifications*, 05-PGA-55
  13. *Pupil Suspensions: Parent Classroom Visits*, 05-PGA-58
  14. *Physical Education Reports*, 05-PGA-60
  15. *Physical Performance Tests*, 05-PGA-61
  16. *Pupil Classroom Suspension: Counseling*, 05-PGA-62
  17. *Pupil Health Screenings*, 05-PGA-63
  18. *Pupil Residency Verification and Appeals*, 05-PGA-64
  19. *Removal of Chemicals*, 05-PGA-66
  20. *School District Fiscal Accountability Reporting*, 05-PGA-67
  21. *Law Enforcement College Jurisdiction Agreement*, 05-PGA-70

- E. Withdrawal of Request to Amend Parameters and Guidelines (1)
  - 1. Dismissal of Request to Amend Parameters and Guidelines, *Interdistrict Transfer Requests: Parents Employment*, 01-PGA-10  
Clovis and San Jose Unified School Districts, Claimant
- F. Statewide Cost Estimates (3)
  - 1. *Pupil Discipline Records, 00-TC-10 and Notification to Teachers: Pupils Subject to Expulsion/Suspension II*, 00-TC-11  
Sweetwater Union High School District, Carpinteria Unified School District and Grant Joint Union High School District
  - 2. *Local Government Employment Relations*, 01-TC-30  
City of Sacramento and County of Sacramento, Claimants
  - 3. *Integrated Waste Management (Post-Litigation)*, 05-PGA-16 (00-TC-07)  
Santa Monica and Lake Tahoe Community College Districts,  
Co-claimants

May 28, 2010

- A. Test Claims (3)
  - 1. *Minimum Conditions for State Aid (Including Notice to Students)*, 02-TC-25 and 02-TC-31,  
Los Rios, Santa Monica and West Kern Community College Districts,  
Claimants
  - 2. *School Bus Safety III*, 03-TC-01  
San Diego Unified School District, Claimant
- B. Dismissal of Withdrawn Test Claim (1)
  - 1. *SARC IV*, 01-TC-22A  
San Juan Unified School District, Claimant
- C. Incorrect Reduction Claim (1)
  - 1. *Investment Reports*, 00-9635802-I-01  
County of Los Angeles, Claimant
- D. Proposed Parameters and Guidelines (3)
  - 1. *Comprehensive School Safety Plans II*, 02-TC-33 Consolidated with  
*Comprehensive School Safety Plans II Amendment*, 07-TC-11  
Bakersfield City School District, Sweetwater Union High School District
  - 2. *Student Records*, 02-TC-34  
Riverside Unified School District & Palomar Community College District
  - 3. *Modified Primary Election*, 01-TC-13  
County of Orange, Claimant