

**ITEM 13**  
**ACTING EXECUTIVE DIRECTOR'S REPORT**  
**Workload, Budget, and Next Meeting/Hearing (info/action)**

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**I. WORKLOAD**

**A. PENDING COMMISSION CASELOAD**

Type of Action	Pending on 3/1/2012	Received Since 3/1/2012	Total as of 3/9/2012	Pending on 3/1/2011
Test Claims <sup>1</sup> to be Heard and Determined	42	0	42	52
Test Claims to be Reconsidered	0	0	0	0
Test Claims to be Reconsidered or Reinstated Based on Court Action	0	0	0	0
Incorrect Reduction Claims to be Heard and Determined	133	0	133	163
Incorrect Reduction Claims to be Reconsidered Based on Court Action	0	0	0	0
Requests for Redetermination	0	0	0	0
Joint Reasonable Reimbursement Methodologies/Statewide Estimates of Costs	0	0	0	0
Proposed Parameters and Guidelines	12	0	12	11
Proposed Parameters and Guidelines Amendments	17	0	17	8
Requests to Review Claiming Instructions	0	0	0	1
Parameters and Guidelines to be Amended, Set Aside, or Reinstated, as Directed by the Legislature or Court Action	0	0	0	0
Statewide Cost Estimates to be Adopted	7	0	7	9
New Test Claim Filings to be Reviewed	0	0	0	0

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<sup>1</sup> This includes 18 test claims filed by school districts and 24 filed by local agencies.

New Incorrect Reduction Claim Filings to be Reviewed	1	0	0	0
Appeals of Executive Director's Decisions	0	0	0	0
Regulatory Actions Pending	0	0	0	2

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

Type of Action	
Notice of Intent to Pursue Legislatively Determined Mandates	0

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

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

**D. COMPLETED WORKLOAD**

Type of Caseload	Completed in 2011	Completed in 2012
Test Claims	18	2
Incorrect Reduction Claims	12	3
Parameters & Guidelines	6	0
Parameters and Guidelines Amendments	0	1
Statewide Cost Estimates	10	0

\*This includes withdrawn IRCs.

**II. 2012-2013 BUDGET**

Budget Hearing Schedules

Budget hearings are scheduled as follows:

March 13, 2012 1:30 p.m. Room 447	Assembly Budget Subcommittee #4 on CSM's Budget & Overview of Local Agency Mandate Proposals.
May 8, 2012 9:00 a.m. Room 444	Assembly Budget Subcommittee #2 on Community College Mandate Proposals.
May 10, 2012 9:30 a.m. Room 3191	Senate Budget Subcommittee #2 on K-12 Education Mandate Proposals.

The Governor's 2012-2013 Budget proposals for local agency, school district, and community college mandates are attached as Exhibits A, B and C.

### III. TENTATIVE AGENDA ITEMS

The tentative agenda items are subject to change based on Commission 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.

#### May or July Meetings

##### A. TEST CLAIMS

1. *Juvenile Offender Treatment Program Court Proceedings*, 04-TC-02  
County of Los Angeles, Claimant
2. *Public Contracts*, 02-TC-35  
Clovis Unified School District and Santa Monica Community College  
District Co-Claimants
3. *California English Language Development Test 2*, 03-TC-06  
Castro Valley Unified School District, Claimant
4. *Reserve Peace Officer Training*, 03-TC-15  
City of Kingsburg, Claimant
5. *Ethics Training and Compensation for Members of Local Agency  
Legislative Bodies*, 07-TC-04  
City of Newport Beach, Claimant
6. *Instructional Materials Funding Requirements*, 03-TC-07  
Castro Valley Unified School District, Claimant
7. *Uniform Complaint Procedures*, 03-TC-02  
Solana Beach School District, Claimant

##### B. PARAMETERS AND GUIDELINES AND REQUESTS TO AMEND PARAMETERS AND GUIDELINES

1. *Developer Fees*, 02-TC-42  
Clovis Unified School District, Claimant
2. *Discrimination Complaint Procedures*, 02-TC-46  
Los Rios, Santa Monica, and West Kern Community College Districts
3. *Minimum Conditions for State Aid*, 02-TC-25, 02-TC-31  
Los Rios and Santa Monica Community College Districts
4. *Interdistrict Attendance Permits*, 10-PGA-01  
State Controller's Office, Requestor
5. *Handicapped and Disabled Students*, 11-PGA-06  
Department of Finance, Requestor
6. *Local Agency Formation Commissions*, 11-PGA-07  
Department of Finance, Requestor
7. *In-Home Support Services II*, 11-PGA-08  
Department of Finance, Requestor
8. *Habitual Truants*, 09-PGA-01, 00-PGA-06  
Clovis and San Jose Unified School Districts, Requestors

**C. STATEWIDE COST ESTIMATES**

1. *Domestic Violence Background Checks, 01-TC-29*  
County of Alameda, Claimant
2. *Identity Theft, 03-TC-08*  
City of Newport Beach, Claimant
3. *Mandate Reimbursement Process II, 05-TC-05*  
City of Newport Beach, Claimant

**Governor’s 2012-2013 Proposed Budget  
Local Agency Mandates**

The Summary of the Proposed Budget for local agency mandates provides:

**Suspend/Repeal State Mandates** — The Budget proposes to suspend various mandates except for most mandates related to law enforcement or property taxes.

Consistent with the Governor’s focus on streamlining government and providing local flexibility, the Budget proposes to repeal dozens of the approximately 50 mandates that have been suspended for the past two years or more. Many of the activities required by these mandates have become common practice and should not be mandated by the state. This proposal will result in a decrease of \$728.8 million General Fund in 2012-13.

**Redetermination of Mandate** — Chapters 762 and 763, Statutes of 1995, created the Sexually Violent Predators reimbursable state mandate. However, in 2006, voters approved Jessica’s Law (Proposition 83), which restated several of the provisions of the reimbursable mandate. Because mandates imposed by voter-approved initiatives are not reimbursable state mandates, the Administration will submit a request to the CSM to adopt a new test claim decision for the mandate to reflect this change.

**Delay of Program Participation Requirements for Specified Probationers**— Chapter 219, Statutes of 2010, provided for enhanced sentencing of sex offenders. The Budget proposes to implement a two-year delay, from July 2012 to July 2014, of the requirement that probationers who are registered sex offenders participate in a sex offender management program. All the enhanced sentencing terms and parole lengths that were part of the bill, which basically required longer sentences for sex offenders and in some cases longer/lifetime parole, will remain in place. No sentencing changes will result from this proposed program delay.

In light of the public safety realignment, this delay will provide probation departments the opportunity to focus on the implementation of realignment. In addition, if this program were determined to be a reimbursable state mandate, this two-year delay could result in significant General Fund savings.

**Deferral of Pre-2004 Mandate Obligations** — A decrease of \$99.5 million in 2012-13 as a result of deferring the 2012-13 payment for mandate costs incurred prior to 2004-05.

Following is a table that shows mandated programs proposed for suspension, repeal, deferral, or to be made optional:

<b>Local Agency Mandates Proposed for Funding in 2012-2013</b>	<b>Local Agency Mandates Proposed for Suspension in 2012-2013</b>	<b>Local Agency Mandates Proposed for Deferral in 2012-2013</b>
Threats Against Peace Officers	Coroner Costs	Peace Officer Procedural Bill of Rights (POBOR)
Custody of Minors – Child Abduction & Recovery	Developmentally Disabled Attorneys’ Services	Local Government Employment Relations
Medi-Cal Beneficiary Death	DNA Database & Amendments to Postmortem Exams; Unidentified	

Notices	Bodies	
Sexually Violent Predators	Handicapped Voter Access Information	
Domestic Violence Treatment Services	Mandate Reimbursement Process I and II	
Domestic Violence Arrest Policies	Mentally Disordered Offenders': Treatment as a Condition of Parole	
Unitary Countywide Tax Rates	Mentally Disordered Offenders: Extended Commitments Proceedings	
Allocation of Property Tax Revenues	Mentally Disordered Sex Offenders' Recommitments	
Rape Victim Counseling	Open Meetings Act/Brown Act Reform	
Health Benefits for Survivors of Peace Officers & Firefighters	Pacific Beach Safety Water quality and Closures	
Crime Victims' Domestic Violence Incident Reports	Post Conviction: DNA Court Proceedings	
Peace Officer Personnel Records: Unfounded Complaints & Discovery	Postmortem Exams: Unidentified Bodies, Human Remains	
Domestic Violence Arrests & Victims Assistance	Senior Citizens Property Tax Postponement	
	Sex Crime Confidentiality	
	Sex Offenders: Disclosure by Law Enforcement Officers	
	Very High Fire Hazard Severity Zones	
	Fifteen-Day Close of Voter Registration	
	Absentee Ballots	
	Permanent Absentee Ballots	
	Absentee Ballots-Tabulation by Precinct	
	Brendon Maquire Act	
	Voter Registration Procedures In-Home Supportive Services II	

<b>Mandates Proposed for Suspension for 2012-2013 &amp; Also for Permanent Repeal or to be Made Optional (Noted by **)</b>
Adult Felony Restitution
AIDS/Search Warrant
Airport Land Use Commission/Plans
Animal Adoption
Conservatorship: Developmentally Disabled Adults
Crime Victims' Domestic Violence Incident Reports II**
Deaf Teletype Equipment
Domestic Violence Information
Elder Abuse, Law Enforcement Training
Extended Commitment, Youth Authority
False Reports of Police Misconduct
Filipino Employee Surveys
Firearm Hearings for Discharged Inpatients
Grand Jury Proceedings
Inmate AIDS Testing**
Judiciary proceedings
Law Enforcement Sexual Harassment Training
Local Coastal Plans
Mentally Retarded Defendants Representation
Missing Persons Report
Not Guilty by Reason of Insanity
Perinatal Services
Personal Safety Alarm Devices
Photographic Record of Evidence
Pocket Masks
Prisoner Parental Rights
SIDS Autopsies
SIDS Contacts by Local Health Officers
SIDS Training for Firefighters
Stolen Vehicle Notification
Victims' Statements-Minors
Crime Statistics Reports for DOJ/ & Amendment**

**School District Mandates**

The Summary of the Proposed Budget for school districts provides:

Reform K-12 Mandates — The Budget provides a total of \$200 million to fund a mandates block grant incentive program for K-12 schools and community colleges. Legislation will eliminate almost half of all current K-14 mandates and will create incentives for schools to continue to comply with remaining previously mandated activities. The significant shortcomings of existing mandates and the process for administering them compel this reform. Many existing mandates fail to serve a compelling purpose. The mandates determination process takes years. Reimbursement costs are very often higher than anticipated and can vary greatly district by district. Further, the reimbursement process rewards inefficiency.

- Eliminate Unnecessary Mandates — The proposal will eliminate nearly half of all existing mandates, including Graduation Requirements (Second Science Course) and Behavioral Intervention Plans. While the mandate to perform these activities will be eliminated, local districts may choose to continue these activities at local discretion.
- Preserve Core Programs and Functions — Mandates that are not eliminated will be made optional. However, the proposal creates a block grant to encourage schools to continue meeting these requirements. Receipt of funding from this block grant will be conditioned on schools complying with these provisions. The proposal will sustain core programs, including school and county office fiscal accountability reporting. It will also continue to support sensitive notification and school safety functions like pupil health screenings, immunization records, AIDS prevention, School Accountability Report Cards, and criminal background checks. The mandates block grant provides an almost 340-percent increase in funding to encourage districts to perform these programs.

The following table shows the K-12 Mandates that are proposed for suspension, repeal, or to be funded through a block grant inventive program.

<b>School District Mandates Proposed for Suspension in 2012-2013 and Elimination or Made Optional in 2013-2014</b>
Absentee Ballots
Agency Fee Arrangements
Behavioral Intervention Plans
Caregiver Affidavits
County Treasury Withdrawals
Financial and Compliance Audits
Graduation Requirements
Grand Jury Proceedings
Habitual Truants
Health Benefits for Survivors of peace Officers and Firefighters



Law Enforcement Agency Notification
Law Enforcement Sexual Harassment Training
Mandate Reimbursement Process I and II
Missing Children Reports
Notification of Truancy
Notification to Teachers: Pupils Subject to Suspension
Physical Education Reports
Physical Performance Tests
Pupil Residency Verification and Appeals
Pupil Suspensions
Pupil Expulsions
Pupil Expulsion Appeals
Removal of Chemicals
School Bus Safety I
Scoliosis Screening
Student Records
Threats Against Peace Officers
<b>School District Mandates Proposed for Block Grant Funding</b>
AIDS Instruction and AIDS Prevention Instruction
Alternative Schools Annual Notification/Annual Parent Notification/Annual Parent Notification – Staff Development/Notification to Parents: Pupil Attendance Alternatives/Pupil Suspensions: Parent Classroom Visits/Schoolsite Discipline Rules
California State Teachers Retirement System Service Credit
Charters Schools I II, and III
Collective Bargaining
Collective Bargaining Agreement Disclosure
Comprehensive School Safety Plans
County Office of Education Fiscal Accountability Reporting
Criminal Background Checks I and II
Differential Pay and Reemployment
High School Exit Exams
Immunization Records
Immunization Records – Hepatitis B
Intradistrict Attendance

Juvenile Court Notices II
Open Meetings/Brown Act Reform
Prevailing Wage Rate
Pupil Health Screenings
Pupil Promotion and Retention
Pupil Safety Notices
School Accountability Report Cards
School District Fiscal Accountability Reporting
School District Reorganization
Stull Act

**Community College District Mandates**

The Summary of the Proposed Budget for community college districts provides:

Mandate Reform — The Budget proposes to preserve core mandatory programs and functions, to eliminate unnecessary mandates, and to create a mandates block grant incentive program. The details of this proposal are consistent with the K-12 Education mandate reform proposal discussed in the K-12 Education section.

The following table shows the community college mandates that are proposed for suspension, repeal, or to be funded through a block grant incentive program.

<b>Community College District Mandates Proposed for Suspension in 2012-2013 and Elimination or Made Optional in 2013-2014</b>
Absentee Ballots
Agency Fee Arrangements
Grand Jury proceedings
Health Benefits for Survivors of Peace Officers and Firefighters
Health Fee Elimination
Integrated Waste Management
Law Enforcement College Jurisdiction Agreements
Law Enforcement Sexual Harassment Training
Mandate Reimbursement Process I and II
Reporting Improper Governmental Activities
Sexual Assault Response Procedures
Student Records
Threats Against Peace Officers
<b>Community College District Mandates Proposed for Block Grant Funding</b>
Cal Grants
California State Teachers Retirement System Service Credit
Collective Bargaining
Collective Bargaining Agreement Disclosure
Enrollment Fee Collection and Waivers
Open Meetings/Brown Act Reform
Prevailing Wage Rate
Sex Offenders Disclosure by law Enforcement Officers
Tuition Fee Waivers