

ITEM 9

DISMISSAL OF WITHDRAWN PORTION OF TEST CLAIM PROPOSED STATEMENT OF DECISION

Education Code Section 52056, subdivision (b)

Statutes 1999-2000x1 (SB 1X), Chapter 3, Statutes 2000, Chapter 695 (SB 1552)

School Accountability Report Cards IV

01-TC-22A

San Juan Unified School District, Claimant

EXECUTIVE SUMMARY

On June 28, 2002, San Juan Unified School District filed a test claim on *Academic Performance Index* (01-TC-22). On August 27, 2007, Commission staff severed Education Code section 52056, subdivision (b), from the *Academic Performance Index* test claim, and titled it *School Accountability Report Cards IV* (01-TC-22A).

On January 8, 2010, claimant requested withdrawal of the severed portion of the test claim titled *School Accountability Report Cards IV*.¹ Claimant's request was served in writing, and a sixty-day notice of this withdrawal and dismissal was issued pursuant to California Code of Regulations, title 2, section 1183.08.²

No interested parties objected to the claimant's request for withdrawal, or took over the claim by substitution of the parties, on or before March 9, 2010.

Therefore, the sole issue before the Commission on State Mandates (Commission) is whether the Commission adopts the proposed Statement of Decision, dismissing the above-named test claim.³

Recommendation

Staff recommends that the Commission adopt the proposed Statement of Decision, dismissing the severed portion of the test claim titled *School Accountability Report Cards IV*.

¹ Exhibit A. Claimant's withdrawal request letter.

² Exhibit B. Commission's notice of withdrawal and dismissal hearing.

³ California Code of Regulations, test claim, section 1188.1, subdivision (g).

BEFORE THE
COMMISSION ON STATE MANDATES
STATE OF CALIFORNIA

IN RE TEST CLAIM:

Education Code Section 52056, subdivision (b)

Statutes 1999-2000x1 (SB 1X), Chapter 3,
Statutes 2000, Chapter 695 (SB 1552)

Filed on June 28, 2002; Severed on
August 27, 2007; and withdrawn on
January 8, 2010,

By San Juan Unified School District,
Claimant.

Case No.: 01-TC-22A

School Accountability Report Cards IV

PROPOSED STATEMENT OF DECISION
PURSUANT TO GOVERNMENT CODE
SECTION 17500 ET SEQ.; CALIFORNIA
CODE OF REGULATIONS, TITLE 2,
DIVISION 2, CHAPTER 2.5, ARTICLE 7

(Proposed for Adoption on March 26, 2010)

PROPOSED STATEMENT OF DECISION

On January 8, 2010, claimant requested withdrawal of the severed portion of the test claim titled *School Accountability Report Cards IV* (01-TC-22A). Claimant's request was served in writing, and a sixty-day notice of this withdrawal and dismissal was issued pursuant to California Code of Regulations, title 2, section 1183.08.

No interested parties objected to the claimant's request for withdrawal, or took over the claim by substitution of the parties, on or before March 9, 2010.

CONCLUSION

IT IS HEREBY ORDERED that the severed portion of the test claim titled *School Accountability Report Cards IV* (01-TC-22A), is dismissed, without prejudice, pursuant to California Code of Regulations, title 2, section 1183.08.

Any claimant may file a new test claim on the above-referenced test claim legislation. However, any such claim shall be subject to a new filing date and to the statute of limitations pursuant to Government Code section 17551.