



KATHLEEN CONNELL
Controller of the State of California

February 20, 2002

RECEIVED

FEB 21 2002

**COMMISSION ON
STATE MANDATES**

Shirley Opie, Assistant Executive Director
Commission on State Mandates
980 Ninth Street, Suite 300
Sacramento, CA 95814

Re: Incorrect Reduction Claims
Certification of Teacher Evaluator's Demonstrated Competence
Del Mar Union School District, CSM 01-4136-I-044
Education Code Section 35160.5
Statutes of 1983, Chapter 498

Dear Ms. Opie:

This letter constitutes the Controller's Office response to the above-entitled incorrect reduction claim. It appears that the issues involved in the IRCs received recently concerning this mandate are identical. Therefore, the analysis in the IRCs numbered CSM 01-4136-I-041 through CSM 01-4136-I-047 is identical. However, the responses are being submitted under separate cover to facilitate record keeping, and because the supporting documentation is slightly different in each case.

In the end, the outcome of these IRCs comes down to the terms of the Parameters & Guidelines. The Parameters & Guidelines simply do not provide for reimbursement of the wages of probationary teachers. They provide for costs related to probationary teachers such as: (1) Training, assisting, and evaluating probationary teachers (over and above that usually provided to permanent teachers); (2) Training materials and clerical services; (3) Registration fees and travel costs to attend training activities; (4) Costs of substitute teachers so that probationary teachers may attend training sessions; (5) Costs of consultants to train and assist probationary teachers, if needed. Notably absent is any reference to the salaries of probationary teachers. Since there is no provision in the Parameters & Guidelines for the reimbursement of probationary teachers salaries, these IRCs should be denied.

MAILING ADDRESS P.O. Box 942850, Sacramento, CA 94250
SACRAMENTO 300 Capitol Mall, Suite 1850, Sacramento, CA 95814 (916) 445-2636
LOS ANGELES 600 Corporate Pointe, Suite 1150, Culver City, CA 90230 (310) 342-5678

Claimant's reliance on the *Physical Performance and American Government Course Document Requirements Parameters & Guidelines* is misplaced. Although reference to other Parameters & Guidelines may be appropriate when attempting to interpret a phrase of a Parameter & Guideline, claimant is attempting to add language in this case, rather than merely interpret it. The appropriate process for that type of change would be an amendment to the Parameters & Guidelines. In fact, Stockton Unified School District submitted such a request on April 4, 1995 (Exhibit 1). Apparently, they believed that the Parameters & Guidelines did not properly address probationary teachers salaries. However, that request was ultimately withdrawn before it was ever heard (Exhibit 2). Claimant should not be allowed to circumvent the required procedures for an amendment by using an IRC to add language to a set of Parameters & Guidelines, therefore their request should be denied.

Please find attached the analysis of the Division of Accounting and Reporting (Exhibit 3), as well as relevant supporting documentation, with declaration (Exhibit 4). Exhibits referred to in DAR's analysis are either included or have already been exchanged between the parties.

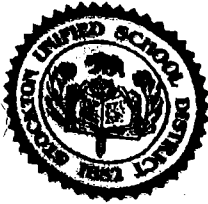
Sincerely,



SHAWN D. SILVA
Staff Counsel

cc: Stephen Smith

EXHIBIT 1



STOCKTON UNIFIED SCHOOL DISTRICT

701 NORTH MADISON STREET • STOCKTON, CA 95202-1687
(209) 953-4124 • FAX (209) 953-4477

BUSINESS SERVICES

BOARD OF EDUCATION

JOSE A. BERNARDO
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SUPERINTENDENT
GARY MCHENRY

April 4, 1995

W. M. Mearns
7/23/95

RECEIVED
APR 05 1995
COMMISSION ON ON
STATE MANDATES

Ms. Shelly Mateo
Interim Executive Director
Commission on State Mandates
1414 K Street, Suite 315
Sacramento, CA 95814

Dear Ms. Mateo:

Pursuant to Title 2, California Code of Regulations, Section 1183.2 enclosed is our district's request to amend the parameters and guidelines for the **Certification of Teacher Evaluator's Demonstrated Competence** mandate. This mandate was enacted by **Chapter 498/Statutes of 1983**.

We have enclosed a narrative outlining the reasons the amendment is required as well as proposed amended parameters and guidelines. The proposed changes to the current parameters and guidelines have been underlined.

If you have any questions, please contact our consultant, Steve Smith of Mandate Cost Systems at (916) 487-4435.

Thank you for your cooperation.

Sincerely,

Norma Mearns

Norma E. Mearns
Director of Budget

NEM:cmb

enclosure:

**Justification for Amendment to the Parameters & Guidelines
for Certification of Teacher Evaluator's Demonstrated Competence
Chapter 498/Statutes of 1983**

The current Parameters & Guidelines for Certification of Teacher Evaluator's Demonstrated Competence, Chapter 498, Statutes of 1983 do not address whether the time spent by probationary teachers receiving training, assistance or evaluation, over and above that usually provided to permanent teachers, is claimable.

We have specifically identified the following activities/costs as new programs implemented to comply with the requirements of this mandate. The increased activities required of probationary teachers as a result of this mandate are:

- 1) Probationary teacher time spent attending district sponsored training sessions that are provided specifically for probationary teachers. These sessions take place after school and prior to the start of the school year.
- 2) Probationary teacher time spent receiving assistance or training on a weekly or monthly basis, from district employees as part of the district's probationary teacher training & assistance program.

The district sponsored training sessions ~~prior to the start of school~~ represents a new program because most districts bring in their probationary teachers one or two days earlier than their permanent teacher to orientate them to the district and provide training specific to their needs. This is accomplished by requiring that probationary teachers work 185 day years instead of the 183 day year required of permanent teachers.

Likewise, after school district sponsored training sessions and one-on-one training received from employees with assigned responsibilities to train and assist probationary teachers represents a new program because it takes probationary teachers away from other duties that they perform outside the classroom.

Precedents in other claims

Precedents in other claims exist that provide reimbursement for time spent receiving training. These include:

- 1) The Emergency Procedures, Earthquakes and Disasters claim, Chapter 1659/Statutes of 1984 allows reimbursement for "the costs by the district of employees attending these meetings to receive instruction" (on earthquake and disaster procedures).

- D
- 2) The Collective Bargaining claim, Chapter 961/Statutes of 1975 allows reimbursement for "reasonable costs incurred for a reasonable number of training sessions held for supervisory and management personnel regarding contract administration and the interpretation of the negotiated contract".
 - 3) The Certification of Teacher Evaluator's Demonstrated Competence, Chapter 498/Statutes of 1983 allows reimbursement for "time of district administrators spent in certification training excluding classroom observation"
 - 4) District employee time receiving various training are also listed as reimbursable under the
 - a) Mandate Reimbursement Process claim, Chapter 1459/Statutes of 1984,
 - b) Credential Monitoring claim, Chapter 1376/Statutes of 1987 and
 - c) AIDS Instruction, Chapter 818/Statutes of 1991

Restrictions

We have identified other time spent by probationary teachers attributable to this mandate, however based on precedents from other claims are not requesting reimbursement for them. These are listed below and should be identified as restrictions.

- 1) In-classroom probationary teacher receiving hands-on training (In classroom teacher time restriction from the Emergency Procedures, Earthquakes & Disasters Chapter 1659/States of 1984 and AIDS Instruction, Chapter 818/Statutes of 1991)
- 2) In cases where substitutes are provided, the district can only claim the substitute cost.

PROPOSED AMENDMENT

Adopted: 4/24/86
Amended: 1/24/91
WP 1080A

PARAMETERS AND GUIDELINES

Education Code Section 35160.5

Chapter 498, Statutes of 1983

Certification of Teacher Evaluator's Demonstrated Competence

I. Summary of Mandate

In enacting Chapter 498, Statutes of 1983 the Legislature required each school district and county office of education to adopt rules and regulations; to certify that personnel assigned to evaluate teachers have demonstrated specified competence in instructional methodologies and in the evaluation of teachers; to ensure that each probationary teacher was assigned to a school with assurances that his or her status as a new teacher and his or her potential needs for training, assistance, and evaluations will be recognized by the district or county office of education; and to establish policies and procedures which parents or guardians of pupils enrolled in the district may use to present complaints regarding employees of the district and to provide for appropriate mechanisms to respond to, and where possible resolve, the complaints.

II. Commission on State Mandates Decision

- A. The Commission found that Education Code section 35160.5, as added by Statutes of 1983, Chapter 498 constitutes a reimbursable state mandate. Furthermore, the Commission found that only the activities necessary to implement section 35160.5 constitute a higher level of service pursuant to Government Code section 17514 and are, therefore, reimbursable.

- B. The Commission determined that only the higher level of service required by section 35160.5 in each school district or county office of education is reimbursable. Those activities and functions already performed prior to the effective date of section 35160.5 do not constitute a higher level of service and are therefore not reimbursable.
- C. The finding of a reimbursable state mandate does not mean that all increased costs claimed will be reimbursed. Reimbursement, if any, is subject to Commission approval of parameters and guidelines for reimbursement of the claim, and a statewide cost estimate; legislative appropriation; a timely-filed claim for reimbursement; and subsequent review of the claim by the State Controller.

III. Eligible Claimants

All school districts and county offices of education as defined by Revenue and Taxation Code section 2208.5, that incurred mandated costs as result of implementing Chapter 498, Statutes of 1983, Education Code section 35160.5.

IV. Period of Reimbursement

All costs incurred on or after July 28, 1983. If total costs for a given fiscal year total less than \$200 no reimbursement shall be allowed, except as provided for in Revenue and Taxation Code section 2233, which allows County Superintendents and County fiscal officers to consolidate claims of school districts and special districts that, taken individually, are less than \$201.

V. Reimbursable Costs

- A. Certification that personnel assigned to evaluate teachers have demonstrated competence in instructional methodologies and evaluation for teachers they are assigned to evaluate. The determination of whether school personnel meet the district's adopted policies shall be made by the governing board.

1. Adoption of rules and regulations establishing school district and/or county office of education policies and annual review of these policies.
 - a. Time and direct expenses of school district or county office of education personnel necessary for the preparation, discussion and distribution of proposed rules and regulations and the annual review of adopted school district and county office of education policies adopted pursuant to the requirements of this section.

2. Training programs provided for administrators to meet the certification requirements adopted by the governing board of the school district or county office of education in conformance with Education Code section 35160.5. Individual administrator training expenses to meet certification requirements shall be allowed for a maximum of ten days (eighty hours) of training in any three-year period.
 - a. Time of district administrators spent in certification training excluding classroom observation.
 - b. Mileage to and return, meals and materials for administrators attending locally provided training sessions. The reimbursement shall be the same as that provided for by the District for other District activities.
 - c. Transportation, meals, housing and cost of training for administrators if certification training is not locally available. The reimbursement shall follow the same rules as provided by the State of California for its employees when traveling on business.
 - d. Consultant fees, materials, travel, meals and housing for trainers contracted with to train district administrators locally.

- e. Preparation and presentation time, mileage, meals, clerical costs and materials for district employees utilized as trainers of administrators for certification.
- B. The establishment of district or county office of education policies ensuring that each probationary certificated employee is assigned to a school within the district with assurances that his or her status as a new teacher and his or her potential needs for training, assistance, and evaluations will be recognized by the district or county office of education.
- 1. Training, assisting and evaluating probationary teachers over and above that usually provided to permanent teachers by the district or county office of education. Copies of the approved previous policy and a copy of the subsequent policy must be included with claims for reimbursement. The cost of services or activities provided to probationary teachers funded by the Mentor Teacher Program can not be claimed as a reimbursable cost.
 - a. Time provided by personnel, other than the site principal, to train, assist or evaluate probationary teachers.
 - b. Training materials and clerical services for probationary teachers.
 - c. Registration fees and travel costs of probationary teachers attending training activities.
 - d. Costs of substitute teachers provided for probationary teachers so that they might attend training activities including visitations to other teachers' classrooms to observe teaching techniques (limited to three such visitations per semester).

- e. Costs of consultants provided to train and assist probationary teachers if personnel with the required skills are not available within the school district or county office of education.
- f. Probationary teacher time spent attending district or county office sponsored training sessions specific to probationary teachers after school or prior to the start of the school year.
- g. Probationary teacher time spent receiving assistance or training from district or county office employees as part of the probationary teacher training and assistance program.
- h. In-classroom probationary teacher time spent receiving training or assistance is not claimable.
- i. In cases where a substitute is provided, the claimant is only eligible to claim the substitute and not the probationary teacher's time.

C. The establishment of policies and procedures which parents or guardians of pupils enrolled in the district may use to present complaints regarding employees of the district that provide for appropriate mechanisms to respond to, and where possible resolve, the complaints.

1. Cost of meetings and activities over and above those that would have been required prior to the adoption of rules and regulations by the governing board of the school district or county office of education in compliance with Education Code section 35160.5. These costs shall include the cost of notification of parents and pupils of complaint procedures, the time of school district or county office of education personnel involved in these meetings and activities including mileage, supplies and when necessary specialized training of personnel to adequately respond to complaints of pupils and parents regarding employees.

2. Costs shall not be allowed for meetings and activities required by categorical program and/or special education rules and regulations.

VI. Offsetting Savings

Any offsetting savings the claimants experience as a result of this statute must be deducted from the costs claimed.

VII. Professional and Consultant Services

Claimants shall separately show the name of professionals or consultants, specify the functions which the consultants performed relative to the mandate, length of appointment, and the itemized costs for such services. Invoices must be submitted as supporting documentation with the claim. The maximum reimbursable fee for contracted services is \$65 per hour, adjusted annually by the GNP Deflator. Those claims which are based on annual retainers shall contain a certification that the fee is no greater than the above maximum. Reasonable expenses will also be paid as identified on the monthly billings of consultants.

VIII. Allowable Overhead Costs

The overhead cost for all of the above reimbursable costs shall be the Non-Restrictive Indirect Cost Rate from the J-41A.

IX. Supporting Data for Claims

Effective July 1, 1986 documentation shall be provided that a request for no cost consultant services similar to those submitted for reimbursement was made by the district to the State Department of Education at least thirty (30) calendar days prior to the need for consultant services and that the district was notified that such consultant service was not available at the time requested or that the District did not receive a response to its request within twenty

(20) calendar days after the request had been received by the State Department of Education.

X. State Controller's Office Required Certification

An authorized representative of the claimant will be required to provide a certification of claim, as specified in the State Controller's claiming instructions, for those costs mandated by the state contained herein.

EXHIBIT 2



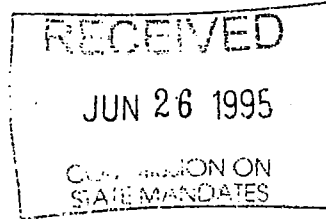
STOCKTON UNIFIED SCHOOL DISTRICT

BOARD OF EDUCATION

BUSINESS MANAGER
701 NORTH MADISON STREET • STOCKTON, CA 95202-1687
(209) 953-4055 • FAX (209) 953-4477

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JAMES L. URBANI
SUPERINTENDENT
GARY MCHENRY

June 23, 1995



Mr. Kirk Stewart
Executive Director
Commission on State Mandates
1414 K Street, Suite 315
Sacramento, CA 95814

Dear Mr. Stewart:

This letter is to inform you that we are withdrawing our request dated April 4, 1995 to amend the Parameters and Guidelines for the Certification of Teacher Evaluator's Demonstrated Competence mandate. This mandate was enacted by Chapter 498/Statutes of 1983.

This request is being withdrawn because after numerous discussions with Commission Staff and other interested parties, it is clear that any positive action resulting from clarifying this issue is more than offset by the possibility that re-opening this claim could result in the entire claim being denied.

If you have any questions, please contact our consultant, Steve Smith, of Mandated Cost Systems at (916) 487-4435.

Sincerely,

Norma E. Mearns
Director of Budget

NEM:mw

EXHIBIT 3

**Del Mar Union School District
Certification of Teacher Evaluators Demonstrated Competence
Analysis of Incorrect Reduction Claim
For Fiscal Year 1995/96**

Exhibit 1: Declaration of Virginia Brummels;

Exhibit 2: Analysis of the Del Mar Union School District (DMUSD) Incorrect Reduction Claim (IRC);

Exhibit 3: Includes a copy of the IRC for the Certification of Teacher Evaluators Demonstrated Competence (CTEDC) program for the DMUSD;

On November 19, 1996, the DMUSD filed an actual claim of \$73,349 plus \$21,311 in amounts previously offset, equaling \$94,660 (per the Controller's Office (SCO) Notice of Claim Adjustment letter), for the state mandated CTEDC program. The CTEDC mandated cost claim was filed based on actual costs, and the DMUSD included costs for probationary teachers' salaries and wages in the amount of \$29,670 and indirect costs of \$1,768, for a total of \$31,438;

Exhibit 4: Includes copies of the reimbursement claim and supporting documentation;

Exhibit 5: Includes a copy of the Annual Claiming Instructions for School Districts;

The mandate was amended on January 24, 1991, to allow for reimbursement of individual administrator training, for a maximum of ten days (eighty hours in any three-year period). This amendment was considered necessary due to Chapter 498, Statutes of 1983 where the Legislature required each school district to adopt rules and regulations to certify that personnel assigned to evaluate teachers have demonstrated specified competence in instructional methodologies to evaluate probationary teachers; to ensure that each probationary teacher was assigned to a school with assurance that his or her status as a new teacher and his or her potential needs for training, assistance, and evaluations will be recognized by the district or county office of education; and to establish policies and procedures which parents or guardians of pupils enrolled in the district may use to present complaints regarding employees of the district and to provide for appropriate mechanisms to respond to, and when possible, resolve the complaints. The training reimbursement is for assistance and evaluating probationary teachers. The training of probationary teachers is not to include the cost of salaries and wages for the Mentor Teacher Program.

Reimbursement is provided for the cost of substitute teachers to allow probationary teachers to attend training activities, including visitations to other teachers' classrooms to observe teaching techniques (limit of three visits).

Exhibit 6: Includes a copy of the Commission on State Mandates (COSM) Parameters and Guidelines (P's & G's);

Refer to Section V., Reimbursable Costs; B states as follows:

"The establishment of district or county office of education policies ensuring that each probationary certificated employee is assigned to a school within the district with assurances that his or her status as a new teacher and his or her potential needs for training, assistance, and evaluations will be recognized by the district or county office of education.

1. Training, assisting and evaluating probationary teachers over and above that usually provided to permanent teachers by the district or county office of education. Copies of the approved previous policy and a copy of the subsequent policy must be included with claims for reimbursement. The cost of services or activities provided to probationary teachers funded by the Mentor Teacher Program can not be claimed as a reimbursable cost:
 - a. Time provided by personnel, other than the site principal, to train, assist or evaluate probationary teachers;
 - b. Training materials and clerical services for probationary teachers;
 - c. Registration fees and travel costs of probationary teachers attending training activities;
 - d. Costs of substitute teachers provided for probationary teachers so that they might attend training activities, including visitations to other teachers' classrooms to observe teaching techniques (limited to three such visitations per semester); and
 - e. Costs of consultants provided to train and assist probationary teachers, if personnel with the required skills are not available within the school district or county office of education."

Page 3

Del Mar Union School District
Certification of Teacher Evaluators Demonstrated Competence
For Fiscal Year 1995-96

The SCO claiming instructions (Exhibit 4) are in agreement with the adopted P's & G's in this exhibit.

Exhibit 7: Includes a copy of the SCO Notice of Claim Adjustment letter, dated October 16, 2001;

SCO letter notifies the DMUSD that the amount of \$31,438 for salaries and benefits of probationary teachers in training, is disallowed. This letter further states "...P's and G's do not provide reimbursement for probationary teachers' training costs. In lieu of that, the P's and G's reimburse the cost of substitute teachers while the probationary teachers attend training activities."

Exhibit 8: Includes a copy of a letter dated April 4, 1995, from Stockton Unified School District (SUSD);

This letter contains a narrative outlining the reasons the amendment is required and includes proposed amendments to the P's & G's to clarify reimbursement for probationary teachers' salaries and wages. In the letter dated April 4, 1995, SUSD proposed the following amendments to the Section V., Reimbursable Costs, B. 1. of the P's and G's last amended and adopted on January 24, 1991. The proposed amendments are as follows:

- "f. Probationary teacher time spent attending district or county office sponsored training sessions specific to probationary teachers after school or prior to the start of the school year;
- g. Probationary teacher time spent receiving assistance or training from district or county office employees as part of the probation teacher training and assistance program;
- h. In-classroom probationary teacher time spent receiving training or assistance is not claimable; and
- i. In cases where a substitute is provided, the claimant is only eligible to claim the substitute and not the probationary teacher's time."

Page 4
Del Mar Union School District
Certification of Teacher Evaluators Demonstrated Competence
For Fiscal Year 1995-96

Exhibit 9: Includes a copy of a letter, dated June 23, 1985, from SUSD;

On June 23, 1995, the Director of Budgets for SUSD corresponded in writing to Kirk Stewart, the Executive Director of the COSM, and withdrew their request for clarification due to their conversations with the COSM staff, that any positive action resulting from clarifying this issue could result in the possibility that re-opening this claim could result in the entire amendment being denied. Any questions were referred to their consultant, Steve Smith of Mandated Cost Systems. This clearly demonstrates that the reimbursement of training time for probationary teachers was on the "wish list" but was deemed not the right time to clarify the issue. The withdrawal of this action (6/23/95 letter) brings this issue of reimbursement before the COSM in the form of an incorrect reduction claim. Therefore, this is not an issue of the SCO incorrectly reducing the district's claim, but a means for the district to obtain reimbursement for what they withdrew as an amendment to the Ps & Gs.

EXHIBIT 4

1 **OFFICE OF THE STATE CONTROLLER**
2 300 Capitol Mall, Suite 1850
3 Sacramento, CA 94250
4 Telephone No.: (916) 445-6854

5 BEFORE THE
6 COMMISSION ON STATE MANDATES
7 STATE OF CALIFORNIA

8
9 INCORRECT REDUCTION CLAIM ON:

No.: CSM 01-4136-I-044

AFFIDAVIT OF CUSTODIAN

10 Certification of Teacher
11 Evaluator's Demonstrated
12 Competence

13 Education Code Section 35160.5
14 Statutes of 1983, Chapter 498

15 DEL MAR UNION SCHOOL DISTRICT,
16 Claimant

17 I, Virginia Brummels make the following declarations:
18

- 19 1) I am an employee of the State Controller's Office and over
20 the age of 18 years.
- 21 2) I am currently employed as an Accounting Administrator II,
22 and have been so for the past year. Before that I was employed
23 as a Staff Management Auditor-Specialist, and Accounting
24 Administrator I Specialist and Supervisor for 14 years.
- 25 3) As a section manager in the Department of Accounting &
Reporting I have access to, and am involved in, the intake and
processing of claims for reimbursement for expenditures mandated
by the state.

1 4) I am a duly authorized custodian of records or other
2 qualified witness with authority to certify such records.

3 5) Any attached copies of records are true copies of records as
4 retained at our place of business.

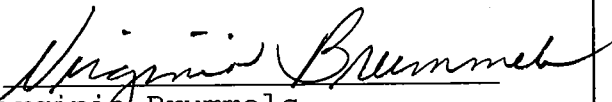
5 4) The records were prepared or received by the personnel of our
6 office in the ordinary course of business at or near the time of
7 the act, condition, or event.

8 5) The records include claims for reimbursement, along with any
9 attached supporting documentation, remittance advices,
10 explanatory letters, or other documents relating to the above-
11 entitled Incorrect Reduction Claim.

12 I do declare that the above declarations are made under
13 penalty of perjury and are true and correct to the best of my
14 knowledge, and that such knowledge is based on personal
15 observation, information, or belief.

16 Date: January 25, 2002

17 OFFICE OF THE STATE CONTROLLER

18 By: 
19 Virginia Brummels
20 Section Manager
21 Local Reimbursement Section
22
23
24
25

<p>CLAIM FOR PAYMENT</p> <p>Pursuant to Government Code Section 17561</p> <p>Certification of Teacher Evaluator's Demonstrated Competence</p>	<p>For Controller Use Only</p>
	<p>(19) Program Number 00009</p> <p>(20) Date Filed _____ / _____ / _____</p> <p>(21) Signature Present <input type="checkbox"/></p>

<p>L A B E L H E R E</p>	(01) Claimant Identification Number: S37050		Reimbursement Claim Data		
	(02) Mailing Address		(22) TE-1,(04)(1)(d)	791	
	Claimant Name DEL MAR UNION SD		(23) TE-2,(04)(2)(d)	63,671	
	County Of Location SAN DIEGO COUNTY		(24) TE-1,(04)(3)(d)	4,802	
	Street Address or P.O. Box 225 NINTH STREET		(25) TE-1,(05)(d)	69,264	
	City DEL MAR	State CA	Zip Code 92014-2716	(26) TE-1,(06)	5,9600
	Type of Claim	Estimated Claim	Reimbursement Claim	(27) TE-1,(11)	73,349
		(03) Estimated <input type="checkbox"/>	(09) Reimbursement <input checked="" type="checkbox"/>	(28)	
		(04) Combined <input type="checkbox"/>	(10) Combined <input type="checkbox"/>	(29)	
		(05) Amended <input type="checkbox"/>	(11) Amended <input type="checkbox"/>	(30)	
Fiscal Year of Cost	(06) 19 ____ / ____	(12) 19 95 / 96	(31)		
Total Claimed Amount	(07)	(13) \$ 73,349 <u>64,772</u>	(32) 73,349 <u>49,818</u>		
Less: 10% Late Penalty, but not to Exceed \$1000 (if applicable)	(14)		(33)		
Less: Estimate Payment Received	(15)		(34) <u>32,871</u>		
Net Claimed Amount	(16)	\$ 26,399 <u>73,349</u>	(35) <u>16,947</u>	- AMT. DUE CLAIMANT	
Due From State	(08)	(17) \$ <u>73,349</u>	(36)		
Due to State		(18) <u>26,399</u>	(37)	<i>1/30/96</i>	

(38) CERTIFICATION OF CLAIM

In accordance with the provisions of Government Code 17561, I certify that I am the person authorized by the school district to file claims with the State of California for costs mandated by Chapter 498 Statutes of 1983; and certify under penalty of perjury that I have not violated any of the provisions of Government Code Sections 1090 to 1096, inclusive.

I further certify that there were no applications for nor any grant or payments received, other than from the claimant for reimbursement of costs claimed herein; and such costs are for a new program or increased level of service of an existing program mandated by Chapter 498, Statutes of 1983.

The amounts for Estimated Claim and/or Reimbursement Claim are hereby claimed from the State for payment of estimated and/or actual costs for the mandated program of Chapter 498, Statutes of 1983, set forth on the attached statements.

Signature of Authorized Representative: *Robert L. Harriman*
 Date: 11/19/96
 Type or Print Name: ROBERT L. HARRIMAN
 Title: DISTRICT SUPERINTENDENT

(39) Name of Contact Person For Claim: Steve Smith, Mandated Cost Systems
 Telephone Number: 916-487-4435 Ext. _____

MANDATED COSTS
Certification of Teacher Evaluator's Demonstrated Competence
CLAIM SUMMARY

FORM
TE-1

(01) Claimant:
 S37050
 DEL MAR UNION SD

(02) Type of Claim:
 Reimbursement
 Estimated

Fiscal Year:
 19 95 / 96

Claim Statistics

(03) Professional and Consultant Services Certifications:

a. Is the fee claimed for contracted services, including claims based on an annual retainer, greater than \$98.27 per hour for the 1995/96 fiscal year?

Yes	No
	X

b. If yes, explain.

Direct Costs

Cost Elements

(04) Reimbursable Components:

- 1. Certification of Teacher Evaluators
- 2. Probationary Certified Employee Policies
- 3. Parental Complaint Policies

9894 - 42360

(a)	(b)	(c)	(d)
Salaries and Benefits	Supplies	Contracted Services	Total
491	0	300	791
491			791
63,671	0	0	63,671
21,311			21,311
4,377	0	425	4,802
4,377			4,802
68,539	0	725	69,264
6108			6108

(05) Total Direct Costs

9911 - 735 =

Indirect Costs

(06) Indirect Cost Rate

J-380 or J-580, as applicable

5.9600 %

(07) Indirect Costs

{[Line (05)(d) - line (05)(c)] x line (06)}

9920 - 2482 = 3721

~~1603~~
~~4,085~~
~~364~~

(08) Total Costs:

[Line (05)(d) + line (07)]

~~73,349~~
~~6472~~
~~28,507~~

Cost Reduction

(09) Less: Offsetting Savings, if applicable

ADD: AMT. RECOVERED FROM PREVIOUS ADJUSTMENT

21,311

(10) Less: Other Reimbursements, if applicable

49,818

(11) Total Claimed Amount:

{Line(08) - [Line(09) + line(10)]}

~~73,349~~
~~6472~~

73349
21311

94660

42360
2482

44842

MANDATED COSTS Certification of Teacher Evaluator's Demonstrated Competence COMPONENT / ACTIVITY COST DETAIL	FORM TE-2
---	----------------------------

(01) Claimant: DEL MAR UNION SD

(02) Fiscal Year costs were incurred: 95 - 96

- (03) Reimbursable Component: Competence in Instructional Methodology
 Probationary Certificated Employee Policies
 Parental Complaint Policies

(04) Description of Expense: Complete columns (a) through (f).

Cost Elements

(a) Employee Names, Job Classifications and Activities Performed and Description of Expenses	(b) Hourly Rate or Unit Cost	(c) Hours Worked or Quantity	(d) Salaries and Benefits	(e) Materials and Supplies	(f) Contracted Services
TEACHER EVALUATOR CERTIFICATION TRAINING					
LITTLER, MENDELSON-ATTORNEYS	100.00	3.00			300
MCCONNELL, J/EXEC. SECRETARY	23.72	2.00	47		
SEAWARD, S/PRINCIPAL	49.43	3.00	148		
SWENERTON, J/PRINCIPAL	49.43	3.00	148		
WILSON, G/PRINCIPAL	49.43	3.00	148		

(05) Total Subtotal Page: 1 of 1 \$ 491 0 300

MANDATED COSTS

FORM

Certification of Teacher Evaluator's Demonstrated Competence

TE-2

COMPONENT / ACTIVITY COST DETAIL

(01) Claimant: DEL MAR UNION SD

(02) Fiscal Year costs were incurred: 95 - 96

(03) Reimbursable Component: Competence in Instructional Methodology
 Probationary Certificated Employee Policies
 Parental Complaint Policies

(04) Description of Expense: Complete columns (a) through (f).

Cost Elements

(a) Employee Names, Job Classifications and Activities Performed and Description of Expenses	(b) Hourly Rate or Unit Cost	(c) Hours Worked or Quantity	(d) Salaries and Benefits	(e) Materials and Supplies	(f) Contracted Services
TRAIN, ASSIST AND EVALUATE PROB. TEACHERS					
BACCI, C, TEACHER	44.80	21.00	940		
BARGER, P/TEACHER	46.32	92.00	4261		
BARTLETT, K/TEACHER	49.36	60.00	2962		
BAXTER, S/TEACHER	30.50	21.00	641		
BEAUCHANE, N/SECRETARY	23.24	12.00	279		
BONNAFOUX, N/TEACHER	60.47	20.00	1209		
COX, M/SECRETARY	21.36	45.00	961		
FARMER, K/TEACHER	38.36	92.00	3529		
GITTELSON, M/TEACHER	56.77	85.00	4825		
GODSEY, A/TEACHER	33.92	92.00	3121		
HAGGERTY, A/TEACHER	41.34	30.00	1240		
JACKSON, H/TEACHER	46.81	85.00	3979		
KANTNER, H/TEACHER	35.80	21.00	751		
LANG, L/TEACHER	41.53	5.50	228		
LAURI, C/TEACHER	44.80	85.00	3808		
NELSON, S/TEACHER	57.79	85.00	4912		
ORR, J/TEACHER	41.89	72.00	3017		
PIKE, K/TEACHER	41.53	21.00	872		
PRITCHARD, S/TEACHER	32.02	92.00	2946		
QUINN, M/TEACHER	35.80	72.00	2577		
REGAN, J/TEACHER	59.74	85.00	5078		
SLEET, A/TEACHER	33.92	21.00	712		
SMITH, C/TEACHER	46.45	85.00	3948		
TEISHER, C/TEACHER	35.80	92.00	3293		
WILLIAMS, G/TEACHER	40.01	20.00	800		
WRIGHT, J/TEACHER	33.92	82.00	2782		

Salaries of Probationary Teachers are not reimbursable

PT

(05) Total Subtotal Page: 1 of 1 \$ 53,571 0 0

MANDATED COSTS Certification of Teacher Evaluator's Demonstrated Competence COMPONENT / ACTIVITY COST DETAIL	FORM TE-2
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(01) Claimant: DEL MAR UNION SD	(02) Fiscal Year costs were incurred: 95 - 96
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(03) Reimbursable Component: Competence in Instructional Methodology
 Probationary Certificated Employee Policies
 Parental Complaint Policies

(04) Description of Expense: Complete columns (a) through (f). Cost Elements

(a) Employee Names, Job Classifications and Activities Performed and Description of Expenses	(b) Hourly Rate or Unit Cost	(c) Hours Worked or Quantity	(d) Salaries and Benefits	(e) Materials and Supplies	(f) Contracted Services
RESOLVE COMPLAINTS OVER PRE SB813 LEVELS					
BEAUCHANE, N/SECRETARY	23.24	2.00	46		
COX, M/SECRETARY	21.36	2.00	43		
LITTLER, MENDELSON-ATTORNEYS	100.00	4.25			425
ROSS, B/SECRETARY	23.24	25.00	581		
SEAWARD, S/PRINCIPAL	49.43	17.00	840		
SWENERTON, J/PRINCIPAL	49.43	50.00	2472		
WILSON, G/PRINCIPAL	49.43	8.00	395		

(05) Total <input checked="" type="checkbox"/>	Subtotal <input type="checkbox"/>	Page: <u>1</u> of <u>1</u>	\$ 4,377	0	425
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rdo

N OF ACCOUNTING AND REPORTING 04/23/99
AU OF LOCAL REIMBURSEMENTS 09:40:25
A CLAIM/PAYEE/PROGRAM/FISCAL YEAR

0. *
32,871.00 +
32,871.00 *
NAME: DEL MAR UNION SCHOOL DISTRICT PGM NBR: 9
PGM: CERT TEACHERS EVAL CH 498/83 FY: 1995/1996
2,871.00 BAL DUE CLM: .00 PGM TYPE: MAN
6,399.00 BAL DUE ST: -5,488.00 1ST TIME PGM: N

DT FILED CLAIM AMT ADJUSTMENT AMT
PRVD AMT PRO PCT AMT BEFORE AR BAL DUE CLAIM
WARRANT AMT ISSUE DATE CLAIM SCHED NBR

PRIOR PAYMENT

11/19/1996 73,349.00 .00
349.00 .44814285 32,871.00 40,478.00
32,871.00 05/15/1997 MA60717A

R: S37050 PGM NBR: 9 FY: 1995/1996
A PGM/FY PF11= WARRANT INFORMATION

do

OF ACCOUNTING AND REPORTING 04/23/99
OF LOCAL REIMBURSEMENTS 09:38:38
ITS RECEIVABLE'S COLLECTIONS

0. *

NAME: DEL MAR UNION SCHOOL DISTRICT PGM NBR: 9
PGM: CERT TEACHERS EVAL CH 498/83 FY: 1995/1996
1996- 622 -00000000- - - - -
ORIGINAL OVERPAYMENT AMT: 26,399.00
NEW OVERPAYMENT BALANCE: 5,488.00

400.00 +
1,850.00 +
514.00 +
169.00 +
4,717.00 +
1,712.00 +
836.00 +
2,365.00 +
410.00 +
348.00 +
7,691.00 +
- 309.00 +

RECOVERY SOURCE DESC	RECOVERY/BLOCKED INDICATOR	AMOUNT
00000000- -98-01- -	BLOCKED	400.00
PUPIL HEALTH SCREEN CH 1208/76	1992/1993	
00000000- -98-01-096-	RECOVERED	1,850.00
COLLECTIVE BARGAIN CH 961/75	1998/1999	
00000000- -98-01-064-	RECOVERED	514.00
OPEN MEETINGS CH 641/86 (SCH)	1998/1999	

21,311.00 *

012

AMT. RECOVERED
FROM PREVIOUS
ADJUSTMENT

NBR: S37050 PGM NBR: 9 FY: 1995/1996

LRSF086

DIVISION OF ACCOUNTING AND REPORTING
BUREAU OF LOCAL REIMBURSEMENTS
ACCOUNTS RECEIVABLE'S COLLECTIONS

04/23/99
09:39:04

PAYEE NBR: S37050 NAME: DEL MAR UNION SCHOOL DISTRICT PGM NBR: 9
CHAPTER: 6110-295-0001-1995 PGM: CERT TEACHERS EVAL CH 498/83 FY: 1995/1996
TO ACL CODE: 0001-000-9990-1996- 622 -00000000- - - - -

ORIGINAL OVERPAYMENT AMT: 26,399.00
NEW OVERPAYMENT BALANCE: 5,488.00

RECOVERY/BLOCKING SOURCE		RECOVERY/BLOCKED INDICATOR		AMOUNT
PGM NBR	CHAPTER	RECOVERY SOURCE DESC	FY	
0001-000-6100-1997-	295	-00000000- -98-01-117-	RECOVERED	169.00
32	6100-295-0001-1997	IMMUNIZATION RECORD CH 1176/77	1997/1998	
0001-000-6100-1998-	295	-00000000- -98-01-048-	RECOVERED	4,717.00
42	6110-295-0001-1998	MNDTD REIMB CH 486/75 (SCHOOL)	1998/1999	
0001-000-6100-1998-	295	-00000000- -98-01-016-	RECOVERED	1,712.00
153	6110-295-0001-1998	INTRADIST ATTEND CH161/93	1998/1999	

DC982052 More pages...

PAYEE NBR: S37050 PGM NBR: 9 FY: 1995/1996

PF9= AR OVERPAYMENTS.

LRSF086

DIVISION OF ACCOUNTING AND REPORTING
BUREAU OF LOCAL REIMBURSEMENTS
ACCOUNTS RECEIVABLE'S COLLECTIONS

04/23/99
09:39:30

PAYEE NBR: S37050 NAME: DEL MAR UNION SCHOOL DISTRICT PGM NBR: 9
CHAPTER: 6110-295-0001-1995 PGM: CERT TEACHERS EVAL CH 498/83 FY: 1995/1996
TO ACL CODE: 0001-000-9990-1996- 622 -00000000- - - - -

ORIGINAL OVERPAYMENT AMT: 26,399.00
NEW OVERPAYMENT BALANCE: 5,488.00

RECOVERY/BLOCKING SOURCE PGM NBR CHAPTER	RECOVERY SOURCE DESC	RECOVERY/BLOCKED INDICATOR FY	AMOUNT
0001-000-6100-1998- 295 156 6110-295-0001-1998	-00000000- SCH DIST CHOICE CH1262/94	-98-01-030- RECOVERED 1998/1999	836.00
0001-000-6100-1998- 295 139 6110-295-0001-1998	-00000000- PUPIL HEALTH SCREEN CH 1208/76	-98-01-096- RECOVERED 1998/1999	2,365.00
0001-000-6100-1998- 295 145 6110-295-0001-1998	-00000000- ANNL PARENT NOTICE CH 448/75	-98-01-003- RECOVERED 1998/1999	410.00

DC982052 More pages...

PAYEE NBR: S37050 PGM NBR: 9 FY: 1995/1996

PF9= AR OVERPAYMENTS.

LRSF086

DIVISION OF ACCOUNTING AND REPORTING
BUREAU OF LOCAL REIMBURSEMENTS
ACCOUNTS RECEIVABLE'S COLLECTIONS

04/23/99
09:39:44

PAYEE NBR: S37050 NAME: DEL MAR UNION SCHOOL DISTRICT PGM NBR: 9
CHAPTER: 6110-295-0001-1995 PGM: CERT TEACHERS EVAL CH 498/83 FY: 1995/1996
TO ACL CODE: 0001-000-9990-1996- 622 -00000000- - - - -

ORIGINAL OVERPAYMENT AMT: 26,399.00
NEW OVERPAYMENT BALANCE: 5,488.00

RECOVERY/BLOCKING SOURCE		RECOVERY/BLOCKED INDICATOR		AMOUNT
PGM NBR	CHAPTER	RECOVERY SOURCE DESC	FY	
0001-000-6100-1998- 295	-00000000-	-98-01-008-	RECOVERED	348.00
146	6110-295-0001-1998	SCHOOLSITE DISP RULE CH87/86	1998/1999	
0001-000-6100-1998- 295	-00000000-	-98-01-165-	RECOVERED	7,681.00
75	6110-295-0001-1998	EMERGENCY PROCEDURE CH 1659/84	1998/1999	
0001-000-6100-1998- 295	-00000000-	-98-01-160-	RECOVERED	309.00
109	6110-295-0001-1998	SCH CRIME STAT REPT CH 1607/84	1998/1999	

DC982051 Last page...

PAYEE NBR: S37050 PGM NBR: 9 FY: 1995/1996

PF9= AR OVERPAYMENTS

MANDATED COSTS

FORM

r Evaluator's Demonstrated Competence

TE-2

MENT / ACTIVITY COST DETAIL

(02) Fiscal Year costs were incurred: 95 - 96

0. *

0. *

300.00 +

425.00 +

725.00 *

- Competence in Instructional Methodology
- Probationary Certificated Employee Policies
- Parental Complaint Policies

ete columns (a) through (f).

Cost Elements

ind Activities Performed ses	(b)	(c)	(d)	(e)	(f)
	Hourly Rate or Unit Cost	Hours Worked or Quantity	Salaries and Benefits	Materials and Supplies	Contracted Services
PROFESSION TRAINING					
EYS	100.00	3.00			300
TARY	23.72	2.00	47		
	49.43	3.00	148		
	49.43	3.00	148		
	49.43	3.00	148		

*APPROVED
CONTRACTED SERVICES*

(05) Total Subtotal

Page: 1 of 1

\$ 491 0 300

MANDATED COSTS

FORM

Certification of Teacher Evaluator's Demonstrated Competence

TE-2

COMPONENT / ACTIVITY COST DETAIL

(01) Claimant: DEL MAR UNION SD

(02) Fiscal Year costs were incurred: 95 - 96

(03) Reimbursable Component: Competence in Instructional Methodology
 Probationary Certificated Employee Policies
 Parental Complaint Policies

(04) Description of Expense: Complete columns (a) through (f).

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(a) Employee Names, Job Classifications and Activities Performed and Description of Expenses	(b) Hourly Rate or Unit Cost	(c) Hours Worked or Quantity	(d) Salaries and Benefits	(e) Materials and Supplies	(f) Contracted Services
RESOLVE COMPLAINTS OVER PRE SB813 LEVELS					
BEAUCHANE, N/SECRETARY	23.24	2.00	46		
COX, M/SECRETARY	21.36	2.00	43		
LITTLER, MENDELSON-ATTORNEYS	100.00	4.25			425
ROSS, B/SECRETARY	23.24	25.00	581		
SEAWARD, S/PRINCIPAL	49.43	17.00	840		
SWENERTON, J/PRINCIPAL	49.43	50.00	2472		
WILSON, G/PRINCIPAL	49.43	8.00	395		

(05) Total Subtotal

Page: 1 of 1

\$ 4,377 0 425

S37050 DEL MAR UNION

Logid	Source Code	Sitename	Itemcode	Name/Title	Rate	Loghours	Logcosts
SS00011	GL	DEL MAR HEIGHTS ELEMENTARY	I3B	BEAUCHANE, N/SECRETARY	23.24	2.000	46.48
SS00013	GL	DEL MAR HILLS ELEMENTARY	I3B	COX, M/SECRETARY	21.36	2.000	42.72
0007	VC	DISTRICT OFFICE	I3B	LITTLER, MENDELSON-ATTORNEYS	155.00	1.500	232.50
0009	VC	DISTRICT OFFICE	I3B	LITTLER, MENDELSON-ATTORNEYS	155.00	0.200	31.00
CB00011	VC	DISTRICT OFFICE	I3B	LITTLER, MENDELSON-ATTORNEYS	155.00	2.300	356.50
CB00015	VC	DISTRICT OFFICE	I3B	LITTLER, MENDELSON-ATTORNEYS	155.00	0.250	38.75
SS00001	GL	CARMEL DEL MAR ELEMENTARY	I3B	ROSS, B/SECRETARY	23.24	25.000	581.00
CB00008	LS	DEL MAR HEIGHTS ELEMENTARY	I3B	SEAWARD, S/PRINCIPAL	49.43	1.300	64.26
CB00010	LS	DEL MAR HEIGHTS ELEMENTARY	I3B	SEAWARD, S/PRINCIPAL	49.43	0.200	9.89
CB00012	LS	DEL MAR HEIGHTS ELEMENTARY	I3B	SEAWARD, S/PRINCIPAL	49.43	1.500	74.15
SS00011	GL	DEL MAR HEIGHTS ELEMENTARY	I3B	SEAWARD, S/PRINCIPAL	49.43	14.000	692.02
SS00001	GL	CARMEL DEL MAR ELEMENTARY	I3B	SWENERTON, J/PRINCIPAL	49.43	25.000	1,235.75
SS00001	GL	CARMEL DEL MAR ELEMENTARY	I3B	SWENERTON, J/PRINCIPAL	49.43	25.000	1,235.75
SS00013	GL	DEL MAR HILLS ELEMENTARY	I3B	WILSON, G/PRINCIPAL	49.43	8.000	395.44
						<u>108.25</u>	<u>5,036.21</u>
TE00002	VC	DISTRICT OFFICE	01B	LITTLER, MENDELSON-ATTORNEYS	155.00	3.000	465.00
TE00001	GL	DISTRICT OFFICE	01B	MCCONNELL, J/EXEC. SECRETARY	23.72	2.000	47.44
TE00001	GL	DEL MAR HEIGHTS ELEMENTARY	01B	SEAWARD, S/PRINCIPAL	49.43	3.000	148.29
TE00001	GL	CARMEL DEL MAR ELEMENTARY	01B	SWENERTON, J/PRINCIPAL	49.43	3.000	148.29
TE00001	GL	DEL MAR HILLS ELEMENTARY	01B	WILSON, G/PRINCIPAL	49.43	3.000	148.29
						<u>14.00</u>	<u>957.31</u>

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8
10
15

Page 4

GENERAL

DELMMA

1000

2469702

LOGSHEET #TE2
 SEARCHED ✓
 DATE INDEXED
 BY *aj* 16-15

workshop for administrators covering various aspects of employee evaluation and discipline including tips, strategies, relevant law, current Board policies and other items; review of letter and finalized copies of Board Policies in four separate series to Joan McConnell in response to her request; discussion with Dr. Harriman about the District continuing to act professionally in Felix Lehmann matter.

6/20/96 RJC .20 Discussion with Dr. Harriman about teacher who orally accepted offer of employment from the District and latest developments re Martin Good, and negotiations within transportation agency, and any legal issues re assignment of Felix Lehmann.

6/20/96 RJC .20 Review of fax from the District which is a draft of a performance review from Stewart Seaward to Debbie Moehnke and preparation of list of items to discuss with Dr. Seaward.

6/21/96 RJC .20 Discussion with Stewart Seaward about changes to draft of performance evaluation statement to secretarial assistant Debbie Moehnke.

6/25/96 RJC 5.00 Legal research re issues involving assignment of teachers including relevant Education Code sections and court decisions; meeting with Dr. Harriman and several other representatives of the District including all three principals to provide extensive handout and legal and practical advice on employee evaluations and discipline with references to law and current Board Policies; meeting with Dr. Harriman on latest developments and thinking re probationary employee Martin Good.

6/26/96 WWM .20 Telephone conference with K. Tanner re Baldwin land transaction, appraisal of value, and re use of district lease proceeds.

6/27/96 GWP 1.60 Office research re facts re nursing situation at District; legal research re whether typical nursing functions can be performed by a classified health aid, rather than by a certificated nurse under the Education Code;

OIB
 3.00

LITTON, MENDELSON, FASTIFF, TICHY & MATTHIASON
A PROFESSIONAL CORPORATION
ATTORNEYS AT LAW

LOGSHEET #CB7
Source VC
Date Entered 11-15
By aj

Page 5

GENERAL

DELMMA

1000

2437269

LOGSHEET #CB8
Source LS
Date Entered
By aj 11-15

2/15/96 SHS .30 Telephone conference with Jeff Swinerton re District special education instructional aide working for parent and related issues.

2/21/96 WWM .40 Preliminary review and analysis of draft Hanna Feneschal lease; telephone conference from K. Tanner re same.

2/22/96 WWM .80 Telephone conference from R. Harriman, S. Seaward re attorney parent complaint re drama production selection; review and analysis of letter from attorney; telephone conference from attorney Prater re same; followup telephone conference with S. Seaward re same and re his ongoing meeting with the parents.

2/23/96 RJC .10 Discussion with Kathy Tanner about new draft of Board Policy 5010 and possible minor change to make at time of adoption by the Board.

2/23/96 WWM .70 Telephone conference with R. Harriman and S. Seaward re drama production dispute, results of Seaward factual investigation re same, and with R. Harriman re JPA issues, plan to wait two more weeks for Bort opinion on followup questions and for high school response.

2/28/96 RJC .20 Review of faxed memo from Joan McConnell on status of latest drafts of Board Policies in 5000 Series, questions about Board Policy 6017, inquiry about status of Board Policies in 2000 Series and 3000 Series; review of proposed changes or questions involving provision in Board Policy 6017, and follow-up contact with Gayle about Board Policies and identifying Board Policy 4203 as providing one year probationary period for classified employees.

F387
1-50
1-80

Total Fees:

7,285.00

LITTI MENDELSON, FASTIFF, TICHY & MASON
A PROFESSIONAL CORPORATION
ATTORNEYS AT LAW

LOGSHEET # CB9
Source VC
Date Entered 11-15
By aj

June 18, 1996

DEL MAR UNION SCHOOL DISTRICT
DR. ROBERT L. HARRIMAN
225 NINTH ST.
DEL MAR, CA 92014-2716
PRIVILEGED AND CONFIDENTIAL

LOGSHEET # CB10
Source LS
Date Entered
By aj 11-15

For legal services through May 31, 1996

Invoice # 2464035 1133
Client Code: DELMAA

RE: GENERAL Matter Number: 1000

Date	Atty	Time	Description of Work
5/01/96	WWM	1.20	Telephone conference with R. Harriman re status of H. Gad letter to high school; telephone conference with H. Gad re same and re his assurance letter will go out this week; telephone conference with M. Goode re Fenichel attorney seeking fire insurance, placement of call to same; review and analysis of Hall memo 4/22 re JPA issues, relocatable costs; telephone conference with Fenichel lawyer re fire insurance and lease issues, willingness to review his proposed language, reservations re same and effect on district insurance coverage and cost.
5/02/96	RJC	.40	Review of fax from Dr. Harriman which is draft of unusual note to file from principal Seaward re complaint of possible misconduct by teacher Rybarczyk; discussion with Dr. Harriman about unusual note and need for a reprimand if warranted, and also initial proposal from the local CTA and Dr. Harriman's discussions with the local CTA's chief negotiator.
5/02/96	WWM	.70	Telephone conferences (2) with H. Gad re his need to send letter to high school re response to Del Mar proposal in February; telephone conference with client re same and re need not to modify analysis in order to avoid confusion re Del Mar

I3B =
.20
~~20~~
L30 : 20

**CONFIDENTIAL
INFORMATION COPY**

LITTLE MENDELSON, FASTIFF, TICHY & MATTHEIASON
A PROFESSIONAL CORPORATION
ATTORNEYS AT LAW

LOGSHEET # CB 11
Source VC
Date Entered 11-15
By aj

Page 2

GENERAL

DELMAR

1000

2464035

LOGSHEET # CB 12
Source LS
Date Entered 11-15
By aj

February position.

5/03/96 WWM .60 Review and analysis of letter from Fenichel attorney re additional lease provision; telephone conference with H. Gad re his letter to be sent today to high school re JPA issues, telephone conference with client re same.

5/04/96 WWM .80 Review of Gad letter to high school district re need for their response re allocation issues; review of faxed agenda for 5/8 meeting of JPA board; begin review of client transmitted lease documents, architect volunteer agreement.

5/06/96 WWM 3.10 Review of draft architect agreement and JPA materials; preparation of letter to client re Blanchard proposed language for Fenichel lease, analysis of same; review of letter from Rinear re architect coverage; preparation of letter to client re same; begin review and analysis of mandated costs proposal and two contracts; telephone conference with M. Good re same.

5/07/96 RJC .10 Discussion with Dr. Harriman on status of parent complaint against Lynn Rybarczyk for milk incident on April 24.

5/08/96 RJC 2.20 Review of additional material from Stu Seaward re incident involving teacher Lynn Rybarczyk and pupil Jensen Hassett; discussion with Stu Seaward on his performance on how to proceed, his belief that Lynn Rybarczyk acted inappropriately, and decision to proceed with a reprimand to the teacher; drafting of (initial and final) reprimand from Stu Seaward to Lynn Rybarczyk for fax transmission to Stu Seaward for review.

5/08/96 WWM .30 Review Gad correspondence faxed from client.

5/11/96 WWM .50 Review and analysis of Del Mar Neighborhood No. 4 title report faxes by client.

5/13/96 WWM 2.20 Telephone conference with K. Tanner re her request to attend 5/14 JPA meeting and re title report re school site, major liens against same, need for seller to client up at escrow; review and analysis of 50 pages of JPA documents re 5/14 agenda; followup telephone conference with R. Harriman and K. Tanner re same, issues to be

ISB = 2.30

ISB = 1.50

LITTLER, MENDELSON, FASTIFF, TICHY & MATHIASON
A PROFESSIONAL CORPORATION
ATTORNEYS AT LAW

LOGSHEET # CB15
Source VC
Date Entered
By dj 11-15

July 23, 1996

DEL MAR UNION SCHOOL DISTRICT
DR. ROBERT L. HARRIMAN
225 NINTH ST.
DEL MAR, CA 92014-2716
PRIVILEGED AND CONFIDENTIAL

LOGSHEET # CB16
Source LS
Date Entered 11-15
By dj

For legal services through June 30, 1996

Invoice # 2469702 1133
Client Code: DELMAA

RE: GENERAL

Matter Number: 1000

Date	Atty	Time	Description of Work
6/01/96	WWM	1.20	Review and analysis of CCW lease, preparation of suggested revisions to same; review Berrier letter re high school issues.
6/03/96	WWM	.30	Review CCW lease changes, telephone conference with K. Tanner reviewing same and re Berrier letter re JPA issues, board meeting 6/12 re same, probable need to send board authorized summary letter.
6/04/96	RJC	2.00	Review of messages and correspondence from the District including Marcie Singer matter, determining seniority for classified employees, early retirement request from Sandra Mosteller, complaint from Randy and Linda Strause against teacher Rybarczyk and continuing review of Board Policy issue on class sizes; discussions with Joan McConnell on Board Policy 6015 and preparations on agenda items for negotiations, as well as Singer and other items; Gayle about possible layoffs or reassignments of instructional aides, complaint against Rybarczyk and Sandra Mosteller matter; and Kathy Tanner about class size issue; drafting of (initial and final) new proposed voluntary retirement agreement for Sandra Mosteller utilizing and referencing two new Board Policies and agreement

L30 = .75

T3B = .25

~~CONFIDENTIAL~~

**CONFIDENTIAL
INFORMATION COPY**

MANDATED COSTS

FORM

Evaluator's Demonstrated Competence

TE-2

INSTRUMENT / ACTIVITY COST DETAIL

0. *

(02) Fiscal Year costs were incurred: 95-96

2,962.00 +
 279.00 +
 1,209.00 +
 961.00 +
 4,825.00 +
 1,240.00 +
 3,979.00 +
 3,808.00 +
 4,912.00 +
 5,078.00 +
 3,948.00 +
 800.00 +

- Competence in Instructional Methodology
- Probationary Certificated Employee Policies
- Parental Complaint Policies

Complete columns (a) through (f).

Cost Elements

Instrument Activities Performed	(b) Hourly Rate or Unit Cost	(c) Hours Worked or Quantity	(d) Salaries and Benefits	(e) Materials and Supplies	(f) Contracted Services
PROB. TEACHERS					
	44.80	21.00	179 940		
	46.32	92.00	185 4261		
	49.36	60.00	2962		
	30.50	21.00	122 641		
	23.24	12.00	279		
	60.47	20.00	1209		
	21.36	45.00	961		
	38.36	92.00	153 3529		
	56.77	85.00	4825		
	33.92	92.00	136 3121		
	41.34	30.00	1240		
	46.81	85.00	3979		
	35.80	21.00	143 751		
	41.53	5.50	166 228		
	44.80	85.00	3808		
	57.79	85.00	4912		
	41.89	72.00	168 3017		
	41.53	21.00	166 872		
	32.02	92.00	128 2946		
	35.80	72.00	143 2577		
	59.74	85.00	5078		
	33.92	21.00	136 712		
	46.45	85.00	3948		
	35.80	92.00	143 3293		
	40.01	20.00	800		
	33.92	82.00	136 2782		

Salaries of Probationary Teachers are not reimbursable.

PT

34,001.00 *

APPROVED SALARIES
 OF NON-PROBATIONARY
 TEACHERS

- P2 PRITCHARD, S/TEACHER
- P1 QUINN, M/TEACHER
- T REGAN, J/TEACHER
- P1 SLEET, A/TEACHER
- T SMITH, C/TEACHER
- P1 TEISHER, C/TEACHER
- T WILLIAMS, G/TEACHER
- P1 WRIGHT, J/TEACHER

1240
 53,571

(05) Total Subtotal

Page: 1 of 1

0 0

S37050 DEL MAR UNION

Logid	Sorce Code	Sitename	Itmcode	Nametitl	Rate	Loghours	Logcosts
PT00001	GL	DEL MAR HILLS ELEMENTARY	H2B	BACCI, C,TEACHER	44.80	4.000	179.20
SS00014	GL	DEL MAR HILLS ELEMENTARY	H2B	BACCI, C,TEACHER	44.80	8.000	358.40
SS00014	GL	DEL MAR HILLS ELEMENTARY	H2B	BACCI, C,TEACHER	44.80	9.000	403.20
001	GL	CARMEL DEL MAR ELEMENTARY	H2B	BARGER, P/TEACHER	46.32	4.000	185.28
SS00003	GL	CARMEL DEL MAR ELEMENTARY	H2B	BARGER, P/TEACHER	46.32	3.000	138.96
SS00003	GL	CARMEL DEL MAR ELEMENTARY	H2B	BARGER, P/TEACHER	46.32	85.000	3,937.20
SS00002	GL	DEL MAR HEIGHTS ELEMENTARY	H2B	BARTLETT, K/TEACHER	49.36	60.000	2,961.60
PT00001	GL	DEL MAR HILLS ELEMENTARY	H2B	BAXTER, S/TEACHER	30.50	4.000	122.00
SS00014	GL	DEL MAR HILLS ELEMENTARY	H2B	BAXTER, S/TEACHER	30.50	8.000	244.00
SS00014	GL	DEL MAR HILLS ELEMENTARY	H2B	BAXTER, S/TEACHER	30.50	9.000	274.50
SS00014	GL	DEL MAR HEIGHTS ELEMENTARY	H2B	BEAUCHANE, N/SECRETARY	23.24	12.000	278.88
SS00014	GL	DEL MAR HEIGHTS ELEMENTARY	H2B	BONNAFOUX, N/TEACHER	60.47	20.000	1,209.40
SS00014	GL	DEL MAR HILLS ELEMENTARY	H2B	COX, M/SECRETARY	21.36	45.000	961.20
PT00001	GL	CARMEL DEL MAR ELEMENTARY	H2B	FARMER, K/TEACHER	38.36	4.000	153.44
SS00002	GL	CARMEL DEL MAR ELEMENTARY	H2B	FARMER, K/TEACHER	38.36	3.000	115.08
SS00002	GL	CARMEL DEL MAR ELEMENTARY	H2B	FARMER, K/TEACHER	38.36	85.000	3,260.60
SS00003	GL	CARMEL DEL MAR ELEMENTARY	H2B	GITTELSON, M/TEACHER	56.77	85.000	4,825.45
PT00001	GL	CARMEL DEL MAR ELEMENTARY	H2B	GODSEY, A/TEACHER	33.92	4.000	135.68
SS00001	GL	CARMEL DEL MAR ELEMENTARY	H2B	GODSEY, A/TEACHER	33.92	3.000	101.76
SS00004	GL	CARMEL DEL MAR ELEMENTARY	H2B	GODSEY, A/TEACHER	33.92	85.000	2,883.20
SS00004	GL	DEL MAR HEIGHTS ELEMENTARY	H2B	HAGGERTY, A/TEACHER	41.34	30.000	1,240.20
SS00004	GL	CARMEL DEL MAR ELEMENTARY	H2B	JACKSON, H/TEACHER	46.81	85.000	3,978.85
PT00001	GL	DEL MAR HILLS ELEMENTARY	H2B	KANTNER, H/TEACHER	35.80	4.000	143.20
SS00014	GL	DEL MAR HILLS ELEMENTARY	H2B	KANTNER, H/TEACHER	35.80	8.000	286.40
SS00014	GL	DEL MAR HILLS ELEMENTARY	H2B	KANTNER, H/TEACHER	35.80	9.000	322.20
PT00001	GL	CARMEL DEL MAR ELEMENTARY	H2B	LANG, L/TEACHER	41.53	4.000	166.12
SS00001	GL	CARMEL DEL MAR ELEMENTARY	H2B	LANG, L/TEACHER	41.53	1.500	62.30
SS00006	GL	CARMEL DEL MAR ELEMENTARY	H2B	LAURI, C/TEACHER	44.80	85.000	3,808.00
006	GL	CARMEL DEL MAR ELEMENTARY	H2B	NELSON, S/TEACHER	57.79	85.000	4,912.15
001	GL	DEL MAR HEIGHTS ELEMENTARY	H2B	ORR, J/TEACHER	41.89	4.000	167.56
SS00012	GL	DEL MAR HEIGHTS ELEMENTARY	H2B	ORR, J/TEACHER	41.89	4.000	167.56
SS00012	GL	DEL MAR HEIGHTS ELEMENTARY	H2B	ORR, J/TEACHER	41.89	60.000	2,513.40
SS00012	GL	DEL MAR HEIGHTS ELEMENTARY	H2B	ORR, J/TEACHER	41.89	4.000	167.56
PT00001	GL	DEL MAR HILLS ELEMENTARY	H2B	PIKE, K/TEACHER	41.53	4.000	166.12
SS00014	GL	DEL MAR HILLS ELEMENTARY	H2B	PIKE, K/TEACHER	41.53	8.000	332.24
SS00014	GL	DEL MAR HILLS ELEMENTARY	H2B	PIKE, K/TEACHER	41.53	9.000	373.77
PT00001	GL	CARMEL DEL MAR ELEMENTARY	H2B	PRITCHARD, S/TEACHER	32.02	4.000	128.08
SS00001	GL	CARMEL DEL MAR ELEMENTARY	H2B	PRITCHARD, S/TEACHER	32.02	3.000	96.06
SS00005	GL	CARMEL DEL MAR ELEMENTARY	H2B	PRITCHARD, S/TEACHER	32.02	85.000	2,721.70
PT00001	GL	DEL MAR HEIGHTS ELEMENTARY	H2B	QUINN, M/TEACHER	35.80	4.000	143.20
SS00012	GL	DEL MAR HEIGHTS ELEMENTARY	H2B	QUINN, M/TEACHER	35.80	4.000	143.20
SS00012	GL	DEL MAR HEIGHTS ELEMENTARY	H2B	QUINN, M/TEACHER	35.80	60.000	2,148.00
SS00011	GL	DEL MAR HEIGHTS ELEMENTARY	H2B	QUINN, M/TEACHER	35.80	4.000	143.20
SS00003	GL	CARMEL DEL MAR ELEMENTARY	H2B	REGAN, J/TEACHER	59.74	85.000	5,077.90
PT00001	GL	DEL MAR HILLS ELEMENTARY	H2B	SLEET, A/TEACHER	33.92	4.000	135.68
SS00014	GL	DEL MAR HILLS ELEMENTARY	H2B	SLEET, A/TEACHER	33.92	8.000	271.36
SS00014	GL	DEL MAR HILLS ELEMENTARY	H2B	SLEET, A/TEACHER	33.92	9.000	305.28
SS00007	GL	CARMEL DEL MAR ELEMENTARY	H2B	SMITH, C/TEACHER	46.45	85.000	3,948.25
PT00001	GL	CARMEL DEL MAR ELEMENTARY	H2B	TEISHER, C/TEACHER	35.80	4.000	143.20
SS00002	GL	CARMEL DEL MAR ELEMENTARY	H2B	TEISHER, C/TEACHER	35.80	3.000	107.40
SS00002	GL	CARMEL DEL MAR ELEMENTARY	H2B	TEISHER, C/TEACHER	35.80	85.000	3,043.00
SS00012	GL	DEL MAR HEIGHTS ELEMENTARY	H2B	WILLIAMS, G/TEACHER	40.01	20.000	800.20
PT00001	GL	DEL MAR HEIGHTS ELEMENTARY	H2B	WRIGHT, J/TEACHER	33.92	4.000	135.68
SS00012	GL	DEL MAR HEIGHTS ELEMENTARY	H2B	WRIGHT, J/TEACHER	33.92	4.000	135.68
SS00012	GL	DEL MAR HEIGHTS ELEMENTARY	H2B	WRIGHT, J/TEACHER	33.92	70.000	2,374.40
SS00011	GL	DEL MAR HEIGHTS ELEMENTARY	H2B	WRIGHT, J/TEACHER	33.92	4.000	135.68

1,493.50 63,673.81

SCHOOL SITE
 MANDATED COST TIME LOG

Name: Carol Smith

Site: Carmel Del Mar

Title: Teacher(s)

District: Del Mar Union SD. .FY 1995/96

Mandate	Date	Description of Activity	Time Spent		Other costs (Supplies, mileage, printing, etc.)
			Hours	Minutes	
PTT	1995/96	Time spent training/assisting/ evaluating the following probationary teachers: K. Farmer			
		August	20		
		September	10		
		October	10		
		November	10		
		December	5		
		January	5		
		February	5		
		March	5		
		April	5		
		May	5		
		June	5		
MCC		Time Spent Preparing This Log Sheet			

Mandate:
 AIDS—AIDS Instruction
 CSSA—California Safe Schools Assessment
 CMP—Credential Monitoring Process
 EPED—Emergency Procedures
 G—Grievances
 RC—Inventory & Removal of Chemicals
 JCN—Juvenile Court Notices
 MCC—Mandated Cost Claims
 NOT—Notification of Truancy
 NT—Notification To Teachers-Susp./Exp.
 PC—Parental Complaints Against Dist. Emp.'s
 PFT—Physical Fitness Testing
 PTT—Probationary Teacher Training
 PCS—Pupil Counseling-Suspensions
 PHS—Pupil Health Screenings
 SDC—School Dist. Of Choice-Sending District
 SSDR—School Site Discipline Rules

Jeffrey R. Sweetenham
 Employee Signature

6-17/96
 Date

LOGSHEET #553
 Source GL
 Date Entered 6/17/96
 BY [Signature]

SCHOOL SITE
 MANDATED COST TIME LOG

Name: James Regan

Site: Carmel Del Mar

Title: Teacher(s)

District: Del Mar Union SD. FY 1995/96

Mandate	Date	Description of Activity	Time Spent		Other costs (Supplies, mileage, printing, etc.)
			Hours	Minutes	
PTT	1995/96	Time spent training / assisting / evaluating the following probationary teachers: <u>Pat Barger</u>			<u>1175</u> <u>855.00</u>
		August	20		
		September	10		
		October	10		
		November	10		
		December	5		
		January	5		
		February	5		
		March	5		
		April	5		
		May	5		
		June	5		
MCC		Time Spent Preparing This Log Sheet			

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 PHS—Pupil Health Screenings
 SDC—School Dist. Of Choice-Sending District
 SDDR—School Site Discipline Rules

Jeffery R. Swenerton
 Employee Signature

6-17-96
 Date

LOGSHEET # 554
 Source *GL*
 Date Entered
 By *J 1/15*

SCHOOL SITE
 MANDATED COST TIME LOG

Name: *M. Jackson / L. Shepherd*

Site: *Carmel Del Mar*

Title: *Teacher (S)*

District: *Del Mar Union SD.* FY *1995/96*

Mandate	Date	Description of Activity	Time Spent		Other costs (Supplies, mileage, printing, etc.)
			Hours	Minutes	
<i>PTT</i>	<i>1995/96</i>	<i>Time spent training / assisting / evaluating the following probationary teacher(s): A. Godsey.</i>			<i>11/20</i>
		<i>August</i>	<i>20</i>		<i>8/5.00</i>
		<i>September</i>	<i>10</i>		
		<i>October</i>	<i>10</i>		
		<i>November</i>	<i>10</i>		
		<i>December</i>	<i>5</i>		
		<i>January</i>	<i>5</i>		
		<i>February</i>	<i>5</i>		
		<i>March</i>	<i>5</i>		
		<i>April</i>	<i>5</i>		
		<i>May</i>	<i>5</i>		
		<i>June</i>	<i>5</i>		
<i>MCC</i>		<i>Time Spent Preparing This Log Sheet</i>			

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 SDC—School Dist. Of Choice-Sending District
 SDR—School Site Discipline Rules

Jeffery R. Swenerton
 Employee Signature

6-17-96
 Date

LOGSHEET # 555
 Source GL
 Date Entered
 By GP 11-15

SCHOOL SITE
 MANDATED COST TIME LOG

Name: M. Gittlesohn

Site: Carmel Del Mar

Title: Teacher(s)

District: Del Mar Union SD. FY 1995/96

Mandate	Date	Description of Activity	Time Spent		Other costs (Supplies, mileage, printing, etc.)
			Hours	Minutes	
<u>PTT</u>	<u>1995/96</u>	<u>Time spent training/assisting/ evaluating the following probationary teachers: Christen Tiesher</u>			
		<u>August</u>	<u>20</u>		
		<u>September</u>	<u>10</u>		
		<u>October</u>	<u>10</u>		
		<u>November</u>	<u>10</u>		
		<u>December</u>	<u>5</u>		
		<u>January</u>	<u>5</u>		
		<u>February</u>	<u>5</u>		
		<u>March</u>	<u>5</u>		
		<u>April</u>	<u>5</u>		
		<u>May</u>	<u>5</u>		
		<u>June</u>	<u>5</u>		
<u>MCC</u>		<u>Time Spent Preparing This Log Sheet</u>			

~~1425~~
~~85.00~~

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 PHS—Pupil Health Screenings
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 SDDR—School Site Discipline Rules

Jeffery R. Sweeney
 Employee Signature

6-17-96
 Date

LOGSHEET # 556
 Source GC
 Date 11-15
 By [Signature]

SCHOOL SITE
 MANDATED COST TIME LOG

Name: Sandra Nelson / Cynthia Laurie Site: Carmel Del Mar
 Title: Teacher(s) District: Del Mar Union SD. FY: 1995/96

Mandate	Date	Description of Activity	Time Spent		Other costs (Supplies, mileage, printing, etc.)
			Hours	Minutes	
PTT	1995/96	Time spent training / assisting / evaluating the following probationary teachers: Sarah Pritchard			
		August	20		
		September	10		
		October	10		
		November	10		
		December	5		
		January	5		
		February	5		
		March	5		
		April	5		
		May	5		
		June	5		
MCC		Time Spent Preparing This Log Sheet			

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 SDR—School Site Discipline Rules

Jeffrey R. Sweeton
 Employee Signature Date: 6-17-96

SCHOOL SITE
 MANDATED COST TIME LOG

Name: Stewart A. Seaward Site: Del Mar Heights E.S.
 Title: Principal District: Del Mar USD. FY 95/96

Mandate	Date	Description of Activity	Time Spent		Other costs (Supplies, mileage, printing etc.)
			Hours	Minutes	
PTT	95/96	Time spent by Nancy Beauchamp	12	-	H2B
		training, assisting, and evaluating			
		the following probationary teachers:			
		- Jill Wright	4	-	H2B =
		- Janet Orr	4	-	Orr - 60.00
		- Melissa Quinn	4	-	Wright - 70.00
					Quinn - 60.00
PTT	95/96	Time spent by Ann Kathleen Bartlett	60	-	
		training, assisting, and evaluating			H2B
		the following probationary teachers:			
		- Janet Orr (weekly 1.5 hrs each Thurs)	60	-	
		- Melissa Quinn (weekly " ")	60	-	
PTT	95/96	Time spent by the following teachers:			
		- Annie Haggerty	30	-	
		- Gina Williams	20	-	H2B
		- Nancy Bonnetox	20	-	
		Assisting, training, evaluating Prob. Tch. Jill Wright	70	-	
MCC		Time Spent Preparing This Log Sheet			

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[Signature]
 Employee Signature

2/20/96
 Date

**SCHOOL SITE
 MANDATED COST TIME LOG**

Name: Gray L. Wilson Site: Del Mar Hills
 Title: Principal District: Del Mar USD. FY: 95/96

Mandate	Date	Description of Activity	Time Spent		Other costs (Supplies, mileage, printing, etc.)
			Hours	Minutes	
PTT	95/96	Time Spent by Principal Wilson training, assisting & evaluating the following probationary teachers:			
		- Kristine Pike	8	-	
		- Carrie Bacci	8	-	
		- Sharon Baxter	8	-	
		- Andrea Sleet	8	-	
		- Hayley Kartner	8	-	
PTT	95/96	Time Spent by Martha Cox training, assisting & evaluating the following probationary teachers:	45	-	H2B
		- Kristine Pike	9	-	
		- Carrie Bacci	9	-	
		- Sharon Baxter	9	-	
		- Andrea Sleet	9	-	
		- Hayley Kartner	9	-	
MCC		Time Spent Preparing This Log Sheet			

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Employee Signature: [Signature] Date: 5/5/96

March 29, 1999

Jeff Yee
Manager, Local Reimbursement Section
Division of Accounting and Reporting
State Controller's Office
P.O. Box 942850
Sacramento, CA 94250-5875

RE: Reconsideration Request (CTE 98-80)

Dear Mr. Yee:

The Del Mar Union School District, Claimant ID S37050 received a letter dated August 5, 1998 that disallowed costs on its 1995/96 Certification of Teacher Evaluator's Demonstrated Competence Chapter 498/83 claim as follows:

1)	Training Time for Non-probationary Teachers	\$ 34,714
2A)	1 st & 2 nd year Probationary Teacher Time Disallowed	\$ 28,855
2B)	4 hours Training Time Disallowed for Probationary Teachers	\$ 2,583
3)	Contracted Services	\$ 725
	Total	\$ 66,877

On August 31, 1998 one of my staff met with Eduardo Antonio to obtain the composition of this adjustment and to copy the work papers used in reviewing this claim.

Issue #1 - Training Time for Non-probationary Teachers (Trainers) Disallowed:

District personnel with the assigned responsibility to train and assist probationary teachers were disallowed. The State Controller's Office Claiming Instructions for this program states that:

"The costs of training, assisting and evaluating probationary teachers, over and above that provided to permanent teachers, are reimbursable. The salary and benefits of personnel, (not including the site principal, ... used to train, assist or evaluate probationary teachers are reimbursable."

99-718

2275 Watt Avenue,
Suite C
Sacramento, CA 95825
916-487-4435 phone
916-487-9662 fax

222 West Carmen Lane
Suite 101
Santa Maria, CA 93458
805-922-1471 phone
805-922-7143 fax

3161 Bechelli Lane,
Suite 202
Redding, CA 96002
530-224-7255 phone
530-224-9548 fax

11835 W. Olympic Blvd.,
Suite 680E
Los Angeles, CA 90064
310-477-4749 phone
310-477-5356 fax

In reviewing the work papers provided by your office, it is clear that salary and benefits of employees that were used to train and assist probationary teachers were disallowed. It appears that all teachers listed on the claim were assumed to be probationary teachers. In addition, our office has no record of receiving a request for additional information on this claim.

Please note that the Probationary Certificated Employees Policies component code is H2B. We have attached a detailed report with component code H2B, that itemizes the source of all charges to this component and the documentation to support these charges. Also, we have identified these Non-Probationary Teacher (Trainers) on the attached claim with a "T". These costs should be reinstated.

Issue #2 A & B - Probationary Teacher Time Disallowed:

The Claiming Instructions and Parameters & Guidelines are silent on whether the time spent by probationary teachers is reimbursable. We feel strongly that these are legitimate costs of the mandate and that they are reimbursable. The State Controller's Office Claiming Instructions state that:

"The costs of training, assisting and evaluating probationary teachers, over and above that provided to permanent teachers, are reimbursable".

A) The time spent by probationary teachers receiving additional training and assistance would be included as a cost of training, assisting and evaluating probationary teachers.

B) In addition, the district requires its probationary teachers to attend 4 hours each fiscal year for teacher training. These training sessions exceed what is provided to permanent teachers and there are costs incurred by the district.

There is an identifiable increased cost to the school district for worked by probationary teachers and worked specifically attributable to the mandate of probationary teacher training. Recent rulings by the Commission on State Mandates on test claims that involve teacher training costs have indicated that if the district incurs an increased cost of some kind (i.e. substitutes, stipends, overtime pay or an extended work year) then this identifiable increased cost would be reimbursable.

The probationary teachers are identified on the attached claim with a "P1" for 1st year teachers or "P2" for 2nd year teachers.

Issue #3 - Contracted Services Disallowed:

Our records indicate that the required invoices for contracted services were sent to your office with the claim. I also have our signed transmittal form that shows your office's receipt of the claim and attached backup documentation. Prior to sending your office any claim that requires supporting documentation, we double check to make sure that we have attached the required backup.

Comments on the claim do not acknowledge receipt of these invoices, nor an explanation as to why these claimable costs were denied under the "Competence in Instructional Methodology" and "Parental Complaint Policies" component. We have resubmitted these invoices with the following comments:

According to the claiming instructions for the following component:

Competence in Instructional Methodology

"The costs of training programs provided to administrators for the purpose of meeting certification requirements adopted by the governing board are reimbursable. Eligible Costs include...contracts for administrators to be trained locally (consultant fees, materials, travel, meals and lodging for trainers)..."

The costs of Del Mar Unified School District using Littler, Mendelson, Fastiff, Tichy & Mathiason, Consultants, in the area of certifying administrators to be teacher evaluators was disallowed. Your office found the costs for the three principals to be involved in this three hour training to be reimbursable; however, you disallowed the contracted service costs for this same training. We have resubmitted the attorney bill and ask that these costs be reinstated.

According to the claiming instructions for the following component:

Parental Complaint Policies

"The cost of meetings and activities over and above those that would have been required prior to the adoption of rules and regulation by the claimant in compliance with Education Code Section 35160.5 are reimbursable."

Parental Complaint Issues Involving Legal Council

We believe the following parental complaint cases, based on the attorney bills we have submitted and per our clients verification, fall under the language of Education Code Section 35160.5:

"The invoices submitted for time spent on parental complaints covered two issues. Both of the parental complaint issues were against teachers and resulted in the parents obtaining legal council. Therefore, the district consulted their legal representatives to help with these parental complaint issues. While one of the issues was quickly resolved, the second complaint issue (teacher Rybarczyk) was based on "inappropriate misconduct" directed towards a student. The district conducted an in house investigation and it was concluded that teacher Rybarczyk would receive a formal reprimand."

Conclusion:

Based on the additional information and clarifications listed above, I **request that \$66,877 in incorrectly reduced costs be reinstated.** Please notify me within four weeks (April 26, 1999) of the State Controller's Office's decision on this matter. In the absence of a response within four weeks, we will assume that you intend to stand by this adjustment and not reinstate these costs.

If you have any questions or need any additional information, please contact me at (916) 487-4435.

Sincerely,



Steve Smith
President
Mandated Cost Systems, Inc.

SS/KDR

Enclosures

cc: Paulette Anderson, Del Mar Union School District

CLAIM FOR PAYMENT

Pursuant to Government Code Section 17561

Certification of Teacher Evaluator's Demonstrated Competence

State Controller Use Only

(19) Program Number 00009

(20) Date Filed

(21) Signature Present

L
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(01) Claimant Identification Number:
S37050

(02) Mailing Address

Claimant Name
DEL MAR UNION SD

County Of Location
SAN DIEGO COUNTY

Street Address or P.O. Box
225 NINTH STREET

City State Zip Code
DEL MAR CA 92014-2716

Reimbursement Claim Data

(22) TE-1,(04)(1)(d) 791

(23) TE-2,(04)(2)(d) 63,671

(24) TE-1,(04)(3)(d) 4,802

(25) TE-1,(05)(d) 69,264

(26) TE-1,(06) 5,9600

Type of Claim	Estimated Claim	Reimbursement Claim
(03) Estimated <input type="checkbox"/>	(09) Reimbursement <input checked="" type="checkbox"/>	
(04) Combined <input type="checkbox"/>	(10) Combined <input type="checkbox"/>	
(05) Amended <input type="checkbox"/>	(11) Amended <input type="checkbox"/>	

(27) TE-1,(11) 73,349

Fiscal Year of Cost (06) 19 ___ / ___ (12) 19 95 / 96 (31)

Total Claimed Amount (07) (13) \$ 73,349

Less: 10% Late Penalty, but not to Exceed \$1000 (if applicable) (14)

Less: Estimate Payment Received (15) 32871

Net Claimed Amount (16) \$ 26399

Due From State (08) (17) \$ 73,349

Due to State (18) 26399

(32) 49818

(34) 32871

(35) 16947 - AMT. DUE CLAIMANT

(38) CERTIFICATION OF CLAIM

In accordance with the provisions of Government Code 17561, I certify that I am the person authorized by the school district to file claims with the State of California for costs mandated by Chapter 498 Statutes of 1983; and certify under penalty of perjury that I have not violated any of the provisions of Government Code Sections 1090 to 1096, inclusive.

I further certify that there were no applications for nor any grant or payments received, other than from the claimant for reimbursement of costs claimed herein; and such costs are for a new program or increased level of service of an existing program mandated by Chapter 498, Statutes of 1983.

The amounts for Estimated Claim and/or Reimbursement Claim are hereby claimed from the State for payment of estimated and/or actual costs for the mandated program of Chapter 498, Statutes of 1983, set forth on the attached statements.

Signature of Authorized Representative
ROBERT L. HARRIMAN
Type or Print Name

Date
11/19/92
DISTRICT SUPERINTENDENT
Title

(39) Name of Contact Person For Claim Telephone Number
Steve Smith, Mandated Cost Systems 916-487-4435 Ext.

MANDATED COSTS Certification of Teacher Evaluator's Demonstrated Competence CLAIM SUMMARY	FORM TE-1
--	----------------------------

(01) Claimant: S37050 DEL MAR UNION SD	(02) Type of Claim: <table style="margin-left: 20px;"> <tr> <td>Reimbursement</td> <td><input checked="" type="checkbox"/></td> </tr> <tr> <td>Estimated</td> <td><input type="checkbox"/></td> </tr> </table>	Reimbursement	<input checked="" type="checkbox"/>	Estimated	<input type="checkbox"/>	Fiscal Year: 19 <u>95</u> / <u>96</u>
Reimbursement	<input checked="" type="checkbox"/>					
Estimated	<input type="checkbox"/>					

Claim Statistics		
(03) Professional and Consultant Services Certifications:	Yes	No
a. Is the fee claimed for contracted services, including claims based on an annual retainer, greater than \$98.27 per hour for the 1995/96 fiscal year?		X
b. If yes, explain.		

Direct Costs	Cost Elements			
	(a)	(b)	(c)	(d)
(04) Reimbursable Components:	Salaries and Benefits	Supplies	Contracted Services	Total
1. Certification of Teacher Evaluators	491	0	300	791
2. Probationary Certified Employee Policies	63,671 21,311	0	0	63,671 21,311
3. Parental Complaint Policies	4,377	0	425	4,802
(05) Total Direct Costs	68,539 6108	0	725	69,264 6108

$9894 - 42360$
 $9894 - 62431$
 $9911 - 725$
 26179

Indirect Costs	
(06) Indirect Cost Rate	J-380 or J-580, as applicable
	5.9600 %
(07) Indirect Costs	{[Line (05)(d) - line (05)(c)] x line (06)} $9920 - 2482$
	1603 $4,085$ 364
(08) Total Costs:	[Line (05)(d) + line (07)]
	$73,349$ 6472 28507

Cost Reduction	
(09) Less: Offsetting Savings, if applicable	ADD: AMT. RECOVERED FROM PREVIOUS ADJUSTMENT $21,311$
(10) Less: Other Reimbursements, if applicable	49818
(11) Total Claimed Amount:	(Line(08) - [Line(09) + line(10)]) $73,349$ 6472

MANDATED COSTS

**FORM
TE-2**

**Certification of Teacher Evaluator's Demonstrated Competence
COMPONENT / ACTIVITY COST DETAIL**

(01) Claimant: DEL MAR UNION SD

(02) Fiscal Year costs were incurred: 95 - 96

(03) Reimbursable Component: Competence in Instructional Methodology,
 Probationary Certificated Employee Policies
 Parental Complaint Policies

(04) Description of Expense: Complete columns (a) through (f).

Cost Elements

(a) Employee Names, Job Classifications and Activities Performed and Description of Expenses	(b) Hourly Rate or Unit Cost	(c) Hours Worked or Quantity	(d) Salaries and Benefits	(e) Materials and Supplies	(f) Contracted Services
TEACHER EVALUATOR CERTIFICATION TRAINING					
LITTLER, MENDELSON-ATTORNEYS	100.00	3.00			300
MCCONNELL, J/EXEC. SECRETARY	23.72	2.00	47		
SEAWARD, S/PRINCIPAL	49.43	3.00	148		
SWENERTON, J/PRINCIPAL	49.43	3.00	148		
WILSON, G/PRINCIPAL	49.43	3.00	148		

(05) Total Subtotal

Page: 1 of 1

\$ 491 0 300

MANDATED COSTS Certification of Teacher Evaluator's Demonstrated Competence COMPONENT / ACTIVITY COST DETAIL	FORM TE-2
---	----------------------------

(01) Claimant: DEL MAR UNION SD	(02) Fiscal Year costs were incurred: 95 - 96
---------------------------------	---

(03) Reimbursable Component: Competence in Instructional Methodology ,
 Probationary Certificated Employee Policies
 Parental Complaint Policies

(04) Description of Expense: Complete columns (a) through (f). Cost Elements

(a) Employee Names, Job Classifications and Activities Performed and Description of Expenses	(b) Hourly Rate or Unit Cost	(c) Hours Worked or Quantity	(d) Salaries and Benefits	(e) Materials and Supplies	(f) Contracted Services
RESOLVE COMPLAINTS OVER PRE SB813 LEVELS					
BEAUCHANE, N/SECRETARY	23.24	2.00	46		
COX, M/SECRETARY	21.36	2.00	43		
LITTLER, MENDELSON-ATTORNEYS	100.00	4.25			425
ROSS, B/SECRETARY	23.24	25.00	581		
SEAWARD, S/PRINCIPAL	49.43	17.00	840		
SWENERTON, J/PRINCIPAL	49.43	50.00	2472		
WILSON, G/PRINCIPAL	49.43	8.00	395		

(05) Total <input checked="" type="checkbox"/>	Subtotal <input type="checkbox"/>	Page: <u>1</u> of <u>1</u>	\$ 4,377	0	425
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RECEIVED
8/18/98

S37050

KATHLEEN CONNELL
CONTROLLER OF THE STATE OF CALIFORNIA
DIVISION OF ACCOUNTING AND REPORTING

AUGUST 5, 1998

BOARD OF TRUSTEES
DEL MAR UNION SCHOOL DISTRICT
SAN DIEGO COUNTY
225 NINTH STREET
DEL MAR CA 92014

Handwritten:
A.H.?
S. Smith?
K. Rubick?
A. Justice?

DEAR CLAIMANT:

RE: CERT TEACHERS EVAL CH 498/83

WE HAVE REVIEWED YOUR 1995/1996 FISCAL YEAR REIMBURSEMENT CLAIM FOR THE MANDATED COST PROGRAM REFERENCED ABOVE. THE RESULTS OF OUR REVIEW ARE AS FOLLOWS:

AMOUNT CLAIMED	73,349.00
LESS: TOTAL ADJUSTMENTS (DETAIL ON PAGE 2)	- 66,877.00
CLAIM AMOUNT APPROVED	6,472.00
LESS: TOTAL PRIOR PAYMENTS (DETAIL ON PAGE 2)	32,871.00
AMOUNT DUE STATE	\$ 26,399.00

PLEASE REMIT A WARRANT IN THE AMOUNT OF \$ 26,399.00 WITHIN 30 DAYS FROM THE DATE OF THIS LETTER, PAYABLE TO THE STATE CONTROLLER'S OFFICE, DIVISION OF ACCOUNTING AND REPORTING, P.O. BOX 942850, SACRAMENTO, CA 94250-5875 WITH A COPY OF THIS LETTER. FAILURE TO REMIT THE AMOUNT DUE WILL RESULT IN OUR OFFICE PROCEEDING TO OFFSET THE AMOUNT FROM THE NEXT PAYMENTS DUE TO YOUR AGENCY FOR STATE MANDATED COST PROGRAMS.

IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT EDUARDO ANTONIO AT (916) 323-0755 OR IN WRITING AT THE ABOVE ADDRESS.

SINCERELY,

Handwritten signature: Jeff Yee

JEFF YEE,
MANAGER

Handwritten:
Thanks,
JR
L.A.

MANDATED COSTS

FORM

Certification of Teacher Evaluator's Demonstrated Competence

TE-2

COMPONENT / ACTIVITY COST DETAIL

(01) Claimant: DEL MAR UNION SD

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(04) Description of Expense: Complete columns (a) through (f).

Cost Elements

(a) Employee Names, Job Classifications and Activities Performed and Description of Expenses	(b) Hourly Rate or Unit Cost	(c) Hours Worked or Quantity	(d) Salaries and Benefits	(e) Materials and Supplies	(f) Contracted Services
TRAIN, ASSIST AND EVALUATE PROB. TEACHERS					
P BACCI, C, TEACHER	44.80	21.00	940	} Salaries of Probationary Teachers are not reimbursable PT	
P2 BARGER, P/TEACHER	46.32	92.00	4261		
T BARTLETT, K/TEACHER	49.36	60.00	2962		
P1 BAXTER, S/TEACHER	30.50	21.00	641		
T BEAUCHANE, N/SECRETARY	23.24	12.00	279		
T BONNAFOUX, N/TEACHER	60.47	20.00	1209		
T COX, M/SECRETARY	21.36	45.00	961		
P1 FARMER, K/TEACHER	38.36	92.00	3529		
T GITTELSON, M/TEACHER	56.77	85.00	4825		
P1 GODSEY, A/TEACHER	33.92	92.00	3121		
T HAGGERTY, A/TEACHER	41.34	30.00	1240		
T JACKSON, H/TEACHER	46.81	85.00	3979		
P1 KANTNER, H/TEACHER	35.80	21.00	751		
P1 LANG, L/TEACHER	41.53	5.50	228		
T LAURI, C/TEACHER	44.80	85.00	3808		
T NELSON, S/TEACHER	57.79	85.00	4912		
P2 ORR, J/TEACHER	41.89	72.00	3017		
P PIKE, K/TEACHER	41.53	21.00	872		
P2 PRITCHARD, S/TEACHER	32.02	92.00	2946		
P1 QUINN, M/TEACHER	35.80	72.00	2577		
T REGAN, J/TEACHER	59.74	85.00	5078		
P1 SLEET, A/TEACHER	33.92	21.00	712		
T SMITH, C/TEACHER	46.45	85.00	3948		
P1 TEISHER, C/TEACHER	35.80	92.00	3293		
T WILLIAMS, G/TEACHER	40.01	20.00	800		
P1 WRIGHT, J/TEACHER	33.92	82.00	2782		
(05) Total			1240	63,571	0

(05) Total Subtotal



S37050

KATHLEEN CONNELL
CONTROLLER OF THE STATE OF CALIFORNIA
DIVISION OF ACCOUNTING AND REPORTING

AUGUST 5, 1998

BOARD OF TRUSTEES
DEL MAR UNION SCHOOL DISTRICT
SAN DIEGO COUNTY
225 NINTH STREET
DEL MAR CA 92014

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SINCERELY,

JEFF YEE,
MANAGER

LOCAL REIMBURSEMENT SECTION
P.O. BOX 942850 SACRAMENTO, CA 94250-5875



S37050

KATHLEEN CONNELL
CONTROLLER OF THE STATE OF CALIFORNIA
DIVISION OF ACCOUNTING AND REPORTING

AUGUST 5, 1998

BOARD OF TRUSTEES
DEL MAR UNION SCHOOL DISTRICT
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IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT EDUARDO ANTONIO AT (916) 323-0755 OR IN WRITING AT THE ABOVE ADDRESS.

SINCERELY,

JEFF YEE,
MANAGER

ADJUSTMENT TO CLAIM:		
INDIRECT COSTS OVERSTATED	-	3,721.00
NO SUPPORTING DOCUMENTATION	-	725.00
NON-REIMBURSABLE ITEM	-	62,431.00
LESS: TOTAL ADJUSTMENTS		- 66,877.00
PRIOR PAYMENTS:		
SCHEDULE NO. MA60717A		
PAID 05-15-1997		32,871.00
LESS: TOTAL PRIOR PAYMENTS		32,871.00

PROOF OF SERVICE VIA FIRST CLASS UNITED STATES MAIL

I am a citizen of the United States and a resident of the County of Sacramento. I am over the age of 18 years and not a party to the within entitled action. My place of employment and business address is 300 Capitol Mall, Suite 1850, Sacramento, California 95814.

On February 20, 2002, I served the foregoing **INCORRECT REDUCTION CLAIMS OF SARATOGA, DAVIS, ELK GROVE, MERCED, MILPITAS, SANTA MARIA AND DAVIS** by causing the same to be deposited in the United States Mail to the person(s) named below at the address(es) shown:

Stephen Smith
Mandated Cost Systems, Inc.
2275 Watt Avenue, Suite C
Sacramento, CA 95825

I declare under penalty of perjury, under the laws of the State of California, that the foregoing is true and correct. Executed on February 20, 2002, at Sacramento, California.



SHAWN SILVA