



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
Davis Joint Unified School District, CSM 01-4136-I-047
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.

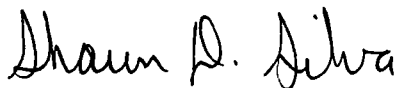
In the end, the outcome of these IRCs comes down to the terms of the Parameters & Guidelines. The Parameters & Guidelines simply do not provide for reimbursement of the wages of probationary teachers. They provide for costs related to probationary teachers such as: (1) Training, assisting, and evaluating 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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April 4, 1995

W. Mearns
7/23/95

RECEIVED
APR 05 1995
COMMISSION 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).

- 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.

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

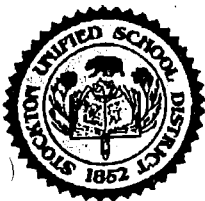
Effective July 1, 1986 documentation shall be provided that a request for no cost consultant services similar to those submitted for reimbursement was made by the district to the State Department of Education at least thirty (30) calendar days prior to the need for consultant services and that the district 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



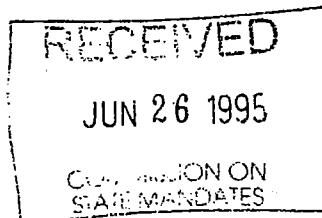
STOCKTON UNIFIED SCHOOL DISTRICT

BOARD OF EDUCATION

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

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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

**Davis Joint Unified 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 Davis Joint Unified School District (DJUSD) Incorrect Reduction Claim (IRC);

Exhibit 3: Includes a copy of the Incorrect Reduction Claim (IRC) for the Certification of Teacher Evaluators Demonstrated Competence program for the DJUSD;

On December 2, 1996, the DJUSD filed an actual claim of \$175,995 for the state mandated Certification of Teacher Evaluators Demonstrated Competence (CTEDC) program. The CTEDC mandated cost claim was filed based on actual costs, and the DJUSD included costs for probationary teachers' salaries and wages in the amount of \$103,983 and indirect costs of \$6,426, for a total of \$110,409.

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 when 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).

Davis Joint Unified School District
Certification of Teacher Evaluators Demonstrated Competence
For Fiscal Year 1995-96

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."

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

Davis Joint Unified School District
Certification of Teacher Evaluators Demonstrated Competence
For Fiscal Year 1995-96

Exhibit 7: Includes a copy of the SCO Notice of Claim Adjustment letter, dated December 22, 1998, and a copy of the Mandated Cost Systems, Inc. letter, dated October 16, 2001;

The SCO letter notifies the DJUSD that the amount of \$115,948 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." Subsequently, in their letter dated October 21, 2001, Mandated Cost Systems, Inc., requested reinstatement of non-probationary teacher costs of \$1,171 and \$4,368, totaling \$5,539. This resulted in the amount of disallowed costs for salaries and benefits of probationary teachers being reduced to \$110,420.

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 benefits. 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

Davis Joint Unified School District
Certification of Teacher Evaluators Demonstrated Competence
For Fiscal Year 1995-96

Exhibit 9: Includes a copy of a letter dated June 23, 1995, 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 P's & G's.

Prepared by Ginny Brummels

January 29, 2002

CLAIM FOR PAYMENT

Pursuant to Government Code Section 17561

Certification of Teacher Evaluator's Demonstrated Competence

(19) Program Number 00009

(20) Date Filed

(21) Signature Present

L
A
B
E
L
H
E
R
E

(01) Claimant Identification Number:
S57005

(02) Mailing Address

Claimant Name
DAVIS JOINT UNIFIED SD

County Of Location
YOLO

Street Address or P.O. Box
526 B STREET

City State Zip Code
DAVIS CA 95616

Reimbursement Claim Data

(22) TE-1,(04)(1)(d) 0

(23) TE-2,(04)(2)(d) 153,716

(24) TE-1,(04)(3)(d) 12,036

(25) TE-1,(05)(d) 165,752

(26) TE-1,(06) 6,1800

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) 175,995

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

Total Claimed Amount (07) (13) \$ ~~175,995~~ ⁴¹⁰⁴ 60047 - (32)

Less: 10% Late Penalty, but not to Exceed \$1000 (if applicable) (14) (33)

Less: Estimate Payment Received (15) 78871 (34) 78871 -

Net Claimed Amount (16) \$ < ~~175,995~~ ⁶⁴⁷⁶⁷ > (35) 218824

Due From State (08) (17) \$ 175,995 (36) + 64767

Due to State (18) 64767 (37) 45943

Handwritten notes:
5-15-97
Cost payment
RA# 410315
CR# 06342
8-25-98
BALANCE DUE
posted 12-23

(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
M. Carol Lindheimer
M. CAROL LINDHEIMER
Type or Print Name

Date
12-2-96
CONTROLLER
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
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(01) Claimant: S57005 DAVIS JOINT UNIFIED SD	(02) Type of Claim: Reimbursement <input checked="" type="checkbox"/> Estimated <input type="checkbox"/>	Fiscal Year: 19 <u>95</u> / <u>96</u>
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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			
(04) Reimbursable Components:	(a) Salaries and Benefits	(b) Supplies	(c) Contracted Services	(d) Total
1. Certification of Teacher Evaluators	0	0	0	0
2. Probationary Certified Employee Policies	1981 152,716	44516	44516	1981 153,716
3. Parental Complaint Policies	12,036	0	0	12,036
(05) Total Direct Costs	165,752 13783	0	0	165,752 13783

Indirect Costs 9894 - 152469 - 5655 ✓

(06) Indirect Cost Rate	J-380 or J-580, as applicable	6.1800 %
(07) Indirect Costs	{[Line (05)(d) - line (05)(c)] x line (06)}	3495 - 10,243
(08) Total Costs:	{Line (05)(d) + line (07)}	175,995 60047

Cost Reduction

(09) Less: Offsetting Savings, if applicable	
(10) Less: Other Reimbursements, if applicable	
(11) Total Claimed Amount:	{Line(08) - [Line(09) + line(10)]}

175,995
115,948
60,047

109,200
6,748
115,948

+
64,767

MANDATED COSTS Certification of Teacher Evaluator's Demonstrated Competence COMPONENT / ACTIVITY COST DETAIL	FORM TE-2
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(01) Claimant: DAVIS JOINT UNIFIED 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
TRAIN, ASSIST AND EVALUATE PROB. TEACHERS					
ADRYAN-WALLACE, A/TEACHER	22.41	52.50	1177		
ALLEGOSSEN, M/TEACHER	45.35	5.00	227		
ANGEL, F/TEACHER	31.63	10.00	316		
ARMSTRONG, M/TEACHER	27.22	44.12	1201	/	
ARNOLD, M/TEACHER	55.52	44.12	2450	/	
BAZINET, J/	27.11	19.50	529	/	
BELL, M/TEACHER	55.52	68.62	3810		
BORGE, J/TEACHER	38.78	98.50	3820		
BRICE, A/TEACHER	42.93	50.00	2146		
BROWNELLER, P/TEACHER	33.05	59.25	1958		
BRUNSON, J/TEACHER	43.32	57.75	2501		
BRYNER, G/TEACHER	57.55	44.12	2539	/	
BURNETT, G/COUNSELOR	26.58	46.00	1223	X	
CARLSON, A/TEACHER	53.49	44.12	2360	/	
CHASON, W/TEACHER	53.22	94.12	5009	/	
CLARK, T/TEACHER	37.35	44.12	1648	/	
DEFRESNE, M/TEACHER	30.24	70.25	2125		
DIMELLO, D/TEACHER	30.88	52.50	1621		
DODD, J/TEACHER	36.88	46.00	1696		
FLYNN, J/TEACHER	31.63	46.00	1455		
GADISMAN, H/TEACHER	43.32	64.25	2783		
GALLAGHER, P/TEACHER	41.92	51.50	2159		
GONZALEZ, D/TEACHER	43.32	69.25	2999		
HALLBERG, S/TEACHER	57.55	44.12	2539	/	
HASKELL-DUVAIR, C/TEACHER	34.77	46.00	1599		
HENINGBURG, R/TEACHER	43.32	106.25	4603		
HERDLICK, S/TEACHER	30.88	69.25	2138		
HOLMES, C/TEACHER	43.32	10.00	433		
HOLTE, L/TEACHER	55.52	44.12	2450	/	
KALM, S/TEACHER	25.28	50.00	1264		
KING, P/TEACHER	47.48	84.12	3994		
LAMB, M/TEACHER	30.88	77.00	2377		

(05) Total <input checked="" type="checkbox"/>	Subtotal <input type="checkbox"/>	Page: 1 of 1	\$ 69,149	0	0
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MANDATED COSTS Certification of Teacher Evaluator's Demonstrated Competence COMPONENT / ACTIVITY COST DETAIL	FORM TE-2
---	--------------------------------

(01) Claimant: DAVIS JOINT UNIFIED 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
LEUCHARS, M/TEACHER	33.14	69.25	2294		
LINGBLOOM, P/TEACHER	32.75	75.50	2474		
LOW, E/TEACHER	35.44	59.25	2101		
MARTIN, P/TEACHER	57.83	44.12	2551		
MCCOY, M/TEACHER	53.77	44.12	2372		
MILICH, N/TEACHER	43.32	64.25	2783		
MILLAM, R/TEACHER	53.77	44.12	2372		
MORAN, D/TEACHER	30.88	50.00	1544		
NAYYAR, R/TEACHER	39.25	53.75	2110		
NEWTON, K/TEACHER	49.42	30.42	1503		
NIELSEN, L/TEACHER	46.49	44.12	2051		
PATTERSON, J/TEACHER	49.42	64.25	3175		
PATZ, N/TEACHER	43.32	19.75	855		
PEHLKE, E/TEACHER	43.32	46.00	1993		
PERRY, H/PROJ COORDINATOR	30.83	10.00	308		
PERRY, M/TEACHER	41.28	53.75	2219		
PESHETTE, A/TEACHER	49.42	44.12	2180		
PITALO, M/DIR OF CIRRIC	44.97	10.00	450		
POWELL, T/TEACHER	31.11	19.75	614		
QUENON, M/TEACHER	32.64	62.25	2030		
RICH, V/TEACHER	36.46	104.00	3792		
RICHARDS, D/TEACHER	30.08	53.75	1618		
RODDEN, R/TEACHER	45.16	44.12	1992		
RONNING, K/TEACHER	42.47	59.25	2517		
ROSS, R/TEACHER	35.35	52.50	1856		
SANDRETTO, S/TEACHER	41.28	4.00	165		
SEANEY, M/TEACHER	51.45	44.12	2270		
SELLS, B/TEACHER	56.38	104.00	5862		
SHERMAN, T/TEACHER	43.32	53.75	2328		
SIMS, M/TEACHER	43.10	53.75	2317		
STREET, K/TEACHER	18.77	52.50	985		
TAYLOR, B/TEACHER	47.76	126.33	6033		
THOMSON, F/TEACHER	46.26	67.75	3135		

(05) Total Subtotal Page: 1 of 1 \$ 72,849 0 0

MANDATED COSTS

FORM

Certification of Teacher Evaluator's Demonstrated Competence

TE-2

COMPONENT / ACTIVITY COST DETAIL

(01) Claimant: DAVIS JOINT UNIFIED 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
VALENCIOH, M/TEACHER	37.21	10.00	372		
VRANA, M/TEACHER	36.14	51.50	1861		
WAID, P/TEACHER	30.88	50.00	1544		
WAYLAND, J/TEACHER	43.09	54.12	2332		
WELLS, B/PRINCIPAL	45.04	24.50	1103		
WELLS, S/TEACHER	34.10	19.00	648		
WHEELER, B/TEACHER	41.04	46.00	1888		
WILHELM, B/TEACHER	35.49	52.50	1864		
WINK, D/TEACHER	35.18	3.00	106		

44516
1981

(05) Total Subtotal

Page: 1 of 1

\$ 12,718 0 0

MANDATED COSTS

FORM

Certification of Teacher Evaluator's Demonstrated Competence

TE-2

COMPONENT / ACTIVITY COST DETAIL

(01) Claimant: DAVIS JOINT UNIFIED 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					
BOOCK, J/PRINCIPAL	.45.04	12.50	563		
BUCHHOLTZ, J/COUNSELOR	33.34	45 50.00	1667	1500 -	
BURNETT, G/COUNSELOR	26.58	45 50.00	1329	1196 -	
COUGHRAN, C/PRINCIPAL	41.41	28.84	1195		
EINING, C/PRINCIPAL	41.41	45 50.00	2071	1863 -	
HAGEMANN, M/PRINCIPAL	45.01	45 50.00	2251	2025 -	
MAUL, B/PRINCIPAL	45.21	29.35	1327		
WELLS, B/PRINCIPAL	45.04	31.75	1430		
ZIMMERMAN, D/PRINCIPAL	45.04	4.50	203		
			11302		

(05) Total Subtotal

Page: 1 of 1

\$ 12,036 0 0



KATHLEEN CONNELL
 Controller of the State of California

December 22, 1998

Mr. Steve Smith
 President
 Mandated Cost Systems, Inc.
 2275 Watt Avenue, Suite C
 Sacramento, CA 95825

Dear Mr. Smith:

RE: NOTICE OF CLAIM ADJUSTMENT
 DAVIS JOINT UNIFIED SCHOOL DISTRICT
 CHAPTER 498/83 CERTIFICATION OF TEACHER EVALUATORS
 FISCAL YEAR 1995-96

This is in reply to your letters dated October 14, 1998 and November 18, 1998 regarding the above claim for reimbursement of mandated cost program. The result of our review is as follows:

Amount Claimed	\$175,995
Adjustment to Claim:	
<i>Probationary Certificated Employee Policies</i>	
The amount of \$109,200 for salaries and benefits of probationary teachers in training is disallowed.	-\$109,200
Parameters and guidelines do not provide reimbursement for probationary teachers training costs. In lieu of that, the P's & G's reimburse the cost of substitute teachers while the probationary teachers attend training activities.	
Sub-total on Adjustment for Direct Costs	-\$109,200
Adjustment of Indirect Costs (\$10,243-\$3,495)	-6,748
Total Adjustment for Claim	-\$115,948
Approved Claim	\$60,047
Less: Prior Payment of 5/15/97	-78,871
Amount Due State	<u>-\$18,824</u>

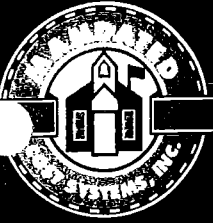
If you have any questions, please contact Eduardo Antonio at (916) 323-0755 or in writing at the State Controller's Office, Attn: Local Reimbursements Section, Division of Accounting and Reporting, P.O. Box 942850, Sacramento, CA 94250-5875.

Sincerely,



JEFF YEE, Manager
Local Reimbursements Section

JY:ea



Date: November 18, 1998
To: Eduardo Antonio, State Controller's Office
From: Steve Smith, President *SS*
CC: Carol Lindheimer, Davis Joint Unified School District

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

Claimant: Davis Joint Unified School District, S57005
Program: Certification of Teacher Evaluators, Chapters 498/83
Fiscal Year: 1995/96

Per your request dated November 12, you asked that we submit time sheets and log sheets for time spent by personnel claimed under Parental Complaint Policies component of the Certification of Teacher Evaluators, Chapters 498/83 Program. Please note that the Parental Complaint component code is I3B. We have attached a detailed report that itemizes the source of all charges to this component and the requested documentation.

In addition, we have enclosed documentation for those district employees whose hours were in question on your claim review. Todd Wherry, Project Manager, left a message with you on November 16, to verify that you were not requesting documentation above these employees which were addressed in our October 14, reconsideration request letter. However, you never returned his call.

If you have any further questions or need further clarification, please call Todd Wherry, Project Manager, at 916-487-4435.



KATHLEEN CONNELL

California State Controller

FACSIMILE COVER PAGE

This document is intended only for the use of the individual to whom it is addressed and may contain information that is privileged, confidential, and exempt from disclosure under applicable laws. If the recipient of this document is not the addressee (i.e., the intended recipient), you are hereby notified that you are strictly prohibited from reading, disseminating, distributing, or copying this document. If you have received this document in error, please notify the sender immediately by telephone, and we will provide further instructions about return or destruction of this document. Thank you.

To	Fax No.	Date
STEVE SMITH	(916) 487-9662	11-12-98

Organization

DAVIS JOINT UNIFIED SCHOOL DIST.

From	Telephone No.	No. of pages including cover
EDUARDO	(916) 323-0755	1

Comments/Special instructions

PLEASE SUBMIT LOGSHEET / TIMESHEET FOR PERSONNEL CLAIMED UNDER PARENTAL COMPLAINT POLICIES FOR CERTIFICATION OF TEACHERS PROGRAM FISCAL YEAR 1995-96 FOR THE ABOVE ORGANIZATION AS SOON AS POSSIBLE.

IF THERE ARE PROBLEMS WITH THE COPIES RECEIVED, PLEASE NOTIFY

TELEPHONE NO.

STATE CONTROLLER'S SACRAMENTO OFFICE FACSIMILE NUMBER: (916) 323-4807 OR (916) 323-6527

Original will not follow

Original will follow:

- Regular Mail
- Federal Express
- Hand Delivery
- Certified Mail

California State Controller's Office
3301 C Street, Suite 501
Sacramento, CA 95816
(916) 445-8717

October 14, 1998

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 98-21)**

Dear Mr. Yee:

The Davis Joint Unified School District, Claimant ID S57005 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	\$ 50,703
2A)	1 st & 2 nd year Probationary Teacher Time Disallowed	\$ 96,516
2B)	1 day Training Time Disallowed for 1 st year Probationary Teachers	\$ 13,893
3)	Time in excess of 45 hours on Parental Complaint Policies	\$ 779
	Total	\$ 161,891

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."

98-522



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.

These employees are identified 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 work one extra 7 hour day each fiscal year for teacher training. Permanent teachers work a 184 day work year, while the probationary teachers work a 185 work year. 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 this extra day worked by probationary teachers and this extra day worked is 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 - Time in excess of 45 hours on Parental Complaint Policies Disallowed:

Per the review notes for this component, the following employee time was limited to a maximum of 45 hours per school year, per employee claimed.

Employee	Time	Hourly Rate	Amount
Buchholtz, J	50.00	\$33.34	\$ 1,667

Burnett, G	50.00	\$26.58	\$ 1,329
Eining, C	50.00	\$41.41	\$ 2,071
Hagemann, M	50.00	\$45.01	\$ 2,251

This maximum appears to have been arrived at arbitrarily based on an average of 15 minutes per day. However, below these notations on some claims is the comment "assuming 1 hour per day" which would equal 180 hours. Regardless of how your office arrived at this cap, there is no basis in the Claiming Instruction or the Parameters & Guidelines for a 45 hour per year cap.

The amount of time a school district spends on the resolution of parent complaints against employees of the district is not something they can necessarily control. If the district receives a complaint, district administrators must deal with the complaint. In some cases the issue can be resolved relatively quickly while in other cases it requires many meetings and a lot of investigation time. Since the district can not control when a complaint is filed or how many are filed, it is not realistic or fair to place an arbitrary cap of 45 hours per administrator.

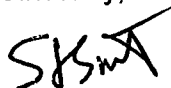
If you would like to have us send the time records for the employees, please let us know. We have no record of receiving a request for these records from your office.

Conclusion:

Based on the additional information and clarifications listed above, I **request that \$161,891 in incorrectly reduced costs be reinstated.** Please notify me within three weeks (November 4, 1998) of the State Controller's Office's decision on this matter. In the absence of a response within three 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.

Enclosures

cc: Carol Lindheimer, Davis Joint Unified School District



S57005

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

DAVIS JT. UN. SCH. DIST.
BUSINESS SERVICES

98 AUG 17 AM 8:51

AUGUST 5, 1998

BOARD OF TRUSTEES
DAVIS JT UNIF SCH DIST
YOLO COUNTY
526 B STREET
DAVIS CA 95616

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	175,995.00
LESS: TOTAL ADJUSTMENTS (DETAIL ON PAGE 2)	- 161,891.00

CLAIM AMOUNT APPROVED	14,104.00
LESS: TOTAL PRIOR PAYMENTS (DETAIL ON PAGE 2)	78,871.00

AMOUNT DUE STATE	\$ 64,767.00
	=====

PLEASE REMIT A WARRANT IN THE AMOUNT OF \$ 64,767.00 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,

JEFF YEE,
MANAGER

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

ADJUSTMENT TO CLAIM:		
INDIRECT COSTS OVERSTATED	-	9,422.00
NON-REIMBURSABLE ITEM	-	152,469.00
		-
LESS: TOTAL ADJUSTMENTS		161,891.00
PRIOR PAYMENTS:		
SCHEDULE NO. MA60717A		
PAID 05-15-1997		78,871.00
LESS: TOTAL PRIOR PAYMENTS		78,871.00

CLAIM FOR PAYMENT

Pursuant to Government Code Section 17561

Certification of Teacher Evaluator's Demonstrated Competence

(19) Program Number 00009

(20) Date Filed

(21) Signature Present

L
A
B
E
L
H
E
R
E

(01) Claimant Identification Number:
S57005

(02) Mailing Address

Claimant Name
DAVIS JOINT UNIFIED SD

County Of Location
YOLO

Street Address or P.O. Box
526 B STREET

City State Zip Code
DAVIS CA 95616

Reimbursement Claim Data

(22) TE-1,(04)(1)(d)	0
(23) TE-2,(04)(2)(d)	153,716
(24) TE-1,(04)(3)(d)	12,036
(25) TE-1,(05)(d)	165,752
(26) TE-1,(06)	6,1800
(27) TE-1,(11)	175,995

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"/>	

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

Total Claimed Amount (07) (13) \$ 175,995 (32)

Less: 10% Late Penalty, but not to Exceed \$1000 (if applicable) (14) (33)

Less: Estimate Payment Received (15) 78871 (34)

Net Claimed Amount (16) \$ 64767 (35)

Due From State (08) (17) \$ 175,995 (36)

Due to State (18) 64767 (37)

(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
M. Carol Lindheimer
M. CAROL LINDHEIMER
Type or Print Name

Date 12-2-96
CONTROLLER
Title

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

MANDATED COSTS

**FORM
TE-1**

**Certification of Teacher Evaluator's Demonstrated Competence
CLAIM SUMMARY**

(01) Claimant:
S57005
DAVIS JOINT UNIFIED SD

(02) Type of Claim:
Reimbursement
Estimated

Fiscal Year:
19 95 / 96

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

(04) Reimbursable Components:

(a) Salaries and Benefits	(b) Supplies	(c) Contracted Services	(d) Total
0	0	0	0
1981			1981
153,716		0	153,716
1130		0	12,036
12,036		0	1130
151735		0	165,752
734		0	13283

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

(05) Total Direct Costs

Indirect Costs

9894 - 152,469 -

(06) Indirect Cost Rate J-380 or J-580, as applicable 6.1800 %

(07) Indirect Costs {[Line (05)(d) - line (05)(c)] x line (06)} 9920 - 9425 - 821 - 10,243

(08) Total Costs: [Line (05)(d) + line (07)] 175,995 14104 -

Cost Reduction

(09) Less: Offsetting Savings, if applicable

(10) Less: Other Reimbursements, if applicable

(11) Total Claimed Amount: {Line(08) - [Line(09) + line(10)]}

175,995
14104 -

MANDATED COSTS

**FORM
TE-2**

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

(01) Claimant: DAVIS JOINT UNIFIED SD

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

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

Cost Elements

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

(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					
P1 ADRYAN-WALLACE, A/TEACHER	22.41	52.50	1177		
P2 ALLEGOSAN, M/TEACHER	45.35	5.00	227		
P2 ANGEL, F/TEACHER	31.63	10.00	316		
T ARMSTRONG, M/TEACHER	27.22	44.12	1201		
T ARNOLD, M/TEACHER	55.52	44.12	2450		
T BAZINET, J/	27.11	19.50	529		
T BELL, M/TEACHER	55.52	68.62	3810		
P1 BORGE, J/TEACHER	38.78	98.50	3820		
P1 BRICE, A/TEACHER	42.93	50.00	2146		
P1 BROWNELLER, P/TEACHER	42.93	50.00	2146		
P1 BRUNSON, J/TEACHER	33.05	59.25	1958		
T BRYNER, G/TEACHER	43.32	57.75	2501		
P1 BURNETT, G/COUNSELOR	57.55	44.12	2539		
T CARLSON, A/TEACHER	26.58	46.00	1223		
T CHASON, W/TEACHER	53.49	44.12	2360		
T CLARK, T/TEACHER	53.22	94.12	5009		
P1 DEFRESNE, M/TEACHER	37.35	44.12	1648		
P1 DIMELLO, D/TEACHER	30.24	70.25	2125		
P1 DODD, J/TEACHER	30.88	52.50	1621		
P1 FLYNN, J/TEACHER	36.88	46.00	1696		
P1 GADISMAN, H/TEACHER	31.63	46.00	1455		
P1 GALLAGHER, P/TEACHER	43.32	64.25	2783		
P1 GONZALEZ, D/TEACHER	41.92	51.50	2159		
T HALLBERG, S/TEACHER	43.32	69.25	2999		
P1 HASKELL-DUVAIR, C/TEACHER	57.55	44.12	2539		
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P2 HOLMES, C/TEACHER	30.88	69.25	2138		
T HOLTE, L/TEACHER	43.32	10.00	433		
P1 KALM, S/TEACHER	55.52	44.12	2450		
T KING, P/TEACHER	25.28	50.00	1264		
P1 LAMB, M/TEACHER	47.48	84.12	3994		
	30.88	77.00	2377		

(05) Total Subtotal

Page: 1 of 1

\$ 99,149

0 0

MANDATED COSTS

FORM

Certification of Teacher Evaluator's Demonstrated Competence

TE-2

COMPONENT / ACTIVITY COST DETAIL

(01) Claimant: DAVIS JOINT UNIFIED 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
P1 LEUCHARS, M/TEACHER	33.14	69.25	2294		
P1 LINGBLOOM, P/TEACHER	32.75	75.50	2474		
P1 LOW, E/TEACHER	35.44	59.25	2101		
T MARTIN, P/TEACHER	57.83	44.12	2551		
T MCCOY, M/TEACHER	53.77	44.12	2372		
P1 MILICH, N/TEACHER	43.32	64.25	2783		
T MILLAM, R/TEACHER	53.77	44.12	2372		
P1 MORAN, D/TEACHER	30.88	50.00	1544		
P1 NAYYAR, R/TEACHER	39.25	53.75	2110		
P1 NEWTON, K/TEACHER	49.42	30.42	1503		
T NIELSEN, L/TEACHER	46.49	44.12	2051		
P1 PATTERSON, J/TEACHER	49.42	64.25	3175		
P2 PATZ, N/TEACHER	43.32	19.75	855		
P1 PEHLKE, E/TEACHER	43.32	46.00	1993		
PERRY, H/PROJ COORDINATOR	30.83	10.00	308		
P1 PERRY, M/TEACHER	41.28	53.75	2219		
T PESHETTE, A/TEACHER	49.42	44.12	2180		
PITALO, M/DIR OF CIRRIC	44.97	10.00	450		
P2 POWELL, T/TEACHER	31.11	19.75	614		
P1 QUENON, M/TEACHER	32.64	62.25	2030		
P1 RICH, V/TEACHER	36.46	104.00	3792		
P1 RICHARDS, D/TEACHER	30.08	53.75	1618		
T RODDEN, R/TEACHER	45.16	44.12	1992		
P1 RONNING, K/TEACHER	42.47	59.25	2517		
P1 ROSS, R/TEACHER	35.35	52.50	1856		
P2 SANDRETTO, S/TEACHER	41.28	4.00	165		
T SEANEY, M/TEACHER	51.45	44.12	2270		
P1 SELLS, B/TEACHER	56.38	104.00	5862		
P1 SHERMAN, T/TEACHER	43.32	53.75	2328		
P1 SIMS, M/TEACHER	43.10	53.75	2317		
P1 STREET, K/TEACHER	18.77	52.50	985		
P1 TAYLOR, B/TEACHER	47.76	126.33	6033		
P1 THOMSON, F/TEACHER	46.26	67.75	3135		

(05) Total Subtotal

Page: 1 of 1

\$ 72,849 0 0

MANDATED COSTS

FORM
TE-2

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

(01) Claimant: DAVIS JOINT UNIFIED 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
P2 VALENCIOH, M/TEACHER	37.21	10.00	372		
P1 VRANA, M/TEACHER	36.14	51.50	1861		
P1 WAID, P/TEACHER	30.88	50.00	1544		
T WAYLAND, J/TEACHER	43.09	54.12	2332		
T WELLS, B/PRINCIPAL	45.04	24.50	1103		
P2 WELLS, S/TEACHER	34.10	19.00	648		
P1 WHEELER, B/TEACHER	41.04	46.00	1888		
P1 WILHELM, B/TEACHER	35.49	52.50	1864		
P2 WINK, D/TEACHER	35.18	3.00	106		
			1981		

(05) Total Subtotal

Page: 1 of 1

\$ 12,718 0 0

MANDATED COSTS

FORM

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

TE-2

(01) Claimant: DAVIS JOINT UNIFIED 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					
BOOCK, J/PRINCIPAL	45.04	12.50	563		
BUCHHOLTZ, J/COUNSELOR	33.34	45 50.00	1667	1500 -	
BURNETT, G/COUNSELOR	26.58	45 50.00	1329	1196 -	
COUGHRAN, C/PRINCIPAL	41.41	28.84	1195		
EINING, C/PRINCIPAL	41.41	45 50.00	2071	1863 -	
HAGEMANN, M/PRINCIPAL	45.01	45 50.00	2251	2025 -	
MAUL, B/PRINCIPAL	45.21	29.35	1327		
WELLS, B/PRINCIPAL	45.04	31.75	1430		
ZIMMERMAN, D/PRINCIPAL	45.04	4.50	203		
			11302		

(05) Total Subtotal

Page: 1 of 1

\$ 12,036 0 0

ISSUE 3

0. *

Parental
Complaint
Time

009

563. +
1,667. +
1,329. +
1,195. +
2,071. +
2,251. +
1,327. +
1,430. +
203. +

12,036. *+

Approved
1000

12,036. +

11,302. -

734. *+

0. *

Indirect
Costs

734. X
6.18 %
45.3612*+

734. *

734. +

45. +

002

Total

779. *+

0. *

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:

10 Certification of Teacher
11 Evaluator's Demonstrated
12 Competence

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

15 DAVIS JOINT UNIFIED SCHOOL
16 DISTRICT, Claimant

No.: CSM 01-4136-I-047

AFFIDAVIT OF CUSTODIAN

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 28, 2002

17 OFFICE OF THE STATE CONTROLLER

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

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