

**San Diego Unified School District****Financial Operations Division**EUGENE BRUCKER EDUCATION CENTER
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OFFICE OF RESOURCE DEVELOPMENT

Arthur M. Palkowitz
Director

November 15, 2007

RECEIVED

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**COMMISSION ON
STATE MANDATES**Paula Higashi, Executive Director
Commission on State Mandates
U.S. Bank Plaza Building
980 Ninth Street, Suite 300
Sacramento, CA 95814**RE: TEST CLAIM DRAFT STAFF ANALYSIS (10/19/07)
ACADEMIC PERFORMANCE INDEX, 01-TC-22**

Dear Ms. Higashi:

San Diego Unified School District (District) respectfully requests that the Commission's staff reconsider its recommendation to deny costs for a school district to notify CDE when circumstances may exist which would invalidate a school's Academic Performance Index (API) pursuant to Cal. Code Reg., tit. 5, sec. 1032, subd. (d). The Commission's staff argued that there were no legal or practical compulsions to notify the California Department of Education (CDE) of errors in the API.

However, the Commission has stated in its analysis that the District's governing board is to "discuss the results of the annual ranking... following the annual publication of the API and SPI school rankings," per Ed. Code sec. 52056, subd. (c), and that this is a valid reimbursable state mandated program. It appears the intent is to have the governing board make decisions and utilize the information in a way that ultimately improves student performance. The District argues there is a compulsion to notify the governing board of validation errors in the API, so that they shall discuss why the API annual ranking may be inaccurate.

Additionally, the District has noted in Ed. Code sec. 52056, subd. (b), that "All schools shall report their ranking, including a description of the components of the API, in their annual school accountability report card pursuant to Sections 33126 and 35256." We have further realized that Ed. Code sec. 33126, subd. (a) states that the "school accountability report card shall provide data by which a parent can make meaningful comparisons between public schools that will enable him or her to make informed decisions on which school to enroll his or her children." It appears the intent is to have the API and its component information be used by parents to make decisions about school choice. The District argues there is a compulsion to provide parents with meaningful data, which would include a correct API figure.

In light of these arguments, the District contends there are state-mandated compulsions in providing the governing board and parents accurate information. Therefore, we urge the staff to reconsider its original recommendation and encourage schools to notify the CDE when circumstances may exist which would invalidate a school's API.

Sincerely,

Arthur M. Palkowitz
Director, Office of Resource Development

PROOF OF SERVICE

Re: **Test Claim Draft Staff Analysis (10/19/07)**
Academic Performance Index, 01-TC-22

I am employed in the County of San Diego, State of California. I am over 18 years of age and not a party to the within entitled action; my business address is 4100 Normal Street, Room 3209, San Diego, California 92103.

On November 15, 2007, I served the foregoing document(s) described as: **Comments to Test Claim Draft Staff Analysis.**

On the person/parties in this action by placing a true and correct copy thereof enclosed in a sealed envelope(s) with postage thereon fully prepaid in the United States Mail at San Diego, California, with first-class postage thereon fully prepaid.

Mr. Steve Smith
Steve Smith Enterprises, Inc.
3323 Watt Avenue # 291
Sacramento, CA 95821

Mr. Jim Spano
State Controller's Office (B-08)
Division of Audits
300 Capitol Mall, Suite 518
Sacramento, CA 95814

Ms. Beth Hunter
Centration, Inc.
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Rancho Cucamonga, CA 91730

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Mr. Keith B. Petersen
SixTen & Associates
3841 North Freeway Blvd., Suite 170
Sacramento, CA 95834

I declare, under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on November 15, 2007 in San Diego, California.


Tyinesha Calhoun

**San Diego Unified School District**EUGENE BRUCKER EDUCATION CENTER
4100 Normal Street, San Diego, CA 92103-2682(619) 725-7567
Fax: (619) 725-7569**FINANCIAL OPERATIONS DIVISION**
Brian Bailey
Legislative Financial Accountant

Fax

To: Ms. Paula Higashi **From:** Brian Bailey
Commission on State Mandates SDUSD

Fax: 916-445-0278 **Pages:** 3 (including cover page)

Phone: **Date:** 11/15/07

Re: Test Claim 01-TC-22 Response **CC:**

Urgent **For Review** **Please Comment** **Please Reply** **Please Recycle**

Dear Ms. Higashi:

We previously sent you a fax that included a written comment on the draft staff analysis of the Academic Performance Index test claim. However, we did not include the proof of service form. So we are including both the written comment and the proof of service in this fax.

Regards,

Brian Bailey
Legislative Financial Accountant

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