



**RECEIVED**  
November 18, 2014  
**Commission on  
State Mandates**

Fiscal Services

November 17, 2014

Heather Halsey, Executive Director  
Commission on State Mandates  
980 Ninth Street, Suite 300  
Sacramento, CA 95814

Dear Ms. Halsey:

RE: CSM 07-4206-I-14  
**Pasadena Area Community College District**  
Fiscal Years: 2002-03 and 2003-04  
Health Fee Elimination #2  
Incorrect Reduction Claim

This letter is written application pursuant to Title 5, CCR, Section 1185.8 for withdrawal of the above referenced incorrect reduction claim.

After the District filed its incorrect reduction claim, the Third District Court of Appeal issued its opinion for *Clovis Unified* which specifically addressed the Controller's practice of reducing annual claims by the maximum fee amount that districts are statutorily authorized to charge students, whether or not a district actually charges all of its students or collects all of those fees. The District agrees that claimants and state agencies are bound to apply the "Health Fee Rule" as decided law and that this extends to retroactive fiscal years still within the Commission's or Controller's jurisdiction.

There are no remaining issues in dispute.

Sincerely,

A handwritten signature in blue ink, appearing to read "Joseph Simoneschi".

Joseph Simoneschi, Executive Director of Business Services  
Pasadena Area Community College District

**DECLARATION OF SERVICE BY EMAIL**

I, the undersigned, declare as follows:

I am a resident of the County of Sacramento and I am over the age of 18 years, and not a party to the within action. My place of employment is 980 Ninth Street, Suite 300, Sacramento, California 95814.

On November 20, 2014, I served the:

**Claimant Request to Withdraw IRC; and Notice of Withdrawal of IRC**

*Health Fee Elimination, 07-4206-I-14*

Education Code Section 76355;

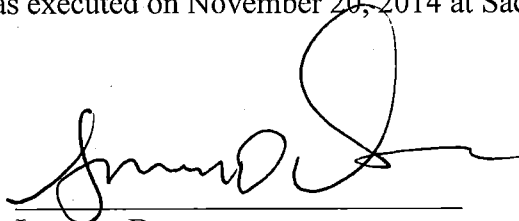
Statutes 1984, 2<sup>nd</sup> E.S., Chapter 1; Statutes 1987, Chapter 1118

Fiscal Years 2002-2003 and 2003-2004

Pasadena Area Community College District, Claimant

By making it available on the Commission's website and providing notice of how to locate it to the email addresses provided on the attached mailing list.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed on November 20, 2014 at Sacramento, California.



Lorenzo Duran

Commission on State Mandates

980 Ninth Street, Suite 300

Sacramento, CA 95814

(916) 323-3562

# COMMISSION ON STATE MANDATES

## Mailing List

**Last Updated:** 11/12/14

**Claim Number:** 07-4206-I-14

**Matter:** Health Fee Elimination

**Claimant:** Pasadena Area Community College District

### TO ALL PARTIES, INTERESTED PARTIES, AND INTERESTED PERSONS:

Each commission mailing list is continuously updated as requests are received to include or remove any party or person on the mailing list. A current mailing list is provided with commission correspondence, and a copy of the current mailing list is available upon request at any time. Except as provided otherwise by commission rule, when a party or interested party files any written material with the commission concerning a claim, it shall simultaneously serve a copy of the written material on the parties and interested parties to the claim identified on the mailing list provided by the commission. (Cal. Code Regs., tit. 2, § 1181.3.)

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