



April 24, 2020

Mr. Ed Hanson
Department of Finance
Education Systems Unit
915 L Street, 7th Floor
Sacramento, CA 95814

And Affected State Agencies and Interested Parties (See Mailing List)

RE: Notice of Inactive Status

Request to Amend Parameters and Guidelines
Graduation Requirements, 11-PGA-03 (CSM-4435)
Education Code Sections 51225.3 and 42238.24
Statutes 1983, Chapter 498; Statutes 2010, Chapter 724
Department of Finance, Requester

Dear Mr. Hanson:

On June 19, 2012, Commission on State Mandates (Commission) staff approved a request to place the above-captioned matter on inactive status filed by the representative of the following group of school districts: San Jose Unified School District; Castro Valley Unified School District, Clovis Unified School District; Fullerton Joint Union High School District; Grossmont Union High School District; Norwalk-La Mirada Unified School District; Poway Unified School District; and Sweetwater Union High School District. Specifically, the request was based on the legality of the underlying statute on which the Request to Amend Parameters and Guidelines is based which was the subject of a Declaratory relief action pending in the Alameda County Superior Court (*California School Boards Association v. The State of California*, Case No. RG11554698, filed January 6, 2011).

After the Court issued its decision in that case, Commission staff determined that the matter was resolved and on December 20, 2019, issued the Request for Simultaneous Comment on the Request to Amend Parameters and Guidelines and the Application of the Court's Opinion in *California School Boards' Association (CSBA) v. State of California*. Comments on the Request were due on January 20, 2020.

On January 17, 2020 the Department of Finance (Finance) filed a request for extension of time to comment on the Request for Simultaneous Comment, which was granted. On February 18, 2020, Finance filed a request to place the above-captioned matter on inactive status, or alternatively for a 60-day extension of time to file comments and if necessary, postponement of the hearing tentatively set for May 22, 2020. On February 20, 2020, Commission staff issued an approval of a 60-day extension of time to comment and postponement of hearing.

On March 10, 2020, the Commission received a Request for Extension of Time filed by the representative of CSBA and the test claimants in this matter which was granted.

On April 17, 2020, the Commission received another request from Finance to place the above-captioned matter on inactive status. Specifically, the request states that it is due to "the need to resolve all remaining issues in the ongoing litigation in the *California School Boards' Association (CSBA) v. State of California* lawsuit, the workload associated with the May

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Revision of the 2020-21 Governor's Budget, and challenges resulting from the COVID-19 emergency.”

This approval of inactive status is now being granted due to the continuing litigation in the *California School Boards' Association (CSBA) v. State of California* lawsuit, specifically because the claimant has been granted leave to amend. Note that this inactive status is granted only for resolution of the issue of whether the State violates article III, section 36 of the California Constitution (enacted in 2013 by Proposition 30) to consider education protection account funds as offsetting state funding under Education Code section 42238.24 (relating to the *Graduation Requirements* program).

Therefore, this matter is placed on inactive status until the resolution of that issue.

Sincerely,

A handwritten signature in black ink, appearing to read "Heather Halsey", with a stylized flourish extending to the right.

Heather Halsey
Executive Director

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 April 24, 2020, I served the:

- **Notice of Inactive Status issued April 24, 2020**
- **Mr. William B. Tunick's Comments on behalf of the California School Boards Association (CSBA) on the Request for Simultaneous Comment filed April 20, 2020**
- **Mr. Christian M. Keiner's Comments on behalf of School Districts on the Request for Simultaneous Comment filed April 20, 2020**
- **Finance's Request to Place Matter on Inactive Status filed April 17, 2020**

Request to Amend Parameters and Guidelines
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Education Code Sections 51225.3 and 42238.24
Statutes 1983, Chapter 498; Statutes 2010, Chapter 724
Department of Finance, Requester

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 April 24, 2020 at Sacramento, California.



Jill L. Magee
Commission on State Mandates
980 Ninth Street, Suite 300
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COMMISSION ON STATE MANDATES

Mailing List

Last Updated: 4/24/20

Claim Number: 11-PGA-03

Matter: Graduation Requirements (CSM-4435)

Requester: Department of Finance

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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