



March 3, 2021

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March 03, 2021  
**Commission on  
State Mandates**

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

Dear Ms. Halsey,

The Department of Finance respectfully submits the following comments in response to the Commission on State Mandate's, "Request for Simultaneous Comment on the Request to Amend Parameters and Guidelines and the Application of the Court's Opinion and Judgment and the Stipulation of the Parties in *California School Boards' Association (CSBA) v. State of California*" issued February 16, 2021.

On December 19, 2019, the California Supreme Court issued its decision in *California School Boards' Association (CSBA) v. State of California* (2019) 8 Cal.5th 713. The court held that the offsetting revenue requirements of Education Code section 42238.24 to pay for state mandates does not violate the California Constitution, and remanded the remaining issues to the lower court. On February 1, 2021, the case was resolved in its entirety with the stipulation of the parties that Education Protection Account funds are not offsetting revenues under section 42238.24 for the Graduation Requirements mandate.

Accordingly, the Parameters and Guidelines should be amended to include the requirements of section 42238.24.

If you have any questions regarding this letter, please contact Amber Alexander, Principal Program Budget Analyst at (916) 445-0328.

Sincerely,

CHRIS FERGUSON  
Program Budget Manager

**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 March 3, 2021, I served the:

- **Finance's Comments on the Request for Simultaneous Comment filed March 3, 2021**

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

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 March 3, 2021 at Sacramento, California.



Jill L. Magee  
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# COMMISSION ON STATE MANDATES

## Mailing List

**Last Updated:** 2/16/21

**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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