

ITEM 3
INCORRECT REDUCTION CLAIM
PROPOSED DECISION

Education Code Sections 44660-44665
Statutes 1983, Chapter 498; Statutes 1999, Chapter 4

The Stull Act

Fiscal Years 1997-1998, 1998-1999, 1999-2000, 2000-2001,
2001-2002, 2002-2003, 2003-2004, and 2004-2005.

14-9825-I-01

Oceanside Unified School District, Claimant

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1. INCORRECT REDUCTION CLAIM TITLE

Oceanside Unified School District
 498/83 Stull Act Program, FY 1997-2005

2. CLAIMANT INFORMATION

Oceanside Unified School District
 Name of Local Agency or School District
 Karen Huddleston
 Claimant Contact
 Controller
 Title
 2111 Mission Avenue
 Street Address
 Oceanside, CA 92058
 City, State, Zip
 (760) 966-4045
 Telephone Number
 (760) 754-9036
 Fax Number
 khuddleston@oside.k12.ca.us
 E-Mail Address

3. CLAIMANT REPRESENTATIVE INFORMATION

Claimant designates the following person to act as its sole representative in this incorrect reduction claim. All correspondence and communications regarding this claim shall be forwarded to this representative. Any change in representation must be authorized by the claimant in writing, and sent to the Commission on State Mandates.

Arthur M. Palkowitz
 Claimant Representative Name
 Attorney
 Title
 Stutz Artiano Shinoff & Holtz, APC
 Organization
 2488 Historic Decatur Road, Suite 200
 Street Address
 San Diego, CA 92106
 City, State, Zip
 (619) 232-3122
 Telephone Number
 (619) 232-3264
 Fax Number
 apalkowitz@stutzartiano.com
 E-Mail Address

For CSM Use Only

Filing Date:

RECEIVED
 August 20, 2014
 Commission on
 State Mandates

IRC #: **14-9825-I-01**

4. IDENTIFICATION OF STATUTES OR EXECUTIVE ORDERS

Please specify the subject statute or executive order that claimant alleges is not being fully reimbursed pursuant to the adopted parameters and guidelines.

Education Code sections 44660-44665

5. AMOUNT OF INCORRECT REDUCTION

Please specify the fiscal year and amount of reduction. More than one fiscal year may be claimed.

<u>Fiscal Year</u>	<u>Amount of Reduction</u>
1997-2005	\$1,270,420.00
See Attachment #5 - Amount of Incorrect Reduction	
TOTAL: \$1,270,420.00	

6. NOTICE OF INTENT TO CONSOLIDATE

Please check the box below if there is intent to consolidate this claim.

Yes, this claim is being filed with the intent to consolidate on behalf of other claimants.

Sections 7 through 11 are attached as follows:

- 7. Written Detailed Narrative:** pages 1 to 5.
- 8. Documentary Evidence and Declarations:** Exhibit A, B, M, N, O
- 9. Claiming Instructions:** Exhibit C.
- 10. Final State Audit Report or Other Written Notice of Adjustment:** Exhibit D.
- 11. Reimbursement Claims:** Exhibit E, F, G, H, I, J, K, L

12. CLAIM CERTIFICATION

*Read, sign, and date this section and insert at the end of the incorrect reduction claim submission. **

This claim alleges an incorrect reduction of a reimbursement claim filed with the State Controller's Office pursuant to Government Code section 17561. This incorrect reduction claim is filed pursuant to Government Code section 17551, subdivision (d). I hereby declare, under penalty of perjury under the laws of the State of California, that the information in this incorrect reduction claim submission is true and complete to the best of my own knowledge or information or belief.

Karen Huddleston

Print or Type Name of Authorized Local Agency
or School District Official



Signature of Authorized Local Agency or
School District Official

Controller

Print or Type Title

8/19/14

Date

** If the declarant for this Claim Certification is different from the Claimant contact identified in section 2 of the incorrect reduction claim form, please provide the declarant's address, telephone number, fax number, and e-mail address below.*

Attachment #5
to IRC Claim

Oceanside Unified School District
Stull Act Program

Fiscal Year	Audit Adjustment
1997-98	(54,305)
1998-99	(74,656)
1999-2000	(105,477)
2000-01	(148,092)
2001-02	(203,727)
2002-03	(207,885)
2003-04	(230,431)
2004-05	(245,847)
TOTAL	\$(1,270,420)

1 **STUTZ ARTIANO SHINOFF & HOLTZ**
2 *A Professional Corporation*

3 Arthur M. Palkowitz, Esq. (SBN 106141)
4 2488 Historic Decatur Road, Suite 200
5 San Diego, California 92106
6 Telephone: (619) 232-3122
7 Facsimile: (619) 232-3264

8 Attorneys for Claimant
9 OCEANSIDE UNIFIED SCHOOL DISTRICT

10 **BEFORE THE COMMISSION ON STATE MANDATES**
11 **STATE OF CALIFORNIA**

12 **IN RE INCORRECT REDUCTION**
13 **CLAIM ON:**

14 **CHAPTER 498 STATUTES OF 1983;**
15 **CHAPTER 4, STATUTES OF 1999;**
16 ***THE STULL ACT PROGRAM : FISCAL***
17 ***YEARS 1997-1998, 1998-1999,***
18 ***1999-2000, 2000-2001, 2001-2002, 2002-***
19 ***2003, 2003-2004, 2004-2005.***

Case No.:

INCORRECT REDUCTION CLAIM OF
OCEANSIDE UNIFIED SCHOOL
DISTRICT;

CHAPTER 498, STATUTES OF 1983
CHAPTER 4, STATUTES OF 1999
(THE STULL ACT PROGRAM)

20 **I.**

21 **NARRATIVE OF THE INCORRECT REDUCTION CLAIM**

22 Oceanside Unified School District (“the District”) filed claims for reimbursement of
23 costs that the District incurred during Fiscal Years 1997-1998, 1998-1999, 1999-2000, 2000-
24 2001, 2001-2002, 2002-2003, 2003-2004, 2004-2005 to implement the state mandated Stull
25 Program Act Program set forth in Chapter 498, Statutes (Chapter 498/83) and Chapter 4,
26 Statutes of 1999 (Chapter 4/99). The costs claimed were primarily for the salaries and
27 benefits of the school site staff and related indirect costs. The State Controller’s Office
28 [SCO] denied these costs contending the District did not support claimed costs with source
documents.

1 **1. Statement of the Dispute.**

A. The Mandate – Chapter 498/1983 and Chapter 4/99, among other things added
or amended Educational Code sections 44660-44665, which required school districts to

1 develop and adopt specific guidelines to evaluate and assess certificated instructional
2 employees that perform the requirements of educational programs mandated by state or
3 federal law as it reasonably relates to the instructional techniques and strategies used by the
4 employee and the employee's adherence to curricular objectives. On May 27, 2004, the
5 Commission on State Mandates (Commission) determined that Chapters 498/83, 4/99
6 impose a reasonable state mandate. **(Exhibit A)**

7 B. Parameters and Guidelines – On September 27, 2005, the Commission adopted
8 parameters and guidelines (original parameters and guidelines) for Chapter 498/83 and 4/99
9 **(Exhibit B)** The original parameters and guidelines described the reimbursable activities to
10 include salary and benefits of employees who evaluate and assess the performance of
11 certificated instructional employees.

12 C. The Controller's Claiming Instructions – The SCO first issued its claiming
13 instructions for Chapter 498/83 and Chapter 4/99 on December 12, 2005. The claiming
14 instructions included a description of reimbursable components and were substantially the
15 same as the description in the parameters and guidelines. **(Exhibit C)**

16 D. The SCO's Notice of Claim Reduction – In the Audit Report dated August 24,
17 2011, the SCO notified the District that \$1,270,420 was disapproved. The SCO stated that
18 the District did not support claim costs with source documents. **(Exhibit D)**

19 E. The District's Claim

20 Fiscal Year 1997-1998 – On April 11, 2006, the District filed its reimbursement
21 of the costs that the District incurred during Fiscal Year 1997-1998. **(Exhibit E)** The
22 District cost for Fiscal Year 1997-1998 was \$54,305. The SCO disallowed the entire
23 amount.

24 Fiscal Year 1998-1999 – On April 11, 2006, the District filed its claim for
25 reimbursement of the costs that the District incurred during Fiscal Year 1998-99. **(Exhibit**
26 **F)** The District cost for FY 1998-99 was \$74,656. The SCO disallowed the entire amount.

27 Fiscal Year 1999-2000 – On April 11, 2006, the District filed its claim for
28 reimbursement of the costs that the District incurred during Fiscal Year 1999-2000 **(Exhibit**

1 G). The District cost for FY 1999-2000 was \$105,477. The entire amount was disallowed.

2 Fiscal Year 2000 – 2001 – On April 11, 2006, the District filed its claim for
3 reimbursement of the costs that the District incurred during Fiscal Year 2000-2001 (**Exhibit**
4 **H**). The claim was \$148,092. The entire amount was disallowed.

5 Fiscal Year 2001 – 2002 – On April 11, 2006, the District filed its claim for
6 reimbursement of the costs that the District incurred during Fiscal Year 2001-2002 (**Exhibit**
7 **I**). The amount of the claim was \$203,727. The entire amount was disallowed.

8 Fiscal Year 2002 – 2003 – On April 11, 2006, date, the District filed its claim
9 for reimbursement of the costs that the District incurred during Fiscal Year 2002-2003.
10 (**Exhibit J**). The amount of the claim was \$207,885. The total amount was disallowed.

11 Fiscal Year 2003 – 2004 – On April 11, 2006, the District filed its claim for
12 reimbursement of the costs that the District incurred during Fiscal Year 2003-2004.
13 (**Exhibit K**). The amount of the claim was \$230,431. The entire amount was disallowed.

14 Fiscal Year 2004 – 2005 – On April 11, 2006, the District filed its claim for
15 reimbursement of the costs that the District incurred during Fiscal Year 2004-2005.
16 (**Exhibit L**). The amount of the claim was \$245,847. The total amount was disallowed.

17 II.

18 DISTRICT PROVIDED TIME RECORDS FOR MANDATED COSTS.

19 The District provided list of employees, title, hourly rate for each fiscal year that
20 evaluations were performed. The District provided employee average time records for
21 mandated costs. (**Exhibit M**). Each employee recorded average time performing evaluation
22 activities for the period of Fiscal Year 1997-98 through Fiscal Year 2004-05. The Audit
23 Report states “The District did not provide source documents supporting the average time or
24 access to employee evaluations to support the number of employees evaluated.” (**Exhibit D**,
25 p. 8.)

26 “The audit developed alternative methods to determine the allowable salary benefits
27 and related indirect costs given the District’s inadequate documentation detailed above. We
28 obtained a copy of the District’s teacher evaluation procedures and forms and interviewed

1 administrators who actually performed the mandated activities in the ordered years. The
2 District's teacher evaluation forms disclosed half-an-hour of actual classroom observation.
3 The District requested that it be allowed to support its claim with auditor verification of its
4 written observations and final summary performance teacher evaluations from the personnel
5 records. The District agreed to our recommendation that it allow half-an-hour for each
6 written observation and final teacher evaluation verified." (Exhibit D; p. 8).

7 The District complied with the evaluation requirements contained in Article 15 of the
8 Collective Bargaining Agreement for years 1997- 2005. (Exhibit N)

9 The above ratifies that the District performed the activities required under the state
10 mandate. Despite confirming that the activities were performed and receiving the District's
11 procedure and forms, the State Controller disallowed all of the activities claimed for in the
12 fiscal years noted above.

13 There can be no doubt the District's school site staff performed the reimbursable
14 activities. Thus, the District has sufficient documentation to prove each school site
15 performed the activities of assessing and evaluating the certificated employees as required by
16 the mandate. The District documents are evidenced that all school sites perform the
17 reimbursable activities. The statistical method used by the District is reasonable and non-
18 excessive. The amount of \$1,270,420 must be reinstated.

19 The Office of Management and Budget Circular A-87 establishes costs, principles of
20 standards for state and local governments to determine administrative costs applicable to
21 grants, contracts, and other agreements with state and local governments. Randomly
22 sampling workers to find out what they are working on is one of the federally approved
23 methods of identifying worker effort. Such method is reasonable and may be implemented
24 rather than 100 percent time reporting method. (Exhibit O)

25 **CERTIFICATION**

26 I certify by my signature below, that the statements made on this document are true
27 and correct of my own knowledge or as to all other matters, I believe them to be true and
28 correct based upon information and belief.

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Executed on August 20, 2014

STUTZ ARTIANO SHINOFF & HOLTZ
A Professional Corporation

Bv: 
Arthur M. Palkowitz
Attorneys for Claimant OCEANSIDE UNIFIED
SCHOOL DISTRICT

Exhibit A

BEFORE THE
COMMISSION ON STATE MANDATES
STATE OF CALIFORNIA

IN RE TEST CLAIM ON:

Education Code Sections 44660-44665
(Former Ed. Code, §§ 13485-13490);

Statutes 1975, Chapter 1216; Statutes 1983,
Chapter 498; Statutes 1986, Chapter 393;
Statutes 1995, Chapter 392; Statutes 1999,
Chapter 4;

Filed on July 7, 1999;

By Denair Unified School District, Claimant.

No. 98-TC-25

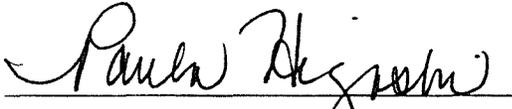
The Stull Act

STATEMENT OF DECISION PURSUANT
TO GOVERNMENT CODE SECTION **17500**
ET SEQ.; CALIFORNIA CODE OF
REGULATIONS, TITLE 2, DIVISION 2,
CHAPTER 2.5, ARTICLE 7

(Adopted on May 27, 2004)

STATEMENT OF DECISION

The attached Statement of Decision of the Commission on State Mandates is hereby adopted in the above-entitled matter.



PAULA HIGASHI, Executive Director

6-1-2004
Date

BEFORE THE
COMMISSION ON STATE MANDATES
STATE OF CALIFORNIA

IN RE TEST CLAIM ON:

Education Code Sections 44660-44665
(Former Ed. Code, §§ 1348513490);

Statutes 1975, Chapter 1216; Statutes 1983,
Chapter 498; Statutes 1986, Chapter 393;
Statutes 1995, Chapter 392; Statutes 1999,
Chapter 4;

Filed on July 7, 1999;

By Denair Unified School District, Claimant.

No. 98-TC-25

The Stull Act

STATEMENT OF DECISION PURSUANT
TO GOVERNMENT CODE SECTION 17500
ET SEQ.; CALIFORNIA CODE OF
REGULATIONS, TITLE 2, DIVISION 2,
CHAPTER 2.5, ARTICLE 7

(Adopted on May 27, 2004)

PROPOSED STATEMENT OF DECISION

The Commission on State Mandates (Commission) heard and decided this test claim during a regularly scheduled hearing on May 27, 2004. David E. Scribner appeared for the claimant, Denair Unified School District. Barbara Taylor appeared for the Department of Finance.

The law applicable to the Commission's determination of a reimbursable state-mandated program is article XIII B, section 6 of the California Constitution, Government Code section 17500 et seq., and related case law.

The Commission adopted the staff analysis at the hearing by a vote of 4 to 0.

BACKGROUND

This test claim addresses the Stull Act. The Stull Act was originally enacted in 1971 to establish a uniform system of evaluation and assessment of the performance of "certificated personnel" within each school district. (Former Ed. Code, §§ 13485-13490.)¹ The Stull Act required the governing board of each school district to develop and adopt specific guidelines to evaluate and assess certificated personnel², and to avail itself of the advice of certificated instructional personnel before developing and adopting the guidelines.³ The evaluation and assessment of the certificated personnel was required to be reduced to writing and a copy transmitted to the employee no later than sixty days before the end of the school year.⁴ The employee then had the right to initiate a written response to the evaluation, which became a permanent part of the

Statutes 1971, chapter 361.

² Former Education Code section 13487.

³ Former Education Code section 13486.

⁴ Former Education Code section 13488.

employee's personnel file.⁵ The school district was also required to hold a meeting with the employee to discuss the evaluation!

Former Education Code section 13489 required that the evaluation and assessment be continuous. For probationary employees, the evaluation had to occur once each school year. For permanent employees, the evaluation was required every other year. Former section 13489 also required that the evaluation include recommendations, if necessary, for areas of improvement in the performance of the employee. If the employee was not performing his or her duties in a satisfactory manner according to the standards, the "employing authority"⁷ was required to notify the employee in writing, describe the unsatisfactory performance, and confer with the employee making specific recommendations as to areas of improvement and endeavor to assist in the improvement.

In 1976, the Legislature renumbered the provisions of the Stull Act. The Stull Act can now be found in Education Code sections 44660-44665.⁸

The test claim legislation, enacted between 1975 and 1999, amended the Stull Act. The claimant alleges that the amendments constitute a reimbursable state-mandated program within the meaning of article XIII B, section 6 of the California Constitution."

In addition, the claimant, a school district, alleges that compliance with the Stull Act is new as to county offices of education and, thus, counties are entitled to reimbursement for all activities under the Stull Act.¹⁰

However, no county office of education has appeared in this action as a claimant, nor filed a declaration alleging mandated costs exceeding \$1000, as expressly required by Government Code section 17564 and section 1183 of the Commission's regulations.

Therefore, the test claim has not been perfected as to county offices of education. The findings in this analysis, therefore, are limited to school districts.

⁵ *Ibid.*

⁶ *Ibid.*

⁷ Former Education Code section 13490 defined "employing authority" as "the superintendent of the school district in which the employee is employed, or his designee, or in the case of a district which has no superintendent, a school principal or other person designated by the governing board."

⁸ Statutes 1976, chapter 1010.

⁹ In 1999, the Legislature added Education Code section 44661.5 to the Stull Act. (Stats. 1999, ch. 279.) Education Code section 44661.5 authorizes a school district to include objective standards from the National Board for Professional Teaching Standards or any objective standards from the California Standards for the Teaching Profession when developing evaluation and assessment guidelines. The claimant did not include Education Code section 4466 1.5 in this test claim.

¹⁰ Exhibit A (Test Claim, pages 7-9) to Item 9 of the May 27, 2004 Commission Hearing.

Claimant's Position

The claimant contends that the test claim legislation constitutes a reimbursable state-mandated program for the following "new" activities:

- Rewrite standards for employee assessment to reflect expected student "achievement" (as opposed to the prior requirement of expected student "progress") and to expand the standards to reflect expected student achievement at each "grade level." (Stats. 1975, ch. 1216.)
- Develop job responsibilities for certificated non-instructional personnel, including but not limited to, supervisory and administrative personnel. (Stats. 1975, ch. 1216.)
- Assess and evaluate non-instructional personnel. (Stats. 1975, ch. 1216; Stats. 1995, ch. 392.)
- Receive and review responses from certificated non-instructional personnel regarding the employee's evaluation. (Stats. 1986, ch. 393 .)
- Conduct a meeting between the certificated non-instructional employee and the evaluator to discuss the evaluation and assessment. (Stats. 1986, ch. 393.)
- Conduct additional evaluations of certificated employees who receive an unsatisfactory evaluation. (Stats. 1983, ch. 498.)
- Review the results of a certificated instructional employee's participation in the Peer Assistance and Review Program for Teachers as part of the assessment and evaluation. (Stats. 1999, ch. 4.)
- Assess and evaluate the performance of certificated instructional personnel as it relates to the instructional techniques and strategies used and the employee's adherence to curricular objectives. (Stats. 1983, ch. 498.)
- Assess and evaluate certificated instructional personnel as it relates to the progress of pupils towards the state adopted academic content standards, if applicable, as measured by state adopted criterion referenced assessments. (Stats. 1999, ch. 4.)
- Assess and evaluate certificated personnel employed by county superintendents of education. (Stats. 1975, ch. 1216.)¹¹

Department of Finance's Position

The Department of Finance filed comments on March 6, 2001, contending that most of the activities requested by the claimant do not constitute reimbursable state-mandated activities. The Department of Finance states, however, that the following activities "may" be reimbursable:

- Assess and evaluate the performance of certificated instructional personnel as it relates to the progress of students toward the attainment of state academic standards, as measured by state-adopted assessments.

¹¹ Exhibit A (Test Claim) to Item 9 of the May 27, 2004 Commission Hearing.

- Modification of assessment and evaluation methods to determine whether instructional staff is adhering to the curricular objectives and instructional techniques and strategies associated with the updated state academic standards.
- Assess and evaluate permanent certificated staff that has received an unsatisfactory evaluation at least once each year, until the employee receives a satisfactory evaluation, or is separated from the school district.
- Implementation of the Stull Act by county offices of education.”

Discussion

The courts have found that article XIII B, section 6 of the California Constitution¹³ recognizes the state constitutional restrictions on the powers of local government to tax and spend.¹⁴ “Its purpose is to preclude the state from shifting financial responsibility for carrying out governmental functions to local agencies, which are ‘ill equipped’ to assume increased financial responsibilities because of the taxing and spending limitations that articles XIII A and XIII B impose.”¹⁵ A test claim statute or executive order may impose a reimbursable state-mandated program if it orders or commands a local agency or school district to engage in an activity or task.¹⁶ In addition, the required activity or task must be new, constituting a “new program,” or it must create a “higher level of service” over the previously required level of service.¹⁷

¹² Exhibit B to Item 9 of the May 27, 2004 Commission Hearing.

¹³ Article XIII B, section 6 provides: “Whenever the Legislature or any state agency mandates a new program or higher level of service on any local government, the state shall provide a subvention of funds to reimburse such local government for the costs of such program or increased level of service, except that the Legislature may, but need not, provide such subvention of funds for the following mandates: (a) Legislative mandates requested by the local agency affected; (b) Legislation defining a new crime or changing an existing definition of a crime; or (c) Legislative mandates enacted prior to January 1, 1975, or executive orders or regulations initially implementing legislation enacted prior to January 1, 1975 .”

¹⁴ *Department of Finance v. Commission on State Mandates* (2003) 30 Cal.4th 727, 735.

¹⁵ *County of San Diego v. State of California* (1997) 15 Cal.4th 68, 81.

¹⁶ *Long Beach Unified School Dist. v. State of California* (1990) 225 Cal.App.3d 155, 174. In *Department of Finance v. Commission on State Mandates*, *supra*, 30 Cal.4th at page 742, the court agreed that “activities undertaken at the option or discretion of a local government entity (that is, actions undertaken without any legal compulsion or threat of penalty for nonparticipation) do not trigger a state mandate and hence do not require reimbursement of funds - even if the local entity is obligated to incur costs as a result of its discretionary decision to participate in a particular program or practice.” The court left open the question of whether non-legal compulsion could result in a reimbursable state mandate, such as in a case where failure to participate in a program results in severe penalties or “draconian” consequences. (*Id.*, at p. 754.)

¹⁷ *Lucia Mar Unified School District v. Honig* (1988) 44 Cal.3d 830, 835-836.

The courts have defined a “program” subject to article XIII B, section 6, of the California Constitution, as one that carries out the governmental function of providing public services, or a law that imposes unique requirements on local agencies or school districts to implement a state policy, but does not apply generally to all residents and entities in the state? To determine if the program is new or imposes a higher level of service, the test claim legislation must be compared with the legal requirements in effect immediately before the enactment of the test claim legislation.” Finally, the newly required activity or increased level of service must impose costs mandated by the state.²⁰

The Commission is vested with exclusive authority to adjudicate disputes over the existence of state-mandated programs within the meaning of article XIII B, section 6.²¹ In making its decisions, the Commission must strictly construe article XIII B, section 6 and not apply it as an “equitable remedy to cure the perceived unfairness resulting from political decisions on funding priorities.”²²

Issue 1: Is the test claim legislation subject to article XIII B, section 6 of the California Constitution?

Certain statutes in the test claim legislation do not require school districts to perform activities and, thus, are not subject to article XIII B, section 6.

In order for a statute to be subject to article XIII B, section 6 of the California Constitution, the statutory language must require local agencies or school districts to perform an activity or task. If the statutory language does not mandate local agencies or school districts to perform a task, then compliance with the test claim statute is within the discretion of the local entity and a reimbursable state-mandated program does not exist.

Here, there are two test claim statutes, Education Code section 44664, subdivision (b) (as amended by Stats. 1983, ch. 498 and Stats. 1999, ch. 4) and Education Code section 44662, subdivision (d) (as amended by Stats. 1999, ch. 4) that do not require school districts to perform activities and, thus, are not subject to article XIII B, section 6 of the California Constitution.

Education Code section 44664, subdivision (b), as amended by Statutes 1983, chapter 498. In 1983, the Legislature amended Education Code section 44664 by adding subdivision (b). Subdivision (b) authorizes a school district to require a certificated employee that receives an

¹⁸ *County of Los Angeles v. State of California* (1987) 43 Cal.3d 46, 56; *Lucia Mar, supra*, 44 Cal.3d 830, 835.

¹⁹ *Lucia Mar, supra*, 44 Cal.3d 830, 835.

²⁰ *County of Fresno v. State of California* (1991) 53 Cal.3d 482, 487; *County of Sonoma v. Commission on State Mandates* (2000) 84 Cal.App.4th 1265, 1284; Government Code sections 17514 and 17556.

²¹ *Kinlaw v. State of California* (1991) 54 Cal.3d 326, 331-334; Government Code sections 17551, 17552.

²² *City of San Jose v. State of California* (1996) 45 Cal.App.4th 1802, 1817; *County of Sonoma, supra*, 84 Cal.App.4th 1265, 1280.

unsatisfactory evaluation to participate in a program to improve the employee's performance. Education Code section 44664, subdivision (b), stated the following:

Any evaluation performed pursuant to this article which contains an unsatisfactory rating of an employee's performance in the area of teaching methods or instruction *may* include the requirement that the certificated employee shall, as determined by the employing authority, participate in a program designed to improve appropriate areas of the employee's performance and to further pupil achievement and the instructional objectives of the employing authority.
(Emphasis added.)

The plain language of the statute authorizes, but does not mandate, a school district to require its certificated employees to participate in a program designed to improve performance if the employee receives an unsatisfactory evaluation. Thus, the Commission finds that Education Code section 44664, subdivision (b), as amended by Statutes 1983, chapter 498, does not mandate school districts to perform an activity and, thus, it is not subject to article XIII B, section 6 of the California Constitution.

Education Code section 44662, subdivision (d), and Education Code section 44664, subdivision (b), as amended by Statutes 1999, chapter 4. In 1999, the Legislature amended Education Code section 44664, subdivision (b), by adding the following underlined sentence:

Any evaluation performed pursuant to this article which contains an unsatisfactory rating of an employee's performance in the area of teaching methods or instruction may include the requirement that the certificated employee shall, as determined by the employing authority, participate in a program designed to improve appropriate areas of the employee's performance and to further pupil achievement and the instructional objectives of the employing authority. If a district participates in the Peer Assistance and Review Program for Teachers established pursuant to Article 4.5 (commencing with Section 44500), any certificated employee who receives an unsatisfactory rating on an evaluation performed pursuant to this section shall participate in the Peer Assistance and Review Program for Teachers.

The 1999 test claim legislation also amended Education Code section 44662 by adding subdivision (d), which states:

Results of an employee's participation in the Peer Assistance and Review Program for Teachers established by Article 4.5 (commencing with Section 44500) shall be made available as part of the evaluation conducted pursuant to this section.

The claimant requests reimbursement to "receive and review, for purposes of a certificated employee's assessment and evaluation, if applicable, the results of an employee's participation in the Peer Assistance and Review Program for Teachers established by Article 4.5 (commencing with section 44500.)"

²³ Exhibit A (Test Claim, page 7) to Item 9 of the May 27, 2004 Commission Hearing.

The Department of Finance contends that reviewing the results of the Peer Assistance and Review Program, as part of the Stull Act evaluation of the employee's performance, is not a reimbursable state-mandated activity because participation in the Peer Assistance and Review Program is voluntary.²⁴

In response to the Department of Finance, the claimant states the following:

The legislative intent behind the amendments to the Stull Act was to ensure that school districts adopt objective, uniform evaluation and assessment guidelines that effectively assess certificated employee performance. To meet this desired goal, school districts that participate in the Peer Assistance and Review Program must include an employee's results of participation in the employee's evaluation. If this information was not considered by the district, inconsistent, incomplete, and inaccurate evaluations and assessments would occur a result contrary to the Legislature's stated intent. Therefore, the claimant contends that the activities associated with the receipt and review of an employee's participation in the Peer Assistance and Review Program impose reimbursable state-mandated activities upon school districts.²⁵

For the reasons described below, the Commission finds that the receipt and review of the results of an employee's participation in the Peer Assistance and Review Program is not a state-mandated activity and, therefore, the 1999 amendments to Education Code sections 44662 and 44664 are not subject to article XIII B, section 6 of the California Constitution.

In *Department of Finance v. Commission on State Mandates*²⁶, the Supreme Court reviewed test claim legislation that required school site councils to post a notice and an agenda of their meetings. The court determined that school districts were not legally compelled to establish eight of the nine school site councils and, thus, school districts were not mandated by the state to comply with the notice and agenda requirements for these school site councils." The court reviewed the ballot materials for article XIII B, which provided that "a state mandate comprises something that a local government entity is required or forced to do."²⁸ The ballot summary by the Legislative Analyst further defined "state mandates" as "requirements imposed on local governments by legislation or executive orders."²⁹

The court also reviewed and affirmed the holding of the *City of Merced* case.^{30, 31} The court stated the following:

²⁴ Exhibit B to Item 9 of the May 27, 2004 Commission Hearing.

²⁵ Exhibit C (Claimant Rebuttal, page 7) to Item 9 of the May 27, 2004 Commission Hearing.

²⁶ *Department of Finance, supra*, 20 Cal.4th 727.

²⁷ *Id.* at page 731.

²⁸ *Id.* at page 737.

²⁹ *Ibid.*

³⁰ *Id.* at page 743,

³¹ *City of Merced v. State of California* (1984) 153 Cal.App.3d 777.

In *City of Merced*, the city was under no legal compulsion to resort to eminent domain-but when it elected to employ that means of acquiring property, its obligation to compensate for lost business goodwill was not a reimbursable state mandate, because the city was not required to employ eminent domain in the first place. Here as well, if a school district elects to participate in or continue participation in any underlying *voluntary* education-related funded program, the district's obligation to comply with the notice and agenda requirements related to that program does not constitute a reimbursable state mandate. (Emphasis in original.)³²

Thus, the Supreme Court held as follows:

[W]e reject claimants' assertion that they have been legally compelled to incur notice and agenda costs, and hence are entitled to reimbursement from the state, based merely upon the circumstance that notice and agenda provisions are mandatory elements of education-related programs in which claimants have participated, *without regard to whether claimant's participation in the underlying program is voluntary or compelled*. [Emphasis added.]³³

The Supreme Court left undecided whether a reimbursable state mandate "might be found in circumstances short of legal compulsion-for example, if the state were to impose a substantial penalty (independent of the program funds at issue) upon any local entity that declined to participate in a given program."³⁴

The decision of the California Supreme Court in *Department of Finance* is relevant and its reasoning applies in this case. The Supreme Court explained that "the proper focus under a legal compulsion inquiry is upon the nature of the claimants' participation in the underlying programs themselves."³⁵ Thus, based on the Supreme Court's decision, the Commission is required to determine if the underlying program (in this case, participation in the Peer Assistance and Review Program) is a voluntary decision at the local level or is legally compelled by the state.

The Peer Assistance and Review Program and the amendment to the Stull Act to reflect the Peer Assistance and Review Program were sponsored by Governor Davis and were enacted by the Legislature during the 1999 special legislative session on education. As expressly provided in the legislation, the intent of the Legislature, in part, was to coordinate the Peer Assistance and Review Program with the evaluations of certificated employees under the Stull Act. Section 1 of the 1999 test claim legislation states the following:

It is the intent of the Legislature to establish a teacher peer assistance and review system as a critical feedback mechanism that allows exemplary teachers to assist

³² *Ibid.*

³³ *Id.* at page 731.

³⁴ *Ibid.*

³⁵ *Id.* at page 743.

veteran teachers in need of development in subject matter knowledge or teaching strategies, or both,

It is further the intent of the Legislature that a school district that operates a program pursuant to Article 4.5 (commencing with Section 44500) of Chapter 3 of Part 25 of the Education Code coordinate its employment policies and procedures for that program with its activities for professional staff development, the Beginning Teacher Support and Assessment Program, and the biennial evaluations of certificated employees required pursuant to Section 44664 [of the Stull Act].

The plain language of Education Code section 44500, subdivision (a), authorizes, but does not require, school districts to participate in the Peer Assistance and Review Program. That section states in pertinent part that “[t]he governing board of a school district and the exclusive representative of the certificated employees in the school district *may* develop and implement a program authorized by this article that meets local conditions and conforms with the principles set forth in subdivision (b).” (Emphasis added.) If a school district implements the program, the program must assist a teacher to improve his or her teaching skills and knowledge, and provide that the final evaluation of a teacher’s participation in the program be made available for placement in the personnel file of the teacher receiving assistance. (Ed. Code, § 44500, subd. (b).) Furthermore, school districts that participate in the Peer Assistance and Review Program receive state funding pursuant to Education Code sections 44505 and 44506.

Therefore, the Commission finds that school districts are not legally compelled to participate in the Peer Assistance and Review Program and, thus, not legally compelled to receive and review the results of the program as part of the Stull Act evaluation.

The Commission further finds that school districts are not practically compelled to participate in the Peer Assistance and Review Program and review the results as part of the Stull Act evaluation. In *Department of Finance*, the California Supreme Court, when considering the practical compulsion argument raised by the school districts, reviewed its earlier decision in *City of Sacramento v. State of California* (1990) 50 Cal.3d 51.³⁶ The *City of Sacramento* case involved test claim legislation that extended mandatory coverage under the state’s unemployment insurance law to include state and local governments and nonprofit corporations. The state legislation was enacted to conform to a 1976 amendment to the Federal Unemployment Tax Act, which required for the first time that a “certified” state plan include unemployment coverage of employees of public agencies. States that did not comply with the federal amendment faced a loss of a federal tax credit and an administrative subsidy.³⁷ The local agencies, knowing that federally mandated costs are not eligible for state subvention, argued against a federal mandate. The local agencies contended that article XIII B, section 9 requires clear legal compulsion not present in the Federal Unemployment Tax Act.³⁸ The state, on the other hand, contended that California’s failure to comply with the federal “carrot and stick” scheme was so substantial that the state had no realistic “discretion” to refuse. Thus, the state

³⁶ *Department of Finance*, 30 Cal.4th 749-751.

³⁷ *City of Sacramento*, 50 Cal.3d 57-58.

³⁸ *Id.* at page 71.

contended that the test claim statute merely implemented a federal mandate and that article XIII B, section 6 does not require strict legal compulsion to apply.³⁹

The Supreme Court in *City of Sacramento* concluded that although local agencies were not strictly compelled to comply with the test claim legislation, the legislation constituted a federal mandate. The Supreme Court concluded that because the financial consequences to the state and its residents for failing to participate in the federal plan were so onerous and punitive, and the consequences amounted to “certain and severe federal penalties” including “double taxation” and other “draconian” measures, the state was mandated by federal law to participate in the plan.⁴⁰

The Supreme Court applied the same analysis in the *Department of Finance* case and found that the practical compulsion finding for a state mandate requires a showing of “certain and severe penalties” such as “double taxation” and other “draconian” consequences. The Court stated the following:

Even assuming, for purposes of analysis only, that our construction of the term “federal mandate” in *City of Sacramento* [citation omitted], applies equally in the context of article XIII B, section 6, for reasons set below we conclude that, contrary to the situation we described in that case, claimants here have not faced “certain and severe . . . penalties” such as “double . . . taxation” and other “draconian” consequences . . .⁴¹

Although there are statutory consequences for not participating in the Peer Assistance and Review Program, the Commission finds, as explained below, that the consequences do not constitute the type of draconian penalties described in the *Department of Finance* case.

Pursuant to Education Code section 44504, subdivision (b), school districts that do not participate in the Peer Assistance and Review Program are not eligible to receive state funding for specified programs. Education Code section 44504, subdivision (b), states the following:

A school district that does not elect to participate in the program authorized under this article by July 1, 200 1, is not eligible for any apportionment, allocation, or other funding from an appropriation for the program authorized pursuant to this article or for any apportionments, allocations, or other funding from funding for local assistance appropriated pursuant to the Budget Act Item 6 11 O-23 I-000 1, funding appropriated for the Administrator Training and Evaluation Program set forth in Article 3 (commencing with Section 44681) of Chapter 3.1 of Part 25, from an appropriation for the Instructional Time and Staff Development Reform Program as set forth in Article 7.5 (commencing with Section 44579) of Chapter 3, or from an appropriation for school development plans as set forth in Article 1 (commencing with Section 44670.1) of Chapter 3.1 and the Superintendent of Public Instruction shall not apportion, allocate, or otherwise provide any funds to the district pursuant to those programs.

³⁹ *Ibid.*

⁴⁰ *Id.* at pages 73-76.

⁴¹ *Department of Finance, supra*, 30 Cal.4th at page 75 1.

The funding appropriated under the programs specified in Education Code section 44504, subdivision (b), are not state-mandated programs. Most are categorical programs undertaken at the discretion of the school district in order to receive grant funds. For example, the funding appropriated pursuant to the Budget Act Item 6 11 O-23 I-0001 is local assistance funding to school districts “for the purpose of the Proposition 98 educational programs specified in subdivision (b) of Section 12.40 of this act.” (Stats. 1999, ch. 50, State Budget Act.) The education programs specified in subdivision (b) of Section 12.40 of the 1999 State Budget Act include the Tenth Grade Counseling Program, the Reader Service for Blind Teacher Program, and the Home to School Transportation Program. (A full list of the educational programs identified in section 12.40 of the 1999 State Budget Act is provided in the footnote below.)⁴³

The same is true for the other programs identified in Education Code section 44504, subdivision (b), all of which are voluntary: i.e., the Administrator Training and Evaluation Program, the Instructional Time and Staff Development Reform Program, and the School Development Plans Program.

Accordingly, the Commission finds that the 1999 amendment to Education Code sections 44662, subdivision (d), and 44664, subdivision (b), does not impose a mandate on school districts to receive and review the results of the Peer Assistance and Review Program as part of the Stull Act

⁴³ Section 12.40 of the 1999 State Budget Act identifies the following programs: Item 6 1 10-108-000 1 Tenth Grade Counseling (Ed. Code, § 4843 1.7); Item 6 1 10- 11 0-0001 Reader Service for Blind Teachers (Ed. Code, §§ 45371, 44925); Item 6110-1 1 1-0001 – Home to School Transportation and Small District Transportation (Ed. Code, § 41850, 42290); Item 611 O-1 16-0001 – School Improvement Program (Ed. Code, § 52000 et seq.); Item 611 O-1 18-0001 – State Vocational Education (in lieu of funds otherwise appropriated pursuant to Business and Professions Code section 19632); Item 6 1 IO- 119-0001 Educational Services for Foster Youth (Ed. Code, § 42920 et seq.); Item 6 1 10- 120-000 1 – Pupil Dropout Prevention Programs (Ed. Code, §§ 52890, 52900, 54720, 58550); Item 6110-122-0001 – Specialized Secondary Programs (Ed. Code, § 58800 et seq.); Item 611 O-124-0001 Gifted and Talented Pupil Program (Ed. Code, § 52200 et seq.); Item 611 O-126-0001 – Miller-Unruh Basic Reading Act of 1965 (Ed. Code, § 54100 et seq.); Item 611 O-127-0001 – Opportunity Classes and Programs (Ed. Code, § 48643 et seq.); Item 6110-128-0001 – Economic Impact Aid (Ed. Code, §§ 54020, 5403 1, 54033, 54040); Item 61 10- 13 1-0001 American Indian Early Childhood Education Program (Ed. Code, § 52060 et seq.); Item 6110-1 46-0001 – Demonstration Programs in Intensive Instruction (Ed. Code, § 5 8600 et seq.); Item 6 1 10- 15 1-000 1 – California Indian Education Centers (Ed. Code, § 33380); Item 6110-163-0001 The Early Intervention for School Success Program (Ed. Code, § 54685 et seq.); Item 6110-167-0001 – Agricultural Vocational Education Incentive Program (Ed. Code, § 52460 et seq.); Item 6 11 O-1 80-0001 grant money pursuant to the federal Technology Literacy Challenge Grant Program; Item 6 11 0-18 1-000 1 Educational Technology Programs (Ed. Code, § 5 1870 et seq.); Item 6 1 10- 193-000 1 – Administrator Training and Evaluation Program, School Development Plans and Resource Consortia, Bilingual Teacher Training Program; Item 6 1 10- 197-0001 – Instructional Support-Improving School Effectiveness – Intersegmental Programs; Item 6110-203-0001 Child Nutrition Programs (Ed. Code, §§ 41311, 49536, 49501, 49550, 49552, 49559); Item 6110-204-000 1 – 7th and 8th Grad Math Academies; and Item 6 11 O-209-000 1 – Teacher Dismissal Apportionments (Ed. Code, § 44944).

evaluation and, thus, these sections are not subject to article XIII B, section 6 of the California Constitution.

The remaining requirements imposed by the test claim legislation constitute a state-mandated program only for those certificated employees that perform the duties mandated by state and federal law.

The remaining test claim legislation requires school districts, in their evaluation of certificated personnel, to perform the following activities:

- assess and evaluate the performance of non-instructional certificated personnel (former Ed. Code, §§ 13485, 13487, as amended by Stats. 1975, ch. 1216; Ed. Code, § 44663, as amended by Stats. 1986, ch. 393);
- establish standards of expected student achievement at each grade level in each area of study to be included in a district's evaluation and assessment guidelines (former Ed. Code, § 13487, as repealed and reenacted by Stats. 1975, ch. 1216);
- evaluate and assess the performance of instructional certificated employees as it reasonably relates to the instructional techniques and strategies used by certificated employees, the certificated employee's adherence to curricular objectives, and the progress of pupils towards the state adopted academic content standards (Ed. Code, § 44662, subd. (b), as amended by Stats. 1983, ch. 498 and Stats. 1999, ch. 4); and
- assess and evaluate certificated personnel that receive an unsatisfactory evaluation once each year until the employee achieves a positive evaluation, or is separated from the school district (Ed. Code, § 44664, as amended by Stats. 1983, ch. 498).

Pursuant to the Supreme Court's decision in the *Department of Finance* case, the Commission finds that the evaluation and assessment activities required by the test claim legislation constitute state-mandated activities only for those certificated employees that perform the duties mandated by state or federal law. The activities associated with evaluating and assessing certificated personnel employed in local, discretionary educational programs do not constitute state-mandated activities and, thus, are not subject to article XIII B, section 6 of the California Constitution.

In *Department of Finance, supra*, the Court found, on page 731 of the decision, that:

[W]e reject claimants' assertion that they have been legally compelled to incur notice and agenda costs, and hence are entitled to reimbursement from the state, based merely upon the circumstance that notice and agenda provisions are mandatory elements of education-related program in which claimants have participated, without regard to whether claimant's participation in the underlying program is voluntary or compelled. [Emphasis added.]

In the present case, the California Constitution gives the Legislature plenary authority over education by requiring the Legislature to encourage by all suitable means the promotion of education and to provide for a system of common schools.⁴³ A system of common schools

⁴³ California Constitution, article IX, sections 1, 5; *Hayes v. Commission on State Mandates* (1992) 11 Cal. App.4th 1564, 1579, fn. 5.

means one system, which prescribes the courses of study and educational progression from grade to grade.⁴⁴ Schools are required to meet the minimum standards and guidelines regarding course instruction and educational progression established by the Legislature.⁴⁵

Given this background, the Legislature has historically mandated specified educational programs that school districts are required to follow. For example, Education Code section 48200 provides that each person between the ages of six and 18 years is subject to compulsory full-time education. School districts are required to adopt a course of study for grades 1 to 6 that shall include English, Mathematics, Social Sciences, Science, Visual and Performing Arts, Health, and Physical Education.⁴⁶ School districts are required to offer the following courses for grades 7 to 12: English, Social Sciences, Foreign Language, Physical Education, Science, Mathematics, Visual and Performing Arts, Career Technical Education; and Driver Education.⁴⁷ Education Code section 5 1225.3 describes the state-mandated courses of instruction required for high school graduation. In addition, in the appropriate elementary and secondary grade levels, the required course of study shall include instruction in personal and public safety and accident prevention (Ed. Code, § 5 1202), instruction about the nature and effects of alcohol, narcotics, and restricted dangerous drugs (Ed. Code, § 5 1203), and, in grades 7 and 8, instruction on parenting skills and education (Ed. Code, 5 1220.5). Finally, Education Code section 44805 states that “every teacher in the public schools shall enforce the course of study . . . prescribed for schools.”

In addition, federal law requires school districts to provide a free and appropriate education to all handicapped children.⁴⁸

Thus, school districts are required to employ certificated personnel to fulfill the requirements of the state and federal mandated educational programs. Accordingly, pursuant to the *Department of Finance* case, school districts are mandated by the state to perform the test claim requirements to evaluate and assess the certificated personnel performing the mandated functions.

Moreover, the Commission finds that the test claim requirements to evaluate and assess the certificated personnel performing mandated functions constitutes a program subject to article XIII B, section 6 of the California Constitution. The California Supreme Court, in the case of *County of Los Angeles v. State of California*⁴⁹, defined the word “program” within the meaning of article XIII B, section 6 as a program that carries out the governmental function of providing a

⁴⁴ *Wilson v. State Board of Education* (1999) 75 Cal.App.4th 1123, 1135-1 136. In *Wilson*, the court determined that charter schools fall within the system of common schools because their educational programs are required to meet the same state standards, including minimum duration of instruction applicable to all public schools, measurement of student progress by the same assessments required of all public school students, and students are taught by teachers meeting the same minimum requirements as all other public school teachers. (ICE. at p. 1138.)

⁴⁵ *Burton v. Pasadena City Board of Education* (1977) 71 Cal.App.3d 52, 58.

⁴⁶ Education Code section 5 1210.

⁴⁷ Education Code section 5 1220.

⁴⁸ *Hayes, supra*, 11 Cal.App.4th at page 1592.

⁴⁹ *County of Los Angeles, supra*, 43 Cal.3d at page 56.

service to the public, or laws which, to implement a state policy, impose unique requirements on local governments and do not apply generally to all residents and entities in the state, Only one of these findings is necessary to trigger the applicability of article XIII B, section 6.⁵⁰

Legislative intent of the test claim legislation is provided in Education Code section 44660 as follows:

It is the intent of the Legislature that governing boards establish a uniform system of evaluation and assessment of the performance of all certificated personnel within each school district of the state, including schools conducted or maintained by county superintendents of education. The system shall involve the development and adoption by each school district of objective evaluation and assessment guidelines, which may, at the discretion of the governing board, be uniform throughout the district, or for compelling reasons, be individually developed for territories or schools within the district, provided that all certificated personnel of the district shall be subject to a system of evaluation and assessment adopted pursuant to this article?

The Commission finds that objectively evaluating the performance of certificated personnel performing mandated functions within a school district carries out the governmental function of providing a service to the public. Public education is a governmental function within the meaning of article XIII B, section 6. The California Supreme Court in *Lucia Mar* stated that “the contributions called for [in the test claim legislation] are used to fund a ‘program’ . . . for the education of handicapped children is clearly a governmental function providing a service to the public.”⁵² Additionally, the court in the *Long Beach Unified School District* case held that “although numerous private schools exist, education in our society is considered to be a peculiarly governmental function.”⁵³ In addition, the test claim legislation imposes unique requirements on school districts.

However, the activities associated with evaluating and assessing certificated personnel employed in local, discretionary educational programs do not constitute state-mandated activities and, thus, are not subject to article XIII B, section 6 of the California Constitution. Pursuant to existing law, school districts are encouraged to develop their own local programs that best fit the needs and interests of the pupils. Unless the Legislature expressly imposes statutory requirements on school districts, school districts have discretionary control with their educational programs.”

⁵⁰ *Carmel Valley Fire Protection Dist.*, *supra*, 190 Cal.App.3d at page 537.

⁵¹ As originally enacted, former Education Code section 13485 stated the legislative intent as follows: “It is the intent of the Legislature to establish a uniform system of evaluation and assessment of the performance of certificated personnel within each school district of the state. The system shall involve the development and adoption by each school district of objective evaluation and assessment guidelines.”

⁵² *Lucia Mar*, *supra*, 44 Cal.3d at page 835.

⁵³ *Long Beach Unified School District*, *supra*, 225 Cal.App.3d at page 172.

⁵⁴ California Constitution, article IX, section 14; Education Code sections 35 160, 35 160.1, 51002,

For example, the Supreme Court in the *Department of Finance* case found that eight of the nine educational programs were voluntary and not mandated by the state. These include the following programs: School Improvement Program (Ed. Code, § 52010 et seq.); American Indian Early Childhood Education Program (Ed. Code, § 52060 et seq.); School-Based Coordinated Categorical Program (Ed. Code, § 52850 et seq.); Compensatory Education Programs (Ed. Code, § 54420 et seq.); Migrant Education Program (Ed. Code, § 54440 et seq.); Motivation and Maintenance Program (Ed. Code, § 54720 et seq.); Parental Involvement Program (Ed. Code, § 11500 et seq.); and Federal Indian Education Program (25 U.S.C, § 2604).⁵⁵

The Commission finds that school districts are free to discontinue their participation in these underlying voluntary programs and free to discontinue employing certificated personnel funded by these programs. Accordingly, the test claim requirements to evaluate and assess certificated personnel funded or employed in local discretionary programs are not mandated by the state and not subject to article XIII B, section 6 of the California Constitution?

Since the parties did not file comments in response to the request for additional briefing on this issue, the determination of the certificated employees performing mandated functions for which schools districts are eligible to receive reimbursement will be addressed during the parameters and guidelines phase.

Issue 2: Does the test claim legislation impose a new program or higher level of service within the meaning of article XIII B, section 6 of the California Constitution?

The California Supreme Court and the courts of appeal have held that article XIII B, section 6 was not intended to entitle local agencies and school districts for all costs resulting from legislative enactments, but only those costs mandated by a new program or higher level of service imposed on them by the state.⁵⁷ Generally, to determine if the program is new or imposes a higher level of service, the analysis must compare the test claim legislation with the legal requirements in effect immediately before the enactment of the test claim legislation?

As indicated above, the Stull Act was enacted in 1971. The test claim legislation, enacted from 1975 to 1999, amended the Stull Act. The issue is whether the amendments constitute a new program or higher level of service within the meaning of article XIII B, section 6 of the California Constitution.

⁵⁵ *Department of Finance, supra*, 30 Cal.4th at page 745.

⁵⁶ The court did not conclude whether school districts were legally compelled to participate in the Bilingual-Bicultural Education program (Ed. Code, § 52160 et seq.) since the case was denied on other grounds. (*Department of Finance, supra*, 30 Cal.4th at p. 746-747.)

⁵⁷ *Lucia Mar Unified School Dist., supra*, 44 Cal.3d at page 834; *City of San Jose v. State of California* (1996) 45 Cal.App.4th 1802, 1816.

⁵⁸ *Lucia Mar Unified School Dist., supra*, 44 Cal.3d at page 835.

Develop job responsibilities for certificated non-instructional personnel, and assess and evaluate the performance of certificated non-instructional personnel (Former Ed. Code, §§ 13485, 13487, as amended by Stats, 1975, ch. 1216; Ed. Code, § 44663, as amended by Stats, 1986, ch. 393).

The claimant is requesting reimbursement for the following activities relating to certificated non-instructional employees:

- Establish and define job responsibilities for certificated non-instructional personnel, including, but not limited to, supervisory and administrative personnel.
- Evaluate and assess the performance of certificated non-instructional personnel as it reasonably relates to the fulfillment of the established job responsibilities.
- Prepare and draft a written evaluation of the certificated non-instructional employee. The evaluation shall include recommendations, if necessary, as to areas of improvement.
- Receive and review from a certificated non-instructional employee written responses regarding the evaluation.
- Prepare and hold a meeting between the certificated non-instructional employee and the evaluator to discuss the evaluation and assessment.⁵⁹

As originally enacted in 1971, the Stull Act stated in former Education Code section 13485 the following:

It is the intent of the Legislature to establish a uniform system of evaluation and assessment of the performance of certificated personnel within each school district of the state. The system shall involve the development and adoption by each school district of objective evaluation and assessment guidelines.

Former Education Code section 13486 stated the following:

In the development and adoption of these guidelines and procedures, the governing board shall avail itself of the advice of the certificated instructional personnel in the district's organization of certificated personnel.

Former Education Code section 13487 required school districts to develop and adopt specific evaluation and assessment guidelines for certificated personnel. Former section 13487 stated the following:

The governing board of each school district shall develop and adopt specific evaluation and assessment guidelines which shall include but shall not necessarily be limited in content to the following elements:

- (a) The establishment of standards of expected student progress in each area of study and of techniques for the assessment of that progress.
- (b) Assessment of certificated personnel as it relates to the established standards.
- (c) Assessment of other duties normally required to be performed by certificated employees as an adjunct to their regular assignments.

⁵⁹ Exhibit A (Test Claim, page 6) to Item 9 of the May 27, 2004 Commission Hearing.

- (d) The establishment of procedures and techniques for ascertaining that the certificated employee is maintaining proper control and is preserving a suitable learning environment.

Former Education Code section 13488 required that the evaluation and assessment be reduced to writing, that an opportunity to respond be given to the certificated employee, and that a meeting be held between the certificated employee and the evaluator to discuss the evaluation. Former section 13488 stated the following:

Evaluation and assessment made pursuant to this article shall be reduced to writing and a copy thereof shall be transmitted to the certificated employee not later than 60 days before the end of each school year in which the evaluation takes place. The certificated employee shall have the right to initiate a written reaction or response to the evaluation. Such response shall become a permanent attachment to the employee's personnel file. Before the end of the school year, a meeting shall be held between the certificated personnel and the evaluator to discuss the evaluation.

And, former Education Code section 13489 required that the evaluation and assessment be performed on a continuing basis, and that the evaluation include necessary recommendations as to areas of improvement. Former Education Code section 13489, as enacted in 1971, stated the following:

Evaluation and assessment of the performance of each certificated employee shall be made on a continuing basis, at least once each school year for probationary personnel, and at least every other year for personnel with permanent status. The evaluation shall include recommendations, if necessary, as to areas of improvement in the performance of the employee. In the event an employee is not performing his duties in a satisfactory manner according to the standards prescribed by the governing board, the employing authority shall notify the employee in writing of such fact and describe such unsatisfactory performance. The employing authority shall thereafter confer with the employee making specific recommendations as to areas of improvement in the employee's performance and endeavor to assist him in such performance.

In addition, section 42 of the 1971 statute provided a specific exemption for certificated employees of community colleges if a related bill was enacted. Section 42 stated the following:

Article 5 (commencing with Section 1340 1) and Article 5.5 (commencing with Section 13485) of Chapter 2 of Division 10 of the Education Code shall not apply to certificated employees in community colleges if Senate Bill No. 696 or Assembly Bill No. 3032 is enacted at the 1971 Regular Session of the Legislature.

According to the history, Senate Bill 696 was enacted as Statutes 1971, chapter 1654. **Thus**, certificated employees of community colleges were not required to comply with the Stull Act.

In 1972, former Education Code section 13485 was amended to specifically exclude from the requirements of the Stull Act certificated personnel employed on an hourly basis in adult education classes.⁶⁰

In 1973, former Education Code section 13489 was amended to exclude hourly and temporary certificated employees and substitute teachers, at the discretion of the governing board, from the requirement to evaluate and assess on a continuing basis.⁶¹

Thus, under prior law, school districts were required to perform the following activities as they related to “certificated personnel:”

- Develop and adopt specific evaluation and assessment guidelines for the performance of “certificated personnel.”
- Evaluate and assess “certificated personnel” as it relates to the established standards.
- Prepare and draft a written evaluation of the “certificated employee.” The evaluation shall include recommendations, if necessary, as to areas of improvement.
- Receive and review from a “certificated employee” written responses regarding the evaluation.
- Prepare and hold a meeting between the “certificated employee” and the evaluator to discuss the evaluation and assessment.

The test claim legislation, in 1975 (Stats. 1975, ch. 1216), amended the Stull Act by adding language relating to certificated “non-instructional” employees. As amended, former Education Code section 13485 stated in relevant part the following (with the amended language underlined) :

It is the intent of the Legislature that governing boards establish a uniform system of evaluation and assessment of the performance of all certificated personnel within each school district of the state

Former Education Code section 13487 was also repealed and reenacted by Statutes 1975, chapter 12 16, as follows (amendments relevant to this issue are underlined):

- (a) The governing board of each school district shall establish standards of expected student achievement at each grade level in each area of study.
- (b) The governing board of each school district shall evaluate and assess certificated employee competency as it reasonably relates to (1) the progress of students toward the established standards, (2) the performance of those noninstructional duties and responsibilities, including supervisory and advisory duties, as may be prescribed by the board, and (3) the establishment and maintenance of a suitable learning environment within the scope of the employee’s responsibilities.

⁶⁰ Statutes 1972, chapter 535.

⁶¹ Statutes 1972, chapter 1973.

- (c) The governing board of each school district shall establish and define job responsibilities for those certificated noninstructional personnel, including, but not limited to, supervisorv and administrative personnel, whose responsibilities cannot be evaluated appropriately under the provisions of subdivision (b), and shall evaluate and assess the competency of such noninstructional employees as it reasonably relates to the fulfillment of those responsibilities. . . .

The 1975 test claim legislation did not amend the requirements in fonner Education Code sections 13488 or 13489 to prepare written evaluations of certificated employees, receive responses to those evaluations, and conduct a meeting with the certificated employee to discuss the evaluation.

Additionally, in 1986, the test claim legislation (Stats. 1986, ch. 393) amended Education Code section 44663 (which derived from former Ed. Code, § 13488) by adding subdivision (b) to provide that the evaluation and assessment of certificated non-instructional employees shall be reduced to writing before June 30 of the year that the evaluation is made, that an opportunity to respond be given to the certificated non-instructional employee, and that a meeting be held between the certificated non-instructional employee and the evaluator to discuss the evaluation before July 30. Education Code section 44663, subdivision (b), as added by the test claim legislation, states the following:

In the case of a certificated noninstructional employee, who is employed on a 12-month basis, the evaluation and assessment made pursuant to this article shall be reduced to writing and a copy thereof shall be transmitted to the certificated employee no later than June 30 of the year in which the evaluation and assessment is made. A certificated noninstructional employee, who is employed on a 12-month basis shall have the right to initiate a written reaction or response to the evaluation. This response shall become a permanent attachment to the employee's personnel file. Before July 30 of the year in which the evaluation and assessment take place, a meeting shall be held between the certificated employee and the evaluator to discuss the evaluation and assessment.

The claimant contends that the Stull Act, as originally enacted in 197 1, required the assessment and evaluation of teachers, or certificated instructional employees, only. The claimant argues that when the Stull Act was amended in 1975 and 1986, it added the requirement for schools districts to develop job responsibilities to assess and evaluate the performance of non-instructional personnel. The claimant contends that under the rules of statutory construction, an amendment indicates the legislative intent to change the law. The claimant contends that this amendment imposed additional activities on school districts to develop job responsibilities and evaluate certificated non-instructional employees, which constitute a higher level of service?

The Department of Finance argues that school districts have always had the requirement to assess and evaluate non-instructional personnel because the original legislation enacted in 197 1 refers to all certificated personnel. The Department of Finance contends that the subsequent

⁶² Exhibit C to Item 9 of the May 27, 2004 Commission Hearing.

amendments that specifically list certificated non-instructional personnel, were clarifying edits and not new requirements.⁶³

The Stull Act was an existing program when the test claim legislation was enacted. Thus, the issue is whether the 1975 and 1986 amendments to the Stull Act mandated an increased, or higher level of service to develop job responsibilities and to evaluate and assess certificated non-instructional employees. In 1987, the California Supreme Court in *County of Los Angeles v. State of California* expressly stated that the term “higher level of service” must be read in conjunction with the phrase “new program.” Both are directed at *state-mandated increases in the services* provided by local agencies?”

In 1990, the Second District Court of Appeal decided the *Long Beach Unified School District* case, which challenged a test claim filed with the Board of Control on executive orders issued by the Department of Education to alleviate racial and ethnic segregation in schools.⁶⁵ The court determined that the executive orders did not constitute a “new program” since schools had an existing constitutional obligation to alleviate racial segregation? However, the court found that the executive orders constituted a “higher level of service” because the requirements imposed by the state went beyond constitutional and case law requirements. The court stated in relevant part the following:

The phrase “higher level of service” is not defined in article XIII B or in the ballot materials. [Citation omitted.] A mere increase in the cost of providing a service which is the result of a requirement mandated by the state is not tantamount to a higher level of service. [Citation omitted.] However, a review of the Executive Order and guidelines shows that a higher level of service is mandated because the requirements go beyond constitutional and case law requirements. . . . While these steps fit within the “reasonably feasible” description of [case law], the point is that these steps are no longer merely being suggested as options which the local school district may wish to consider but are *required acts*. *These requirements constitute a higher level of service*. We are supported in our conclusion by the report of the Board to the Legislature regarding its decision that the Claim is reimbursable: “Only those costs that are above and beyond the regular level of service for like pupils in the district are reimbursable.”^{67, 68}

⁶³ Exhibit B to Item 9 of the May 27, 2004 Commission Hearing.

⁶⁴ *County of Los Angeles, supra*, 43 Cal.3d at page 56.

⁶⁵ *Long Beach Unified School District, supra*, 225 Cal.App.4th 155.

⁶⁶ *Id.* at page 173.

⁶⁷ *Ibid.*, emphasis added.

⁶⁸ See also, *County of Los Angeles v. Commission on State Mandates* (2003) 110 Cal.App.4th 1176, 1193- 1194, where the Second District Court of Appeal followed the earlier rulings and held that in the case of an existing program, reimbursement is required only when the state is divesting itself of its responsibility to provide fiscal support for a program, or is forcing a new program on a locality for which it is ill-equipped to allocate funding.

Thus, in order for the 1975 and 1986 amendments to the Stull Act, relating to certificated non-instructional personnel, to impose a new program or higher level of service, the Commission must find that the state is imposing new required acts or activities on school districts beyond those already required by law.

For the reasons described below, the Commission finds that school districts have been required to develop job responsibilities for certificated non-instructional employees, evaluate and assess certificated non-instructional employees, draft written evaluations of certificated non-instructional employees, receive and review written responses to the evaluation from certificated non-instructional employees, and conduct meetings regarding the evaluation with certificated non-instructional employees under the Stull Act since 1971, before the enactment of the test claim legislation.

Claimant argues that the statutory amendments to the Stull Act, by themselves, reflect the legislative intent to change the law. However, the intent to change the law may not always be presumed by an amendment, as suggested by the claimant. The court has recognized that changes in statutory language can be intended to clarify the law, rather than change it,

We assume the Legislature amends a statute for a purpose, but that purpose need not necessarily be to change the law. [Citation.] Our consideration of the suwounding circumstances can indicate that the Legislature made . . . changes in statutory language in an effort only to clarify a statute's true meaning. [Citations omitted.]”

Thus, to determine whether the Stull Act, as originally enacted in 1971, applied to all certificated employees of a school district, instructional and non-instructional employees alike, the Commission must apply the rules of statutory construction. Under the rules of statutory construction, the first step is to look at the statute's words and give them their plain and ordinary meaning. Where the words of the statute are not ambiguous, they must be applied as written and may not be altered in any way. Moreover, the intent must be gathered with reference to the whole system of law of which it is a part so that all may be harmonized and have effect.⁶⁹

As indicated by the plain language of former Education Code sections 13485, 13487, 13488, and 13489, school districts were required under prior law to develop evaluation and assessment guidelines for the evaluation of “certificated” employees, evaluate and assess “certificated” employees on a continuing basis, draft written evaluations of “certificated” employees, receive and review written response to the evaluation from “certificated” employees, and conduct meetings regarding the evaluation with “certificated” employees. The plain language of these statutes does not distinguish between instructional employees (teachers) and non-instructional employees (principals, administrators), or specifically exclude certificated non-instructional employees. When read in context with the whole system of law of which these statutes are a part, the requirements of the Stull Act originally applied to *all* certificated employees under prior law.

As enacted, the Stull Act was placed in Chapter 2 of Division 10 of the 1971 Education Code, a chapter addressing “Certificated Employees.” Certificated employees are those employees

⁶⁹ *Western Security Bank v. Superior Court* (1997) 15 Cal.4th 232, 243.

⁷⁰ *People v. Thomas* (1992) 4 Cal.4th 206, 210.

directly involved in the educational process and include both instructional and non-instructional employees such as teachers, administrators, supervisors, and principals.” Certificated employees must be properly credentialed for the specific position they hold.” A “certificated person” was defined in former Education Code section 12908 as “a person who holds one or more documents such as a certificate, a credential, or a life diploma, which singly or in combination license the holder to engage in the school service designated in the document or documents.” The definition of “certificated person” governs the construction of Division 10 of the former Education Code and is not limited to instructional employees.⁷³

Thus, the plain language of former Education Code sections 13485, 13487, 13488, and 13489 read within the context of Chapter 2 of Division 10 of the 1971 Education Code, a division that governs both instructional and non-instructional certificated employees, required school districts to develop evaluation and assessment guidelines and to evaluate both instructional and non-instructional certificated employees based on the guidelines on a continuing basis.

In addition, former Education Code section 13486, as enacted in 1971, expressly required school districts to avail themselves “of the advice of the *certificated instructional personnel* in the district’s organization of certificated personnel” when developing and adopting the evaluation guidelines. (Emphasis added.) Former Education Code sections 13485, 13487, 13488, and 13489, enacted at the same time, did not limit the evaluation and assessment requirements to “certificated instructional personnel” only. Rather, “certificated employees” were required to be evaluated. Thus, had the Legislature intended to require school districts to evaluate and assess only teachers, as argued by claimant, they would have limited the requirements of former Education Code sections 13485, 13487, 13488, 13489 to “certificated instructional personnel.” Under the rules of statutory construction, the Commission is prohibited from altering the plain language of a statute, or writing into a statute, by implication, express requirements that the Legislature itself has not seen fit to place in the statute.⁷⁴

Moreover, under prior law, the Legislature expressly excluded certain types of certificated employees from the requirements of the Stull Act, and never expressly excluded non-instructional employees. When the Stull Act was originally enacted in 1971, the Legislature excluded employees of community colleges from the requirements.⁷⁵ In 1972, the Legislature revisited the Stull Act and expressly excluded certificated personnel employed on an hourly basis in adult education classes.⁷⁶ In 1973, school districts were authorized to exclude hourly and temporary certificated employees, and substitute teachers from the evaluation requirement.⁷⁷ Under the rules of statutory construction, where exceptions to a general rule are specified by

⁷¹ Former Education Code section 13 187 et seq. of the 1971 Education Code.

⁷² Former Education Code section 1325 1 et seq. of the 1971 Education Code.

⁷³ Former Education Code 12901 of the 1971 Education Code.

⁷⁴ *Whitcomb v. California Employment Commission* (1944) 24 Cal.2d 753, 757; *In re Rudy L.* (1994) 29 Cal.App.4th 1007, 1011.

⁷⁵ Section 42 of Statutes 1971, chapter 361.

⁷⁶ Statutes 1972, chapter 535.

⁷⁷ Statutes 1973, chapter 220.

statute, other exceptions are not to be implied or presumed, absent a discernible and contrary legislative intent.⁷⁸ Thus, it cannot be implied from the plain language of the legislation that the Legislature intended to exclude certificated non-instructional employees from the requirements of the Stull Act.

The conclusion that the Stull Act applied to non-instructional employees under prior law is further supported by case law. In 1977, the First District Court of Appeal considered *Grant v. Adams*.⁷⁹ The *Grant* case involved a school district employee who was a certified teacher with credentials as an administrator who had been serving as a principal (a non-instructional employee) of an elementary school from 1973 through 1974. In May 1974, the employee was reassigned and demoted to a teaching position for the 1974- 1975 school year.⁸⁰ The employee made the argument that the Stull Act, when coupled with other statutory provisions, created a property interest in his position as a principal and required that an evaluation be conducted before termination of an administrative assignment. The court disagreed with the employee's argument, holding that the Stull Act evaluation was not a precondition to reassignment or dismissal.*⁸¹ When analyzing the issue, the court made the following findings:

In 1971, the Legislature passed the so-called "Stull Act," Education Code sections 13485-13490. Among other things the Stull Act required that all school districts establish evaluation procedures for certificated personnel. (Ed. Code, § 13485.) *The state board of education developed guidelines for evaluation of administrators and teachers pursuant to the Stull Act. Respondents [school district] adopted those guidelines without relevant change in June 1972. The guidelines called for evaluation of personnel on permanent status at least once every two years. Appellant was given no evaluation pursuant to the guidelines. (Emphasis added.)*⁸²

In 1979, the California Supreme Court decided *Miller v. Chico Unified School District Board of Education*, a case with similar facts.⁸³ In the *Miller* case, the employee was a principal of a junior high school from 1958 until 1976, when he was reassigned to a teaching position. In 1973, the school board adopted procedures to formally evaluate administrators pursuant to the Stull Act.⁸⁴ The employee received a Stull Act evaluation in 1973, 1974, and 1975.⁸⁵ In 1976, the school board requested the employee's cooperation in his fourth annual Stull evaluation report, but the employee refused on advice of counsel.⁸⁶ The employee sought reinstatement to

⁷⁸ *People v. Galambos* (2002) 104 Cal.App.4th 1147.

⁷⁹ *Grant v. Adams* (1977) 69 Cal.App.3d 127.

⁸⁰ *Id.* at page 130.

⁸¹ *Id.* at pages 134-135.

⁸² *Id.* at page 143, footnote 3.

⁸³ *Miller v. Chico Unified School District Board of Education* (1979) 24 Cal.3d 703.

⁸⁴ *Id.* at page 707.

⁸⁵ *Id.* at pages 708-710, 717.

⁸⁶ *Id.* at page 709.

his position as a principal on the ground that the school board failed to comply with the Stull Act.⁸⁷ The court denied the employee's request and made the following findings:

The record indicates, however, that the school board substantially complied with the Stull Act's mandate that the board fix performance guidelines for its certificated personnel, evaluate plaintiff in light of such guidelines, inform plaintiff of the results of any evaluation, and suggest to plaintiff ways to improve his performance.

The school board's guidelines provide for annual evaluations of supervisory personnel; accordingly, the board evaluated plaintiff in 1973, 1974, and 1975. Although plaintiff received generally satisfactory evaluations in 1973 and 1974, the board's evaluation report in 1974 contains suggestions for specific areas of improvement. . . .

Plaintiff's final Stull Act evaluation in June 1975 plainly notified plaintiff "in writing" of any unsatisfactory conduct on his part, and in addition provided a forum for plaintiff's supervisors to make "specific recommendations as to areas of improvement in the employee's performance and endeavor to assist him in such performance." [Former Ed. Code, § 13489.]

The court is surely obligated to understand the purpose of . . . [the Stull Act] and to apply those sections to the relevant facts.**

Finally, the legislative history of the 1986 test claim legislation supports the conclusion that the specific language added to the Stull Act was not intended to impose new required acts on school districts. As stated above, the test claim legislation (Stats. 1986, ch. 393) amended Education Code section 44663 by adding subdivision (b) to provide that the evaluation and assessment of certificated non-instructional employees shall be reduced to writing before June 30 of the year that the evaluation is made, that an opportunity to respond be given to the certificated non-instructional employee, and that a meeting be held between the certificated non-instructional employee and the evaluator to discuss the evaluation before July 30. The legislative history of Statutes 1986, chapter 393 (Assem. Bill No. 3878) indicates that the purpose of the bill was to extend for 45 days the *current* requirement for the evaluation of certificated non-instructional employees.⁸⁹ The analysis of Assembly Bill 3878 by the Assembly Education Committee, dated

⁸⁷ *Id.* at page 7 16.

⁸⁸ *Id.* at pages 717-718.

⁸⁹ Letter from San Diego Unified School District to the Honorable Teresa Hughes, Chairperson of the Assembly Education Committee, on Assembly Bill 3878, April 4, 1986; Assembly Education Committee, Republican Analysis on Assembly Bill 3878, April 7, 1986; Department of Finance, Enrolled Bill Report on Assembly Bill 3878, April 21, 1986; Legislative Analyst, Analysis of Assembly Bill 3878, April 24, 1986; Assembly Education Committee, Republican Analysis on Assembly Bill 3878, April 26, 1986; Senate Committee on Education, Staff Analysis on Assembly Bill 3878, May 28, 1986; Legislative Analyst, Analysis of Assembly Bill 3878, June 18, 1986. (Exhibit I to Item 9 of the May 27, 2004 Commission Hearing.)

April 7, 1986, states the following:

Current statute requires evaluations of noninstructional certificated employees on 12 month contracts to be conducted within 30 days before the last school day. This apparently is a problem for San Diego [Unified School District] because all evaluations are jammed in at the end of the school year. They feel it would make more sense to allow extra time to evaluate those on 12 month contracts and spread the process out over a longer period of time.⁹⁰

The April 24, 1986 analysis of Assembly Bill 3878 by the Legislative Analyst states the following:

Our review indicates that this bill does not mandate any new duties on school district governing boards, but simply extends the date by which evaluations of certain certificated employees must be completed.”

Based on the foregoing authorities, the Commission finds that school districts were required under prior law to perform the following activities:

- Develop and adopt specific evaluation and assessment guidelines for the performance of certificated non-instructional personnel.
- Evaluate and assess certificated non-instructional personnel as it relates to the established standards.
- ✓ Prepare and draft a written evaluation of the certificated non-instructional employee. The evaluation shall include recommendations, if necessary, as to areas of improvement.
- ✓ Receive and review from a certificated non-instructional employee written responses regarding the evaluation.
- ✓ Prepare and hold a meeting between the certificated non-instructional employee and the evaluator to discuss the evaluation and assessment.

The Commission further finds that the language added to former Education Code section 13487 by the 1975 test claim legislation to “establish and define job responsibilities” for certificated non-instructional personnel falls within the preexisting duty to develop and adopt objective evaluation and assessment guidelines for all certificated employees, does not mandate any new required acts, and, thus, does not constitute a new program or higher level of service,“

Accordingly, the Commission finds that the 1975 and 1986 amendments to former Education Code sections 13485 and 13487 and Education Code section 44663 as they relate to certificated non-instructional employees do not constitute a new program or higher level of service.⁹³

⁹⁰ Id. at page 301.

⁹¹ Id. at page 306.

⁹² *Long Bench Unified School District, supra*, 225 Cal.App.4th at page 173.

⁹³ It is noted that the analysis by the Legislative Analyst on Senate Bill 777, which was enacted as Statutes 1975, chapter 1216, concludes that “there would also be undetermined increased local costs due to the addition of. . . non-instructional certificated employees in evaluation and

Establish standards of expected pupil achievement at each grade level in each area of study
[Former Ed. Code, § 13487, as repealed and reenacted by Stats. 1975, ch. 1216).

The claimant is requesting reimbursement to establish standards of expected pupil achievement at each grade level in each area of study.

Former Education Code section 13487, as originally enacted in 1971, required school districts to develop and adopt specific evaluation and assessment guidelines for certificated personnel. Former section 13487 stated in relevant part the following:

The governing board of each school district shall develop and adopt specific evaluation and assessment guidelines which shall include but shall not necessarily be limited in content to the following elements:

- (a) The establishment of standards of expected student progress in each area of study and of techniques for the assessment of that progress.

The test claim legislation, in Statutes 1975, chapter 1216, repealed and reenacted former Education Code section 13487. As reenacted, the statute provided the following (amendments relevant to this issue are reflected with strikeout and underline):

- (a) The governing board of each school district shall establish standards of expected student ~~progress~~ achievement at each grade level in each area of study.

The claimant contends that the 1975 test claim legislation imposed a new program or higher level of service on school districts to rewrite standards for employee assessment to reflect expected student “achievement” (as opposed expected student “progress”) and to expand the standards to reflect expected student achievement at each “grade level.”⁹⁴ The claimant further states the following:

Prior law only required that the standards of expected student achievement be established to show student progress. Under prior law, these standards may have tracked student progress over time. For example, a school district may have established reading standards for pupils upon graduating from eighth grade. Under the test claim legislation, school districts no longer have the ability to determine over what period standards of expected student achievement will be

assessment requirements.” (See, Exhibit I, pp. 292-294.) The courts have determined, however, that legislative findings are not relevant to the issue of whether a reimbursable state-mandated program exists:

[T]he statutory scheme [in Government Code section 17500 et seq.] contemplates that the Commission, as a quasi-judicial body, has the sole and exclusive authority to adjudicate whether a state mandate exists. Thus, any legislative findings are irrelevant to the issue of whether a state mandate exists” (*City of San Jose, supra*, 45 Cal.App.4th at pp. 1817-1818, quoting *County of Los Angeles v. Commission on State Mandates* (1995) 32 Cal. App.4th 805, 819, and *Kinlaw v. State of California, supra*, 54 Cal.3d at p. 333.)

⁹⁴ Exhibit A (Test Claim, page 4) to Item 9 of the May 27, 2004 Commission Hearing.

established: The standards must be established by each grade level. The new standards outlined in the test claim legislation align more closely with the state's new content standards . . ."⁹⁵

The Department of Finance contends that the 1975 amendment to former Education Code section 13487 does not constitute a new program or higher level of service. The Department states the following:

Finance notes that in practice, school district standards required by Chapter 36 1/7 1 would have had to have been differentiated by grade in order to provide a measure of "expected student progress." Finance also notes that changing the term "expected student progress" to the term "expected student achievement" is a wording change that would not require additional work on the part of school districts. These changes did not require additional work on the part of school districts, and therefore, are not reimbursable.^{96,97}

In order for the 1975 reenactment of former Education Code section 13487 to constitute a new program or higher level of service, the Commission must find that the state is imposing new required acts or activities on school districts beyond those already required by law.⁹⁸ For the reasons below, the Commission finds that the 1975 reenactment of former Education Code section 13487 does not constitute a new program or higher level of service.

On its face, the activities imposed by the 1975 reenactment of former Education Code section 13487 do not appear different than the activities required by the original 1971 version of former Education Code section 13487. Both versions require that standards for evaluation be established so that certificated personnel are evaluated based on student progress. As originally enacted in 1971, "[t]he governing board of each school district shall develop and adopt specific evaluation and assessment guidelines which shall include . . . the establishment of standards of *expected student progress* in each area of study . . . [and the] . . . assessment of certificated personnel competence as it relates to the established standards." (Emphasis added.) As reenacted in 1975, "[t]he governing board of each school district shall establish standards of *expected student achievement* at each grade level in each area of study . . . and evaluate and assess certificated employee competency as it reasonably relates to . . . *the progress of students toward the established standards.*" (Emphasis added.)

⁹⁵ Exhibit C, page 2, to Item 9 of the May 27, 2004 Commission Hearing.

⁹⁶ Exhibit B, page 1, to Item 9 of the May 27, 2004 Commission Hearing.

⁹⁷ The Department of Finance's factual assertion is not supported by "documentary evidence . . . authenticated by declarations under penalty of perjury signed by persons who are authorized and competent to do so," as required by the Commission's regulations. (Cal. Code Regs., tit. 2, § 1183 .02, subd. (c)(1).)

⁹⁸ *County of Los Angeles, supra*, 43 Cal.3d at page 56; *Long Beach Unified School Dist., supra*, 225 Cal.App.4th at page 173; and *County of Los Angeles, supra*, 110 Cal.App.4th at pages 1193-1194.

In addition, the legislative history of the test claim statute, Statutes 1975, chapter 1216 (Sen. Bill No. 777), does not reveal an intention by the Legislature to impose new required acts. Legislative history simply indicates that the language was “modified.”⁹⁹

Moreover, claimant’s argument, that the test claim statute imposes a higher level of service because, under prior law, school districts “may” have only tracked student progress over time (for example, by establishing “reading standards for pupils upon graduating from eighth grade”), is not persuasive. Under the claimant’s interpretation, the performance of a first grade teacher could be evaluated and assessed based on reading standards for eighth grade students; students that the teacher did *not* teach. The Stull Act, as originally enacted, required the school district to evaluate and assess the performance of all certificated employees based on the progress of their pupils. In addition, the claimant’s factual assertion is not supported by “documentary evidence ... authenticated by declarations under penalty of perjury signed by persons who are authorized and competent to do so, ” as required by the Commission’s regulations.¹⁰⁰

Finally, assuming for the sake of argument only, that school districts were required to establish new standards of expected student achievement due to the 1975 test claim statute, that activity would have occurred outside the reimbursement period for this claim, The reimbursement period for this test claim, if approved by the Commission, begins July 1, 1998. The test claim statute was enacted in 1975, 23 years earlier than the reimbursement period. There is no requirement in the test claim statute that establishing the standards is an ongoing activity.

Therefore, based on the evidence in the record, the Commission finds that former Education Code section 13487 as reenacted by Statutes 1975, chapter 1216, does not impose a new program or higher level of service on school districts.

Evaluate and assess the performance of certificated instructional employees (Ed. Code, § 44662, subd. (b), as amended by Stats. 1983, ch. 498 and Stats. 1999, ch. 4).

The claimant requests reimbursement to evaluate and assess the performance of certificated instructional employees as it reasonably relates to the following:

- the instructional techniques and strategies used by the certificated employee (Stats. 1983, ch. 498);
- the certificated employee’s adherence to curricular objectives (Stats 1983, ch. 498); and
- the progress of pupils towards the state adopted academic content standards as measured by state adopted criterion referenced assessments (Stats. 1999, ch. 4).¹⁰¹

⁹⁹ Senate Committee on Education, Staff Analysis on Senate Bill 777, as amended on May 7, 1975; Assembly Education Committee, Analysis of Senate Bill 777, as amended on August 12, 1975; Ways and Means Staff Analysis on Senate Bill 777, as amended on August 19, 1975; Legislative Analyst, Analysis of Senate Bill 777, as amended on August 19, 1975, dated August 22, 1975; Assembly Third Reading of Senate Bill 777, as amended on August 19, 1975. (Exhibit I to Item 9 of the May 27, 2004 Commission Hearing.)

¹⁰⁰ Cal. Code Regs., tit. 2, § 1183.02, subd. (c)(1).

¹⁰¹ Exhibit A (Test Claim, page 6) to Item 9 of the May 27, 2004 Commission Hearing.

The Department of Finance agrees that these activities constitute reimbursable state-mandated activities under article XIII B, section 6.¹⁰²

For the reasons described below, the Commission finds that evaluating and assessing the performance of certificated instructional employees that perform the requirements of educational programs mandated by state or federal law based on these factors constitutes a new program or higher level of service.

The instructional techniques and strategies used by the employee, and the employee's adherence to curricular objectives. In 1983, the test claim legislation amended Education Code section 44662, subdivision (b), to require the school district to evaluate and assess certificated employee competency as it reasonably relates to "the instructional techniques and strategies used by the employee," and "the employee's adherence to curricular objectives." (Stats. 1983, ch. 498.)

Before the 1983 test claim legislation was enacted, the Stull Act required school districts to establish an objective and uniform system of evaluation and assessment of the performance of certificated personnel.¹⁰³ When developing these guidelines, school districts were required to receive advice from certificated instructional personnel. The court interpreted this provision to require districts to meet and confer, and engage in collective bargaining, with representatives of certificated employee organizations before adopting the evaluation guidelines?" Thus, certificated instructional employees were evaluated based on the guidelines developed through collective bargaining, and on the following criteria required by the state:

- the progress of students toward the established standards of expected student achievement at each grade level in each area of study; and
- the establishment and maintenance of a suitable learning environment within the scope of the employee's responsibilities.¹⁰⁵

Under prior law, the evaluation had to be reduced to writing and a copy of the evaluation given to the employee. An evaluation meeting had to be held between the certificated employee and the evaluator to discuss the evaluation and assessment.¹⁰⁶

The 1983 test claim statute still requires school districts to reduce the evaluation to writing, to transmit a copy to the employee, and to conduct a meeting with the employee to discuss the evaluation and assessment.¹⁰⁷ These activities are not new. However, the 1983 test claim statute amended the evaluation requirements by adding two new evaluation factors: the instructional

¹⁰² Exhibit B to Item 9 of the May 27, 2004 Commission Hearing.

¹⁰³ Former Education Code sections 13485 and 13487.

¹⁰⁴ *Certificated Employees Council of the Monterey Peninsula Unified School District v. Monterey Peninsula Unified School District* (1974) 42 Cal.App.3d 328, 334,

¹⁰⁵ Former Education Code section 13487, subdivision (b), as amended by Statutes 1975, chapter 1216.

¹⁰⁶ Former Education Code sections 13485-13490, as originally enacted by Statutes 1971, chapter 361.

¹⁰⁷ Education Code sections 44662, 44663, 44664.

techniques and strategies used by the employee, and the employee's adherence to curricular objectives. Thus, school districts are now required by the state to evaluate and assess the competency of certificated instructional employees as it reasonably relates to:

- the progress of students toward the established standards of expected student achievement at each grade level in each area of study;
- the instructional techniques and strategies used by the employee;
- the employee's adherence to curricular objectives; and
- the establishment and maintenance of a suitable learning environment, within the scope of the employee's responsibilities.

School districts may have been evaluating teachers on their instructional techniques and adherence to curricular objectives before the enactment of the test claim statute based on the evaluation guidelines developed through the collective bargaining process. But, the state did not previously require the evaluation in these two areas. Government Code section 17565 states that "if a . . . school district, at its option, has been incurring costs which are subsequently mandated by the state, the state shall reimburse the . . . school district for those costs after the operative date of the mandate."

Accordingly, the Commission finds that Education Code section 44662, subdivision (b), as amended by Statutes 1983, chapter 498, imposes a new required act and, thus, a new program or higher level of service on school districts to evaluate and assess the performance of certificated instructional employees that perform the requirements of educational programs mandated by state or federal law as it reasonably relates to the instructional techniques and strategies used by the employee and the employee's adherence to curricular objectives.

Reimbursement for this activity is limited to the review of the employee's instructional techniques and strategies and adherence to curricular objectives, and to include in the written evaluation of the certificated instructional employees the assessment of these factors during the following evaluation periods:

- once each year for probationary certificated employees;
- every other year for permanent certificated employees; and
- beginning January 1, 2004, every five years for certificated employees with permanent status who have been employed at least ten years with the school district, are highly qualified (as defined in 20 U.S.C. § 7801)¹⁰⁸, and whose previous evaluation rated the employee as meeting or exceeding standards, if the evaluator and certificated employee being evaluated agree.¹⁰⁹

¹⁰⁸ Section 7801 of title 20 of the United States Code defines "highly qualified" as a teacher that has obtained full state certification as a teacher or passed the state teacher licensing examination, and holds a license to teach, and the teacher has not had certification requirements waived on an emergency, temporary, or provisional basis.

¹⁰⁹ Education Code section 44664, subdivision (a)(3), as amended by Statutes 2003, chapter 566.

State adopted academic content standards as measured by state adopted assessment tests. In 1999, the test claim legislation (Stats. 1999, ch. 4) amended Education Code 44662, subdivision (b)(1), by adding the following underlined language:

The governing board of each school district shall evaluate and assess certificated employee competency as it reasonably relates to:

The progress of pupils toward the standards established pursuant to subdivision (a) [standards of expected pupil achievement at each grade level in each area of study] and, if applicable, the state adopted academic content standards as measured by state adopted criterion referenced assessments.

Before the 1999 test claim legislation, school districts were required to evaluate and assess certificated employees based on the progress of pupils. The progress of pupils was measured by standards, adopted by *local school districts*, of expected student achievement at each grade level in each area of study. The evaluation had to be reduced to writing and a copy of the evaluation given to the employee. An evaluation meeting had to be held between the certificated employee and the evaluator to discuss the evaluation and assessment.“

The 1999 test claim legislation still requires school districts to evaluate and assess certificated employees based on the progress of pupils. It also still requires school districts to reduce the evaluation to writing, to transmit a copy to the employee, and to conduct a meeting with the employee to discuss the evaluation and assessment.¹¹¹ These activities are not new.

However, the test claim legislation, beginning January 1, 2000¹¹², imposes a new requirement on school districts to evaluate the performance of certificated employees as it reasonably relates to the progress of pupils based not only on standards adopted by local school districts, but also on the academic content standards adopted by the *state*, as measured by the state adopted assessment tests.

The state academic content standards and the assessment tests that measure the academic progress of students were created in 1995 with the enactment of the California Assessment of Academic Achievement Act.¹¹³ The act required the State Board of Education to develop and adopt a set of statewide academically rigorous content standards in the core curriculum areas of reading, writing, mathematics, history/social science, and science to serve as the basis for assessing the academic achievement of individual pupils and of schools.¹¹⁴ In addition, the Act established the Standardized Testing and Reporting Program (otherwise known as the STAR Program)¹¹⁵, which requires each school district to annually administer to all pupils in grades 2 to 11 a nationally normed achievement test of basic skills, and an achievement test based on the

¹¹⁰ Former Education Code sections 13485-1 3490, as originally enacted by Statutes 197 1, chapter 36 1.

¹¹¹ Education Code sections 44662, 44663, 44664.

¹¹² Statutes 1999, chapter 4 became operative and effective on January 1, 2000.

¹¹³ Education Code section 60600 et seq.

¹¹⁴ Education Code section 60605, subdivision (a).

¹¹⁵ Education Code section 60640, subdivision (a).

state's academic content standards? The Commission determined that the administration of the STAR test to pupils constitutes a partial reimbursable state-mandated program (CSM 97-TC-23).

Although evaluating the performance of a certificated employee based on the progress of pupils is not new, the Commission finds that the requirement to evaluate and assess the performance of certificated instructional employees that teach reading, writing, mathematics, history/social science, and science in grades 2 to 11, as it reasonably relates to the progress of pupils towards the state adopted academic content standards as measured by state adopted criterion referenced assessments is a new required act and, thus a higher level of service within the meaning of article XIII B, section 6 of the California Constitution.

This higher level of service is limited to the review of the results of the STAR test as it reasonably relates to the performance of those certificated employees that teach reading, writing, mathematics, history/social science, and science in grades 2 to 11, and to include in the written evaluation of those certificated employees the assessment of the employee's performance based on the STAR results for the pupils they teach during the evaluation periods specified in Education Code section 44664, and described below:

- once each year for probationary certificated employees;
- every other year for permanent certificated employees; and
- beginning January 1, 2004, every five years for certificated employees with permanent status who have been employed at least ten years with the school district, are highly qualified (as defined in 20 U.S.C. § 7801), and whose previous evaluation rated the employee as meeting or exceeding standards, if the evaluator and certificated employee being evaluated agree.¹¹⁷

Assess and evaluate permanent certificated, instructional and non-instructional, employees that receive an unsatisfactory evaluation once each year until the employee achieves a positive evaluation, or is separated from the school district (Ed. Code, § 44664, as amended by Stats. 1983, ch. 498).

The claimant is requesting reimbursement to conduct additional assessments and evaluations for permanent certificated employees that receive an unsatisfactory evaluation as follows:

Conduct additional annual assessments and evaluations of permanent certificated instructional and non-instructional employees who have received an unsatisfactory evaluation. The school district must conduct the annual assessment and evaluation of a permanent certificated employee until the employee achieves a positive evaluation or is separated from the school district. This mandated activity is limited to those annual assessments and evaluations that occur in years in which the employee would not have been required to be evaluated as per Section 44664 (i.e., permanent certificated employees shall be evaluated every other year). When conducting these additional evaluations the full cost of the

¹¹⁶ Education Code section 60640, subdivision (b).

¹¹⁷ Education Code section 44664, subdivision (a)(3), as amended by Statutes 2003, chapter 566.

evaluation is reimbursable (e.g., evaluation under all criterion, preparing written evaluation, review of comments, and holding a hearing with the teacher).¹¹⁸

The Department of Finance agrees that the 1983 amendment to Education Code section 44664 imposes a reimbursable state-mandated activity.

Before the enactment of the test claim legislation, former Education Code section 13489 (as last amended by Stats. 1973, ch. 220) required that an evaluation for permanent certificated employees occur every other year. Former Education Code section 13489 stated in relevant part the following:

Evaluation and assessment of the performance of each certificated employee shall be made on a continuing basis, at least once each school year for probationary personnel, and at *least every other year for personnel with permanent status*. The evaluation shall include recommendations, if necessary, as to areas of improvement in the performance of the employee. In the event an employee is not performing his duties in a satisfactory manner according to the standards prescribed by the governing board, the employing authority shall notify the employee in writing of such fact and describe such unsatisfactory performance. The employing authority shall thereafter confer with the employee making specific recommendations as to areas of improvement in the employee's performance and endeavor to assist him in such performance. (Emphasis added.)

In 1976, former Education Code section 13489 was renumbered to Education Code section 44664.¹¹⁹ The test claim legislation (Stats. 1983, ch. 498) amended Education Code section 44664, by adding the following sentence: "When any permanent certificated employee has received an unsatisfactory evaluation, the employing authority shall *annually evaluate* the employee until the employee achieves a positive evaluation or is separated from the district." (Emphasis added.)¹²⁰

The Commission finds that Education Code section 44664, as amended by Statutes 1983, chapter 498, imposes a new required act and, thus, a new program or higher level of service by requiring school districts to perform additional evaluations for permanent certificated employees that perform the requirements of educational programs mandated by state or federal law and receive an unsatisfactory evaluation.

This higher level of service is limited to those annual assessments and evaluations that occur in years in which the permanent certificated employee would not have otherwise been evaluated pursuant to Education Code section 44664 (i.e., every other year) and lasts until the employee achieves a positive evaluation or is separated from the school district. This additional evaluation

¹¹⁸ Exhibit A (Test Claim) to Item 9 of the May 27, 2004 Commission Hearing.

¹¹⁹ Statutes 1976, chapter 1010.

¹²⁰ Statutes 2003, chapter 566, amended Education Code section 44664 by changing the word "when" to "if." The language now states the following: "~~When~~ If any permanent certificated employee has received an unsatisfactory evaluation, the employing authority shall annually evaluate the employee until the employee achieves a positive evaluation or is separated from the district."

and assessment of the permanent certificated employee requires the school district to perform the following activities:

- evaluate and assess the certificated employee performance as it reasonably relates to the following criteria: (1) the progress of pupils toward the standards established by the school district of expected pupil achievement at each grade level in each area of study, and, if applicable, the state adopted content standards as measured by state adopted criterion referenced assessments; (2) the instructional techniques and strategies used by the employee; (3) the employee's adherence to curricular objectives; (4) the establishment and maintenance of a suitable learning environment, within the scope of the employee's responsibilities; and, if applicable, (5) the fulfillment of other job responsibilities established by the school district for certificated non-instructional personnel (Ed. Code, § 44662, subs. (b) and (c));
- the evaluation and assessment shall be reduced to writing. (Ed. Code, § 44663, subd. (a).) The evaluation shall include recommendations, if necessary, as to areas of improvement in the performance of the employee. If the employee is not performing his or her duties in a satisfactory manner according to the standards prescribed by the governing board, the school district shall notify the employee in writing of that fact and describe the unsatisfactory performance (Ed. Code, § 44664, subd. (b));
- transmit a copy of the written evaluation to the certificated employee (Ed. Code, § 44663, subd. (a));
- attach any written reaction or response to the evaluation by the certificated employee to the employee's personnel file (Ed. Code, § 44663, subd. (a)); and
- conduct a meeting with the certificated employee to discuss the evaluation (Ed. Code, § 44553, subd. (a)).

Issue 3: Does Education Code Section 44662 (As Amended by Stats. 1999, ch. 4) and Education Code Section 44664 (As Amended by Stats. 1983, ch. 498) Impose Costs Mandated by the State Within the Meaning of Government Code Section 17514?

As indicated above, the Commission finds that the following activities constitute a new program or higher level of service:

- evaluate and assess the performance of certificated instructional employees that perform the requirements of educational programs mandated by state or federal law as it reasonably relates to the instructional techniques and strategies used by the employee and the employee's adherence to curricular objectives (Ed. Code, § 44662, subd. (b), as amended by Stats. 1983, ch. 498);
- evaluate and assess the performance of certificated instructional employees that teach reading, writing, mathematics, history/social science, and science in grades 2 to 11 as it reasonably relates to the progress of pupils towards the state adopted academic content standards as measured by state adopted assessment tests (Ed. Code, § 44662, subd. (b), as amended by Stats. 1999, ch. 4); and
- assess and evaluate permanent certificated, instructional and non-instructional, employees that perform the requirements of educational programs mandated by state or federal law

and receive an unsatisfactory evaluation in the years in which the permanent certificated employee would not have otherwise been evaluated until the employee receives achieves a positive evaluation, or is separated from the school district (Ed. Code, § 44664, as amended by Stats. 1983, ch. 498).

The Commission must continue its inquiry to determine if these activities result in increased costs mandated by the state pursuant to Government Code section 175 14.

Government Code section 175 14 defines “costs mandated by the state” as any increased cost a local agency or school district is required to incur as a result of a statute that mandates a new program or higher level of service. The claimant states that it has incurred significantly more than \$200 to comply with the test claim statutes plead in this claim.^{121, 122}

The Commission finds that there is nothing in the record to dispute the costs alleged by the claimant. The parties have not identified any sources of state or federal funds appropriated to school districts that can be applied to the activities identified above. Moreover, none of the exceptions to finding a reimbursable state-mandated program under Government Code section 17556 apply to this claim.

Therefore, the Commission finds that Education Code section 44662 (as amended by Stats. 1999, ch. 4) and Education Code section 44664 (as amended by Stats. 1983, ch. 498), result in costs mandated by the state under Government Code section 17514.

CONCLUSION

The Commission concludes that Education Code section 44662, as amended by Statutes 1999, chapter 4, and Education Code section 44664, as amended by Statutes 1983, chapter 498, mandate a new program or higher level of service for school districts within the meaning of article XIII B, section 6 of the California Constitution, and impose costs mandated by the state pursuant to Government Code section 175 14 for the following activities only:

- Evaluate and assess the performance of certificated instructional employees that perform the requirements of educational programs mandated by state or federal law as it reasonably relates to the instructional techniques and strategies used by the employee and the employee’s adherence to curricular objectives (Ed. Code, § 44662, subd. (b), as amended by Stats. 1983, ch. 498).

Reimbursement for this activity is limited to the review of the employee’s instructional techniques and strategies and adherence to curricular objectives, and to include in the written evaluation of the certificated instructional employees the assessment of these factors during the following evaluation periods:

- o once each year for probationary certificated employees;
- o every other year for permanent certificated employees; and

¹²¹ Exhibit A to Item 9 of the May 27, 2004 Commission Hearing (Test Claim and Declaration of Larry S. Phelps, Superintendent of Denair Unified School District).

¹²² After this test claim was filed, Government Code section 17564 was amended to require that all test claims and reimbursement claims submitted exceed \$1000 in costs. (Stats. 2002, ch. 1 124.)

- o beginning January 1, 2004, every five years for certificated employees with permanent status who have been employed at least ten years with the school district, are highly qualified (as defined in 20 U.S.C. § 7801), and whose previous evaluation rated the employee as meeting or exceeding standards, if the evaluator and certificated employee being evaluated agree.
- Evaluate and assess the performance of certificated instructional employees that teach reading, writing, mathematics, history/social science, and science in grades 2 to 11 as it reasonably relates to the progress of pupils towards the state adopted academic content standards as measured by state adopted assessment tests (Ed. Code, § 44662, subd. (b), as amended by Stats. 1999, ch. 4).

Reimbursement for this activity is limited to the review of the results of the STAR test as it reasonably relates to the performance of those certificated employees that teach reading, writing, mathematics, history/social science, and science in grades 2 to 11, and to include in the written evaluation of those certificated employees the assessment of the employee's performance based on the STAR results for the pupils they teach during the evaluation periods specified in Education Code section 44664, and described below:

- o once each year for probationary certificated employees;
- o every other year for permanent certificated employees; and
- o beginning January 1, 2004, every five years for certificated employees with permanent status who have been employed at least ten years with the school district, are highly qualified (as defined in 20 U.S.C. § 7801), and whose previous evaluation rated the employee as meeting or exceeding standards, if the evaluator and certificated employee being evaluated agree.
- Assess and evaluate permanent certificated, instructional and non-instructional, employees that perform the requirements of educational programs mandated by state or federal law and receive an unsatisfactory evaluation in the years in which the permanent certificated employee would not have otherwise been evaluated pursuant to Education Code section 44664 (i.e., every other year). The additional evaluations shall last until the employee achieves a positive evaluation, or is separated from the school district. (Ed. Code, § 44664, as amended by Stats. 1983, ch. 498). This additional evaluation and assessment of the permanent certificated employee requires the school district to perform the following activities:
 - o evaluate and assess the certificated employee performance as it reasonably relates to the following criteria: (1) the progress of pupils toward the standards established by the school district of expected pupil achievement at each grade level in each area of study, and, if applicable, the state adopted content standards as measured by state adopted criterion referenced assessments; (2) the instructional techniques and strategies used by the employee; (3) the employee's adherence to curricular objectives; (4) the establishment and maintenance of a suitable learning environment, within the scope of the employee's responsibilities; and, if applicable, (5) the fulfillment of other job responsibilities established by the school district for certificated non-instructional personnel (Ed. Code, § 44662, subds. (b) and (c));

- o the evaluation and assessment shall be reduced to writing. (Ed. Code, § 44663, subd. (a).) The evaluation shall include recommendations, if necessary, as to areas of improvement in the performance of the employee. If the employee is not performing his or her duties in a satisfactory manner according to the standards prescribed by the governing board, the school district shall notify the employee in writing of that fact and describe the unsatisfactory performance (Ed. Code, § 44664, subd. (b));
- o transmit a copy of the written evaluation to the certificated employee (Ed. Code, § 44663, subd. (a));
- o attach any written reaction or response to the evaluation by the certificated employee to the employee's personnel file (Ed. Code, § 44663, subd. (a)); and
- o conduct a meeting with the certificated employee to discuss the evaluation (Ed. Code, § 44553, subd. (a)).

The Commission further finds that the activities listed above do not constitute reimbursable state-mandated programs with respect to certificated personnel employed in local, discretionary educational programs.

Finally, the Commission finds that all other statutes in the test claim not mentioned above are not reimbursable state-mandated programs within the meaning of article XIII B, section 6 and Government Code section 175 14.

DECLARATION OF SERVICE BY MAIL

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 95 8 14.

June 1, 2004, I served the:

Adopted Statement of Decision

The Stull Act, 98-TC-25

Education Code Sections 44660 – 44665 (formerly Ed. Code §§ 13485-13490)

Statutes 1975, Chapter 1216; Statutes 1983, Chapter 498; Statutes 1986, Chapter 393;

Statutes 1995, Chapter 392; Statutes 1999, Chapter 4

Denair Unified School District, Claimant

by placing a true copy thereof in an envelope addressed to:

Mr. David Scribner
Executive Director
School Mandates Group
3 113 Catalina Island Road
West Sacramento, CA 95691

State Agencies and Interested Parties (See attached mailing list);

and by sealing and depositing said envelope in the United States mail at Sacramento, California, with postage thereon fully paid.

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 June 1, 2004, at Sacramento, California.


VICTORIA SORIANO

Exhibit B

BEFORE THE
COMMISSION ON STATE MANDATES
STATE OF CALIFORNIA

IN RE TEST CLAIM ON:

Education Code Sections 44660-44665
(Former Ed. Code, §§ 13485-13490);

Statutes 1983, Chapter 498;
Statutes 1999, Chapter 4;

Filed on June 30, 1999;

By Denair Unified School District, Claimant.

No. 98-TC-25

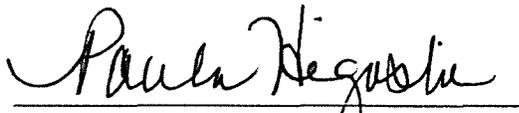
The Stull Act

ADOPTION OF PARAMETERS AND
GUIDELINES PURSUANT TO
GOVERNMENT CODE SECTION 17557
AND TITLE 2, CALIFORNIA CODE OF
REGULATIONS, SECTION 1183.12

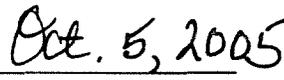
(Adopted on September 27, 2005)

PARAMETERS AND GUIDELINES

On September 27, 2005, the Commission on State Mandates adopted the attached Parameters and Guidelines.



PAULA HIGASHI, Executive Director



Date

PARAMETERS AND GUIDELINES

Education Code Sections 44660-44665
(Former Ed. Code, §§ 13485-13490)

Statutes 1983, Chapter 498
Statutes 1999, Chapter 4

The Stull Act (98-TC-25)

Denair Unified School District and Grant Joint Union High School District, Claimants

I. SUMMARY OF THE MANDATE

On May 27, 2004, the Commission on State Mandates (Commission) adopted the Statement of Decision for *The Stull Act* test claim. The Commission found that Education Code sections 44660-44665 (formerly Ed. Code, §§ 13485-13490) constitute a new program or higher level of service and impose a state-mandated program upon school districts within the meaning of article XIII B, section 6 of the California Constitution and Government Code section 17514.

Accordingly, the Commission approved this test claim for the following reimbursable activities:

- Evaluate and assess the performance of certificated instructional employees that perform the requirements of educational programs mandated by state or federal law as it reasonably relates to the instructional techniques and strategies used by the employee and the employee's adherence to curricular objectives. (Ed. Code, § 44662, subd. (b), as amended by Stats. 1983, ch. 498.)

Reimbursement for this activity is limited to the review of the employee's instructional techniques and strategies and adherence to curricular objectives, and to include in the written evaluation of the certificated instructional employees the assessment of these factors during the following evaluation periods:

- Once each year for probationary certificated employees;
 - Every other year for permanent certificated employees; and
 - Beginning January 1, 2004, every five years for certificated employees with permanent status who have been employed at least ten years with the school district, are highly qualified (as defined in 20 U.S.C. § 7801), and whose previous evaluation rated the employee as meeting or exceeding standards, if the evaluator and certificated employee being evaluated agree.
- Evaluate and assess the performance of certificated instructional employees that teach reading, writing, mathematics, history/social science, and science in grades 2 to 11 as it reasonably relates to the progress of pupils towards the state adopted academic content standards as measured by state adopted assessment tests. (Ed. Code, § 44662, subd. (b), as amended by Stats. 1999, ch. 4.)

Reimbursement for this activity is limited to the review of the results of the STAR test as it reasonably relates to the performance of those certificated employees that

teach reading, writing, mathematics, history/social science, and science in grades 2 to 11, and to include in the written evaluation of those certificated employees the assessment of the employee's performance based on the STAR results for the pupils they teach during the evaluation periods specified in Education Code section 44664, and described below:

- Once each year for probationary certificated employees;
 - Every other year for permanent certificated employees; and
 - Beginning January 1, 2004, every five years for certificated employees with permanent status who have been employed at least ten years with the school district, are highly qualified (as defined in 20 U.S.C. § 7801), and whose previous evaluation rated the employee as meeting or exceeding standards, if the evaluator and certificated employee being evaluated agree.
- Assess and evaluate permanent certificated, instructional and non-instructional, employees that perform the requirements of educational programs mandated by state or federal law and receive an unsatisfactory evaluation in the years in which the permanent certificated employee would not have otherwise been evaluated pursuant to Education Code section 44664 (i.e., every other year). The additional evaluations shall last until the employee achieves a positive evaluation, or is separated from the school district. (Ed. Code, § 44664, as amended by Stats. 1983, ch. 498.) This additional evaluation and assessment of the permanent certificated employee requires the school district to perform the following activities:
 - Evaluate and assess the certificated employee performance as it reasonably relates to the following criteria: (1) the progress of pupils toward the standards established by the school district of expected pupil achievement at each grade level in each area of study, and, if applicable, the state adopted content standards as measured by state adopted criterion referenced assessments; (2) the instructional techniques and strategies used by the employee; (3) the employee's adherence to curricular objectives; (4) the establishment and maintenance of a suitable learning environment, within the scope of the employee's responsibilities; and, if applicable, (5) the fulfillment of other job responsibilities established by the school district for certificated non-instructional personnel (Ed. Code, § 44662, subds. (b) and (c));
 - The evaluation and assessment shall be reduced to writing. (Ed. Code, § 44663, subd. (a).) The evaluation shall include recommendations, if necessary, as to areas of improvement in the performance of the employee. If the employee is not performing his or her duties in a satisfactory manner according to the standards prescribed by the governing board, the school district shall notify the employee in writing of that fact and describe the unsatisfactory performance (Ed. Code, § 44664, subd. (b));
 - Transmit a copy of the written evaluation to the certificated employee (Ed. Code, § 44663, subd. (a));
 - Attach any written reaction or response to the evaluation by the certificated employee to the employee's personnel file (Ed. Code, § 44663, subd. (a)); and

- Conduct a meeting with the certificated employee to discuss the evaluation (Ed. Code, § 44553, subd. (a).)

The Commission further found that the activities listed above do not constitute reimbursable state-mandated programs with respect to certificated personnel employed in local, discretionary educational programs.

Finally, the Commission found that all other statutes in the test claim not mentioned above are not reimbursable state-mandated programs within the meaning of article XIII B, section 6 and Government Code section 17514.

II. ELIGIBLE CLAIMANTS

Any "school district" as defined in Government Code section 17519, except for community colleges, which incurs increased costs as a result of this mandate is eligible to claim reimbursement. Charter schools are not eligible claimants.

III. PERIOD OF REIMBURSEMENT

Government Code section 17557 states that a test claim must be submitted on or before June 30 following a given fiscal year to establish eligibility for that fiscal year. The test claim for this mandate was filed on June 30, 1999. Therefore, the costs incurred for compliance with Statutes 1983, chapter 498 are eligible for reimbursement on or after July 1, 1997. Statutes 1999, chapter 4 was an urgency statute operative March 15, 1999; therefore, costs incurred for compliance with Statutes 1999, chapter 4 are eligible for reimbursement on or after March 15, 1999.

Actual costs for one fiscal year should be included in each claim. Estimated costs for the subsequent year may be included on the same claim, if applicable. Pursuant to Government Code section 17561, subdivision (d)(1)(A), all claims for reimbursement of initial fiscal year costs shall be submitted to the State Controller within 120 days of the issuance date for the claiming instructions.

If the total costs for a given fiscal year do not exceed \$1,000, no reimbursement shall be allowed, except as otherwise allowed by Government Code section 17564.

IV. REIMBURSABLE ACTIVITIES

To be eligible for mandated cost reimbursement for any fiscal year, only actual costs may be claimed. Actual costs are those costs actually incurred to implement the mandated activities. Actual costs must be traceable and supported by source documents that show the validity of such costs, when they were incurred, and their relationship to the reimbursable activities. A source document is a document created at or near the same time the actual cost was incurred for the event or activity in question. Source documents may include, but are not limited to, employee time records or time logs, sign-in sheets, invoices, and receipts.

Evidence corroborating the source documents may include, but is not limited to, worksheets, cost allocation reports (system generated), purchase orders, contracts, agendas, and declarations. Declarations must include a certification or declaration stating, "I certify (or declare) under penalty of perjury under the laws of the State of California that the foregoing is true and correct," and must further comply with the requirements of Code of Civil Procedure section 2015.5. Evidence corroborating the source documents may include data relevant to the reimbursable

activities otherwise in compliance with local, state, and federal government requirements. However, corroborating documents cannot be substituted for source documents.

The claimant is only allowed to claim and be reimbursed for increased costs for the reimbursable activities identified below. Increased cost is limited to the cost of an activity that the claimant is required to incur as a result of the mandate.

For each eligible claimant, the following activities are reimbursable:

A. Certificated Instructional Employees

1. Evaluate and assess the performance of certificated instructional employees that perform the requirements of educational programs mandated by state or federal law as it reasonably relates to the instructional techniques and strategies used by the employee and the employee's adherence to curricular objectives (Ed. Code, § 44662, subd. (b), as amended by Stats. 1983, ch. 498.). (*Reimbursement period begins July 1, 1997.*)

Reimbursement for this activity is limited to:

- a. reviewing the employee's instructional techniques and strategies and adherence to curricular objectives, and
- b. including in the written evaluation of the certificated instructional employees the assessment of these factors during the following evaluation periods:
 - once each year for probationary certificated employees;
 - every other year for permanent certificated employees; and
 - beginning January 1, 2004, every five years for certificated employees with permanent status who have been employed at least ten years with the school district, are highly qualified (as defined in 20 U.S.C. § 7801), and whose previous evaluation rated the employee as meeting or exceeding standards, if the evaluator and certificated employee being evaluated agree.

Note: For purposes of claiming reimbursement, eligible claimants must identify the state or federal law mandating the educational program being performed by the certificated instructional employees.

2. Evaluate and assess the performance of certificated instructional employees that teach reading, writing, mathematics, history/social science, and science in grades 2 to 11 as it reasonably relates to the progress of pupils towards the state adopted academic content standards as measured by state adopted assessment tests (Ed. Code, § 44662, subd. (b), as amended by Stats. 1999, ch. 4.). (*Reimbursement period begins March 15, 1999.*)

Reimbursement for this activity is limited to:

- a. reviewing the results of the Standardized Testing and Reporting test as it reasonably relates to the performance of those certificated employees that teach reading, writing, mathematics, history/social science, and science in grades 2 to 11, and
- b. including in the written evaluation of those certificated employees the assessment of the employee's performance based on the Standardized Testing and Reporting

results for the pupils they teach during the evaluation periods specified in Education Code section 44664, and described below:

- once each year for probationary certificated employees;
- every other year for permanent certificated employees; and
- beginning January 1, 2004, every five years for certificated employees with permanent status who have been employed at least ten years with the school district, are highly qualified (as defined in 20 U.S.C. § 7801), and whose previous evaluation rated the employee as meeting or exceeding standards, if the evaluator and certificated employee being evaluated agree.

B. Certificated (Instructional and Non-Instructional) Employees

1. Evaluate and assess permanent certificated, instructional and non-instructional, employees that perform the requirements of educational programs mandated by state or federal law and receive an unsatisfactory evaluation in the years in which the permanent certificated employee would not have otherwise been evaluated pursuant to Education Code section 44664 (i.e., every other year). The additional evaluations shall last until the employee achieves a positive evaluation, or is separated from the school district (Ed. Code, § 44664, as amended by Stats. 1983, ch. 498). (*Reimbursement period begins July 1, 1997.*)

This additional evaluation and assessment of the permanent certificated employee requires the school district to perform the following activities:

- a. evaluating and assessing the certificated employee performance as it reasonably relates to the following criteria: (1) the progress of pupils toward the standards established by the school district of expected pupil achievement at each grade level in each area of study, and, if applicable, the state adopted content standards as measured by state adopted criterion referenced assessments; (2) the instructional techniques and strategies used by the employee; (3) the employee's adherence to curricular objectives; (4) the establishment and maintenance of a suitable learning environment, within the scope of the employee's responsibilities; and, if applicable, (5) the fulfillment of other job responsibilities established by the school district for certificated non-instructional personnel (Ed. Code, § 44662, subds. (b) and (c));
- b. reducing the evaluation and assessment to writing (Ed. Code, § 44663, subd. (a)). The evaluation shall include recommendations, if necessary, as to areas of improvement in the performance of the employee. If the employee is not performing his or her duties in a satisfactory manner according to the standards prescribed by the governing board, the school district shall notify the employee in writing of that fact and describe the unsatisfactory performance (Ed. Code, § 44664, subd. (b));
- c. transmitting a copy of the written evaluation to the certificated employee (Ed. Code, § 44663, subd. (a));
- d. attaching any written reaction or response to the evaluation by the certificated employee to the employee's personnel file (Ed. Code, § 44663, subd. (a)); and

- e. conducting a meeting with the certificated employee to discuss the evaluation (Ed. Code, § 44553, subd. (a)).

Note: For purposes of claiming reimbursement, eligible claimants must identify the state or federal law mandating the educational program being performed by the certificated, instructional and non-instructional, employees.

C. Training

1. Train staff on implementing the reimbursable activities listed in Section IV of these parameters and guidelines. (One-time activity for each employee.) (*Reimbursement period begins July 1, 1997.*)

V. CLAIM PREPARATION AND SUBMISSION

Each of the following cost elements must be identified for each reimbursable activity identified in Section IV, Reimbursable Activities, of this document. Each claimed reimbursable cost must be supported by source documentation as described in Section IV. Additionally, each reimbursable claim must be filed in a timely manner.

A. Direct Cost Reporting

Direct costs are those costs incurred specifically for the reimbursable activities. The following direct costs are eligible for reimbursement.

1. Salaries and Benefits

Report each employee implementing the reimbursable activities by name, job classification, and productive hourly rate (total wages and related benefits divided by productive hours). Describe the specific reimbursable activities performed and the hours devoted to each reimbursable activity performed.

2. Materials and Supplies

Report the cost of materials and supplies that have been consumed or expended for the purpose of the reimbursable activities. Purchases shall be claimed at the actual price after deducting discounts, rebates, and allowances received by the claimant. Supplies that are withdrawn from inventory shall be charged on an appropriate and recognized method of costing, consistently applied.

3. Contracted Services

Report the name of the contractor and services performed to implement the reimbursable activities. Attach a copy of the contract to the claim. If the contractor bills for time and materials, report the number of hours spent on the activities and all costs charged. If the contract is a fixed price, report the dates when services were performed and itemize all costs for those services.

4. Fixed Assets and Equipment

Report the purchase price paid for fixed assets and equipment (including computers) necessary to implement the reimbursable activities. The purchase price includes taxes, delivery costs, and installation costs. If the fixed asset or equipment is also used for purposes other than the reimbursable activities, only the pro-rata portion of the purchase price used to implement the reimbursable activities can be claimed.

5. Travel

Report the name of the employee traveling for the purpose of the reimbursable activities. Include the date of travel, destination point, the specific reimbursable activity requiring travel, and related travel expenses reimbursed to the employee in compliance with the rules of the local jurisdiction. Report employee travel time according to the rules of cost element A.1. Salaries and Benefits, for each applicable reimbursable activity.

6. Training

Report the cost of training an employee to perform the reimbursable activities, as specified in Section IV of this document. Report the name and job classification of each employee preparing for, attending, and/or conducting training necessary to implement the reimbursable activities. Provide the title, subject, and purpose (related to the mandate of the training session), dates attended, and location. If the training encompasses subjects broader than the reimbursable activities, only the pro-rata portion can be claimed. Report employee training time for each applicable reimbursable activity according to the rules of cost element A. 1, Salaries and Benefits, and A.2, Materials and Supplies. Report the cost of consultants who conduct the training according to the rules of cost element A.3, Contracted Services.

B. Indirect Cost Rates

Indirect costs are costs that have been incurred for common or joint purposes. These costs benefit more than one cost objective and cannot be readily identified with a particular final cost objective without effort disproportionate to the results achieved. After direct costs have been determined and assigned to other activities, as appropriate, indirect costs are those remaining to be allocated to benefited cost objectives. A cost may not be allocated as an indirect cost if any other cost incurred for the same purpose, in like circumstances, has been claimed as a direct cost.

Indirect costs include: (a) the indirect costs originating in each department or agency of the governmental unit carrying out state mandated programs, and (b) the costs of central governmental services distributed through the central service cost allocation plan and not otherwise treated as direct costs.

School districts must use the J-380 (or subsequent replacement) nonrestrictive indirect cost rate provisionally approved by the California Department of Education.

County offices of education must use the J-580 (or subsequent replacement) nonrestrictive indirect cost rate provisionally approved by the California Department of Education.

VI. RECORD RETENTION

Pursuant to Government Code section 17558.5, subdivision (a), a reimbursement claim for actual costs filed by a local agency or school district pursuant to this chapter¹ is subject to the initiation of an audit by the State Controller no later than three years after the date that the actual reimbursement claim is filed or last amended, whichever is later. However, if no funds are appropriated or no payment is made to a claimant for the program for the fiscal year for which the claim is filed, the time for the Controller to initiate an audit shall commence to run from the date of initial payment of the claim. All documentation used to support the reimbursable

¹ This refers to Title 2, division 4, part 7, chapter 4 of the Government Code.

activities, as described in Section IV, must be retained during the period subject to audit. If an audit has been initiated by the Controller during the period subject to audit, the retention period is extended until the ultimate resolution of any audit findings.

VII. OFFSETTING SAVINGS AND REIMBURSEMENTS

Any offsetting savings the claimant experiences in the same program as a result of the same statutes or executive orders found to contain the mandates shall be deducted from the costs claimed. In addition, reimbursement for this mandate from any source, including, but not limited to, service fees collected, federal funds, and other state funds shall be identified and deducted from this claim.

VIII. STATE CONTROLLER'S CLAIMING INSTRUCTIONS

Pursuant to Government Code section 17558, subdivision (b), the Controller shall issue claiming instructions for each mandate that requires state reimbursement no later than 60 days after receiving the adopted parameters and guidelines from the Commission, to assist local agencies and school districts in claiming costs to be reimbursed. The claiming instructions shall be derived from the statute, regulations, or executive order creating the mandate and the parameters and guidelines adopted by the Commission.

Pursuant to Government Code section 17561, subdivision (d)(1), issuance of the claiming instructions shall constitute notice of the right of local agencies and schools districts to file reimbursement claims, based upon parameters and guidelines adopted by the Commission.

IX. REMEDIES BEFORE THE COMMISSION

Upon request of a local agency or school district, the Commission shall review the claiming instructions issued by the State Controller or any other authorized state agency for reimbursement of mandated costs pursuant to Government Code section 17571. If the Commission determines that the claiming instructions do not conform to the parameters and guidelines, the Commission shall direct the Controller to modify the claiming instructions and the Controller shall modify the claiming instructions to conform to the parameters and guidelines as directed by the Commission.

In addition, requests may be made to amend parameters and guidelines pursuant to Government Code section 17557, subdivision (d), and California Code of Regulations, title 2, section 1183.2.

X. LEGAL AND FACTUAL BASIS FOR THE PARAMETERS AND GUIDELINES

The Statement of Decision is legally binding on all parties and provides the legal and factual basis for the parameters and guidelines. The support for the legal and factual findings is found in the administrative record for the test claim. The administrative record, including the Statement of Decision, is on file with the Commission.

DECLARATION OF SERVICE BY MAIL

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.

October 6, 2005, I served the:

Adopted Parameters and Guidelines

The Stull Act, 98-TC-25

Education Code Sections 44660 – 44665 (formerly Ed. Code §§ 13485-13490)

Statutes 1983, Chapter 498; Statutes 1999, Chapter 4

Denair Unified School District and Grant Joint Union High School District, Claimants

by placing a true copy thereof in an envelope addressed to:

Mr. David Scribner
Executive Director
Scribner Consulting Group, Inc.
3840 Rosin Court, Suite 190
Sacramento, CA 95834

Ms. Ginny Brummels
State Controller's Office
Division of Accounting and Reporting
Local Reimbursement Section
3301 C Street, Suite 501
Sacramento, CA 95816

State Agencies and Interested Parties (See attached mailing list);

and by sealing and depositing said envelope in the United States mail at Sacramento, California, with postage thereon fully paid.

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 October 6, 2005 at Sacramento, California.

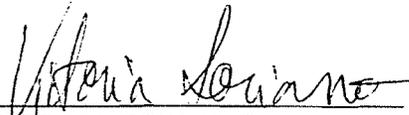

VICTORIA SORIANO

Exhibit C

OFFICE OF THE STATE CONTROLLER
STATE MANDATED COSTS CLAIMING INSTRUCTIONS NO. 2005-12

THE STULL ACT

December 12, 2005

In accordance with Government Code Section (GC §) 17561, eligible claimants may submit claims to the State Controller's Office (SCO) for reimbursement of costs incurred for state mandated cost programs. The following are claiming instructions and forms that eligible claimants will use for the filing of claims for the Stull Act program. These claiming instructions are issued subsequent to adoption of the program's Parameters and Guidelines (P's & G's) by the Commission on State Mandates (COSM).

On May 27, 2004, the COSM determined that Education Code Sections 44660 to 44665 (formerly Ed. Code §§ 13485 to 13490) established costs mandated by the State according to the provisions listed in the P's & G's. For your reference, the P's & G's are included as an integral part of the claiming instructions.

Eligible Claimants

Any "school district," as defined in GC§ 17519, except for community colleges, which incurs increased costs as a result of this mandate, is eligible to claim reimbursement. Charter schools are not eligible claimants.

Filing Deadlines

A. Reimbursement Claims

Initial reimbursement claims must be filed within 120 days from the issuance date of claiming instructions. Costs incurred for compliance with Chapter 498, Statutes of 1983, are eligible for reimbursement for fiscal year 1997-98 through 2004-05. Costs incurred for compliance with Chapter 4, Statutes of 1999, are eligible for reimbursement for the period March 15, 1999, to June 30, 1999, and fiscal years 1999-00 through 2004-05. Claims must be filed with the SCO and be delivered or postmarked on or before **April 11, 2006**. Estimated claims for fiscal year 2005-06 must be filed on or before **April 11, 2006**.

In order for a claim to be considered properly filed, it must include any specific supporting documentation requested in the instructions. **Claims filed more than one year after the deadline or without the requested supporting documentation will not be accepted.**

B. Late Penalty

1. Initial Claims

AB 3000 enacted into law on September 30, 2002, amended the late penalty assessments on initial claims. Late initial claims submitted **on or after September 30, 2002**, are assessed a late penalty of 10% of the total amount of the initial claims **without limitation**.

2. Annual Reimbursement Claims

All late annual reimbursement claims are assessed a late penalty of 10% subject to the \$1,000 limitation regardless of when the claims were filed.

C. Estimated Claims

Unless otherwise specified in the claiming instructions, school districts, are not required to provide cost schedules and supporting documents with an estimated claim if the estimated amount does not exceed the previous fiscal year's actual costs by more than 10%. Claimants can simply enter the estimated amount on form FAM-27, line (07).

However, if the estimated claim exceeds the previous fiscal year's actual costs by more than 10%, claimants must complete supplemental claim forms to support their estimated costs as specified for the program to explain the reason for the increased costs. If no explanation supporting the higher estimate is provided with the claim, it will automatically be adjusted to 110% of the previous fiscal year's actual costs. Future estimated claims filed with the SCO must be postmarked by January 15 of the fiscal year in which costs will be incurred. Claims filed timely will be paid before late claims.

Minimum Claim Cost

GC section 17564(a) provides that no claim shall be filed pursuant to Sections 17551 and 17561, unless such a claim exceeds one thousand dollars (\$1,000).

Reimbursement of Claims

To be eligible for mandated cost reimbursement for any fiscal year, only actual costs may be claimed. Actual costs are those costs actually incurred to implement the mandated activities. Actual costs must be traceable and supported by source documents that show the validity of such costs, when they were incurred, and their relationship to the reimbursable activities. A source document is a document created at or near the same time the actual cost was incurred for the event or activity in question.

Source documents may include, but are not limited to, employee time records or time logs, sign-in sheets, invoices, and receipts. Evidence corroborating the source documents may include, but is not limited to, worksheets, cost allocation reports (system generated), purchase orders, contracts, agendas, training packets, and declarations. Evidence corroborating the source documents may include data relevant to the reimbursable activities otherwise in compliance with local, state, and federal government requirements. However, corroborating documents cannot be substituted for source documents.

Certification of Claim

In accordance with the provisions of GC§ 17561, an authorized representative of the claimant shall be required to provide a certification of claim stating: "I certify, (or declare), under penalty of perjury under the laws of the State of California that the foregoing is true and correct," and must further comply with the requirements of the Code of Civil Procedure Section 2015.5, for those costs mandated by the State and contained herein.

Audit of Costs

All claims submitted to the SCO are reviewed to determine if costs are related to the mandate, are reasonable and not excessive, and the claim was prepared in accordance with the SCO's claiming instructions and the P's & G's adopted by the COSM. If any adjustments are made to a claim, a "Notice of Claim Adjustment" specifying the claim component adjusted, the amount adjusted, and the reason for the adjustment, will be mailed within 30 days after payment of the claim.

Pursuant to GC§ 17558.5, subdivision (a), a reimbursement claim for actual costs filed by a school district pursuant to this chapter is subject to the initiation of an audit by the SCO no later than three years after the date that the actual reimbursement claim is filed or last amended, whichever is later. However, if no funds are appropriated or no payment is made to a claimant for the program for the fiscal year for which the claim is filed, the time for the SCO to initiate an audit shall commence to run from the date of initial payment of the claim.

In any case, an audit shall be completed not later than two years after the date that the audit is commenced. All documents used to support the reimbursable activities must be retained during the period subject to audit. If an audit has been initiated by the SCO during the period subject to audit, the retention period is extended until the ultimate resolution of any audit findings. On-site audits will be conducted by the SCO as deemed necessary.

Retention of Claiming Instructions

The claiming instructions and forms in this package should be retained permanently in your Mandated Cost Manual for future reference and use in filing claims. These forms should be duplicated to meet your filing requirements. You will be notified of updated forms or changes to claiming instructions as necessary.

Questions or requests for hard copies of these instructions should be faxed to Ginny Brummels at (916) 323-6527, or e-mailed to LRSDAR@sco.ca.gov. Or, if you wish, you may call the Local Reimbursements Section at (916) 324-5729.

For your reference, these and future mandated costs claiming instructions and forms can be found on the Internet at www.sco.ca.gov/ard/local/locreim/index.shtml.

Address for Filing Claims

Claims should be rounded to the nearest dollar. Submit a signed original and a copy of form FAM-27, Claim for Payment, and all other forms and supporting documents. **(To expedite the payment process, please sign the form in blue ink, and attach a copy of the form FAM-27 to the top of the claim package.)**

Use the following mailing addresses:

If delivered by
U.S. Postal Service:

Office of the State Controller
Attn: Local Reimbursements Section
Division of Accounting and Reporting
P.O. Box 942850
Sacramento, CA 94250

If delivered by
other delivery services:

Office of the State Controller
Attn: Local Reimbursements Section
Division of Accounting and Reporting
3301 C Street, Suite 500
Sacramento, CA 95816

PARAMETERS AND GUIDELINES

Education Code Sections 44660-44665
(Former Ed. Code, §§ 13485-13490)

Statutes 1983, Chapter 498
Statutes 1999, Chapter 4

The Stull Act (98-TC-25)

Denair Unified School District and Grant Joint Union High School District, Claimants

I. SUMMARY OF THE MANDATE

On May 27, 2004, the Commission on State Mandates (Commission) adopted the Statement of Decision for *The Stull Act* test claim. The Commission found that Education Code sections 44660-44665 (formerly Ed. Code, §§ 13485-13490) constitute a new program or higher level of service and impose a state-mandated program upon school districts within the meaning of article XIII B, section 6 of the California Constitution and Government Code section 17514.

Accordingly, the Commission approved this test claim for the following reimbursable activities:

- Evaluate and assess the performance of certificated instructional employees that perform the requirements of educational programs mandated by state or federal law as it reasonably relates to the instructional techniques and strategies used by the employee and the employee's adherence to curricular objectives. (Ed. Code, § 44662, subd. (b), as amended by Stats. 1983, ch. 498.)

Reimbursement for this activity is limited to the review of the employee's instructional techniques and strategies and adherence to curricular objectives, and to include in the written evaluation of the certificated instructional employees the assessment of these factors during the following evaluation periods:

- Once each year for probationary certificated employees;
 - Every other year for permanent certificated employees; and
 - Beginning January 1, 2004, every five years for certificated employees with permanent status who have been employed at least ten years with the school district, are highly qualified (as defined in 20 U.S.C. § 7801), and whose previous evaluation rated the employee as meeting or exceeding standards, if the evaluator and certificated employee being evaluated agree.
- Evaluate and assess the performance of certificated instructional employees that teach reading, writing, mathematics, history/social science, and science in grades 2 to 11 as it reasonably relates to the progress of pupils towards the state adopted academic content standards as measured by state adopted assessment tests. (Ed. Code, § 44662, subd. (b), as amended by Stats. 1999, ch. 4.)

Reimbursement for this activity is limited to the review of the results of the STAR test as it reasonably relates to the performance of those certificated employees that

teach reading, writing, mathematics, history/social science, and science in grades 2 to 11, and to include in the written evaluation of those certificated employees the assessment of the employee's performance based on the STAR results for the pupils they teach during the evaluation periods specified in Education Code section 44664, and described below:

- Once each year for probationary certificated employees;
 - Every other year for permanent certificated employees; and
 - Beginning January 1, 2004, every five years for certificated employees with permanent status who have been employed at least ten years with the school district, are highly qualified (as defined in 20 U.S.C. § 7801), and whose previous evaluation rated the employee as meeting or exceeding standards, if the evaluator and certificated employee being evaluated agree.
- Assess and evaluate permanent certificated, instructional and non-instructional, employees that perform the requirements of educational programs mandated by state or federal law and receive an unsatisfactory evaluation in the years in which the permanent certificated employee would not have otherwise been evaluated pursuant to Education Code section 44664 (i.e., every other year). The additional evaluations shall last until the employee achieves a positive evaluation, or is separated from the school district. (Ed. Code, § 44664, as amended by Stats. 1983, ch. 498.) This additional evaluation and assessment of the permanent certificated employee requires the school district to perform the following activities:
 - Evaluate and assess the certificated employee performance as it reasonably relates to the following criteria: (1) the progress of pupils toward the standards established by the school district of expected pupil achievement at each grade level in each area of study, and, if applicable, the state adopted content standards as measured by state adopted criterion referenced assessments; (2) the instructional techniques and strategies used by the employee; (3) the employee's adherence to curricular objectives; (4) the establishment and maintenance of a suitable learning environment, within the scope of the employee's responsibilities; and, if applicable, (5) the fulfillment of other job responsibilities established by the school district for certificated non-instructional personnel (Ed. Code, § 44662, subs. (b) and (c));
 - The evaluation and assessment shall be reduced to writing. (Ed. Code, § 44663, subd. (a).) The evaluation shall include recommendations, if necessary, as to areas of improvement in the performance of the employee. If the employee is not performing his or her duties in a satisfactory manner according to the standards prescribed by the governing board, the school district shall notify the employee in writing of that fact and describe the unsatisfactory performance (Ed. Code, § 44664, subd. (b));
 - Transmit a copy of the written evaluation to the certificated employee (Ed. Code, § 44663, subd. (a));
 - Attach any written reaction or response to the evaluation by the certificated employee to the employee's personnel file (Ed. Code, § 44663, subd. (a)); and

- Conduct a meeting with the certificated employee to discuss the evaluation (Ed. Code, § 44553, subd. (a).)

The Commission further found that the activities listed above do not constitute reimbursable state-mandated programs with respect to certificated personnel employed in local, discretionary educational programs.

Finally, the Commission found that all other statutes in the test claim not mentioned above are not reimbursable state-mandated programs within the meaning of article XIII B, section 6 and Government Code section 17514.

II. ELIGIBLE CLAIMANTS

Any "school district" as defined in Government Code section 17519, except for community colleges, which incurs increased costs as a result of this mandate is eligible to claim reimbursement. Charter schools are not eligible claimants.

III. PERIOD OF REIMBURSEMENT

Government Code section 17557 states that a test claim must be submitted on or before June 30 following a given fiscal year to establish eligibility for that fiscal year. The test claim for this mandate was filed on June 30, 1999. Therefore, the costs incurred for compliance with Statutes 1983, chapter 498 are eligible for reimbursement on or after July 1, 1997. Statutes 1999, chapter 4 was an urgency statute operative March 15, 1999; therefore, costs incurred for compliance with Statutes 1999, chapter 4 are eligible for reimbursement on or after March 15, 1999.

Actual costs for one fiscal year should be included in each claim. Estimated costs for the subsequent year may be included on the same claim, if applicable. Pursuant to Government Code section 17561, subdivision (d)(1)(A), all claims for reimbursement of initial fiscal year costs shall be submitted to the State Controller within 120 days of the issuance date for the claiming instructions.

If the total costs for a given fiscal year do not exceed \$1,000, no reimbursement shall be allowed, except as otherwise allowed by Government Code section 17564.

IV. REIMBURSABLE ACTIVITIES

To be eligible for mandated cost reimbursement for any fiscal year, only actual costs may be claimed. Actual costs are those costs actually incurred to implement the mandated activities. Actual costs must be traceable and supported by source documents that show the validity of such costs, when they were incurred, and their relationship to the reimbursable activities. A source document is a document created at or near the same time the actual cost was incurred for the event or activity in question. Source documents may include, but are not limited to, employee time records or time logs, sign-in sheets, invoices, and receipts.

Evidence corroborating the source documents may include, but is not limited to, worksheets, cost allocation reports (system generated), purchase orders, contracts, agendas, and declarations. Declarations must include a certification or declaration stating, "I certify (or declare) under penalty of perjury under the laws of the State of California that the foregoing is true and correct," and must further comply with the requirements of Code of Civil Procedure section 2015.5. Evidence corroborating the source documents may include data relevant to the reimbursable

activities otherwise in compliance with local, state, and federal government requirements. However, corroborating documents cannot be substituted for source documents.

The claimant is only allowed to claim and be reimbursed for increased costs for the reimbursable activities identified below. Increased cost is limited to the cost of an activity that the claimant is required to incur as a result of the mandate.

For each eligible claimant, the following activities are reimbursable:

A. Certificated Instructional Employees

1. Evaluate and assess the performance of certificated instructional employees that perform the requirements of educational programs mandated by state or federal law as it reasonably relates to the instructional techniques and strategies used by the employee and the employee's adherence to curricular objectives (Ed. Code, § 44662, subd. (b), as amended by Stats. 1983, ch. 498.). (*Reimbursement period begins July 1, 1997.*)

Reimbursement for this activity is limited to:

- a. reviewing the employee's instructional techniques and strategies and adherence to curricular objectives, and
- b. including in the written evaluation of the certificated instructional employees the assessment of these factors during the following evaluation periods:
 - o once each year for probationary certificated employees;
 - o every other year for permanent certificated employees; and
 - o beginning January 1, 2004, every five years for certificated employees with permanent status who have been employed at least ten years with the school district, are highly qualified (as defined in 20 U.S.C. § 7801), and whose previous evaluation rated the employee as meeting or exceeding standards, if the evaluator and certificated employee being evaluated agree.

Note: For purposes of claiming reimbursement, eligible claimants must identify the state or federal law mandating the educational program being performed by the certificated instructional employees.

2. Evaluate and assess the performance of certificated instructional employees that teach reading, writing, mathematics, history/social science, and science in grades 2 to 11 as it reasonably relates to the progress of pupils towards the state adopted academic content standards as measured by state adopted assessment tests (Ed. Code, § 44662, subd. (b), as amended by Stats. 1999, ch. 4.). (*Reimbursement period begins March 15, 1999.*)

Reimbursement for this activity is limited to:

- a. reviewing the results of the Standardized Testing and Reporting test as it reasonably relates to the performance of those certificated employees that teach reading, writing, mathematics, history/social science, and science in grades 2 to 11, and
- b. including in the written evaluation of those certificated employees the assessment of the employee's performance based on the Standardized Testing and Reporting

results for the pupils they teach during the evaluation periods specified in Education Code section 44664, and described below:

- once each year for probationary certificated employees;
- every other year for permanent certificated employees; and
- beginning January 1, 2004, every five years for certificated employees with permanent status who have been employed at least ten years with the school district, are highly qualified (as defined in 20 U.S.C. § 7801), and whose previous evaluation rated the employee as meeting or exceeding standards, if the evaluator and certificated employee being evaluated agree.

B. Certificated (Instructional and Non-Instructional) Employees

1. Evaluate and assess permanent certificated, instructional and non-instructional, employees that perform the requirements of educational programs mandated by state or federal law and receive an unsatisfactory evaluation in the years in which the permanent certificated employee would not have otherwise been evaluated pursuant to Education Code section 44664 (i.e., every other year). The additional evaluations shall last until the employee achieves a positive evaluation, or is separated from the school district (Ed. Code, § 44664, as amended by Stats. 1983, ch. 498). *(Reimbursement period begins July 1, 1997.)*

This additional evaluation and assessment of the permanent certificated employee requires the school district to perform the following activities:

- a. evaluating and assessing the certificated employee performance as it reasonably relates to the following criteria: (1) the progress of pupils toward the standards established by the school district of expected pupil achievement at each grade level in each area of study, and, if applicable, the state adopted content standards as measured by state adopted criterion referenced assessments; (2) the instructional techniques and strategies used by the employee; (3) the employee's adherence to curricular objectives; (4) the establishment and maintenance of a suitable learning environment, within the scope of the employee's responsibilities; and, if applicable, (5) the fulfillment of other job responsibilities established by the school district for certificated non-instructional personnel (Ed. Code, § 44662, subs. (b) and (c));
- b. reducing the evaluation and assessment to writing (Ed. Code, § 44663, subd. (a)). The evaluation shall include recommendations, if necessary, as to areas of improvement in the performance of the employee. If the employee is not performing his or her duties in a satisfactory manner according to the standards prescribed by the governing board, the school district shall notify the employee in writing of that fact and describe the unsatisfactory performance (Ed. Code, § 44664, subd. (b));
- c. transmitting a copy of the written evaluation to the certificated employee (Ed. Code, § 44663, subd. (a));
- d. attaching any written reaction or response to the evaluation by the certificated employee to the employee's personnel file (Ed. Code, § 44663, subd. (a)); and

- e. conducting a meeting with the certificated employee to discuss the evaluation (Ed. Code, § 44553, subd. (a)).

Note: For purposes of claiming reimbursement, eligible claimants must identify the state or federal law mandating the educational program being performed by the certificated, instructional and non-instructional, employees.

C. Training

1. Train staff on implementing the reimbursable activities listed in Section IV of these parameters and guidelines. (One-time activity for each employee.) (*Reimbursement period begins July 1, 1997.*)

V. CLAIM PREPARATION AND SUBMISSION

Each of the following cost elements must be identified for each reimbursable activity identified in Section IV, Reimbursable Activities, of this document. Each claimed reimbursable cost must be supported by source documentation as described in Section IV. Additionally, each reimbursable claim must be filed in a timely manner.

A. Direct Cost Reporting

Direct costs are those costs incurred specifically for the reimbursable activities. The following direct costs are eligible for reimbursement.

1. Salaries and Benefits

Report each employee implementing the reimbursable activities by name, job classification, and productive hourly rate (total wages and related benefits divided by productive hours). Describe the specific reimbursable activities performed and the hours devoted to each reimbursable activity performed.

2. Materials and Supplies

Report the cost of materials and supplies that have been consumed or expended for the purpose of the reimbursable activities. Purchases shall be claimed at the actual price after deducting discounts, rebates, and allowances received by the claimant. Supplies that are withdrawn from inventory shall be charged on an appropriate and recognized method of costing, consistently applied.

3. Contracted Services

Report the name of the contractor and services performed to implement the reimbursable activities. Attach a copy of the contract to the claim. If the contractor bills for time and materials, report the number of hours spent on the activities and all costs charged. If the contract is a fixed price, report the dates when services were performed and itemize all costs for those services.

4. Fixed Assets and Equipment

Report the purchase price paid for fixed assets and equipment (including computers) necessary to implement the reimbursable activities. The purchase price includes taxes, delivery costs, and installation costs. If the fixed asset or equipment is also used for purposes other than the reimbursable activities, only the pro-rata portion of the purchase price used to implement the reimbursable activities can be claimed.

5. Travel

Report the name of the employee traveling for the purpose of the reimbursable activities. Include the date of travel, destination point, the specific reimbursable activity requiring travel, and related travel expenses reimbursed to the employee in compliance with the rules of the local jurisdiction. Report employee travel time according to the rules of cost element A.1. Salaries and Benefits, for each applicable reimbursable activity.

6. Training

Report the cost of training an employee to perform the reimbursable activities, as specified in Section IV of this document. Report the name and job classification of each employee preparing for, attending, and/or conducting training necessary to implement the reimbursable activities. Provide the title, subject, and purpose (related to the mandate of the training session), dates attended, and location. If the training encompasses subjects broader than the reimbursable activities, only the pro-rata portion can be claimed. Report employee training time for each applicable reimbursable activity according to the rules of cost element A. 1, Salaries and Benefits, and A.2, Materials and Supplies. Report the cost of consultants who conduct the training according to the rules of cost element A.3, Contracted Services.

B. Indirect Cost Rates

Indirect costs are costs that have been incurred for common or joint purposes. These costs benefit more than one cost objective and cannot be readily identified with a particular final cost objective without effort disproportionate to the results achieved. After direct costs have been determined and assigned to other activities, as appropriate, indirect costs are those remaining to be allocated to benefited cost objectives. A cost may not be allocated as an indirect cost if any other cost incurred for the same purpose, in like circumstances, has been claimed as a direct cost.

Indirect costs include: (a) the indirect costs originating in each department or agency of the governmental unit carrying out state mandated programs, and (b) the costs of central governmental services distributed through the central service cost allocation plan and not otherwise treated as direct costs.

School districts must use the J-380 (or subsequent replacement) nonrestrictive indirect cost rate provisionally approved by the California Department of Education.

County offices of education must use the J-580 (or subsequent replacement) nonrestrictive indirect cost rate provisionally approved by the California Department of Education.

VI. RECORD RETENTION

Pursuant to Government Code section 17558.5, subdivision (a), a reimbursement claim for actual costs filed by a local agency or school district pursuant to this chapter¹ is subject to the initiation of an audit by the State Controller no later than three years after the date that the actual reimbursement claim is filed or last amended, whichever is later. However, if no funds are appropriated or no payment is made to a claimant for the program for the fiscal year for which the claim is filed, the time for the Controller to initiate an audit shall commence to run from the date of initial payment of the claim. All documentation used to support the reimbursable

¹ This refers to Title 2, division 4, part 7, chapter 4 of the Government Code.

activities, as described in Section IV, must be retained during the period subject to audit. If an audit has been initiated by the Controller during the period subject to audit, the retention period is extended until the ultimate resolution of any audit findings.

VII. OFFSETTING SAVINGS AND REIMBURSEMENTS

Any offsetting savings the claimant experiences in the same program as a result of the same statutes or executive orders found to contain the mandates shall be deducted from the costs claimed. In addition, reimbursement for this mandate from any source, including, but not limited to, service fees collected, federal funds, and other state funds shall be identified and deducted from this claim.

VIII. STATE CONTROLLER'S CLAIMING INSTRUCTIONS

Pursuant to Government Code section 17558, subdivision (b), the Controller shall issue claiming instructions for each mandate that requires state reimbursement no later than 60 days after receiving the adopted parameters and guidelines from the Commission, to assist local agencies and school districts in claiming costs to be reimbursed. The claiming instructions shall be derived from the statute, regulations, or executive order creating the mandate and the parameters and guidelines adopted by the Commission.

Pursuant to Government Code section 17561, subdivision (d)(1), issuance of the claiming instructions shall constitute notice of the right of local agencies and schools districts to file reimbursement claims, based upon parameters and guidelines adopted by the Commission.

IX. REMEDIES BEFORE THE COMMISSION

Upon request of a local agency or school district, the Commission shall review the claiming instructions issued by the State Controller or any other authorized state agency for reimbursement of mandated costs pursuant to Government Code section 17571. If the Commission determines that the claiming instructions do not conform to the parameters and guidelines, the Commission shall direct the Controller to modify the claiming instructions and the Controller shall modify the claiming instructions to conform to the parameters and guidelines as directed by the Commission.

In addition, requests may be made to amend parameters and guidelines pursuant to Government Code section 17557, subdivision (d), and California Code of Regulations, title 2, section 1183.2.

X. LEGAL AND FACTUAL BASIS FOR THE PARAMETERS AND GUIDELINES

The Statement of Decision is legally binding on all parties and provides the legal and factual basis for the parameters and guidelines. The support for the legal and factual findings is found in the administrative record for the test claim. The administrative record, including the Statement of Decision, is on file with the Commission.

CLAIM FOR PAYMENT Pursuant to Government Code Section 17561 THE STULL ACT	For State Controller Use Only (19) Program Number 00260 (20) Date Filed ____/____/____ (21) LRS Input ____/____/____	Program 260
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L A B E L H E R E	(01) Claimant Identification Number		Reimbursement Claim Data			
	(02) Claimant Name		(22) SA -1, (03)(a)			
	County of Location		(23) SA -1, (03)(b)			
	Street Address or P.O. Box		Suite			
			(24) SA -1, (04)(A)(1)(a)(f)			
	City		State			
			Zip Code			
			(25) SA -1, (04)(A)(1)(b)(f)			
	Type of Claim		Estimated Claim		Reimbursement Claim	
			(03) Estimated <input type="checkbox"/>	(09) Reimbursement <input type="checkbox"/>	(26) SA -1, (04)(A)(2)(a)(f)	
		(04) Combined <input type="checkbox"/>	(10) Combined <input type="checkbox"/>	(27) SA -1, (04)(A)(2)(b)(f)		
		(05) Amended <input type="checkbox"/>	(11) Amended <input type="checkbox"/>	(28) SA -1, (04)(B)(1)(a)(f)		
				(29) SA -1, (04)(B)(1)(b)(f)		
Fiscal Year of Cost		(06) ____/____	(12) ____/____	(30) SA -1, (04)(B)(1)(c)(f)		
Total Claimed Amount		(07)	(13)	(31) SA -1, (04)(B)(1)(d)(f)		
Less: 10% Late Penalty			(14)	(32) SA -1, (04)(B)(1)(e)(f)		
Less: Prior Claim Payment Received			(15)	(33) SA -1, (06)		
Net Claimed Amount			(16)	(34) SA -1, (07)		
Due from State		(08)	(17)	(35) SA -1, (09)		
Due to State			(18)	(36) SA -1, (10)		

(37) CERTIFICATION OF CLAIM

In accordance with the provisions of Government Code Section 17561, I certify that I am the officer authorized by the school district to file mandated cost claims with the State of California for this program, and certify under penalty of perjury that I have not violated any of the provisions of Government Code Sections 1090 to 1098, inclusive.

I further certify that there was no application other than from the claimant, nor any grant or payment received, for reimbursement of costs claimed herein, and such costs are for a new program or increased level of services of an existing program. All offsetting savings and reimbursements set forth in the Parameters and Guidelines are identified, and all costs claimed are supported by source documentation currently maintained by the claimant.

The amounts for this Estimated Claim and/or Reimbursement Claim are hereby claimed from the State for payment of estimated and/or actual costs set forth on the attached statements. I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Signature of Authorized Officer _____ Date _____

 Type or Print Name _____ Title _____

(38) Name of Contact Person for Claim _____ Telephone Number () - Ext. _____

_____ E-Mail Address _____

Program 260	THE STULL ACT Certification Claim Form Instructions	FORM FAM-27
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- (01) Enter the payee number assigned by the State Controller's Office.
- (02) Enter your Official Name, County of Location, Street or P. O. Box address, City, State, and Zip Code.
- (03) If filing an estimated claim, enter an "X" in the box on line (03) Estimated.
- (04) If filing a combined estimated claim on behalf of districts within the county, enter an "X" in the box on line (04) Combined.
- (05) If filing an amended estimated claim, enter an "X" in the box on line (05) Amended.
- (06) Enter the fiscal year in which costs are to be incurred.
- (07) Enter the amount of the estimated claim. If the estimate exceeds the previous year's actual costs by more than 10%, complete form SA-1 and enter the amount from line (11).
- (08) Enter the same amount as shown on line (07).
- (09) If filing a reimbursement claim, enter an "X" in the box on line (09) Reimbursement.
- (10) If filing a combined reimbursement claim on behalf of districts within the county, enter an "X" in the box on line (10) Combined.
- (11) If filing an amended reimbursement claim, enter an "X" in the box on line (11) Amended.
- (12) Enter the fiscal year for which actual costs are being claimed. If actual costs for more than one fiscal year are being claimed, complete a separate form FAM-27 for each fiscal year.
- (13) Enter the amount of the reimbursement claim from form SA-1, line (11). The total claimed amount must exceed \$1,000.
- (14) Reimbursement claims must be filed by April 11, 2006, for the fiscal year in which costs were incurred or the claims shall be reduced by a late penalty. Enter zero if the claim was timely filed, otherwise, enter the product of multiplying line (13) by the factor 0.10 (10% penalty).
- (15) If filing a reimbursement claim and a claim was previously filed for the same fiscal year, enter the amount received for the claim. Otherwise, enter a zero.
- (16) Enter the result of subtracting line (14) and line (15) from line (13).
- (17) If line (16), Net Claimed Amount, is positive, enter that amount on line (17), Due from State.
- (18) If line (16), Net Claimed Amount, is negative, enter that amount on line (18), Due to State.
- (19) to (21) Leave blank.
- (22) to (36) Reimbursement Claim Data. Bring forward the cost information as specified on the left-hand column of lines (22) through (36) for the reimbursement claim, e.g., SA-1, (04)(A)(1)(a)(f), means the information is located on form SA-1, block (04)(A)(1), line (a), column (f). Enter the information on the same line but in the right-hand column. Cost information should be rounded to the nearest dollar, i.e., no cents. Indirect costs percentage should be shown as a whole number and without the percent symbol, i.e., 7.548% should be shown as 8. **Completion of this data block will expedite the payment process.**
- (37) Read the statement "Certification of Claim." If it is true, the claim must be dated, signed by the district's authorized officer, and must include the person's name and title, typed or printed. **Claims cannot be paid unless accompanied by an original signed certification. (To expedite the payment process, please sign the form FAM-27 with blue ink, and attach a copy of the form FAM-27 to the top of the claim package.)**
- (38) Enter the name, telephone number, and e-mail address of the person to contact if additional information is required.

SUBMIT A SIGNED ORIGINAL, AND A COPY OF FORM FAM-27, WITH ALL OTHER FORMS AND SUPPORTING DOCUMENTS TO:

Address, if delivered by U.S. Postal Service:

**OFFICE OF THE STATE CONTROLLER
 ATTN: Local Reimbursements Section
 Division of Accounting and Reporting
 P.O. Box 942850
 Sacramento, CA 94250**

Address, if delivered by other delivery service:

**OFFICE OF THE STATE CONTROLLER
 ATTN: Local Reimbursements Section
 Division of Accounting and Reporting
 3301 C Street, Suite 500
 Sacramento, CA 95816**

Program 260	MANDATED COSTS THE STULL ACT CLAIM SUMMARY					FORM SA-1
(01) Claimant			(02) Type of Claim		Fiscal Year	
			Reimbursement	<input type="checkbox"/>		
			Estimated	<input type="checkbox"/>	___ / ___	
(03) (a) Number of Certificated Instructional Employees (CIE's) evaluated per (04)(A)						
(b) Number of CIE's and Non-Instructional Employees (NIE's) evaluated per (04)(B)						
Direct Costs		Object Accounts				
(04) Reimbursable Components	(a) Salaries and Benefits	(b) Materials and Supplies	(c) Contract Services	(d) Fixed Assets	(e) Travel and Training	(f) Total
A. CIE's						
1.	Evaluation/Assessment - Ed. Code §44662, subd. (b), as amended by Ch. 498/83; Reimbursement period begins fy 1997-98					
a.	Review employee's techniques and strategies					
b.	Evaluation of techniques and strategies					
2.	Evaluation/Assessment - Ed. Code §44662, subd. (b), as amended by Ch. 4/99; Reimbursement period begins 03/15/99					
a.	Review STAR results					
b.	Assessment per STAR					
B. CIE's and NIE's						
1.	Evaluation/Assessment - Ed. Code §44664, subd. (b), as amended by Ch. 498/83; Reimbursement period begins fy 1997-98					
a.	Evaluating and assessing CIE per certain criteria					
b.	Writing evaluation					
c.	Transmitting evaluation					
d.	Attaching to personnel file					
e.	Discussing evaluation					
(05)	Total Direct Costs					
Indirect Costs						
(06)	Indirect Cost Rate		[From J-380 or J-580]			%
(07)	Total Indirect Costs		[Line (06) x line (05)(a)]			
(08)	Total Direct and Indirect Costs		[Line (05)(f) + line (07)]			
Cost Reduction						
(09)	Less: Offsetting Savings					
(10)	Less: Other Reimbursements					
(11)	Total Claimed Amount		[Line (08) - {line (09) + line (10)}]			

Program 260	THE STULL ACT CLAIM SUMMARY Instructions	FORM SA-1
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- (01) Enter the name of the claimant.
- (02) Type of Claim. Check a box, Reimbursement or Estimated, to identify the type of claim being filed. Enter the fiscal year of costs.
- Form SA-1 must be filed for a reimbursement claim. Do not complete form SA-1 if you are filing an estimated claim and the estimate does not exceed the previous fiscal year's actual costs by more than 10%. Simply enter the amount of the estimated claim on form FAM-27, line (07). However, if the estimated claim exceeds the previous fiscal year's actual costs by more than 10%, form SA-1 must be completed and a statement attached explaining the increased costs. Without this information the estimated claim will automatically be reduced to 110% of the previous fiscal year's actual costs.
- (03) Claim Statistics. (a) Enter the number of CIE's who were evaluated per (04)(A).
- (b) Enter the number of CIE's and NIE's who were evaluated per (04)(B).
- (04) Reimbursable Components. For each reimbursable component, enter the total from form SA-2, line (05), columns (d) through (h) to form SA-1, block (04), columns (a) through (e) in the appropriate row. Total each row.
- (05) Total Direct Costs. Total columns (a) through (f).
- (06) Indirect Cost Rate. Enter the indirect cost rate from the Department of Education form J-380 or J-580 as applicable for the fiscal year of costs.
- (07) Total Indirect Costs. Enter the result of multiplying the Indirect Cost Rate, line (06), by the Total Salaries and Benefits, line (05)(a).
- (08) Total Direct and Indirect Costs. Enter the sum of Total Direct Costs, line (05)(f), and Total Indirect Costs, line (07).
- (09) Less: Offsetting Savings. If applicable, enter the total savings experienced by the claimant as a direct result of this mandate. Submit a detailed schedule of savings with the claim.
- (10) Less: Other Reimbursements. If applicable, enter the amount of other reimbursements received from any source including, but not limited to, service fees collected, federal funds, and other state funds, that reimbursed any portion of the mandated cost program. Submit a schedule detailing the reimbursement sources and amounts.
- (11) Total Claimed Amount. From Total Direct and Indirect Costs, line (08), subtract the sum of Offsetting Savings, line (09), and Other Reimbursements, line (10). Enter the remainder on this line and carry the amount forward to form FAM-27, line (07) for the Estimated Claim or line (13) for the Reimbursement Claim.

Program 260	MANDATED COSTS THE STULL ACT COMPONENT/ACTIVITY COST DETAIL	FORM SA-2
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(01) Claimant _____	(02) Fiscal Year _____
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(03) Reimbursable Components: Check only one box per form to identify the component being claimed.

A. CIE

<input type="checkbox"/> Review employee's techniques and strategies	<input type="checkbox"/> Evaluation to include assessment of techniques and strategies
<input type="checkbox"/> Review STR Results	<input type="checkbox"/> Assessment based on STR results

B. CIE & NIE

<input type="checkbox"/> Evaluating and assessing CIE according to certain criteria	<input type="checkbox"/> Reducing evaluation to writing	<input type="checkbox"/> Transmitting evaluation to CIE
<input type="checkbox"/> Attaching response to personnel file	<input type="checkbox"/> Discussing evaluation with CIE	

(04) Description of Expenses			Object Accounts				
(a) Employee Names, Job Classifications, Functions 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) Contract Services	(g) Fixed Assets	(h) Travel and Training

(05) Total <input type="checkbox"/> Subtotal <input type="checkbox"/> Page: _____ of _____	
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Program 260	THE STULL ACT COMPONENT/ACTIVITY COST DETAIL Instructions	FORM SA-2
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- (01) Claimant. Enter the name of the claimant.
- (02) Fiscal Year. Enter the fiscal year for which costs were incurred.
- (03) Reimbursable Components. Check the box which indicates the cost component being claimed. Check only one box per form. A separate form SA-2 shall be prepared for each applicable component.
- (04) Description of Expenses. The following table identifies the type of information required to support reimbursable costs. To detail costs for the component activity box "checked" in block (03), enter the employee names, position titles, a brief description of the activities performed, actual time spent by each employee, productive hourly rates, fringe benefits, supplies used, contract services, and travel and training expenses. **The descriptions required in column (4)(a) must be of sufficient detail to explain the cost of activities or items being claimed.** For audit purposes, all supporting documents must be retained by the claimant for a period of not less than three years after the date the claim was filed or last amended, whichever is later. If no funds were appropriated and no payment was made at the time the claim was filed, the time for the Controller to initiate an audit shall be from the date of initial payment of the claim. Such documents shall be made available to the State Controller's Office on request.

Object/ Sub object Accounts	Columns								Submit supporting documents with the claim
	(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	
Salaries and Benefits	Employee Name/Title	Hourly Rate	Hours Worked	Salaries = Hourly Rate x Hours Worked					
Salaries									
Benefits	Activities Performed	Benefit Rate		Benefits = Benefit Rate x Salaries					
Materials and Supplies	Description of Supplies Used	Unit Cost	Quantity Used		Cost = Unit Cost x Quantity Used				
Contract Services	Name of Contractor Specific Tasks Performed	Hourly Rate	Hours Worked Inclusive Dates of Service			Cost=Hourly Rate x Hours Worked or Total Contract Cost			Copy of Contract and Invoices
Fixed Assets	Description of Equipment Purchased	Unit Cost	Usage				Cost= Unit Cost x Usage		
Travel and Training	Purpose of Trip Name and Title Departure and Return Date	Per Diem Rate Mileage Rate Travel Cost	Days Miles Travel Mode			Total Travel Cost = Rate x Days or Miles		Total Travel Cost = Rate x Days or Miles	
Travel									
Training	Employee Name/Title Name of Class		Dates Attended			Registration Fee		Registration Fee	

- (05) Total line (04), columns (d) through (h) and enter the sum on this line. Check the appropriate box to indicate if the amount is a total or subtotal. If more than one form is needed to detail the component/activity costs, number each page. Enter totals from line (05), columns (d) through (h) to form SA-1, block (04), columns (a) through (e) in the appropriate row.

Exhibit D

OCEANSIDE UNIFIED SCHOOL DISTRICT

Audit Report

THE STULL ACT PROGRAM

Chapter 498, Statutes of 1983,
and Chapter 4, Statutes of 1999

July 1, 1997, through June 30, 2008



JOHN CHIANG
California State Controller

August 2011



JOHN CHIANG
California State Controller

August 24, 2011

Lillian Adams
President, Board of Education
Oceanside Unified School District
2111 Mission Avenue
Oceanside, CA 92058

Dear Ms. Adams:

The State Controller's Office audited the costs claimed by Oceanside Unified School District for the legislatively mandated Stull Act Program (Chapter 498, Statutes of 1983, and Chapter 4 Statutes of 1999) for the period of July 1, 1997, through June 30, 2008.

The district claimed \$1,286,956 for the mandated program. Our audit disclosed that \$16,536 is allowable and \$1,270,420 is unallowable. The costs are unallowable because the district did not support claimed costs with source documents. The State paid the district \$411,733. The amount paid exceed allowable costs claimed by \$395,197.

If you disagree with the audit findings, you may file an Incorrect Reduction Claim (IRC) with the Commission on State Mandates (CSM). The IRC must be filed within three years following the date that we notify you of a claim reduction. You may obtain IRC information at the CSM's Web site at www.csm.ca.gov/docs/IRCForm.pdf.

If you have any questions, please contact Jim L. Spano, Chief, Mandated Cost Audits Bureau, at (916) 323-5849.

Sincerely,

Original signed by

JEFFREY V. BROWNFIELD
Chief, Division of Audits

JVB/vb

cc: Larry Perondi, Superintendent
Oceanside Unified School District
Luis Ibarra, Ed.D
Associate Superintendent for Business Services
Oceanside Unified School District
Shelly Morr
Associate Superintendent for Human Resources
Oceanside Unified School District
Karen Huddleston, Controller
Oceanside Unified School District
San Diego County Superintendent of Schools
San Diego County Office of Education
Scott Hannan, Director
School Fiscal Services Division
California Department of Education
Carol Bingham, Director
Fiscal Policy Division
California Department of Education
Thomas Todd, Principal Program Budget Analyst
Education Systems Unit
Department of Finance
Jay Lal, Manager
Division of Accounting and Reporting
State Controller's Office

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Audit Report

Summary

The State Controller's Office (SCO) audited the costs claimed by Oceanside Unified School District for the legislatively mandated Stull Act Program (Chapter 498, Statutes of 1983, and Chapter 4 Statutes of 1999) for the period of July 1, 1997, through June 30, 2008.

The district claimed \$1,286,956 for the mandated program. Our audit disclosed that \$16,536 is allowable and \$1,270,420 is unallowable. The costs are unallowable because the district did not support claimed costs with source documents. The State paid the district \$411,733. The amount paid exceed allowable costs claimed by \$395,197.

Background

Chapter 498, Statutes of 1983, and Chapter 4, Statutes of 1999, added Education Code sections 44660-44665. The legislation provided specific reimbursement activities related to evaluation and assessment of the performance of "certificated personnel" within each school district, except for those employed in local, discretionary educational programs.

The following activities are reimbursable:

- Evaluating and assessing the performance of certificated instructional employees who perform the requirements of educational programs mandated by state or federal law for evaluations that reasonably relate to the instructional techniques and strategies used by the employee, as well as the employee's adherence to curricular objectives.
- Evaluating and assessing the performance of certificated instructional employees who teach reading, writing, mathematics, history/social sciences, and science in grades 2 through 11 for evaluations that reasonably relate to the progress of pupils toward the state-adopted academic content standards as measured by state-adopted assessment tests.
- Assessing and evaluating permanent certificated, instructional, and non-instructional employees who perform the requirements of educational programs mandated by state or federal law and receive an unsatisfactory evaluation in the years in which the permanent certificated employee would not have otherwise been evaluated pursuant to Education Code section 44664. The additional evaluations last until the employee achieves a positive evaluation or is separated from the school district.

On May 27, 2004, the Commission on State Mandates (CSM) determined that the legislation imposed a state mandate reimbursable under Government Code section 17561.

The program's parameters and guidelines establish the state mandate and define reimbursement criteria. The CSM adopted the parameters and guidelines on September 27, 2005. In compliance with Government Code section 17558, the SCO issues claiming instructions to assist local agencies and school districts in claiming mandated program reimbursable costs.

**Objective, Scope,
and Methodology**

We conducted the audit to determine whether costs claimed represent increased costs resulting from the Stull Act Program for the period of July 1, 1997, through June 30, 2008.

Our audit scope included, but was not limited to, determining whether costs claimed were supported by appropriate source documents, were not funded by another source, and were not unreasonable and/or excessive.

We conducted this performance audit under the authority of Government Code sections 12410, 17558.5, and 17561. We did not audit the district's financial statements. We conducted the audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

We limited our review of the district's internal controls to gaining an understanding of the transaction flow and claim preparation process as necessary to develop appropriate auditing procedures.

Conclusion

Our audit disclosed instances of noncompliance with the requirements outlined above. These instances are described in the accompanying Summary of Program Costs (Schedule 1) and in the Finding and Recommendation section of this report.

For the audit period, Oceanside Unified School District claimed \$1,286,956 for costs of the Stull Act Program. Our audit disclosed that \$16,536 is allowable and \$1,270,420 is unallowable.

The State paid the district \$411,733. Our audit disclosed that \$16,536 is allowable. The State will offset \$395,197 from other mandated program payments due the district. Alternatively, the district may remit this amount to the State.

**Views of
Responsible
Official**

We issued a draft audit report on February 9, 2011. Karen Huddleston, Controller, responded by letter dated March 22, 2011 (Attachment), disagreeing with the audit results. This final audit report includes the district's response.

Restricted Use

This report is solely for the information and use of Oceanside Unified School District, the San Diego County Office of Education, the California Department of Education, the California Department of Finance, and the SCO; it is not intended to be and should not be used by anyone other than these specified parties. This restriction is not intended to limit distribution of this report, which is a matter of public record.

Original signed by

JEFFREY V. BROWNFIELD
Chief, Division of Audits

August 24, 2011

**Schedule 1—
Summary of Program Costs
July 1, 1997, through June 30, 2008**

Cost Elements	Actual Costs Claimed	Allowable per Audit	Audit Adjustment
<u>July 1, 1997, through June 30, 1998</u>			
Direct costs:			
Salaries and benefits:			
Review certificated instructional employees' (CIE) techniques and strategies	\$ 25,860	\$ —	\$ (25,860)
Evaluation to include assessment of CIEs' techniques and strategies	25,859	—	(25,859)
Total salaries and benefits	51,719	—	(51,719)
Indirect costs	2,586	—	(2,586)
Total program costs	<u>\$ 54,305</u>	—	<u>\$ (54,305)</u>
Less amount paid by the State		—	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ —</u>	
<u>July 1, 1998, through June 30, 1999</u>			
Direct costs:			
Salaries and benefits:			
Review CIEs' techniques and strategies	\$ 35,551	\$ —	\$ (35,551)
Evaluation to include assessment of CIEs' techniques and strategies	35,550	—	(35,550)
Total salaries and benefits	71,101	—	(71,101)
Indirect costs	3,555	—	(3,555)
Total program costs	<u>\$ 74,656</u>	—	<u>\$ (74,656)</u>
Less amount paid by the State		—	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ —</u>	
<u>July 1, 1999, through June 30, 2000</u>			
Direct costs:			
Salaries and benefits:			
Review CIEs' techniques and strategies	\$ 50,227	\$ —	\$ (50,227)
Evaluation to include assessment of CIEs' techniques and strategies	50,227	—	(50,227)
Total salaries and benefits	100,454	—	(100,454)
Indirect costs	5,023	—	(5,023)
Total program costs	<u>\$ 105,477</u>	—	<u>\$ (105,477)</u>
Less amount paid by the State		—	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ —</u>	

Schedule 1 (continued)

Cost Elements	Actual Costs Claimed	Allowable per Audit	Audit Adjustment
<u>July 1, 2000, through June 30, 2001</u>			
Direct costs:			
Salaries and benefits:			
Review CIEs' techniques and strategies	\$ 70,837	\$ —	\$ (70,837)
Evaluation to include assessment of CIEs' techniques and strategies	70,837	—	(70,837)
Total salaries and benefits	141,674	—	(141,674)
Indirect costs	6,418	—	(6,418)
Total program costs	<u>\$ 148,092</u>	—	<u>\$ (148,092)</u>
Less amount paid by the State		—	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ —</u>	
<u>July 1, 2001, through June 30, 2002</u>			
Direct costs:			
Salaries and benefits:			
Review CIEs' techniques and strategies	\$ 97,069	\$ —	\$ (97,069)
Evaluation to include assessment of CIEs' techniques and strategies	97,068	—	(97,068)
Total salaries and benefits	194,137	—	(194,137)
Indirect costs	9,590	—	(9,590)
Total program costs	<u>\$ 203,727</u>	—	<u>\$ (203,727)</u>
Less amount paid by the State		—	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ —</u>	
<u>July 1, 2002, through June 30, 2003</u>			
Direct costs:			
Salaries and benefits:			
Review CIEs' techniques and strategies	\$ 98,937	\$ —	\$ (98,937)
Evaluation to include assessment of CIEs' techniques and strategies	98,936	—	(98,936)
Total salaries and benefits	197,873	—	(197,873)
Indirect costs	10,012	—	(10,012)
Total program costs	<u>\$ 207,885</u>	—	<u>\$ (207,885)</u>
Less amount paid by the State		—	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ —</u>	

Schedule 1 (continued)

Cost Elements	Actual Costs Claimed	Allowable per Audit	Audit Adjustment
<u>July 1, 2003, through June 30, 2004</u>			
Direct costs:			
Salaries and benefits:			
Review CIEs' techniques and strategies	\$ 110,625	\$ —	\$ (110,625)
Evaluation to include assessment of CIEs' techniques and strategies	<u>110,624</u>	<u>—</u>	<u>(110,624)</u>
Total salaries and benefits	221,249	—	(221,249)
Indirect costs	<u>9,182</u>	<u>—</u>	<u>(9,182)</u>
Total program costs	<u>\$ 230,431</u>	—	<u>\$ (230,431)</u>
Less amount paid by the State		<u>165,886</u>	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ (165,886)</u>	
<u>July 1, 2004, through June 30, 2005</u>			
Direct costs:			
Salaries and benefits:			
Review CIEs' techniques and strategies	\$ 117,596	\$ —	\$ (117,596)
Evaluation to include assessment of CIEs' techniques and strategies	<u>117,597</u>	<u>—</u>	<u>(117,597)</u>
Total salaries and benefits	235,193	—	(235,193)
Indirect costs	<u>10,654</u>	<u>—</u>	<u>(10,654)</u>
Total program costs	<u>\$ 245,847</u>	—	<u>\$ (245,847)</u>
Less amount paid by the State		<u>245,847</u>	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ (245,847)</u>	
<u>July 1, 2006, through June 30, 2007</u>			
Direct costs:			
Salaries and benefits:			
Review CIEs' techniques and strategies	\$ 6,788	\$ 5,772	\$ (1,016)
Evaluation to include assessment of CIEs' techniques and strategies	<u>—</u>	<u>4,193</u>	<u>4,193</u>
Total salaries and benefits	6,788	9,965	3,177
Indirect costs	<u>293</u>	<u>430</u>	<u>137</u>
Total direct and indirect costs	7,081	10,395	3,314
Less allowable costs that exceed claimed costs ²	<u>—</u>	<u>(3,314)</u>	<u>(3,314)</u>
Total program costs	<u>\$ 7,081</u>	7,081	<u>\$ —</u>
Less amount paid by the State		<u>—</u>	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 7,081</u>	

Schedule 1 (continued)

Cost Elements	Actual Costs Claimed	Allowable per Audit	Audit Adjustment
<u>July 1, 2007, through June 30, 2008</u>			
Direct costs:			
Salaries and benefits:			
Review CIEs' techniques and strategies	\$ 9,161	\$ 6,371	\$ (2,790)
Evaluation to include assessment of CIEs' techniques and strategies	—	4,263	4,263
Total salaries and benefits	9,161	10,634	1,473
Indirect costs	294	341	47
Total direct and indirect costs	9,455	10,975	1,520
Less allowable costs that exceed claimed costs ²	—	(1,520)	(1,520)
Total program costs	<u>\$ 9,455</u>	9,455	<u>\$ —</u>
Less amount paid by the State		—	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 9,455</u>	
<u>Summary: July 1, 1997, through June 30, 2008</u>			
Direct costs:			
Salaries and benefits:			
Review CIEs' techniques and strategies	\$ 622,651	\$ 12,143	\$ (610,508)
Evaluation to include assessment of CIEs' techniques and strategies	606,698	8,456	(598,242)
Total salaries and benefits	1,229,349	20,599	(1,208,750)
Indirect costs	57,607	771	(56,836)
Total direct and indirect costs	1,286,956	21,370	(1,265,586)
Less allowable costs that exceed claimed costs ²	—	(4,834)	(4,834)
Total program costs	<u>\$ 1,286,956</u>	16,536	<u>\$ (1,270,420)</u>
Less amount paid by the State		411,733	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ (395,197)¹</u>	

¹ See the Finding and Recommendation section.

² Government Code section 17568 stipulates that the State will not reimburse any claim more than one year after the filing deadline specified in the SCO's claiming instructions. That deadline has expired for FY 2006-07, and FY 2007-08.

Finding and Recommendation

**FINDING—
Misstated salaries and
benefits and related
indirect costs**

The district overstated salaries and benefits by \$1,208,750 for the audit period. The related indirect costs total \$56,836. For fiscal year (FY) 1997-98 through FY 2004-05, the district did not support its entire claimed salaries and benefits totaling \$1,213,400. For FY 2006-07 and FY 2007-08, the district understated allowable salaries and benefits by \$4,650.

On March 31, 2010, in reference to the FY 1997-98 through FY 2004-05 claims, the district's Director of Human Resources stated:

We are no longer spending valuable human resource employee time on this audit. If at a future date, we have additional hours, we will continue to print copies of the employee evaluations. It is my understanding you have completed and verified the dollars requested for the years 2007-08 and 2006-07. You can see that we have a verifiable evaluation process in place.

In support of FY 1997-98 through FY 2004-05 costs, the district provided us Sixten and Associates' "Employee Average Time Records for Mandated Costs." Each employee recorded average time performing evaluation activities for the period of FY 1997-98 through FY 2004-05 in one form. All forms were signed by claimed staff and dated in either February or March 2006. The district did not provide source documents supporting the average time or access to employee evaluations to support the number of employees evaluated. The district did not file a claim for FY 2005-06; however, the district provided School Innovations and Advocacy's time logs for this unclaimed year.

In support of FY 2006-07 costs, the district provided School Innovations and Advocacy's time logs. Each employee recorded time spent performing the mandate for all months in the fiscal year in one form. The time logs did not include the date signed or the signature of claimed employee. The district did not provide source documents supporting the time recorded in the annual forms. The district also did not provide School Innovations and Advocacy source documentation to support its FY 2007-08 claims.

We developed alternative methods to determine allowable salaries, benefits, and related indirect costs given the district's inadequate documentation detailed above. We obtained a copy of the district's teacher-evaluation procedures and forms and interviewed administrators who actually performed the mandated activities in the audit years. The district's teacher-evaluation forms disclosed half an hour of actual classroom observation. The district requested that it be allowed to support its claims with auditor verification of its written observations and final summary performance teacher evaluations from personnel records. The district agreed to our recommendation that it allow half an hour for each written observation and final teacher evaluation verified.

We selected a 10% random sample of 23 district school sites. The district provided copies of written observations and summative evaluations of El Camino High School, Jefferson Middle School, and Mission Elementary School for FY 2006-07 and FY 2007-08. Auditor-verified hours for sampled schools exceeded claimed hours only for FY 2006-07 and FY 2007-08. The district also provided actual pay and benefits information as well as resource codes for employees claimed for FY 2006-07 and FY 2007-08. The claimed rates were overstated for FY 2006-07 and understated for FY 2007-08.

The following table summarizes the overstated claimed costs for salaries and benefits and related indirect costs by reimbursable activities:

Fiscal Year	Review CIEs' Techniques and Strategies	Evaluate (and Assess) CIEs' Techniques and Strategies	Total Salaries and Benefits	Indirect Costs	Audit Adjustment
1997-98	\$ (25,860)	\$ (25,859)	\$ (51,719)	\$ (2,586)	\$ (54,305)
1998-99	(35,551)	(35,550)	(71,101)	(3,555)	(74,656)
1999-2000	(50,227)	(50,227)	(100,454)	(5,023)	(105,477)
2000-01	(70,837)	(70,837)	(141,674)	(6,418)	(148,092)
2001-02	(97,069)	(97,068)	(194,137)	(9,590)	(203,727)
2002-03	(98,937)	(98,936)	(197,873)	(10,012)	(207,885)
2003-04	(110,625)	(110,624)	(221,249)	(9,182)	(230,431)
2004-05	(117,596)	(117,597)	(235,193)	(10,654)	(245,847)
2006-07	(1,016)	4,193	3,177	137	3,314
2007-08	(2,790)	4,263	1,473	47	1,520
Total	<u>\$ (610,508)</u>	<u>\$ (598,242)</u>	<u>\$ (1,208,750)</u>	<u>\$ (56,836)</u>	<u>\$ (1,265,586)</u>

CIE = Certificated instructional employee

The parameters and guidelines (section IV) state:

To be eligible for mandated cost reimbursement for any fiscal year, only actual costs may be claimed. Actual costs are those costs actually incurred to implement the mandated activities. Actual costs must be traceable and supported by source documents that show the validity of such costs, when they were incurred, and their relationship to the reimbursable activities. A source document is a document created at or near the same time the actual cost was incurred for the event or activity in question. Source documents may include, but are not limited to employee time records or time logs, sign-in sheets, invoices, and receipts.

Evidence corroborating the source documents may include, but is not limited to, worksheets, cost allocation reports (system generated), agendas, and declarations. Declarations must include a certification or declaration stating, "I certify (or declare) under penalty of perjury under the laws of the State of California that the foregoing is true and correct," and must further comply with the requirements of Code of Civil Procedure section 2015.5. Evidence corroborating the source documents may include data relevant to the reimbursable activities otherwise in compliance with local state, and federal government requirements. However, corroborating documents cannot be substituted for source documents.

Recommendation

We recommend that the district ensure that all costs related to the mandated program are properly reported and supported with source documents.

District's Response

. . . we feel that we submitted claims appropriate to the costs incurred. While we were able to supply supporting documentation, it was not accepted as sufficient by the audit team. The additional documentation requested was, and is, available but would be a significant drain on district resources, including staff and funds, to provide. Consequently, the district cannot expend any further time or resources to produce the requested records.

SCO's Comment

The finding and recommendation remain unchanged.

As noted in the finding, the district provided only estimated time spent performing mandated activities. We worked with the district in developing alternative methods to determine a unit time allowance for time spent on reimbursable activities. The district provided us only with documentation supporting the number of employees evaluated as well as related pay and benefit information for FY 2006-07 and FY 2007-08. The district did not provide us with this type of information for FY 1997-98 through FY 2004-05. Consequently, we allowed no costs for FY 1997-98 through FY 2004-05.

We will reissue the final report, as appropriate, if the district provides us additional documentation supporting costs incurred for FY 1997-98 through FY 2004-05.

**OTHER ISSUE—
Noncompliance with
mandated
requirements**

Probationary certificated instructional employees were not evaluated and assessed.

The district did not evaluate and assess the performance of probationary certificated employees in FY 2006-07 and FY 2007-08. Therefore, it did not claim costs for this activity.

The district provided system-generated lists of certificated instructional employees (CIE) for FY 2006-07 and FY 2007-08. The lists disclosed tenure status as temporary, substitute, probationary, or permanent. The lists reported that 85 out of 152 (56%) probationary CIEs for FY 2006-07 and 41 out of 108 (38%) probationary CIEs for FY 2007-08 were not evaluated. The district researched and printed evidence of evaluation for 18 CIEs for FY 2006-07 and 11 CIEs for FY 2007-08. The district's system-generated lists of probationary employees who were not evaluated were erroneous.

The district's corrected numbers of probationary employees who were not evaluated are as follows:

- FY 2006-07—67 out of 152 (44%)
- FY 2007-08—30 out of 108 (28%)

The parameters and guidelines for the program state that the CSM found that Education Code sections 44660-44665 constitute a new program or higher level of service and impose a state-mandated program upon school districts to evaluate and assess the performance of probationary certificated instructional employees once each year for the following reimbursable activities:

- Reviewing the employee's instructional techniques and strategies and adherence to curricular objectives, and including in the written evaluation the assessment of these factors,
- Reviewing the results of the STAR test as it reasonably relates to the performance of those certificated employees who teach reading, writing, mathematics, history/social science, and science in grades 2 to 11, and including in the written evaluation of those certificated employees the assessment of the employee's performance based on the STAR results for the pupils they teach.

Certificated instructional employees were not evaluated and assessed based on STAR test results.

The district did not evaluate and assess the performance of CIEs based on the STAR test results of the pupils they taught during the evaluation periods.

The district's collective bargaining agreement in effect for the audit period did not allow for teacher evaluation based on the STAR test results of the students they taught.

The parameters and guidelines state that the CSM found that Education Code sections 44660-44665 constitute a new program or higher level of service and impose a state mandated program upon school districts to:

Evaluate and assess the performance of probationary certificated instructional employees that teach reading, writing, mathematics, history/social science, and science in grades 2 to 11 as it reasonably relates to the progress of pupils towards the state adopted academic content standards as measured by state adopted assessment tests.

Reimbursement for this activity is limited to the review of the results of the STAR test as it reasonably relates to the performance of those certificated employees that teach reading, writing, mathematics, history/social science, and science in grades 2 to 11, and to include in the written evaluation of those certificated employees the assessment of the employee's performance based on the STAR results for the pupils they teach during the evaluation periods specific in Education Code section 44664, and described below:

- Once each year for probationary certificated employees;
- Every other year for permanent certificated employees; and
- Beginning January 1, 2004, every five years for certificated employees with permanent status who have been employed at least ten years with the school district, are highly qualified (as defined in 20 USC section 7801), and whose previous evaluation rated the employee as meeting or exceeding standards, if the evaluator and certificated employee being evaluated agree.

Staff were not trained on implementing the mandate.

The district did not train staff on implementing the legislatively mandated Stull Act program reimbursable activities.

The parameters and guidelines state that the following activity is reimbursable:

Train staff on implementing the reimbursable activities listed in section IV of these parameters and guidelines. (One-time activity for each employee.) (*Reimbursement period begins July 1, 1997*)

Recommendation

We recommend that the district:

- Include in the certificated administrator's job description responsibility for the assessment and evaluation of certificated instructional employees according to Education Code section 44660-49665;
- Develop and implement board policies and district procedures on assessment and evaluation of certificated instructional employees that are in compliance with the Education Code; and
- Improve management oversight of mandated activities imposed on school districts.

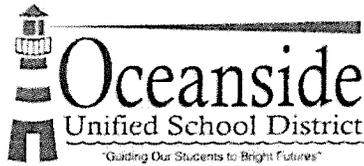
District's Response

. . . the district complied fully with the requirements of the Stull Act during the claiming period.

SCO's Comment

The observation and recommendation remain unchanged. The district did not respond to the specific issues identified above.

**Attachment—
District's Response to
Draft Audit Report**



March 22, 2011

Jim L. Spano, Chief
Mandated Cost Audits Bureau/Division of Audits
California State Controller's Office
P.O. Box 942850
Sacramento, CA 94250-5874

RE: Stull Act Program - July 1, 1997, through June 30, 2008

Dear Chief Spano,

In connection with the State Controller's Office (SCO) audit of the Oceanside Unified's claims for the mandated program and audit period identified above, we affirm, to the best of our knowledge and belief, the following representations made to the SCO's audit staff during the audit:

1. We maintain accurate financial records and data to support the mandated cost claims submitted to the SCO.
2. We designed and implemented the district's accounting system to ensure accurate and timely records.
3. We prepared and submitted our reimbursement claims according to the Stull Act Program's parameters and guidelines.
4. We claimed mandated costs based on actual expenditures allowable per the Stull Act Program's parameters and guidelines.
5. We made available to the SCO's audit staff all financial records, correspondence, and other data pertinent to the mandated cost claims.
6. We are not aware of any:
 - a. Violations or possible violations of laws and regulations involving management or employees who had significant roles in the accounting system or in preparing the mandated cost claims.
 - b. Violations or possible violations of laws and regulations involving other employees that could have had a material effect on the mandated cost claims.
 - c. Communications from regulatory agencies concerning noncompliance with, or deficiencies in, accounting and reporting practices that could have a material effect on the mandated cost claims.
 - d. Relevant, material transactions that were not properly recorded in the accounting records that could have a material effect on the mandated cost claims.
7. We are not aware of any events that occurred after the audit period that would require us to adjust the mandated cost claims.

Furthermore, the district complied fully with the requirements of the Stull Act during the claiming period and we feel that we submitted claims appropriate to the costs incurred. While we were able to supply supporting documentation, it was not accepted as sufficient by the audit team. The additional documentation requested was, and is, available but would be a significant drain on district resources, including staff and funds, to provide. Consequently, the district cannot expend any further time or resources to produce the requested records.

Sincerely,

Karen Huddleston, Controller

Cc: Shelly Morr, Ed.D.
Associate Superintendent, Human Resources

Oceanside Unified School District
Fiscal Services Department
2111 Mission Avenue • Oceanside, CA 92058
760.966.4075 ph • 760.754.9036 fx

**State Controller's Office
Division of Audits
Post Office Box 942850
Sacramento, CA 94250-5874**

<http://www.sco.ca.gov>

Exhibit E

CLAIM FOR PAYMENT Pursuant to Government Code Section 17561 THE STULL ACT	For State Controller Use Only (19) Program Number 00260 (20) Date Filed APR 11 2006 (21) LRS Input / /	Program 260
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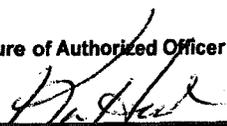
L A B E L H E R E	(01) Claimant Identification Number: S37135	Reimbursement Claim Data			
(02) Claimant Name: Oceanside Unified School District	(22) SA-1(03)(a)	507			
County: San Diego	(23) SA-1(03)(b)	-			
PO Box: 0	(24) SA-1(04)(A)(1)(a)(f)	\$	25,860		
Address: 2111 Mission Avenue	(25) SA-1(04)(A)(1)(b)(f)	\$	25,860		
City: Oceanside Zip: 92054-2395	(26) SA-1(04)(A)(2)(a)(f)	\$	-		
(03) Type of Claim	Estimated Claim	Reimbursement Claim	(27) SA-1(04)(A)(2)(b)(f)	\$	-
	(03) Estimated <input checked="" type="checkbox"/>	(09) Reimbursement <input checked="" type="checkbox"/>	(28) SA-1(04)(B)(1)(a)(f)	\$	-
	(04) Combined <input type="checkbox"/>	(10) Combined <input type="checkbox"/>	(29) SA-1(04)(B)(1)(b)(f)	\$	-
	(05) Amended <input type="checkbox"/>	(11) Amended <input type="checkbox"/>			
Fiscal Year of Cost	(06) 1998-99	(12) 1997-98	(30) SA-1(04)(B)(1)(c)(f)	\$	-
Total Claimed Amount	(07)	(13) \$ 54,305			
Less: 10% Late Penalty, not to exceed \$1,000		(14)	(31) SA-1(04)(B)(1)(d)(f)	\$	-
Less: Estimate Payment Received		(15)	(32) SA-1(04)(B)(1)(e)(f)	\$	-
Net Claimed Amount		(16) \$ 54,305	(33) SA-1 (06)		\$ 5,000
Due from State	(08) \$ -	(17) \$ 54,305	(34)		2586
Due to State		(18)	(35)		-
			(36)		-

(37) CERTIFICATION OF CLAIM:

In accordance with the provisions of Government Code 17561, I certify that I am the officer authorized by the school district to file mandated costs claims with the State of California for this program, and certify under penalty of perjury that I have not violated any of the provisions of Government Code Sections 1090 to 1098, inclusive.

I further certify that there was no application other than from the claimant, nor any grants or payments received, for reimbursement of costs claimed herein, and such costs are for a new program or increased level of services of an existing program. All offsetting savings and reimbursements set forth in the Parameters and Guidelines are identified, and all costs claims are supported by source documentation currently maintained by the claimant.

The amounts for the Estimated Claim and/or the Reimbursement Claim are hereby claimed from the State for payment of estimated and/or actual costs set forth on the attached statements. I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Signature of Authorized Officer


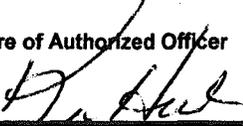
Date


Karen Huddleston, Controller

Type or Print Name	Title
(39) Name of Contact person for Claim Sandra Reynolds	Telephone Number (951) 303-3034 E-mail Address sandrareynolds_30@msn.com

Program 260	MANDATED COSTS THE STULL ACT CLAIM SUMMARY					FORM SA-1	
(01) Claimant: Oceanside Unified School District		(02) Type of Claim Reimbursement <table border="1" style="display:inline-table; vertical-align:middle;"><tr><td style="text-align:center;">X</td></tr></table> Estimated			X	Fiscal Year 1997-98	
X							
(03) (a) Number of Certificated Instructional Employees (CIE's) evaluated per (04)(A)						507	
(b) Number of CIE's and Non-Instructional Employees (NIE's) evaluated per (04)(B)							
Direct Costs			Object Accounts				
(04) Reimbursable Components	(a) Salaries Benefits	(b) Materials & Supplies	(c) Contracted Services	(d) Fixed Assets	(e) Travel & Training	(f) Total	
A. CIE's							
1. Evaluation/Assessment-Ed. Code 44662, subd. (b), as amended by Ch. 4/99; Reimbursement period begins fy 1997-98							
a. Review employee's techniques and strategies	\$ 25,860	\$ -	\$ -	\$ -	\$ -	\$ 25,860	
b. Evaluation of techniques and strategies	\$ 25,860	\$ -	\$ -	\$ -	\$ -	\$ 25,860	
2. Evaluation/Assessment-Ed. Code 44662, subd. (b), as amended by Ch. 498/83; Reimbursement period begins 3/15/99							
a. Review STAR results	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
b. Assessment per STAR	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
B. CIE's and NIE's							
1. Evaluation/Assessment-Ed. Code 44664, subd. (b), as amended by Ch. 498/93; Reimbursement period begins fy 1997-98							
a. Evaluating and assessing CIE per certain criteria	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
b. Writing evaluation	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
c. Transmitting evaluation	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
d. Attaching to personnel file	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
e. Discussing evaluation	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
(05) Total Direct Costs	\$ 51,719	\$ -	\$ -	\$ -	\$ -	\$ 51,719	
Indirect Costs							
(06) Indirect Cost Rate	[From J-380 or J580]					5.00%	
(07) Total Indirect Costs:	[Line (06) x [Line (05)(a)]]					\$ 2,586	
(08) Total Direct and Indirect Costs	[Line (05)(f) + Line (07)]					\$ 54,305	
Cost Reduction							
(09) Less: Offsetting Savings, if applicable							
(10) Less: Other Reimbursements, if applicable							
(11) Total Claimed Amount:	[Line (08) - (Line (9) + Line (10))]					\$ 54,305	

Exhibit F

CLAIM FOR PAYMENT			For State Controller Use Only		Program
Pursuant to Government Code Section 17561 THE STULL ACT			(19) Program Number APR 11 2006		260
			(20) Date Filed ___/___/___		
			(21) LRS Input ___/___/___		
(01) Claimant Identification Number: S37135			Reimbursement Claim Data		
(02) Claimant Name: Oceanside Unified School District			(22) SA-1(03)(a)	550	
County: San Diego			(23) SA-1(03)(b)	-	
PO Box: 0			(24) SA-1(04)(A)(1)(a)(f)	\$	35,551
Address: 2111 Mission Avenue			(25) SA-1(04)(A)(1)(b)(f)	\$	35,551
City: Oceanside Zip: 92054-2395			(26) SA-1(04)(A)(2)(a)(f)	\$	-
(03) Type of Claim	Estimated Claim	Reimbursement Claim	(27) SA-1(04)(A)(2)(b)(f)	\$	-
	(03) Estimated <input checked="" type="checkbox"/>	(09) Reimbursement <input checked="" type="checkbox"/>	(28) SA-1(04)(B)(1)(a)(f)	\$	-
	(04) Combined <input type="checkbox"/>	(10) Combined <input type="checkbox"/>	(29) SA-1(04)(B)(1)(b)(f)	\$	-
	(05) Amended <input type="checkbox"/>	(11) Amended <input type="checkbox"/>	(30) SA-1(04)(B)(1)(c)(f)	\$	-
Fiscal Year of Cost	(06) 1999-00	(12) 1998-99	(31) SA-1(04)(B)(1)(d)(f)	\$	-
Total Claimed Amount	(07)	(13) \$ 74,656	(32) SA-1(04)(B)(1)(e)(f)	\$	-
Less: 10% Late Penalty, not to exceed \$1,000	(14)		(33) SA-1 (06)	\$	5.00%
Less: Estimate Payment Received	(15)		(34)	3555	
Net Claimed Amount	(16) \$ 74,656	(17) \$ 74,656	(35)	-	
Due from State	(08) \$ -	(18)	(36)	-	
Due to State				-	
(37) CERTIFICATION OF CLAIM:					
In accordance with the provisions of Government Code 17561, I certify that I am the officer authorized by the school district to file mandated costs claims with the State of California for this program, and certify under penalty of perjury that I have not violated any of the provisions of Government Code Sections 1090 to 1098, inclusive.					
I further certify that there was no application other than from the claimant, nor any grants or payments received, for reimbursement of costs claimed herein, and such costs are for a new program or increased level of services of an existing program. All offsetting savings and reimbursements set forth in the Parameters and Guidelines are identified, and all costs claims are supported by source documentation currently maintained by the claimant.					
The amounts for the Estimated Claim and/or the Reimbursement Claim are hereby claimed from the State for payment of estimated and/or actual costs set forth on the attached statements. I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.					
Signature of Authorized Officer 			Date 4/11/06		
Karen Huddleston, Controller					
Type or Print Name			Title		
(39) Name of Contact person for Claim Sandra Reynolds			Telephone Number (951) 303-3034 E-mail Address sandrareynolds_30@msn.com		

Program 260	MANDATED COSTS THE STULL ACT CLAIM SUMMARY	FORM SA-1
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(01) Claimant: <p style="text-align: center;">Oceanside Unified School District</p>	(02) Type of Claim Reimbursement <table border="1" style="display: inline-table; vertical-align: middle;"><tr><td style="text-align: center;">X</td></tr></table> Estimated <table border="1" style="display: inline-table; vertical-align: middle;"><tr><td style="width: 20px; height: 20px;"></td></tr></table>	X		Fiscal Year <p style="text-align: center;">1998-99</p>
X				

3) (a) Number of Certificated Instructional Employees (CIE's) evaluated per (04)(A)	550
3) (b) Number of CIE's and Non-Instructional Employees (NIE's) evaluated per (04)(B)	

Direct Costs **Object Accounts**

4) Reimbursable Components	(a) Salaries Benefits	(b) Materials & Supplies	(c) Contracted Services	(d) Fixed Assets	(e) Travel & Training	(f) Total
CIE's						

Evaluation/Assessment-Ed. Code 44662, subd. (b), as amended by Ch. 4/99; Reimbursement period begins fy 1997-98

Review employee's techniques and strategies	\$ 35,551	\$ -	\$ -	\$ -	\$ -	\$ 35,551
Evaluation of techniques and strategies	\$ 35,551	\$ -	\$ -	\$ -	\$ -	\$ 35,551

Evaluation/Assessment-Ed. Code 44662, subd. (b), as amended by Ch. 498/83; Reimbursement period begins 3/15/99

Review STAR results	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Assessment per STAR	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

CIE's and NIE's

Evaluation/Assessment-Ed. Code 44664, subd. (b), as amended by Ch. 498/93; Reimbursement period begins fy 1997-98

Evaluating and assessing CIE per certain criteria	\$ -	-	-	-	-	\$ -
Writing evaluation	\$ -	-	-	-	-	\$ -
Transmitting evaluation	\$ -	-	-	-	-	\$ -
Attaching to personnel file	\$ -	-	-	-	-	\$ -
Discussing evaluation	\$ -	-	-	-	-	\$ -

15) Total Direct Costs	\$ 71,101	-	-	-	-	\$ 71,101
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Indirect Costs

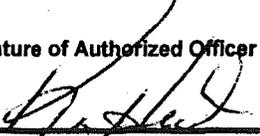
16) Indirect Cost Rate	[From J-380 or J580]	5.00%
17) Total Indirect Costs:	[Line (06) x [Line (05)(a)]]	\$ 3,555
18) Total Direct and Indirect Costs	[Line (05)(f) + Line (07)]	\$ 74,656

Cost Reduction

19) Less: Offsetting Savings, if applicable	
20) Less: Other Reimbursements, if applicable	
21) Total Claimed Amount:	\$ 74,656

Revised 01/06

Exhibit G

CLAIM FOR PAYMENT Pursuant to Government Code Section 17561 THE STULL ACT			For State Controller Use Only		Program 260
			(19) Program Number	APR 11 2008	
(01) Claimant Identification Number: S37135			Reimbursement Claim Data		
(02) Claimant Name: Oceanside Unified School District			(22) SA-1(03)(a)	509	
County: San Diego			(23) SA-1(03)(b)	-	
PO Box: 0			(24) SA-1(04)(A)(1)(a)(f)	\$	50,227
Address: 2111 Mission Avenue			(25) SA-1(04)(A)(1)(b)(f)	\$	50,227
City: Oceanside Zip: 92054-2395			(26) SA-1(04)(A)(2)(a)(f)	\$	-
(03) Type of Claim	Estimated Claim	Reimbursement Claim	(27) SA-1(04)(A)(2)(b)(f)	\$	-
	(03) Estimated <input checked="" type="checkbox"/>	(09) Reimbursement <input checked="" type="checkbox"/>	(28) SA-1(04)(B)(1)(a)(f)	\$	-
	(04) Combined <input type="checkbox"/>	(10) Combined <input type="checkbox"/>	(29) SA-1(04)(B)(1)(b)(f)	\$	-
	(05) Amended <input type="checkbox"/>	(11) Amended <input type="checkbox"/>			
Fiscal Year of Cost	(06) 2000-01	(12) 1999-00	(30) SA-1(04)(B)(1)(c)(f)	\$	-
Total Claimed Amount	(07)	(13) \$ 105,477			
Less: 10% Late Penalty, not to exceed \$1,000		(14)	(31) SA-1(04)(B)(1)(d)(f)	\$	-
Less: Estimate Payment Received		(15)	(32) SA-1(04)(B)(1)(e)(f)	\$	-
Net Claimed Amount		(16) \$ 105,477	(33) SA-1 (06)		5 5.00%
Due from State	(08) \$ -	(17) \$ 105,477	(34)		5023
Due to State		(18)	(36)		-
(37) CERTIFICATION OF CLAIM:					
In accordance with the provisions of Government Code 17561, I certify that I am the officer authorized by the school district to file mandated costs claims with the State of California for this program, and certify under penalty of perjury that I have not violated any of the provisions of Government Code Sections 1090 to 1098, inclusive.					
I further certify that there was no application other than from the claimant, nor any grants or payments received, for reimbursement of costs claimed herein, and such costs are for a new program or increased level of services of an existing program. All offsetting savings and reimbursements set forth in the Parameters and Guidelines are identified, and all costs claims are supported by source documentation currently maintained by the claimant.					
The amounts for the Estimated Claim and/or the Reimbursement Claim are hereby claimed from the State for payment of estimated and/or actual costs set forth on the attached statements. I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.					
Signature of Authorized Officer			Date		
			4/11/06		
Karen Huddleston, Controller					
Type or Print Name			Title		
(39) Name of Contact person for Claim			Telephone Number (951) 303-3034		
Sandra Reynolds			E-mail Address sandrareynolds_30@msn.com		

Program 260	MANDATED COSTS THE STULL ACT CLAIM SUMMARY	FORM SA-1
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(01) Claimant: <p style="text-align: center;">Oceanside Unified School District</p>	(02) Type of Claim <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">Reimbursement</td> <td style="text-align: center; width: 50px;">X</td> </tr> <tr> <td style="text-align: center;">Estimated</td> <td></td> </tr> </table>	Reimbursement	X	Estimated		Fiscal Year <p style="text-align: center;">1999-00</p>
Reimbursement	X					
Estimated						

3) (a) Number of Certificated Instructional Employees (CIE's) evaluated per (04)(A)	509
(b) Number of CIE's and Non-Instructional Employees (NIE's) evaluated per (04)(B)	

Direct Costs **Object Accounts**

4) Reimbursable Components	(a)	(b)	(c)	(d)	(e)	(f)
CIE's	Salaries Benefits	Materials & Supplies	Contracted Services	Fixed Assets	Travel & Training	Total

Evaluation/Assessment-Ed. Code 44662, subd. (b), as amended by Ch. 4/99; Reimbursement period begins fy 1997-98

Review employee's techniques and strategies	\$ 50,227	\$ -	\$ -	\$ -	\$ -	\$ 50,227
Evaluation of techniques and strategies	\$ 50,227	\$ -	\$ -	\$ -	\$ -	\$ 50,227

Evaluation/Assessment-Ed. Code 44662, subd. (b), as amended by Ch. 498/83; Reimbursement period begins 3/15/99

Review STAR results	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Assessment per STAR	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

CIE's and NIE's

Evaluation/Assessment-Ed. Code 44664, subd. (b), as amended by Ch. 498/93; Reimbursement period begins fy 1997-98

Evaluating and assessing CIE per certain criteria	\$ -	-	-	-	-	\$ -
Writing evaluation	\$ -	-	-	-	-	\$ -
Transmitting evaluation	\$ -	-	-	-	-	\$ -
Attaching to personnel file	\$ -	-	-	-	-	\$ -
Discussing evaluation	\$ -	-	-	-	-	\$ -

5) Total Direct Costs	\$ 100,454	-	-	-	-	\$ 100,454
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Indirect Costs

6) Indirect Cost Rate	[From J-380 or J580]	5.00%
7) Total Indirect Costs:	[Line (06) x (Line (05)(a))]	\$ 5,023
8) Total Direct and Indirect Costs	[Line (05)(f) + Line (07)]	\$ 105,477

Cost Reduction

9) Less: Offsetting Savings, if applicable		
0) Less: Other Reimbursements, if applicable		
1) Total Claimed Amount:	[Line (08) - (Line (9) + Line (10))]	\$ 105,477

Revised 01/06

Exhibit H

CLAIM FOR PAYMENT Pursuant to Government Code Section 17561 THE STULL ACT	For State Controller Use Only (19) Program Number 00260 (20) Date Filed APR 11 2006 (21) LRS Input <u> / / </u>	Program 260
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L A B E L H E R E	(01) Claimant Identification Number: S37135		Reimbursement Claim Data		
	(02) Claimant Name: Oceanside Unified School District		(22) SA-1(03)(a)	557	
	County: San Diego		(23) SA-1(03)(b)	-	
	PO Box: 0		(24) SA-1(04)(A)(1)(a)(f)	\$ 70,837	
	Address: 2111 Mission Avenue		(25) SA-1(04)(A)(1)(b)(f)	\$ 70,837	
	City: Oceanside Zip: 92054-2395		(26) SA-1(04)(A)(2)(a)(f)	\$ -	
	(03) Type of Claim	Estimated Claim	Reimbursement Claim	(27) SA-1(04)(A)(2)(b)(f)	\$ -
		(03) Estimated <input checked="" type="checkbox"/>	(09) Reimbursement <input checked="" type="checkbox"/>	(28) SA-1(04)(B)(1)(a)(f)	\$ -
		(04) Combined <input type="checkbox"/>	(10) Combined <input type="checkbox"/>	(29) SA-1(04)(B)(1)(b)(f)	\$ -
		(05) Amended <input type="checkbox"/>	(11) Amended <input type="checkbox"/>		
Fiscal Year of Cost	(06) 2001-02	(12) 2000-01	(30) SA-1(04)(B)(1)(c)(f)	\$ -	
Total Claimed Amount	(07)	(13) \$ 148,092			
Less: 10% Late Penalty, not to exceed \$1,000		(14)	(31) SA-1(04)(B)(1)(d)(f)	\$ -	
Less: Estimate Payment Received		(15)	(32) SA-1(04)(B)(1)(e)(f)	\$ -	
Net Claimed Amount		(16) \$ 148,092	(33) SA-1 (06)	\$ 5 4.8% 6418	
Due from State	(08) \$ -	(17) \$ 148,092	(34)	-	
Due to State		(18)	(35)	-	
			(36)	-	

(37) CERTIFICATION OF CLAIM:
 In accordance with the provisions of Government Code 17561, I certify that I am the officer authorized by the school district to file mandated costs claims with the State of California for this program, and certify under penalty of perjury that I have not violated any of the provisions of Government Code Sections 1090 to 1098, inclusive.

I further certify that there was no application other than from the claimant, nor any grants or payments received, for reimbursement of costs claimed herein, and such costs are for a new program or increased level of services of an existing program. All offsetting savings and reimbursements set forth in the Parameters and Guidelines are identified, and all costs claims are supported by source documentation currently maintained by the claimant.

The amounts for the Estimated Claim and/or the Reimbursement Claim are hereby claimed from the State for payment of estimated and/or actual costs set forth on the attached statements. I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Signature of Authorized Officer	Date	
	<u>4/11/06</u>	
Karen Huddleston, Controller		
Type or Print Name	Title	
(39) Name of Contact person for Claim Sandra Reynolds	Telephone Number (951) 303-3034	E-mail Address <u>sandrareynolds_30@msn.com</u>

Program 260	MANDATED COSTS THE STULL ACT CLAIM SUMMARY	FORM SA-1
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(01) Claimant: <p style="text-align: center;">Oceanside Unified School District</p>	(02) Type of Claim Reimbursement <table border="1" style="display: inline-table; vertical-align: middle;"><tr><td style="text-align: center;">X</td></tr></table> Estimated <table border="1" style="display: inline-table; vertical-align: middle;"><tr><td style="width: 20px; height: 15px;"></td></tr></table>	X		Fiscal Year <p style="text-align: center;">2000-01</p>
X				

(03) (a) Number of Certificated Instructional Employees (CIE's) evaluated per (04)(A)	557
(b) Number of CIE's and Non-Instructional Employees (NIE's) evaluated per (04)(B)	

Direct Costs **Object Accounts**

(04) Reimbursable Components	(a) Salaries Benefits	(b) Materials & Supplies	(c) Contracted Services	(d) Fixed Assets	(e) Travel & Training	(f) Total
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A. CIE's

1. Evaluation/Assessment-Ed. Code 44662, subd. (b), as amended by Ch. 4/99; Reimbursement period begins fy 1997-98

a. Review employee's techniques and strategies	\$ 70,837	\$ -	\$ -	\$ -	\$ -	\$ 70,837
b. Evaluation of techniques and strategies	\$ 70,837	\$ -	\$ -	\$ -	\$ -	\$ 70,837

2. Evaluation/Assessment-Ed. Code 44662, subd. (b), as amended by Ch. 498/83; Reimbursement period begins 3/15/99

a. Review STAR results	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
b. Assessment per STAR	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

B. CIE's and NIE's

1. Evaluation/Assessment-Ed. Code 44664, subd. (b), as amended by Ch. 498/93; Reimbursement period begins fy 1997-98

a. Evaluating and assessing CIE per certain criteria	\$ -	-	-	-	-	\$ -
b. Writing evaluation	\$ -	-	-	-	-	\$ -
c. Transmitting evaluation	\$ -	-	-	-	-	\$ -
d. Attaching to personnel file	\$ -	-	-	-	-	\$ -
e. Discussing evaluation	\$ -	-	-	-	-	\$ -
(05) Total Direct Costs	\$ 141,674	-	-	-	-	\$ 141,674

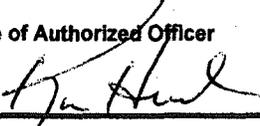
Indirect Costs

(06) Indirect Cost Rate	[From J-380 or J580]	5%
(07) Total Indirect Costs:	[Line (06) x [Line (05)(a)]]	\$ 6,418
(08) Total Direct and Indirect Costs	[Line (05)(f) + Line (07)]	\$ 148,092

Cost Reduction

(09) Less: Offsetting Savings, if applicable		
(10) Less: Other Reimbursements, if applicable		
(11) Total Claimed Amount:	[Line (08) - {Line (9) + Line (10)}]	\$ 148,092

Exhibit I

CLAIM FOR PAYMENT Pursuant to Government Code Section 17561 THE STULL ACT			For State Controller Use Only		Program
			(19) Program Number 00260		260
			(20) Date Filed <u>APR 11 2006</u>		
			(21) LRS Input <u> / / </u>		
(01) Claimant Identification Number: S37135			Reimbursement Claim Data		
(02) Claimant Name: Oceanside Unified School District			(22) SA-1(03)(a)		512
County: San Diego			(23) SA-1(03)(b)		-
PO Box: 0			(24) SA-1(04)(A)(1)(a)(f)	\$	97,069
Address: 2111 Mission Avenue			(25) SA-1(04)(A)(1)(b)(f)	\$	97,069
City: Oceanside Zip: 92054-2395			(26) SA-1(04)(A)(2)(a)(f)	\$	-
(03) Type of Claim	Estimated Claim	Reimbursement Claim	(27) SA-1(04)(A)(2)(b)(f)	\$	-
	(03) Estimated <input checked="" type="checkbox"/>	(09) Reimbursement <input checked="" type="checkbox"/>	(28) SA-1(04)(B)(1)(a)(f)	\$	-
	(04) Combined <input type="checkbox"/>	(10) Combined <input type="checkbox"/>	(29) SA-1(04)(B)(1)(b)(f)	\$	-
	(05) Amended <input type="checkbox"/>	(11) Amended <input type="checkbox"/>			
Fiscal Year of Cost	(06) 2002-03	(12) 2001-02	(30) SA-1(04)(B)(1)(c)(f)	\$	-
Total Claimed Amount	(07)	(13) \$ 203,727			
Less: 10% Late Penalty, not to exceed \$1,000		(14)	(31) SA-1(04)(B)(1)(d)(f)	\$	-
Less: Estimate Payment Received		(15)	(32) SA-1(04)(B)(1)(e)(f)	\$	-
Net Claimed Amount		(16) \$ 203,727	(33) SA-1 (06)		5.434% 9590
Due from State	(08) \$ -	(17) \$ 203,727	(34)		-
Due to State		(18)	(35)		-
(37) CERTIFICATION OF CLAIM:					
<p>In accordance with the provisions of Government Code 17561, I certify that I am the officer authorized by the school district to file mandated costs claims with the State of California for this program, and certify under penalty of perjury that I have not violated any of the provisions of Government Code Sections 1090 to 1098, inclusive.</p> <p>I further certify that there was no application other than from the claimant, nor any grants or payments received, for reimbursement of costs claimed herein, and such costs are for a new program or increased level of services of an existing program. All offsetting savings and reimbursements set forth in the Parameters and Guidelines are identified, and all costs claims are supported by source documentation currently maintained by the claimant.</p> <p>The amounts for the Estimated Claim and/or the Reimbursement Claim are hereby claimed from the State for payment of estimated and/or actual costs set forth on the attached statements. I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.</p>					
Signature of Authorized Officer			Date		
			<u>4/11/06</u>		
Karen Huddleston, Controller					
Type or Print Name			Title		
(39) Name of Contact person for Claim			Telephone Number (951) 303-3034		
Sandra Reynolds			E-mail Address <u>sandrareynolds_30@msn.com</u>		

Program 260	MANDATED COSTS THE STULL ACT CLAIM SUMMARY	FORM SA-1
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(01) Claimant: Oceanside Unified School District	(02) Type of Claim Reimbursement <table border="1" style="display: inline-table; vertical-align: middle;"><tr><td style="text-align: center;">X</td></tr></table> Estimated <table border="1" style="display: inline-table; vertical-align: middle;"><tr><td style="width: 20px; height: 20px;"></td></tr></table>	X		Fiscal Year 2001-02
X				

3) (a) Number of Certificated Instructional Employees (CIE's) evaluated per (04)(A)	512
(b) Number of CIE's and Non-Instructional Employees (NIE's) evaluated per (04)(B)	

Direct Costs **Object Accounts**

4) Reimbursable Components	(a)	(b)	(c)	(d)	(e)	(f)
CIE's	Salaries Benefits	Materials & Supplies	Contracted Services	Fixed Assets	Travel & Training	Total

Evaluation/Assessment-Ed. Code 44662, subd. (b), as amended by Ch. 4/99; Reimbursement period begins fy 1997-98

Review employee's techniques and strategies	\$ 97,069	\$ -	\$ -	\$ -	\$ -	\$ 97,069
Evaluation of techniques and strategies	\$ 97,069	\$ -	\$ -	\$ -	\$ -	\$ 97,069

Evaluation/Assessment-Ed. Code 44662, subd. (b), as amended by Ch. 498/83; Reimbursement period begins 3/15/99

Review STAR results	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Assessment per STAR	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

CIE's and NIE's

Evaluation/Assessment-Ed. Code 44664, subd. (b), as amended by Ch. 498/93; Reimbursement period begins fy 1997-98

Evaluating and assessing CIE per certain criteria	\$ -	-	-	-	-	\$ -
Writing evaluation	\$ -	-	-	-	-	\$ -
Transmitting evaluation	\$ -	-	-	-	-	\$ -
Attaching to personnel file	\$ -	-	-	-	-	\$ -
Discussing evaluation	\$ -	-	-	-	-	\$ -

5) Total Direct Costs	\$ 194,137	-	-	-	-	\$ 194,137
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Indirect Costs

6) Indirect Cost Rate	[From J-380 or J580]	4.94%
7) Total Indirect Costs:	[Line (06) x [Line (05)(a)]]	\$ 9,590
8) Total Direct and Indirect Costs	[Line (05)(f) + Line (07)]	\$ 203,727

Cost Reduction

9) Less: Offsetting Savings, if applicable		
10) Less: Other Reimbursements, if applicable		
1) Total Claimed Amount:	[Line (08) - {Line (9) + Line (10)}]	\$ 203,727

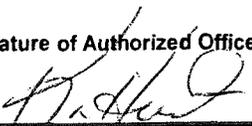
STULL ACT AUDIT SCHEDULE

DATE	CLAIMED EVALUATOR	YEAR OF CLAIM	LOCATION	TIME
3/1/2010	Todd McAteer	2006-2007	Mission EL	1:15 - 3:15 pm
3/2/2010	Randi Gibson	1999-2005 (Mission ES)	ESS	1:00 - 2:00 pm
3/2/2010	Bess Bronson	2001-2005 (Libby ES)	ESS	1:00 - 2:00 pm
3/3/2010	Eileen Frazier	2006-2008	Jefferson MS	8:00 - 10:00 am
3/3/2010	Bob Rowe	1997-2005 (North Terrace ES)	King MS	8:00 - 10:00 am
3/3/2010	Duane Coleman	2003-05; 2006-07 (Jefferson MS)	District Office	1:30 - 2:30 pm
3/4/2010	Duane Legg	2007-2008	Ocean Shores	8:00 - 10:00 am
3/4/2010	Kimo Marquardt	1997-2001; 2006-2008	Oceanside HS	8:00 - 10:00 am
3/4/2010	Dan Daris	1998-2001 (Jefferson MS)	El Camino HS	11:00 - 1:00 pm
3/5/2010	Betsy Wilcox	2006-2008	North Terrace	9:30 - 11:30 am
3/5/2010	Laura Philyaw	2006-2008	Libby ES	9:30 - 11:30 am
3/5/2010	Margie Oliver	2002-2005; 2006-2007	Garrison	1:15 - 3:15 pm

STULL ACT AUDIT SCHEDULE

DATE	CLAIMED EVALUATOR	YEAR OF CLAIM	LOCATION	TIME
3/1/2010	Todd McAteer	2006-2007	Mission EL	1:15 - 3:15 pm
3/2/2010	Randi Gibson	1999-2005 (Mission ES)	ESS	1:00 - 2:00 pm
3/2/2010	Bess Bronson	2001-2005 (Libby ES)	ESS	1:00 - 2:00 pm
3/3/2010	Eileen Frazier	2006-2008	Jefferson MS	8:00 - 10:00 am
3/3/2010	Bob Rowe	1997-2005 (North Terrace ES)	King MS	8:00 - 10:00 am
3/3/2010	Duane Coleman	2003-05; 2006-07 (Jefferson MS)	District Office	1:30 - 2:30 pm
3/4/2010	Duane Legg	2007-2008	Ocean Shores	8:00 - 10:00 am
3/4/2010	Kimo Marquardt	1997-2001; 2006-2008	Oceanside HS	8:00 - 10:00 am
3/4/2010	Dan Daris	1998-2001 (Jefferson MS)	El Camino HS	11:00 - 1:00 pm
3/5/2010	Betsy Wilcox	2006-2008	North Terrace	9:30 - 11:30 am
3/5/2010	Laura Philyaw	2006-2008	Libby ES	9:30 - 11:30 am
3/5/2010	Margie Oliver	2002-2005; 2006-2007	Garrison	1:15 - 3:15 pm

Exhibit J

CLAIM FOR PAYMENT			For State Controller Use Only		Program	
Pursuant to Government Code Section 17561 THE STULL ACT			(19) Program Number 00260		260	
			(20) Date Filed ___/___/___			
			(21) LRS Input ___/___/___			
(01) Claimant Identification Number: S37135			Reimbursement Claim Data			
L A B E L H E R E	(02) Claimant Name: Oceanside Unified School District		(22) SA-1(03)(a)	562		
	County: San Diego		(23) SA-1(03)(b)	-		
	PO Box: 0		(24) SA-1(04)(A)(1)(a)(f)	\$	98,937	
	Address: 2111 Mission Avenue		(25) SA-1(04)(A)(1)(b)(f)	\$	98,937	
	City: Oceanside Zip: 92054-2395		(26) SA-1(04)(A)(2)(a)(f)	\$	-	
	(03) Type of Claim	Estimated Claim	Reimbursement Claim	(27) SA-1(04)(A)(2)(b)(f)	\$	-
	(03) Estimated <input checked="" type="checkbox"/>	(09) Reimbursement <input checked="" type="checkbox"/>	(28) SA-1(04)(B)(1)(a)(f)	\$	-	
	(04) Combined <input type="checkbox"/>	(10) Combined <input type="checkbox"/>	(29) SA-1(04)(B)(1)(b)(f)	\$	-	
	(05) Amended <input type="checkbox"/>	(11) Amended <input type="checkbox"/>	(30) SA-1(04)(B)(1)(c)(f)	\$	-	
Fiscal Year of Cost	(06) 2003-04	(12) 2002-03	(31) SA-1(04)(B)(1)(d)(f)	\$	-	
Total Claimed Amount	(07)	(13) \$ 207,885	(32) SA-1(04)(B)(1)(e)(f)	\$	-	
Less: 10% Late Penalty, not to exceed \$1,000		(14)	(33) SA-1 (06)		5.06%	
Less: Estimate Payment Received		(15)	(34)			
Net Claimed Amount		(16) \$ 207,885	(35)			
Due from State	(08) \$ -	(17) \$ 207,885	(36)			
Due to State		(18)				
(37) CERTIFICATION OF CLAIM:						
<p>In accordance with the provisions of Government Code 17561, I certify that I am the officer authorized by the school district to file mandated costs claims with the State of California for this program, and certify under penalty of perjury that I have not violated any of the provisions of Government Code Sections 1090 to 1098, inclusive.</p> <p>I further certify that there was no application other than from the claimant, nor any grants or payments received, for reimbursement of costs claimed herein, and such costs are for a new program or increased level of services of an existing program. All offsetting savings and reimbursements set forth in the Parameters and Guidelines are identified, and all costs claims are supported by source documentation currently maintained by the claimant.</p> <p>The amounts for the Estimated Claim and/or the Reimbursement Claim are hereby claimed from the State for payment of estimated and/or actual costs set forth on the attached statements. I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.</p>						
Signature of Authorized Officer			Date			
			4/11/06			
Karen Huddleston, Controller						
Type or Print Name			Title			
(39) Name of Contact person for Claim			Telephone Number			
Sandra Reynolds			(951) 303-3034			
			E-mail Address			
			sandrareynolds_30@msn.com			

Program 260	MANDATED COSTS THE STULL ACT CLAIM SUMMARY	FORM SA-1
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(01) Claimant: <p style="text-align: center;">Oceanside Unified School District</p>	(02) Type of Claim Reimbursement <input checked="" type="checkbox"/>			Fiscal Year <p style="text-align: center;">2002-03</p>
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(03) (a) Number of Certificated Instructional Employees (CIE's) evaluated per (04)(A)	562
(b) Number of CIE's and Non-Instructional Employees (NIE's) evaluated per (04)(B)	

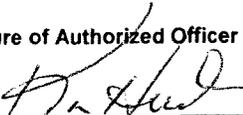
Direct Costs **Object Accounts**

(04) Reimbursable Components	(a) Salaries Benefits	(b) Materials & Supplies	(c) Contracted Services	(d) Fixed Assets	(e) Travel & Training	(f) Total
i. CIE's						
Evaluation/Assessment-Ed. Code 44662, subd. (b), as amended by Ch. 4/99; Reimbursement period begins fy 1997-98						
Review employee's techniques and strategies	\$ 98,937	\$ -	\$ -	\$ -	\$ -	\$ 98,937
Evaluation of techniques and strategies	\$ 98,937	\$ -	\$ -	\$ -	\$ -	\$ 98,937
Evaluation/Assessment-Ed. Code 44662, subd. (b), as amended by Ch. 498/83; Reimbursement period begins 3/15/99						
Review STAR results	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Assessment per STAR	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
ii. CIE's and NIE's						
Evaluation/Assessment-Ed. Code 44664, subd. (b), as amended by Ch. 498/93; Reimbursement period begins fy 1997-98						
Evaluating and assessing CIE per certain criteria	\$ -	-	-	-	-	\$ -
Writing evaluation	\$ -	-	-	-	-	\$ -
Transmitting evaluation	\$ -	-	-	-	-	\$ -
Attaching to personnel file	\$ -	-	-	-	-	\$ -
Discussing evaluation	\$ -	-	-	-	-	\$ -
(05) Total Direct Costs	\$ 197,873	-	-	-	-	\$ 197,873

Indirect Costs		
(06) Indirect Cost Rate	[From J-380 or J580]	5.06%
(07) Total Indirect Costs:	[Line (06) x [Line (05)(a)]]	\$ 10,012
(08) Total Direct and Indirect Costs	[Line (05)(f) + Line (07)]	\$ 207,885

Cost Reduction		
(09) Less: Offsetting Savings, if applicable		
(10) Less: Other Reimbursements, if applicable		
(11) Total Claimed Amount:	[Line (08) - {Line (9) + Line (10)}]	\$ 207,885

Exhibit K

CLAIM FOR PAYMENT			For State Controller Use Only		Program
Pursuant to Government Code Section 17561 THE STULL ACT			(19) Program Number 00260		260
			(20) Date Filed ___/___/___		
			(21) LRS Input ___/___/___		
(01) Claimant Identification Number: S37135			Reimbursement Claim Data		
L A B E L H E R E	(02) Claimant Name: Oceanside Unified School District		(22) SA-1(03)(a)		570
	County: San Diego		(23) SA-1(03)(b)		-
	PO Box: 0		(24) SA-1(04)(A)(1)(a)(f)		\$ 110,625
	Address: 2111 Mission Avenue		(25) SA-1(04)(A)(1)(b)(f)		\$ 110,625
	City: Oceanside Zip: 92054-2395		(26) SA-1(04)(A)(2)(a)(f)		\$ -
	(03) Type of Claim	Estimated Claim	Reimbursement Claim	(27) SA-1(04)(A)(2)(b)(f)	\$ -
	(03) Estimated <input checked="" type="checkbox"/>	(09) Reimbursement <input checked="" type="checkbox"/>	(28) SA-1(04)(B)(1)(a)(f)	\$ -	
	(04) Combined <input type="checkbox"/>	(10) Combined <input type="checkbox"/>	(29) SA-1(04)(B)(1)(b)(f)	\$ -	
	(05) Amended <input type="checkbox"/>	(11) Amended <input type="checkbox"/>			
Fiscal Year of Cost	(06) 2004-05	(12) 2003-04	(30) SA-1(04)(B)(1)(c)(f)	\$ -	
Total Claimed Amount	(07)	(13) \$ 230,431			
Less: 10% Late Penalty, not to exceed \$1,000		(14)	(31) SA-1(04)(B)(1)(d)(f)	\$ -	
Less: Estimate Payment Received		(15)	(32) SA-1(04)(B)(1)(e)(f)	\$ -	
			(33) SA-1 (06)		4.15%
Net Claimed Amount		(16) \$ 230,431	(34)		
Due from State	(08) \$ -	(17) \$ 230,431	(35)		
Due to State		(18)	(36)		
(37) CERTIFICATION OF CLAIM:					
<p>In accordance with the provisions of Government Code 17561, I certify that I am the officer authorized by the school district to file mandated costs claims with the State of California for this program, and certify under penalty of perjury that I have not violated any of the provisions of Government Code Sections 1090 to 1098, inclusive.</p> <p>I further certify that there was no application other than from the claimant, nor any grants or payments received, for reimbursement of costs claimed herein, and such costs are for a new program or increased level of services of an existing program. All offsetting savings and reimbursements set forth in the Parameters and Guidelines are identified, and all costs claims are supported by source documentation currently maintained by the claimant.</p> <p>The amounts for the Estimated Claim and/or the Reimbursement Claim are hereby claimed from the State for payment of estimated and/or actual costs set forth on the attached statements. I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.</p>					
Signature of Authorized Officer			Date		
			4/11/06		
Karen Huddleston, Controller					
Type or Print Name			Title		
(39) Name of Contact person for Claim			Telephone Number (951) 303-3034		
Sandra Reynolds			E-mail Address sandrareynolds_30@msn.com		

Program 260	MANDATED COSTS THE STULL ACT CLAIM SUMMARY	FORM SA-1
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(01) Claimant: <p style="text-align: center;">Oceanside Unified School District</p>	(02) Type of Claim Reimbursement <table border="1" style="display: inline-table; vertical-align: middle;"><tr><td style="text-align: center;">X</td></tr></table> Estimated <table border="1" style="display: inline-table; vertical-align: middle;"><tr><td style="width: 20px; height: 20px;"></td></tr></table>	X		Fiscal Year <p style="text-align: center;">2003-04</p>
X				

(03) (a) Number of Certificated Instructional Employees (CIE's) evaluated per (04)(A)	570
(b) Number of CIE's and Non-Instructional Employees (NIE's) evaluated per (04)(B)	

Direct Costs **Object Accounts**

(04) Reimbursable Components	(a) Salaries Benefits	(b) Materials & Supplies	(c) Contracted Services	(d) Fixed Assets	(e) Travel & Training	(f) Total
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1. Evaluation/Assessment-Ed. Code 44662, subd. (b), as amended by Ch. 4/99; Reimbursement period begins fy 1997-98

1. Review employee's techniques and strategies	\$ 110,625	\$ -	\$ -	\$ -	\$ -	\$ 110,625
2. Evaluation of techniques and strategies	\$ 110,625	\$ -	\$ -	\$ -	\$ -	\$ 110,625

2. Evaluation/Assessment-Ed. Code 44662, subd. (b), as amended by Ch. 498/83; Reimbursement period begins 3/15/99

1. Review STAR results	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
2. Assessment per STAR	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

3. CIE's and NIE's

1. Evaluation/Assessment-Ed. Code 44664, subd. (b), as amended by Ch. 498/93; Reimbursement period begins fy 1997-98

1. Evaluating and assessing CIE per certain criteria	\$ -	-	-	-	-	\$ -
2. Writing evaluation	\$ -	-	-	-	-	\$ -
3. Transmitting evaluation	\$ -	-	-	-	-	\$ -
4. Attaching to personnel file	\$ -	-	-	-	-	\$ -
5. Discussing evaluation	\$ -	-	-	-	-	\$ -

05) Total Direct Costs	\$ 221,249	-	-	-	-	\$ 221,249
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Indirect Costs

06) Indirect Cost Rate	[From J-380 or J580]	4.15%
07) Total Indirect Costs:	[Line (06) x [Line (05)(a)]]	\$ 9,182
08) Total Direct and Indirect Costs	[Line (05)(f) + Line (07)]	\$ 230,431

Cost Reduction

09) Less: Offsetting Savings, if applicable	
10) Less: Other Reimbursements, if applicable	
11) Total Claimed Amount:	\$ 230,431

Revised 01/06

Program 260	MANDATED COSTS THE STULL ACT COMPONENT/ACTIVITY COST DETAIL	FORM SA-2
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01) Claimant: **Oceanside Unified School District** (02) Fiscal year costs were incurred: **2003-04**

03) Reimbursable Component: Check only one box per form to identify the cost being claimed.

<input checked="" type="checkbox"/> CIE	<input checked="" type="checkbox"/> Review employee's techniques and strategies	<input type="checkbox"/>	Evaluation to include assessment of techniques and strategies
	<input type="checkbox"/> Review STAR results	<input type="checkbox"/>	Assessment based on STAR results
<input type="checkbox"/> CIE & NIE	<input type="checkbox"/> Evaluating and assessing CIE according to certain criteria	<input type="checkbox"/>	Reducing evaluation to writing
	<input type="checkbox"/> Attaching response to personnel file	<input type="checkbox"/>	Discussing evaluation with CIE
		<input type="checkbox"/>	Transmitting evaluation to CIE

04) Description of Expense	Object Accounts						
(a) Employee Names, Job Classifications, Functions 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) Fixed Assets	(g) Contracted Services	(h) Travel and Training
Review employee's techniques and strategies							
Less Johnson Principal	\$ 61.98	59.17	\$ 3,667.36				
Job Rowe Principal	\$ 61.98	63.33	\$ 3,925.19				
Brian Kolb Principal	\$ 64.13	49.62	\$ 3,182.13				
Cheri Sanders Principal	\$ 61.98	52.50	\$ 3,253.95				
D. Shreves Assistant Principal	\$ 56.09	57.17	\$ 3,206.67				
Jan Darts Principal	\$ 68.62	80.85	\$ 5,547.93				
Juane Coleman Principal	\$ 64.13	63.92	\$ 4,099.19				
Edward Bessant Assistant Principal	\$ 59.09	92.65	\$ 5,474.69				
Jaye Wilson Principal	\$ 61.98	79.63	\$ 4,935.47				
Frank Balanon Assistant Principal	\$ 56.09	55.42	\$ 3,108.51				
Frank Gomez Principal	\$ 61.98	24.66	\$ 1,528.43				
Deanne Iman Principal	\$ 61.98	74.38	\$ 4,610.07				
Jim Shirley Principal	\$ 68.62	61.33	\$ 4,208.46				
John Schmit Assistant Principal	\$ 56.09	48.00	\$ 2,692.32				
Judy Reimer Principal	\$ 61.98	55.00	\$ 3,408.90				
Asia Obrzut Coordinator	\$ 61.98	82.50	\$ 5,113.35				
Lois Grazioli Principal	\$ 61.98	83.42	\$ 5,170.37				
Luis Ibarra Principal	\$ 61.98	36.83	\$ 2,282.72				
Margaret Veoma Principal	\$ 61.98	36.90	\$ 2,287.06				
Martha Munden Principal	\$ 64.13	49.62	\$ 3,182.13				
Maulette Thomps Principal	\$ 61.98	91.13	\$ 5,648.24				
Reg Cowman Principal	\$ 68.62	28.06	\$ 1,925.48				
Thyllis Morgan Principal	\$ 61.98	50.29	\$ 3,116.97				
Wandel Gibson Principal	\$ 61.98	79.00	\$ 4,896.42				
Robert Mueller Assistant Principal	\$ 59.09	127.40	\$ 7,528.07				
Robert Nelson Assistant Principal	\$ 59.09	88.61	\$ 5,235.96				
Shelly Morr Principal	\$ 61.98	65.83	\$ 4,080.14				
Todd Mcateer Principal	\$ 61.98	53.38	\$ 3,308.49				
			\$ -				
			\$ -				
			\$ -				
			\$ -				
			\$ -				
05) Total (x) Subtotal Page: 1 of 1			\$ 110,624.67	\$ -	\$ -	\$ -	\$ -

Program 260	MANDATED COSTS THE STULL ACT COMPONENT/ACTIVITY COST DETAIL	FORM SA-2
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01) Claimant: **Oceanside Unified School District** (02) Fiscal year costs were incurred: **2003-04**

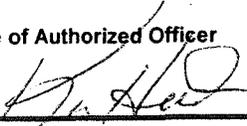
03) Reimbursable Component: Check only one box per form to identify the cost being claimed.

CIE Review employee's techniques and strategies Evaluation to include assessment of techniques and strategies
 Review STAR results Assessment based on STAR results
 CIE & NIE Evaluating and assessing CIE according to certain criteria Reducing evaluation to writing Transmitting evaluation to CIE
 Attaching response to personnel file Discussing evaluation with CIE

04) Description of Expense **Object Accounts**

(a) Employee Names, Job Classifications, Functions 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) Fixed Assets	(g) Contracted Services	(h) Travel and Training
valuation to include assessment of techniques and strategies							
ess Johnson Principal	\$ 61.98	59.17	\$ 3,667.36				
ob Rowe Principal	\$ 61.98	63.33	\$ 3,925.19				
rian Kolb Principal	\$ 64.13	49.62	\$ 3,182.13				
heri Sanders Principal	\$ 61.98	52.50	\$ 3,253.95				
. Shreves Assistant Principal	\$ 56.09	57.17	\$ 3,206.67				
an Darts Principal	\$ 68.62	80.85	\$ 5,547.93				
uane Coleman Principal	\$ 64.13	63.92	\$ 4,099.19				
dward Bessant Assistant Principal	\$ 59.09	92.65	\$ 5,474.69				
aye Wilson Principal	\$ 61.98	79.63	\$ 4,935.47				
ank Balanon Assistant Principal	\$ 56.09	55.42	\$ 3,108.51				
ank Gomez Principal	\$ 61.98	24.66	\$ 1,528.43				
anne Iman Principal	\$ 61.98	74.38	\$ 4,610.07				
m Shirley Principal	\$ 68.62	61.33	\$ 4,208.46				
ohn Schmit Assistant Principal	\$ 56.09	48.00	\$ 2,692.32				
dy Reimer Principal	\$ 61.98	55.00	\$ 3,408.90				
asia Obrzut Coordinator	\$ 61.98	82.50	\$ 5,113.35				
is Grazioli Principal	\$ 61.98	83.42	\$ 5,170.37				
is Ibarra Principal	\$ 61.98	36.83	\$ 2,282.72				
argaret Veoma Principal	\$ 61.98	36.90	\$ 2,287.06				
artha Munden Principal	\$ 64.13	49.62	\$ 3,182.13				
ulette Thomps Principal	\$ 61.98	91.13	\$ 5,648.24				
g Cowman Principal	\$ 68.62	28.06	\$ 1,925.48				
yllis Morgan Principal	\$ 61.98	50.29	\$ 3,116.97				
ndel Gibson Principal	\$ 61.98	79.00	\$ 4,896.42				
obert Mueller Assistant Principal	\$ 59.09	127.40	\$ 7,528.07				
obert Nelson Assistant Principal	\$ 59.09	88.61	\$ 5,235.96				
elly Morr Principal	\$ 61.98	65.83	\$ 4,080.14				
dd Mcateer Principal	\$ 61.98	53.38	\$ 3,308.49				
			\$ -				
			\$ -				
			\$ -				
			\$ -				
			\$ -				
05) Total (x) Subtotal Page: 1 of 1			\$ 110,624.67	\$ -	\$ -	\$ -	\$ -

Exhibit L

CLAIM FOR PAYMENT			For State Controller Use Only		Program
Pursuant to Government Code Section 17561 THE STULL ACT			(19) Program Number 00260		260
			(20) Date Filed ___/___/___		
			(21) LRS Input ___/___/___		
(01) Claimant Identification Number: S37135			Reimbursement Claim Data		
L A B E L H E R E	(02) Claimant Name: Oceanside Unified School District		(22) SA-1(03)(a)		507
	County: San Diego		(23) SA-1(03)(b)		-
	PO Box: 0		(24) SA-1(04)(A)(1)(a)(f)		\$ 117,596
	Address: 2111 Mission Avenue		(25) SA-1(04)(A)(1)(b)(f)		\$ 117,596
	City: Oceanside Zip: 92054-2395		(26) SA-1(04)(A)(2)(a)(f)		\$ -
(03) Type of Claim		Estimated Claim	Reimbursement Claim	(27) SA-1(04)(A)(2)(b)(f)	\$ -
		(03) Estimated <input checked="" type="checkbox"/>	(09) Reimbursement <input checked="" type="checkbox"/>	(28) SA-1(04)(B)(1)(a)(f)	\$ -
		(04) Combined <input type="checkbox"/>	(10) Combined <input type="checkbox"/>	(29) SA-1(04)(B)(1)(b)(f)	\$ -
		(05) Amended <input type="checkbox"/>	(11) Amended <input type="checkbox"/>		
Fiscal Year of Cost		(06) 2005-06	(12) 2004-05	(30) SA-1(04)(B)(1)(c)(f)	\$ -
Total Claimed Amount		(07) \$ 50,000	(13) \$ 245,847		
Less: 10% Late Penalty, not to exceed \$1,000			(14)	(31) SA-1(04)(B)(1)(d)(f)	\$ -
Less: Estimate Payment Received			(15)	(32) SA-1(04)(B)(1)(e)(f)	\$ -
Net Claimed Amount			(16) \$ 245,847	(33) SA-1 (06)	4.53%
Due from State		(08) \$ 50,000	(17) \$ 245,847	(34)	
Due to State			(18)	(35)	
				(36)	
(37) CERTIFICATION OF CLAIM:					
In accordance with the provisions of Government Code 17561, I certify that I am the officer authorized by the school district to file mandated costs claims with the State of California for this program, and certify under penalty of perjury that I have not violated any of the provisions of Government Code Sections 1090 to 1098, inclusive.					
I further certify that there was no application other than from the claimant, nor any grants or payments received, for reimbursement of costs claimed herein, and such costs are for a new program or increased level of services of an existing program. All offsetting savings and reimbursements set forth in the Parameters and Guidelines are identified, and all costs claims are supported by source documentation currently maintained by the claimant.					
The amounts for the Estimated Claim and/or the Reimbursement Claim are hereby claimed from the State for payment of estimated and/or actual costs set forth on the attached statements. I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.					
Signature of Authorized Officer			Date		
			4/11/06		
Karen Huddleston, Controller					
Type or Print Name			Title		
(39) Name of Contact person for Claim			Telephone Number (951) 303-3034		
Sandra Reynolds			E-mail Address sandrareynolds_30@msn.com		

Program 260	MANDATED COSTS THE STULL ACT CLAIM SUMMARY	FORM SA-1
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(01) Claimant: Oceanside Unified School District	(02) Type of Claim Reimbursement <table border="1" style="display: inline-table; vertical-align: middle;"><tr><td style="text-align: center;">X</td></tr></table> Estimated <table border="1" style="display: inline-table; vertical-align: middle;"><tr><td style="width: 20px; height: 20px;"></td></tr></table>	X		Fiscal Year 2004-05
X				

(03) (a) Number of Certificated Instructional Employees (CIE's) evaluated per (04)(A)	507
(b) Number of CIE's and Non-Instructional Employees (NIE's) evaluated per (04)(B)	

Direct Costs **Object Accounts**

(04) Reimbursable Components	(a) Salaries Benefits	(b) Materials & Supplies	(c) Contracted Services	(d) Fixed Assets	(e) Travel & Training	(f) Total
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1. Evaluation/Assessment-Ed. Code 44662, subd. (b), as amended by Ch. 4/99; Reimbursement period begins fy 1997-98

1. Review employee's techniques and strategies	\$ 117,596	\$ -	\$ -	\$ -	\$ -	\$ 117,596
2. Evaluation of techniques and strategies	\$ 117,596	\$ -	\$ -	\$ -	\$ -	\$ 117,596

2. Evaluation/Assessment-Ed. Code 44662, subd. (b), as amended by Ch. 498/83; Reimbursement period begins 3/15/99

1. Review STAR results	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
2. Assessment per STAR	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

3. CIE's and NIE's

1. Evaluation/Assessment-Ed. Code 44664, subd. (b), as amended by Ch. 498/93; Reimbursement period begins fy 1997-98

1. Evaluating and assessing CIE per certain criteria	\$ -	-	-	-	-	\$ -
2. Writing evaluation	\$ -	-	-	-	-	\$ -
3. Transmitting evaluation	\$ -	-	-	-	-	\$ -
4. Attaching to personnel file	\$ -	-	-	-	-	\$ -
5. Discussing evaluation	\$ -	-	-	-	-	\$ -
(05) Total Direct Costs	\$ 235,193	-	-	-	-	\$ 235,193

Indirect Costs

(06) Indirect Cost Rate	[From J-380 or J580]	4.53%
(07) Total Indirect Costs:	[Line (06) x [Line (05)(a)]]	\$ 10,654
(08) Total Direct and Indirect Costs	[Line (05)(f) + Line (07)]	\$ 245,847

Cost Reduction

(09) Less: Offsetting Savings, if applicable		
(10) Less: Other Reimbursements, if applicable		
(1) Total Claimed Amount:	[Line (08) - (Line (9) + Line (10))]	\$ 245,847

Program 260	MANDATED COSTS THE STULL ACT COMPONENT/ACTIVITY COST DETAIL	FORM SA-2
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01) Claimant: **Oceanside Unified School District** (02) Fiscal year costs were incurred: **2004-05**

03) Reimbursable Component: Check only one box per form to identify the cost being claimed.

CIE Review employee's techniques and strategies Evaluation to include assessment of techniques and strategies
 Review STAR results Assessment based on STAR results
 CIE & NIE Evaluating and assessing CIE according to certain criteria Reducing evaluation to writing Transmitting evaluation to CIE
 Attaching response to personnel file Discussing evaluation with CIE

04) Description of Expense	Object Accounts						
(a) Employee Names, Job Classifications, Functions 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) Fixed Assets	(g) Contracted Services	(h) Travel and Training
Review employee's techniques and strategies							
Less Johnson Principal	\$ 64.90	62.13	\$ 4,032.24				
Job Rowe Principal	\$ 64.90	56.67	\$ 3,677.88				
Trian Kolb Principal	\$ 67.11	53.43	\$ 3,585.69				
Theri Sanders Principal	\$ 64.90	28.88	\$ 1,874.31				
Shreves Assistant Principal	\$ 58.86	57.17	\$ 3,365.03				
Darts Principal	\$ 71.71	88.20	\$ 6,324.82				
Luane Coleman Principal	\$ 67.11	72.75	\$ 4,882.25				
Edward Bessant Principal	\$ 64.90	22.67	\$ 1,471.28				
Edward Bessant Assistant Principal	\$ 61.93	55.71	\$ 3,450.12				
Wayne Wilson Principal	\$ 64.90	83.42	\$ 5,413.96				
Frank Balanon Assistant Principal	\$ 58.86	55.42	\$ 3,262.02				
Frank Gomez Principal	\$ 64.90	24.66	\$ 1,600.43				
Harry Shoenton Assistant Principal	\$ 61.93	53.27	\$ 3,299.01				
Deanne Iman Principal	\$ 64.90	109.08	\$ 7,079.29				
John Schmit Assistant Principal	\$ 58.86	54.00	\$ 3,178.44				
Andy Reimer Principal	\$ 64.90	46.75	\$ 3,034.08				
Asia Obrzut Coordinator	\$ 61.93	152.63	\$ 9,452.38				
Chris Grazioli Principal	\$ 64.90	83.42	\$ 5,413.96				
Chris Ibarra Principal	\$ 64.90	39.00	\$ 2,531.10				
Margaret Veoma Principal	\$ 64.90	44.28	\$ 2,873.77				
Martha Munden Principal	\$ 67.11	61.07	\$ 4,098.41				
Malette Thoms Principal	\$ 64.90	74.25	\$ 4,818.83				
Reg Cowman Principal	\$ 71.71	28.07	\$ 2,012.90				
Thyllis Morgan Principal	\$ 64.90	50.29	\$ 3,263.82				
Wendel Gibson Principal	\$ 64.90	69.13	\$ 4,486.54				
Robert Mueller Assistant Principal	\$ 61.93	120.87	\$ 7,485.48				
Robert Nelson Assistant Principal	\$ 61.93	53.27	\$ 3,299.01				
Shelly Morr Principal	\$ 64.90	72.42	\$ 4,700.06				
Todd Mcateer Principal	\$ 64.90	55.92	\$ 3,629.21				
			\$ -				
			\$ -				
			\$ -				
			\$ -				
15) Total (x) Subtotal Page: 1 of 1			\$ 117,596.31	\$ -	\$ -	\$ -	\$ -

Program 260	MANDATED COSTS THE STULL ACT COMPONENT/ACTIVITY COST DETAIL	FORM SA-2
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01) Claimant: **Oceanside Unified School District** (02) Fiscal year costs were incurred: **2004-05**

03) Reimbursable Component: Check only one box per form to identify the cost being claimed.

<input type="checkbox"/> CIE	<input type="checkbox"/> Review employee's techniques and strategies	<input checked="" type="checkbox"/> X	<input type="checkbox"/> Evaluation to include assessment of techniques and strategies
	<input type="checkbox"/> Review STAR results		<input type="checkbox"/> Assessment based on STAR results
<input type="checkbox"/> CIE & NIE	<input type="checkbox"/> Evaluating and assessing CIE according to certain criteria	<input type="checkbox"/>	<input type="checkbox"/> Reducing evaluation to writing
	<input type="checkbox"/> Attaching response to personnel file	<input type="checkbox"/>	<input type="checkbox"/> Discussing evaluation with CIE
		<input type="checkbox"/>	<input type="checkbox"/> Transmitting evaluation to CIE

04) Description of Expense	Object Accounts						
(a) Employee Names, Job Classifications, Functions 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) Fixed Assets	(g) Contracted Services	(h) Travel and Training
valuation to include assessment of techniques and strategies							
ess Johnson Principal	\$ 64.90	62.13	\$ 4,032.24				
ob Rowe Principal	\$ 64.90	56.67	\$ 3,677.88				
rian Kolb Principal	\$ 67.11	53.43	\$ 3,585.69				
heri Sanders Principal	\$ 64.90	28.88	\$ 1,874.31				
. Shreves Assistant Principal	\$ 58.86	57.17	\$ 3,365.03				
an Darts Principal	\$ 71.71	88.20	\$ 6,324.82				
uane Coleman Principal	\$ 67.11	72.75	\$ 4,882.25				
dward Bessant Principal	\$ 64.90	22.67	\$ 1,471.28				
dward Bessant Assistant Principal	\$ 61.93	55.71	\$ 3,450.12				
aye Wilson Principal	\$ 64.90	83.42	\$ 5,413.96				
rank Balanon Assistant Principal	\$ 58.86	55.42	\$ 3,262.02				
rank Gomez Principal	\$ 64.90	24.66	\$ 1,600.43				
arry Shoenton Assistant Principal	\$ 61.93	53.27	\$ 3,299.01				
anne Iman Principal	\$ 64.90	109.08	\$ 7,079.29				
ohn Schmit Assistant Principal	\$ 58.86	54.00	\$ 3,178.44				
dy Reimer Principal	\$ 64.90	46.75	\$ 3,034.08				
asia Obrzut Coordinator	\$ 61.93	152.63	\$ 9,452.38				
is Grazioli Principal	\$ 64.90	83.42	\$ 5,413.96				
is Ibarra Principal	\$ 64.90	39.00	\$ 2,531.10				
argaret Veoma Principal	\$ 64.90	44.28	\$ 2,873.77				
artha Munden Principal	\$ 67.11	61.07	\$ 4,098.41				
aulette Thomps Principal	\$ 64.90	74.25	\$ 4,818.83				
eg Cowman Principal	\$ 71.71	28.07	\$ 2,012.90				
yllis Morgan Principal	\$ 64.90	50.29	\$ 3,263.82				
andel Gibson Principal	\$ 64.90	69.13	\$ 4,486.54				
obert Mueller Assistant Principal	\$ 61.93	120.87	\$ 7,485.48				
obert Nelson Assistant Principal	\$ 61.93	53.27	\$ 3,299.01				
nelly Morr Principal	\$ 64.90	72.42	\$ 4,700.06				
odd Mcateer Principal	\$ 64.90	55.92	\$ 3,629.21				
			\$ -				
			\$ -				
			\$ -				
			\$ -				
5) Total (x) Subtotal			\$ 117,596.31	\$ -	\$ -	\$ -	\$ -

Exhibit M

Employee AVERAGE Time Record for Mandated Costs

498/83 The Stull Act (K-12)

Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

OCEANSIDE UNIFIED
District/COE

STUART MESA
Department/Location

TODD MCATEER
Employee Name

ELEMENTARY PRINCIPAL
Exact Position Title

760-757-2560
Telephone #

12mo/11mo/10mo/hrly
Work year length(circle)

Fiscal Year: 97-98 98-99 99-00 00-01
01-02 02-03 03-04 04-05 05-06
Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11 Preparing for the evaluation
- Code 12 Goals and objectives conference with instructor
- Code 13 Pre-observation conference with instructor
- Code 14 Classroom observation of instructor
- Code 15 Post-observation conference with instructor
- Code 16 Final conference with instructor
- Code 17 District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:		Average Time in Minutes			
		A	B	C	D
Code 11	Preparing for the evaluation	20	10	10	10
Code 12	Goals and objectives conference with instructor	15	10	10	10
Code 13	Pre-observation conference with instructor	5	5	5	5
Code 14	Classroom observation of instructor	10	10	10	10
Code 15	Post-observation conference with instructor	5	10	10	5
Code 16	Final conference with instructor	10	10	10	10
Code 17	District Reporting	20	20	20	20

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. **PLEASE USE BLUE INK**

Employee Signature Todd Mcateer Date 2/21/06

If you have any questions, please contact _____, at _____

PLEASE SUBMIT THIS INFORMATION BY _____ ; TO _____

Employee AVERAGE Time Record for Mandated Costs
498/83 The Stull Act (K-12)
Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

Oceanside
 District/COE
Brian Kolb
 Employee Name

Stuart Mesa
 Department/Location
Principal
 Exact Position Title

Telephone # _____
 Work year length(circle) 12mo/11mo/10mo/hrly

Fiscal Year: 97-98 98-99 99-00 00-01
 01-02 02-03 03-04 04-05 05-06
 Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11 Preparing for the evaluation
- Code 12 Goals and objectives conference with instructor
- Code 13 Pre-observation conference with instructor
- Code 14 Classroom observation of instructor
- Code 15 Post-observation conference with instructor
- Code 16 Final conference with instructor
- Code 17 District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:		Average Time in Minutes			
		A	B	C	D
Code 11	Preparing for the evaluation	20	10	10	10
Code 12	Goals and objectives conference with instructor	15	10	10	10
Code 13	Pre-observation conference with instructor	5	5	5	5
Code 14	Classroom observation of instructor	10	10	10	10
Code 15	Post-observation conference with instructor	5	10	10	5
Code 16	Final conference with instructor	10	10	10	10
Code 17	District Reporting	20	20	20	20

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. **PLEASE USE BLUE INK**

Employee Signature Brian Kolb, Ph.D. Date 3-1-06

If you have any questions, please contact _____, at _____

PLEASE SUBMIT THIS INFORMATION BY _____; TO _____

Employee AVERAGE Time Record for Mandated Costs
498/83 The Stull Act (K-12)
Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

Oceanside Unified
 District/COE
Jeanne Iman
 Employee Name

Nichols Elementary
 Department/Location
Principal
 Exact Position Title

Telephone # _____
 Work year length(circle) 12mo/11mo/10mo/hrly

Fiscal Year: 97-98 98-99 99-00 00-01
 01-02 02-03 03-04 04-05 05-06
 Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11 Preparing for the evaluation
- Code 12 Goals and objectives conference with instructor
- Code 13 Pre-observation conference with instructor
- Code 14 Classroom observation of instructor
- Code 15 Post-observation conference with instructor
- Code 16 Final conference with instructor
- Code 17 District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:	Average Time in Minutes			
	A	B	C	D
Code 11 Preparing for the evaluation	20	15	15	15
Code 12 Goals and objectives conference with instructor	15	10	10	10
Code 13 Pre-observation conference with instructor	5	10	10	10
Code 14 Classroom observation of instructor	40	40	20	25
Code 15 Post-observation conference with instructor	20	30	20	20
Code 16 Final conference with instructor	25	20	20	20
Code 17 District Reporting	40	40	30	40

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. PLEASE USE BLUE INK

Employee Signature Jeanne A. Iman Date 2-21-06

If you have any questions, please contact _____, at _____

PLEASE SUBMIT THIS INFORMATION BY _____ ; TO _____

Employee AVERAGE Time Record for Mandated Costs

498/83 The Stull Act (K-12)

Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

OUSD
 District/COE

DVANE COLEMAN
 Employee Name

JEFFERSON MIDDLE SCHOOL
 Department/Location

PRINCIPAL
 Exact Position Title

760-257-6060 12mo/11mo/10mo/hrly
 Telephone # Work year length(circle)

Fiscal Year: 97-98 98-99 99-00 00-01
 01-02 02-03 03-04 04-05 05-06
 Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11 Preparing for the evaluation
- Code 12 Goals and objectives conference with instructor
- Code 13 Pre-observation conference with instructor
- Code 14 Classroom observation of instructor
- Code 15 Post-observation conference with instructor
- Code 16 Final conference with instructor
- Code 17 District reporting

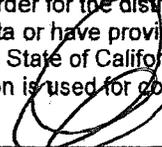
Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:		Average Time in Minutes			
		A	B	C	D
Code 11	Preparing for the evaluation	30	30	30	20
Code 12	Goals and objectives conference with instructor	20	20	20	20
Code 13	Pre-observation conference with instructor	20	20	20	20
Code 14	Classroom observation of instructor	30	20	30	20
Code 15	Post-observation conference with instructor	25	25	25	25
Code 16	Final conference with instructor	20	20	20	20
Code 17	District Reporting	10	10	10	10

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. PLEASE USE BLUE INK

Employee Signature  Date 2/27/04

If you have any questions, please contact DVANE COLEMAN, at 760-257-6060

PLEASE SUBMIT THIS INFORMATION BY _____; TO _____

Employee AVERAGE Time Record for Mandated Costs 498/83 The Stull Act (K-12) Routine Evaluations of Instructors

Please report below the *average* amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

JMS

District/COE _____

Department/Location _____

DAN DARTS

Principal

Employee Name _____

Exact Position Title _____

757-6060

Telephone # _____

Fiscal Year: 97-98 98-99 99-00 00-01

Work year length(circle) 12mo/11mo/10mo/hrly

01-02 02-03 03-04 04-05 05-06

Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11** Preparing for the evaluation
- Code 12** Goals and objectives conference with instructor
- Code 13** Pre-observation conference with instructor
- Code 14** Classroom observation of instructor
- Code 15** Post-observation conference with instructor
- Code 16** Final conference with instructor
- Code 17** District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:		Average Time In Minutes			
		A	B	C	D
Code 11	Preparing for the evaluation	37	37	37	37
Code 12	Goals and objectives conference with instructor	21	21	21	21
Code 13	Pre-observation conference with instructor	6	6	6	6
Code 14	Classroom observation of instructor	8	9	11	11
Code 15	Post-observation conference with instructor	12	12	12	12
Code 16	Final conference with instructor	7	7	7	7
Code 17	District Reporting	24	24	24	24

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. PLEASE USE BLUE INK

Employee Signature _____ Date 2/20/06

If you have any questions, please contact _____ at _____

PLEASE SUBMIT THIS INFORMATION BY _____ ; TO _____

Employee AVERAGE Time Record for Mandated Costs

498/83 The Stull Act (K-12)

Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

O.H.S.D.
District/COE

Phyllis T. Morgan
Employee Name

760-433-3221 12mo/11mo/10mo/hrly
Telephone # **Work year length(circle)**

Jefferson Middle School
Department/Location

Assistant Principal
Exact Position Title

Fiscal Year: 97-98 98-99 99-00 00-01
 01-02 02-03 03-04 04-05 05-06
 Circle the years for which you are responding.

- | | |
|--|--|
| <p>Reimbursable Activities Codes:</p> <ul style="list-style-type: none"> Code 11 Preparing for the evaluation Code 12 Goals and objectives conference with instructor Code 13 Pre-observation conference with instructor Code 14 Classroom observation of instructor Code 15 Post-observation conference with instructor Code 16 Final conference with instructor Code 17 District reporting | <p>Evaluation Criteria:</p> <ul style="list-style-type: none"> (A) district standards and test results (B) instructional techniques/strategies (C) adherence to curricular objectives (D) suitable learning environment |
|--|--|

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:		Average Time in Minutes			
		A	B	C	D
Code 11	Preparing for the evaluation	10	10	10	10
Code 12	Goals and objectives conference with instructor	10	10	10	10
Code 13	Pre-observation conference with instructor	20	20	20	20
Code 14	Classroom observation of instructor	15	30	15	30
Code 15	Post-observation conference with instructor	20	20	20	20
Code 16	Final conference with instructor	10	10	10	10
Code 17	District Reporting	12	12	12	12

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. **PLEASE USE BLUE INK**

Employee Signature Phyllis T. Morgan Date 2/21/06

If you have any questions, please contact _____, at _____

PLEASE SUBMIT THIS INFORMATION BY _____; TO _____

Employee AVERAGE Time Record for Mandated Costs 498/83 The Stull Act (K-12) Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

Oceanside
District/COE
Brian Kolb
Employee Name

Lincoln Middle School
Department/Location
Principal
Exact Position Title

Telephone # _____
12mo/11mo/10mo/hrly
Work year length(circle)

Fiscal Year: 97-98 98-99 99-00 00-01
01-02 02-03 03-04 04-05 05-06
Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11 Preparing for the evaluation
- Code 12 Goals and objectives conference with instructor
- Code 13 Pre-observation conference with instructor
- Code 14 Classroom observation of instructor
- Code 15 Post-observation conference with instructor
- Code 16 Final conference with instructor
- Code 17 District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:		Average Time in Minutes			
		A	B	C	D
Code 11	Preparing for the evaluation	10	10	10	10
Code 12	Goals and objectives conference with instructor	10	10	10	10
Code 13	Pre-observation conference with instructor	20	20	20	20
Code 14	Classroom observation of instructor	15	30	15	30
Code 15	Post-observation conference with instructor	20	20	20	20
Code 16	Final conference with instructor	10	10	10	10
Code 17	District Reporting	22	22	22	22

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. PLEASE USE BLUE INK

Employee Signature Brian Kolb, P. D. Date 3-1-06

If you have any questions, please contact _____, at _____

PLEASE SUBMIT THIS INFORMATION BY _____; TO _____

Employee AVERAGE Time Record for Mandated Costs

498/83 The Stull Act (K-12)

Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

OUSD
 District/COE
Pat Barnes
 Employee Name

Lincoln Middle Sch.
 Department/Location
Principal
 Exact Position/Title

Telephone # _____
 Work year length(circle) 12mo/11mo/10mo/hrly

Fiscal Year: 97-98 98-99 99-00 00-01
 01-02 02-03 03-04 04-05 05-06
 Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11 Preparing for the evaluation
- Code 12 Goals and objectives conference with instructor
- Code 13 Pre-observation conference with instructor
- Code 14 Classroom observation of instructor
- Code 15 Post-observation conference with instructor
- Code 16 Final conference with instructor
- Code 17 District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:		Average Time In Minutes			
		A	B	C	D
Code 11	Preparing for the evaluation	10	10	10	10
Code 12	Goals and objectives conference with instructor	10	10	10	10
Code 13	Pre-observation conference with instructor	20	20	20	20
Code 14	Classroom observation of instructor	15	30	15	30
Code 15	Post-observation conference with instructor	20	20	20	20
Code 16	Final conference with instructor	10	10	10	10
Code 17	District Reporting	22	22	22	22

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. PLEASE USE BLUE INK

Employee Signature Pat Barnes Date 2/27/06

If you have any questions, please contact _____, at _____

PLEASE SUBMIT THIS INFORMATION BY _____; TO _____

Employee AVERAGE Time Record for Mandated Costs 498/83 The Stull Act (K-12) Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program. 8/02 - 8/03

Oceanside USD
District/COE

Jefferson Middle School
Department/Location

Edward S. Bessant
Employee Name

Assistant Principal
Exact Position Title

757 6060 Telephone # 12mo/11mo/10mo/hrly Work year length(circle)

Fiscal Year: 97-98 98-99 99-00 00-01
01-02 02-03 03-04 04-05 05-06
Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11 Preparing for the evaluation
- Code 12 Goals and objectives conference with instructor
- Code 13 Pre-observation conference with instructor
- Code 14 Classroom observation of instructor
- Code 15 Post-observation conference with instructor
- Code 16 Final conference with instructor
- Code 17 District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:	Average Time In Minutes			
	A	B	C	D
Code 11 Preparing for the evaluation	30	30	30	30
Code 12 Goals and objectives conference with instructor	30	30	10	10
Code 13 Pre-observation conference with instructor	3	3	3	3
Code 14 Classroom observation of instructor	6	15	15	15
Code 15 Post-observation conference with instructor	12	18	18	18
Code 16 Final conference with instructor	10	10	10	10
Code 17 District Reporting	35	15	15	15

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. PLEASE USE BLUE INK

Employee Signature Edward S. Bessant Date 2.21.06
If you have any questions, please contact Steve Bunt at (760) 757 0581

PLEASE SUBMIT THIS INFORMATION BY _____ ; TO _____

Employee AVERAGE Time Record for Mandated Costs 498/83 The Stull Act (K-12) Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

Oceanside Unified
District/COE
Robert P. Miller, Jr.
Employee Name

Lincoln Middle
Department/Location
Asst. Principal
Exact Position Title

760 726-5644
Telephone #
12mo/11mo/10mo/hrly
Work year length(circle)

Fiscal Year: 97-98 98-99 99-00 00-01
01-02 02-03 03-04 04-05 05-06
Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11 Preparing for the evaluation
- Code 12 Goals and objectives conference with instructor
- Code 13 Pre-observation conference with instructor
- Code 14 Classroom observation of instructor
- Code 15 Post-observation conference with instructor
- Code 16 Final conference with instructor
- Code 17 District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:	Average Time In Minutes			
	A	B	C	D
Code 11 Preparing for the evaluation	5	5	5	5
Code 12 Goals and objectives conference with instructor	10	10	10	10
Code 13 Pre-observation conference with instructor	15	15	15	15
Code 14 Classroom observation of instructor	25	25	20	30
Code 15 Post-observation conference with instructor	20	20	20	20
Code 16 Final conference with instructor	8	8	8	8
Code 17 District Reporting	20	20	20	20

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. PLEASE USE BLUE INK

Employee Signature [Signature] Date 2/21/06

If you have any questions, please contact _____, at _____

PLEASE SUBMIT THIS INFORMATION BY _____; TO _____

Employee AVERAGE Time Record for Mandated Costs

498/83 The Stull Act (K-12)

Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

0USD
District/COE

King Middle School
Department/Location

Raye Clendering
Employee Name

Principal
Exact Position Title

757-2560x576 Telephone # 12mo/11mo/10mo/hrly Work year length(circle)

Fiscal Year: 97-98 98-99 99-00 00-01
01-02 02-03 03-04 04-05 05-06
Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11 Preparing for the evaluation
- Code 12 Goals and objectives conference with instructor
- Code 13 Pre-observation conference with instructor
- Code 14 Classroom observation of instructor
- Code 15 Post-observation conference with instructor
- Code 16 Final conference with instructor
- Code 17 District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:		Average Time In Minutes			
		A	B	C	D
Code 11	Preparing for the evaluation	25	10	20	20
Code 12	Goals and objectives conference with instructor	5	15	15	10
Code 13	Pre-observation conference with instructor	5	10	5	5
Code 14	Classroom observation of instructor	5	25	25	10
Code 15	Post-observation conference with instructor	5	30	5	10
Code 16	Final conference with instructor	10	10	20	10
Code 17	District Reporting		20	20	10

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. PLEASE USE BLUE INK

Employee Signature Raye Clendering Date _____

If you have any questions, please contact _____, at _____

PLEASE SUBMIT THIS INFORMATION BY R. Clendering; TO _____

Employee AVERAGE Time Record for Mandated Costs 498/83 The Stull Act (K-12) Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

District/COE	King
Employee Name	Department/Location
Cheri Sanders	Asst. Principal
Telephone #	Exact Position Title

12mo/11mo/10mo/hrly	Fiscal Year: 97-98 98-99 99-00 <u>00-01</u>
Work year length(circle)	01-02 02-03 03-04 04-05 05-06

Circle the years for which you are responding.

- | | |
|--|--|
| <p>Reimbursable Activities Codes:</p> <ul style="list-style-type: none"> Code 11 Preparing for the evaluation Code 12 Goals and objectives conference with instructor Code 13 Pre-observation conference with instructor Code 14 Classroom observation of instructor Code 15 Post-observation conference with instructor Code 16 Final conference with instructor Code 17 District reporting | <p>Evaluation Criteria:</p> <ul style="list-style-type: none"> (A) district standards and test results (B) instructional techniques/strategies (C) adherence to curricular objectives (D) suitable learning environment |
|--|--|

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:	Average Time In Minutes			
	A	B	C	D
Code 11 Preparing for the evaluation	20	20	20	20
Code 12 Goals and objectives conference with instructor	15	15	15	10
Code 13 Pre-observation conference with instructor	20	20	20	20
Code 14 Classroom observation of instructor	20	20	20	5
Code 15 Post-observation conference with instructor	20	20	20	20
Code 16 Final conference with instructor	15	15	15	15
Code 17 District Reporting	15	15	15	15

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. PLEASE USE BLUE INK

Employee Signature Date 2.21.08

If you have any questions, please contact _____, at _____
PLEASE SUBMIT THIS INFORMATION BY _____; TO _____

Employee AVERAGE Time Record for Mandated Costs
498/83 The Stull Act (K-12)
Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

0 USD
 District/COE

King M.S.
 Department/Location

Frank Balanon
 Employee Name

Assistant Principal
 Exact Position Title

Telephone # _____
 Work year length(circle) 12mo/11mo/10mo/hrly

Fiscal Year: 97-98 98-99 99-00 00-01
01-02 02-03 03-04 04-05 05-06
 Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11 Preparing for the evaluation
- Code 12 Goals and objectives conference with instructor
- Code 13 Pre-observation conference with instructor
- Code 14 Classroom observation of instructor
- Code 15 Post-observation conference with instructor
- Code 16 Final conference with instructor
- Code 17 District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:	Average Time In Minutes			
	A	B	C	D
Code 11 Preparing for the evaluation	20	20	20	20
Code 12 Goals and objectives conference with instructor	10	15	10	10
Code 13 Pre-observation conference with instructor	15	25	20	20
Code 14 Classroom observation of instructor	15	25	25	25
Code 15 Post-observation conference with instructor	15	25	20	20
Code 16 Final conference with instructor	10	10	10	10
Code 17 District Reporting	15	15	15	15

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. **PLEASE USE BLUE INK**

Employee Signature Frank Balanon Date 2/21/06

If you have any questions, please contact _____, at _____

PLEASE SUBMIT THIS INFORMATION BY _____; TO _____

Employee AVERAGE Time Record for Mandated Costs

498/83 The Stull Act (K-12)

Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

 OUSD
 District/COE

 Shrewes
 Department/Location

 King
 Exact Position Title

 760 907-1067 Telephone #
 12mo/11mo/10mo/hrly Work year length(circle)

Fiscal Year: ~~97-98~~ ~~98-99~~ ~~99-00~~ ~~00-01~~
 01-02 02-03 03-04 04-05 05-06
 Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11 Preparing for the evaluation
- Code 12 Goals and objectives conference with instructor
- Code 13 Pre-observation conference with instructor
- Code 14 Classroom observation of instructor
- Code 15 Post-observation conference with instructor
- Code 16 Final conference with instructor
- Code 17 District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:	Average Time in Minutes			
	A	B	C	D
Code 11 Preparing for the evaluation	20	20	20	20
Code 12 Goals and objectives conference with instructor	10	10	10	10
Code 13 Pre-observation conference with instructor <i>10 x 2 for 2 observations</i>	20	20	20	20
Code 14 Classroom observation of instructor <i>min x 2 observations</i>	15	30	15	30
Code 15 Post-observation conference with instructor <i>10 x 2 observations</i>	20	20	20	20
Code 16 Final conference with instructor	10	10	10	10
Code 17 District Reporting	20	20	20	20

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. PLEASE USE BLUE INK

Employee Signature Shrewes Date 2-21-06

If you have any questions, please contact _____, at _____

PLEASE SUBMIT THIS INFORMATION BY _____; TO _____

Employee AVERAGE Time Record for Mandated Costs

498/83 The Stull Act (K-12)

Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

OUSD
 District/COE
DAN DAVIS
 Employee Name
757-8550
 Telephone #

EC HS
 Department/Location
Principal
 Exact Position Title
 Fiscal Year: 97-98 98-99 99-00 00-01
 01-02 02-03 03-04 04-05 05-06
 Circle the years for which you are responding.

12mo/11mo/10mo/hrly
 Work year length(circle)

Reimbursable Activities Codes:

- Code 11 Preparing for the evaluation
- Code 12 Goals and objectives conference with instructor
- Code 13 Pre-observation conference with instructor
- Code 14 Classroom observation of instructor
- Code 15 Post-observation conference with instructor
- Code 16 Final conference with instructor
- Code 17 District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:	Average Time In Minutes			
	A	B	C	D
Code 11 Preparing for the evaluation	38	38	38	38
Code 12 Goals and objectives conference with instructor	20	20	20	20
Code 13 Pre-observation conference with instructor	8	3	3	3
Code 14 Classroom observation of instructor	8	11	14	11
Code 15 Post-observation conference with instructor	14	14	14	14
Code 16 Final conference with instructor	7	7	7	7
Code 17 District Reporting	24	24	24	24

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. **PLEASE USE BLUE INK**

Employee Signature [Signature] Date 2/20/04

If you have any questions, please contact _____, at _____

PLEASE SUBMIT THIS INFORMATION BY _____ ; TO _____

Employee AVERAGE Time Record for Mandated Costs

498/83 The Stull Act (K-12)

Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

OUSD
District/COE

El Camino High
Department/Location

Ron Briggs
Employee Name

Principal
Exact Position Title

Telephone # _____
Work year length(circle) 12mo/11mo/10mo/hrly

Fiscal Year: 97-98 98-99 99-00 00-01
01-02 02-03 03-04 04-05 05-06
Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11** Preparing for the evaluation
- Code 12** Goals and objectives conference with instructor
- Code 13** Pre-observation conference with instructor
- Code 14** Classroom observation of instructor
- Code 15** Post-observation conference with instructor
- Code 16** Final conference with instructor
- Code 17** District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:		Average Time In Minutes			
		A	B	C	D
Code 11	Preparing for the evaluation	38	38	38	38
Code 12	Goals and objectives conference with instructor	20	20	20	20
Code 13	Pre-observation conference with instructor	8	3	3	3
Code 14	Classroom observation of instructor	8	11	11	11
Code 15	Post-observation conference with instructor	14	14	14	14
Code 16	Final conference with instructor	7	7	7	7
Code 17	District Reporting	24	24	24	24

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. PLEASE USE BLUE INK

Employee Signature Ron Briggs Date 3/6/06

If you have any questions, please contact _____, at _____

PLEASE SUBMIT THIS INFORMATION BY _____; TO _____

Employee AVERAGE Time Record for Mandated Costs 498/83 The Stull Act (K-12) Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

Oceanside
District/COE

Robert Nelson
Employee Name

El Camino
Department/Location

Asst. Principal
Exact Position Title

Telephone # _____ 12mo/11mo/10mo/hrly
Work year length(circle)

Fiscal Year: 97-98 98-99 99-00/00-01
01-02 02-03 03-04 04-05 05-06
Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11 Preparing for the evaluation
- Code 12 Goals and objectives conference with instructor
- Code 13 Pre-observation conference with instructor
- Code 14 Classroom observation of instructor
- Code 15 Post-observation conference with instructor
- Code 16 Final conference with instructor
- Code 17 District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:		Average Time In Minutes			
		A	B	C	D
Code 11	Preparing for the evaluation	30	30	30	30
Code 12	Goals and objectives conference with instructor	20	20	20	20
Code 13	Pre-observation conference with instructor	3	3	3	3
Code 14	Classroom observation of instructor	8	11	11	11
Code 15	Post-observation conference with instructor	15	15	15	15
Code 16	Final conference with instructor	6	6	6	6
Code 17	District Reporting	20	20	20	20

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. PLEASE USE BLUE INK

Employee Signature Robert Nelson Date 2/21/06

If you have any questions, please contact Robert Nelson, at 760 757 8330

PLEASE SUBMIT THIS INFORMATION BY _____ ; TO _____.

Employee AVERAGE Time Record for Mandated Costs

498/83 The Stull Act (K-12)

Routine Evaluations of Instructors

Please report below the average amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

Oceanside USD
 District/COE
Edward S. Bessant
 Employee Name

8/03 - 5/05

ECIS
 Department/Location
Assistant Principal
 Exact Position Title

7520531
 Telephone #

12mo / 1mo / 10mo / hrly
 Work year length(circle)

Fiscal Year: 97-98 98-99 99-00 00-01
 01-02 02-03 03-04 04-05 05-06
 Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11 Preparing for the evaluation
- Code 12 Goals and objectives conference with instructor
- Code 13 Pre-observation conference with instructor
- Code 14 Classroom observation of instructor
- Code 15 Post-observation conference with instructor
- Code 16 Final conference with instructor
- Code 17 District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:		Average Time In Minutes			
		A	B	C	D
Code 11	Preparing for the evaluation	30	30	30	30
Code 12	Goals and objectives conference with instructor	20	20	20	20
Code 13	Pre-observation conference with instructor	24	24	24	24
Code 14	Classroom observation of instructor	8	11	11	11
Code 15	Post-observation conference with instructor	10	18	18	18
Code 16	Final conference with instructor	5	10	10	10
Code 17	District Reporting	35	15	15	15

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. PLEASE USE BLUE INK

Employee Signature Steve Bessant Date 2.28.04

If you have any questions, please contact Steve Bessant at (760) 7570531

PLEASE SUBMIT THIS INFORMATION BY _____ ; TO _____

Employee AVERAGE Time Record for Mandated Costs

498/83 The Stull Act (K-12)

Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

Oceanside Unified District/COE OTHS Department/Location
Mary Gleisberg Employee Name Principal Exact Position Title
722-8201 Telephone # 12mo/11mo/10mo/hrly Work year length(circle)
 Fiscal Year: 97-98 ~~98-99~~ ~~99-00~~ ~~00-01~~
 01-02 02-03 03-04 04-05 05-06
 Circle the years for which you are responding.

- | | |
|--|--|
| <p>Reimbursable Activities Codes:</p> <ul style="list-style-type: none"> Code 11 Preparing for the evaluation Code 12 Goals and objectives conference with instructor Code 13 Pre-observation conference with instructor Code 14 Classroom observation of instructor Code 15 Post-observation conference with instructor Code 16 Final conference with instructor Code 17 District reporting | <p>Evaluation Criteria:</p> <ul style="list-style-type: none"> (A) district standards and test results (B) instructional techniques/strategies (C) adherence to curricular objectives (D) suitable learning environment |
|--|--|
- CLASSROOM TEACHER TIME IS NOT REIMBURSED**

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:	Average Time In Minutes			
	A	B	C	D
Code 11 Preparing for the evaluation	20	20	30	30
Code 12 Goals and objectives conference with instructor	15	20	20	20
Code 13 Pre-observation conference with instructor	5	5	5	5
Code 14 Classroom observation of instructor	10	10	15	10
Code 15 Post-observation conference with instructor	10	10	15	10
Code 16 Final conference with instructor	5	5	10	5
Code 17 District Reporting	25	20	20	20

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. PLEASE USE BLUE INK

Employee Signature Mary Gleisberg Date 2/21/00
 If you have any questions, please contact _____, at _____
 PLEASE SUBMIT THIS INFORMATION BY _____; TO _____

Employee AVERAGE Time Record for Mandated Costs 498/83 The Stull Act (K-12) Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

District/COE <i>KIND</i> <i>Marywardt</i>	<i>OTS</i> Department/Location <i>Principals</i>
Employee Name <i>722-8201</i>	Exact Position Title
Telephone # <i>722-8201</i>	Fiscal Year: 97-98 98-99 99-00 <u>00-01</u> <i>NO</i>
Work year length(circle) <i>12mo/11mo/10mo/hrly</i>	(01-02) (02-03) (03-04) (04-05) (05-06)

Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11** Preparing for the evaluation
- Code 12** Goals and objectives conference with instructor
- Code 13** Pre-observation conference with instructor
- Code 14** Classroom observation of instructor
- Code 15** Post-observation conference with instructor
- Code 16** Final conference with instructor
- Code 17** District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:		Average Time In Minutes			
		A	B	C	D
Code 11	Preparing for the evaluation	30	30	30	30
Code 12	Goals and objectives conference with instructor	20	20	20	20
Code 13	Pre-observation conference with instructor	3	3	3	3
Code 14	Classroom observation of instructor	8	11	11	11
Code 15	Post-observation conference with instructor	12	12	12	12
Code 16	Final conference with instructor	5	5	5	5
Code 17	District Reporting	20	20	20	20

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. PLEASE USE BLUE INK

Employee Signature *S. J. Marywardt* Date *2-21-06*

If you have any questions, please contact _____, at _____

PLEASE SUBMIT THIS INFORMATION BY _____; TO _____

Employee AVERAGE Time Record for Mandated Costs 498/83 The Stull Act (K-12) Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

Oceanside Unified
District/COE
Kasia Obrzut
Employee Name

Oceanside High School
Department/Location
Coordinator
Exact Position Title

Telephone # _____
12mo/11mo/10mo/hrly
Work year length(circle)

Fiscal Year: 97-98 98-99 99-00 00-01
01-02 02-03 03-04 04-05 05-06
Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11 Preparing for the evaluation
- Code 12 Goals and objectives conference with instructor
- Code 13 Pre-observation conference with instructor
- Code 14 Classroom observation of instructor
- Code 15 Post-observation conference with instructor
- Code 16 Final conference with instructor
- Code 17 District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:	Average Time In Minutes			
	A	B	C	D
Code 11 Preparing for the evaluation	30	30	30	30
Code 12 Goals and objectives conference with instructor	20	20	20	20
Code 13 Pre-observation conference with instructor	5	5	5	5
Code 14 Classroom observation of instructor	25	25	25	25
Code 15 Post-observation conference with instructor	15	15	15	15
Code 16 Final conference with instructor	5	10	10	10
Code 17 District Reporting	20	20	20	20

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. PLEASE USE BLUE INK

Employee Signature [Signature] Date 2-21-06

If you have any questions, please contact _____, at _____

PLEASE SUBMIT THIS INFORMATION BY _____; TO _____

Employee AVERAGE Time Record for Mandated Costs 498/83 The Stull Act (K-12) Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

Oceanside Unified
District/COE

OULS
Department/Location

Robert P. Mueller, Jr.
Employee Name

Asst Principal
Exact Position Title

760 757-2560 Telephone # 12mo/11mo/10mo/hrly Work year length(circle)

Fiscal Year: 97-98 98-99 99-00 00-01
01-02 02-03 03-04 04-05 05-06
Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11 Preparing for the evaluation
- Code 12 Goals and objectives conference with instructor
- Code 13 Pre-observation conference with instructor
- Code 14 Classroom observation of instructor
- Code 15 Post-observation conference with instructor
- Code 16 Final conference with instructor
- Code 17 District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:	Average Time In Minutes			
	A	B	C	D
Code 11 Preparing for the evaluation	5	5	5	5
Code 12 Goals and objectives conference with instructor	10	10	10	10
Code 13 Pre-observation conference with instructor	15	15	15	15
Code 14 Classroom observation of instructor	25	25	30	30
Code 15 Post-observation conference with instructor	20	20	20	20
Code 16 Final conference with instructor	8	8	8	8
Code 17 District Reporting	20	20	20	20

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. PLEASE USE BLUE INK

Employee Signature [Signature] Date 2/21/06

If you have any questions, please contact _____, at _____

PLEASE SUBMIT THIS INFORMATION BY _____; TO _____

Employee AVERAGE Time Record for Mandated Costs

498/83 The Stull Act (K-12)

Routine Evaluations of Instructors

Please report below the *average* amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

OHS

District/COE
DAN DAVIS
 Employee Name

Department/Location
Asst. Principal
 Exact Position Title

722-820
 Telephone #

12mo/11mo/10mo/hrly
 Work year length(circle)

Fiscal Year: 97-98 98-99 99-00 00-01
 01-02 02-03 03-04 04-05 05-06

Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11 Preparing for the evaluation
- Code 12 Goals and objectives conference with instructor
- Code 13 Pre-observation conference with instructor
- Code 14 Classroom observation of instructor
- Code 15 Post-observation conference with instructor
- Code 16 Final conference with instructor
- Code 17 District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:		Average Time in Minutes			
		A	B	C	D
Code 11	Preparing for the evaluation	36	36	36	36
Code 12	Goals and objectives conference with instructor	21	22	22	22
Code 13	Pre-observation conference with instructor	6	6	6	6
Code 14	Classroom observation of instructor	9	9	9	9
Code 15	Post-observation conference with instructor	12	12	12	12
Code 16	Final conference with instructor	7	7	7	7
Code 17	District Reporting	25	25	25	25

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only.

PLEASE USE BLUE INK

Employee Signature [Signature] Date 2/20/04

If you have any questions, please contact _____, at _____

PLEASE SUBMIT THIS INFORMATION BY _____; TO _____

Employee AVERAGE Time Record for Mandated Costs

498/83 The Stull Act (K-12)

Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

Oceanside Unified
 District/COE
Peg Cowman
 Employee Name

Ocean Shores High School
 Department/Location
Principal
 Exact Position Title

760-439-3142 12mo/11mo/10mo/hrly
 Telephone # Work year length(circle)

Fiscal Year: 97-98 98-99 99-00 00-01
01-02 02-03 03-04 04-05 05-06
 Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11 Preparing for the evaluation
- Code 12 Goals and objectives conference with instructor
- Code 13 Pre-observation conference with instructor
- Code 14 Classroom observation of instructor
- Code 15 Post-observation conference with instructor
- Code 16 Final conference with instructor
- Code 17 District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:		Average Time in Minutes			
		A	B	C	D
Code 11	Preparing for the evaluation	30	30	30	30
Code 12	Goals and objectives conference with instructor	25	28	28	25
Code 13	Pre-observation conference with instructor	3	3	8	3
Code 14	Classroom observation of instructor	8	14	15	14
Code 15	Post-observation conference with instructor	13	14	15	13
Code 16	Final conference with instructor	6	7	7	6
Code 17	District Reporting	23	24	24	21

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. PLEASE USE BLUE INK

Employee Signature Peg Cowman Date 2-21-06

If you have any questions, please contact Peg Cowman, at Ocean Shores

PLEASE SUBMIT THIS INFORMATION BY _____ ; TO _____

Employee AVERAGE Time Record for Mandated Costs

498/83 The Stull Act (K-12)

Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

OUSD
 District/COE

Jim Shirley
 Employee Name

Clair Burgener
 Department/Location

Principal
 Exact Position/Title

Telephone # _____

12mo/11mo/10mo/hrly
 Work year length(circle)

Fiscal Year: 97-98 98-99 99-00 00-01
01-02 02-03 03-04 04-05 05-06

Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11** Preparing for the evaluation
- Code 12** Goals and objectives conference with instructor
- Code 13** Pre-observation conference with instructor
- Code 14** Classroom observation of instructor
- Code 15** Post-observation conference with instructor
- Code 16** Final conference with instructor
- Code 17** District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:		Average Time In Minutes			
		A	B	C	D
Code 11	Preparing for the evaluation	30	30	30	30
Code 12	Goals and objectives conference with instructor	5	5	5	5
Code 13	Pre-observation conference with instructor	5	5	5	5
Code 14	Classroom observation of instructor	30	30	30	30
Code 15	Post-observation conference with instructor	15	15	15	15
Code 16	Final conference with instructor	10	10	10	10
Code 17	District Reporting	35	15	15	15

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. PLEASE USE BLUE INK

Employee Signature James Shirley Date 2/27/06

If you have any questions, please contact _____, at _____

PLEASE SUBMIT THIS INFORMATION BY _____ ; TO _____

Employee AVERAGE Time Record for Mandated Costs
498/83 The Stull Act (K-12)
Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

04-05

Oceanside USD
 District/COE

Clair Burgum Academy
 Department/Location

Edward S. Bessant
 Employee Name

Principal
 Exact Position Title

760 757 0531 Telephone # 12mo / 1mo/10mo/hrly Work year length(circle)

Fiscal Year: 97-98 98-99 99-00 00-01
 01-02 02-03 03-04 04-05 05-06
 Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11 Preparing for the evaluation
- Code 12 Goals and objectives conference with instructor
- Code 13 Pre-observation conference with instructor
- Code 14 Classroom observation of instructor
- Code 15 Post-observation conference with instructor
- Code 16 Final conference with instructor
- Code 17 District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:		Average Time in Minutes			
		A	B	C	D
Code 11	Preparing for the evaluation	30	30	30	30
Code 12	Goals and objectives conference with instructor	5	5	5	5
Code 13	Pre-observation conference with instructor	5	5	5	5
Code 14	Classroom observation of instructor	10	10	10	10
Code 15	Post-observation conference with instructor	5	5	5	5
Code 16	Final conference with instructor	10	10	10	10
Code 17	District Reporting	35	15	15	15

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. PLEASE USE BLUE INK

Employee Signature [Signature] Date 2-21-04

If you have any questions, please contact Steve Bessant, at 760 757 0531

PLEASE SUBMIT THIS INFORMATION BY _____ ; TO _____

Employee AVERAGE Time Record for Mandated Costs

498/83 The Stull Act (K-12)

Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

Oceanside Unified
District/COE

Laurel Elementary
Department/Location

Luis A. Ibarra
Employee Name

Principal
Exact Position Title

966-4200 Telephone # 12mo/11mo/10mo/hrly Work year length(circle)

Fiscal Year: 97-98 98-99 99-00 00-01
 01-02 02-03 03-04 04-05 05-06
 Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11 Preparing for the evaluation
- Code 12 Goals and objectives conference with instructor
- Code 13 Pre-observation conference with instructor
- Code 14 Classroom observation of instructor
- Code 15 Post-observation conference with instructor
- Code 16 Final conference with instructor
- Code 17 District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:		Average Time in Minutes			
		A	B	C	D
Code 11	Preparing for the evaluation	20	10	10	10
Code 12	Goals and objectives conference with instructor	15	10	10	10
Code 13	Pre-observation conference with instructor	5	10	5	5
Code 14	Classroom observation of instructor	15	15	15	5
Code 15	Post-observation conference with instructor	10	10	5	5
Code 16	Final conference with instructor	10	10	10	10
Code 17	District Reporting	5	5	5	5

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. PLEASE USE BLUE INK

Employee Signature *Luis A. Ibarra* Date 2-21-06

If you have any questions, please contact _____, at _____

PLEASE SUBMIT THIS INFORMATION BY _____; TO _____

Employee AVERAGE Time Record for Mandated Costs

498/83 The Stull Act (K-12)

Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

OUSD
District/COE

MISSION ELEMENTARY
Department/Location

Randel Gibson
Employee Name

PRINCIPAL
Exact Position Title

760 957-2560
Telephone #

12mo 11mo/10mo/hrly
Work year length(circle)

Fiscal Year: 97-98 98-99 99-00 00-01
01-02 02-03 03-04 04-05 05-06
Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11 Preparing for the evaluation
- Code 12 Goals and objectives conference with instructor
- Code 13 Pre-observation conference with instructor
- Code 14 Classroom observation of instructor
- Code 15 Post-observation conference with instructor
- Code 16 Final conference with instructor
- Code 17 District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:	Average Time In Minutes			
	A	B	C	D
Code 11 Preparing for the evaluation	20	10	10	10
Code 12 Goals and objectives conference with instructor	15	10	10	10
Code 13 Pre-observation conference with instructor	5	10	5	10
Code 14 Classroom observation of instructor	10	30	30	20
Code 15 Post-observation conference with instructor	10	20	20	20
Code 16 Final conference with instructor	5	15	10	5
Code 17 District Reporting	15	20	20	20

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. PLEASE USE BLUE INK

Employee Signature Randel Gibson Date 2/21/06

If you have any questions, please contact _____, at _____
PLEASE SUBMIT THIS INFORMATION BY _____; TO _____.

Employee AVERAGE Time Record for Mandated Costs

498/83 The Stull Act (K-12)

Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

Kim Marguardt District/COE
Kim Marguardt Employee Name
Laurel Elementary Department/Location
Principal Exact Position Title
12mo/11mo/10mo/hrly Work year length(circle)
97-98 98-99 99-00 00-01 Fiscal Year:
 01-02 02-03 03-04 04-05 05-06
 Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11 Preparing for the evaluation
- Code 12 Goals and objectives conference with instructor
- Code 13 Pre-observation conference with instructor
- Code 14 Classroom observation of instructor
- Code 15 Post-observation conference with instructor
- Code 16 Final conference with instructor
- Code 17 District reporting

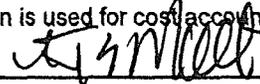
Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:	Average Time In Minutes			
	A	B	C	D
Code 11 Preparing for the evaluation	18	8	8	8
Code 12 Goals and objectives conference with instructor	14	12	12	12
Code 13 Pre-observation conference with instructor	5	5	5	5
Code 14 Classroom observation of instructor	8	20	12	10
Code 15 Post-observation conference with instructor	12	12	12	12
Code 16 Final conference with instructor	16	10	10	10
Code 17 District Reporting	15	15	15	12

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. PLEASE USE BLUE INK

Employee Signature  Date 2-25-04

If you have any questions, please contact _____, at _____

PLEASE SUBMIT THIS INFORMATION BY _____; TO _____

Employee AVERAGE Time Record for Mandated Costs
49B/83 The Stull Act (K-12)
Routine Evaluations of Instructors

Please report below the average amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

Oceanside (760) 943-3539 fax El Comino High
 District/COE Department/Location
Morry Shoenton Asst. Principal
 Employee Name Exact Position Title
 Telephone # 12mo/11mo/10mo/9mo Fiscal Year: 97-98 98-99 99-00 00-01
 Work year length(circle) 01-02 02-03 03-04 04-05 05-06
 Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11 Preparing for the evaluation
- Code 12 Goals and objectives conference with instructor
- Code 13 Pre-observation conference with instructor
- Code 14 Classroom observation of instructor
- Code 15 Post-observation conference with instructor
- Code 16 Final conference with instructor
- Code 17 District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

1A
1B
1A

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:		Average Time in Minutes			
		A	B	C	D
Code 11	Preparing for the evaluation	30	30	30	30
Code 12	Goals and objectives conference with instructor	20	20	20	20
Code 13	Pre-observation conference with instructor	3	3	3	3
Code 14	Classroom observation of instructor	8	11	11	11
Code 15	Post-observation conference with instructor	15	15	15	15
Code 16	Final conference with instructor	6	6	6	6
Code 17	District Reporting	20	20	20	20

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. PLEASE USE BLUE INK

Employee Signature [Signature] Date 3-23-04

If you have any questions, please contact _____, at _____

PLEASE SUBMIT THIS INFORMATION BY _____; TO _____

Employee AVERAGE Time Record for Mandated Costs

498/83 The Stull Act (K-12)

Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

Oceanside USD
District/COE

Ditmar School
Department/Location

Sherry Freeman de Leyva
Employee Name

Principal
Exact Position Title

(760) 757-2560 12mo/11mo/10mo/hrly
Telephone # Work year length(circle)

Fiscal Year: 97-98 98-99 99-00 00-01
01-02 02-03 03-04 04-05 05-06

Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11** Preparing for the evaluation
- Code 12** Goals and objectives conference with instructor
- Code 13** Pre-observation conference with instructor
- Code 14** Classroom observation of instructor
- Code 15** Post-observation conference with instructor
- Code 16** Final conference with instructor
- Code 17** District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:	Average Time in Minutes			
	A	B	C	D
Code 11 Preparing for the evaluation	20	10	10	10
Code 12 Goals and objectives conference with instructor	15	10	10	10
Code 13 Pre-observation conference with instructor	5	5	5	5
Code 14 Classroom observation of instructor	15	15	15	15
Code 15 Post-observation conference with instructor	15	15	15	15
Code 16 Final conference with instructor	15	10	10	10
Code 17 District Reporting	10	15	10	15

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. **PLEASE USE BLUE INK**

Employee Signature: Sherry Freeman de Leyva Date: 2/21/06

If you have any questions, please contact _____, at _____

PLEASE SUBMIT THIS INFORMATION BY _____; TO _____

Employee AVERAGE Time Record for Mandated Costs

498/83 The Stull Act (K-12)

Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

OCEANSIDE UNIFIED SCHOOL DIST.
District/COE

GARRISON
Department/Location

MARGARET YEOMANS-OLIVER
Employee Name

PRINCIPAL
Exact Position Title

(760) 757-8270
Telephone #

(12mo) 11mo/10mo/hrly
Work year length(circle)

Fiscal Year: 97-98 98-99 99-00 00-01
01-02 02-03 03-04 04-05 05-06
Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11 Preparing for the evaluation
- Code 12 Goals and objectives conference with instructor
- Code 13 Pre-observation conference with instructor
- Code 14 Classroom observation of instructor
- Code 15 Post-observation conference with instructor
- Code 16 Final conference with instructor
- Code 17 District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:		Average Time in Minutes			
		A	B	C	D
Code 11	Preparing for the evaluation	20	10	10	10
Code 12	Goals and objectives conference with instructor	15	10	10	10
Code 13	Pre-observation conference with instructor	5	5	5	5
Code 14	Classroom observation of instructor	5	30	5	5
Code 15	Post-observation conference with instructor	5	20	5	5
Code 16	Final conference with instructor	5	25	10	10
Code 17	District Reporting	5	15	15	15

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. PLEASE USE BLUE INK

Employee Signature Margaret Yeomans-Oliver Date 2-21-06

If you have any questions, please contact _____, at _____

PLEASE SUBMIT THIS INFORMATION BY _____; TO _____

Employee AVERAGE Time Record for Mandated Costs 498/83 The Stull Act (K-12) Routine Evaluations of Instructors

Please report below the average amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

Oceanside Unified
District/COE

North Terrace Elementary
Department/Location

Bob Rowe
Employee Name

Principal
Exact Position Title

(760) 757-4343
Telephone #

12mo/11mo/10mo/hrly
Work year length(circle)

Fiscal Year: 97-98 98-99 99-00 00-01
01-02 02-03 03-04 04-05 05-06

Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11 Preparing for the evaluation
- Code 12 Goals and objectives conference with instructor
- Code 13 Pre-observation conference with instructor
- Code 14 Classroom observation of instructor
- Code 15 Post-observation conference with instructor
- Code 16 Final conference with instructor
- Code 17 District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:		Average Time in Minutes			
		A	B	C	D
Code 11	Preparing for the evaluation	20	10	10	10
Code 12	Goals and objectives conference with instructor	15	10	10	10
Code 13	Pre-observation conference with instructor	5	10	5	10
Code 14	Classroom observation of instructor	10	30	30	20
Code 15	Post-observation conference with instructor	10	20	20	20
Code 16	Final conference with instructor	5	15	10	5
Code 17	District Reporting	20	20	20	20

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information. This information is used for cost accounting purposes only. PLEASE USE BLUE INK

Employee Signature Bob Rowe Date 2-21-06

If you have any questions, please contact _____, at _____

PLEASE SUBMIT THIS INFORMATION BY _____; TO _____

Employee AVERAGE Time Record for Mandated Costs
498/83 The Stull Act (K-12)
Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

District/COE _____
 Employee Name Cheri Sanders

Pacific
 Department/Location _____
 Exact Position/Title Principal

Telephone # 760.757.3624 Work year length(circle) 12mo/11mo/10mo/hrly

Fiscal Year: 97-98 98-99 99-00 00-01
~~01-02~~ ~~02-03~~ 03-04 ~~04-05~~ 05-06
 Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11 Preparing for the evaluation
- Code 12 Goals and objectives conference with instructor
- Code 13 Pre-observation conference with instructor
- Code 14 Classroom observation of instructor
- Code 15 Post-observation conference with instructor
- Code 16 Final conference with instructor
- Code 17 District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:		Average Time In Minutes			
		A	B	C	D
Code 11	Preparing for the evaluation	20	10	10	10
Code 12	Goals and objectives conference with instructor	15	10	10	10
Code 13	Pre-observation conference with instructor	5	5	5	5
Code 14	Classroom observation of instructor	15	15	15	15
Code 15	Post-observation conference with instructor	10	10	10	10
Code 16	Final conference with instructor	10	10	10	10
Code 17	District Reporting	15	15	15	15

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. PLEASE USE BLUE INK

Employee Signature [Signature] Date 2.21.04

If you have any questions, please contact _____, at _____

PLEASE SUBMIT THIS INFORMATION BY _____; TO _____

Employee AVERAGE Time Record for Mandated Costs

498/83 The Stull Act (K-12)

Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

Oceanside UniField
 District/COE
 Shelly D. Morr
 Employee Name
 760-757-2560
 Telephone #

Palmquist
 Department/Location
 Principal
 Exact Position Title
 Fiscal Year: 97-98 98-99 99-00 00-01
 01-02 02-03 03-04 04-05 05-06
 Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11 Preparing for the evaluation
- Code 12 Goals and objectives conference with instructor
- Code 13 Pre-observation conference with instructor
- Code 14 Classroom observation of instructor
- Code 15 Post-observation conference with instructor
- Code 16 Final conference with instructor
- Code 17 District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:		Average Time In Minutes			
		A	B	C	D
Code 11	Preparing for the evaluation	20	10	10	10
Code 12	Goals and objectives conference with instructor	15	10	10	10
Code 13	Pre-observation conference with instructor	5	5	5	5
Code 14	Classroom observation of instructor	20	20	20	20
Code 15	Post-observation conference with instructor	20	20	20	20
Code 16	Final conference with instructor	10	10	10	10
Code 17	District Reporting	20	20	20	20

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost-accounting purposes only. PLEASE USE BLUE INK

Employee Signature Shelly D. Morr Date 2/21/06

If you have any questions, please contact _____, at _____

PLEASE SUBMIT THIS INFORMATION BY _____; TO _____

Employee AVERAGE Time Record for Mandated Costs
498/83 The Stull Act (K-12)
Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

San Diego
 District/COE

San Luis Rey Elem.
 Department/Location

Martha Munden
 Employee Name

Principal
 Exact Position Title

760-757-2560 Telephone # 12mo/11mo/10mo/hrly Work year length(circle)

Fiscal Year: 97-98 (98-99) (99-00) (00-01) (01-02) (02-03) (03-04) (04-05) (05-06)
 Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11 Preparing for the evaluation
- Code 12 Goals and objectives conference with instructor
- Code 13 Pre-observation conference with instructor
- Code 14 Classroom observation of instructor
- Code 15 Post-observation conference with instructor
- Code 16 Final conference with instructor
- Code 17 District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:		Average Time In Minutes			
		A	B	C	D
Code 11	Preparing for the evaluation	20	20	20	20
Code 12	Goals and objectives conference with instructor	10	10	10	10
Code 13	Pre-observation conference with instructor	20	20	20	20
Code 14	Classroom observation of instructor	15	30	15	30
Code 15	Post-observation conference with instructor	20	20	20	20
Code 16	Final conference with instructor	10	10	10	10
Code 17	District Reporting	22	22	22	22

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. **PLEASE USE BLUE INK**

Employee Signature Martha Munden Date 2/21/06

If you have any questions, please contact _____, at _____

PLEASE SUBMIT THIS INFORMATION BY _____; TO _____

Employee AVERAGE Time Record for Mandated Costs

498/83 The Stull Act (K-12)

Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

District/COE _____
Paulette Thompson
 Employee Name

San Luis Rey
 Department/Location
Principal
 Exact Position Title

760 - 757-2560

Telephone # _____
 Work year length(circle) 12mo/11mo/10mo/hrly

Fiscal Year: 97-98 98-99 99-00 00-01
 01-02 02-03 03-04 04-05 05-06
 Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11 Preparing for the evaluation
- Code 12 Goals and objectives conference with instructor
- Code 13 Pre-observation conference with instructor
- Code 14 Classroom observation of instructor
- Code 15 Post-observation conference with instructor
- Code 16 Final conference with instructor
- Code 17 District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:		Average Time in Minutes			
		A	B	C	D
Code 11	Preparing for the evaluation	20	10	10	10
Code 12	Goals and objectives conference with instructor	15	10	10	10
Code 13	Pre-observation conference with instructor	5	15	5	5
Code 14	Classroom observation of instructor	20	30	20	20
Code 15	Post-observation conference with instructor	15	15	15	15
Code 16	Final conference with instructor	15	10	15	15
Code 17	District Reporting	20	20	15	20

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. PLEASE USE BLUE INK

Employee Signature Paulette Thompson Date 2/21-06

If you have any questions, please contact _____, at _____

PLEASE SUBMIT THIS INFORMATION BY _____; TO _____

Employee AVERAGE Time Record for Mandated Costs
498/83 The Stull Act (K-12)
Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

District/COE _____ Santa Margarita Elementary
Employee Name Frank Gómez Department/Location _____
Telephone # _____ Principal Exact Position Title _____
Work year length(circle) 12mo/11mo/10mo/hrly Fiscal Year: 97-98 98-99 99-00 00-01
01-02 02-03 03-04 04-05 05-06
 Circle the years for which you are responding.

- Reimbursable Activities Codes:**
- Code 11** Preparing for the evaluation
 - Code 12** Goals and objectives conference with instructor
 - Code 13** Pre-observation conference with instructor
 - Code 14** Classroom observation of instructor
 - Code 15** Post-observation conference with instructor
 - Code 16** Final conference with instructor
 - Code 17** District reporting
- Evaluation Criteria:**
- (A) district standards and test results
 - (B) instructional techniques/strategies
 - (C) adherence to curricular objectives
 - (D) suitable learning environment
- CLASSROOM TEACHER TIME IS NOT REIMBURSED**

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:	Average Time In Minutes			
	A	B	C	D
Code 11 Preparing for the evaluation	20	10	10	10
Code 12 Goals and objectives conference with instructor	15	10	10	10
Code 13 Pre-observation conference with instructor	5	5	5	5
Code 14 Classroom observation of instructor	10	20	20	10
Code 15 Post-observation conference with instructor	5	5	5	5
Code 16 Final conference with instructor	8	10	10	10
Code 17 District Reporting	8	10	10	8

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. **PLEASE USE BLUE INK**

Employee Signature Frank Gómez Date 2/21/06

If you have any questions, please contact _____, at _____

PLEASE SUBMIT THIS INFORMATION BY _____ ; TO _____

Employee AVERAGE Time Record for Mandated Costs 498/83 The Stull Act (K-12) Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

District/COE _____
 Employee Name Judy Reimer

South Deanside
 Department/Location _____
Principal
 Exact Position Title _____

Telephone # 760 435-2100 Work year length(circle) 12mo/11mo/10mo/hrly

Fiscal Year: 97-98 98-99 99-00 00-01
 01-02 02-03 03-04 04-05 05-06 50
 Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11 Preparing for the evaluation
- Code 12 Goals and objectives conference with instructor
- Code 13 Pre-observation conference with instructor
- Code 14 Classroom observation of instructor
- Code 15 Post-observation conference with instructor
- Code 16 Final conference with instructor
- Code 17 District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:	Average Time In Minutes			
	A	B	C	D
Code 11 Preparing for the evaluation	20	10	10	10
Code 12 Goals and objectives conference with instructor	15	10	10	10
Code 13 Pre-observation conference with instructor	5	5	5	5
Code 14 Classroom observation of instructor	15	20	15	10
Code 15 Post-observation conference with instructor	10	15	10	5
Code 16 Final conference with instructor	10	15	10	10
Code 17 District Reporting	20	20	15	15

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. PLEASE USE BLUE INK

Employee Signature Judy Reimer Date 2-21-06

If you have any questions, please contact _____, at _____

PLEASE SUBMIT THIS INFORMATION BY _____; TO _____.

Employee AVERAGE Time Record for Mandated Costs 498/83 The Stull Act (K-12) Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

O.U.S.D.
District/COE

Del Rio Elementary
Department/Location

PHYLLIS T. MORGAN
Employee Name

Principal
Exact Position Title

760-433-3232 (12mo/11mo/10mo/hrly)
Telephone # Work year length(circle)

Fiscal Year: 97-98 98-99 99-00 00-01 01-02 02-03 03-04 04-05 05-06

from: 1998-2006 Del Rio

> Del Rio

Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11** Preparing for the evaluation
- Code 12** Goals and objectives conference with instructor
- Code 13** Pre-observation conference with instructor
- Code 14** Classroom observation of instructor
- Code 15** Post-observation conference with instructor
- Code 16** Final conference with instructor
- Code 17** District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:		Average Time in Minutes			
		A	B	C	D
Code 11	Preparing for the evaluation	20	10	20	10
Code 12	Goals and objectives conference with instructor	15	20	20	10
Code 13	Pre-observation conference with instructor	5	5	5	5
Code 14	Classroom observation of instructor	15	15	15	5
Code 15	Post-observation conference with instructor	10	10	10	10
Code 16	Final conference with instructor	15	15	15	10
Code 17	District Reporting	20	20	20	5

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. PLEASE USE BLUE INK

Employee Signature *Phyllis T. Morgan* Date 2/21/06

If you have any questions, please contact _____, at _____

PLEASE SUBMIT THIS INFORMATION BY _____; TO _____

Employee AVERAGE Time Record for Mandated Costs 498/83 The Stull Act (K-12) Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

OCEANSIDE UNIFIED
District/COE

Del Rio
Department/Location

LOIS E. GRAZIANI
Employee Name

Assistant Principal
Exact Position Title

760-757-2560 Telephone # 12mo(11mo)(10mo/hrly) Work year length(circle)

Fiscal Year 97-98 98-99 99-00 00-01
 01-02 02-03 03-04 04-05 05-06
Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11** Preparing for the evaluation
- Code 12** Goals and objectives conference with instructor
- Code 13** Pre-observation conference with instructor
- Code 14** Classroom observation of instructor
- Code 15** Post-observation conference with instructor
- Code 16** Final conference with instructor
- Code 17** District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:		Average Time In Minutes			
		A	B	C	D
Code 11	Preparing for the evaluation	20	10	10	10
Code 12	Goals and objectives conference with instructor	15	10	10	10
Code 13	Pre-observation conference with instructor	5	5	5	5
Code 14	Classroom observation of instructor	40	25	25	25
Code 15	Post-observation conference with instructor	30	15	15	10
Code 16	Final conference with instructor	30	15	15	15
Code 17	District Reporting	20	20	20	20

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. PLEASE USE BLUE INK

Employee Signature Dr. Lois E. Graziani Date 2/21/06

If you have any questions, please contact _____, at _____

PLEASE SUBMIT THIS INFORMATION BY _____ ; TO _____

Employee AVERAGE Time Record for Mandated Costs
498/83 The Stull Act (K-12)
Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

District/COE
Paulette Thompson
 Employee Name

Reynolds Elementary
 Department/Location
Assistant Principal
 Exact Position Title

760-757-2560 12mo/11mo/10mo/hrly
 Telephone # Work year length(circle)

Fiscal Year: 97-98 98-99 99-00 00-01
01-02 02-03 03-04 04-05 05-06
 Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11 Preparing for the evaluation
- Code 12 Goals and objectives conference with instructor
- Code 13 Pre-observation conference with instructor
- Code 14 Classroom observation of instructor
- Code 15 Post-observation conference with instructor
- Code 16 Final conference with instructor
- Code 17 District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:		Average Time in Minutes			
		A	B	C	D
Code 11	Preparing for the evaluation	20	10	10	10
Code 12	Goals and objectives conference with instructor	15	10	10	10
Code 13	Pre-observation conference with instructor	5	15	5	10
Code 14	Classroom observation of instructor	20	30	20	20
Code 15	Post-observation conference with instructor	15	15	15	15
Code 16	Final conference with instructor	15	10	15	15
Code 17	District Reporting	20	20	15	20

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. **PLEASE USE BLUE INK**

Employee Signature Paulette Thompson Date 2-21-06

If you have any questions, please contact _____, at _____

PLEASE SUBMIT THIS INFORMATION BY _____; TO _____

Employee AVERAGE Time Record for Mandated Costs

498/83 The Stull Act (K-12)

Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

OCEANSIDE UNIFIED
District/COE

Reynolds
Department/Location

LOIS E. GRAZIOZI
Employee Name

02-03 - Inst. Principal; 03-06 - Principal
Exact Position Title

760 757-2560 Telephone #
12mo (11mo/10mo/hrly) Work year length(circle)

Fiscal Year: 97-98 98-99 99-00 00-01
01-02 02-03 03-04 04-05 05-06
Circle the years for which you are responding.

Principal 03-04; 04-05; 05-06

Reimbursable Activities Codes:

- Code 11 Preparing for the evaluation
- Code 12 Goals and objectives conference with instructor
- Code 13 Pre-observation conference with instructor
- Code 14 Classroom observation of instructor
- Code 15 Post-observation conference with instructor
- Code 16 Final conference with instructor
- Code 17 District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:		Average Time In Minutes			
		A	B	C	D
Code 11	Preparing for the evaluation	20	10	10	10
Code 12	Goals and objectives conference with instructor	15	10	10	10
Code 13	Pre-observation conference with instructor	5	5	5	5
Code 14	Classroom observation of instructor	20	25	25	25
Code 15	Post-observation conference with instructor	30	15	15	10
Code 16	Final conference with instructor	30	15	15	15
Code 17	District Reporting	20	20	20	20

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. PLEASE USE BLUE INK

Employee Signature Lois E. Graziozi Date 2/21/06

If you have any questions, please contact _____, at _____

PLEASE SUBMIT THIS INFORMATION BY _____; TO _____.

Employee AVERAGE Time Record for Mandated Costs
498/83 The Stull Act (K-12)
Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

District/COE
Mary Gleisberg
 Employee Name

Christie McAuliffe
 Department/Location
Principal - Elementary
 Exact Position/Title

Telephone # _____
 Work year length(circle) 12mo/11mo/10mo/hrly

Fiscal Year: 97-98 98-99 99-00 00-01
 01-02 02-03 03-04 04-05 05-06
 Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11 Preparing for the evaluation
- Code 12 Goals and objectives conference with instructor
- Code 13 Pre-observation conference with instructor
- Code 14 Classroom observation of instructor
- Code 15 Post-observation conference with instructor
- Code 16 Final conference with instructor
- Code 17 District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:	Average Time in Minutes			
	A	B	C	D
Code 11 Preparing for the evaluation	20	10	10	10
Code 12 Goals and objectives conference with instructor	15	10	10	10
Code 13 Pre-observation conference with instructor	5	5	5	5
Code 14 Classroom observation of instructor	10	20	15	5
Code 15 Post-observation conference with instructor	10	10	10	10
Code 16 Final conference with instructor	15	10	10	10
Code 17 District Reporting	20	20	20	15

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. **PLEASE USE BLUE INK**

Employee Signature Mary Gleisberg Date 2/2/06
 If you have any questions, please contact Karen Huddles at _____

PLEASE SUBMIT THIS INFORMATION BY _____ ; TO _____

Employee AVERAGE Time Record for Mandated Costs 498/83 The Stull Act (K-12) Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

Oceanside Unified
District/COE

Ivey Ranch Elementary
Department/Location

Jeanne Iman
Employee Name

Principal
Exact Position Title

757-2560 12mo/11mo/10mo/hrly
Telephone # Work year length(circle)

Fiscal Year: 97-98 98-99 99-00 00-01
01-02 02-03 03-04 04-05 05-06

Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11 Preparing for the evaluation
- Code 12 Goals and objectives conference with instructor
- Code 13 Pre-observation conference with instructor
- Code 14 Classroom observation of instructor
- Code 15 Post-observation conference with instructor
- Code 16 Final conference with instructor
- Code 17 District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:	Average Time In Minutes			
	A	B	C	D
Code 11 Preparing for the evaluation	20	10	10	10
Code 12 Goals and objectives conference with instructor	15	10	10	10
Code 13 Pre-observation conference with instructor	5	5	5	5
Code 14 Classroom observation of instructor	40	40	15	25
Code 15 Post-observation conference with instructor	20	30	20	20
Code 16 Final conference with instructor	15	20	15	20
Code 17 District Reporting	40	40	30	30

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. PLEASE USE BLUE INK

Employee Signature Jeanne A. Iman Date 2-21-06

If you have any questions, please contact _____, at _____

PLEASE SUBMIT THIS INFORMATION BY _____; TO _____

Exhibit N

1 **STUTZ ARTIANO SHINOFF & HOLTZ**
2 *A Professional Corporation*
3 Arthur M. Palkowitz, Esq. (SBN 106141)
4 2488 Historic Decatur Road, Suite 200
5 San Diego, California 92106
6 Telephone: (619) 232-3122
7 Facsimile: (619) 232-3264

8 Attorneys for Claimant
9 OCEANSIDE UNIFIED SCHOOL DISTRICT

10 **BEFORE THE COMMISSION ON STATE MANDATES**

11 **STATE OF CALIFORNIA**

12 **IN RE INCORRECT REDUCTION
13 CLAIM ON:**

14 **CHAPTER 498 STATUTES OF 1983;
15 CHAPTER 4, STATUTES OF 1999;
16 *THE STULL ACT PROGRAM* : FISCAL
17 YEARS 1997-1998, 1998-1999,
18 1999-2000, 2000-2001, 2001-2002, 2002-
19 2003, 2003-2004, 2004-2005.**

**INCORRECT REDUCTION CLAIM OF
20 OCEANSIDE UNIFIED SCHOOL
21 DISTRICT;**

**CHAPTER 498, STATUTES OF 1983
22 CHAPTER 4, STATUTES OF 1999
23 (THE STULL ACT PROGRAM)**

DECLARATION OF KATHY FERGUSON

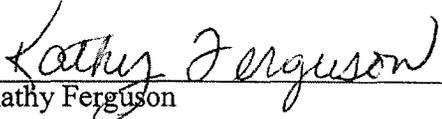
24 I, KATHY FERGUSON, declare as follows:

25 1. I am the Director of Payroll and Benefits at Oceanside Unified School District.

26 I have personal knowledge of the matters stated herein, and if called as a witness could, and
27 would, competently testify thereto.

28 2. I have provided true and correct copies of the Article 15 (Evaluation) from the
Bargaining Unit agreements with the Oceanside Teachers Association for the Fiscal Years of
1997-2005.

I declare under penalty of perjury under the laws of the State of California that the
foregoing is true and correct, executed this 19 day of August, 2014, at
San Diego, California.


Kathy Ferguson



MASTER CONTRACT

between

the Oceanside
Teachers Association
CTA/NEA

and

the Oceanside Unified
School District

July 1, 1994 - January 31, 1997

1 **ARTICLE XV: EVALUATION**

2 15.1. Personal and Academic Freedom

3 15.1.1. The Board will not institute dismissal action against
4 employees solely on the basis of unsubstantiated
5 allegations in citizen or parent complaints.

6 15.1.2. The Board will not predicate any adverse action upon
7 employees' personal, political, or organizational
8 activities and preferences, unless those activities
9 and preferences affect the employees' job performance.

10 15.2. Evaluation Procedures

11 15.2.1. All probationary certificated employees will be
12 evaluated by the administration in writing at least
13 once each school-year, and this written evaluation
14 will be transmitted to employees not later than thirty
15 (30) calendar days prior to the end of the student-
16 year in which the evaluation takes place.

17 15.2.2. All permanent certificated employees will be evaluated
18 by the administration on a continuing basis in writing
19 at least once every other year, and this written
20 evaluation will be transmitted to employees not later
21 than thirty (30) calendar days prior to the end of the
22 student-year in which the evaluation takes place.

23 15.2.3. Prior to the end of the seventh school-week of the
24 appropriate semester, Evaluatees and Evaluators will
25 meet to establish acceptable goals and objectives upon

1 which evaluations will be based. In the event mutual
2 consent cannot be reached on the goals and objectives,
3 Evaluators will inform Evalutees, in writing, of the
4 goals and objectives on which final evaluations will
5 be based. If Evalutees do not concur with said goals
6 and objectives, they may submit written statements
7 indicating why the Evaluator's statements are not
8 appropriate. The Evalutees' statements as described
9 herein will become part of the official evaluation
10 documentation.

11 15.2.4. If, during the course of the evaluation period,
12 mitigating circumstances arise which may require
13 modification of goals and objectives, the modification
14 may be initiated by Evaluators or Evalutees, and any
15 amended goals and objectives will be established in
16 accordance with 15.2.3.

17 15.2.5. Evaluations will include at least one
18 classroom/assignment observation. Negative comments
19 will not be included in the final evaluation, unless
20 Evalutees have previously been notified in writing of
21 the areas of concern and provided opportunities for
22 written response.

23 15.2.6. Before the end of the school-year, Evaluators and
24 Evalutees will meet to discuss the evaluations.

- 1 15.2.7. Evaluatees will have the right to initiate written
2 reactions or responses to their evaluations. These
3 responses will become attachments to the evaluations
4 and will be placed in the Evaluatee's personnel files.
- 5 15.2.8. In the event Evaluatees receive "unsatisfactory"
6 evaluations, Evaluators will provide Evaluatees with
7 specific recommendations as to areas of needed
8 improvement, and Evaluators will endeavor to assist
9 Evaluatees to improve.
- 10 15.2.9. Employees will not be required to participate in the
11 evaluation of other employees, nor will any self-
12 evaluation be included in the formal evaluation.
13 However, at the option of their immediate
14 administrators, department chairpersons may be
15 required to serve as resources to the administration
16 in employee evaluation matters.
- 17 15.2.10. Prior to setting goals and objectives, Evaluatees will
18 be given copies of existing relevant sections of the
19 goals and objectives of their Evaluators, schools, or
20 departments.
- 21 15.2.11. The evaluation process established by the District
22 will not be in conflict with the provisions of this
23 article or prevailing state law.
- 24 15.2.12. Neither the District evaluation process nor the
25 Evaluators' judgments and recommendations contained in

1 classroom observation reports and formal evaluations
2 will be subject to the provisions contained in Article
3 VII. However, alleged violations of the provisions of
4 this article are grievable.

5 15.3. Personnel Files

6 15.3.1. Materials in personnel files of employees which may
7 serve as a basis for affecting the status of their
8 employment will be made available for their
9 inspection.

10 15.3.2. Materials in Personnel Files will not include ratings,
11 reports, or records which (1) were obtained prior to
12 employment, (2) were prepared by identifiable
13 examination committee members, or (3) were obtained in
14 connection with promotional examinations.

15 15.3.3. Employees will have the right to inspect materials in
16 their Personnel Files upon request, normally during
17 non-instructional time.

18 15.3.4. Information of a derogatory nature, except material
19 mentioned in 15.3.2, will not be entered or filed in
20 Personnel Files unless and until employees are given
21 notice and an opportunity to review and comment, and
22 employees will have the right to enter, and have
23 attached to any such derogatory statements, their own
24 comments. The review will take place during normal
25 business hours, and, if convenient for the employees

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and their immediate administrators, may be done during the instructional day without salary reduction.

15.3.5. Upon written authorization by employees, representatives of the Association will be permitted to examine materials in the employees' personnel files.

15.3.6. Individuals who draft non-routine material for placement in employees' personnel files will sign the material and signify the dates on which the material was placed in the files.

15.3.7. The District will keep a log listing individuals other than District management employees and appropriate Personnel Department employees who have examined personnel files, as well as the dates when the examinations were made. The log will be available for examination by employees or their Association representatives, if authorized by the employees.

15.3.8. Access to personnel files will be limited to members of the District Management Team, members of the Board of Education, and appropriate Personnel Department employees, on a need-to-know basis. The contents of all personnel files will be kept in the strictest confidence.

15.3.9. These provisions will apply to employee personnel files maintained at the District Central Office.

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15.4. Evaluation Documentation Files

Employees may have reasonable access to any evaluation documentation files that their immediate administrators may maintain at the work-sites.

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MASTER CONTRACT

between

the Oceanside
Teachers Association
CTA/NEA

and

the Oceanside Unified
School District

February 1, 1997 – June 30, 2000

ARTICLE 15: EVALUATION

15.1. Evaluation Procedures

The purposes of the evaluation system are: 1) to improve the delivery of educational services; 2) to provide constructive assistance to employees; and 3) to rate the service of employees to the District.

15.1.1. Probationary Employees

All probationary certificated employees will be evaluated in writing at least once each school-year, and this written evaluation will be transmitted to employees not later than thirty (30) calendar days prior to the end of the student-year in which the evaluation takes place.

15.1.2. Permanent Employees

All permanent certificated employees will be evaluated on a continuing basis in writing at least once every other year, and this written evaluation will be transmitted to employees not later than thirty (30) calendar days prior to the end of the student-year in which the evaluation takes place.

15.1.3. Goals and Objectives

Prior to the end of the seventh school-week of the appropriate semester, Evaluatees and Evaluators will meet to establish acceptable goals and objectives upon which evaluations will be based. In the event mutual consent cannot be reached on the goals and objectives, Evaluators

will inform Evaluatees, in writing, of the goals and objectives on which final evaluations will be based. If Evaluatees do not concur, they may submit written statements indicating why the goals and objectives prepared by their Evaluators are not appropriate, and those statements will become part of their official evaluation documentation.

15.1.3.1. Prior to setting goals and objectives, Evaluatees will be given copies of existing relevant sections of the goals and objectives of their Evaluators, schools, and/or departments.

15.1.3.2. If, during the course of the evaluation period, mitigating circumstances arise which require changing goals and objectives, modifications may be initiated by Evaluators or Evaluatees, and any amended goals and objectives will be established in accordance with 15.1.3.

15.1.4. Basis for Evaluation

15.1.4.1. Evaluations of all employees will include, but not be limited to, consideration of:

15.1.4.1.1. Goals and objectives of employees.

- 15.1.4.1.2. The progress of students toward standards of expected student achievement;
 - 15.1.4.1.3. Instructional techniques and strategies;
 - 15.1.4.1.4. Adherence to curricular objectives;
 - 15.1.4.1.5. Establishment and maintenance of suitable learning environments, including classroom control;
 - 15.1.4.1.6. Performance of other duties normally required as adjunct to the regular assignments of employees.
- 15.1.4.2. Evaluation of student progress will be based upon standards expected of students at each grade level in each area of study. Information to support evaluations will be obtained through a variety of sources including, but not limited to: classroom observations, student work products, judgments,

responsibilities carried, criterion-referenced tests, and anecdotal records.

5.1.4.3. The basis for objective evaluation and student progress assessment will be data collected related to standards of expected student growth and progress.

15.1.4.4. Evaluation of non-instructional employees will be based on their fulfillment of defined job responsibilities.

15.1.5. Classroom Observations

15.1.5.1. Evaluations of classroom performance will include at least one formal classroom/assignment observation, normally by December 15. Observations will be followed by personal conferences between Evaluators and Evaluatees, normally within five (5) work-days; this timeline may be extended by mutual agreement. Evaluators will prepare written classroom observation reports for conferences, which will be presented to and discussed with Evaluatees. If Evaluators have concerns about performances of Evaluatees in any of the observed areas,

Evaluators will discuss those concerns with Evaluatees at the post-observation conferences. Continuing concerns will be reduced to writing and given to Evaluatees, along with assistance plans.

15.1.5.2. Except in cases of significant violations of job duties, work-rules or professional competence, at least three (3) formal and scheduled classroom/assignment observations will take place prior to issuance of final annual evaluations with overall ratings of unsatisfactory.

15.1.5.3. Classroom observations may be made by more than one administrator provided that administrators who are not the primary Evaluators have discussed the goals and objectives with Evaluatees prior to observations. Evaluatees or their primary Evaluators may request that formal scheduled classroom observations be done by other administrators.

15.1.5.4. Nothing herein will prevent Evaluators from making unscheduled classroom observations in addition to formal scheduled observations. Unscheduled classroom observations are formal

observations as opposed to informal walk-throughs or drop-in visits. Evaluators are expected to meet with Evaluatees to discuss unscheduled classroom observations within (3) three work-days unless deadlines are extended by mutual agreement. If Evaluators have concerns about performances of Evaluatees in any of the observed areas, Evaluators will discuss those concerns with Evaluatees at post-observation conferences.

15.1.6. Lesson Plans

15.1.6.1. Temporary and probationary employees and employees on assistance plans (Section 15.14.8) will prepare daily lesson plans and provide them to their immediate administrators. All other employees will be responsible for preparing daily lesson plans and having them available for review; however, they will not be required to turn in the lesson plans.

15.1.6.2. If employees fail to leave lesson plans for substitutes on at least two occasions within a school-year, they may be required by their immediate administrators to turn in lesson plans for the remainder of that school-year.

15.1.7. Final Annual Evaluations

- 15.1.7.1. There should be no surprises in final evaluations; therefore, negative comments will not be included unless Evaluatees have previously been notified in writing of the area(s) of concern and provided opportunities for written responses.
- 15.1.7.2. Before the end of the school-year, Evaluators and Evaluatees will meet to discuss evaluations; normally, these meetings will occur by June 1.
- 15.1.7.3. Evaluatees will have the right to initiate written responses to their evaluations. These responses will become attachments to the evaluations and will be placed in the personnel files of Evaluatees.
- 15.1.7.4. In the event Evaluatees receive "unsatisfactory" evaluations, Evaluators will provide Evaluatees with specific recommendations about areas of needed improvement, and Evaluators will offer assistance intended to help Evaluatees improve.
- 15.1.7.5. Employees will not be required to participate in evaluations of other employees, nor will

self-evaluations be included in the formal evaluations. However, at the option of their immediate administrators, department chairpersons may be required to serve as resources in employee evaluations.

15.1.8. Employee Assistance Plans

15.1.8.1. Employee Assistance Plans are written plans, with timelines, to help employees who voluntarily request assistance or for whom remediation is recommended by their immediate administrators. Employee Assistance Plans will not be required in instances of egregious behavior by employees or when notices of unprofessional conduct have been issued.

15.1.8.2. If employees receive overall unsatisfactory evaluations or unsatisfactory ratings in any areas designated in 15.1.4.1, their Evaluators will prepare written assistance plans with specific timelines and strategies that will include, but not be limited to, the following:

15.1.8.2.1. Identification of specific deficiencies;

15.1.8.2.2. Detailed outline of assistance;

- 15.1.8.2.3. Specific expectations;
- 15.1.8.2.4. Date by which deficiencies must be corrected;
- 15.1.8.2.5. Method for reassessment.
- 15.1.8.3. If final evaluations contain areas ranked as "unsatisfactory," assistance plans will be implemented for the following school-year.
- 15.1.8.4. Before plans are implemented, Evaluatees and their Evaluators will meet to discuss and review employee assistance plans, including timelines for reassessment. At the end of reassessment periods, Evaluatees and Evaluators will meet again to discuss progress of Evaluatees. Evaluators may require Evaluatees to continue on assistance plans until reaching satisfactory levels of performance.
- 15.1.8.5. Employee assistance plans may include, but will not be limited to: a) weekly meetings with their Evaluators to review the lesson plans of Evaluatees; b) having administrators or peer coaches model lessons; c) providing Evaluatees with released time to observe other classes; or d) attendance at in-service training or other applicable courses. If

Evaluators require Evaluatees to take specific training or in-service for which there is a fee, the District will pay for the cost of the required training. Evaluators will meet regularly with Evaluatees to monitor progress on assistance plans.

15.1.8.6. Employees who receive overall unsatisfactory evaluations, or who are within the duration of notices of unprofessional conduct, will not be eligible to receive step increases or anniversary increments (see section 8.17). Employees will have the right to appeal to the District Personnel Administrator whose decision will be final. If employees achieve overall satisfactory evaluations when they are reassessed as specified in employee assistance plans, they will receive step increases at the next pay period.

15.1.8.7. "Overall unsatisfactory evaluation," will mean a final annual evaluation in which three (3) or more areas are ranked as "unsatisfactory" by the Evaluator.

15.1.9. Legal Conformance

The evaluation process established by the District will not be in conflict with the provisions of this article or prevailing state law.

15.1.10. Greivability

Neither the District evaluation process nor judgments and recommendations of Evaluators contained in classroom observation reports and formal evaluations will be subject to the provisions contained in the Grievance and Arbitration Article of this agreement; however, alleged violations of the provisions of this article are grievable.

15.2. Personal and Academic Freedom

15.2.1. The District will not begin dismissal action against employees solely on the basis of unsubstantiated allegations in citizen or parent complaints.

15.2.2. The District will not base any adverse action against employees on their personal, political, or organizational activities and preferences, unless those activities and preferences affect the job performance of the employees.

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MASTER CONTRACT

between

the Oceanside
Teachers Association
CTA/NEA

and

the Oceanside Unified
School District

July 1, 2000 – June 30, 2001

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15.1. Evaluation Procedures

The purposes of the evaluation system are: 1) to improve the delivery of educational services; 2) to provide constructive assistance to employees; and 3) to rate the service of employees to the District.

15.1.1. Probationary Employees

All probationary certificated employees will be evaluated in writing at least once each school-year, and this written evaluation will be transmitted to employees not later than thirty (30) calendar days prior to the end of the student-year in which the evaluation takes place.

15.1.2. Permanent Employees

All permanent certificated employees will be evaluated on a continuing basis in writing at least once every other year, and this written evaluation will be transmitted to employees not later than thirty (30) calendar days prior to the end of the student-year in which the evaluation takes place.

15.1.3. Goals and Objectives

Prior to the end of the seventh school-week of the appropriate semester, Evaluatees and Evaluators will meet to establish acceptable goals and objectives upon which evaluations will be based. In the event mutual consent cannot be reached on the goals and objectives, Evaluators will inform Evaluatees, in writing, of the goals and objectives on which final evaluations will be based. If Evaluatees do not concur, they may submit written statements indicating why the goals and objectives prepared by their Evaluators are not appropriate, and those statements will become part of their official evaluation documentation.

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- 15.1.3.2.** If, during the course of the evaluation period, mitigating circumstances arise which require changing goals and objectives, modifications may be initiated by Evaluators or Evaluatees, and any amended goals and objectives will be established in accordance with 15.1.3.

15.1.4. Basis for Evaluation

- 15.1.4.1.** Evaluations of all employees will include, but not be limited to, consideration of:
- 15.1.4.1.1.** Goals and objectives of employees;
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 - 15.1.4.1.3.** Instructional techniques and strategies;
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- 15.1.5.3.** Classroom observations may be made by more than one administrator provided that administrators who are not the primary Evaluators have discussed the goals and objectives with Evaluatees prior to observations. Evaluatees or their primary Evaluators may request that formal scheduled classroom observations be done by other administrators.
- 15.1.5.4.** Nothing herein will prevent Evaluators from making unscheduled classroom observations in addition to formal scheduled observations. Unscheduled classroom observations are formal observations as opposed to informal walk-throughs or drop-in visits. Evaluators are expected to meet with Evaluatees to discuss unscheduled classroom observations within (3) three work-days unless deadlines are extended by mutual agreement. If Evaluators have concerns about performances of

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- 15.1.8.2.** If employees receive overall unsatisfactory evaluations or unsatisfactory ratings in any areas designated in 15.1.4.1, their Evaluators will prepare written assistance plans with specific timelines and strategies that will include, but not be limited to, the following:
- 15.1.8.2.1.** Identification of specific deficiencies;
 - 15.1.8.2.2.** Detailed outline of assistance;
 - 15.1.8.2.3.** Specific expectations;
 - 15.1.8.2.4.** Date by which deficiencies must be corrected; and
 - 15.1.8.2.5.** Method for reassessment.
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- 15.1.8.6.** Employees who receive overall unsatisfactory evaluations, or who are within the duration of notices of unprofessional conduct, will not be eligible to receive step increases or anniversary increments (see section 8. 18). Employees will have the right to appeal to the District Personnel Administrator whose decision will be final. If employees achieve overall satisfactory evaluations when they are reassessed as specified in employee assistance plans, they will receive step increases at the next pay period.
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15.1.9. Legal Conformance

The evaluation process established by the District will not be in conflict with the provisions of this article or prevailing state law.

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Neither the District evaluation process nor judgments and recommendations of Evaluators contained in classroom observation reports and formal evaluations will be subject to the provisions contained in Article 7 of this agreement; however, alleged violations of the provisions of this article are grievable.

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15.2.1. The District will not begin dismissal action against employees solely on the basis of unsubstantiated allegations in citizen or parent complaints.

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MASTER CONTRACT

between

**The Oceanside Teachers Association
CTA/NEA**

and

The Oceanside Unified School District

July 1, 2001 – June 30, 2004

ARTICLE 15: EVALUATION

15.1. Evaluation Procedures

The purposes of the evaluation system are: 1) to improve the delivery of educational services; 2) to provide constructive assistance to employees; and 3) to rate the service of employees to the District.

15.1.1. Probationary Employees

All probationary employees will be evaluated in writing at least once each school-year, and this written evaluation will be transmitted to employees not later than thirty (30) calendar days prior to the end of the student-year in which the evaluation takes place.

15.1.2. Permanent Employees

All permanent employees will be evaluated on a continuing basis in writing at least once every other year, and this written evaluation will be transmitted to employees not later than thirty (30) calendar days prior to the end of the student-year in which the evaluation takes place.

15.1.3. Goals and Objectives

Prior to the end of the seventh school-week of the appropriate semester, employees scheduled for evaluation and their Evaluators will meet to establish acceptable goals and objectives upon which evaluations will be based. In the event mutual consent cannot be reached on the goals and objectives, Evaluators will inform Evaluatees, in writing, of the goals and objectives on which final evaluations will be based. If Evaluatees do not concur, they may submit written statements indicating why the goals and objectives prepared by their Evaluators are not appropriate, and those statements will become part of their official evaluation documentation.

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15.1.4.4. Evaluation of non-instructional employees will be based on their fulfillment of defined job responsibilities.

15.1.5. Classroom Observations

15.1.5.1. Evaluations of classroom performance will include at least two formal classroom/assignment observations of 30 minutes each, with one completed prior to December 15. Observations will be followed by personal conferences between Evaluators and Evaluatees, normally within five (5) work-days, (this timeline may be extended by mutual agreement), unless the primary evaluator finds that the observation was completely satisfactory and that a formal conference is not necessary, in which case the evaluatee will sign the observation report and return it to the evaluator to distribute copies as indicated on the report itself. Evaluators will prepare written classroom observation reports for conferences, which will be presented to and may be discussed with Evaluatees. If Evaluators have concerns about performances of Evaluatees in any of the observed areas, Evaluators will discuss those concerns with Evaluatees at the post-observation conferences. Continuing concerns will be reduced to writing and given to Evaluatees, along with assistance plans.

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Evaluators may request that formal scheduled classroom observations be done by other administrators.

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15.1.6. Lesson Plans

15.1.6.1. All employees will be responsible for preparing daily lesson plans and having them available for review; however, they will not be required to turn in the lesson plans.

15.1.6.2. If employees fail to leave lesson plans for substitutes on at least two occasions within a school-year, they may be required by their immediate administrators to turn in lesson plans for the remainder of that school-year.

15.1.7. Final Annual Evaluations

15.1.7.1. There should be no surprises in final evaluations; therefore, negative comments will not be included unless Evaluatees have previously been notified in writing of the area(s) of concern and provided opportunities for written responses.

15.1.7.2. Evaluators and Evaluatees will meet to discuss evaluations not later than thirty (30) calendar days prior to the end of the student year in which the evaluation takes place.

15.1.7.3. Evaluatees will have the right to initiate written responses to their evaluations. These responses will become attachments to the evaluations and will be placed in the personnel files of Evaluatees.

15.1.7.4. In the event Evaluatees receive “unsatisfactory” evaluations, Evaluators will provide Evaluatees with specific recommendations about areas of needed improvement, and Evaluators will offer assistance intended to help Evaluatees improve.

15.1.7.5. Employees will not be required to participate in evaluations of other employees, nor will self-evaluations be included in the formal evaluations except those staff members who volunteer and qualify to participate in an alternative evaluation. . However, at the option of their immediate administrators, department chairpersons may be required to serve as resources in employee evaluations.

15.1.8. Employee Assistance Plans

15.1.8.1. Employee Assistance Plans are written plans, with timelines, to help employees who voluntarily request assistance or for whom remediation is recommended by their immediate administrators. Employee Assistance Plans will not be required in instances of egregious behavior by employees or when notices of unprofessional conduct have been issued.

15.1.8.2. If employees receive overall unsatisfactory evaluations or unsatisfactory ratings in any areas designated in 15.1.4.1, their Evaluators will prepare written assistance plans with specific timelines and strategies that will include, but not be limited to, the following:

- 15.1.8.2.1. Identification of specific deficiencies;**
- 15.1.8.2.2. Detailed outline of assistance;**
- 15.1.8.2.3. Specific expectations;**
- 15.1.8.2.4. Date by which deficiencies must be corrected; and**
- 15.1.8.2.5. Method for reassessment.**

- 15.1.8.3. If final evaluations contain areas ranked as “unsatisfactory”, assistance plans will be implemented for the following school-year.**
- 15.1.8.4. Before plans are implemented, Evaluatees and their Evaluators will meet to discuss and review employee assistance plans, including timelines for reassessment. At the end of reassessment periods, Evaluatees and Evaluators will meet again to discuss progress of Evaluatees. Evaluators may require Evaluatees to continue on assistance plans until reaching satisfactory levels of performance.**
- 15.1.8.5. Employee Assistance Plans may include, but will not be limited to:**
- a) weekly meetings with their Evaluators to review the lesson plans of Evaluatees;**
 - b) having administrators or other teachers model lessons;**
 - c) providing Evaluatees with released time to observe other classes; or**
 - d) attendance at in-service training or other applicable courses. If Evaluators require Evaluatees to take specific training or in-service for which there is a fee, the District will pay for the cost of the required training. Evaluators will meet regularly with Evaluatees to monitor progress on assistance plans.**
- 15.1.8.6. Employees who receive overall unsatisfactory evaluations or who are within the duration of notices of unprofessional conduct (pursuant to Education Code Section 44932 of the 2001 edition) will not be eligible to receive step increases or anniversary increments (see Section 8.18). Employees will have the right to appeal to the District Personnel Administrator whose decision will be final. If employees achieve overall satisfactory evaluations**

when they are reassessed as specified in employee assistance plans, they will receive step increases at the next pay period.

15.1.8.7. "Overall unsatisfactory evaluation" will mean a final annual evaluation in which three (3) or more areas are ranked as "unsatisfactory" by the Evaluator.

15.1.9. Alternative Evaluation Program

Immediate administrators will invite tenured employees who meet the requirements outlined below to participate in the Alternative Evaluation Program.

15.1.9.1. To participate in the voluntary Alternative Evaluation Program, employees must:

15.1.9.1.1. Be nominated by their immediate administrators;

15.1.9.1.2. Be scheduled as "on-year" for evaluations;

15.1.9.1.3. Have received an overall rating of "Satisfactory" during the previous evaluation period.

15.1.9.2. Participants will be limited to not more than fifty (50) percent of the employees scheduled as "on-year" for evaluation at any given school.

15.1.9.3. Participants may not withdraw from this year-long evaluation option during the course of the school term.

15.1.9.4. Formal classroom observations are not required for participants in the Alternative Evaluation Program, although nothing in this language prevents their Evaluators from conducting and writing such observations.

15.1.9.5. Once participants in the Alternative Evaluation are identified, they will meet individually with their Evaluators to develop goals to be used as part of the evaluation process. The goal, or goals, will be

in addition to those described in the "Evaluation Goals and Objectives Review Report."

15.1.9.6. Evaluators and Evaluatees will also determine the criteria for evaluating goals. The following information summarizes the types of evaluation methods that may be used to determine attainment of goals:

15.1.9.6.1. Portfolio Assessment – Employees will assemble portfolios of materials to illustrate progress in meeting a goal or goals. Sample portfolio items may include logs of activities, student work, examples of assignments for curriculum, photographs, video-tapes, or student evaluations of activities.

15.1.9.6.2. Classroom Action Research – Employees will outline specific concepts, instructional strategies, or learning theories to be researched and implemented in their work. Research projects will include specific evaluation methods and documentation.

15.1.9.7. Regardless of the alternative evaluation option selected, the Alternative Evaluation Program will include regularly scheduled interactive sessions regarding the progress of employees on identified goals.

15.1.9.8. Evaluatees and their Evaluators participating in the Alternative Evaluation Program will complete end-of-year summaries of their work not later than thirty (30) days before the last school-day. Employees participating in the Alternative Evaluation Program will provide written self-analyses on their progress toward meeting their established goal or goals on an Alternative Evaluation Goals

form. Copies of the forms will be given to participants and will be filed in their personnel files.

15.1.10. Legal Conformance

The evaluation process established by the District will not be in conflict with the provisions of this article or prevailing state law.

15.1.11. Grievability

Neither the District evaluation process nor judgments and recommendations of Evaluators contained in classroom observation reports and formal evaluations will be subject to the Grievance and Arbitration Article; however, alleged violations of the provisions of this article are grievable.

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July 1, 2004 – June 30, 2007

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9 not later than thirty (30) calendar days prior to the end of the student year
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11 **15.1.2. Permanent Employees**

12 All permanent employees will be evaluated in writing on a continuing basis,
13 at least once every other year, and this written evaluation will be
14 transmitted to employees not later than thirty (30) calendar days prior to
15 the end of the student year in which the evaluation takes place.

16 **15.1.3. Goals and Objectives**

17 Prior to the end of the seventh school week of the appropriate semester,
18 employees scheduled for evaluation and their Evaluators will meet to
19 establish acceptable goals and objectives upon which evaluations will be
20 based. In the event mutual consent cannot be reached on the goals and
21 objectives, Evaluators will inform Evaluatees, in writing, of the goals and
22 objectives on which final evaluations will be based. If Evaluatees do not
23 concur, they may submit written statements indicating why the goals and
24 objectives prepared by their Evaluators are not appropriate, and those
25 statements will become part of their official evaluation documentation.

26 **15.1.3.1.**Prior to setting goals and objectives, Evaluatees will be given
27 copies of existing relevant sections of the goals and
28 objectives of their Evaluators, schools, and/or departments.

- 1 15.1.4.1.5. The Professional Growth System (PGS) will be
2 submitted for ratification as the exclusive
3 evaluation program commencing with the 2005-
4 2006 school year.
- 5 15.1.4.1.6. Establishment and maintenance of suitable
6 learning environments, including classroom
7 Control.
- 8 15.1.4.1.7. And, performance of other duties normally
9 required as adjunct to the regular assignments
10 of employees.
- 11 15.1.4.2. Evaluation of student progress will be based upon standards
12 expected of students at each grade level in each area of study.
13 Information to support evaluations will be obtained through a variety
14 of sources including, but not limited to classroom observations,
15 student work products, judgments, responsibilities carried, criterion-
16 referenced tests, and anecdotal records.
- 17 15.1.4.3. The basis for objective evaluation and student progress assessment
18 will be data collected related to standards of expected student
19 growth and progress.
- 20 15.1.4.4. Evaluation of noninstructional employees will be based on their
21 fulfillment of defined job responsibilities.
- 22 15.1.5. Classroom Observations
- 23 15.1.5.1. Evaluations of classroom performance will include at least
24 two (2) formal classroom/assignment observations of thirty
25 (30) minutes each, with one (1) completed prior to December
26 15. Observations will be followed by personal conferences
27 between Evaluators and Evaluatees, normally within five (5)
28 workdays, (this timeline may be extended by mutual
29 agreement), unless the primary Evaluator finds that the

1 observation was completely satisfactory and that a formal
2 conference is not necessary, in which case the Evaluatee will
3 sign the observation report and return it to the Evaluator to
4 distribute copies as indicated on the report itself. Evaluators
5 will prepare written classroom observation reports for
6 conferences that will be presented to and may be discussed
7 with Evaluatees. If Evaluators have concerns about
8 performances of Evaluatees in any of the observed areas,
9 Evaluators will discuss those concerns with Evaluatees at the
10 post-observation conferences. Continuing concerns will be
11 reduced to writing and given to Evaluatees, along with
12 assistance plans.

13 **15.1.5.2.** Except in cases of significant violations of job duties, work
14 rules, or professional competence, at least three (3) formal
15 and scheduled classroom/assignment observations will take
16 place prior to issuance of final annual evaluations with
17 overall ratings of unsatisfactory.

18 **15.1.5.3.** Classroom observations may be made by more than one
19 administrator provided that administrators who are not the
20 primary Evaluators have discussed the goals and objectives
21 with Evaluatees prior to observations. Evaluatees or their
22 primary Evaluators may request that formal, scheduled
23 classroom observations be done by other administrators.

24 **15.1.5.4.** Nothing herein will prevent Evaluators from making
25 unscheduled classroom observations in addition to formal,
26 scheduled observations. Unscheduled classroom
27 observations are formal observations as opposed to informal
28 walk-throughs or drop-in visits. If Evaluators have concerns
29 about performances of Evaluatees in any of the observed

1 areas, Evaluators will discuss those concerns with
2 Evaluatees at post-observation conferences.

3 **15.1.6. Lesson Plans**

4 **15.1.6.1. All employees will be responsible for preparing daily lesson
5 plans and having them available for review; however, they
6 will not be required to turn in the lesson plans.**

7 **15.1.6.2. If employees fail to leave lesson plans for substitutes on at
8 least two (2) occasions within a school year, they may be
9 required by their immediate administrators to turn in lesson
10 plans for the remainder of that school year.**

11 **15.1.7. Final Annual Evaluations**

12 **15.1.7.1. There should be no surprises in final evaluations; therefore,
13 negative comments will not be included unless Evaluatees
14 have previously been notified in writing of the area(s) of
15 concern and provided opportunities for written responses.**

16 **15.1.7.2. Evaluators and Evaluatees will meet to discuss evaluations
17 not later than thirty (30) calendar days prior to the end of the
18 student year in which the evaluation takes place.**

19 **15.1.7.3. Evaluatees will have the right to initiate written responses to
20 their evaluations. These responses will become attachments
21 to the evaluations and will be placed in the personnel files of
22 Evaluatees.**

23 **15.1.7.4. In the event Evaluatees receive unsatisfactory evaluations,
24 Evaluators will provide Evaluatees with specific
25 recommendations about areas of needed improvement, and
26 Evaluators will offer assistance intended to help Evaluatees
27 improve.**

28 **15.1.7.5. Employees will not be required to participate in evaluations of
29 other employees, nor will self-evaluations be included in the**

1 formal evaluations except those staff members who volunteer
 2 and qualify to participate in an alternative evaluation;
 3 however, at the option of their immediate administrators,
 4 department chairpersons may be required to serve as
 5 resources in employee evaluations.

6 **15.1.8. Employee Assistance Plans**

7 **15.1.8.1. Employee Assistance Plans are written plans, with timelines,**
 8 **to help employees who voluntarily request assistance or for**
 9 **whom remediation is recommended by their immediate**
 10 **administrators. Employee Assistance Plans will not be**
 11 **required in instances of egregious behavior by employees or**
 12 **when notices of unprofessional conduct have been issued.**

13 **15.1.8.2. If employees receive overall unsatisfactory evaluations or**
 14 **unsatisfactory ratings in any areas designated in 15.1.4.1,**
 15 **their Evaluators will prepare written assistance plans with**
 16 **specific timelines and strategies that will include, but not be**
 17 **limited to, the following:**

18 **15.1.8.2.1. Identification of specific deficiencies.**

19 **15.1.8.2.2. Detailed outline of assistance.**

20 **15.1.8.2.3. Specific expectations.**

21 **15.1.8.2.4. Date by which deficiencies must be corrected.**

22 **15.1.8.2.5. Method for reassessment.**

23 **15.1.8.3. If final evaluations contain areas ranked as unsatisfactory,**
 24 **assistance plans will be implemented for the following school**
 25 **year.**

26 **15.1.8.4. Before plans are implemented, Evaluatees and their**
 27 **Evaluators will meet to discuss and review Employee**
 28 **Assistance Plans, including timelines for reassessment. At**
 29 **the end of reassessment periods, Evaluatees and Evaluators**

1 will meet again to discuss progress of Evaluatees.

2 Evaluators may require Evaluatees to continue on assistance
3 plans until reaching satisfactory levels of performance.

4 **15.1.8.5.** Employee Assistance Plans may include, but will not be
5 limited to (1) weekly meetings with their Evaluators to review
6 the lesson plans of Evaluatees, (2) having administrators or
7 other teachers' model lessons, (3) providing Evaluatees with
8 released time to observe other classes, or (4) attendance at
9 in-service training or other applicable courses. If Evaluators
10 require Evaluatees to take specific training or in-service for
11 which there is a fee, the District will pay for the cost of the
12 required training. Evaluators will meet regularly with
13 Evaluatees to monitor progress on assistance plans.

14 **15.1.8.6.** Employees who receive overall unsatisfactory evaluations or
15 who are within the duration of notices of unprofessional
16 conduct (pursuant to Education Code Section 44932 of the
17 2001 Edition) will not be eligible to receive step increases or
18 anniversary increments (see Section 8.18). Employees will
19 have the right to appeal to the District Personnel
20 Administrator whose decision will be final. If employees
21 achieve overall satisfactory evaluations when they are
22 reassessed as specified in Employee Assistance Plans, they
23 will receive step increases at the next pay period.

24 **15.1.8.7.** "Overall unsatisfactory evaluation" will mean a final annual
25 evaluation in which three (3) or more areas are ranked as
26 unsatisfactory by the Evaluator.

1 **15.1.9. Alternative Evaluation Program**

2 Immediate administrators will invite tenured employees who meet the
3 requirements outlined below to participate in the Alternative Evaluation
4 Program.

5 **15.1.9.1. To participate in the voluntary Alternative Evaluation**
6 **Program, employees must have the following:**

7 **15.1.9.1.1. Be nominated by their immediate administrators.**

8 **15.1.9.1.2. Be scheduled as “on-year” for evaluations.**

9 **15.1.9.1.3. Have received an overall rating of satisfactory**
10 **during the previous evaluation period.**

11 **15.1.9.2. Participants will be limited to not more than fifty (50) percent**
12 **of the employees scheduled as “on-year” for evaluation at**
13 **any given school.**

14 **15.1.9.3. Participants may not withdraw from this yearlong evaluation**
15 **option during the course of the school term.**

16 **15.1.9.4. Formal classroom observations are not required for**
17 **participants in the Alternative Evaluation Program, although**
18 **nothing in this language prevents their Evaluators from**
19 **conducting and writing such observations.**

20 **15.1.9.5. Once participants in the Alternative Evaluation Program are**
21 **identified, they will meet individually with their Evaluators to**
22 **develop goals to be used as part of the evaluation process.**
23 **The goal or goals will be in addition to those described in the**
24 **Evaluation Goals and Objectives Review Report.**

25 **15.1.9.6. Evaluators and Evaluatees will also determine the criteria for**
26 **evaluating goals. The following information summarizes the**
27 **types of evaluation methods that may be used to determine**
28 **attainment of goals:**

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15.1.11. Grievability

Neither the District evaluation process nor judgments and recommendations of Evaluators contained in classroom observation reports and formal evaluations will be subject to the Grievance, Arbitration and Complaint Procedure Article; however, alleged violations of the provisions of this Article are grievable.

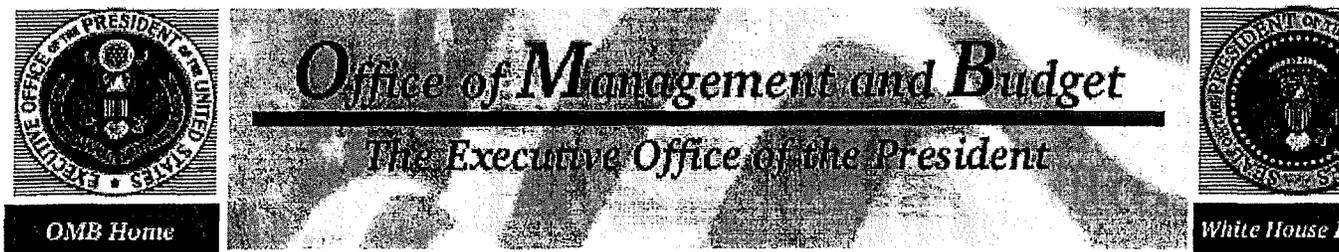
15.2. Personal and Academic Freedom

15.2.1. The District will not begin dismissal action against employees solely on the basis of unsubstantiated allegations in citizen or parent complaints.

15.2.2. The District will not base any adverse action against employees on their personal, political, or organizational activities and preferences, unless those activities and preferences affect the job performance of the employees.

**////
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Exhibit O



Site Search



Monday, November 8, 2004

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- [Organization Chart](#)
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- [Supplementals, Budget Amendments, and Releases](#)

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Information for Agencies

Circular No. A-87

Attachment B

SELECTED ITEMS OF COST

TABLE OF CONTENTS

1. Accounting
2. Advertising and public relations costs
3. Advisory councils
4. Alcoholic beverages
5. Audit services
6. Automatic electronic data processing
7. Bad debts
8. Bonding costs
9. Budgeting
10. Communications
11. Compensation for personnel services
 - a. General
 - b. Reasonableness
 - c. Unallowable costs
 - d. Fringe benefits
 - e. Pension plan costs
 - f. Post-retirement health benefits
 - g. Severance Pay
 - h. Support of salaries and wages
 - i. Donated services
12. Contingencies
13. Contributions and donations
14. Defense and prosecution of criminal and civil proceedings, and claims
15. Depreciation and use allowances
16. Disbursing service
17. Employee morale, health, and welfare costs
18. Entertainment
19. Equipment and other capital expenditures
20. Fines and penalties
21. Fund raising and investment management costs
22. Gains and losses on disposition of depreciable property and other capital and substantial relocation of Federal programs.

6. Substitute systems for allocating salaries and wages to Federal awards may be used in place of activity reports. These systems are subject to approval if required by the cognizant agency. Such systems may include, but are not limited to, random moment sampling, case counts, or other quantifiable measures of employee effort.
 - (a) Substitute systems which use sampling methods (primarily for Aid to Families with Dependent Children (AFDC), Medicaid, and other public assistance programs) must meet acceptable statistical sampling standards including:
 - (i) The sampling universe must include all of the employees whose salaries and wages are to be allocated based on sample results except as provided in subsection (c);
 - (ii) The entire time period involved must be covered by the sample; and
 - (iii) The results must be statistically valid and applied to the period being sampled.
 - (b) Allocating charges for the sampled employees' supervisors, clerical and support staffs, based on the results of the sampled employees, will be acceptable.
 - (c) Less than full compliance with the statistical sampling standards noted in subsection (a) may be accepted by the cognizant agency if it concludes that the amounts to be allocated to Federal awards will be minimal, or if it concludes that the system proposed by the governmental unit will result in lower costs to Federal awards than a system which complies with the standards.



BETTY T. YEE
California State Controller

RECEIVED
March 27, 2015
*Commission on
State Mandates*

March 27, 2015

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

Re: **Incorrect Reduction Claim (IRC)**
The Stull Act, 14-9825-I-01
Education Code Sections 44660-44665;
Statutes 1983, Chapter 498; Statutes 1999, Chapter 4
Fiscal Years: 1997-98, 1998-99, 1999-2000, 2000-01
2001-02, 2002-03, 2003-04, and 2004-05
Oceanside Unified School District, Claimant

Dear Ms. Halsey:

The State Controller's Office is transmitting our response to the above-named IRC.

If you have any questions, please contact me by telephone at (916) 323-5849.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jim L. Spano".

JIM L. SPANO, Chief
Mandated Cost Audits Bureau
Division of Audits

JLS/sa

15350

**RESPONSE BY THE STATE CONTROLLER’S OFFICE
TO THE INCORRECT REDUCTION CLAIM (IRC) BY
OCEANSIDE UNIFIED SCHOOL DISTRICT**

Stull Act Program

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State Controller’s Office Analysis and Response.....	Tab 2
Time records provided by district for FY 1997-98 through FY 2004-05	Tab 3
Email from district’s consultant to SCO on December 19, 2014, which included the list of all evaluations performed by the district for FY 1997-98 through FY 2004-05	Tab 4
Email to district’s consultant from SCO on December 24, 2014, questioning the list.....	Tab 5
Email from district’s consultant to SCO on January 5, 2015, stating the list is complete.....	Tab 6
Email to district’s consultant from SCO on January 21, 2015, which provided an analysis of the list and proposed final audit report revisions.....	Tab 7
Email from district’s consultant to SCO on January 29, 2015, which stated that the district was not in agreement with SCO’s proposed final audit report revisions.....	Tab 8

Note: References to Exhibits relate to the district’s IRC filed on August 20, 2014, as follows:

- Exhibit A – PDF page 9
- Exhibit B – PDF page 49
- Exhibit C – PDF page 60
- Exhibit D – PDF page 79
- Exhibit E – PDF page 100
- Exhibit F – PDF page 105
- Exhibit G – PDF page 110
- Exhibit H – PDF page 115
- Exhibit I – PDF page 120
- Exhibit J – PDF page 127
- Exhibit K – PDF page 132
- Exhibit L – PDF page 137
- Exhibit M – PDF page 142
- Exhibit N – PDF page 192

Tab 1

1 **OFFICE OF THE STATE CONTROLLER**

3301 C Street, Suite 725

2 Sacramento, CA 95818

3 Telephone No.: (916) 324-8907

4 **BEFORE THE**
5 **COMMISSION ON STATE MANDATES**
6 **STATE OF CALIFORNIA**

9 **INCORRECT REDUCTION CLAIM (IRC)**
10 **ON:**

11 *The Stull Act*

12 Education Code Sections 44660-44665;
13 Statutes 1983, Chapter 498; Statutes 1999,
Chapter 4

14 Oceanside Unified School District, Claimant

No.: IRC No. 14-9825-I-01

AFFIDAVIT OF BUREAU CHIEF

17 I, Jim L. Spano, make the following declarations:

- 18
- 19 1) I am an employee of the State Controller's Office (SCO) and am over the age of 18
20 years.
- 21 2) I am currently employed as a bureau chief, and have been so since April 21, 2000.
22 Before that, I was employed as an audit manager for two years and three months.
- 23 3) I am a California Certified Public Accountant.
- 24 4) I reviewed the work performed by the SCO auditor.
- 25 5) Any attached copies of records are true copies of records, as provided by Oceanside
Unified School District or retained at our place of business.

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- 6) The records include claims for reimbursement, and attached supporting documentation, explanatory letters, or other documents relating to the above-entitled IRC.
- 7) A field audit of the claims for fiscal year (FY) 1997-98, FY 1998-99, FY 1999-2000, FY 2000-01, FY 2001-02, FY 2002-03, FY 2003-04, FY 2004-05, FY 2006-07, and FY 2007-08 commenced on February 11, 2010 (date of start letter), and ended on August 24, 2011 (issuance date of final audit report).

I do declare that the above declarations are made under penalty of perjury and are true and correct to the best of my knowledge, and that such knowledge is based on personal observation, information, or belief.

Date: March 27, 2015

OFFICE OF THE STATE CONTROLLER

By: 

Jim L. Spano, Chief
Mandated Cost Audits Bureau
Division of Audits
State Controller's Office

Tab 2

**STATE CONTROLLER'S OFFICE ANALYSIS AND RESPONSE
TO THE INCORRECT REDUCTION CLAIM BY
OCEANSIDE UNIFIED SCHOOL DISTRICT**

**For Fiscal Year (FY) 1997-98, FY 1998-99, FY 1999-2000, FY 2000-01, FY 2001-02,
FY 2002-03, FY 2003-04, and FY 2004-05**

Stull Act Program

**Education Code Sections 44660-44665
Statutes 1983, Chapter 498; Statutes 1999, Chapter 4**

SUMMARY

The following is the State Controller's Office's (SCO) response to the Incorrect Reduction Claim (IRC) that Oceanside Unified School District submitted on August 20, 2014. The SCO audited the district's claims for costs of the legislatively mandated Stull Act Program for the period of July 1, 1997, through June 30, 2005; and July 1, 2006, through June 30, 2008. The SCO issued its final report on August 24, 2011 (**Exhibit D**).

The district submitted reimbursement claims totaling \$1,286,956—\$54,305 for fiscal year (FY) 1997-98 (**Exhibit E**), \$74,656 for FY 1998-99 (**Exhibit F**), \$105,477 for FY 1999-2000 (**Exhibit G**), \$148,092 for FY 2000-01 (**Exhibit H**), \$203,727 for FY 2001-02 (**Exhibit I**), \$207,885 for FY 2002-03 (**Exhibit J**), \$230,431 for FY 2003-04 (**Exhibit K**), \$245,847 for FY 2004-05 (**Exhibit L**), \$7,081 for FY 2006-07, and \$9,455 for FY 2007-08. Subsequently, the SCO audited these claims and found that the entire amount is (1) unallowable for FY 1997-98 through FY 2004-05 because the district did not support the costs claimed with source documents and (2) allowable for FY 2006-07 and FY 2007-08 because the district supported costs claimed.

The following table summarizes the audit results:

Cost Elements	Actual Costs Claimed	Allowable per Audit	Audit Adjustment
<u>July 1, 1997, through June 30, 1998</u>			
Direct costs:			
Salaries and benefits:			
Review certificated instructional employees' (CIE) techniques and strategies	\$ 25,860	\$ —	\$ (25,860)
Evaluation to include assessment of CIEs' techniques and strategies	25,859	—	(25,859)
Total salaries and benefits	51,719	—	(51,719)
Indirect costs	2,586	—	(2,586)
Total program costs	<u>\$ 54,305</u>	—	<u>\$ (54,305)</u>
Less amount paid by the State ²		—	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ —</u>	

Cost Elements	Actual Costs Claimed	Allowable per Audit	Audit Adjustment
<u>July 1, 1998, through June 30, 1999</u>			
Direct costs:			
Salaries and benefits:			
Review CIEs' techniques and strategies	\$ 35,551	\$ —	\$ (35,551)
Evaluation to include assessment of CIEs' techniques and strategies	<u>35,550</u>	<u>—</u>	<u>(35,550)</u>
Total salaries and benefits	71,101	—	(71,101)
Indirect costs	<u>3,555</u>	<u>—</u>	<u>(3,555)</u>
Total program costs	<u>\$ 74,656</u>	<u>—</u>	<u>\$ (74,656)</u>
Less amount paid by the State ²		<u>—</u>	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ —</u>	
<u>July 1, 1999, through June 30, 2000</u>			
Direct costs:			
Salaries and benefits:			
Review CIEs' techniques and strategies	\$ 50,227	\$ —	\$ (50,227)
Evaluation to include assessment of CIEs' techniques and strategies	<u>50,227</u>	<u>—</u>	<u>(50,227)</u>
Total salaries and benefits	100,454	—	(100,454)
Indirect costs	<u>5,023</u>	<u>—</u>	<u>(5,023)</u>
Total program costs	<u>\$ 105,477</u>	<u>—</u>	<u>\$ (105,477)</u>
Less amount paid by the State ²		<u>—</u>	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ —</u>	
<u>July 1, 2000, through June 30, 2001</u>			
Direct costs:			
Salaries and benefits:			
Review CIEs' techniques and strategies	\$ 70,837	\$ —	\$ (70,837)
Evaluation to include assessment of CIEs' techniques and strategies	<u>70,837</u>	<u>—</u>	<u>(70,837)</u>
Total salaries and benefits	141,674	—	(141,674)
Indirect costs	<u>6,418</u>	<u>—</u>	<u>(6,418)</u>
Total program costs	<u>\$ 148,092</u>	<u>—</u>	<u>\$ (148,092)</u>
Less amount paid by the State ²		<u>—</u>	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ —</u>	

Cost Elements	Actual Costs Claimed	Allowable per Audit	Audit Adjustment
<u>July 1, 2001, through June 30, 2002</u>			
Direct costs:			
Salaries and benefits:			
Review CIEs' techniques and strategies	\$ 97,069	\$ —	\$ (97,069)
Evaluation to include assessment of CIEs' techniques and strategies	97,068	—	(97,068)
Total salaries and benefits	194,137	—	(194,137)
Indirect costs	9,590	—	(9,590)
Total program costs	<u>\$ 203,727</u>	—	<u>\$ (203,727)</u>
Less amount paid by the State ²		—	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ —</u>	
<u>July 1, 2002, through June 30, 2003</u>			
Direct costs:			
Salaries and benefits:			
Review CIEs' techniques and strategies	\$ 98,937	\$ —	\$ (98,937)
Evaluation to include assessment of CIEs' techniques and strategies	98,936	—	(98,936)
Total salaries and benefits	197,873	—	(197,873)
Indirect costs	10,012	—	(10,012)
Total program costs	<u>\$ 207,885</u>	—	<u>\$ (207,885)</u>
Less amount paid by the State ²		—	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ —</u>	
<u>July 1, 2003, through June 30, 2004</u>			
Direct costs:			
Salaries and benefits:			
Review CIEs' techniques and strategies	\$ 110,625	\$ —	\$ (110,625)
Evaluation to include assessment of CIEs' techniques and strategies	110,624	—	(110,624)
Total salaries and benefits	221,249	—	(221,249)
Indirect costs	9,182	—	(9,182)
Total program costs	<u>\$ 230,431</u>	—	<u>\$ (230,431)</u>
Less amount paid by the State ²		—	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ —</u>	

Cost Elements	Actual Costs Claimed	Allowable per Audit	Audit Adjustment
<u>July 1, 2004, through June 30, 2005</u>			
Direct costs:			
Salaries and benefits:			
Review CIEs' techniques and strategies	\$ 117,596	\$ —	\$ (117,596)
Evaluation to include assessment of CIEs' techniques and strategies	117,597	—	(117,597)
Total salaries and benefits	235,193	—	(235,193)
Indirect costs	10,654	—	(10,654)
Total program costs	<u>\$ 245,847</u>	—	<u>\$ (245,847)</u>
Less amount paid by the State ²		—	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ —</u>	
<u>July 1, 2006, through June 30, 2007</u> ³			
Direct costs:			
Salaries and benefits:			
Review CIEs' techniques and strategies	\$ 6,788	\$ 5,772	\$ (1,016)
Evaluation to include assessment of CIEs' techniques and strategies	—	4,193	4,193
Total salaries and benefits	6,788	9,965	3,177
Indirect costs	293	430	137
Total direct and indirect costs	7,081	10,395	3,314
Less allowable costs that exceed claimed costs ¹	—	(3,314)	(3,314)
Total program costs	<u>\$ 7,081</u>	7,081	<u>\$ —</u>
Less amount paid by the State ²		—	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 7,081</u>	
<u>July 1, 2007, through June 30, 2008</u> ³			
Direct costs:			
Salaries and benefits:			
Review CIEs' techniques and strategies	\$ 9,161	\$ 6,371	\$ (2,790)
Evaluation to include assessment of CIEs' techniques and strategies	—	4,263	4,263
Total salaries and benefits	9,161	10,634	1,473
Indirect costs	294	341	47
Total direct and indirect costs	9,455	10,975	1,520
Less allowable costs that exceed claimed costs ¹	—	(1,520)	(1,520)
Total program costs	<u>\$ 9,455</u>	9,455	<u>\$ —</u>
Less amount paid by the State ²		—	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 9,455</u>	

Cost Elements	Actual Costs Claimed	Allowable per Audit	Audit Adjustment
<u>Summary: July 1, 1997, through June 30, 2005, and July 1, 2006 through June 30, 2008</u>			
Direct costs:			
Salaries and benefits:			
Review CIEs' techniques and strategies	\$ 622,651	\$ 12,143	\$ (610,508)
Evaluation to include assessment of CIEs' techniques and strategies	<u>606,698</u>	<u>8,456</u>	<u>(598,242)</u>
Total salaries and benefits	1,229,349	20,599	(1,208,750)
Indirect costs	<u>57,607</u>	<u>771</u>	<u>(56,836)</u>
Total direct and indirect costs	1,286,956	21,370	(1,265,586)
Less allowable costs that exceed claimed costs	<u>—</u>	<u>(4,834)</u>	<u>(4,834)</u>
Total program costs	<u>\$ 1,286,956</u>	16,536	<u>\$ (1,270,420)</u>
Less amount paid by the State		<u>—</u>	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 16,536</u>	

¹ Government Code section 17568 stipulates that the State will not reimburse any claim more than one year after the filing deadline specified in the SCO's claiming instructions. That deadline has expired for FY 2006-07 and FY 2007-08.

² Payment information is current as of January 12, 2015.

³ The district is disputing the adjustments for FY 1997-98 through FY 2004-05. The district is not disputing the adjustments for FY 2006-07 and FY 2007-08. Therefore, the comments related to this IRC address only the FY 1997-98 through FY 2007-08 adjustments.

I. STULL ACT PROGRAM CRITERIA

Parameters and Guidelines

On September 27, 2005, the Commission on State Mandates (Commission) adopted parameters and guidelines for Education Code Sections 44660-44665; Statutes 1983, Chapter 498; and Statutes 1999, Chapter 4 (**Exhibit B**). These parameters and guidelines are applicable to the district's FY 1997-98, FY 1998-99, FY 1999-2000, FY 2000-01, FY 2001-02, FY 2002-03, FY 2003-04, and FY 2004-05 claims.

SCO Claiming Instructions

The SCO annually issues mandated cost claiming instructions, which contain filing instructions for mandated cost programs. For the Stull Act Program, the SCO issued claiming instructions on December 12, 2005 (**Exhibit C**). For the years represented by this IRC, the claiming instructions for this program did not change.

II. THE DISTRICT MISSTATED SALARIES AND BENEFITS AND RELATED INDIRECT COSTS

Issue

The district's IRC contests the adjustments in the SCO's final audit report dated August 24, 2011, for FY 1997-98 through FY 2004-05, totaling \$1,213,400 in salaries and benefits and \$57,020 in related indirect costs. The SCO concluded that the district did not provide source documentation to support the claimed salaries and benefits for FY 1997-98 through FY 2004-05, or the number of evaluations performed for this period. The district also did not provide the auditors access to employee evaluations completed during this period.

The district believes that it provided sufficient documentation to prove each school site performed the activities of assessing and evaluating the certificated employees, as required by the mandate. The district states that "there can be no doubt the district's school staff performed the reimbursable activities," and that therefore, the entire amount of \$1,270,420 must be reinstated.

SCO's Analysis

In support of FY 1997-98 through FY 2004-05 costs, the district provided SCO auditors with SixTen and Associates' "Employee Average Time Records for Mandated Costs." Each employee recorded average time spent annually to perform evaluation activities for the period of FY 1997-98 through FY 2004-05 on one form, and certified that it reported actual data or provided a good faith estimate. All forms were signed by claimed staff and dated in either February or March of 2006 (**Tab 3**). The district did not provide source documents supporting the average time per teacher evaluation or the number of employee evaluations performed.

District's Response

The District provided list of employees, title, hourly rate for each fiscal year that evaluations were performed. The District provided employee average time records for mandated costs. (**Exhibit M**). Each employee recorded average time performing evaluation activities for the period of Fiscal Year 1997-98 through Fiscal Year 2004-05. The Audit Report states "The District did not provide source documents supporting the average time or access to employee evaluations to support the number of employees evaluated." (**Exhibit D**, p. 8.)

The audit developed alternative methods to determine the allowable salary benefits and related indirect costs given the District's inadequate documentation detailed above. We obtained a copy of the District's teacher evaluation procedures and forms and interviewed administrators who actually performed the mandated activities in the ordered years. The District's teacher evaluation forms disclosed half-an-hour of actual classroom observation. The District requested that it be allowed to support its claim with auditor verification of its written observations and final summary performance teacher evaluations from the personnel records. The District agreed to our recommendation that it allow half-an-hour for each written observation and final teacher evaluation verified. (**Exhibit D**; p. 8).

The District complied with the evaluation requirements contained in Article 15 of the Collective Bargaining Agreement for years 1997-2005. (**Exhibit N**).

The above ratifies that the District performed the activities required under the state mandate. Despite confirming that the activities were performed and receiving the District's procedure and forms, the State Controller disallowed all of the activities claimed for in the fiscal years noted above.

There can be no doubt the District's school site staff performed the reimbursable activities. Thus, the District has sufficient documentation to prove each school site performed the activities of assessing and evaluating the certificated employees as required by the mandate. The District documents are evidenced that all school sites perform the reimbursable activities. The statistical method used by the District is reasonable and non-excessive. The amount of \$1,270,420 must be reinstated.

The Office of Management and Budget Circular A-87 establishes costs, principles of standards for state and local governments to determine administrative costs applicable to grants, contracts, and other agreements with state and local governments. Randomly sampling workers to find out what they are working on is one of the federally approved methods of identifying worker effort. Such method is reasonable and may be implemented rather than 100% percent time reporting method. **(Exhibit O)**.

In its response to the draft audit report **(Exhibit D)**, the district stated the following:

Furthermore, the district complied fully with the requirements of the Stull Act during the claiming period and we feel that we submitted claims appropriate to the costs incurred. While we were able to supply supporting documentation, it was not accepted as sufficient by the audit team. The additional documentation requested was, and is, available but would be a significant drain on district resources, including staff and funds, to provide. Consequently, the district cannot expend any further time or resources to produce the requested records.

SCO's Comment

As noted previously, FY 2006-07 and FY 2007-08 were part of the audit period, but were not included in this IRC. For these two years, the district provided a list of employees who evaluated teachers, their title, productive hourly rate detail, as well as contemporaneous time documentation that supported an average time of approximately 30 minutes per allowable evaluation. The district also provided a list of teachers who were evaluated, which allowed the SCO auditors to determine which evaluations were reimbursable.

For FY 1997-98 through FY 2004-05, the district provided only annual certifications that estimated the time spent by evaluators on reimbursable activities. The district did not provide actual cost documentation supporting costs claimed or identify a list of certificated instructional employees evaluated during this period **(Exhibit M)**. Such information is necessary to determine whether the evaluations are reimbursable. Therefore, none of the costs claimed for FY 1997-98 through FY 2004-05 are allowable. As indicated in the response to the draft report, the district stated that, "The additional documentation requested was, and is, available but would be a significant drain on district resources, including staff and funds, to provide. Consequently, the district cannot expend any further time or resources to produce the requested records."

The program's parameters and guidelines state that,

To be eligible for mandated cost reimbursement for any fiscal year, only actual costs may be claimed. Actual costs are those costs actually incurred to implement the mandated activities. Actual costs must be traceable and supported by source documents that show the validity of such costs, when they were incurred, and their relationship to the reimbursable activities. A source document is a document created at or near the same time the actual cost was incurred for the event or activity in question. Source documents may include, but are not limited to, employee time records or time logs, sign-in sheets, invoices, and receipts.

The district indicated that it: (1) performed the required evaluations as contained in its Collective Bargaining Agreement, (2) confirmed that the activities were performed, and (3) provided the SCO

auditors the district's procedure and forms. We agree. However, as noted above, the district did not provide the auditors with source documentation supporting the number of certificated instructional employees evaluated for FY 1997-98 through FY 2004-05. Further, actual cost documentation supporting the time to perform the reimbursable activities, a listing of certificated instructional employees evaluated, and the nature of the evaluations were provided only for FY 2006-07 and FY 2007-08. There is no reasonable means of applying the time allowance to FY 1997-98 through FY 2004-05 without knowing the certificated instructional employees evaluated and the reimbursability of the evaluations.

In reference to the Office of Management and Budget Circular A-87, the district did not provide the auditors with any reasonable sampling methodology to arrive at allowable costs.

Subsequent to receiving the district's IRC, we contacted the district's representative, Art Palkowitz, to discuss the audit adjustments. We agreed to reevaluate the adjustment if the district was able to provide documentation supporting the number of employees evaluated for FY 1997-98 through FY 2004-05. The district agreed.

Mr. Palkowitz provided the requested support for FY 1997-98 through FY 2004-05 on December 19, 2014 (**Tabs 4, 5, and 6**). Using this support, we recalculated allowable costs based on the time allowance of approximately 30 minutes per evaluation that the district supported with contemporaneous documentation during FY 2006-07 and FY 2007-08. The recalculation totaled \$35,967 (**Tab 7**). In his response, Mr. Palkowitz indicated that the district is not in agreement with the 30-minute time allowance per evaluation and that the time allowance should be five to six hours per evaluation (**Tab 8**).

Time documentation supporting the reimbursable activities of the Stull Act Program for other audits is not relevant to this audit. The district's records supported approximately 30 minutes for the reimbursable activities of the Stull Act Program, not five to six hours, as requested by Mr. Palkowitz. Therefore, we reached an impasse in reinstating any of the audit adjustments, and as such, we did not expand our audit procedures to test the validity of the FY 1997-98 through FY 2004-05 listing of evaluations the district provided.

A timeline of events relevant to the IRC is as follows:

- **August 20, 2014** – The district submitted an IRC to the Commission for the Stull Act Program (**Exhibit D**).
- **Early October, 2014** – After reviewing the filed IRC, we contacted the district's representative by phone. Based on our analysis, we believed that adjustments for FY 1997-98 through FY 2004-05 may be appropriate, and requested that the district provide a listing of every employee evaluated for this time period.
- **November 26, 2014** – SCO requested an extension of 60 days to respond to the IRC.
- **December 1, 2014** – The Commission approved the SCO's requested 60-day extension.
- **December 19, 2014** – After several conversations with the district's representative, we received the list (**Tab 4**).
- **December 24, 2014** – SCO auditors requested clarification on the list because it appeared that the list may be incomplete (**Tab 5**).
- **January 5, 2015** – The district confirmed that the list "represents the complete listing of certificated instructional employees that received evaluations for FY 1997-98 through FY 2004-05." (**Tab 6**)

- **January 21, 2015** – We provided the district representative with our final analysis of the evaluation listing, including the total dollar impact, if we were to revise the final audit report (Tab 7).
- **January 29, 2015** – The district’s representative disagreed with our assessment of the documentation provided and the time allotment of 30 minutes per evaluation. An impasse was reached (Tab 8).
- **January 30, 2015** – SCO requested an extension of 60 days to respond to the IRC.
- **February 2, 2015** – The Commission approved the SCO’s requested 60 day extension.

III. CONCLUSION

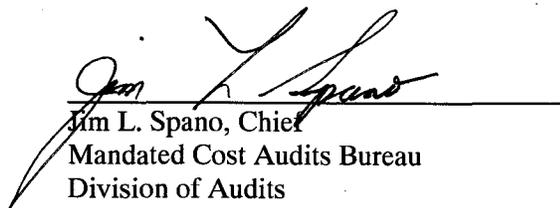
The SCO audited Oceanside Unified School District’s claims for costs of the legislatively mandated Stull Act Program (Education Code Sections 44660-44665; Statutes 1983, Chapter 498; and Statutes 1999, Chapter 4) for the period of July 1, 1997, through June 30, 2005. The district claimed \$1,270,420 for the mandated program. Our audit found that the entire amount is unallowable. The costs are unallowable because the district claimed unsupported costs.

The Commission should find that: (1) the SCO correctly reduced the district’s FY 1997-98 claim by \$54,305; (2) the SCO correctly reduced the district’s FY 1998-99 claim by \$74,656; (3) the SCO correctly reduced the district’s FY 1999-2000 claim by \$105,477; (4) the SCO correctly reduced the district’s FY 2000-01 claim by \$148,092; (5) the SCO correctly reduced the district’s FY 2001-02 claim by \$203,727; (6) the SCO correctly reduced the district’s FY 2002-03 claim by \$207,885; (7) the SCO correctly reduced the district’s FY 2003-04 claim by \$230,431; and (8) the SCO correctly reduced the district’s FY 2004-05 claim by \$245,847.

IV. CERTIFICATION

I hereby certify by my signature below that the statements made in this document are true and correct of my own knowledge, or, as to all other matters, I believe them to be true and correct based upon information and belief.

Executed on March 27, 2015, at Sacramento, California, by:


 Jim L. Spano, Chief
 Mandated Cost Audits Bureau
 Division of Audits
 State Controller’s Office

Tab 3

4/63
 3/9/17/10
 SA 1.7-1
 10/27/10
 ✓

PURPOSE To provide documentary evidence of district provided time resources
 that are estimated and without supervisor approval

Employee AVERAGE Time Record for Mandated Costs
 498/83 The Stull Act (K-12)
 Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

OUSD
 District/COE

Clair Burgener
 Department/Location

Jim Shirley
 Employee Name

Principal
 Exact Position/Title

Telephone # _____
 Work year length(circle) 12mo/11mo/10mo/hrly

Fiscal Year: 97-98 98-99 99-00 00-01
01-02 02-03 03-04 04-05 05-06
 Circle the years for which you are responding.

- Reimbursable Activities Codes:**
- Code 11 Preparing for the evaluation
 - Code 12 Goals and objectives conference with instructor
 - Code 13 Pre-observation conference with instructor
 - Code 14 Classroom observation of instructor
 - Code 15 Post-observation conference with instructor
 - Code 16 Final conference with instructor
 - Code 17 District reporting

- Evaluation Criteria:**
- (A) district standards and test results
 - (B) instructional techniques/strategies
 - (C) adherence to curricular objectives
 - (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:	Average Time In Minutes			
	A	B	C	D
Code 11 Preparing for the evaluation	30	30	30	30
Code 12 Goals and objectives conference with instructor	5	5	5	5
Code 13 Pre-observation conference with instructor	5	5	5	5
Code 14 Classroom observation of instructor	30	30	30	30
Code 15 Post-observation conference with instructor	15	15	15	15
Code 16 Final conference with instructor	10	10	10	10
Code 17 District Reporting	35	15	15	15

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. PLEASE USE BLUE INK

Employee Signature James Shirley Date 2/27/06
 If you have any questions, please contact _____, at _____

PLEASE SUBMIT THIS INFORMATION BY _____; TO _____

4E/69
ST 9/17/10
DS
10/27/10
PQP
69-14

Employee AVERAGE Time Record for Mandated Costs
498/83 The Stull Act (K-12)
Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

04-05

Oceanside USD
District/COE
Edward S. Bessant
Employee Name

Clair Burgum Academy
Department/Location
Principal
Exact Position Title

760 7570531
Telephone #

12mo/1mo/10mo/hrly
Work year length(circle)

Fiscal Year: 97-98 98-99 99-00 00-01
01-02 02-03 03-04 04-05 05-06
Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11 Preparing for the evaluation
- Code 12 Goals and objectives conference with instructor
- Code 13 Pre-observation conference with instructor
- Code 14 Classroom observation of instructor
- Code 15 Post-observation conference with instructor
- Code 16 Final conference with instructor
- Code 17 District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:	Average Time In Minutes			
	A	B	C	D
Code 11 Preparing for the evaluation	30	30	30	30
Code 12 Goals and objectives conference with instructor	5	5	5	5
Code 13 Pre-observation conference with instructor	5	5	5	5
Code 14 Classroom observation of instructor	10	10	10	10
Code 15 Post-observation conference with instructor	5	5	5	5
Code 16 Final conference with instructor	10	10	10	10
Code 17 District Reporting	35	15	15	15

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Employee Signature [Signature] Date 2-21-06
If you have any questions, please contact Steve Bessant, at 760 757 0531

PLEASE SUBMIT THIS INFORMATION BY _____ ; TO _____

46/76
31 9/17/10
✓

Employee AVERAGE Time Record for Mandated Costs
498/83 The Stull Act (K-12)
Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

O.U.S.D.
District/COE

Del Rio Elementary
Department/Location

PHYLLIS T. MORGAN
Employee Name

Principal
Exact Position Title

760-433-3232 (12mo/11mo/10mo/hrly)
Telephone # **Work year length(circle)**

Fiscal Year: 97-98 98-99 99-00 00-01
01-02 02-03 03-04 04-05 05-06

from: 1998-2006 Del Rio

Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11** Preparing for the evaluation
- Code 12** Goals and objectives conference with instructor
- Code 13** Pre-observation conference with instructor
- Code 14** Classroom observation of instructor
- Code 15** Post-observation conference with instructor
- Code 16** Final conference with instructor
- Code 17** District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:	Average Time In Minutes			
	A	B	C	D
Code 11 Preparing for the evaluation	20	10	20	10
Code 12 Goals and objectives conference with instructor	15	20	20	10
Code 13 Pre-observation conference with instructor	5	5	5	5
Code 14 Classroom observation of instructor	15	15	15	5
Code 15 Post-observation conference with instructor	10	10	10	10
Code 16 Final conference with instructor	15	15	15	10
Code 17 District Reporting	20	20	20	5

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. PLEASE USE BLUE INK

Employee Signature *Phyllis T. Morgan* Date 2/21/06

If you have any questions, please contact _____, at _____

PLEASE SUBMIT THIS INFORMATION BY _____; TO _____

4E/71
5/9/06

Employee AVERAGE Time Record for Mandated Costs

498/83 The Stull Act (K-12)

Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

OCEANSIDE UNIFIED
District/COE

Del Rio
Department/Location

LOIS E. GRAZIOLO
Employee Name

Assistant Principal
Exact Position Title

760-757-2560 Telephone # 12mo / 11mo / 10mo / hrly Work year length(circle)

Fiscal Year: 97-98 98-99 99-00 00-01
01-02 02-03 03-04 04-05 05-06
Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11 Preparing for the evaluation
- Code 12 Goals and objectives conference with instructor
- Code 13 Pre-observation conference with instructor
- Code 14 Classroom observation of instructor
- Code 15 Post-observation conference with instructor
- Code 16 Final conference with instructor
- Code 17 District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:		Average Time In Minutes			
		A	B	C	D
Code 11	Preparing for the evaluation	20	10	10	10
Code 12	Goals and objectives conference with instructor	15	10	10	10
Code 13	Pre-observation conference with instructor	5	5	5	5
Code 14	Classroom observation of instructor	40	25	25	25
Code 15	Post-observation conference with instructor	30	15	15	70
Code 16	Final conference with instructor	30	15	15	15
Code 17	District Reporting	20	20	20	20

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. **PLEASE USE BLUE INK**

Employee Signature Dr. Lois E. Grazio Date 2/21/06

If you have any questions, please contact _____, at _____

PLEASE SUBMIT THIS INFORMATION BY _____; TO _____

Employee AVERAGE Time Record for Mandated Costs 498/83 The Stull Act (K-12) Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

Oceanside USD District/COE Ditmar School Department/Location
Sherry Freeman de Leyva Employee Name Principal Exact Position Title
(760) 757-2560 Telephone # 12mo Work year length(circle)
 Fiscal Year: 97-98 98-99 99-00 00-01
 01-02 02-03 03-04 04-05 05-06
 Circle the years for which you are responding.

- Reimbursable Activities Codes:**
 Code 11 Preparing for the evaluation
 Code 12 Goals and objectives conference with instructor
 Code 13 Pre-observation conference with instructor
 Code 14 Classroom observation of instructor
 Code 15 Post-observation conference with instructor
 Code 16 Final conference with instructor
 Code 17 District reporting
- Evaluation Criteria:**
 (A) district standards and test results
 (B) instructional techniques/strategies
 (C) adherence to curricular objectives
 (D) suitable learning environment
- CLASSROOM TEACHER TIME IS NOT REIMBURSED**

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:		Average Time In Minutes			
		A	B	C	D
Code 11	Preparing for the evaluation	20	10	10	10
Code 12	Goals and objectives conference with instructor	15	10	10	10
Code 13	Pre-observation conference with instructor	5	5	5	5
Code 14	Classroom observation of instructor	15	15	15	15
Code 15	Post-observation conference with instructor.	15	15	15	15
Code 16	Final conference with instructor	15	10	10	10
Code 17	District Reporting	10	15	10	15

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. **PLEASE USE BLUE INK**

Employee Signature Sherry Freeman de Leyva Date 2/21/06
 If you have any questions, please contact _____, at _____
 PLEASE SUBMIT THIS INFORMATION BY _____; TO _____

4E/73
5/11/10

Employee AVERAGE Time Record for Mandated Costs
498/83 The Stull Act (K-12)
Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

QUSD
 District/COE

EC HS
 Department/Location

DAN DARTS
 Employee Name

Principal
 Exact Position Title

757-8550
 Telephone #

12mo/11mo/10mo/hrly
 Work year length(circle)

Fiscal Year: 97-98 98-99 99-00 00-01
 01-02 02-03 03-04 04-05 05-06
 Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11** Preparing for the evaluation
- Code 12** Goals and objectives conference with instructor
- Code 13** Pre-observation conference with instructor
- Code 14** Classroom observation of instructor
- Code 15** Post-observation conference with instructor
- Code 16** Final conference with instructor
- Code 17** District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:	Average Time in Minutes			
	A	B	C	D
Code 11 Preparing for the evaluation	38	38	38	38
Code 12 Goals and objectives conference with instructor	20	20	20	20
Code 13 Pre-observation conference with instructor	8	3	3	3
Code 14 Classroom observation of instructor	8	11	44	11
Code 15 Post-observation conference with instructor	14	14	14	14
Code 16 Final conference with instructor	7	7	7	7
Code 17 District Reporting	24	24	24	24

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only.

Employee Signature _____ Date 2/20/04

If you have any questions, please contact _____, at _____

PLEASE SUBMIT THIS INFORMATION BY _____ ; TO _____

#120
ST 9/12/10

Employee AVERAGE Time Record for Mandated Costs
498/83 The Stull Act (K-12)
Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

OUSD
 District/COE
Lon Briggs
 Employee Name

El Camino High
 Department/Location
Principal
 Exact Position/Title

Telephone # _____
 Work year length(circle) 12mo/11mo/10mo/hrly

Fiscal Year: 97-98 98-99 99-00 00-01
01-02 02-03 03-04 04-05 05-06
 Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11 Preparing for the evaluation
- Code 12 Goals and objectives conference with instructor
- Code 13 Pre-observation conference with instructor
- Code 14 Classroom observation of Instructor
- Code 15 Post-observation conference with instructor
- Code 16 Final conference with instructor
- Code 17 District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:	Average Time In Minutes			
	A	B	C	D
Code 11 Preparing for the evaluation	38	38	38	38
Code 12 Goals and objectives conference with instructor	20	20	20	20
Code 13 Pre-observation conference with instructor	8	3	3	3
Code 14 Classroom observation of instructor	8	11	11	11
Code 15 Post-observation conference with instructor	14	14	14	14
Code 16 Final conference with instructor	7	7	7	7
Code 17 District Reporting	24	24	24	24

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. PLEASE USE BLUE INK

Employee Signature Lon Briggs Date 3/6/06

If you have any questions, please contact _____, at _____

PLEASE SUBMIT THIS INFORMATION BY _____; TO _____

4E/7A
11/17/10

Employee AVERAGE Time Record for Mandated Costs 498/83 The Stull Act (K-12) Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

Oceanside
District/COE

EI CAMINO
Department/Location

Robert Nelson
Employee Name

Asst. Principal
Exact Position Title

Telephone # _____
Work year length(circle) 12mo/11mo/10mo/hrly

Fiscal Year: 97-98 98-99 99-00/00-01
01-02 02-03 03-04 04-05 05-06
Circle the years for which you are responding.

- Reimbursable Activities Codes:**
- Code 11 Preparing for the evaluation
 - Code 12 Goals and objectives conference with instructor
 - Code 13 Pre-observation conference with instructor
 - Code 14 Classroom observation of instructor
 - Code 15 Post-observation conference with instructor
 - Code 16 Final conference with instructor
 - Code 17 District reporting

- Evaluation Criteria:**
- (A) district standards and test results
 - (B) instructional techniques/strategies
 - (C) adherence to curricular objectives
 - (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:	Average Time in Minutes			
	A	B	C	D
Code 11 Preparing for the evaluation	30	30	30	30
Code 12 Goals and objectives conference with instructor	20	20	20	20
Code 13 Pre-observation conference with instructor	3	3	3	3
Code 14 Classroom observation of instructor	8	11	11	11
Code 15 Post-observation conference with instructor	15	15	15	15
Code 16 Final conference with instructor	6	6	6	6
Code 17 District Reporting	20	20	20	20

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. PLEASE USE BLUE INK

Employee Signature Robert Nelson Date 2/21/06

If you have any questions, please contact Robert Nelson, at 760 757 8550

PLEASE SUBMIT THIS INFORMATION BY _____ ; TO _____

46/76
5/9/07/10

Employee AVERAGE Time Record for Mandated Costs
498/83 The Stull Act (K-12)
Routine Evaluations of Instructors

Please report below the *average* amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

Oceanside USD
 District/COE

ECHS 8/03 - 5/s
 Department/Location

Edward S. Bessant
 Employee Name

Assistant Principal
 Exact Position Title

7570531
 Telephone #

12mo / 1mo/10mo/hrly
 Work year length(circle)

Fiscal Year: 97-98 98-99 99-00 00-01
 01-02 02-03 03-04 04-05 05-06
 Circle the years for which you are responding.

Reimbursable Activities Codes:

Evaluation Criteria:

- Code 11 Preparing for the evaluation
- Code 12 Goals and objectives conference with instructor
- Code 13 Pre-observation conference with instructor
- Code 14 Classroom observation of instructor
- Code 15 Post-observation conference with instructor
- Code 16 Final conference with instructor
- Code 17 District reporting

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:		Average Time in Minutes			
		A	B	C	D
Code 11	Preparing for the evaluation	30	30	30	30
Code 12	Goals and objectives conference with instructor	20	20	20	20
Code 13	Pre-observation conference with instructor	4	4	4	4
Code 14	Classroom observation of instructor	8	11	11	11
Code 15	Post-observation conference with instructor	10	18	18	18
Code 16	Final conference with instructor	5	10	10	10
Code 17	District Reporting	35	15	15	15

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. **PLEASE USE BLUE INK**

Employee Signature Steve Bessant Date 2-28-04
 If you have any questions, please contact Steve Bessant at (760) 7570531
 PLEASE SUBMIT THIS INFORMATION BY _____ : TO _____

Employee AVERAGE Time Record for Mandated Costs 498/83 The Stull Act (K-12) Routine Evaluations of Instructors

Please report below the average amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

Oceanside (760) 943-3539 fax El Camino High
 District/COE Department/Location
Morry Hoentzen Asst. Principle
 Employee Name Exact Position Title
 Telephone # 12mo/11mo/10mo/9mo Fiscal Year: 97-98 98-99 99-00 00-01
 Work year length(circle) 01-02 02-03 03-04 04-05 05-06
 Circle the years for which you are responding.

- Reimbursable Activities Codes:**
 Code 11 Preparing for the evaluation
 Code 12 Goals and objectives conference with instructor
 Code 13 Pre-observation conference with instructor
 Code 14 Classroom observation of instructor
 Code 15 Post-observation conference with instructor
 Code 16 Final conference with instructor
 Code 17 District reporting
- Evaluation Criteria:**
 (A) district standards and test results
 (B) instructional techniques/strategies
 (C) adherence to curricular objectives
 (D) suitable learning environment
- 1A
1B
1A

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:	Average Time in Minutes			
	A	B	C	D
Code 11 Preparing for the evaluation	30	30	30	30
Code 12 Goals and objectives conference with instructor	20	20	20	20
Code 13 Pre-observation conference with instructor	3	3	3	3
Code 14 Classroom observation of instructor	8	11	11	11
Code 15 Post-observation conference with instructor	15	15	15	15
Code 16 Final conference with instructor	6	6	6	6
Code 17 District Reporting	20	20	20	20

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "swear (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. PLEASE USE BLUE INK

Employee Signature [Signature] Date 3-23-04

If you have any questions, please contact _____ at _____

PLEASE SUBMIT THIS INFORMATION BY _____ TO _____

4/2/08
3/9/10/10

Employee AVERAGE Time Record for Mandated Costs
498/83 The Stull Act (K-12)
Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

OCEANSIDE UNIFIED SCHOOL DIST.
 District/COE

GARRISON
 Department/Location

MARGARET YEOMANS-OLIVER
 Employee Name

PRINCIPAL
 Exact Position Title

(760) 757-8270
 Telephone #

(12mo) 11mo/10mo/hrly
 Work year length(circle)

Fiscal Year: 97-98 98-99 99-00 00-01
 01-02 02-03 03-04 04-05 05-06
 Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11 Preparing for the evaluation
- Code 12 Goals and objectives conference with instructor
- Code 13 Pre-observation conference with instructor
- Code 14 Classroom observation of instructor
- Code 15 Post-observation conference with instructor
- Code 16 Final conference with instructor
- Code 17 District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:	Average Time In Minutes			
	A	B	C	D
Code 11 Preparing for the evaluation	20	10	10	10
Code 12 Goals and objectives conference with instructor	15	10	10	10
Code 13 Pre-observation conference with instructor	5	5	5	5
Code 14 Classroom observation of instructor	5	30	5	5
Code 15 Post-observation conference with instructor	5	20	5	5
Code 16 Final conference with instructor	5	25	10	10
Code 17 District Reporting	5	15	15	15

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. PLEASE USE BLUE INK

Employee Signature Margaret Yeomans-Oliver Date 2-21-06

If you have any questions, please contact _____, at _____

PLEASE SUBMIT THIS INFORMATION BY _____; TO _____

Employee AVERAGE Time Record for Mandated Costs

498/83 The Stull Act (K-12)

Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

Oceanside Unified

Process Ivey Ranch Elementary

District/COE

Department/Location

Jeanne Iman

Principal

Employee Name

Exact Position Title

757-2560 12mo/11mo/10mo/hrly
 Telephone # Work year length(circle)

Fiscal Year: 97-98 98-99 99-00 00-01
01-02 02-03 03-04 04-05 05-06
 Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11 Preparing for the evaluation
- Code 12 Goals and objectives conference with instructor
- Code 13 Pre-observation conference with instructor
- Code 14 Classroom observation of instructor
- Code 15 Post-observation conference with instructor
- Code 16 Final conference with instructor
- Code 17 District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:		Average Time In Minutes			
		A	B	C	D
Code 11	Preparing for the evaluation	20	10	10	10
Code 12	Goals and objectives conference with instructor	15	10	10	10
Code 13	Pre-observation conference with instructor	5	5	5	5
Code 14	Classroom observation of instructor	40	40	15	25
Code 15	Post-observation conference with instructor	20	30	20	20
Code 16	Final conference with instructor	15	20	15	20
Code 17	District Reporting	40	40	30	30

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. **PLEASE USE BLUE INK**

Employee Signature Jeanne A. Iman Date 2-21-06

If you have any questions, please contact _____, at _____
 PLEASE SUBMIT THIS INFORMATION BY _____; TO _____

Employee AVERAGE Time Record for Mandated Costs

498/83 The Stull Act (K-12)

Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

OUSD
District/COE

JEFFERSON MIDDLE SCHOOL
Department/Location

Duane Coleman
Employee Name

PRINCIPAL
Exact Position Title

760-757-6060 Telephone # 12mo/11mo/10mo/hrly Work year length(circle)

Fiscal Year: 97-98 98-99 99-00 00-01
01-02 02-03 03-04 04-05 05-06
Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11 Preparing for the evaluation
- Code 12 Goals and objectives conference with instructor
- Code 13 Pre-observation conference with instructor
- Code 14 Classroom observation of instructor
- Code 15 Post-observation conference with instructor
- Code 16 Final conference with instructor
- Code 17 District reporting

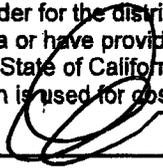
Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:	Average Time in Minutes			
	A	B	C	D
Code 11 Preparing for the evaluation	30	30	30	20
Code 12 Goals and objectives conference with instructor	20	20	20	20
Code 13 Pre-observation conference with instructor	20	20	20	20
Code 14 Classroom observation of instructor	30	20	30	20
Code 15 Post-observation conference with instructor	25	25	25	25
Code 16 Final conference with instructor	20	20	20	20
Code 17 District Reporting	10	10	10	10

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. PLEASE USE BLUE INK

Employee Signature  Date 2/27/06

If you have any questions, please contact Duane Coleman at 760-757-6060

PLEASE SUBMIT THIS INFORMATION BY _____ ; TO _____

4E/32
JT 9/17/10

Employee AVERAGE Time Record for Mandated Costs

498/83 The Stull Act (K-12)

Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

District/COE _____

Department/Location _____

Employee Name _____

Exact Position Title _____

Telephone # _____

12mo/11mo/10mo/hrly
Work year length(circle)

Fiscal Year: 97-98 98-99 99-00 00-01
01-02 02-03 03-04 04-05 05-06

Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11 Preparing for the evaluation
- Code 12 Goals and objectives conference with instructor
- Code 13 Pre-observation conference with instructor
- Code 14 Classroom observation of instructor
- Code 15 Post-observation conference with instructor
- Code 16 Final conference with instructor
- Code 17 District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:		Average Time in Minutes			
		A	B	C	D
Code 11	Preparing for the evaluation	37	37	37	37
Code 12	Goals and objectives conference with instructor	21	21	21	21
Code 13	Pre-observation conference with instructor	6	6	6	6
Code 14	Classroom observation of instructor	8	9	11	11
Code 15	Post-observation conference with instructor	12	12	12	12
Code 16	Final conference with instructor	7	7	7	7
Code 17	District Reporting	24	24	24	24

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only.

Employee Signature _____ Date _____

If you have any questions, please contact _____ at _____

PLEASE SUBMIT THIS INFORMATION BY _____ ; TO _____

4e/83
31 9/17/10

Employee AVERAGE Time Record for Mandated Costs
498/83 The Stull Act (K-12)
Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

O.H.S.D.
District/COE

Jefferson Middle School
Department/Location

Phyllis T. Morgan
Employee Name

Assistant Principal
Exact Position Title

760-433-323 (12mo/11mo/10mo/hrly)
Telephone # **Work year length(circle)**

Fiscal Year: 97-98 98-99 99-00 00-01
 01-02 02-03 03-04 04-05 05-06
Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11** Preparing for the evaluation
- Code 12** Goals and objectives conference with instructor
- Code 13** Pre-observation conference with instructor
- Code 14** Classroom observation of instructor
- Code 15** Post-observation conference with instructor
- Code 16** Final conference with instructor
- Code 17** District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:		Average Time In Minutes			
		A	B	C	D
Code 11	Preparing for the evaluation	10	10	10	10
Code 12	Goals and objectives conference with instructor	10	10	10	10
Code 13	Pre-observation conference with instructor	20	20	20	20
Code 14	Classroom observation of instructor	15	30	15	30
Code 15	Post-observation conference with instructor	20	20	20	20
Code 16	Final conference with instructor	10	10	10	10
Code 17	District Reporting	12	12	12	12

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. **PLEASE USE BLUE INK**

Employee Signature Phyllis Morgan Date 2/21/06

If you have any questions, please contact _____, at _____

PLEASE SUBMIT THIS INFORMATION BY _____; TO _____

40/83
ST 9/17/10

Employee AVERAGE Time Record for Mandated Costs
498/83 The Stull Act (K-12)
Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program. 8/02 - 4/03

Oceanside USD
 District/COE
Edward S. Bessant
 Employee Name

Jefferson Middle School
 Department/Location
Assistant Principal
 Exact Position Title

757 6060 Telephone # 12mo/11mo/10mo/hrly Work year length(circle)

Fiscal Year: 97-98 98-99 99-00 00-01
 01-02 02-03 03-04 04-05 05-06
 Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11 Preparing for the evaluation
- Code 12 Goals and objectives conference with instructor
- Code 13 Pre-observation conference with instructor
- Code 14 Classroom observation of instructor
- Code 15 Post-observation conference with instructor
- Code 16 Final conference with instructor
- Code 17 District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:	Average Time in Minutes			
	A	B	C	D
Code 11 Preparing for the evaluation	30	30	30	30
Code 12 Goals and objectives conference with instructor	30	20	10	10
Code 13 Pre-observation conference with instructor	3	3	3	3
Code 14 Classroom observation of instructor	6	15	15	15
Code 15 Post-observation conference with instructor	12	18	18	18
Code 16 Final conference with instructor	10	10	10	10
Code 17 District Reporting	35	15	15	15

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. **PLEASE USE BLUE INK**

Employee Signature Steve Bessant Date 2.21.06
 If you have any questions, please contact Steve Bessant at (760) 757 0531

PLEASE SUBMIT THIS INFORMATION BY _____ ; TO _____

4/18/04
5/11/10
✓

Employee AVERAGE Time Record for Mandated Costs
498/83 The Stull Act (K-12)
Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

0USD
 District/COE

King Middle School
 Department/Location

Raye Clendening
 Employee Name

Principal
 Exact Position Title

757-2560x576 Telephone # 12mo/11mo/10mo/hrly Work year length(circle)

Fiscal Year: (97-98) (98-99) (99-00) (00-01)
 01-02 02-03 03-04 04-05 05-06
 Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11 Preparing for the evaluation
- Code 12 Goals and objectives conference with instructor
- Code 13 Pre-observation conference with instructor
- Code 14 Classroom observation of instructor
- Code 15 Post-observation conference with instructor
- Code 16 Final conference with instructor
- Code 17 District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:		Average Time In Minutes			
		A	B	C	D
Code 11	Preparing for the evaluation	25	10	20	20
Code 12	Goals and objectives conference with instructor	5	15	15	10
Code 13	Pre-observation conference with instructor	5	10	5	5
Code 14	Classroom observation of instructor	5	25	25	10
Code 15	Post-observation conference with instructor	5	30	5	10
Code 16	Final conference with instructor	10	10	20	10
Code 17	District Reporting		20	20	10

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. **PLEASE USE BLUE INK**

Employee Signature Raye Clendening Date _____

If you have any questions, please contact _____, at _____

PLEASE SUBMIT THIS INFORMATION BY Raye Clendening : TO _____

Employee AVERAGE Time Record for Mandated Costs
498/83 The Stull Act (K-12)
Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

04USD San Diego County Office of Ed. Martin Luther King M

District/COE San Diego County Office of Ed. Department/Location Martin Luther King M
 Employee Name Maitha Munden Exact Position Title Principal

Telephone # 260-967-1122 Work year length(circle) 12mo/11mo/10mo/hrlly Fiscal Year: 97-98 98-99 99-00 00-01
 01-02 02-03 03-04 04-05 05-06
 Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11 Preparing for the evaluation
- Code 12 Goals and objectives conference with instructor
- Code 13 Pre-observation conference with instructor
- Code 14 Classroom observation of instructor
- Code 15 Post-observation conference with instructor
- Code 16 Final conference with instructor
- Code 17 District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:	Average Time in Minutes			
	A	B	C	D
Code 11 <u>40</u> Preparing for the evaluation	10	10	10	10
Code 12 <u>40</u> Goals and objectives conference with instructor	10	10	10	10
Code 13 <u>20</u> Pre-observation conference with instructor	20	20	20	20
Code 14 <u>30</u> Classroom observation of instructor	15	30	15	30
Code 15 <u>30</u> Post-observation conference with instructor	20	20	20	20
Code 16 <u>30</u> Final conference with instructor	10	10	10	10
Code 17 <u>45</u> District Reporting	22	22	22	22

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. PLEASE USE BLUE INK

Employee Signature Maitha Munden Date 2/21/06

If you have any questions, please contact _____, at _____

PLEASE SUBMIT THIS INFORMATION BY _____ ; TO _____

46186
31911711
✓

Employee AVERAGE Time Record for Mandated Costs
498/83 The Stull Act (K-12)
Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

District/COE _____ Department/Location Kings
 Employee Name Cheri Sanders Exact Position Title Asst. Principal

Telephone # _____ Work year length(circle) 12mo/11mo/10mo/hrlly Fiscal Year: 97-98 98-99 99-00 00-01
 01-02 02-03 03-04 04-05 05-06
 Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11 Preparing for the evaluation
- Code 12 Goals and objectives conference with instructor
- Code 13 Pre-observation conference with instructor
- Code 14 Classroom observation of instructor
- Code 15 Post-observation conference with instructor
- Code 16 Final conference with instructor
- Code 17 District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:	Average Time in Minutes			
	A	B	C	D
Code 11 Preparing for the evaluation	20	20	20	20
Code 12 Goals and objectives conference with instructor	15	15	15	10
Code 13 Pre-observation conference with instructor	20	20	20	20
Code 14 Classroom observation of instructor	20	20	20	5
Code 15 Post-observation conference with instructor	20	20	20	20
Code 16 Final conference with instructor	15	15	15	15
Code 17 District Reporting	15	15	15	15

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. **PLEASE USE BLUE INK**

Employee Signature [Signature] Date 2.21.08

If you have any questions, please contact _____, at _____

PLEASE SUBMIT THIS INFORMATION BY _____; TO _____

4/18/07
ST 9/17/10

Employee AVERAGE Time Record for Mandated Costs
498/83 The Stull Act (K-12)
Routine Evaluations of Instructors

Please report below the *average* amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

0 USD
 District/COE
Frank Balanon
 Employee Name

King M.S.
 Department/Location
Assistant Principal
 Exact Position Title

Telephone # _____
 Work year length(circle) 12mo/11mo/10mo/hrly

Fiscal Year: 97-98 98-99 99-00 00-01
01-02 02-03 03-04 04-05 05-06
 Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11 Preparing for the evaluation
- Code 12 Goals and objectives conference with instructor
- Code 13 Pre-observation conference with instructor
- Code 14 Classroom observation of instructor
- Code 15 Post-observation conference with instructor
- Code 16 Final conference with instructor
- Code 17 District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:	Average Time in Minutes			
	A	B	C	D
Code 11 Preparing for the evaluation	20	20	20	20
Code 12 Goals and objectives conference with instructor	10	15	10	10
Code 13 Pre-observation conference with instructor	15	25	20	20
Code 14 Classroom observation of instructor	15	25	25	25
Code 15 Post-observation conference with instructor	15	25	20	20
Code 16 Final conference with instructor	10	10	10	10
Code 17 District Reporting	15	15	15	15

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. **PLEASE USE BLUE INK**

Employee Signature Frank Balanon Date 2/21/06

If you have any questions, please contact _____, at _____

PLEASE SUBMIT THIS INFORMATION BY _____; TO _____

4E 188
ST 9/13/10

Employee AVERAGE Time Record for Mandated Costs
498/83 The Stull Act (K-12)
Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

District/COE 0USD
Shrewes

Department/Location King

Employee Name _____

Exact Position Title AP

Telephone # 760 907-1067 12mo/11mo/10mo/hrly
 Work year length(circle)

Fiscal Year: ~~97-98~~ ~~98-99~~ ~~99-00~~ ~~00-01~~
01-02 02-03 03-04 04-05 05-06
 Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11 Preparing for the evaluation
- Code 12 Goals and objectives conference with instructor
- Code 13 Pre-observation conference with instructor
- Code 14 Classroom observation of instructor
- Code 15 Post-observation conference with instructor
- Code 16 Final conference with instructor
- Code 17 District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:	Average Time in Minutes			
	A	B	C	D
Code 11 Preparing for the evaluation	20	20	20	20
Code 12 Goals and objectives conference with instructor	10	10	10	10
Code 13 Pre-observation conference with instructor <i>10 x 2 for 2 observations</i>	20	20	20	20
Code 14 Classroom observation of instructor <i>min x 2 observations</i>	15	30	15	30
Code 15 Post-observation conference with instructor <i>10 x 2 observations</i>	20	20	20	20
Code 16 Final conference with instructor	10	10	10	10
Code 17 District Reporting	20	20	20	20

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. PLEASE USE BLUE INK

Employee Signature [Signature] Date 2-21-06

If you have any questions, please contact _____, at _____

PLEASE SUBMIT THIS INFORMATION BY _____; TO _____

4E/89
ST 4/12/10

SA 1.7-1

Employee AVERAGE Time Record for Mandated Costs

498/83 The Stull Act (K-12)

Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

Oceanside Unified
District/COE

Laurel Elementary
Department/Location

Luis A. Ibarra
Employee Name

Principal
Exact Position Title

966-4200 Telephone # 12mo/11mo/10mo/hrly Work year length(circle)

Fiscal Year: 97-98 98-99 99-00 00-01
01-02 02-03 03-04 04-05 05-06
Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11 Preparing for the evaluation
- Code 12 Goals and objectives conference with instructor
- Code 13 Pre-observation conference with instructor
- Code 14 Classroom observation of instructor
- Code 15 Post-observation conference with instructor
- Code 16 Final conference with instructor
- Code 17 District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:	Average Time in Minutes			
	A	B	C	D
Code 11 Preparing for the evaluation	20	10	10	10
Code 12 Goals and objectives conference with instructor	15	10	10	10
Code 13 Pre-observation conference with instructor	5	10	5	5
Code 14 Classroom observation of instructor	15	15	15	5
Code 15 Post-observation conference with instructor	10	10	5	5
Code 16 Final conference with instructor	10	10	10	10
Code 17 District Reporting	5	5	5	5

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. PLEASE USE BLUE INK

Employee Signature Luis A. Ibarra Date 2-21-06

If you have any questions, please contact _____, at _____

PLEASE SUBMIT THIS INFORMATION BY _____; TO _____

4E/90
ST 9/17/11

Employee AVERAGE Time Record for Mandated Costs
498/83 The Stull Act (K-12)
Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

District/COE: Kind Marquardt Department/Location: Laurel Elementary
 Employee Name: Kind Marquardt Exact Position Title: Principal
 Telephone #: _____ Work year length(circle): 12mo/11mo/10mo/hrly Fiscal Year: 97-98 98-99 99-00 00-01
 01-02 02-03 03-04 04-05 05-06
 Circle the years for which you are responding.

- Reimbursable Activities Codes:**
Code 11 Preparing for the evaluation
Code 12 Goals and objectives conference with instructor
Code 13 Pre-observation conference with instructor
Code 14 Classroom observation of instructor
Code 15 Post-observation conference with instructor
Code 16 Final conference with instructor
Code 17 District reporting
- Evaluation Criteria:**
 (A) district standards and test results
 (B) instructional techniques/strategies
 (C) adherence to curricular objectives
 (D) suitable learning environment
- CLASSROOM TEACHER TIME IS NOT REIMBURSED**

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:		Average Time In Minutes			
		A	B	C	D
Code 11	Preparing for the evaluation	18	8	8	8
Code 12	Goals and objectives conference with instructor	14	12	12	12
Code 13	Pre-observation conference with instructor	5	5	5	5
Code 14	Classroom observation of instructor	8	20	12	10
Code 15	Post-observation conference with instructor	12	12	12	12
Code 16	Final conference with instructor	16	10	10	10
Code 17	District Reporting	15	15	15	12

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. PLEASE USE BLUE INK

Employee Signature: [Signature] Date: 2-25-06
 If you have any questions, please contact _____, at _____
 PLEASE SUBMIT THIS INFORMATION BY _____; TO _____

4E / 92
D 9/17/

Employee AVERAGE Time Record for Mandated Costs
498/83 The Stull Act (K-12)
Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

Oceanside District/COE Lincoln Middle School Department/Location
Brian Kolt Employee Name Principal Exact Position Title

Telephone # _____ 12mo/11mo/10mo/hrly Work year length(circle) Fiscal Year: 97-98 98-99 99-00 00-01
01-02 02-03 03-04 04-05 05-06
 Circle the years for which you are responding.

- | | |
|--|---|
| Reimbursable Activities Codes: | Evaluation Criteria: |
| Code 11 Preparing for the evaluation | (A) district standards and test results |
| Code 12 Goals and objectives conference with instructor | (B) instructional techniques/strategies |
| Code 13 Pre-observation conference with instructor | (C) adherence to curricular objectives |
| Code 14 Classroom observation of instructor | (D) suitable learning environment |
| Code 15 Post-observation conference with instructor | |
| Code 16 Final conference with instructor | |
| Code 17 District reporting | |

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:	Average Time in Minutes			
	A	B	C	D
Code 11 Preparing for the evaluation	10	10	10	10
Code 12 Goals and objectives conference with instructor	10	10	10	10
Code 13 Pre-observation conference with instructor	20	20	20	20
Code 14 Classroom observation of instructor	15	30	15	30
Code 15 Post-observation conference with instructor	20	20	20	20
Code 16 Final conference with instructor	10	10	10	10
Code 17 District Reporting	22	22	22	22

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. PLEASE USE BLUE INK

Employee Signature Brian Kolt P.D. Date 3-1-06

If you have any questions, please contact _____, at _____

PLEASE SUBMIT THIS INFORMATION BY _____ ; TO _____

Employee AVERAGE Time Record for Mandated Costs
498/83 The Stull Act (K-12)
Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

DUUSD
 District/COE

Lincoln Middle Sch
 Department/Location

Pat Barnes
 Employee Name

Principal
 Exact Position/Title

Telephone # _____
 Work year length(circle) 12mo/11mo/10mo/hrly

Fiscal Year: 97-98 98-99 99-00 00-01
 01-02 02-03 03-04 04-05 05-06
 Circle the years for which you are responding.

Reimbursable Activities Codes:

Evaluation Criteria:

- Code 11 Preparing for the evaluation
- Code 12 Goals and objectives conference with instructor
- Code 13 Pre-observation conference with instructor
- Code 14 Classroom observation of instructor
- Code 15 Post-observation conference with instructor
- Code 16 Final conference with instructor
- Code 17 District reporting

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:		Average Time In Minutes			
		A	B	C	D
Code 11	Preparing for the evaluation	10	10	10	10
Code 12	Goals and objectives conference with instructor	10	10	10	10
Code 13	Pre-observation conference with instructor	20	20	20	20
Code 14	Classroom observation of instructor	15	30	15	30
Code 15	Post-observation conference with instructor	20	20	20	20
Code 16	Final conference with instructor	10	10	10	10
Code 17	District Reporting	22	22	22	22

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. **PLEASE USE BLUE INK**

Employee Signature Pat Barnes Date 2/27/06

If you have any questions, please contact _____, at _____

PLEASE SUBMIT THIS INFORMATION BY _____; TO _____

4/19/94
5/9/11/10

Employee AVERAGE Time Record for Mandated Costs
498/83 The Stull Act (K-12)
Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

Oceanside Unified
 District/COE
JOHN E. SCHMIT
 Employee Name

Lincoln Middle
 Department/Location
Asst Principal
 Exact Position Title

(66) 757-0153
 Telephone #
12mo/11mo/10mo/hry
 Work year length(circle)

Fiscal Year: 97-98 ~~98-99~~ ~~99-00~~ 00-01
 01-02 02-03 03-04 04-05 05-06
 Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11 Preparing for the evaluation
- Code 12 Goals and objectives conference with instructor
- Code 13 Pre-observation conference with instructor
- Code 14 Classroom observation of instructor
- Code 15 Post-observation conference with instructor
- Code 16 Final conference with instructor
- Code 17 District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:	Average Time In Minutes			
	A	B	C	D
Code 11 Preparing for the evaluation	5	5	5	5
Code 12 Goals and objectives conference with instructor	10	10	10	10
Code 13 Pre-observation conference with instructor	10	10	10	10
Code 14 Classroom observation of instructor	25	25	25	25
Code 15 Post-observation conference with instructor	15	15	15	15
Code 16 Final conference with instructor	10	10	10	10
Code 17 District Reporting	15	15	15	15

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. PLEASE USE BLUE INK

Employee Signature [Signature] Date 2/23/06

If you have any questions, please contact _____, at _____

PLEASE SUBMIT THIS INFORMATION BY _____ ; TO _____

4E/95
5 9/17/11
✓

Employee AVERAGE Time Record for Mandated Costs
498/83 The Stull Act (K-12)
Routine Evaluations of Instructors

Please report below the *average* amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

Oceanside Unified District/COE
Robert P. Miller, Jr. Employee Name
760 726-5644 Telephone #
12mo/11mo/10mo/hrly Work year length(circle)
Lowes Middle Department/Location
Asst. Principal Exact Position Title
 Fiscal Year: 97-98 98-99 99-00 00-01
01-02 02-03 03-04 04-05 05-06
 Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11 Preparing for the evaluation
- Code 12 Goals and objectives conference with instructor
- Code 13 Pre-observation conference with instructor
- Code 14 Classroom observation of instructor
- Code 15 Post-observation conference with instructor
- Code 16 Final conference with instructor
- Code 17 District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:	Average Time In Minutes			
	A	B	C	D
Code 11 Preparing for the evaluation	5	5	5	5
Code 12 Goals and objectives conference with instructor	10	10	10	10
Code 13 Pre-observation conference with instructor	15	15	15	15
Code 14 Classroom observation of instructor	25	25	20	30
Code 15 Post-observation conference with instructor	20	20	20	20
Code 16 Final conference with instructor	8	8	8	8
Code 17 District Reporting	20	20	20	20

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. PLEASE USE BLUE INK

Employee Signature Robert P. Miller, Jr. Date 2/2/06
 If you have any questions, please contact _____, at _____

PLEASE SUBMIT THIS INFORMATION BY _____; TO _____

4/2/96
SA 1.7-1 9/11/10 ✓

Employee AVERAGE Time Record for Mandated Costs
498/83 The Stull Act (K-12)
Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

District/COE
Mary Gleisberg
 Employee Name

Christa McAuliffe
 Department/Location
Principal - Elementary
 Exact Position/Title

Telephone # _____
 Work year length(circle) 12mo/11mo/10mo/hrly

Fiscal Year: 97-98 98-99 99-00 00-01
 01-02 02-03 03-04 04-05 05-06
 Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11 Preparing for the evaluation
- Code 12 Goals and objectives conference with instructor
- Code 13 Pre-observation conference with instructor
- Code 14 Classroom observation of instructor
- Code 15 Post-observation conference with instructor
- Code 16 Final conference with instructor
- Code 17 District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:		Average Time in Minutes			
		A	B	C	D
Code 11	Preparing for the evaluation	20	10	10	10
Code 12	Goals and objectives conference with instructor	15	10	10	10
Code 13	Pre-observation conference with instructor	5	5	5	5
Code 14	Classroom observation of instructor	10	20	15	5
Code 15	Post-observation conference with instructor	10	10	10	10
Code 16	Final conference with instructor	15	10	10	10
Code 17	District Reporting	20	20	20	15

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. PLEASE USE BLUE INK

Employee Signature Mary Gleisberg Date 2/21/06
 If you have any questions, please contact Karen Huelstis at _____

PLEASE SUBMIT THIS INFORMATION BY _____ ; TO _____

Employee AVERAGE Time Record for Mandated Costs
498/83 The Stull Act (K-12)
Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

0USD
 District/COE

MISSION ELEMENTARY
 Department/Location

Randel Gibson
 Employee Name

PRINCIPAL
 Exact Position Title

760 757-2560
 Telephone #

Fiscal Year: 97-98 98-99 99-00 00-01
01-02 02-03 03-04 04-05 05-06
 Circle the years for which you are responding.

12mo / 11mo / 10mo / hrly
 Work year length(circle)

Reimbursable Activities Codes:

Evaluation Criteria:

- Code 11 Preparing for the evaluation
- Code 12 Goals and objectives conference with instructor
- Code 13 Pre-observation conference with instructor
- Code 14 Classroom observation of instructor
- Code 15 Post-observation conference with instructor
- Code 16 Final conference with instructor
- Code 17 District reporting

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:	Average Time In Minutes			
	A	B	C	D
Code 11 Preparing for the evaluation	20	10	10	10
Code 12 Goals and objectives conference with instructor	15	10	10	10
Code 13 Pre-observation conference with instructor	5	10	5	10
Code 14 Classroom observation of instructor	10	30	30	20
Code 15 Post-observation conference with instructor	10	20	20	20
Code 16 Final conference with instructor	5	15	10	5
Code 17 District Reporting	15	20	20	20

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. PLEASE USE BLUE INK

Employee Signature Randel Gibson Date 2/21/06

If you have any questions, please contact _____, at _____

PLEASE SUBMIT THIS INFORMATION BY _____ ; TO _____

Employee AVERAGE Time Record for Mandated Costs

498/83 The Stull Act (K-12)

Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

Oceanside Unified
 District/COE

Nichols Elementary
 Department/Location

Jeanne Iman
 Employee Name

Principal
 Exact Position Title

Telephone # _____
 Work year length(circle) 12mo/11mo/10mo/hrly

Fiscal Year: 97-98 98-99 99-00 00-01
 01-02 02-03 03-04 04-05 05-06
 Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11 Preparing for the evaluation
- Code 12 Goals and objectives conference with instructor
- Code 13 Pre-observation conference with instructor
- Code 14 Classroom observation of instructor
- Code 15 Post-observation conference with instructor
- Code 16 Final conference with instructor
- Code 17 District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:		Average Time in Minutes			
		A	B	C	D
Code 11	Preparing for the evaluation	20	15	15	15
Code 12	Goals and objectives conference with instructor	15	10	10	10
Code 13	Pre-observation conference with instructor	5	10	10	10
Code 14	Classroom observation of instructor	40	40	20	25
Code 15	Post-observation conference with instructor	20	30	20	20
Code 16	Final conference with instructor	25	20	20	20
Code 17	District Reporting	40	40	30	40

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. **PLEASE USE BLUE INK**

Employee Signature Jeanne A. Iman Date 2-21-06

If you have any questions, please contact _____, at _____

PLEASE SUBMIT THIS INFORMATION BY _____ ; TO _____

Employee AVERAGE Time Record for Mandated Costs
498/83 The Stull Act (K-12)
Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

Oceanside Unified
District/COE

North Terrace Elementary
Department/Location

Bob Rowe
Employee Name

Principal
Exact Position Title

(760) 757-4343
Telephone #

(12mo/11mo/10mo/hrly)
Work year length(circle)

Fiscal Year: 97-98 98-99 99-00 00-01
01-02 02-03 03-04 04-05 05-06
 Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11 Preparing for the evaluation
- Code 12 Goals and objectives conference with instructor
- Code 13 Pre-observation conference with instructor
- Code 14 Classroom observation of instructor
- Code 15 Post-observation conference with instructor
- Code 16 Final conference with instructor
- Code 17 District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:	Average Time in Minutes			
	A	B	C	D
Code 11 Preparing for the evaluation	20	10	10	10
Code 12 Goals and objectives conference with instructor	15	10	10	10
Code 13 Pre-observation conference with instructor	5	10	5	10
Code 14 Classroom observation of instructor	10	30	30	20
Code 15 Post-observation conference with instructor	10	20	20	20
Code 16 Final conference with instructor	5	15	10	5
Code 17 District Reporting	20	20	20	20

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. PLEASE USE BLUE INK

Employee Signature Bob Rowe Date 2-21-06

If you have any questions, please contact _____, at _____

PLEASE SUBMIT THIS INFORMATION BY _____ ; TO _____

47/ 100
ST 9/17/10
✓

Employee AVERAGE Time Record for Mandated Costs
498/83 The Stull Act (K-12)
Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

District/COE _____ Department/Location Pacifica
 Employee Name Cheri Sanders Exact Position/Title Principal
 Telephone # 760-757-3624 Work year length(circle) 12mo/11mo/10mo/hrly Fiscal Year: 97-98 98-99 99-00 00-01
 01-02 02-03 03-04 04-05 05-06
 Circle the years for which you are responding.

- Reimbursable Activities Codes:**
- Code 11 Preparing for the evaluation
 - Code 12 Goals and objectives conference with instructor
 - Code 13 Pre-observation conference with instructor
 - Code 14 Classroom observation of instructor
 - Code 15 Post-observation conference with instructor
 - Code 16 Final conference with instructor
 - Code 17 District reporting
- Evaluation Criteria:**
- (A) district standards and test results
 - (B) instructional techniques/strategies
 - (C) adherence to curricular objectives
 - (D) suitable learning environment
- CLASSROOM TEACHER TIME IS NOT REIMBURSED**

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:		Average Time In Minutes			
		A	B	C	D
Code 11	Preparing for the evaluation	20	10	10	10
Code 12	Goals and objectives conference with instructor	15	10	10	10
Code 13	Pre-observation conference with instructor	5	5	5	5
Code 14	Classroom observation of instructor	15	15	15	15
Code 15	Post-observation conference with instructor	10	10	10	10
Code 16	Final conference with instructor	10	10	10	10
Code 17	District Reporting	15	15	15	15

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. PLEASE USE BLUE INK

Employee Signature [Signature] Date 2.21.06
 If you have any questions, please contact _____, at _____
 PLEASE SUBMIT THIS INFORMATION BY _____; TO _____

Employee AVERAGE Time Record for Mandated Costs
 498/83 The Stull Act (K-12)
 Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

Oceanside Uni.Fied
 District/COE

Palmarquist
 Department/Location

Shelly D. Morr
 Employee Name

Principal
 Exact Position Title

760-757-2560 (12mo/11mo/10mo/hrly)
 Telephone # Work year length(circle)

Fiscal Year: 97-98 98-99 99-00 00-01
 01-02 02-03 03-04 04-05 05-06
 Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11 Preparing for the evaluation
- Code 12 Goals and objectives conference with instructor
- Code 13 Pre-observation conference with instructor
- Code 14 Classroom observation of instructor
- Code 15 Post-observation conference with instructor
- Code 16 Final conference with instructor
- Code 17 District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:	Average Time In Minutes			
	A	B	C	D
Code 11 Preparing for the evaluation	20	10	10	10
Code 12 Goals and objectives conference with instructor	15	10	10	10
Code 13 Pre-observation conference with instructor	5	5	5	5
Code 14 Classroom observation of instructor	20	20	20	20
Code 15 Post-observation conference with instructor	20	20	20	20
Code 16 Final conference with instructor	10	10	10	10
Code 17 District Reporting	20	20	20	20

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost-accounting purposes only. PLEASE USE BLUE INK

Employee Signature Shelly D. Morr Date 2/21/06

If you have any questions, please contact _____, at _____

PLEASE SUBMIT THIS INFORMATION BY _____; TO _____

4E/102
5/9/12

Employee AVERAGE Time Record for Mandated Costs
498/83 The Stull Act (K-12)
Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

Oceanside Unified OHS
 District/COE Department/Location
 Mary Gleisberg Principal
 Employee Name Exact Position Title
 722-8201 12mo/11mo/10mo/hrly Fiscal Year: ~~97-98~~ ~~98-99~~ ~~99-00~~ ~~00-01~~
 Telephone # Work year length(circle) 01-02 02-03 03-04 04-05 05-06
 Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11 Preparing for the evaluation
- Code 12 Goals and objectives conference with instructor
- Code 13 Pre-observation conference with instructor
- Code 14 Classroom observation of instructor
- Code 15 Post-observation conference with instructor
- Code 16 Final conference with instructor
- Code 17 District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:		Average Time in Minutes			
		A	B	C	D
Code 11	Preparing for the evaluation	20	20	30	30
Code 12	Goals and objectives conference with instructor	15	20	20	20
Code 13	Pre-observation conference with instructor	5	5	5	5
Code 14	Classroom observation of instructor	10	10	15	10
Code 15	Post-observation conference with instructor	10	10	15	10
Code 16	Final conference with instructor	5	5	10	5
Code 17	District Reporting	25	20	20	20

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. **PLEASE USE BLUE INK**

Employee Signature Mary Gleisberg Date 2/21/10
 If you have any questions, please contact _____, at _____

PLEASE SUBMIT THIS INFORMATION BY _____; TO _____.

4E/103
ST 9/17/10

SA 1.7-1

Employee AVERAGE Time Record for Mandated Costs
498/83 The Stull Act (K-12)
Routine Evaluations of Instructors

Please report below the *average* amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

District/COE KIND Maryward Department/Location 0HS
 Employee Name Maryward Exact Position Title Principal
 Telephone # 722-8201 Work year length(circle) 12mo/11mo/10mo/hrlly Fiscal Year: 97-98 98-99 99-00 00-01 10
01-02 02-03 03-04 04-05 05-06
 Circle the years for which you are responding.

- Reimbursable Activities Codes:**
 Code 11 Preparing for the evaluation
 Code 12 Goals and objectives conference with instructor
 Code 13 Pre-observation conference with instructor
 Code 14 Classroom observation of instructor
 Code 15 Post-observation conference with instructor
 Code 16 Final conference with instructor
 Code 17 District reporting
- Evaluation Criteria:**
 (A) district standards and test results
 (B) instructional techniques/strategies
 (C) adherence to curricular objectives
 (D) suitable learning environment
- CLASSROOM TEACHER TIME IS NOT REIMBURSED**

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:		Average Time In Minutes			
		A	B	C	D
Code 11	Preparing for the evaluation	30	30	30	30
Code 12	Goals and objectives conference with instructor	20	20	20	20
Code 13	Pre-observation conference with instructor	3	3	3	3
Code 14	Classroom observation of instructor	8	11	11	11
Code 15	Post-observation conference with instructor	12	12	12	12
Code 16	Final conference with instructor	5	5	5	5
Code 17	District Reporting	20	20	20	20

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. PLEASE USE BLUE INK

Employee Signature E. J. Maryard Date 2-21-06
 If you have any questions, please contact _____, at _____
 PLEASE SUBMIT THIS INFORMATION BY _____; TO _____

Employee AVERAGE Time Record for Mandated Costs
498/83 The Stull Act (K-12)
Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

Oceanside Unified
 District/COE
Kasia Obrzut
 Employee Name

Oceanside High School
 Department/Location
Coordinator
 Exact Position Title

Telephone # _____
 Work year length(circle) 12mo/11mo/10mo/hrly

Fiscal Year: 97-98 98-99 99-00 00-01
 01-02 02-03 03-04 04-05 05-06
 Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11 Preparing for the evaluation
- Code 12 Goals and objectives conference with instructor
- Code 13 Pre-observation conference with instructor
- Code 14 Classroom observation of instructor
- Code 15 Post-observation conference with instructor
- Code 16 Final conference with instructor
- Code 17 District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:		Average Time in Minutes			
		A	B	C	D
Code 11	Preparing for the evaluation	30	30	30	30
Code 12	Goals and objectives conference with instructor	20	20	20	20
Code 13	Pre-observation conference with instructor	5	5	5	5
Code 14	Classroom observation of instructor	25	25	25	25
Code 15	Post-observation conference with instructor	15	15	15	15
Code 16	Final conference with instructor	5	10	10	10
Code 17	District Reporting	20	20	20	20

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. PLEASE USE BLUE INK

Employee Signature K. Obrzut Date 2-21-06

If you have any questions, please contact _____, at _____

PLEASE SUBMIT THIS INFORMATION BY _____; TO _____

Employee AVERAGE Time Record for Mandated Costs
498/83 The Stull Act (K-12)
Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

Oceanside Unified
 District/COE
Robert P. Mueller Jr.
 Employee Name

OULS
 Department/Location
Asst Principal
 Exact Position Title

760 257-2560 Telephone #
12mo/11mo/10mo/hrly Work year length(circle)

Fiscal Year: 97-98 98-99 99-00 00-01
 01-02 02-03 03-04 04-05 05-06
 Circle the years for which you are responding.

- Reimbursable Activities Codes:**
Code 11 Preparing for the evaluation
Code 12 Goals and objectives conference with instructor
Code 13 Pre-observation conference with instructor
Code 14 Classroom observation of instructor
Code 15 Post-observation conference with instructor
Code 16 Final conference with instructor
Code 17 District reporting

- Evaluation Criteria:**
 (A) district standards and test results
 (B) instructional techniques/strategies
 (C) adherence to curricular objectives
 (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:		Average Time In Minutes			
		A	B	C	D
Code 11	Preparing for the evaluation	5	5	5	5
Code 12	Goals and objectives conference with instructor	10	10	10	10
Code 13	Pre-observation conference with instructor	15	15	15	15
Code 14	Classroom observation of instructor	25	25	30	30
Code 15	Post-observation conference with instructor	20	20	20	20
Code 16	Final conference with instructor	8	8	8	8
Code 17	District Reporting	20	20	20	20

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. PLEASE USE BLUE INK

Employee Signature [Signature] Date 2/21/06

If you have any questions, please contact _____, at _____
 PLEASE SUBMIT THIS INFORMATION BY _____; TO _____

4E/100
JT 9/11/10

Employee AVERAGE Time Record for Mandated Costs
498/83 The Stull Act (K-12)
Routine Evaluations of Instructors

Please report below the *average* amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

District/COE _____

OHS
 Department/Location _____

Employee Name DAN DAVIS

Exact Position Title asst. principal

722-8207
 Telephone # _____

12mo/11mo/10mo/hrly
 Work year length(circle) _____

Fiscal Year: 97-98 98-99 99-00 00-01
 01-02 02-03 03-04 04-05 05-06
 Circle the years for which you are responding.

Reimbursable Activities Codes:

Evaluation Criteria:

- Code 11** Preparing for the evaluation
- Code 12** Goals and objectives conference with instructor
- Code 13** Pre-observation conference with instructor
- Code 14** Classroom observation of instructor
- Code 15** Post-observation conference with instructor
- Code 16** Final conference with instructor
- Code 17** District reporting

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:		Average Time in Minutes			
		A	B	C	D
Code 11	Preparing for the evaluation	36	38	36	36
Code 12	Goals and objectives conference with instructor	21	22	22	22
Code 13	Pre-observation conference with instructor	6	6	6	6
Code 14	Classroom observation of instructor	9	9	9	9
Code 15	Post-observation conference with instructor	12	12	12	12
Code 16	Final conference with instructor	7	7	7	7
Code 17	District Reporting	25	25	25	25

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only.

Employee Signature _____ Date 2/20/08
 If you have any questions, please contact _____, at _____

PLEASE SUBMIT THIS INFORMATION BY _____ ; TO _____

4E/107
 5/9/17/10
 SA 1.7-1 ✓

Employee AVERAGE Time Record for Mandated Costs
498/83 The Stull Act (K-12)
Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

Oceanside Unified
 District/COE

Ocean Shores High School
 Department/Location

Peg Cowman
 Employee Name

Principal
 Exact Position Title

760-439-3142 Telephone # 12mo/11mo/10mo/hrly Work year length(circle)

Fiscal Year: 97-98 98-99 99-00 00-01
01-02 02-03 03-04 04-05 05-06
 Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11 Preparing for the evaluation
- Code 12 Goals and objectives conference with instructor
- Code 13 Pre-observation conference with instructor
- Code 14 Classroom observation of instructor
- Code 15 Post-observation conference with instructor
- Code 16 Final conference with instructor
- Code 17 District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:	Average Time in Minutes			
	A	B	C	D
Code 11 Preparing for the evaluation	30	39	38	30
Code 12 Goals and objectives conference with instructor	25	28	28	25
Code 13 Pre-observation conference with instructor	3	3	8	3
Code 14 Classroom observation of instructor	8	14	15	14
Code 15 Post-observation conference with instructor	13	14	15	13
Code 16 Final conference with instructor	6	7	7	6
Code 17 District Reporting	23	24	24	21

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. PLEASE USE BLUE INK

Employee Signature Peg Cowman Date 2-21-06

If you have any questions, please contact Peg Cowman, at Ocean Shores

PLEASE SUBMIT THIS INFORMATION BY _____ ; TO _____

4E/108
5/9/10

Employee AVERAGE Time Record for Mandated Costs
498/83 The Stull Act (K-12)
Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

District/COE _____
Paulette Thompson
 Employee Name

Reynolds Elementary
 Department/Location
Assistant Principal
 Exact Position Title

760-757-2560 Telephone # 12mo/11mo/10mo/hrly Work year length(circle)

Fiscal Year: 97-98 98-99 99-00 00-01
01-02 02-03 03-04 04-05 05-06
 Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11 Preparing for the evaluation
- Code 12 Goals and objectives conference with instructor
- Code 13 Pre-observation conference with instructor
- Code 14 Classroom observation of instructor
- Code 15 Post-observation conference with instructor
- Code 16 Final conference with instructor
- Code 17 District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:	Average Time In Minutes			
	A	B	C	D
Code 11 Preparing for the evaluation	20	10	10	10
Code 12 Goals and objectives conference with instructor	15	10	10	10
Code 13 Pre-observation conference with instructor	5	15	5	10
Code 14 Classroom observation of instructor	20	30	20	20
Code 15 Post-observation conference with instructor	15	15	15	15
Code 16 Final conference with instructor	15	10	15	15
Code 17 District Reporting	20	20	15	20

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. **PLEASE USE BLUE INK**

Employee Signature Paulette Thompson Date 2-21-06

If you have any questions, please contact _____, at _____

PLEASE SUBMIT THIS INFORMATION BY _____; TO _____

Employee AVERAGE Time Record for Mandated Costs 498/83 The Stull Act (K-12) Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

OCEANSIDE UNIFIED
District/COE

Reynolds
Department/Location

LOIS E. GRAZIOLI
Employee Name

02-03 - Inst. Principal, 03-06 - Principal
Exact Position Title

760 757-2560 Telephone #
12mo 1mo 10mo/hrly Work year length(circle)
Principal 03-04, 04-05, 05-06

Fiscal Year: 97-98 98-99 99-00 00-01
01-02 02-03 03-04 04-05 05-06
Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11 Preparing for the evaluation
- Code 12 Goals and objectives conference with instructor
- Code 13 Pre-observation conference with instructor
- Code 14 Classroom observation of instructor
- Code 15 Post-observation conference with instructor
- Code 16 Final conference with instructor
- Code 17 District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:		Average Time in Minutes			
		A	B	C	D
Code 11	Preparing for the evaluation	20	10	10	10
Code 12	Goals and objectives conference with instructor	15	10	10	10
Code 13	Pre-observation conference with instructor	5	5	5	5
Code 14	Classroom observation of instructor	20	25	25	25
Code 15	Post-observation conference with instructor	30	15	15	10
Code 16	Final conference with instructor	30	15	15	15
Code 17	District Reporting	20	20	20	20

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. PLEASE USE BLUE INK

Employee Signature Lois E. Grazioli Date 2/21/06

If you have any questions, please contact _____ at _____
PLEASE SUBMIT THIS INFORMATION BY _____ ; TO _____

4E/110
51 4/17/10

Employee AVERAGE Time Record for Mandated Costs
498/83 The Stull Act (K-12)
Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

San Diego
 District/COE

San Luis Rey Elem
 Department/Location

Martha Munder
 Employee Name

Principal
 Exact/Position Title

760 757-2560 12mo/11mo/10mo/hrly
 Telephone # Work year length(circle)

Fiscal Year: 97-98 98-99 99-00 00-01
 01-02 02-03 03-04 04-05 05-06
 Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11 Preparing for the evaluation
- Code 12 Goals and objectives conference with instructor
- Code 13 Pre-observation conference with instructor
- Code 14 Classroom observation of instructor
- Code 15 Post-observation conference with instructor
- Code 16 Final conference with instructor
- Code 17 District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:		Average Time in Minutes			
		A	B	C	D
Code 11	Preparing for the evaluation	20	20	20	20
Code 12	Goals and objectives conference with instructor	10	10	10	10
Code 13	Pre-observation conference with instructor	20	20	20	20
Code 14	Classroom observation of instructor	15	30	15	30
Code 15	Post-observation conference with instructor	20	20	20	20
Code 16	Final conference with instructor	10	10	10	10
Code 17	District Reporting	22	22	22	22

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. **PLEASE USE BLUE INK**

Employee Signature Martha Munder Date 2/21/06

If you have any questions, please contact _____, at _____

PLEASE SUBMIT THIS INFORMATION BY _____ ; TO _____

4E/111
5/9/17
✓

Employee AVERAGE Time Record for Mandated Costs
498/83 The Stull Act (K-12)
Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

District/COE _____ Department/Location San Luis Rey
 Employee Name Paulette Thompson Exact Position Title Principal

760-757-2560 Telephone #
 12mo/11mo/10mo/hrly Work year length(circle)

Fiscal Year: 97-98 98-99 99-00 00-01
 01-02 02-03 03-04 04-05 05-06
 Circle the years for which you are responding.

- | | |
|--|---|
| <p>Reimbursable Activities Codes:
 Code 11 Preparing for the evaluation
 Code 12 Goals and objectives conference with instructor
 Code 13 Pre-observation conference with instructor
 Code 14 Classroom observation of instructor
 Code 15 Post-observation conference with instructor
 Code 16 Final conference with instructor
 Code 17 District reporting</p> | <p>Evaluation Criteria:
 (A) district standards and test results
 (B) instructional techniques/strategies
 (C) adherence to curricular objectives
 (D) suitable learning environment</p> |
|--|---|

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:	Average Time In Minutes			
	A	B	C	D
Code 11 Preparing for the evaluation	20	10	10	10
Code 12 Goals and objectives conference with instructor	15	10	10	10
Code 13 Pre-observation conference with instructor	5	15	5	5
Code 14 Classroom observation of instructor	20	30	20	20
Code 15 Post-observation conference with instructor	15	15	15	15
Code 16 Final conference with instructor	15	10	15	15
Code 17 District Reporting	20	20	15	20

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. PLEASE USE BLUE INK

Employee Signature Paulette Thompson Date 2/21-06

If you have any questions, please contact _____, at _____

PLEASE SUBMIT THIS INFORMATION BY _____ ; TO _____

4E/112
 JT 9/17/11

Employee AVERAGE Time Record for Mandated Costs
498/83 The Stull Act (K-12)
Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

District/COE _____ Santa Margarita Elementary
Employee Name Frank Gómez Department/Location _____
Telephone # _____ Principal Exact Position Title _____
Work year length(circle) 12mo/11mo/10mo/hry Fiscal Year: 97-98 98-99 99-00 00-01
01-02 02-03 03-04 04-05 05-06
 Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11 Preparing for the evaluation
- Code 12 Goals and objectives conference with instructor
- Code 13 Pre-observation conference with instructor
- Code 14 Classroom observation of instructor
- Code 15 Post-observation conference with instructor
- Code 16 Final conference with instructor
- Code 17 District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:	Average Time in Minutes			
	A	B	C	D
Code 11 Preparing for the evaluation	20	10	10	10
Code 12 Goals and objectives conference with instructor	15	10	10	10
Code 13 Pre-observation conference with instructor	5	5	5	5
Code 14 Classroom observation of instructor	10	20	20	10
Code 15 Post-observation conference with instructor	5	5	5	5
Code 16 Final conference with instructor	8	10	10	10
Code 17 District Reporting	8	10	10	8

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. PLEASE USE BLUE INK

Employee Signature Frank Gómez Date 2/21/06
 If you have any questions, please contact _____, at _____
 PLEASE SUBMIT THIS INFORMATION BY _____; TO _____

Employee AVERAGE Time Record for Mandated Costs

498/83 The Stull Act (K-12)

Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

South Oceanside
 Department/Location

Judy Reimer
 Employee Name

Principal
 Exact Position Title

760 435-2100 Telephone # 12mo/11mo/10mo/hrly Work year length(circle)

Fiscal Year: 97-98 98-99 99-00 00-01
 01-02 02-03 03-04 04-05 05-06 50

Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11 Preparing for the evaluation
- Code 12 Goals and objectives conference with instructor
- Code 13 Pre-observation conference with instructor
- Code 14 Classroom observation of instructor
- Code 15 Post-observation conference with instructor
- Code 16 Final conference with instructor
- Code 17 District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:	Average Time In Minutes			
	A	B	C	D
Code 11 Preparing for the evaluation	20	10	10	10
Code 12 Goals and objectives conference with instructor	15	10	10	10
Code 13 Pre-observation conference with instructor	5	5	5	5
Code 14 Classroom observation of instructor	15	20	15	10
Code 15 Post-observation conference with instructor	10	15	10	5
Code 16 Final conference with instructor	10	15	10	10
Code 17 District Reporting	20	20	15	15

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. PLEASE USE BLUE INK

Employee Signature Judy Reimer Date 2-21-06

If you have any questions, please contact _____, at _____

PLEASE SUBMIT THIS INFORMATION BY _____; TO _____

Employee AVERAGE Time Record for Mandated Costs

498/83 The Stull Act (K-12)

Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

OCEANSIDE UNIFIED
District/COE

STUART MESA
Department/Location

TODD MCATEER
Employee Name

ELEMENTARY PRINCIPAL
Exact Position Title

760-757-2560
Telephone #

12mo 11mo/10mo/hrly
Work year length(circle)

Fiscal Year 97-98 98-99 99-00 00-01
01-02 02-03 03-04 04-05 05-06
Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11 Preparing for the evaluation
- Code 12 Goals and objectives conference with instructor
- Code 13 Pre-observation conference with instructor
- Code 14 Classroom observation of instructor
- Code 15 Post-observation conference with instructor
- Code 16 Final conference with instructor
- Code 17 District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:		Average Time In Minutes			
		A	B	C	D
Code 11	Preparing for the evaluation	20	10	10	10
Code 12	Goals and objectives conference with instructor	15	10	10	10
Code 13	Pre-observation conference with instructor	5	5	5	5
Code 14	Classroom observation of instructor	10	10	10	10
Code 15	Post-observation conference with instructor	5	10	10	5
Code 16	Final conference with instructor	10	10	10	10
Code 17	District Reporting	20	20	20	20

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. PLEASE USE BLUE INK

Employee Signature Todd Mcateer Date 2/21/06

If you have any questions, please contact _____, at _____

PLEASE SUBMIT THIS INFORMATION BY _____; TO _____

42/115
5/9/11

SA 1.7-1

Employee AVERAGE Time Record for Mandated Costs
498/83 The Stull Act (K-12)
Routine Evaluations of Instructors

Please report below the **average** amount of time spent (in minutes) by you to implement each of the reimbursable activities for the mandated program.

Oceanside
 District/COE
Brian Kolt
 Employee Name

Stuart Mesa
 Department/Location
Principal
 Exact Position Title

Telephone # _____
 Work year length(circle) 12mo/11mo/10mo/hrly

Fiscal Year: 97-98 98-99 99-00 00-01
 01-02 02-03 03-04 04-05 05-06
 Circle the years for which you are responding.

Reimbursable Activities Codes:

- Code 11** Preparing for the evaluation
- Code 12** Goals and objectives conference with instructor
- Code 13** Pre-observation conference with instructor
- Code 14** Classroom observation of instructor
- Code 15** Post-observation conference with instructor
- Code 16** Final conference with instructor
- Code 17** District reporting

Evaluation Criteria:

- (A) district standards and test results
- (B) instructional techniques/strategies
- (C) adherence to curricular objectives
- (D) suitable learning environment

CLASSROOM TEACHER TIME IS NOT REIMBURSED

Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:	Average Time in Minutes			
	A	B	C	D
Code 11 Preparing for the evaluation	20	10	10	10
Code 12 Goals and objectives conference with instructor	15	10	10	10
Code 13 Pre-observation conference with instructor	5	5	5	5
Code 14 Classroom observation of instructor	10	10	10	10
Code 15 Post-observation conference with instructor	5	10	10	5
Code 16 Final conference with instructor	10	10	10	10
Code 17 District Reporting	20	20	20	20

EMPLOYEE CERTIFICATION: The State of California requires that school district personnel maintain a record of data for state mandates in order for the district to receive reimbursement. Your signature on this form certifies that you have reported actual data or have provided a good faith estimate which you "certify (or declare) under penalty of perjury under the laws of the State of California to be true and correct based on your personal knowledge or information." This information is used for cost accounting purposes only. PLEASE USE BLUE INK

Employee Signature Brian Kolt, Ph.D. Date 3-1-06

If you have any questions, please contact _____, at _____

PLEASE SUBMIT THIS INFORMATION BY _____ ; TO _____

Tab 4

Howell, Kenneth

From: Spano, Jim
Sent: Monday, December 22, 2014 4:29 PM
To: Howell, Kenneth
Subject: FW: Oceanside-Stull Act
Attachments: Oceanside Permanent CIE Less Than 10 yrs Tenure-FINAL (S0214390).xls; Oceanside Permanent CIE Less Than 10 yrs Tenure-FINAL PDF (S0214395).pdf

Ken,

FYI

*Jim L. Spano, CPA
Chief, Mandated Cost Audits Bureau
Division of Audits
State Controller's Office
Work - (916) 323-5849
Fax - (916) 327-0832*

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From: Arthur M. Palkowitz [<mailto:apalkowitz@sashlaw.com>]
Sent: Friday, December 19, 2014 10:39 AM
To: Spano, Jim
Subject: Oceanside-Stull Act

Hi Jim,

Please find attached the Stull Act information you requested from Oceanside USD. The information is provided in excel and pdf format.

Please contact if you have any questions. Thank you for your cooperation.

Happy Holidays!

Art



Art Palkowitz, Esq.

Stutz Artiano Shinoff & Holtz, APC
2488 Historic Decatur Road, Suite 200
San Diego, CA 92106
Telephone: (619) 232-3122 x481
Fax: (619) 232-3264

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Oceanside USD - Permanent Certificated Instructional Employees (CIE) <10 yrs Tenure
 Stull Act Program Hrs, FY 1997-98 through FY 2007-08 (Every Other Year Evaluation)

Lname	Fname	Tenure Status	Seniority Date	Job Title	Obs1	Obs2	Summative Eval	Assistance Plan	Work Location	Fiscal Year	Evaluator	Grade Level	Satisfactory / Unsatisfactory
ADAMS	JENNIFER	T		Teacher			X		San Luis Rey Elem	1998-99	M. Munden	1st	
ADAMS	JENNIFER	T		Teacher			X		San Luis Rey Elem	2000-01	M. Munden	1st	
ADAMS	JENNIFER	T		Teacher			X		San Luis Rey Elem	2001-02	M. Munden	1st	
ADAMS	JENNIFER	T		Teacher			X		San Luis Rey Elem	2003-04	P. Thompson	1st	
ADAMS	JENNIFER	T		Teacher			X		San Luis Rey Elem	2005-06	P. Thompson	1st	
AFZALI	FARANAK	Temp/Prob		Teacher			X		Pacifica Elem	1999-00	P. Trayrn	Kinder	
AFZALI	FARANAK	Temp/Prob		Teacher			X		Pacifica Elem	2000-01	C. Sanders	Kinder	
AFZALI	FARANAK	T		Teacher			X		Pacifica Elem	2002-03	C. Sanders	1st/2nd	
AFZALI	FARANAK	T		Teacher			X		Pacifica Elem	2004-05	C. Sanders	2nd	
Afzali	Faranak	Tenured		Teacher			X		Pacifica Elem School	2006-07	P. Morgan	2nd	
AHLES	MANNY	Temp/Prob		Teacher			X		Lincoln Middle	2000-01	P. Barnes	6th	
AHLES	MANNY	Temp/Prob		Teacher			X		Lincoln Middle	2001-02	J. Schmidt	MS	
AHLES	MANNY	T		Teacher			X		Lincoln Middle	2003-04	J. Schmidt	MS	
AHLES	MANNY	T		Teacher			X		Lincoln Middle	2005-06	J. Schmidt	6th Math/Sci	
ALBRIGHT	KRISTIN	Temp/Prob		Teacher			X		Palmquist Elem	1999-00	J. Assman	3rd/4th	
ALBRIGHT	KRISTIN	Temp/Prob		Teacher			X		Palmquist Elem	2000-01	S. Morr	3rd	
ALBRIGHT	KRISTIN	T		Teacher			X		Palmquist Elem	2001-02	S. Morr	3rd	
ALBRIGHT	KRISTIN	T		Teacher			X		Palmquist Elem	2003-04	S. Morr	4th	
Albright	Kristin	Tenured		Teacher			X		Ditmar Elem School	2006-07	F. Balanon	3rd	
ALLEN	DEANN	Temp/Prob		Teacher			X		Lincoln Middle	2000-01	P. Barnes	Sci, Eng, SS	
ALLEN	DEANN	Temp/Prob		Teacher			X		Lincoln Middle	2001-02	J. Schmidt	MS	
ALLEN	DEANN	T		Teacher			X		Lincoln Middle	2003-04	J. Schmidt	MS	
ALLEN	DEANN	T		Teacher			X		Lincoln Middle	2005-06	M. Higareda Ochoa	8th Sci	
Allender	Julie	Temp/Prob		Teacher			X		King MS	2002-03	M. Munden	8th Sci	
Allender	Julie	Temp/Prob		Teacher			X		King MS	2003-04	M. Munden	8th Sci	
Allender	Julie	Tenured		Teacher			X		King MS	2004-05	M. Munden	7th Sci	
Allender	Julie	Tenured		Teacher			X		King MS	2005-06	C. Turner	7th Sci	
ALVARADO	MARIA	Temp/Prob		Teacher			X		Mission Elem	1998-99	J. Farley	K	
ALVARADO	MARIA	Temp/Prob		Teacher			X		Mission Elem	1999-00	R. Gibson	K	
ALVARADO	MARIA	T		Teacher			X		Mission Elem	2001-02	R. Gibson	K	
ALVARADO	MARIA	T		Teacher			X		Mission Elem	2003-04	R. Gibson	K	
ALVARADO	MARIA	T		Teacher			X		Mission Elem	2005-06	T. McAteer	K	
Alvarado	Maria	Tenured		Teacher			X		Mission Elem School	2006-07	T. McAteer	K	
AMBROGIO	KRISTY	Temp/Prob		Teacher			X		Del Rio Elem	1999-00	P. Morgan	2nd	
AMBROGIO	KRISTY	Temp/Prob		Teacher			X		Del Rio Elem	2000-01	L. Graziola	2nd	
AMBROGIO	KRISTY	T		Teacher			X		Del Rio Elem	2002-03	P. Morgan	2nd	
AMIDON	C	T		Teacher			X		Clair W. Burgener Academy	1999-00	L. Goldstein	MS Math	
AMIDON	C	T		Teacher			X		Clair W. Burgener Academy	2001-02	J. Shirley	MS Math	
AMIDON	C	T		Teacher			X		Clair W. Burgener Academy	2002-03	J. Shirley	MS Math	
AMIDON	C	T		Teacher			X		Clair W. Burgener Academy	2004-05	E. S. Bessant	MS Math	
Amidon	C	Tenured		Teacher			X		Clair W. Burgener Academy	2006-07	E. S. Bessant	MS Math	
ANDERSEN	TROY	Temp/Prob		Teacher			X		Pacifica Elem	2000-01	C. Sanders	2nd	
ANDERSEN	TROY	Temp/Prob		Teacher			X		Pacifica Elem	2001-02	C. Sanders	2nd	
ANDERSEN	TROY	T		Teacher			X		Pacifica Elem	2003-04	C. Sanders	2nd	
Andersen	Troy	Tenured		Teacher			X		Pacifica Elem School	2005-06	C. Sanders	2nd	
ANDERSON	THITHI	Temp/Prob		Teacher			X		King Middle	1999-00	R. Clendening	MS Math	
ANDERSON	THITHI	Temp/Prob		Teacher			X		King Middle	2000-01	R. Clendening	MS Math	
ANDERSON	THITHI	T		Teacher			X		King Middle	2002-03	F. Balanon	MS Math	
ANDERSON	THITHI	T		Teacher			X		King Middle	2004-05	D. Shreves	MS Math	
Anderson	Thithi	Tenured		Teacher			X		King MS	2006-07	C. Turner	MS Math	
Anderson	Thithi	Tenured		Teacher			X		King MS	2007-08	R. Rowe	MS Math	
ANDERSON	WARREN	T		Teacher			X		El Camino High	1997-98	S. Avila-Molina	HS SS	
ANDERSON	WARREN	T		Teacher			X		Ocean Shores High	1999-00	P. Cowman	HS SS	
ANDERSON	WARREN	T		Teacher			X		Ocean Shores High	2000-01	P. Cowman	HS SS	
ANDERSON	WARREN	T		Teacher			X		Ocean Shores High	2001-02	P. Cowman	HS SS	
ANDERSON	WARREN	T		Teacher			X		Ocean Shores High	2002-03	P. Cowman	HS SS	
ANDERSON	WARREN	T		Teacher			X		Ocean Shores High	2004-05	P. Cowman	HS SS	
ANDREWS	JENNIFER	Temp/Prob		Teacher			X		Pacifica Elem	2000-01	C. Sanders	4th	
ANDREWS	JENNIFER	Temp/Prob		Teacher			X		Pacifica Elem	2001-02	C. Sanders	4th	

Oceanside USD - Permanent Certificated Instructional Employees (CIE) <10 yrs Tenure
 Stull Act Program Hrs, FY 1997-98 through FY 2007-08 (Every Other Year Evaluation)

Lname	Fname	Tenure Status	Seniority Date	Job Title	Obs1	Obs2	Summative Eval	Assistance Plan	Work Location	Fiscal Year	Evaluator	Grade Level	Satisfactory / Unsatisfactory
ANDREWS	JENNIFER	T		Teacher			X		Pacifica Elem	2003-04	C. Sanders	4th	
Armann	Christian	Temp/Prob		Teacher			X		Lincoln MS	2004-05	B. Kolb	MS PE	
Armann	Christian	Temp/Prob		Teacher			X		Lincoln MS	2005-06	J. Schmidt	MS PE	
ARSENAULT	JACQUELYN	T		Teacher			X		Santa Margarita Elem	1998-99	L. Goldstein	MS	
ARSENAULT	JACQUELYN	T		Teacher			X		Santa Margarita Elem	2000-01	F. Gomez	MS	
ARSENAULT	JACQUELYN	T		Teacher			X		Santa Margarita Elem	2002-03	F. Gomez	MS	
ARSENAULT	JACQUELYN	T		Teacher			X		Santa Margarita Elem	2004-05	F. Gomez	MS	
Arsenault	Jacquelyn	Tenured		Teacher			X		Santa Margarita Elem School	2006-07	P. Kurtz	MS	
ASHCRAFT	REGINA	Temp/Prob		Teacher - LH SDC			X		South Oceanside Elem	2001-02	T. Keane	Elem SpEd	
ASHCRAFT	REGINA	Temp/Prob		Teacher - LH SDC			X		South Oceanside Elem	2002-03	T. Keane	Elem SpEd	
ASHCRAFT	REGINA	T		Teacher - LH SDC			X		South Oceanside Elem	2003-04	J. Reimer	Elem SpEd	
Ashcraft	Regina	Tenured		Teacher - LH SDC			X		South Oceanside Elem School	2005-06	J. Reimer	Elem SpEd	
AYALA	BETTINA	Temp/Prob		Teacher - SH			X		North Terrace Elem	2002-03	B. Rowe	Elem SpEd	
AYALA	BETTINA	Temp/Prob		Teacher - SH			X		North Terrace Elem	2003-04	B. Rowe	Elem SpEd	
AYALA	BETTINA	T		Teacher - SH			X		North Terrace Elem	2004-05	B. Rowe	Elem SpEd	
BAHR	AMANDA	Temp/Prob		Teacher			X		Laurel Elem	2000-01	K. Marquardt	3rd	
BAHR	AMANDA	Temp/Prob		Teacher			X		Laurel Elem	2001-02	L.Ibarra	3rd	
BAHR	AMANDA	T		Teacher			X		Laurel Elem	2003-04	L.Ibarra	2nd	
BARETTE	VALLERI	Temp/Prob		Teacher			X		King Middle	2001-02	F. Balanon	7th	
BARETTE	VALLERI	Temp/Prob		Teacher			X		King Middle	2002-03	F. Balanon	MS	
BARETTE	VALLERI	Temp/Prob		Teacher			X		King Middle	2003-04	M. Munden	MS	
BARETTE	VALLERI	T		Teacher			X		Palmquist Elem	2005-06	B. Johnson	5	
Barette	Valleri	Tenured		Teacher			X		Del Rio Elem School	2006-07	P. Morgan	K	
BAYHAM	BONNIE	Temp/Prob		Teacher			X		El Camino High	2001-02	R. Briggs	HS Math	
BAYHAM	BONNIE	Temp/Prob		Teacher			X		El Camino High	2002-03	R. Briggs	HS Math	
BAYHAM	BONNIE	T		Teacher			X		El Camino High	2004-05	E.S. Bessant	HS Math	
Bayham	Bonnie	Tenured		Teacher			X		El Camino HS	2006-07	L. Sanchez	HS Eng	
Bell (Bahr)	Amanda	Temp/Prob		Teacher			X		Laurel Elem School	2000-01	K. Marquardt	3rd	
Bell (Bahr)	Amanda	Temp/Prob		Teacher			X		Laurel Elem School	2001-02	L. Ibarra	4th	
Bell (Bahr)	Amanda	Tenured		Teacher			X		Laurel Elem School	2003-04	L. Ibarra	2nd	
Bell (Bahr)	Amanda	Tenured		Teacher			X		Laurel Elem School	2005-06	K. Marquardt	Kinder	
BENNETT	DAVID	T		Teacher			X		El Camino High	2003-04	D. Daris	HS Math	
Bennett	David	Tenured		Teacher			X		El Camino HS	2005-06	D. Daris	HS Math	
Benson-Clark	Kristi	T		Teacher			X		Oceanside HS	2001-02	K. Marquardt	HS PE	
BENSON-CLARK	KRISTI	T		Teacher			X		Oceanside High	2004-05	C. Mora	HS PE	
Benson-Clark	Kristi	Tenured		Teacher	X		X		Oceanside HS	2006-07	J. Poumele	HS PE	
Berman (GREY)	EMILY	T		Resource Specialist			X		Ivey Ranch Elem	2000-01	J. Assman	Elem SpEd	
Berman (GREY)	EMILY	T		Resource Specialist			X		Ivey Ranch Elem	2002-03	F. Wilson	Elem SpEd	
Berman (GREY)	EMILY	T		Resource Specialist			X		Ivey Ranch Elem	2004-05	F. Wilson	Elem SpEd	
BERNARD	LENORE	T		Teacher			X		Libby Elem	2003-04	B. Johnson	4th	
BERNARD	LENORE	T		Teacher			X		Libby Elem	2005-06	B. Johnson	4th	
Bernard	Lenore	Tenured		Teacher			X		Libby Elem School	2000-01	E. Szielenski	4th/5th	
Bernard	Lenore	Tenured		Teacher			X		Libby Elem School	2001-02	B. Johnson	4th	
BEST	KENTON	Temp/Prob		Teacher			X		Laurel Elem	1998-99	K. Marquardt	5th	
BEST	KENTON	Temp/Prob		Teacher			X		Laurel Elem	1999-00	K. Marquardt	5th	
BEST	KENTON	T		Teacher			X		Laurel Elem	2001-02	L.Ibarra	5th	
BEST	KENTON	T		Teacher			X		Laurel Elem	2003-04	L.Ibarra	5th	
BEST	KENTON	T		Teacher			X		Laurel Elem	2005-06	K. Marquardt	5th	
Best	Kenton	Tenured		Teacher			X		Laurel Elem School	2007-08	K. Marquardt	5th	
Best (Cross)	Lisa	Temp/Prob		Teacher			X		Ivey Ranch Elem School	2000-01	K. Marquardt	6th	
Best (Cross)	Lisa	Temp/Prob		Teacher			X		Ivey Ranch Elem School	2001-02	L.Ibarra	Elem	
Best (Cross)	Lisa	Tenured		Teacher			X		Ivey Ranch Elem School	2002-03	L.Ibarra	4th	
Best (Cross)	LISA	T		Teacher			X		Laurel Elem	2004-05	L.Ibarra	1st	
Best (Cross)	Lisa	Tenured		Teacher			X		Ivey Ranch Elem School	2006-07	F. Wilson	2nd	
BILLING	SUSAN	Temp/Prob		Resource Specialist			X		King Middle	2000-01	R. Clendening	MS SpEd	
BILLING	SUSAN	Temp/Prob		Resource Specialist			X		King Middle	2001-02	D. Shreves	MS SpEd	
BILLING	SUSAN	T		Resource Specialist			X		King Middle	2003-04	D. Shreves	MS SpEd	
BILLING	SUSAN	T		Resource Specialist			X		King Middle	2005-06	D. Shreves	MS SpEd	
Billing	Susan	Tenured		Resource Specialist			X		King MS	2007-08	R. Rowe	MS SpEd	

Oceanside USD - Permanent Certificated Instructional Employees (CIE) <10 yrs Tenure
 Stull Act Program Hrs, FY 1997-98 through FY 2007-08 (Every Other Year Evaluation)

Lname	Fname	Tenure Status	Seniority Date	Job Title	Obs1	Obs2	Summative Eval	Assistance Plan	Work Location	Fiscal Year	Evaluator	Grade Level	Satisfactory / Unsatisfactory
BLEHA (Thompson)	JENNIFER	Temp/Prob		Teacher			X		Lincoln Middle	2001-02	B. Kolb	6th	
BLEHA (Thompson)	JENNIFER	Temp/Prob		Teacher			X		Lincoln Middle	2002-03	B. Kolb	6th	
BLEHA (Thompson)	JENNIFER	T		Teacher			X		Lincoln Middle	2004-05	J. Schmidt	6th	
BLEHA (Thompson)	Jennifer	Tenured		Teacher			X		Lincoln MS	2006-07	Marie Higareda de Ochoa	6th	
BOKOR	DAYLE	Temp/Prob		Teacher			X		Garrison Elem	2001-02	B. Johnson	1	
BOKOR	DAYLE	Temp/Prob		Teacher			X		Garrison Elem	2002-03	B. Johnson	5th/6th	
BOKOR	DAYLE	T		Teacher			X		Garrison Elem	2004-05	M. Oliver	K	
Bokor	Dayle	Tenured		Teacher			X		Garrison Elem School	2006-07	M. Oliver	Elem	
BOLES MUROYA	LISA	Temp/Prob		Teacher			X		San Luis Rey Elem	2000-01	M. Munden	2nd	
BOLES MUROYA	LISA	Temp/Prob		Teacher			X		San Luis Rey Elem	2001-02	M. Munden	2nd	
BOLES MUROYA	LISA	T		Teacher			X		San Luis Rey Elem	2003-04	P. Thompson	2nd	
Boles Muroya	Lisa	Tenured		Teacher			X		San Luis Rey Elem School	2005-06	P. Thompson	2nd	
Boulan	Carly	Tenured		Teacher			X		Nichols Elem School	2006-07	J. Iman	K	
Bouret (METCALF)	TARA	Temp/Prob		Teacher			X		Reynolds Elem	2000-01	L. Hess	Elem	
Bouret (METCALF)	TARA	Temp/Prob		Teacher			X		Reynolds Elem	2001-02	P. Thompson	1	
Bouret (METCALF)	TARA	T		Teacher			X		Reynolds Elem	2003-04	L. Graziola	1	
Bouret (METCALF)	TARA	T		Teacher			X		Reynolds Elem	2005-06	L. Graziola	1	
Bouret (Metcalfe)	Tara	Tenured		Teacher			X		Reynolds Elem School	2007-08	L. Graziola	1	
BOYD	KEITH	Temp/Prob		Teacher-SH			X		Laurel Elem	2001-02	R. Gibson	Elem SpEd	
BOYD	KEITH	Temp/Prob		Teacher-SH			X		Laurel Elem	2002-03	R. Gibson	Elem SpEd	
BOYD	KEITH	T		Teacher - SH			X		Laurel Elem	2004-05	L.Ibarra	Elem SpEd	
Boyd	Keith	Tenured		Teacher - SH			X		Laurel Elem School	2006-07	K. Marquardt	Elem SpEd	
BOYD	KIMBERLY	Temp/Prob		Resource Specialist			X		Laurel Elem	2001-02	L.Ibarra	Elem SpEd	
BOYD	KIMBERLY	Temp/Prob		Resource Specialist			X		Laurel Elem	2002-03	L.Ibarra	Elem SpEd	
BOYD	KIMBERLY	T		Resource Specialist			X		Laurel Elem	2004-05	L.Ibarra	Elem SpEd	
BOYSTER (Watson)	LISA	Temp/Prob		Teacher			X		Mission Elem	1999-00	R. Gibson	2nd	
BOYSTER (Watson)	LISA	Temp/Prob		Teacher			X		Mission Elem	2000-01	R. Gibson	2nd	
BOYSTER (Watson)	LISA	T		Teacher			X		San Luis Rey Elem	2004-05	P. Thompson	2nd	
BOYSTER (Watson)	Lisa	Tenured		Teacher			X		King MS	2006-07	B. Rowe	5th/6th	
BRIGGS (Janisch)	CHRISTINE	Temp/Prob		Teacher			X		San Rafael	2000-01	D.D. Alcorn	3rd	
BRIGGS (Janisch)	CHRISTINE	Temp/Prob		Teacher			X		San Rafael	2001-02	D.D. Alcorn	3rd	
BRIGGS (Janisch)	CHRISTINE	T		Teacher			X		Ivey Ranch Elem	2003-04	F. Wilson	2nd	
BRIGGS	JAMES	Temp/Prob		Teacher			X		Libby Elem	1998-99	E. Szielenski	6th	
BRIGGS	JAMES	Temp/Prob		Teacher			X		Libby Elem	1999-00	E. Szielenski	6th	
BRIGGS	JAMES	T		Teacher			X		Libby Elem	2001-02	B. Johnson	6th	
BRIGGS	JAMES	T		Teacher			X		Libby Elem	2003-04	B. Johnson	6th	
BRINKMAN	JOSEPHINE	T		Teacher			X		Laurel Elem	2001-02	L.Ibarra	3rd	
BRINKMAN	JOSEPHINE	T		Teacher			X		Laurel Elem	2003-04	L.Ibarra	4th	
BRINKMAN	JOSEPHINE	T		Teacher			X		Laurel Elem	2005-06	K. Obrzut	4th	
Britts	Rachel	T		Teacher			X		Oceanside HS	2005-06	E. Frazier	4th	
BROWN	MARIANNE	T		Resource Specialist			X		Jefferson Middle	2002-03	E. S. Bessant	English	
BROWN	MARIANNE	T		Resource Specialist			X		Jefferson Middle	2005-06	L.Philyaw	MS SpEd	
Broyles	Christian	Temp		Teacher			X		Pacifica Elem School	2001-02	C. Sanders	MS SpEd	
Broyles	Christian	Prob		Teacher			X		Nichols Elem School	2002-03	J. Iman	2nd/3rd	
Broyles	Christian	T		Teacher			X		Nichols Elem School	2003-04	J. Iman	3rd	
Broyles	Christian	T		Teacher			X		Nichols Elem School	2005-06	J. Iman	3rd	
BRUCKNER	SCOTT	P		Teacher			X		Oceanside High	2002-03	K. Marquardt	2nd	
BRUCKNER	SCOTT	Tenured		Teacher			X		Oceanside High	2005-06	E. Frazier	Eng 10	
Bruckner (Chase)	AMANDA	T		Teacher			X		Oceanside High	2003-04	K. Obrzut	HS Eng	
Bruckner (Chase)	Amanda	Tenured		Teacher - ARC			X		Oceanside HS	2005-06	E. Frazier	HS Eng	
Bullard	Sandra	P		Teacher			X		El Camino HS	2005-06	L. Sanchez	HS Eng	
BUNRASI	JOHN	Temp/Prob		Teacher			X		Jefferson Middle	1999-00	D. Daris	HS Physics	
BUNRASI	JOHN	Temp/Prob		Teacher			X		Jefferson Middle	2000-01	D. Daris	MS Math	
BUNRASI	JOHN	T		Teacher			X		Jefferson Middle	2002-03	D. Daris	MS Math	
BUNRASI	JOHN	T		Teacher		X	X		Jefferson Middle	2004-05	D.Coleman	MS Math	
Bunrasi	John	Tenured		Teacher		X	X		Jefferson MS	2006-07	D.Coleman	MS Math	
Burton (BUTTERIS)	JULIA	Temp/Prob		Teacher			X		Libby Elem	2000-01	B. Johnson	MS Math	
Burton (BUTTERIS)	JULIA	Temp/Prob		Teacher			X		Libby Elem	2001-02	B. Johnson	4th	
Burton (BUTTERIS)	JULIA	T		Teacher			X		Libby Elem	2003-04	B. Johnson	3rd	

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Burton (BUTTERIS)	Julia	Tenured		Teacher			X		Libby Elem School	2005-06	B. Johnson	1st	
Bush	Jolyn	P		Teacher - ED	X		X		Jefferson MS	2004-05	D. Coleman	1st	
Bush	Jolyn	Tenured		Teacher - ED	X		X		Jefferson MS	2005-06	D. Coleman	MS SpEd	
Calvert	Lisa	Temp/Prob		Teacher			X		Santa Margarita	2003-04	F. Gomez	MS SpEd	
Calvert	Lisa	Temp/Prob		Teacher			X		Santa Margarita	2004-05	F. Gomez	1st	
Calvert	Lisa	Temp/Prob		Teacher			X		Reynolds	2005-06	L. Graziola	1st	
CAMPBELL	PIKAKE	Temp/Prob		Teacher - LH SDC			X		Oceanside High	2000-01	K. Marquardt	1st	
CAMPBELL	PIKAKE	Temp/Prob		Teacher - LH SDC			X		Oceanside High	2001-02	K. Marquardt	HS SpEd	
CAMPBELL	PIKAKE	Tenured		Teacher - LH SDC			X		Oceanside High	2003-04	K. Obrzut	HS SpEd	
CAMPBELL	PIKAKE	Tenured		Teacher - LH SDC			X		Oceanside High	2005-06	E. Frazier	HS SpEd	
Campbell	Scott	P		Teacher			X		El Camino HS	2005-06	D. Daris	HS SpEd	
CANTRALL	ELIZABETH	Temp/Prob		Teacher			X		Libby Elem	2000-01	E. Szielenski	HS Eng	
CANTRALL	ELIZABETH	Temp/Prob		Teacher			X		Libby Elem	2001-02	B. Johnson	4th	
CANTRALL	ELIZABETH	T		Teacher			X		Libby Elem	2003-04	B. Johnson	4th	
CANTRALL	ELIZABETH	T		Teacher			X		Libby Elem	2005-06	B. Johnson	3rd	
CAPABIANCO	JENNIFER	Temp/Prob		Resource Specialist			X		Del Rio	1999-00	P. Morgan	3rd	
CAPABIANCO	JENNIFER	Temp/Prob		Resource Specialist			X		Del Rio	2000-01	L. Graziola	Elem SpEd	
CAPABIANCO	JENNIFER	T		Resource Specialist			X		Lincoln Middle	2004-05	B. Kolb	Elem SpEd	
Capabianco	Jennifer	Tenured		Resource Specialist			X		Lincoln MS	2006-07	M. Higareda Ochoa	MS SpEd	
CARLENO	DAVID	T		Teacher			X		El Camino HS	1998-99	S. Molina	MS SpEd	
CARLENO	DAVID	T		Teacher			X		El Camino HS	2000-01	E. Walters	HS Eng	
CARLENO	DAVID	Tenured		Teacher			X		El Camino HS	2002-03	R. Nelson	HS Eng	
Carlisle	Erin	Temp/Prob		Teacher - LH SDC			X		San Luis Rey Elem School	2004-05	P. Thompson	HS Eng	
CARLSON	CATHERINE	Temp/Prob		Teacher			X		McAuliffe	2000-01	M. Gleisberg	Elem SpEd	
CARLSON	CATHERINE	Temp/Prob		Teacher			X		McAuliffe	2001-02	M. Gleisberg	1st	
CARLSON	CATHERINE	T		Teacher			X		McAuliffe	2002-03	M. Gleisberg	1st	
CARLSON	CATHERINE	T		Teacher			X		Nichols Elem	2004-05	J.Iman	1st	
Carlson	Catherine	Tenured		Teacher			X		Nichols Elem School	2006-07	J.Iman	1st	
CARRASCO	ARTURO	Temp/Prob		Teacher			X		Reynolds Elem	2001-02	L. Hess	1st	
CARRASCO	ARTURO	Temp/Prob		Teacher			X		Reynolds Elem	2002-03	L. Hess	Elem	
CARRASCO	ARTURO	T		TOSA			X		Reynolds Elem	2004-05	L.Graziola	Elem	
CARRILLO	LINDA	T		Teacher			X		Ivey Ranch Elem	2001-02	J.Iman	4th	
CARRILLO	LINDA	T		Teacher			X		Ivey Ranch Elem	2005-06	J.Iman	3rd	
CARRILLO (ABEL)	LINDA	T		Teacher			X		Ivey Ranch Elem	2000-01	J.Iman	4th	
CARTER	JOHNNY	Temp/Prob		Teacher			X		El Camino High	2000-01	R. Briggs	3rd	
CARTER	JOHNNY	Temp/Prob		Teacher			X		El Camino High	2001-02	R. Briggs	HS Physics	
CARTER	JOHNNY	T		Teacher			X		El Camino High	2003-04	F. Degado	HS Physics	
CARTER	JOHNNY	T		Teacher			X		El Camino High	2005-06	L.Sanchez	HS Physics	
CASIAS	LEVI	Temp/Prob		Teacher			X		El Camino High	2001-02	R. Nelson	HS Physics	
CASIAS	LEVI	Temp/Prob		Teacher			X		El Camino High	2002-03	R. Nelson	HS Art	
CASIAS	LEVI	T		Teacher			X		El Camino High	2004-05	R. Nelson	HS Art	
Casias	Levi	Tenured		Teacher			X		El Camino HS	2006-07	D. Legg	HS Art	
CASILLAS	ALMA	Temp/Prob		Teacher			X		Palmquist	1998-99	J. Assman	HS Art	
CASILLAS	ALMA	Temp/Prob		Teacher			X		Palmquist	1999-00	J. Assman	Kinder	
CASILLAS	ALMA	T		Teacher			X		Palmquist	2001-02	S. Morr	Kinder	
CASILLAS	ALMA	T		Teacher			X		Palmquist	2005-06	S. Morr	Kinder	
Casselberry	Nadedja	P		Teacher			X		King MS	2004-05	M. Munden	Kinder	
Casselberry	Nadedja	Tenured		Teacher			X		King MS	2006-07	C. Turner	8th Lang Arts	
Cerda	Jennifer	P		Teacher			X		El Camino HS	2005-06	R. Nelson	Lang Arts	
CHAMBERS	ANNIE	Temp/Prob					X		Libby Elem	1997-98	E. Szielenski	HS Eng	
CHAMBERS	ANNIE	Temp/Prob					X		Del Rio Elem	1998-99	P. Morgan	3rd	
CHAMBERS	ANNIE						X		Del Rio Elem	1999-00	P. Morgan	K/1st	
CHAMBERS	ANNIE						X		Del Rio Elem	2000-01	L. Graziola	3rd	
CHAMBERS	ANNIE						X		Del Rio Elem	2002-03	P. Morgan	Elem	
CHAMBERS	ANNIE	T		Teacher			X		Del Rio Elem	2004-05	P. Morgan	5th	
Chambers	Annie	Tenured		Teacher			X		Del Rio Elem School	2006-07	P. Morgan	2nd/3rd	
CHAMBERS	RACHEL	Temp/Prob		Teacher			X		Jefferson Middle	2000-01	F. Degado	3rd	
CHAMBERS	RACHEL	Temp/Prob		Teacher			X		Jefferson Middle	2001-02	E. S. Bessant	MS Math/Sci	
CHAMBERS	RACHEL	T		Teacher			X		Jefferson Middle	2003-04	D. Coleman	MS Math/Sci	

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CHAMBERS	RACHEL	T		Teacher			X		Jefferson Middle	2005-06	L. Philyaw	MS Math/Sci	
Chavarria	Freddie	P		Teacher			X		Jefferson MS	2003-04	D. Coleman	6th Math	
Chavarria	Freddie	Tenured		Teacher			X		Jefferson MS	2004-05	W. Cocita	MS	
CHILCOTE	TEKOA	Temp/Prob		Teacher			X		Palmquist Elem	2000-01	S. Morr	MS Pre_Alg	
CHILCOTE	TEKOA	Temp/Prob		Teacher			X		Palmquist Elem	2001-02	S. Morr	3rd	
CHILCOTE	TEKOA	T		Teacher			X		Palmquist Elem	2003-04	S. Morr	3rd	
CHILCOTE	TEKOA	T		Teacher			X		Ditmar Elem	2005-06	F. Delgado	3rd	
CHRIST	SHANE	Tenured		Teacher			X		Oceanside High	2003-04	C. Mora	3rd	
Christian (Crooks)	KRIS	Temp/Prob		Teacher			X		Nichols Elem	2001-02	T. Tanner	HS Spanish	
Christian (Crooks)	KRIS	Temp/Prob		Teacher			X		Nichols Elem	2002-03	J. Iman	5th	
Christian (Crooks)	KRIS	T		Teacher			X		Nichols Elem	2003-04	J. Iman	1st	
Christian (Crooks)	KRIS	T		Teacher			X		Nichols Elem	2005-06	J. Iman	1st	
CHRISTOPHER	MARY	Temp/Prob		Teacher			X		Pacifica Elem	2000-01	C. Sanders	1st	
CHRISTOPHER	MARY	Temp/Prob		Teacher			X		Pacifica Elem	2001-02	C. Sanders	1st	
CHRISTOPHER	MARY	T		Teacher			X		Pacifica Elem	2003-04	C. Sanders	1st	
CHRISTOPHER	MARY	T		Teacher			X		Pacifica Elem	2005-06	C. Sanders	2nd	
CHU-KRAMER	MAGGIE	Temp/Prob		Teacher	X		X		Del Rio Elem	1999-00	P. Morgan	4th	
CHU-KRAMER	MAGGIE	Temp/Prob		Teacher			X		Del Rio Elem	2000-01	L. Graziola	Kinder	
CHU-KRAMER	MAGGIE	T		Teacher			X		Del Rio Elem	2002-03	P. Morgan	Kinder	
CHU-KRAMER	MAGGIE	T		Teacher			X		Del Rio Elem	2004-05	P. Morgan	Kinder	
CLARK	CAMERON	T		Teacher			X		Oceanside High	1999-00	K. Marquardt	Kinder	
CLARK	CAMERON	T		Teacher			X		Oceanside High	2003-04	C. Mora	HS Math	
CLARK	CAMERON	T		Teacher			X		Oceanside High	2005-06	E. Frazier	HS Math	
CLARK	JULIANNE	Temp/Prob		Teacher			X		Stuart Mesa Elem	2000-01	B. Kolb	HS Math	
CLARK	JULIANNE	Temp/Prob		Teacher			X		Stuart Mesa Elem	2001-02	T. McAteer	Elem	
CLARK	JULIANNE	T		Teacher			X		Stuart Mesa Elem	2003-04	T. McAteer	Elem	
CLARK	JULIANNE	T		Teacher			X		Stuart Mesa Elem	2005-06	R. Gibson	4th	
CLARK	KRISTI	Temp/Prob		Teacher			X		Del Rio	2000-01	P. Morgan	3rd	
CLARK	KRISTI	Temp/Prob		Teacher			X		Del Rio	2001-02	P. Morgan	5th	
CLARK	KRISTI	T		Teacher			X		Nichols Elem	2005-06	J. Iman	5th	
CLARK	SUSAN	Temp/Prob		Teacher			X		Mission Elem	1998-99	J. Farley	5th	
CLARK	SUSAN	Temp/Prob		Teacher			X		Mission Elem	1999-00	R. Gibson	Elem	
CLARK	SUSAN	T		Teacher			X		Mission Elem	2003-04	R. Gibson	4th	
CLARK	SUSAN	T		Teacher			X		Mission Elem	2005-06	T. McAteer	3rd	
COHEN	APRIL	Temp/Prob		Teacher			X		North Terrace Elem School	2001-02	B. Rowe	3rd	
COHEN	APRIL	Temp/Prob		Teacher			X		Del Rio Elem	2002-03	P. Morgan	1st/2nd	
COHEN	APRIL	T		Teacher			X		Del Rio Elem	2003-04	P. Morgan	3rd	
Cohen	April	Tenured		Teacher			X		Libby Elem School	2005-06	B. Johnson	3rd	
COHEN	CHARLES	Temp/Prob		Teacher			X		El Camino High	2001-02	G. Thornton	6th	
COHEN	CHARLES	Temp/Prob		Teacher			X		El Camino High	2002-03	G. Thornton	HS Eng	
COHEN	CHARLES	T		Teacher			X		El Camino High	2004-05	D. Daris	HS Eng	
Cohen	Charles	Tenured		Teacher			X		El Camino HS	2006-07	D. Legg	HS Eng	
COHEN	PATRICIA	Temp/Prob		Teacher			X		King Middle	1999-00	E. Galvan	HS Eng	
COHEN	PATRICIA	Temp/Prob		Teacher			X		King Middle	2000-01	R. Clendening	MS 7th Core	
COHEN	PATRICIA	T		Teacher			X		King Middle	2002-03	D. Shreves	MS 7th Core	
COHEN	PATRICIA	T		Teacher			X		King Middle	2004-05	D. Shreves	MS 7th Core	
Cohen	Patricia	Tenured		Teacher			X		King MS	2006-07	D. Shreves	MS 7th Core	
COHEN II	NELSON	Temp/Prob		Teacher			X		Reynolds Elem	1998-99	R. Briggs	MS Lang Arts	
COHEN II	NELSON	Temp/Prob		Teacher			X		Reynolds Elem	1999-00	L. Hess	Elem	
COHEN II	NELSON	T		Teacher			X		Reynolds Elem	2001-02	P. Thompson	3rd	
COHEN II	NELSON	T		Teacher			X		Reynolds Elem	2003-04	L. Graziola	3rd	
COHEN II	NELSON	T		Teacher			X		Reynolds Elem	2005-06	L. Graziola	3rd	
COLE	VERNAL	Temp/Prob		Teacher			X		Ocean Shores High	2000-01	P. Cowman	HS Math	
COLE	VERNAL	Temp/Prob		Teacher			X		Ocean Shores High	2001-02	P. Cowman	HS Math	
COLE	VERNAL	T		Teacher			X		Ocean Shores High	2002-03	P. Cowman	HS Math	
COLE	VERNAL	T ROP		Teacher			X		Ocean Shores High	2004-05	P. Cowman	HS Math	
WEAVER (CONNOR)	CATHERINE	Temp/Prob		Resource Specialist			X		Mission Elem	1998-99	J. Farley	Elem SpEd	
WEAVER (CONNOR)	CATHERINE	Temp/Prob		Resource Specialist			X		Mission Elem	1999-00	R. Gibson	Elem SpEd	
WEAVER (CONNOR)	CATHERINE	T		Resource Specialist			X		Mission Elem	2001-02	R. Gibson	Elem SpEd	

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WEAVER (CONNOR)	CATHERINE	T		Resource Specialist			X		Mission Elem	2003-04	R. Gibson	Elem SpEd	
CORDOVA	BERLINDA			Teacher			X		Mission Elem	1999-00	R. Gibson	1st	
CORDOVA	BERLINDA	T		Teacher			X		Mission Elem	2003-04	R. Gibson	1st	
CORNISH	SUZANNE	Temp/Prob		Teacher			X		San Luis Rey Elem	1998-99	M. Munden	3rd	
CORNISH	SUZANNE	Temp/Prob		Teacher			X		San Luis Rey Elem	1999-00	M. Munden	4th	
CORNISH	SUZANNE			Teacher			X		San Luis Rey Elem	2001-02	M. Munden	4th	
CORNISH	SUZANNE	T		Teacher			X		San Luis Rey Elem	2003-04	P. Thompson	4th	
CORNISH	SUZANNE	T		Teacher			X		San Luis Rey Elem	2005-06	P. Thompson	Kinder	
Cornish	Suzanne	Tenured		Teacher			X		San Luis Rey Elem School	2007-08	L. Sanchez	Kinder	
Coscuna	Cynthia	Temp/Prob		Teacher			X		King MS	2004-05	M. Munden	MS	
Coscuna	Cynthia	Temp/Prob		Teacher			X		King MS	2005-06	M. Munden	MS	
Coscuna	Cynthia	Tenured		Teacher			X		King MS	2006-07	B. Rowe	MS	
COUILLARD	DEBORAH	Temp/Prob		Teacher - LH SDC			X		King Middle	2000-01	R. Clendening	MS SpEd	
COUILLARD	DEBORAH	Temp/Prob		Teacher - LH SDC			X		King Middle	2001-02	R. Clendening	MS SpEd	
COUILLARD	DEBORAH			Teacher - LH SDC			X		King Middle	2002-03	F. Balanon	MS SpEd	
COUILLARD	DEBORAH	T		Teacher - LH SDC			X		King Middle	2003-04	D. Shreves	MS SpEd	
COUILLARD	DEBORAH	T		Teacher - LH SDC			X		King Middle	2005-06	D. Shreves	MS SpEd	
Couillard	Deborah	Tenured		Teacher - LH SDC			X		King MS	2007-08	D. Shreves	MS SpEd	
COULTHARD	KAREN	Temp/Prob		Teacher			X		Ocean Shores High	1999-00	P. Cowman	HS Art	
COULTHARD	KAREN	Temp/Prob		Teacher			X		Ocean Shores High	2000-01	P. Cowman	HS Art	
COULTHARD	KAREN			Teacher			X		Ocean Shores High	2001-02	P. Cowman	HS Art	
COULTHARD	KAREN	T		Teacher			X		Ocean Shores High	2003-04	P. Cowman	HS Art	
COVARRUBIAS-KELLY	ANNA	Temp/Prob		Teacher			X		Libby Elem School	2000-01	E. Szielenski	Kinder	
COVARRUBIAS-KELLY	ANNA	Temp/Prob		Teacher			X		Libby Elem School	2001-02	B. Johnson	Kinder	
COVARRUBIAS-KELLY	ANNA	T		Teacher			X		Libby Elem School	2003-04	B. Johnson	Kinder	
Covarrubias-Kelly	Anna	Tenured		Teacher			X		Libby Elem School	2005-06	B. Bronson	Kinder	
Covarrubias-Kelly	Anna	Tenured		Teacher	X		X		Libby Elem School	2007-08	L. Philyaw	Kinder	
COX	ERICA	Temp/Prob		Teacher			X		Laurel Elem	1998-99	K. Marquardt	2nd	
COX	ERICA	Temp/Prob		Teacher			X		Laurel Elem	1999-00	K. Marquardt	2nd	
COX	ERICA			Teacher			X		Laurel Elem	2001-02	L.Ibarra	2nd	
COX	ERICA	T		Teacher			X		Laurel Elem	2003-04	L.Ibarra	2nd	
COX	ERICA	T		Teacher			X		Laurel Elem	2005-06	K. Marquardt	2nd	
COYLE	CHRISTOPHER	Temp/Prob		Teacher			X		El Camino High	2000-01	R. Briggs	HS	
COYLE	CHRISTOPHER	Temp/Prob		Teacher			X		El Camino High	2001-02	R. Briggs	HS	
COYLE	CHRISTOPHER	T		Teacher			X		El Camino High	2003-04	F. Delgado	HS	
COYLE	CHRISTOPHER	T		Teacher			X		El Camino High	2005-06	D. Daris	HS	
CROUTHAMEL	KELLY			Teacher			X		San Rafael	2001-02	D. Alcorn	2nd	
CROUTHAMEL	KELLY	T		Teacher			X		Mission Elem	2003-04	R. Gibson	3rd	
Crouthamel	Kelly	Tenured		Teacher			X		Del Rio Elem School	2005-06	P. Morgan	5	
Crouthamel	Kelly	Tenured		Teacher			X		Palmquist Elem School	2007-08	P. Morgan	5	
CUSH	ARRON	Temp/Prob		Teacher			X		King Middle	1998-99	E. Galvan	MS	
CUSH	ARRON	Temp/Prob		Teacher			X		King Middle	1999-00	R. Clendening	MS	
CUSH	ARRON			Teacher			X		King Middle	2001-02	D. Shreves	MS	
CUSH	ARRON	T		Teacher			X		King Middle	2003-04	F. Balanon	MS	
Cush	Arron	Tenured		Teacher			X		King MS	2005-06	D. Shreves	MS	
Cush	Arron	Tenured		Teacher			X		King MS	2007-08	D. Shreves	MS	
DANIELS	BLAIR	Temp/Prob		Teacher			X		Jefferson Middle	2000-01	D. Daris	MS	
DANIELS	BLAIR	Temp/Prob		Teacher			X		Jefferson Middle	2001-02	F. Delgado	MS	
DANIELS	BLAIR			Teacher			X		Jefferson Middle	2002-03	E.S. Bessant	MS	
DANIELS	BLAIR	T		Teacher			X		Jefferson Middle	2003-04	D. Daris	MS	
DANIELS	BLAIR	T		Teacher			X		Jefferson Middle	2005-06	D. Daris	MS	
Daniels	Blair	Tenured		Teacher	X		X		Jefferson MS	2007-08	E. Frazier	MS	
Daniels	Erika	Tenured		Teacher			X		Jefferson MS	2005-06	W. Cocita	MS	
DANIELS (Seemann)	ERIKA			Teacher			X		Jefferson MS	1998-99	L. Goldstein	MS Lang Arts	
DANNECKER	CHADRICK	Temp/Prob		Teacher			X		El Camino High	2002-03	V. Esquibel	HS	
DANNECKER	CHADRICK	Temp/Prob		Teacher			X		El Camino High	2003-04	D. Legg	HS Spanish	
DANNECKER	CHADRICK	T		Teacher			X		El Camino High	2005-06	D. Legg	HS Spanish	
DAVIS	CRAIG	T		Teacher	X		X		Oceanside High	2004-05	K. Marquardt	HS	
DEAN	MARIA	Temp/Prob		Teacher			X		Mission Elem	2000-01	R. Gibson	5th	

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DEAN	MARIA	Temp/Prob		Teacher			X		Mission Elem	2001-02	R. Gibson	5th	
DEAN	MARIA	T		Teacher			X		Jefferson Middle	2003-04	D. Coleman	MS	
Dean	Maria	Tenured		Teacher	X		X		Jefferson MS	2007-08	E. Frazier	7th	
DeSanto (Swanberg)(Smith)	Christina	Temp/Prob		Teacher			X		King MS	1998-99	R. Clendening	6th	
DeSanto (Swanberg)(Smith)	Christina	Temp/Prob		Teacher			X		King MS	1999-00	R. Clendening	6th	
DeSanto (Swanberg)(Smith)	Christina			Teacher			X		King MS	2000-01	R. Clendening	6th	
DeSanto (Swanberg)(Smith)	Christina			Teacher			X		King MS	2002-03	D. Shreves	6th	
DeSanto (Swanberg)(Smith)	Christina			Teacher			X		King MS	2004-05	D. Shreves	6th	
DeSanto (Swanberg)(Smith)	Christina	Tenured		Teacher			X		Chavez MS	2007-08	C. Sanders	7th	
DEVRIES	HILARY	Temp/Prob		Teacher			X		Garrison	1999-00	E. Council	3rd/4th	
DEVRIES	HILARY	Temp/Prob		Teacher			X			2000-01	E. Council	3rd	
DEVRIES	HILARY	T		Teacher			X		Laurel Elem	2002-03	L.Ibarra	2nd	
DISCHNER	JUDITH	Temp/Prob		Teacher - SH			X		Jefferson HS	2002-03	E.S. Bessant	MS SpEd	
DISCHNER	JUDITH	Temp/Prob		Teacher - SH			X		Jefferson HS	2003-04	W. Cocita	MS SpEd	
DISCHNER	JUDITH	T		Teacher - SH			X		Pacifica Elem	2004-05	C. Sanders	Elem SpEd	
Dischner	Judith	Tenured		Teacher - SH			X		Pacifica Elem School	2006-07	P. Morgan	Elem SpEd	
DOOSE	DANIEL	Temp/Prob		Teacher			X		Jefferson Middle	2000-01	D. Daris	MS	
DOOSE	DANIEL	Temp/Prob		Teacher			X		Jefferson Middle	2001-02	F. Delgado	MS	
DOOSE	DANIEL	T		Teacher			X		Jefferson Middle	2003-04	W. Cocita	MS	
DOOSE	DANIEL	T		Teacher			X		Jefferson Middle	2005-06	W. Cocita	MS	
Doose	Daniel	Tenured		Teacher			X		King MS	2007-08	B. Rowe	6th	
DOUGHERTY	SHANNON	Temp/Prob		Teacher			X		King MS	2000-01	R. Clendening	MS	
DOUGHERTY	SHANNON	Temp/Prob		Teacher			X		King MS	2001-02	F. Balanon	MS	
DOUGHERTY	SHANNON	T		Teacher			X		King Middle	2003-04	F. Balanon	MS	
Dougherty	Shannon	Tenured		Teacher			X		King MS	2007-08	J. Schmidt	MS	
DOUGLAS	ERIK	P		Teacher			X		Oceanside HS	2000-01	K. Marquardt	MS	
Douglas	Erik	Tenured		Teacher			X		Oceanside HS	2006-07	K. Marquardt	MS	
DOYLE (Dinh)	BECKY	Temp/Prob		Teacher			X		Libby Elem	1999-00	E. Szielenski	4th	
DOYLE (Dinh)	BECKY	Temp/Prob		Teacher			X		Libby Elem	2000-01	E. Szielenski	Kinder	
DOYLE (Dinh)	BECKY	T		Teacher			X		Libby Elem	2002-03	B. Johnson	Kinder	
DOYLE (Dinh)	Becky	Tenured		Teacher			X		Libby Elem School	2006-07	B. Bronson	Kinder	
DRAGO	DARREN	P		Teacher			X		Oceanside High	2001-02	A. Diaz	HS	
DRAGO	DARREN	T		Teacher			X		Oceanside High	2003-04	C. Mora	HS	
DRAGO	DARREN	T		Teacher			X		Oceanside High	2005-06	E. Frazier	HS	
DRAGO	DEREK	Temp/Prob		Teacher			X		El Camino High	2000-01	V. Esquibel	HS	
DRAGO	DEREK	Temp/Prob		Teacher			X		El Camino High	2001-02	V. Esquibel	HS	
DRAGO	DEREK	T		Teacher			X		El Camino High	2003-04	E.S. Bessant	HS	
DRAGO	DEREK	T		Teacher			X		El Camino High	2005-06	D. Legg	HS	
DRAIM	DAVID	Temp/Prob		Teacher			X		El Camino High	2001-02	R. Nelson	HS	
DRAIM	DAVID	Temp/Prob		Teacher			X		El Camino High	2002-03	R. Nelson	HS	
DRAIM	DAVID	T		Teacher			X		El Camino High	2004-05	R. Nelson	HS	
Drain	David	Tenured		Teacher			X		El Camino HS	2006-07	D. Legg	HS	
DREDGE	CHRISTINE	T		Teacher - LH SDC			X		Lincoln Middle	2003-04	J. SCHMIDT	MS	
DREDGE	CHRISTINE	T		Teacher - LH SDC			X		Lincoln Middle	2005-06	M. H.DE OCHOA	MS	
DREISBACH	JUDE	Temp/Prob		Teacher - LH SDC			X		El Camino High	2000-01	E. WALTERS	HS	
DREISBACH	JUDE	Temp/Prob		Teacher - LH SDC			X		El Camino High	2001-02	R. NELSON	HS	
DREISBACH	JUDE	T		Teacher - LH SDC			X		El Camino High	2002-03	R. NELSON	HS	
DREISBACH	JUDE	T		Teacher - LH SDC			X		El Camino High	2003-04	D. DARIS	HS	
DREISBACH	JUDE	T		Teacher - LH SDC			X		El Camino High	2004-05	R. NELSON	HS	
Dreisbach	Jude	Tenured		Teacher - LH SDC			X		El Camino HS	2006-07	J. JOHNSON	HS	
DUDLEY	LISA	P		Teacher			X		Reynolds Elem	2001-02	L. HESS	Elem	
DUDLEY	LISA	T		Teacher			X		Reynolds Elem	2002-03	L. HESS	Elem	
DUDLEY	LISA	T		Teacher			X		Reynolds Elem	2003-04	L. Graziola	1	
Dudley	Lisa	Tenured		Teacher			X		Reynolds Elem School	2007-08	P. Thompson	1	
DUNNING	FARZIN	P		Teacher			X		King Middle	2000-01	R. Clendening	MS Math	
DUNNING	FARZIN	T		Teacher			X		King Middle	2002-03	F. Balanon	MS Math	
DUNNING	FARZIN	T		Teacher			X		King Middle	2004-05	D. Shreves	MS Math	
Dunning	Farzin	Tenured		Teacher			X		King MS	2006-07	D. Shreves	MS Math	
Eacott	Christopher	Temp/Prob		Teacher			X		Palmquist Elem School	2003-04	S. Morr	1st	

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Eacott	Christopher	Temp/Prob		Teacher			X		Palquist Elem School	2004-05	S. Morr	5th	
Eacott	Christopher	T		Teacher			X		Palquist Elem School	2006-07	S. Morr	5th	
EASTERBROOK	Kathryn	Temp/Prob		Teacher			X		El Camino High	2000-01	E. Walters	HS Eng	
EASTERBROOK	Kathryn	Temp/Prob		Teacher			X		El Camino High	2001-02	G. Thornton	HS Eng	
EASTERBROOK	Kathryn	T		Teacher			X		El Camino High	2003-04	D. Daris	HS Eng	
EASTERBROOK	KATHRYN	T		Teacher			X		El Camino High	2005-06	D. Daris	HS Eng	
Easterbrook	Kathryn	Tenured		Teacher			X		El Camino HS	2007-08	D. Daris	HS Eng	
Elliott (Sommerville)	MILANI	P		Teacher			X		Pacifica Elem	2000-01	C. Sanders	1	
Elliott (Sommerville)	MILANI	T		Teacher			X		Pacifica Elem	2002-03	C. Sanders	1	
Elliott (Sommerville)	MILANI	T		Teacher			X		Pacifica Elem	2004-05	C. Sanders	1	
Elliott (Sommerville)	Milani	Tenured		Teacher			X		Pacifica Elem School	2006-07	C. Sanders	1	
Engen	Michael	P		Resource Specialist			X		Ocean Shores High	2004-05	P. Cowman	HS SpEd	
Engen	Michael	T		Resource Specialist			X		Ocean Shores High	2006-07	P. Cowman	HS SpEd	
ESCOBAR	MARIA	Temp/Prob		Teacher			X		San Luis Rey Elem	1998-99	M. Munden	K	
ESCOBAR	MARIA	Temp/Prob		Teacher			X		San Luis Rey Elem	1999-00	M. Munden	3	
ESCOBAR	MARIA			Teacher			X		San Luis Rey Elem	2001-02	M. Munden	3	
ESCOBAR	MARIA	T		Teacher			X		San Luis Rey Elem	2003-04	P. Thompson	3	
ESCOBAR	MARIA	T		Teacher			X		San Luis Rey Elem	2005-06	P. Thompson	3	
Escobar	Maria	Tenured		Teacher			X		San Luis Rey Elem School	2007-08	L. Sanchez	1	
ESQUIVEL	LISA	Temp/Prob		Teacher			X		El Camino High	2001-02	V. Esquibel	HS SS	
ESQUIVEL	LISA	Temp/Prob		Teacher			X		El Camino High	2002-03	V. Esquibel	HS SS	
ESQUIVEL	LISA	T		Teacher			X		El Camino High	2005-06	L. Sanchez	HS SS	
Esteban	Christine	Temp/Prob		Teacher			X		El Camino HS	2000-01	E. Walters	HS Eng	
Esteban	Christine	Temp/Prob		Teacher			X		El Camino HS	2001-02	G. Thornton	HS Eng	
Esteban	Christine	Tenured		Teacher			X		El Camino HS	2003-04	D. Daris	HS Eng	
Esteban	Christine	Tenured		Teacher			X		El Camino HS	2005-06	L. Sanchez	HS Eng	
Esteban	Christine	Tenured		Teacher			X		El Camino HS	2007-08	D. Daris	HS Eng	
EVANS	TEANNA	Temp/Prob		Teacher			X		King Middle	2001-02	D. Shreves	MS	
EVANS	TEANNA	Temp/Prob		Teacher			X		King Middle	2002-03	D. Shreves	MS	
EVANS	TEANNA	T		Teacher			X		King Middle	2003-04	M. Munden	7th	
FAIRCHILD	NICOLE			Teacher			X		San Luis Rey Elem	2000-01	M. Munden	K	
FAIRCHILD	NICOLE			Teacher			X		San Luis Rey Elem	2002-03	P. Thompson	K	
Fairchild	Nicole	Tenured		Teacher			X		Santa Margarita Elem School	2005-06	P. Kurtz	4th	
Fairchild	Nicole	Tenured		Teacher			X		Santa Margarita Elem School	2007-08	P. Kurtz	K	
FAIRCLOTH	ANGELA	Temp/Prob		Teacher			X		Stuart Mesa Elem	2000-01	B. Kolb	K	
FAIRCLOTH	ANGELA	Temp/Prob		Teacher			X		Stuart Mesa Elem	2001-02	T. McAteer	K	
FAIRCLOTH	ANGELA	T		Teacher			X		Stuart Mesa Elem	2003-04	T. McAteer	K	
Faircloth	Angela	Tenured		Teacher			X		Nichols Elem School	2005-06	J. Iman	K	
Faircloth	Angela	Tenured		Teacher	X		X		Nichols Elem School	2007-08	K. Boyd	K	
FALK	TODD			Teacher - APE			X		Pupil Services	1998-99	G. Serna	various	
FALK	TODD			Teacher - APE			X		Pupil Services	2000-01	G. Serna	various	
FALK	TODD			Teacher - APE			X		Pupil Services	2005-06	F. Gomez	various	
FANALE	LORA	Temp/Prob		Teacher			X		North Terrace Elem	2000-01	T. Turner	2nd	
FANALE	LORA	Temp/Prob		Teacher			X		North Terrace Elem	2001-02	T. Keane	2nd/3rd	
FANALE	LORA	T		Teacher			X		North Terrace Elem	2003-04	B. Rowe	1st	
FANALE	LORA	T		Teacher			X		North Terrace Elem	2005-06	J. Iman	2nd	
Fanale	Lora	Tenured		Teacher	X		X		Nichols Elem School	2007-08	T. Decker	2nd	
FARAH	LINDA	Temp/Prob		Teacher			X		Mission Elem	1998-99	J. Farley	5th/6th	
FARAH	LINDA	Temp/Prob		Teacher			X		Mission Elem	1999-00	R. Gibson	5th/6th	
FARAH	LINDA	T		Teacher			X		Mission Elem	2001-02	R. Gibson	5th	
FARAH	LINDA	T		Teacher			X		Mission Elem	2003-04	R. Gibson	5th	
FARAH	LINDA	T		Teacher			X		Mission Elem	2005-06	T. McAteer	5th	
Farah	Linda	Tenured		Teacher			X		Mission Elem School	2007-08	T. McAteer	5th	
FARQUHAR	STEPHANIE			Teacher			X		Oceanside High	2002-03	K. Marquardt	HS	
FARQUHAR	STEPHANIE	T		Teacher			X		Oceanside High	2004-05	C. Mora	HS	
FARRELL	BARBARA			Preschool Teacher			X		Mission	1998-99	J. Farley	Preschool	
FARRELL	BARBARA			Preschool Teacher			X		Mission	1999-00	R. Gibson	Preschool	
FARRELL	BARBARA			Preschool Teacher			X		Mission	2001-02	R. Gibson	Preschool	
FARRELL	BARBARA	T		Preschool Teacher			X		Laurel Elem	2003-04	L. Ibarra	Preschool	

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FARRELL	BARBARA	T		Preschool Teacher			X		Laurel Elem	2005-06	K. Obrzut	Preschool	
Faumaina	Merideth	Temp/Prob		Teacher - LH SDC			X		Oceanside HS	2003-04	K. Obrzut	HS SpEd	
Faumaina	Merideth	Temp/Prob		Teacher - LH SDC			X		Oceanside HS	2004-05	K. Obrzut	HS SpEd	
Faumaina	Merideth	Tenured		Teacher - LH SDC			X		Oceanside HS	2005-06	E. Frazier	HS SpEd	
Femia	Suzanne	Temp		Teacher			X		Del Rio	2003-04	P. Morgan	4th	
Femia	Suzanne	Temp/Prob		Teacher			X		Del Rio	2004-05	P. Morgan	5th	
Femia	Suzanne	Temp/Prob		Teacher			X		El Camino	2005-06	L. Sanchez	HS ELD	
FENNELL	DENISE	Temp/Prob		Resource Specialist			X		Lincoln Middle	1999-00	P. Barnes	MS SpEd	
FENNELL	DENISE	Temp/Prob		Resource Specialist			X		Lincoln Middle	2000-01	P. Barnes	MS SpEd	
FENNELL	DENISE	Temp/Prob		Resource Specialist			X		Lincoln Middle	2001-02	P. Barnes	MS SpEd	
FENNELL	DENISE	T		Resource Specialist			X		Lincoln Middle	2003-04	J. Schmidt	MS SpEd	
FENNELL	DENISE	T		Resource Specialist			X		Lincoln Middle	2005-06	J. Schmidt	MS SpEd	
FIERZ	GEORGIANN			Teacher			X		Oceanside High	2002-03	K. Marquardt	HS Eng	
FIERZ	GEORGIANN			Teacher			X		Oceanside High	2003-04	C. Mora	HS Eng	
FIERZ	GEORGIANN	T		Teacher			X		Oceanside High	2005-06	E. Frazier	HS Eng	
FISHER (Potter)	ANN	T		Teacher			X		El Camino High	2004-05	D. Daris	HS	
Flaherty	Robert	Temp/Prob		Teacher - LH SDC			X		Nichols	2002-03	J. Iman	3rd	
Flaherty	Robert	Temp/Prob		Teacher - LH SDC			X		Nichols	2003-04	J. Iman	3rd	
Flaherty	Robert	Temp/Prob		Teacher - LH SDC			X		Nichols	2005-06	J. Iman	3rd	
FLANAGAN	TERESA			Teacher			X		Reynolds Elem	2000-01	L. Hess	Kinder	
FLANAGAN	TERESA			Teacher			X		Reynolds Elem	2002-03	L. Hess	Kinder	
FLANAGAN	TERESA	T		Teacher			X		Reynolds Elem	2004-05	L. Graziola	Kinder	
Flanagan	Teresa	Tenured		Teacher			X		Reynolds Elem School	2006-07	L. Graziola	Kinder	
FLEMING	CINDY	Temp/Prob		Teacher			X		South Oceanside	2000-01	T. Keane	1st	
FLEMING	CINDY	Temp/Prob		Teacher			X		South Oceanside	2001-02	T. Keane	1st	
FLEMING	CINDY			Teacher			X		Nichols Elem	2002-03	J. Iman	3rd	
FLEMING	CINDY	T		Teacher			X		Nichols Elem	2005-06	J. Iman	3rd	
FLORIO	MICHAEL	Temp/Prob		Teacher			X		Garrison Elem	2001-02	E. Council	5th	
FLORIO	MICHAEL	Temp/Prob		Teacher			X		Garrison Elem	2002-03	M. Oliver	5th	
FLORIO	MICHAEL	T		Teacher			X		Garrison Elem	2004-05	M. Oliver	5th	
Florio	Michael	Tenured		Teacher			X		Garrison Elem School	2006-07	M. Oliver	5th	
FLYNN	LINDA	Temp/Prob		Teacher			X		Del Rio Elem	1999-00	P. Morgan	3rd	
FLYNN	LINDA	Temp/Prob		Teacher			X		Del Rio Elem	2000-01	P. Morgan	Literacy Coach	
FLYNN	LINDA	T		Teacher			X		Del Rio Elem	2002-03	P. Morgan	3rd	
FLYNN	LINDA	T		Teacher			X		Del Rio Elem	2004-05	P. Morgan	2nd	
Flynn	Linda	Tenured		Teacher			X		Del Rio Elem School	2006-07	P. Morgan	3rd	
FORBERG	LAURA			Teacher					Ivey Ranch Elem	1999-00	J. Iman	2nd	
FORBERG	LAURA			Teacher					Ivey Ranch Elem	2002-03	F. Wilson	2nd	
FORD	COREY	Temp/Prob		Teacher			X		McAuliffe	2000-01	M. Gleisberg	2nd	
FORD	COREY	Temp/Prob		Teacher			X		McAuliffe	2001-02	M. Gleisberg	2nd	
Francis	Joy			Teacher			X		El Camino	2003-04	F. Degado	HS	
Francis	Joy			Teacher			X		El Camino	2005-06	L. Sanchez	HS	
FRANSEN	ERIC	Temp/Prob		Teacher			X		King Middle	2000-01	E. Galvan	MS Math	
FRANSEN	ERIC	Temp/Prob		Teacher			X		King Middle	2001-02	R. Clendening	MS Math	
FRANSEN	ERIC	T		Teacher			X		King Middle	2003-04	F. Balanon	MS Math	
FRANSEN	ERIC	T		Teacher			X		King Middle	2005-06	D. Shreves	MS Math	
Franklin	Michael	Temp/Prob		Teacher			X		El Camino HS	2003-04	D. Daris	HS Eng	
Franklin	Michael	Temp/Prob		Teacher			X		El Camino HS	2004-05	D. Daris	HS Eng	
Franklin	Michael	Temp/Prob		Teacher			X		El Camino HS	2005-06	D. Legg	HS Eng	
FRASER	SCOTT	Temp/Prob		Teacher			X		Oceanside High	2001-02	K. Marquardt	HS Math	
FRASER	SCOTT	Temp/Prob		Teacher			X		Oceanside High	2002-03	K. Marquardt	HS Math	
FRASER	SCOTT			Teacher			X		Oceanside High	2003-04	K. Marquardt	HS Math	
FRASER	SCOTT	T		Teacher			X		El Camino High	2005-06	D. Daris	HS Math	
Fraser (Mitchell)	ERIN	Temp/Prob		Teacher			X		Oceanside High	2000-01	M. Gleisberg	HS Math	
Fraser (Mitchell)	ERIN	Temp/Prob		Teacher			X		Oceanside High	2001-02	K. Marquardt	HS Math	
Fraser (Mitchell)	ERIN	T		Teacher			X		Oceanside High	2003-04	K. Marquardt	HS Math	
Fraser (Mitchell)	Erin	Tenured		Teacher			X		El Camino HS	2005-06	D. Daris	HS Math	
FRUIN (Nitti)	JOHANNA	Temp/Prob		Teacher			X		Del Rio Elem	2000-01	L. Graziola	Elem	
FRUIN (Nitti)	JOHANNA	Temp/Prob		Teacher			X		Del Rio Elem	2001-02	L. Graziola	Elem	

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FRUIN (Nitti)	JOHANNA	T		Teacher			X		Ivey Ranch Elem	2005-06	F. Wilson	Elem	
FURQUERON	JEFFREY	Temp/Prob		Teacher			X		Libby Elem	1999-00	E. Szielenski	Elem	
FURQUERON	JEFFREY	Temp/Prob		Teacher			X		Libby Elem	2000-01	E. Szielenski	6th	
FURQUERON	JEFFREY	Temp/Prob		Teacher			X		Libby Elem	2002-03	B. Johnson	6th	
FURQUERON	JEFFREY	T		Teacher			X		Libby Elem	2004-05	B. Johnson	6th	
Furqueron	Jeffrey	Tenured		Teacher			X		Libby Elem School	2006-07	B. Bronson	6th	
FURQUERON	SHERRI	Temp/Prob		Teacher			X		Lincoln Middle	1998-99	P. Barnes	5th	
FURQUERON	SHERRI	Temp/Prob		Teacher			X		Lincoln Middle	1999-00	P. Barnes	8th History	
FURQUERON	SHERRI	Temp/Prob		Teacher			X		Lincoln Middle	2001-02	J. Schmidt	8th History	
FURQUERON	SHERRI	T		Teacher			X		Lincoln Middle	2003-04	J. Schmidt	8th History	
FURQUERON	SHERRI	T		Teacher			X		Ivey Ranch Elem School	2005-06	F. Wilson	8th History	
GALVEZ	SUZANNE	Temp/Prob		Teacher			X		Nichols Elem	2002-03	J. Iman	1st	
GALVEZ	SUZANNE	Temp/Prob		Teacher			X		Nichols Elem	2003-04	J. Iman	1st	
GALVEZ	SUZANNE	T		Teacher			X		King MS	2005-06	D. Shreves	6th LA	
Garcia	Monica			Teacher			X		Reynolds	2006-07	L. Graziola	Kinder	
GASPARO	JACLYN	Temp/Prob		Teacher			X		Reynolds	2001-02	L. Hess	2nd	
GASPARO	JACLYN	Temp/Prob		Teacher			X		Reynolds	2002-03	L. Hess	2nd	
GASPARO	JACLYN	T		Teacher			X		San Luis Rey Elem	2003-04	P. Thompson	2nd	
Gavin	Shannon	Temp/Prob		Teacher			X		Santa Margarita	2001-02	F. Gomez	Preschool	
Gavin	Shannon	Temp/Prob		Teacher			X		Santa Margarita	2002-03	F. Gomez	Preschool	
Gavin	Shannon	T		Teacher			X		Santa Margarita	2004-05	F. Gomez	Preschool	
Gavin	Shannon	T		Teacher - LH			X		Santa Margarita	2005-06	P. Kurtz	Preschool	
GEE	JEREMEY	Temp/Prob		Teacher			X		El Camino High	2001-02	R. Briggs	HS Math	
GEE	JEREMEY	Temp/Prob		Teacher			X		El Camino High	2002-03	R. Briggs	HS Math	
GEE	JEREMEY	T		Teacher			X		El Camino High	2004-05	E. S. Bessant	HS Math	
GEIERMAN	ANN	Temp/Prob		Teacher			X		Lincoln Middle	2000-01	P. Barnes	MS	
GEIERMAN	ANN	Temp/Prob		Teacher			X		Lincoln Middle	2001-02	J. Schmidt	6th Core	
GEIERMAN	ANN	T		Teacher			X		Lincoln Middle	2003-04	J. Schmidt	MS	
George	Tamara	Temp/Prob		Resource Specialist			X		Lincoln Middle	2003-04	B. Kolb	MS SpEd	
George	Tamara	Temp/Prob		Resource Specialist			X		El Camino HS	2004-05	K. Obrzut/J. Schmidt	MS SpEd	
George	Tamara	Tenured		Resource Specialist			X		Oceanside HS	2005-06	E. Frazier	HS SpEd	
GIBBA	TRACY	Temp/Prob		Teacher			X		El Camino High	2000-01	V. Esquibel	HS SpEd	
GIBBA	TRACY	Temp/Prob		Teacher			X		El Camino High	2001-02	V. Esquibel	HS SS	
GIBBA	TRACY	T		Teacher			X		El Camino High	2004-05	E. S. Bessant	HS SS	
Gibba	Tracy	Tenured		Teacher			X		El Camino HS	2006-07	R. Nelson	HS SS	
GIBBENS	ALISON	Temp/Prob		Teacher			X		San Rafael	2001-02	D. Alcorn	HS SS	
GIBBENS	ALISON	Temp/Prob		Teacher			X		San Luis Rey	2002-03	P. Thompson	1st/2nd	
GIBBENS	ALISON	T		Teacher			X		San Luis Rey Elem	2003-04	P. Thompson	Kinder	
Gisbert	Cynthia			Teacher - LH SDC			X		King MS	2004-05	D. Schreves	Kinder	
Gisbert	Cynthia	Tenured		Teacher - LH SDC			X		King MS	2005-06	D. Schreves	MS SpEd	
Glasco	Nora	Tenured		Teacher			X		El Camino HS	2006-07	L. Sanchez	MS SpEd	
GLENN	LEE	Temp/Prob		Teacher			X		Jefferson Middle	2001-02	F. Delgado	HS	
GLENN	LEE	Temp/Prob		Teacher			X		Jefferson Middle	2002-03	F. Delgado	MS Band	
GLENN	LEE	T		Teacher			X		Jefferson Middle	2003-04	D. Coleman	MS Band	
GOMMEL	WALTER	Temp/Prob		Teacher			X		San Rafael Elem	1998-99	T. Keane	MS	
GOMMEL	WALTER	Temp/Prob		Teacher			X		Mission Elem	1999-00	R. Gibson	3rd / 4th	
GOMMEL	WALTER	Temp/Prob		Teacher			X		Mission Elem	2001-02	R. Gibson	4th	
GOMMEL	WALTER	T		Teacher			X		Mission Elem	2003-04	R. Gibson	4th	
Gommel	Walter	Tenured		Teacher			X		Mission Elem School	2006-07	R. Gibson	4th	
FARRELL (GONZALES)	LISA			Teacher			X		Libby Elem	2001-02	B. Johnson	4th	
FARRELL (GONZALES)	LISA	T		Teacher			X		Libby Elem	2003-04	B. Johnson	4th	
FARRELL (GONZALES)	LISA	T		Teacher			X		Libby Elem	2005-06	B. Johnson	4th	
FARRELL (GONZALES)	Lisa	Tenured		Teacher			X		Libby Elem School	2006-07	B. Bronson	4th	
FARRELL (GONZALES)	Lisa	Tenured		Teacher	X		X		Libby Elem School	2007-08	L. Philyaw	4th	
GONZALEZ DE ARAIZA	ISELA	Temp/Prob		Teacher			X		Lincoln Middle	1998-99	P. Barnes	MS ELD	
GONZALEZ DE ARAIZA	ISELA	Temp/Prob		Teacher			X		Lincoln Middle	1999-00	J. Schmidt	MS ELD	
GONZALEZ DE ARAIZA	ISELA	Temp/Prob		Teacher			X		Lincoln Middle	2001-02	J. Schmidt	MS ELD	
GOOD II	RICHARD			Teacher			X		Oceanside High	2001-02	J. Walters	HS Science	
GOOD II	RICHARD	T		Teacher			X		Oceanside High	2004-05	C. Mora	HS Science	

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Good II	Richard	Tenured		Teacher	X		X		Oceanside HS	2006-07	C. Mora	HS Science	
GRABLE	GINA	Temp/Prob		Teacher			X		King Middle	2002-03	M. Munden	MS Eng	
GRABLE	GINA	Temp/Prob		Teacher			X		Del Rio Elem	2003-04	P. Morgan	4th	
GRABLE	GINA	T		Teacher			X		King Middle	2004-05	D. Shreves	7th Science	
Grable	Gina	Tenured		Teacher			X		King MS	2006-07	D. Shreves	7th History	
GRAY	ANN	Temp/Prob		Teacher			X		Clair W. Burgener Academy	2001-02	J. Shirley	various	
GRAY	ANN	Temp/Prob		Teacher			X		Clair W. Burgener Academy	2002-03	J. Shirley	various	
GRAY	ANN	T		Teacher	X		X		Clair W. Burgener Academy	2004-05	E. S. Bessant	ELD	
Gray	Ann	Tenured		Teacher			X		Clair W. Burgener Academy	2006-07	E. S. Bessant	ELD	
GRAY	CHRISTOPHER	Temp/Prob		Teacher			X		Lincoln Middle	2000-01	P. Barnes	MS Math/ Sci	
GRAY	CHRISTOPHER	Temp/Prob		Teacher			X		Lincoln Middle	2001-02	B. Kolb	MS	
GRAY	CHRISTOPHER	T		Teacher			X		Lincoln Middle	2003-04	J. Schmidt	MS	
GRAY	CHRISTOPHER	T		Teacher			X		Lincoln Middle	2005-06	M. Higareda	6TH Math/ Sci	
GREENE	MICHELE	Temp/Prob		Resource Specialist			X		El Camino High	2000-01	E. Walters	HS SpEd	
GREENE	MICHELE	Temp/Prob		Resource Specialist			X		El Camino High	2001-02	R. Nelson	HS SpEd	
GREENE	MICHELE	T		Resource Specialist			X		El Camino High	2003-04	R. Nelson	HS SpEd	
Greene	Michele	Tenured		Resource Specialist			X		El Camino HS	2006-07	R. Nelson	HS SpEd	
GRIFFIN	LAURA	Temp/Prob		Teacher - LH SDC			X		McAuliffe	1999-00	C. Motes	Elem SpEd	
GRIFFIN	LAURA	Temp/Prob		Teacher - LH SDC			X		McAuliffe	2000-01	C. Motes	Elem SpEd	
GRIFFIN	LAURA			Teacher - LH SDC			X		McAuliffe	2002-03	M. Gleisberg	Elem SpEd	
GRIFFIN	LAURA			Teacher - LH SDC			X		McAuliffe	2005-06	M. Gleisberg	Elem SpEd	
GRIFFITH	DANA	Temp/Prob		Resource Specialist			X		King Middle	2002-03	M. Munden	MS SpEd	
GRIFFITH	DANA	Temp/Prob		Resource Specialist			X		King Middle	2003-04	D. Shreves	MS SpEd	
GROGAN	PATRICIA	Temp/Prob		Teacher			X		Lincoln Middle	1999-00	P. Barnes	MS	
GROGAN	PATRICIA	Temp/Prob		Teacher			X		Lincoln Middle	2000-01	P. Barnes	MS	
GROGAN	PATRICIA			Teacher			X		Lincoln Middle	2001-02	J. Schmidt	MS	
GROGAN	PATRICIA	T		Teacher			X		Lincoln Middle	2003-04	J. Schmidt	MS	
GRUBER	ALLEN	Temp/Prob		Teacher - LH SDC			X		Palmquist Elem	2001-02	S. Morr	Elem SpEd	
GRUBER	ALLEN	Temp/Prob		Teacher - LH SDC			X		Palmquist Elem	2002-03	S. Morr	Elem SpEd	
GRUBER	ALLEN	T		Teacher - LH SDC			X		Palmquist Elem	2004-05	S. Morr	Elem SpEd	
Gruber	Allen	Tenured		Teacher - LH SDC			X		Palmquist Elem School	2006-07	S. Morr	Elem SpEd	
GUAYANTE	GREGORY	Temp/Prob		Teacher			X		El Camino High	1999-00	R. Briggs	HS	
GUAYANTE	GREGORY	Temp/Prob		Teacher			X		El Camino High	2000-01	Ron Briggs	HS	
GUAYANTE	GREGORY			Teacher			X		El Camino High	2002-03	R. Briggs	HS	
GUAYANTE	GREGORY	T		Teacher			X		El Camino High	2004-05	D. Daris	HS	
Guayante	Gregory	Tenured		Teacher			X		El Camino HS	2006-07	L. Sanchez	HS	
GUILLEN	JESSE	Temp/Prob		Teacher			X		Mission Elem	2001-02	R. Gibson	Elem PE	
GUILLEN	JESSE	Temp/Prob		Teacher			X		Mission Elem	2002-03	R. Gibson	Elem PE	
GUILLEN	JESSE	T		Teacher			X		Oceanside High	2003-04	K. Marquardt	HS	
GUILLEN	JESSE	T		Teacher			X		Oceanside High	2005-06	K. Marquardt	HS	
HAAS	MARY	Temp/Prob		Teacher			X		Ocean Shores High	2000-01	P. Cowman	HS	
HAAS	MARY	Temp/Prob		Teacher			X		Ocean Shores High	2001-02	P. Cowman	HS	
HAAS	MARY	T		Teacher			X		Ocean Shores High	2003-04	P. Cowman	HS	
Haas	Mary	Tenured		Teacher			X		Clair W. Burgener Academy	2006-07	E. S. Bessant	MS	
Haas	Mary	Tenured		Teacher			X		Clair W. Burgener Academy	2007-08	E. S. Bessant	MS	
HAESLE	TRIENNE			Teacher			X		Lincoln MS	2001-02	B. Kolb	MS	
HAGEN	SUZANNE			Teacher			X		South Oceanside Elem	1998-99	L. Hess	4	
HAGEN	SUZANNE			Teacher			X		South Oceanside Elem	2001-02	T. Keane	4	
HAGEN	SUZANNE	T		Teacher			X		South Oceanside Elem	2003-04	J. Reimer	4	
HAGEN	SUZANNE	T		Teacher			X		South Oceanside Elem	2005-06	R. Gibson	4	
Hajek-Schalge	ELLEN	Temp/Prob		Teacher			X		Del Rio Elem	1998-99	P. Morgan	1	
Hajek-Schalge	ELLEN	Temp/Prob		Teacher			X		Del Rio Elem	1999-00	P. MORGAN	K-I	
Hajek-Schalge	ELLEN			Teacher			X		Del Rio Elem	2001-02	L. GRAZIOLI	1	
Hajek-Schalge	ELLEN	T		Teacher			X		Del Rio Elem	2004-05	P. MORGAN	1 & 2	
Hakala	Andrea			Teacher - LH SDC			X		IVEY RANCH	2006-07	F. WILSON	Elem SpEd	
Hakala	Andrea	Tenured		Teacher - LH SDC			X		Ivey Ranch Elem School	2008-09	F. WILSON	Elem SpEd	
HAMAND	MICHELLE	Temp/Prob		Teacher			X		SAN LUIS REY	2000-01	M. MUNDON	K	
HAMAND	MICHELLE	Temp/Prob		Teacher			X		SAN LUIS REY	2001-02	M. MUNDON	K	
HAMAND	MICHELLE	T		Teacher			X		Nichols Elem	2003-04	J. IMAN	1	

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HAMAND	MICHELLE	T		Teacher			X		Nichols Elem	2005-06	J. IMAN	1	
Hamand	Michelle	Tenured		Teacher	X		X		Nichols Elem School	2007-08	T. DECKER	K	
HAMBY	BRADLY	Temp/Prob		Teacher			X		REYNOLDS Elem	2000-01	L. HESS	5	
HAMBY	BRADLY	Temp/Prob		Teacher			X		REYNOLDS Elem	2001-02	P. THOMPSON	5	
HAMBY	BRADLY	T		Teacher			X		Reynolds Elem	2003-04	L. GRAZOLI	4	
HAMBY	BRADLY	T		Teacher			X		Pacifica Elem	2005-06	C. SANDERS	5	
Hamby	Bradly	Tenured		Teacher	X		X		Chavez MS	2007-08	C. MORA	6	
HAMME	KELLY	Temp/Prob		Teacher			X		IVEY RANCH	1999-00	J. IMAN	K	
HAMME	KELLY	Temp/Prob		Teacher			X		IVEY RANCH Elem	2000-01	J. IMAN	K	
HAMME	KELLY	T		Teacher			X		IVEY RANCH Elem	2002-03	F. WILSON	K	
HAMME	KELLY	T		Teacher			X		Ivey Ranch Elem	2004-05	F. WILSON	K	
Hamme	Kelly	Tenured		Teacher			X		Ivey Ranch Elem School	2006-07	F. WILSON	K	
Hamme	Kelly	Tenured		Teacher			X		Ivey Ranch Elem School	2007-08	F. WILSON	K	
HARRIS	HOLLY	Temp/Prob		Teacher			X		DEL RIO Elem	2000-01	L. GRAZIOLI	K - 3	
HARRIS	HOLLY	Temp/Prob		Teacher			X		MISSION Elem	2001-02	R. GIBSON	3	
HARRIS	HOLLY	T		Teacher			X		MISSION Elem	2002-03	R. GIBSON	3	
HARRIS	HOLLY	T		Teacher			X		Mission Elem	2004-05	R. GIBSON	K	
Harris	Holly	Tenured		Teacher			X		Mission Elem School	2006-07	T. MCATEER	K	
HARTZ	JESSE	T		Teacher			X		Clair W. Burgener Academy	1998-99	L. GOLDSTEIN	MS	
HARTZ	JESSE	T		Teacher			X		Clair W. Burgener Academy	2001-02	J. SHIRLEY	MS	
HARTZ	JESSE	T		Teacher			X		Clair W. Burgener Academy	2002-03	J. SHIRLEY	MS	
HARTZ	JESSE	T		Teacher			X		Clair W. Burgener Academy	2004-05	E. S. Bessant	MS	
Hartz	Jesse	Tenured		Teacher			X		Clair W. Burgener Academy	2006-07	E. S. Bessant	MS	
Hatter	Nickolas			Teacher			X		Oceanside HS	2005-06	K. Marquardt	HS	
HAUGEN	JESSICA	Temp/Prob		Teacher			X		El Camino HS	2001-02	V. Esquibel	HS	
HAUGEN	JESSICA	Temp/Prob		Teacher			X		El Camino HS	2002-03	V. Esquibel	HS	
Haugen	Jessica	Tenured		Teacher	X		X		Jefferson MS	2007-08	E. Frazier	MS	
HAYWAS	ASKOLD	T		Teacher			X		El Camino HS	1998-99	V. Esquibel	HS	
HAYWAS	ASKOLD	T		Teacher			X		El Camino HS	2000-01	V. Esquibel	HS	
HAYWAS	ASKOLD	T		Teacher			X		El Camino HS	2001-02	V. Esquibel	HS	
HAYWAS	ASKOLD	T		Teacher			X		El Camino High	2003-04	S. BESSANT	HS	
Haywas	Askold	Tenured		Teacher			X		El Camino HS	2005-06	L. SANCHEZ	HS	
Haywas	Askold	Tenured		Teacher			X		El Camino HS	2007-08	R. Nelson	HS	
Hebert-Del Quadro	Heather			Teacher - LH			X		STUART MESA Elem	2006-07	R. GIBSON	RSP	
HEMMEN	ROSANNE	Temp/Prob		Teacher - LH SDC			X		JEFFERSON MIDDLE	2001-02	D. Daris	SDC	
HEMMEN	ROSANNE	Temp/Prob		Teacher - LH SDC			X		Jefferson MS	2002-03	S. Bessant	SDC	
HEMMEN	ROSANNE	T		Teacher - LH SDC			X		Jefferson Middle	2005-06	L. PHILYAW	SDC	
Hemmen	Rosanne	Tenured		Teacher - LH SDC			X		Jefferson MS	2006-07	D. Coleman	SDC	
Hemmen	Rosanne	Tenured		Teacher - LH SDC	X		X		Jefferson MS	2007-08	F. CHEVERIA	SDC	
Henchy (Colony)	BRIDGET	Temp/Prob		Teacher			X		Del Rio	2000-01	L.Graziola	Elem SEI	
Henchy (Colony)	BRIDGET	Temp/Prob		Teacher			X		Del Rio	2001-02	L.Graziola	1st	
Henchy (Colony)	BRIDGET	T		Teacher			X		North Terrace Elem	2005-06	P. Kurtz	1st	
HERNANDEZ	CASEY	Temp/Prob		Teacher			X		Garrison Elem	2002-03	M. Oliver	4	
HERNANDEZ	CASEY	Temp/Prob		Teacher			X		Garrison Elem	2003-04	M. Oliver	4	
Hernandez	Casey	Tenured		Teacher			X		Lincoln MS	2005-06	J. SCHMIET	6	
Hernandez	Casey	Tenured		Teacher			X		South Oceanside Elem School	2007-08	J. REIMEER	5	
HERNANDEZ	NICOLE	Temp/Prob		Teacher			X		North Terrace Elem	2001-02	B. JOHNSON	5	
HERNANDEZ	NICOLE	Temp/Prob		Teacher			X		North Terrace Elem	2002-03	B. ROWE	4	
HERNANDEZ	NICOLE	T		Teacher			X		North Terrace Elem	2003-04	B. ROWE	4	
HERNANDEZ	NICOLE	T		Teacher			X		San Luis Rey Elem	2005-06	P. THOMPSON	1	
Hill	Keith	Temp/Prob		Teacher			X		Jefferson MS	2004-05	D. COLEMAN	MS	
Hill	Keith	Temp/Prob		Teacher			X		Jefferson MS	2005-06	W. COCITAS	MS	
Hill	Keith	Tenured		Teacher	X		X		Jefferson MS	2007-08	F. CHERVEIA	MS	
HILL-COLLIS	TERESA			Resource Specialist			X		Oceanside HS	2001-02	K. Marquardt	HS	
HILL-COLLIS	TERESA	T		Resource Specialist			X		Oceanside High	2003-04	K. Marquardt	HS	
Hill-Collis	Teresa	Tenured		Resource Specialist			X		Oceanside HS	2005-06	K. Marquardt	HS	
HILLHOUSE-SHOKES	VALERIE	Temp/Prob		Teacher			X		Ditmar Elem	2000-01	T. TURNER	2	
HILLHOUSE-SHOKES	VALERIE	Temp/Prob		Teacher			X		Ditmar Elem	2001-02	T. TURNER	2 & 3	
HILLHOUSE-SHOKES	VALERIE	T		Teacher			X		Ditmar Elem	2003-04	T. TURNER	1	

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Hillhouse-Shokes	Valerie	Tenured		Teacher			X		Ivey Ranch Elem School	2006-07	F. WILSON	3	
HINDERLITER	JAMES	Temp/Prob		Teacher - LH SDC			X		Jefferson MS	1999-00	D. Daris	SDC	
HINDERLITER	JAMES	Temp/Prob		Teacher - LH SDC			X		Jefferson MS	2000-01	F. CHERVEIA	SDC	
HINDERLITER	JAMES	Temp/Prob		Teacher - LH SDC			X		Jefferson MS	2002-03	S. Bessant	SDC	
HINDERLITER	JAMES	T		Teacher - LH SDC	X		X		Jefferson Middle	2004-05	W. COCITAS	SDC	
Hinderliter	James	Tenured		Teacher - LH SDC	X		X		Jefferson MS	2006-07	W. COCITAS	SDC	
HINDMAN	RENEE	Temp/Prob		Teacher			X		DEL RIO Elem	2000-01	P. MORGAN	3	
HINDMAN	RENEE	Temp/Prob		Teacher			X		DEL RIO Elem	2001-02	P. MORGAN	3	
HINDMAN	RENEE	T		Teacher			X		Del Rio Elem	2004-05	P. Morgan	1 & 2	
Hindman	Renee	Tenured		Teacher			X		Del Rio Elem School	2006-07	P. Morgan	2	
HO	CHIA (ROBERT)			Teacher			X		KING MIDDLE	1998-99	R. CLENDENING	MS	
HO	CHIA (ROBERT)			Teacher			X		KING MIDDLE	2000-01	E. Galvan	MS	
HO	CHIA (ROBERT)			Teacher			X		KING MIDDLE	2002-03	D. SHRIEVES	MS	
HO	CHIA (ROBERT)	T		Teacher			X		King Middle	2004-05	D. SHRIEVES	MS	
HO	FRANCINE	Temp/Prob		Teacher			X		LINCOLN MIDDLE	2000-01	P. BARNES	7	
HO	FRANCINE	Temp/Prob		Teacher			X		LINCOLN MIDDLE	2001-02	B. KOLB	MS	
HO	FRANCINE	T		Teacher	X		X		Lincoln Middle	2005-06	M. Higareda DE OCHOA	MS	
Ho	Francine	Tenured		Teacher			X		Lincoln MS	2007-08	C. TURNER	MS	
HOGUE	LORRAH	Temp/Prob		Teacher			X		STUART MESA Elem	1999-00	B. KOLB	Elem	
HOGUE	LORRAH	Temp/Prob		Teacher			X		STUART MESA Elem	2000-01	B. KOLB	Elem	
HOGUE	LORRAH			Teacher			X		STUART MESA Elem	2002-03	T. MC ATEER	K	
HOGUE	LORRAH	T		Teacher			X		Stuart Mesa Elem	2004-05	T. MCATEER	K	
Hogue	Lorrah	Tenured		Teacher			X		Stuart Mesa Elem School	2006-07	R. GIBSON	K	
HOLGUIN	JENNIFER	Temp/Prob		Teacher			X		LAUREL Elem	1999-00	K. Marquardt	5	
HOLGUIN	JENNIFER	Temp/Prob		Teacher			X		LAUREL Elem	2000-01	K. Marquardt	2	
HOLGUIN	JENNIFER			Teacher			X		LAUREL Elem	2002-03	L. IBARRA	5	
HOLGUIN	JENNIFER	T		Teacher			X		Laurel Elem	2004-05	L. IBARRA	1	
Holguin	Jennifer	Tenured		Teacher			X		Laurel Elem School	2006-07	K. Marquardt	5	
Scott (Hoover)	Mary	Temp/Prob		Teacher			X		DITMAR Elem	2001-02	T. TURNER	4	
Scott (Hoover)	Mary	Temp/Prob		Teacher			X		Ditmar Elem	2002-03	T. TURNER	4	
Scott (Hoover)	Mary			Teacher			X		DITMAR Elem	2004-05	T. TURNER	2	
Scott (Hoover)	Mary	Tenured		Teacher	X		X		Nichols Elem School	2007-08	T. DECKER	3	
HOWARD	KEITH	Temp/Prob		Teacher			X		LIBBY Elem	2000-01	E. SZIELENSKI	K-6	
HOWARD	KEITH	Temp/Prob		Teacher			X		LIBBY Elem	2001-02	B. JOHNSON	PE	
HOWARD	KEITH	T		Teacher			X		Libby Elem	2003-04	B. Johnson	PE	
HOWARD	KEITH	T		Teacher			X		Libby Elem	2005-06	B. Johnson	PE	
Howard	Keith	Tenured		Teacher			X		Libby Elem School	2006-07	B. Bronson	PE	
Howard	Keith	Tenured		Teacher	X		X		Chavez MS	2007-08	C. MORA	PE	
Howard	Mervi			Teacher			X		Oceanside HS	2004-05	K. OBRIZT	HISTORY	
Howard	Mervi	Tenured		Teacher			X		Oceanside HS	2005-06	K. OBRIZT	HISTORY	
HUERTERO (Dellar)	Amy	Temp/Prob		Resource Specialist			X		Jefferson MS	2004-05	W. Cocita	MS SpEd	
HUERTERO (Dellar)	Amy	Temp/Prob		Resource Specialist			X		Jefferson MS	2005-06	L. Philyaw	MS SpEd	
HUERTERO (Dellar)	Amy	Tenured		Resource Specialist	X		X		Jefferson MS	2007-08	E. Frazier	MS SpEd	
Hueth	Dave	Temp/Prob		Teacher			X		Oceanside HS	2004-05	D. DARIS	ENGLISH	
Hueth	Dave	Temp/Prob		Teacher			X		Oceanside HS	2005-06	D. DARIS	ENGLISH	
Hueth	Dave	Tenured		Teacher			X		El Camino HS	2007-08	D. DARIS	ENGLISH	
HUGHES	ERIN	Temp/Prob		Teacher			X		SANTA MARGARITA	1998-99	F. GOMEZ	Elem	
HUGHES	ERIN	Temp/Prob		Teacher			X		SANTA MARGARITA	1999-00	F. GOMEZ	5 & 6	
HUGHES	ERIN			Teacher			X		SANTA MARGARITA	2001-02	F. GOMEZ	Elem	
HUGHES	ERIN	T		Teacher			X		Santa Margarita Elem	2003-04	F. GOMEZ	Elem	
Hughes	Erin	Tenured		Teacher			X		Santa Margarita Elem School	2005-06	P. KURTZ	1	
Hughes	Erin	Tenured		Teacher			X		Santa Margarita Elem School	2007-08	P. KURTZ	K	
HUMPHRIES	RHONDA	Temp/Prob		Teacher			X		Stuart Mesa Elem	2000-01	B. KOLB	Elem	
HUMPHRIES	RHONDA	Temp/Prob		Teacher			X		Stuart Mesa Elem	2001-02	T. MCATEER	Elem	
HUMPHRIES	RHONDA	T		Teacher			X		Stuart Mesa Elem	2003-04	T. McAtteer	Elem	
HUMPHRIES	RHONDA	T		Teacher			X		Stuart Mesa Elem	2005-06	R. GIBSON	4	
Humphries	Rhonda	Tenured		Teacher			X		Stuart Mesa Elem School	2007-08	L. GRAZOLI	4	
HUTCHISON	TIMOTHY	Temp/Prob		Teacher			X		JEFFERSON MS	2000-01	F. DELGADO	MATH	
HUTCHISON	TIMOTHY	Temp/Prob		Teacher			X		Jefferson Middle	2001-02	F. DELGADO	MATH	

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HUTCHISON	TIMOTHY	T		Teacher			X		Jefferson Middle	2003-04	D. COLEMAN	MATH	
HUTCHISON	TIMOTHY	T		Teacher			X		Jefferson Middle	2005-06	L. PHILYAW	6TH MATH	
Hutchison	Timothy	Tenured		Teacher			X		North Terrace Elem School	2007-08	B. WILCOX	4	
JACKSON	ARIS			Preschool Teacher			X		DITMAR Elem	1999-00	T. TURNER	PRESCHOOL	
JACKSON	ARIS			Preschool Teacher			X		Ditmar Elem	2000-01	T. TURNER	PRESCHOOL	
JACKSON	ARIS			Preschool Teacher			X		Ditmar Elem	2002-03	T. TURNER	PRESCHOOL	
JARRARD	JEFFREY			Teacher			X		El Camino HS	2000-01	V. ESQUIVEL	HS	
JARRARD	JEFFREY			Teacher			X		El Camino HS	2002-03	V. ESQUIVEL	HS	
JARRARD	JEFFREY	T		Teacher			X		El Camino High	2004-05	E. BESSENT	SS/ASB	
Jarrard	Jeffrey	Tenured		Teacher			X		El Camino HS	2006-07	R. NELSON	SS/ASB	
JARVIS	DANIEL	Temp/Prob		Teacher			X		PALMQUIST Elem	1998-99	J. ASSMAN	1 & 2	
JARVIS	DANIEL	Temp/Prob		Teacher			X		Palmquist Elem	1999-00	J. ASSMANN	3	
JARVIS	DANIEL	T		Teacher			X		Palmquist Elem	2001-02	S. MORR	3	
JARVIS	DANIEL	T		Teacher			X		Palmquist Elem	2003-04	S. MORR	2	
JARVIS	DANIEL	T		Teacher			X		Palmquist Elem	2005-06	S. MORR	2	
Jarvis	Daniel	Tenured		Teacher			X		Palmquist Elem School	2007-08	P. MORGAN	2	
JENSEN	JENNIFER	Temp/Prob		Teacher			X		King MS	1998-99	E. GALVAN	SCIENCE	
JENSEN	JENNIFER	Temp/Prob		Teacher			X		King MS	1999-00	R. CLENDENING	7 & 8 SCIENCE	
JENSEN	JENNIFER	T		Teacher			X		King MS	2001-02	F. BALANON	8 SCIENCE	
JENSEN	JENNIFER	T		Teacher			X		King Middle	2004-05	D. SHREVES	8 SCIENCE	
Jensen	Jennifer	Tenured		Teacher			X		King MS	2006-07	C. TURNER	SCIENCE	
JOHNSON	CYNTHIA	T		Teacher			X		King MS	2000-01	E. GALVAN	LA/H	
JOHNSON	CYNTHIA	T		Teacher			X		King MS	2001-02	D. SHREVES	7 CORE	
JOHNSON	CYNTHIA	T		Teacher			X		King Middle	2003-04	D. SHREVES	8 HISTORY	
Johnson	Cynthia	Tenured		Teacher			X		King MS	2005-06	D. SHREVES	8 HISTORY	
JOHNSON	HEIDI	Temp/Prob		Teacher - LH SDC			X		San Luis Rey Elem	1998-99	M. MUNDEN	SDC	
JOHNSON	HEIDI	Temp/Prob		Teacher - LH SDC			X		San Luis Rey Elem	1999-00	M. MUNDEN	SDC	
JOHNSON	HEIDI	T		Teacher - LH SDC			X		San Luis Rey Elem	2001-02	M. MUNDEN	SDC	
JOHNSON	HEIDI	T		Teacher - LH SDC			X		San Luis Rey Elem	2003-04	P. THOMPSON	SDC	
JONES	ANETA	T		Teacher - SH	**		X		Oceanside High	2004-05	K. Marquardt	SDC	
Jones	Aneta	Tenured		Teacher - SH			X		El Camino HS	2006-07	R. NELSON	SH	
JOOLINGEN	JEANNE	Temp/Prob		Teacher			X		Del Rio Elem	1998-99	P. MORGAN	HS SpEd	
JOOLINGEN	JEANNE	Temp/Prob		Teacher			X		Del Rio Elem	1999-00	P. MORGAN	2	
JOOLINGEN	JEANNE	T		Teacher			X		Del Rio Elem	2001-02	L. GRAZIOLI	2	
JOOLINGEN	JEANNE	T		Teacher			X		Del Rio Elem	2003-04	P. Morgan	2	
Joolingen	Jeanne	Tenured		Teacher			X		Del Rio Elem School	2005-06	P. Morgan	3	
Joolingen	Jeanne	Tenured		Teacher			X		Palmquist Elem School	2007-08	P. MORGAN	3	
Joolingen	Kimberly	T		Teacher			X		Ivey Ranch Elem School	2006-07	J. JOHNSON	K	
JOOLINGEN	WILLIAM	Temp/Prob		Teacher			X		Del Rio Elem	1999-00	P. MORGAN	5	
JOOLINGEN	WILLIAM	Temp/Prob		Teacher			X		Del Rio Elem	2000-01	P. MORGAN	5	
JOOLINGEN	WILLIAM	T		Teacher			X		Del Rio Elem	2002-03	P. MORGAN	5	
JOOLINGEN	WILLIAM	T		Teacher			X		Del Rio Elem	2003-04	P. Morgan	Elem	
JOOLINGEN	WILLIAM	T		Teacher			X		Del Rio Elem	2004-05	P. Morgan	4	
Joolingen	William	Tenured		Teacher			X		Del Rio Elem School	2006-07	P. Morgan	Elem	
Joolingen	William	Tenured		Teacher			X		Del Rio Elem School	2007-08	M. H DE OCHOA	5	
Kamansky	Jeffrey			Teacher			X		Oceanside HS	2005-06	K. Marquardt	ALGEBRA	
KAMINSKI	LYNN	Temp/Prob		Teacher			X		Libby Elem	1999-00	E. SZIELENSKI	5	
KAMINSKI	LYNN	Temp/Prob		Teacher			X		Libby Elem	2000-01	E. SZIELENSKI	5	
KAMINSKI	LYNN	T		Teacher			X		Libby Elem	2002-03	B. JOHNSON	5	
KAMINSKI	LYNN	T		Teacher			X		Libby Elem	2004-05	B. Johnson	5	
KASSIS-DIKIY	STEPHANI	Temp/Prob		Teacher			X		DEL RIO Elem	2000-01	P. MORGAN	5	
KASSIS-DIKIY	STEPHANI	Temp/Prob		Teacher			X		DEL RIO Elem	2001-02	P. MORGAN	5	
KASSIS-DIKIY	STEPHANI	T		Teacher			X		North Terrace Elem	2004-05	B. ROWE	K	
Kassis-Diky	Stephani	Tenured		Teacher			X		Ivey Ranch Elem School	2006-07	F. WILSON	Elem	
KEARNEY	SHERI	Temp/Prob		Teacher			X		Santa Margarita Elem	2001-02	K. Marquardt	4 & 5	
KEARNEY	SHERI	Temp/Prob		Teacher			X		Santa Margarita Elem	2002-03	F. GOMEZ	4 & 5	
KEARNEY	SHERI	T		Teacher			X		Santa Margarita Elem	2004-05	F. GOMEZ	4 & 5	
Kearney	Sheri	Tenured		Teacher			X		Santa Margarita Elem School	2006-07	P. KURTZ	5	
KELLERMAN	APRIL	Temp/Prob		Teacher			X		Libby Elem	1999-00	E. SZIELENSKI	4	

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KELLERMAN	APRIL	Temp/Prob		Teacher			X		Libby Elem	2000-01	E. SZIELENSKI	3	
KELLERMAN	APRIL	T		Teacher			X		Libby Elem	2002-03	B. JOHNSON	3	
KELLY	PATRICIA	Temp/Prob		Teacher			X		SAN RAFAEL Elem	1998-99	T. KEANE	6	
KELLY	PATRICIA	Temp/Prob		Teacher			X		SAN RAFAEL Elem	1999-00	T. KEANE	6	
KELLY	PATRICIA	T		Teacher			X		Lincoln Middle	2001-02	J. SCHMIDT	MS	
KELLY	PATRICIA	T		Teacher			X		Lincoln Middle	2003-04	J. SCHMIDT	MS	
KELLY	PATRICIA	T		Teacher			X		Lincoln Middle	2005-06	J. SCHMIDT	7 E/H	
Kelly	Patricia	Tenured		SBRT Resource Teacher			X		McAuliffe Elem School	2007-08	M. GLEISBERG	5	
KENT	MARY	T		Teacher - LH SDC			X		SAN RAFAEL Elem	2001-02	D. ALCORN	SDC	
KENT	MARY	T		Teacher - LH SDC			X		South Oceanside Elem	2003-04	J. REIMER	SDC K-3	
Kent	Mary	Tenured		Teacher - LH SDC			X		South Oceanside Elem School	2005-06	J. REIMER	SDC K-3	
KERN	CARA	Temp/Prob		Teacher			X		Oceanside HS	2002-03	K. Marquardt	GEOMETRY	
KERN	CARA	Temp/Prob		Teacher			X		Oceanside HS	2003-04	K. Marquardt	GEOMETRY	
Kern	Justin	P		Teacher			X		Jefferson MS	2003-04	D. COLEMAN	MS	
Kern	Justin	T		Teacher			X		Jefferson MS	2004-05	D. COLEMAN	MS	
Kern	Justin	T		Teacher			X		Jefferson MS	2005-06	D. COLEMAN	MS	
Kern	Justin	T		Teacher			X		Jefferson MS	2007-08	E. FRAZIER	MS	
Klein-Campanale	Kimberly	P		Teacher			X		El Camino HS	2005-06	D. LEGG	9	
KLOOS	THOMAS	Temp/Prob		Teacher			X		El Camino HS	2002-03	V. ESQUIVEL	HS	
KLOOS	THOMAS	Temp/Prob		Teacher			X		El Camino HS	2003-04	S. Bessant	HS	
KNEPPER	SHELLEY	P		Resource Specialist			X		SOUTH OCEANSIDE Elem	2001-02	T. KEANE	RSP	
KNEPPER	SHELLEY	T		Resource Specialist			X		SOUTH OCEANSIDE Elem	2002-03	T. KEANE	RSP	
Knepper	Shelley	Tenured		Resource Specialist			X		Clair W. Burgener Academy	2006-07	E. S. Bessant	RSP	
KOENIGS, JR	JOSEPH	Temp/Prob		Teacher			X		SANTA MARGARITA Elem	2000-01	F. GOMEZ	Elem	
KOENIGS, JR	JOSEPH	Temp/Prob		Teacher			X		SANTA MARGARITA Elem	2001-02	F. GOMEZ	Elem	
KOENIGS, JR	JOSEPH	T		Teacher			X		Santa Margarita Elem	2003-04	F. GOMEZ	Elem	
KOENIGS, JR	JOSEPH	T		Teacher			X		Santa Margarita Elem	2005-06	P. KURTZ	2	
Koenigs, Jr	Joseph	Tenured		Teacher			X		Santa Margarita Elem School	2007-08	P. KURTZ	2	
KOVACEVICH	DILLIE	Tenured		Teacher			X		El Camino HS	2002-03	G. THORTON	HS	
KROEPEL	HEATHER	Temp/Prob		Teacher			X		IVEY RANCH Elem	2000-01	J. IMAN	2	
KROEPEL	HEATHER	Temp/Prob		Teacher			X		IVEY RANCH Elem	2001-02	J. IMAN	2	
KROEPEL	HEATHER	T		Teacher			X		Nichols Elem	2003-04	J. IMAN	2	
KUCHINSKY	VICKIE	Temp/Prob		Teacher			X		Jefferson MS	2000-01	D. DARIS	MS	
KUCHINSKY	VICKIE	Temp/Prob		Teacher			X		Jefferson MS	2001-02	S. Bessant	8	
KUCHINSKY	VICKIE	T		Teacher			X		Jefferson Middle	2003-04	D. COLEMAN	MS	
KUCHINSKY	VICKIE	T		Teacher			X		Jefferson Middle	2005-06	W. CONSTITIS	MS	
Kuchinsky	Vickie	Tenured		Teacher	X		X		Jefferson MS	2007-08	F. CHEVERIA	MS	
LANGAN-GRAVLIN	VICKI	P		Teacher			X		SAN LUIS REY Elem	2000-01	M. MUNDEEN	3	
LANGAN-GRAVLIN	VICKI	T		Teacher			X		SAN LUIS REY Elem	2001-02	M. MUNDEEN	3	
LANGAN-GRAVLIN	VICKI	T		Teacher			X		San Luis Rey Elem	2003-04	P. THOMPSON	4	
LANGAN-GRAVLIN	VICKI	T / CAT		Resource Teacher			X		San Luis Rey Elem	2005-06	P. THOMPSON	Elem	
Langen	Mandy	P		Teacher			X		El Camino HS	2004-05	S. Bessant	HS	
Langen	Mandy	T		Teacher			X		EL CAMINO HS	2005-06	D. LEGG	HS	
Langen	Mandy	Tenured		Teacher			X		El Camino HS	2007-08	R. NELSON	HS	
Lao	Marven	P		Teacher			X		Oceanside HS	2006-07	K. Marquardt	HS	
Lao	Marven	Tenured		Teacher			X		Oceanside HS	2007-08	K. Marquardt	HS	
LAVELLE	SHELLEY	P		Teacher			X		Lincoln MS	1998-99	P. BARNES	6 & 7	
LAVELLE	SHELLEY	T		Teacher			X		Lincoln MS	1999-00	P. BARNES	MS	
LAVELLE	SHELLEY	T		Teacher			X		Lincoln MS	2001-02	J. SCHMIDT	MS	
LAVELLE	SHELLEY	T		Teacher			X		Lincoln Middle	2003-04	J. SCHMIDT	MS	
Lavelle	Shelley	Tenured		Teacher			X		Lincoln MS	2005-06	M. H DE OCHOA	7	
Lavelle	Shelley	Tenured		Teacher			X		Lincoln MS	2007-08	C. TURNER	6, 7, 8	
LEAVERTON	SHERI	P		Teacher			X		Jefferson MS	2000-01	F. DELGADO	RSP	
LEAVERTON	SHERI	T		Teacher			X		Jefferson MS	2001-02	F. DELGADO	MS	
LEAVERTON	SHERI	T		Teacher			X		Jefferson MS	2002-03	F. DELGADO	6	
LEAVERTON	SHERI	T		Teacher	X		X		Jefferson Middle	2004-05	D. Coleman	MS	
Leaverton	Sheri	Tenured		Teacher	X		X		Jefferson MS	2006-07	W. Cocita	MS	
LEE	SABRINA	Temp/Prob		Teacher			X		IVEY RANCH Elem	2000-01	J. IMAN	3	
LEE	SABRINA	Temp/Prob		Teacher			X		IVEY RANCH Elem	2001-02	J. IMAN	3	

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LEE	SABRINA	T		Teacher			X		Nichols Elem	2003-04	J. IMAN	4	
LEE	SABRINA	T		Program Specialist ²			X		Centralized Services	2005-06	G. CUEVAS	Program Specialist ²	
Lee	Sabrina	Tenured		Program Specialist ²			X		Centralized Services	2007-08	G. CUEVAS	Program Specialist ²	
Leste	Adam			Teacher			X		El Camino HS	2005-06	D. LEGG	HS	
Leste	Adam	Tenured		Teacher			X		El Camino HS	2007-08	R. NELSON	HS	
LEYVA	ISABEL	T		Teacher			X		Oceanside High	2003-04	C. MORA	HS	
LEYVA	ISABEL	T		Teacher			X		Oceanside High	2005-06	K. Marquardt	HS	
Lindgren	Roberta	Temp/Prob		Teacher			X		Libby Elem School	2003-04	B. JOHNSON	READ 180	
Lindgren	Roberta	Temp/Prob		Teacher			X		Libby Elem School	2004-05	B. JOHNSON	5, 6	
Lindgren	Roberta	T		Teacher			X		Libby Elem School	2005-06	B. JOHNSON	5, 6	
Lindgren	Roberta	Tenured		Teacher			X		Libby Elem School	2006-07	B. BRONSON	5	
LISH	ANITA	Temp/Prob		Resource Specialist			X		Jefferson Middle	1998-99	D. DARIS	MS	
LISH	ANITA	Temp/Prob		Resource Specialist			X		Jefferson Middle	1999-00	F. DELGADO	MS	
LISH	ANITA	T		Resource Specialist			X		Jefferson Middle	2001-02	S. BESSANT	7	
LISH	ANITA	T		Resource Specialist	X**		X		El Camino High	2004-05	R. NELSON	HS	
Lish	Anita	Tenured		Resource Specialist			X		El Camino HS	2005-06	R. NELSON	HS	
Lish	Anita	Tenured		Resource Specialist			X		El Camino HS	2007-08	J. JOHNSON	HS	
LOPEZ	JULIO	Temp/Prob		Teacher			X		Libby Elem School	2000-01	E. SZIELENSKI	2	
LOPEZ	JULIO	Temp/Prob		Teacher			X		Libby Elem School	2001-02	B. JOHNSON	2	
LOPEZ	JULIO	T		Teacher			X		Libby Elem	2003-04	B. Johnson	2	
LOPEZ	JULIO	T		Teacher			X		Libby Elem	2005-06	B. Johnson	2	
Lopez	Julio	Tenured		Teacher			X		Libby Elem School	2006-07	B. Bronson	Elem	
Lopez	Julio	Tenured		Teacher	X		X		Libby Elem School	2007-08	L. PHILYAW	2	
LOPEZ-MCCLELLAND	LISA	P		Teacher			X		Oceanside High	2001-02	J. Walters	10, 11	
LOPEZ-MCCLELLAND	LISA	T		Teacher			X		Oceanside High	2003-04	K. Marquardt	10, 11	
Luft	Jeffrey	T		Teacher			X		King MS	2005-06	C. TURNER	6, 7, 8	
Luft	Jeffrey	T		Teacher			X		King MS	2006-07	C. TURNER	MS	
Lurker	Erin	T		Teacher			X		Oceanside HS	2005-06	C. MORA	HS	
LUTHER	JULIE	Temp/Prob		Teacher			X		Mission Elem	2000-01	R. GIBSON	1	
LUTHER	JULIE	Temp/Prob		Teacher			X		Mission Elem	2001-02	R. GIBSON	K	
LUTHER	JULIE	T		Teacher			X		Mission Elem	2003-04	R. GIBSON	K	
LUTHER	JULIE	T		Teacher			X		Mission Elem	2005-06	T. MCATEER	K	
Luther	Julie	Tenured		Teacher			X		Mission Elem School	2007-08	T. MCATEER	K	
MACKENZIE	SUZANNE	T		Teacher			X		Ivey Ranch Elem	2000-01	J. IMAN	1	
MACKENZIE	SUZANNE	T		Teacher			X		Ivey Ranch Elem	2001-02	J. IMAN	1	
MACKENZIE	SUZANNE	T		Teacher			X		Ivey Ranch Elem	2003-04	F. WILSON	1	
Mackenzie	Suzanne	Tenured		Teacher			X		Ivey Ranch Elem School	2005-06	F. WILSON	1	
MacManus-Denison	Lauren	Tenured		Teacher			X		Oceanside HS	2005-06	C. MORA	HS	
MacManus-Denison	Lauren	Tenured		Teacher			X		Oceanside HS	2006-07	J. PUMELLE	HS	
Maddox (BIGGS)	HEATHER	Temp/Prob		Teacher			X		Laurel Elem School	1999-00	K. Marquardt	2	
Maddox (BIGGS)	HEATHER	Temp/Prob		Teacher			X		Laurel Elem School	2000-01	K. Marquardt	2	
Maddox (BIGGS)	HEATHER	T		Teacher			X		Nichols Elem	2003-04	J. IMAN	2	
Maddox (BIGGS)	HEATHER	T		Teacher			X		Nichols Elem	2005-06	J. IMAN	2	
Maddox (BIGGS)	Heather	Tenured		Teacher			X		Laurel Elem School	2007-08	K. ORBITZ	2	
MAGANA	ROSEMARY	T		Teacher			X		Ditmar Elem	1999-00	T. TURNER	K	
MAGANA	ROSEMARY	T		Teacher			X		Ditmar Elem	2000-01	T. TURNER	K	
MAGANA	ROSEMARY	T		Teacher			X		Ditmar Elem	2002-03	T. TURNER	3	
MAGANA	ROSEMARY	T		Teacher			X		Ditmar Elem	2004-05	T. TURNER	3	
Magana	Rosemary	Tenured		Teacher			X		Ditmar Elem School	2006-07	F. Balanon	4	
MARANDA	COLETTE	Temp/Prob		Teacher			X		LAUREL Elem	2001-02	L. IBARRA	K	
MARANDA	COLETTE	Temp/Prob		Teacher			X		Nichols Elem	2002-03	J. IMAN	K	
MARANDA	COLETTE	T		Teacher			X		Nichols Elem	2004-05	J. IMAN	K	
MARBLE	ZSANNA	T		Teacher			X		Ivey Ranch Elem	2000-01	E. SYELENSKI	K	
MARBLE	ZSANNA	T		Teacher			X		Libby Elem	2003-04	B. Johnson	K	
MARBLE	ZSANNA	T		Teacher			X		Ivey Ranch Elem	2005-06	F. WILSON	K	
MARCON	RACHELLE	Temp/Prob		Teacher			X		Garrison Elem	1999-00	E. COUNCIL	SDC/PRI	
MARCON	RACHELLE	Temp/Prob		Teacher			X		Garrison Elem	2000-01	E. COUNCIL	K	
MARCON	RACHELLE	T		Teacher			X		Garrison Elem	2002-03	M. OLIVER	K	
MARCON	RACHELLE	T		Teacher			X		Garrison Elem	2004-05	M. Oliver	K	

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MARQUARDT	MARTHA	Temp/Prob		Teacher			X		Mission Elem	2000-01	R. GIBSON	1	
MARQUARDT	MARTHA	Temp/Prob		Teacher			X		Mission Elem	2001-02	R. GIBSON	1	
MARQUARDT	MARTHA	T		Teacher			X		Mission Elem	2003-04	R. GIBSON	2	
Marquardt	Martha	Tenured		Teacher			X		Mission Elem School	2007-06	T. MCATEER	2	
Marquardt	Martha	Tenured		Teacher			X		Mission Elem School	2007-08	T. MCATEER	2	
MARSHALL	GAIL	T		Teacher - LH SDC			X		Jefferson Middle	2002-03	S. Bessant	SDC/MIDDLE	
MARSHALL	GAIL	T		Teacher - LH SDC			X		Jefferson Middle	2004-05	D. COLEMAN	SDC/MIDDLE	
MARTINELLI	NANCY	Temp/Prob		Teacher			X		SAN RAFAEL Elem	2000-01	D. ALCORN	4	
MARTINELLI	NANCY	Temp/Prob		Teacher			X		SAN RAFAEL Elem	2001-02	D. ALCORN	5	
MARTINELLI	NANCY	T		Teacher			X		Nichols Elem	2003-04	J. IMAN	3	
MARTINELLI	NANCY	T		Teacher			X		Nichols Elem	2005-06	J. IMAN	3	
Martinelli	Nancy	Tenured		Teacher			X		Nichols Elem School	2006-07	K. BOYD	3	
Martinelli	Nancy	Tenured		Teacher	X		X		Nichols Elem School	2007-08	K. BOYD	3	
MATELIAN	ERIK	Temp/Prob		Teacher			X		JEFFERSON MIDDLE	2001-02	F. DELGADO	MIDDLE	
MATELIAN	ERIK	Temp/Prob		Teacher			X		JEFFERSON MIDDLE	2002-03	D. DARIS	MIDDLE	
MATELIAN	ERIK	T		Teacher			X		King Middle	2003-04	F. BALANON	8	
Mateljan	Erik	Tenured		Teacher			X		King Middle School	2005-06	C. TURNER	7	
Mateljan	Erik	Tenured		Teacher			X		Jefferson Middle School	2006-07	D. SHREVES	MIDDLE	
MATTHEWS	CHERYL	Temp/Prob		Resource Specialist			X		Lincoln Middle School	1999-00	P. BARNS	MIDDLE	
MATTHEWS	CHERYL	Temp/Prob		Resource Specialist			X		Lincoln Middle School	2000-01	P. BARNS	MIDDLE	
MATTHEWS	CHERYL	T		Resource Specialist			X		Lincoln Middle	2003-04	B. KOLB	MIDDLE	
Matthews	Cheryl	Tenured		Resource Specialist			X		Lincoln Middle School	2007-08	C. TURNER	MIDDLE	
Matzke	Theresa	Tenured		Teacher			X		Oceanside HS	2006-07	K. Marquardt	HS	
MAYA	NELLIE	Temp/Prob		Preschool Teacher			X		LIBBY Elem	1998-99	E. SZIELENSKI	PRESCHOOL	
MAYA	NELLIE	Temp/Prob		Preschool Teacher			X		LIBBY Elem	1999-00	E. SZIELENSKI	PRESCHOOL	
MAYA	NELLIE	T		Preschool Teacher			X		LIBBY Elem	2000-01	E. SZIELENSKI	PRESCHOOL	
MAYA	NELLIE	T		Preschool Teacher			X		LIBBY Elem	2001-02	B. JOHNSON	PRESCHOOL	
MAYA	NELLIE	T		Preschool Teacher			X		LIBBY Elem	2002-03	B. JOHNSON	PRESCHOOL	
MAYA	NELLIE	T		Preschool Teacher			X		Libby Elem	2003-04	B. Johnson	PRESCHOOL	
Maya	Nellie	Tenured		Preschool Teacher			X		Ditmar Elem School	2006-07	F. Balanon	PRESCHOOL	
MAYTORENA	BRIAN	Temp		Teacher			X		El Camino HS	2000-01	R. BRIGGS	HS	
MAYTORENA	BRIAN	Temp/Prob		Teacher			X		El Camino HS	2001-02	R. BRIGGS	HS	
MAYTORENA	BRIAN	Temp/Prob		Teacher			X		El Camino High	2003-04	F. DELGADO	HS	
MAYTORENA	BRIAN	T		Teacher			X		El Camino High	2005-06	L. SANCHEZ	HS	
Maytorena	Brian	Tenured		Teacher			X		El Camino HS	2007-08	J. JOHNSON	HS	
MCANEAR	DEANNA	Temp/Prob		Teacher - LH SDC			X		El Camino High	2000-01	E. WALTERS	HS	
MCANEAR	DEANNA	Temp/Prob		Teacher - LH SDC			X		El Camino High	2001-02	R. NELSON	HS	
MCANEAR	DEANNA	T		Teacher - LH SDC			X		El Camino High	2002-03	R. NELSON	HS	
MCANEAR	DEANNA	T		Teacher - LH SDC			X		El Camino High	2004-05	R. NELSON	HS	
MCCARTHY	ANNETTE	Temp/Prob		Teacher			X		San Luis Rey Elem	1998-99	M. MUNDON	2	
MCCARTHY	ANNETTE	Temp/Prob		Teacher			X		San Luis Rey Elem	1999-00	M. MUNDON	2	
MCCARTHY	ANNETTE	T		Teacher			X		San Luis Rey Elem	2000-01	M. MUNDON	2	
MCCARTHY	ANNETTE	T		Teacher			X		San Luis Rey Elem	2002-03	P. THOMPSON	2	
MCCARTHY	ANNETTE	T		Teacher			X		San Luis Rey Elem	2004-05	P. THOMPSON	1	
McCarthy	Annette	Tenured		Teacher			X		San Luis Rey Elem School	2007-08	L. SANCHEZ	K	
MCCarthy (DEDGE)	ERIN	Temp/Prob		Teacher			X		Reynolds Elem	2000-01	L. HESS	3	
MCCarthy (DEDGE)	ERIN	Temp/Prob		Teacher			X		Reynolds Elem	2001-02	L. HESS	3	
MCCarthy (DEDGE)	ERIN	T		Teacher			X		Reynolds Elem	2003-04	L. GRAZIOLI	3	
MCCARTHY Dedge)	ERIN	T		Teacher			X		Reynolds Elem	2005-06	L. GRAZIOLI	3	
McCluskey	Rebecca	Tenured		Teacher			X		DITMAR Elem	2003-04	T. TURNER	PRESCHOOL	
McCluskey	Rebecca	Tenured		Teacher			X		Del Rio Elem School	2004-05	P. MORGAN	K	
McCluskey	Rebecca	Tenured		Teacher			X		Libby Elem School	2005-06	B. JOHNSON	PRESCHOOL	
McCluskey	Rebecca	Tenured		Teacher			X		Libby Elem School	2006-07	B. BRONSON	K	
McCluskey	Rebecca	Tenured		Teacher	X		X		Libby Elem School	2007-08	L. PHILYAW	1	
MCCONCHIE	BRIAR	Temp/Prob		Teacher			X		North Terrace Elem	2000-01	B. ROWE	2	
MCCONCHIE	BRIAR	Temp/Prob		Teacher			X		North Terrace Elem	2001-02	B. ROWE	2	
MCCONCHIE	BRIAR	T		Teacher			X		North Terrace Elem	2002-03	B. ROWE	2	
MCCONCHIE	BRIAR	T		Teacher			X		North Terrace Elem	2004-05	B. ROWE	2	
McConchie	Briar	Tenured		Teacher			X		Ivey Ranch Elem School	2006-07	F. WILSON	1	

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MCCULLOUGH-LEAKE	DANA	T		Teacher			X		Oceanside HS	2001-02	K. Marquardt	HS	
MCCULLOUGH-LEAKE	DANA	T		Teacher			X		Oceanside High	2003-04	C. MORA	9, 10	
MCCULLOUGH-LEAKE	DANA	T		Teacher			X		Oceanside High	2005-06	C. MORA	HS	
McEwen	Aracely	Temp/Prob		Teacher			X		Lincoln Middle School	2006-07	M. H DE OCHOA	MIDDLE	
McEwen	Aracely	Temp/Prob		Teacher			X		Del Rio Elem School	2007-08	M. H DE OCHOA	1	
McFadden	Tim	Tenured		Teacher			X		Oceanside HS	2005-06	C. MORA	HS	
McFadden	Tim	Tenured		Teacher	X		X		Oceanside HS	2007-08	J. PUMELLE	HS	
MCGRAW	WENDY	T		Teacher			X		Pacifica Elem School	2001-02	C. SANDERS	K	
MCGUIRE	PATRICIA	Temp/Prob		Teacher			X		Mission Elem	2000-01	R. GIBSON	3	
MCGUIRE	PATRICIA	Temp/Prob		Teacher			X		Mission Elem	2001-02	R. GIBSON	3	
MCGUIRE	PATRICIA	T		Teacher			X		Mission Elem	2003-04	R. GIBSON	3	
McGuire	Patricia	Tenured		Teacher			X		Mission Elem School	2005-06	T. MCATEER	2	
McGuire	Patricia	Tenured		Teacher			X		Mission Elem School	2007-08	T. MCATEER	2	
MCKENNEY	SHELLEY	Temp/Prob		Teacher			X		King Middle School	1998-99	R. CLENDENING	MIDDLE	
MCKENNEY	SHELLEY	Temp/Prob		Teacher			X		King Middle School	1999-00	E. GALVAN	MIDDLE	
MCKENNEY	SHELLEY	T		Teacher			X		King Middle School	2001-02	F. Balanon	MIDDLE	
MCKENNEY	SHELLEY	T		Teacher			X		King Middle	2003-04	D. SHREVES	MIDDLE	
MCKENNEY	SHELLEY	T		Teacher			X		King Middle	2005-06	C. TURNER	MIDDLE	
McKenney	Shelley	Tenured		Teacher			X		King Middle School	2007-08	J. SCHMIDT	MIDDLE	
MCKINLEY	JENIFER	Temp/Prob		Teacher			X		El Camino HS	1999-00	R. BRIGGS	HS	
MCKINLEY	JENIFER	Temp/Prob		Teacher			X		El Camino HS	2000-01	R. BRIGGS	HS	
MCKINLEY	JENIFER	T		Teacher			X		El Camino HS	2001-02	R. BRIGGS	HS	
MCKINLEY	JENIFER	T		Teacher			X		El Camino HS	2002-03	R. BRIGGS	HS	
MCKINLEY	JENIFER	T		Teacher			X		El Camino High	2004-05	R. NELSON	HS	
McKinley	Jenifer	Tenured		Teacher			X		El Camino HS	2006-07	D. DARIS	HS	
MCNAUGHTON	PAULA	Temp/Prob		Teacher			X		Pacifica Elem School	2000-01	C. SANDERS	5	
MCNAUGHTON	PAULA	Temp/Prob		Teacher			X		Pacifica Elem School	2001-02	C. SANDERS	5	
MCNAUGHTON	PAULA	T		Teacher			X		Ivey Ranch Elem	2003-04	F. WILSON	2	
MCNAUGHTON	PAULA	T		Teacher			X		Ivey Ranch Elem	2005-06	F. WILSON	Elem	
McNaughton	Paula	Tenured		Resource Teacher - EL Coach			X		Mission Elem School	2007-08	T. MCATEER	Elem	
MCRAY	MONIKA	Temp/Prob		Teacher			X		Santa Margarita Elem	2000-01	F. GOMEZ	Elem	
MCRAY	MONIKA	Temp/Prob		Teacher			X		Santa Margarita Elem	2001-02	F. GOMEZ	Elem	
MCRAY	MONIKA	T		Teacher			X		Santa Margarita Elem	2003-04	F. GOMEZ	Elem	
Mena (Wiedle)	AMY	Temp/Prob		Teacher			X		Libby Elem	2000-01	E. SZIELENSKI	2	
Mena (Wiedle)	AMY	Temp/Prob		Teacher			X		Libby Elem	2001-02	B. Johnson	2	
Mena (Wiedle)	AMY	T		Teacher			X		Libby Elem	2003-04	B. Johnson	K	
Mena (Wiedle)	AMY	T		Teacher			X		Reynolds Elem	2004-05	L. GRAZIOLI	K	
Mena (Wiedle)	Amy	Tenured		Teacher			X		Reynolds Elem School	2006-07	L. GRAZIOLI	K	
MESSERSCHMITT	DIANE	Temp/Prob		Teacher			X		Stuart Mesa Elem	1999-00	B. KOLB	Elem	
MESSERSCHMITT	DIANE	Temp/Prob		Teacher			X		Stuart Mesa Elem	2000-01	B. KOLB	Elem	
MESSERSCHMITT	DIANE	T		Teacher			X		Stuart Mesa Elem	2005-06	R. GIBSON	1	
Messerschmitt	Diane	Tenured		Teacher			X		Stuart Mesa Elem School	2007-08	L. GRAZIOLI	K	
Meyers	Heather	Temp/Prob		Teacher			X		Jefferson Middle School	2003-04	D. COLEMAN	MIDDLE	
Meyers	Heather	Temp/Prob		Teacher			X		Jefferson Middle School	2004-05	D. COLEMAN	MIDDLE	
Meyers	Heather	Tenured		Teacher			X		Jefferson Middle School	2005-06	D. COLEMAN	MIDDLE	
Meyers	Heather	Tenured		Teacher	X		X		Jefferson Middle School	2007-08	F. CHAVERIA	MIDDLE	
MEZA	CHRISTINE	Temp/Prob		Teacher			X		Jefferson Middle School	1998-99	D. DARIS	MIDDLE	
MEZA	CHRISTINE	Temp/Prob		Teacher			X		El Camino HS	1999-00	R. BRIGGS	HS	
MEZA	CHRISTINE	T		Teacher			X		El Camino HS	2000-01	R. BRIGGS	HS	
MEZA	CHRISTINE	T		Teacher			X		El Camino HS	2002-03	R. BRIGGS	HS	
MEZA	CHRISTINE	T		Teacher			X		El Camino High	2004-05	S. Bessant	HS	
Meza	Christine	Tenured		Teacher			X		El Camino HS	2006-07	L. SANCHEZ	HS	
MEZA-MAGALLANES	LYDIA	Temp/Prob		Teacher			X		Reynolds Elem	2000-01	L. HESS	Elem	
MEZA-MAGALLANES	LYDIA	Temp/Prob		Teacher			X		Reynolds Elem	2001-02	L. HESS	Elem	
MEZA-MAGALLANES	LYDIA	T		Teacher			X		Reynolds Elem	2003-04	L. GRAZIOLI	2	
Meza-Magallanes	Lydia	Tenured		Teacher			X		North Terrace Elem School	2007-08	B. WILCOX	K	
MICHAEL	NICOLE	Temp/Prob		Teacher			X		Laurel Elem	2000-01	K. Marquardt	4	
MICHAEL	NICOLE	Temp/Prob		Teacher			X		Laurel Elem	2001-02	L. IBARRA	2	
MICHAEL	NICOLE	T		Teacher			X		Ditmar Elem	2003-04	T. TURNER	1	

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MILLER	MICHAEL	Temp/Prob		Teacher			X		Jefferson Middle School	1998-99	F. DELGADO	7	
MILLER	MICHAEL	Temp/Prob		Teacher			X		Jefferson Middle School	1999-00	D. DARIS	MIDDLE	
MILLER	MICHAEL	T		Teacher			X		Jefferson Middle School	2001-02	S. Bessant	MIDDLE	
MILLER	MICHAEL	T		Teacher			X		Lincoln Middle	2004-05	J. SCHMIDT	7,8	
Miller	Michael	Tenured		Teacher			X		El Camino HS	2006-07	D. DARIS	HS	
Miller	Tara	Temp/Prob		Teacher - ARC			X		El Camino HS	2003-04	D. DARIS	HS	
Miller	Tara	Temp/Prob		Teacher - ARC			X		Oceanside HS	2004-05	K. Marquardt	HS	
Miller	Tara	Tenured		Teacher - ARC			X		Oceanside HS	2005-06	C. MORA	HS	
MILLER, JR	JAY	Temp/Prob		Teacher			X		San Luis Rey Elem	2000-01	M. MUNDON	5	
MILLER, JR	JAY	Temp/Prob		Teacher			X		San Luis Rey Elem	2001-02	M. MUNDON	5	
MILLER, JR	JAY	T		Teacher			X		San Luis Rey Elem	2003-04	P. THOMPSON	5	
MILLER, JR	JAY	T		Teacher			X		San Luis Rey Elem	2005-06	P. THOMPSON	3	
Miller, Jr	Jay	Tenured		Teacher			X		Ditmar Elem School	2007-08	F. Balanon	4	
MIRELES	EDUARDO	Temp/Prob		Teacher			X		Libby Elem School	2000-01	E. SZIELENSKI	4	
MIRELES	EDUARDO	Temp/Prob		Teacher			X		Libby Elem School	2001-02	B. Johnson	4	
MIRELES	EDUARDO	T		Teacher			X		Libby Elem	2003-04	B. Johnson	4	
MIRELES	EDUARDO	T		Teacher			X		Libby Elem	2005-06	B. Johnson	5	
Mireles	Eduardo	Tenured		Teacher	X		X		Libby Elem School	2007-08	L. PHILYAW	5	
MIZOGUCHI	ROBYN	T		Resource Specialist			X		Oceanside HS	1998-99	M. GLEISBERG	HS	
MIZOGUCHI	ROBYN	T		Resource Specialist			X		Oceanside High	2003-04	K. ORBITZ	HS	
Mizoguchi	Robyn	Tenured		Resource Specialist			X		Oceanside HS	2006-07	C. MORA	HS	
Mizoguchi	Robyn	Tenured		Resource Specialist	X		X		Oceanside HS	2007-08	J. PUMELLE	HS	
MOCNY	KELLI	Temp/Prob		Teacher			X		Ditmar Elem	1999-00	T. TURNER	3	
MOCNY	KELLI	Temp/Prob		Teacher			X		Ditmar Elem	2000-01	T. TURNER	3	
MOCNY	KELLI	T		Teacher			X		Ditmar Elem	2002-03	T. TURNER	2, 3	
MOCNY	KELLI	T		Teacher			X		Ditmar Elem	2004-05	T. TURNER	3	
Mocny	Kelli	Tenured		Teacher			X		Ditmar Elem School	2006-07	F. Balanon	4	
MOHR	NANCY	Temp/Prob		Teacher			X		Santa Margarita Elem	1998-99	F. Gomez	4th	
MOHR	NANCY	Temp/Prob		Teacher			X		Santa Margarita Elem	1999-00	F. Gomez	4th	
MOHR	NANCY	T		Teacher			X		Santa Margarita Elem	2001-02	F. Gomez	2nd	
MOHR	NANCY	T		Teacher			X		Santa Margarita Elem	2003-04	F. Gomez	2nd	
MOHUN	BRANDI	Temp/Prob		Teacher			X		Mission Elem	2001-02	R. GIBSON	5	
MOHUN	BRANDI	Temp/Prob		Teacher			X		Mission Elem	2002-03	R. GIBSON	5	
Mohun	Brandi	Tenured		Teacher			X		Jefferson Middle School	2005-06	W. CONGTIS	MIDDLE	
Mohun	Brandi	Tenured		Teacher	X		X		Jefferson Middle School	2007-08	E. FRAZIER	MIDDLE	
MOORE	LORI	Temp/Prob		Teacher			X		Libby Elem	2000-01	E. SZIELENSKI	5	
MOORE	LORI	Temp/Prob		Teacher			X		Libby Elem	2001-02	B. JOHNSON	5	
MOORE	LORI	T		Teacher			X		Libby Elem	2003-04	B. Johnson	5	
Moore	Lori	Tenured		Teacher			X		Libby Elem School	2005-06	B. Bronson	5	
MOORE	SCOTT	Temp/Prob		Teacher			X		King Middle	1998-99	R. CLENDENING	MIDDLE	
MOORE	SCOTT	Temp/Prob		Teacher			X		King Middle	1999-00	E. GALVAN	MIDDLE	
MOORE	SCOTT	T		Teacher			X		King Middle	2001-02	F. Balanon	MIDDLE	
MOORE	SCOTT	T		Teacher			X		King Middle	2003-04	F. Balanon	MIDDLE	
Morey	Andrea			Teacher SE (ECE)			X		Santa Margarita Elem School	2005-06	P. KURTZ	PRESCHOOL	
Morey	Andrea			Teacher SE (ECE)			X		Resigned - Santa Margarita Elem School	2006-07	P. KURTZ	ECE-SH	
Morgan	Kathleen	Temp/Prob		Teacher			X		PACIFICA Elem	2000-01	C. SANDERS	1	
Morgan	Kathleen	Temp/Prob		Teacher			X		PACIFICA Elem	2001-02	C. SANDERS	2	
Morgan	Kathleen	Tenured		Teacher			X		Pacific Elem School	2005-06	C. SANDERS	4	
Morgan	Kathleen	Tenured		Teacher			X		Foussat Elem School	2007-08	S. MORR	1	
MOSSA-MARIANI	VICTORIA	Temp/Prob		Teacher			X		Libby Elem	2000-01	E. SZIELENSKI	5, 6	
MOSSA-MARIANI	VICTORIA	Temp/Prob		Teacher			X		Libby Elem	2001-02	B. JOHNSON	6	
MOSSA-MARIANI	VICTORIA	T		Teacher			X		Libby Elem	2003-04	B. Johnson	6	
MOSSA-MARIANI	VICTORIA	T		Teacher			X		Libby Elem	2005-06	B. Johnson	6	
MULLER	RANDOLPH	Temp/Prob		Teacher - LH SDC			X		Garrison Elem	2000-01	E. COUNCIL	ELM/SDC	
MULLER	RANDOLPH	Temp/Prob		Teacher - LH SDC			X		Garrison Elem	2001-02	E. COUNCIL	ELM/SDC	
MULLER	RANDOLPH	T		Teacher - LH SDC			X		Garrison Elem	2002-03	M. Oliver	ELM/SDC	
MULLER	RANDOLPH	T		Teacher - LH SDC			X		Garrison Elem	2004-05	M. Oliver	ELM/SDC	
Muller	Randolph	Tenured		Teacher - LH SDC			X		Garrison Elem School	2006-07	M. Oliver	ELM/SDC	
MULQUEEN	LYNN	Temp/Prob		Teacher			X		Palmquist Elem	2000-01	S. MORR	1	

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MULQUEEN	LYNN	Temp/Prob		Teacher			X		Palmquist Elem	2001-02	S. MORR	1	
MULQUEEN	LYNN	T		Teacher			X		NICHOLS Elem	2003-04	J. IMAN	4	
Mulqueen	Lynn	Tenured		Teacher			X		Foussat Elem School	2007-08	S. MORR	4	
MURRAY	DANIEL	Temp/Prob		Teacher			X		Clair W. Burgener Academy	2001-02	J. Shirley	various	
MURRAY	DANIEL	Temp/Prob		Teacher			X		Clair W. Burgener Academy	2002-03	J. Shirley	various	
Murray	David	Tenured		Teacher			X		Jefferson MS	2005-06	D. Coleman	MS	
Murray	David	Tenured		Teacher	X		X		Jefferson MS	2007-08	E. Frazier	MS	
MURRAY	LISA	Temp/Prob		Teacher			X		South Oceanside	1999-00	J. Kastely	3rd	
MURRAY	LISA	Temp/Prob		Teacher			X		South Oceanside	2000-01	T. Keane	3rd	
MURRAY	LISA	T		Teacher			X		South Oceanside	2002-03	T. Keane	Elem	
MURRAY	LISA	T		Teacher	X**		X		McAuliffe Elem	2004-05	M. Gleisberg	1st/2nd	
Musgrove	Douglas	Temp/Prob		Teacher			X		El Camino HS	2003-04	F. Delgado	HS PE	
Musgrove	Douglas	Temp/Prob		Teacher			X		El Camino HS	2004-05	E.S. Bessant	HS PE	
Musgrove	Douglas	Tenured		Teacher			X		El Camino HS	2005-06	R. Nelson	HS PE	
Musgrove	Douglas	Tenured		Teacher			X		El Camino HS	2007-08	R. Nelson	HS PE	
NANK	SEAN	Temp/Prob		Teacher			X		El Camino High	2001-02	R. Briggs	HS Math	
NANK	SEAN	Temp/Prob		Teacher			X		El Camino High	2002-03	R. Briggs	HS Math	
NANK	SEAN	T		Teacher			X		El Camino High	2004-05	D. Daris	HS Math	
Nank	Sean	Tenured		Teacher			X		El Camino HS	2006-07	D. Daris	HS Math	
Nank	Sean	Tenured		Teacher			X		El Camino HS	2007-08	D. Daris	HS Math	
NAYLOR	JAMI	Temp/Prob		Teacher			X		San Luis Rey Elem	2000-01	M. Munden	3rd	
NAYLOR	JAMI	Temp/Prob		Teacher			X		San Luis Rey Elem	2001-02	M. Munden	3rd	
NAYLOR	JAMI	T		Teacher			X		San Luis Rey Elem	2002-03	P. Thompson	3rd	
NAYLOR	JAMI	T		Teacher			X		San Luis Rey Elem	2005-06	P. Thompson	1st	
Naylor	Jami	Tenured		Teacher			X		San Luis Rey Elem School	2007-08	L. Sanchez	1st	
Nelms	Devin	Temp/Prob		Teacher			X		Oceanside HS	2004-05	C. Mora	HS	
Nelms	Devin	Temp/Prob		Teacher			X		Oceanside HS	2005-06	C. Mora	HS	
Nelms	Devin	Tenured		Teacher			X		Oceanside HS	2006-07	K. Marquardt	HS	
NEWSOM	CORINNE	Temp/Prob		Teacher			X		McAuliffe Elem	1998-99	C. Motes	4th	
NEWSOM	CORINNE	Temp/Prob		Teacher			X		McAuliffe Elem	1999-00	C. Motes	3rd/4th	
NEWSOM	CORINNE	T		Teacher			X		McAuliffe Elem	2001-02	M. Gleisberg	3rd	
NEWSOM	CORINNE	T		Teacher			X		McAuliffe Elem	2003-04	M. Gleisberg	3rd	
NEWSOM	CORINNE	T		Teacher			X		McAuliffe Elem	2005-06	L. Graziola	4th	
Newsom	Corinne	Tenured		Teacher			X		San Luis Rey Elem School	2007-08	L. Sanchez	Elem	
NEWVILLE (Short)	TAMARA	Temp/Prob		Teacher			X		Reynolds Elem	1998-99	R. Briggs	1st	
NEWVILLE (Short)	TAMARA	Temp/Prob		Teacher			X		Reynolds Elem	1999-00	L. Hess	1st	
NEWVILLE (Short)	TAMARA	T		Teacher			X		Ivey Ranch Elem	2001-02	J. Iman	1st	
NEWVILLE (Short)	TAMARA	T		Teacher			X		Ivey Ranch Elem	2003-04	F. Wilson	1st	
NEWVILLE (Short)	TAMARA	T		Teacher			X		Ivey Ranch Elem	2005-06	F. Wilson	1st	
NEWVILLE (Short)	Tamara	Tenured		Teacher			X		Ivey Ranch Elem School	2007-08	F. Wilson	4th/5th	
NGUYEN	CONG-DUNG	Temp/Prob		Teacher			X		San Luis Rey Elem	2000-01	M. Munden	1st	
NGUYEN	CONG-DUNG	Temp/Prob		Teacher			X		San Luis Rey Elem	2001-02	M. Munden	1st	
NGUYEN	CONG-DUNG	T		Teacher			X		San Luis Rey Elem	2005-06	P. Thompson	1st	
NICHOLS	FRANK	Temp/Prob		Teacher - LH SDC			X		Libby Elem	2000-01	E. Zieleński	Elem SpEd	
NICHOLS	FRANK	Temp/Prob		Teacher - LH SDC			X		Libby Elem	2001-02	B. Johnson	Elem SpEd	
NICHOLS	FRANK	T		Teacher - LH SDC			X		Libby Elem	2002-03	B. Johnson	Elem SpEd	
NICHOLS	FRANK	T		Teacher - LH SDC			X		Libby Elem	2003-04	B. Johnson	Elem SpEd	
NICHOLS	FRANK	T		Teacher - LH SDC			X		Libby Elem	2005-06	B. Johnson	Elem SpEd	
Nichols	Frank	Tenured		Teacher - LH SDC			X		Libby Elem School	2006-07	B. Bronson	Elem SpEd	
Nichols	Frank	Tenured		Teacher - LH SDC	X		X		Libby Elem School	2007-08	L. Philyaw	Elem SpEd	
NIELAND	MICHAEL	Temp/Prob		Teacher			X		Palmquist Elem	2000-01	S. Morr	1st	
NIELAND	MICHAEL	Temp/Prob		Teacher			X		Palmquist Elem	2001-02	S. Morr	1st/2nd	
NIELAND	MICHAEL	T		Teacher			X		Palmquist Elem	2002-03	S. Morr	1st/2nd	
NIELAND	MICHAEL	T		Teacher			X		Palmquist Elem	2004-05	S. Morr	2nd	
Nieland	Michael	Tenured		Teacher			X		Libby Elem School	2005-06	B. Johnson	3rd	
Nieland	Michael	Tenured		Teacher	X		X		Libby Elem School	2007-08	L. Philyaw	3rd	
RULE (Norris)	Denise	Tenured		Teacher			X		Lincoln MS	2001-02	B. Kolb	MS	
RULE (Norris)	Denise	Tenured		Teacher			X		Lincoln MS	2002-03	J. Schmidt	MS	
RULE (Norris)	Denise	Tenured		Teacher			X		Lincoln MS	2004-05	J. Schmidt	MS	

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RULE (Norris)	Denise	Tenured		Teacher			X		Lincoln MS	2006-07	M. Hagedera de Ochoa	7th	
NOURANI	MELODY	T		Teacher			X		Garrison Elem	2002-03	M. Oliver	3rd	
NOURANI	MELODY	T		Teacher			X		Garrison Elem	2004-05	M. Oliver	3rd	
Nourani	Melody	Tenured		Teacher			X		Garrison Elem School	2006-07	M. Oliver	4th	
NUANEZ	JOSEPH	T		Teacher			X		Oceanside High	2000-01	A. Diaz	HS	
NUANEZ	JOSEPH	T		Teacher			X		Oceanside High	2003-04	C. Mora	HS	
NUANEZ	JOSEPH	T		Teacher			X		Oceanside High	2005-06	C. Mora	HS	
NUNEZ	LEANDRA	Temp/Prob		Teacher			X		Ditmar Elem	2001-02	T. Turner	4th	
NUNEZ	LEANDRA	Temp/Prob		Teacher			X		San Luis Rey Elem	2002-03	P. Thompson	1st	
NUNEZ	LEANDRA	T		Teacher			X		San Luis Rey Elem	2003-04	P. Thompson	1st	
NUNEZ	LEANDRA	T		Teacher			X		San Luis Rey Elem	2005-06	P. Thompson	Kinder	
Nunez	Leandra	Tenured		Teacher			X		Foussat Elem School	2007-08	S. Morr	Kinder	
OBER (Piazza)	ANGELA	Temp/Prob		Teacher-SH			X		San Rafael Elem	1999-00	T. Keane	Elem SpEd	
OBER (Piazza)	ANGELA	Temp/Prob		Teacher-SH			X		San Rafael Elem	2000-01	D. Alcorn	Elem SpEd	
OBER (Piazza)	ANGELA	T		Teacher-SH			X		South Oceanside Elem	2003-04	J. Reimer	Elem SpEd	
OBER (Piazza)	Angela	Tenured		Teacher - SH			X		South Oceanside Elem School	2005-06	J. Reimer	Elem SpEd	
Obrite (Kaminski)	Lynn	Temp/Prob		Teacher			X		Libby Elem	1999-00	E. Szielenski	5th	
Obrite (Kaminski)	Lynn	Temp/Prob		Teacher			X		Libby Elem	2000-01	E. Szielenski	5th	
Obrite (Kaminski)	Lynn	Tenured		Teacher			X		Libby Elem	2002-03	B. Johnson	5th	
Obrite (Kaminski)	Lynn	Tenured		Teacher			X		Libby Elem	2004-05	B. Johnson	5th	
Obrite (Kaminski)	Lynn	Tenured		Teacher			X		Garrison Elem School	2006-07	M. Oliver	4th	
SCHMIDT (Olea)	Amanda	Tenured		Teacher			X		King MS	2005-06	C. Turner	7th	
SCHMIDT (Olea)	Amanda	Tenured		Teacher			X		Chavez MS	2006-07	D. Shreves	7th	
OLSEN	JEFFREY	P		Teacher			X		El Camino High	1999-00	V. Esquibel	HS	
OLSEN	JEFFREY	T		Teacher			X		El Camino High	2001-02	V. Esquibel	HS	
OLSEN	JEFFREY	T		Teacher			X		El Camino High	2003-04	E. S. Bessant	HS	
OLSEN	JEFFREY	T		Teacher			X		El Camino High	2005-06	D. Legg	HS	
ONG	CARIN	Temp/Prob		Teacher			X		Laurel Elem	1998-99	K. Marquardt	3rd	
ONG	CARIN	Temp/Prob		Teacher			X		Laurel Elem	1999-00	K. Marquardt	3rd	
ONG	CARIN	T		Teacher			X		Laurel Elem	2001-02	L. Ibarra	3rd	
ONG	CARIN	T		Teacher			X		Laurel Elem	2003-04	L. Ibarra	3rd	
ORTEGA	RENE	Temp/Prob		Teacher			X		Del Rio Elem	1998-99	P. Morgan	Kinder	
ORTEGA	RENE	Temp/Prob		Teacher			X		Del Rio Elem	1999-00	P. Morgan	1st	
ORTEGA	RENE	T		Teacher			X		Del Rio Elem	2001-02	P. Morgan	1st	
ORTEGA	RENE	T		Teacher			X		Reynolds Elem	2003-04	L. Graziola	Kinder	
Ortega	Rene	Tenured		Teacher			X		El Camino HS	2006-07	L. Sanchez	HS	
PALAFOX	RENE	T		Teacher			X		El Camino HS	2001-02	V. Esquibel	HS	
PALAFOX	RENE	T		Teacher			X		El Camino HS	2003-04	F. Delgado	HS	
PALMER	DALE	T		Teacher - APE			X		Pupil Services	2000-01	A. Gamble	various	
PALMER	DALE	T		Teacher - APE			X		Pupil Services	2001-02	A. Gamble	various	
PAOGOFIE (Mendez)	RASELA	Temp/Prob		Teacher			X		Ivey Ranch Elem	2002-03	F. Wilson	2nd/3rd	
PAOGOFIE (Mendez)	RASELA	Temp/Prob		Teacher			X		North Terrace Elem	2003-04	B. Rowe	5th	
PAOGOFIE (Mendez)	Rasela	Tenured		Teacher			X		Jefferson MS	2005-06	L. Philyaw	MS Math	
PEDERSON	SHAWN	Temp/Prob		Teacher			X		Jefferson Middle	2000-01	D. Daris	MS Lang Arts	
PEDERSON	SHAWN	Temp/Prob		Teacher			X		Jefferson Middle	2001-02	E. S. Bessant	7th	
PEDERSON	SHAWN	T		Teacher			X		Jefferson Middle	2003-04	D. Coleman	MS Lang Arts	
PEDERSON	SHAWN	T		Teacher			X		Jefferson Middle	2005-06	W. Cocita	MS Lang Arts	
PENNINGTON	SHANNON	Temp/Prob		Teacher - SH			X		Nichols Elem	2002-03	J. Iman	Elem SpEd	
PENNINGTON	SHANNON	Temp/Prob		Teacher - SH			X		Nichols Elem	2003-04	J. Iman	Elem SpEd	
PENNINGTON	SHANNON	T		Teacher - SH			X		Nichols Elem	2005-06	J. Iman	Elem SpEd	
PETERSEN	MATTHEW	Temp/Prob		Teacher			X		El Camino High	2000-01	V. Esquibel	HS SS	
PETERSEN	MATTHEW	Temp/Prob		Teacher			X		El Camino High	2001-02	V. Esquibel	HS SS	
PETERSEN	MATTHEW	T		Teacher			X		El Camino High	2003-04	E. S. Bessant	HS SS	
Petersen	Matthew	Tenured		Teacher			X		El Camino HS	2005-06	L. Sanchez	HS SS	
PHILLIPS	MICHAEL	Temp/Prob		Teacher			X		Pacifica	2000-01	C. Sanders	5th	
PHILLIPS	MICHAEL	Temp/Prob		Teacher			X		Pacifica	2001-02	C. Sanders	5th	
PHILLIPS	MICHAEL	T		Teacher			X		Pacifica	2002-03	C. Sanders	5th/6th	
PHILLIPS	MICHAEL	T		Teacher			X		King Middle	2004-05	M. Munden	Elem	
Phillips	Michael	Tenured		Teacher			X		Nichols Elem School	2006-07	J. Iman	K	

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PHILLIPS (Stenerodden)	STACY	Temp/Prob		Teacher			X		Pacifica Elem	2000-01	C. Sanders	2nd	
PHILLIPS (Stenerodden)	STACY	Temp/Prob		Teacher			X		Pacifica Elem	2001-02	C. Sanders	2nd	
PHILLIPS (Stenerodden)	STACY	T		Teacher			X		Pacifica Elem	2003-04	C. Sanders	3rd	
PHILLIPS (Stenerodden)	STACY	T		Teacher			X		Pacifica Elem	2005-06	C. Sanders	3rd	
POKLETAR	ROBERT	Temp/Prob		Teacher - LH SDC			X		Mission Elem	2000-01	R. Gibson	Elem SpEd	
POKLETAR	ROBERT	Temp/Prob		Teacher - LH SDC			X		Mission Elem	2001-02	R. Gibson	Elem SpEd	
POKLETAR	ROBERT	T		Teacher - LH SDC			X		Mission Elem	2002-03	R. Gibson	Elem SpEd	
POKLETAR	ROBERT	T		Teacher - LH SDC			X		Mission Elem	2004-05	R. Gibson	Elem SpEd	
Post	Jenny	Tenured		Teacher			X		Pupl Services	2004-05	M. Munden	Elem Music	
Post	Jenny	Tenured		Teacher			X		Pupl Services	2005-06	C. Turner	MS Music	
POTTS	MICHAEL	Temp/Prob		Teacher			X		Ditmar Elem	2001-02	T. Turner	4th	
POTTS	MICHAEL	Temp/Prob		Teacher			X		Ditmar Elem	2002-03	T. Turner	4th	
POTTS	MICHAEL	T		Teacher			X		Ditmar Elem	2004-05	T. Turner	4th	
Potts	Michael	Tenured		Teacher			X		San Luis Rey Elem School	2006-07	P. Thompson	5th	
Poumele	Pululipano	Tenured		Teacher - LH SDC			X		Oceanside HS	2003-04	K. Obrzut	HS SpEd	
Poumele	Pululipano	Tenured		Teacher - LH SDC			X		Oceanside HS	2004-05	K. Obrzut	HS SpEd	
Poumele	Pululipano	Tenured		Teacher - LH SDC			X		Oceanside HS	2005-06	C. Mora	HS SpEd	
Poumele	Pululipano	Tenured		Teacher - LH SDC			X		Oceanside HS	2007-08	K. Marquardt	HS SpEd	
POWELL	KIMBERLEE	Temp/Prob		Teacher			X		King Middle	1999-00	R. Clendening	6th	
POWELL	KIMBERLEE	Temp/Prob		Teacher			X		King Middle	2000-01	R. Clendening	6th	
POWELL	KIMBERLEE	T		Teacher			X		King Middle	2002-03	F. Balanon	6th	
POWELL	KIMBERLEE	T		Teacher	X		X		King Middle	2004-05	M. Munden	6th	
Powell	Kimberlee	Tenured		Teacher			X		King MS	2006-07	B. Rowe	6th	
POWELL JR	ROBERT	T		Teacher			X		King Middle	2002-03	F. Balanon	7th	
POWELL JR	ROBERT	T		Teacher			X		King Middle	2003-04	M. Munden	7th	
Powell Jr	Robert	Tenured		Teacher			X		King MS	2005-06	C. Turner	7th	
Faist (Prather)	Chandra	Temp/Prob		Teacher			X		Oceanside HS	2004-05	R. Mueller	HS	
Faist (Prather)	Chandra	Temp/Prob		Teacher	X		X		Oceanside HS	2005-06	C. Mora	HS	
Faist (Prather)	Chandra	Tenured		Teacher			X		Oceanside HS	2007-08	J. Poumele	HS	
QUARRIE	M	Temp/Prob		Teacher			X		Pacifica Elem	1999-00	P. Traynor	1st	
QUARRIE	M	Temp/Prob		Teacher			X		Pacifica Elem	2000-01	C. Sanders	1st	
QUARRIE	M	T		Teacher			X		Pacifica Elem	2002-03	C. Sanders	3rd	
Quarrie	M	Tenured		Teacher			X		Pacifica Elem	2004-05	C. Sanders	3rd	
Quarrie	M	Tenured		Teacher			X		Libby Elem School	2006-07	B. Bronson	6th	
QUINLAN	ESTELLE	Temp/Prob		Teacher - LH SDC			X		Garrison Elem	2000-01	E. Council	Elem SpEd	
QUINLAN	ESTELLE	Temp/Prob		Teacher - LH SDC			X		Garrison Elem	2001-02	E. Council	Elem SpEd	
QUINLAN	ESTELLE	T		Teacher - LH SDC			X		McAuliffe Elem	2003-04	M. Gleisberg	Elem SpEd	
QUINLAN	ESTELLE	T		Teacher - LH SDC			X		McAuliffe Elem	2005-06	M. Gleisberg	Elem SpEd	
RAMOS (Figaro)	ANNA	Temp/Prob		Teacher			X		Laurel Elem	2000-01	K. Marquardt	2nd	
RAMOS (Figaro)	ANNA	Temp/Prob		Teacher			X		Laurel Elem	2001-02	Luis Ibarra	2nd	
RAMOS (Figaro)	ANNA	T		Teacher			X		Laurel Elem	2003-04	L.Ibarra	1st	
RAMOS (Figaro)	ANNA	T		Teacher			X		Laurel Elem	2004-05	L.Ibarra	1st	
RAMOS (Figaro)	Anna	Tenured		Teacher			X		Laurel Elem School	2006-07	K. Obrzut	1st	
Redmond	Brad	Tenured		Teacher			X		Oceanside HS	2004-05	K. Marquardt	HS Math	
Redmond	Brad	Tenured		Teacher			X		Oceanside HS	2005-06	J. Stephens	HS Math	
Redmond	Brad	Tenured		Teacher			X		Oceanside HS	2006-07	E. Frazier	HS Math	
REED	JULIE	Temp/Prob		Teacher - LH SDC			X		Libby Elem	2000-01	E. Szielenski	Elem SpEd	
REED	JULIE	Temp/Prob		Teacher - LH SDC			X		Libby Elem	2001-02	B. Johnson	Elem SpEd	
REED	JULIE	T		Teacher - LH SDC			X		Libby Elem	2003-04	B. Johnson	Elem SpEd	
REED	JULIE	T		Teacher - LH SDC			X		Libby Elem	2005-06	B. Johnson	Elem SpEd	
Reed (Sherwood)	AMERET	Temp/Prob		Teacher			X		Lincoln Middle	2001-02	B. Kolb	MS	
Reed (Sherwood)	AMERET	Temp/Prob		Teacher			X		Lincoln Middle	2002-03	J. Schmidt	MS	
Reed (Sherwood)	AMERET	T		Teacher			X		Lincoln Middle	2004-05	B. Kolb	MS	
REESE	MARA	Temp/Prob		Teacher			X		Jefferson MS	2001-02	D.Daris	6th	
REESE	MARA	Temp/Prob		Teacher			X		Jefferson MS	2002-03	D.Daris	6th	
REESE	MARA	T		Teacher			X		Palmquist Elem	2004-05	S. Morr	2nd	
Reese	Mara	Tenured		Teacher			X		Santa Margarita Elem School	2006-07	P. Kurtz	3rd	
REINER	LAURIE	T		Teacher			X		San Luis Rey Elem	2003-04	P. Thompson	3rd	
Reyes	Raymond	Tenured		Teacher - LH SDC			X		Jefferson MS	2003-04	D. Coleman	MS SpEd	

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Reyes	Raymond	Tenured		Teacher - LH SDC			X		Jefferson MS	2004-05	W. Cocita	MS SpEd	
Reyes	Raymond	Tenured		Teacher - LH SDC			X		Jefferson MS	2006-07	D. Coleman	MS SpEd	
RICHARDS	PATRICIA	Temp/Prob		Teacher			X		Pacifica Elem	2001-02	C. Sanders	Kinder	
RICHARDS	PATRICIA	Temp/Prob		Teacher			X		Nichols Elem	2002-03	J. Iman	1st	
RICHARDS	PATRICIA	T		Teacher			X		Nichols Elem	2005-06	J. Iman	1st	
RICHMAN	WILLIAM	T		Teacher			X		El Camino High	2001-02	R. Briggs	HS Math	
RICHMAN	WILLIAM	T		Teacher			X		El Camino High	2002-03	R. Briggs	HS Math	
RICHMAN	WILLIAM	T		Teacher	X		X		Oceanside High	2004-05	K. Marquardt	HS Math	
Richman	William	Tenured		Teacher	X		X		Oceanside HS	2006-07	C. Mora	HS Math	
RILEY	JACQUELINE	Temp/Prob		Teacher			X		Jefferson Middle	2000-01	F. Degado	MS Lang Arts	
RILEY	JACQUELINE	Temp/Prob		Teacher			X		Jefferson Middle	2001-02	E.S. Bessant	6th	
RILEY	JACQUELINE	T		Teacher			X		Jefferson Middle	2003-04	W. Cocita	6th	
RILEY	JACQUELINE	T		Teacher			X		Jefferson Middle	2005-06	W. Cocita	MS Lang Arts	
Roberts	Jacqueline	Tenure ROP GF		ROP Teacher			X		El Camino HS	2000-01	R. Briggs	HS	
Roberts	Jacqueline	Tenure ROP GF		ROP Teacher			X		El Camino HS	2001-02	G. Thornton	HS	
Roberts	Jacqueline	Tenure ROP GF		ROP Teacher			X		El Camino HS	2003-04	F. Delgado	HS	
Roberts	Jacqueline	Tenure ROP GF		ROP Teacher			X		El Camino HS	2005-06	D. Daris	HS	
ROBINSON	KELLY	Temp/Prob		Teacher			X		Ivey Ranch Elem	1999-00	J. Iman	1st	
ROBINSON	KELLY	Temp/Prob		Teacher			X		Ivey Ranch Elem	2000-01	J. Iman	1st	
ROBINSON	KELLY	T		Teacher			X		Ivey Ranch Elem	2002-03	F. Wilson	Kinder	
ROCCOFORTE	SHERYL	Temp/Prob		Teacher			X		Oceanside High	2001-02	K. Marquardt	HS	
ROCCOFORTE	SHERYL	Temp/Prob		Teacher			X		Oceanside High	2002-03	K. Marquardt	HS	
ROCCOFORTE	SHERYL	T		Teacher			X		Oceanside High	2003-04	C. Mora	HS	
Roccoforte	Sheryl	Tenured		Teacher			X		Oceanside HS	2006-07	E. Frazier	HS	
ROCHE	JANICE	Tenured		Teacher			X		Palmquist Elem	2004-05	S. Morr	1st	
ROCHE	JANICE	Tenured		Teacher			X		Nichols Elem	2005-06	J. Iman	4th	
ROCHE	JANICE	T		Teacher			X		Palmquist Elem	2001-02	S. Morr	K	
ROCHE	JANICE	T		Teacher			X		Palmquist Elem	2002-03	S. Morr	1st	
Rockdale (Scott)	KRISTY	T		Teacher			X		Ivey Ranch Elem School	2005-06	F. Wilson	1st	
Rockdale(Scott)	KRISTY	Temp/Prob		Teacher			X		Ivey Ranch Elem School	2000-01	J. Iman	1st	
Rockdale(Scott)	KRISTY	Temp/Prob		Teacher			X		Ivey Ranch Elem School	2001-02	J. Iman	1st	
Rockdale(Scott)	KRISTY	T		Teacher			X		Ivey Ranch Elem School	2003-04	F. Wilson	1st	
Roeder	Stephen	Tenured		Teacher			X		El Camino HS	2004-05	D. Daris	HS Math	
Roeder	Stephen	Tenured		Teacher			X		El Camino HS	2005-06	D. Daris	HS Math	
ROERIG	TODD	Temp/Prob		Teacher			X		El Camino High	2002-03	R. Briggs	HS Sci	
ROERIG	TODD	Temp/Prob		Teacher			X		El Camino High	2003-04	F. Delgado	HS Sci	
ROERIG	TODD	T		Teacher			X		El Camino High	2005-06	L. Sanchez	HS Sci	
ROGERS	SCOTT	T		Teacher			X		Del Rio Elem	1999-00	L. Graziola	Elem	
ROGERS	SCOTT	T		Teacher			X		Del Rio Elem	2002-03	P. Morgan	5th	
ROGERS	SCOTT	T		Teacher			X		Del Rio Elem	2004-05	P. Morgan	5th	
ROGERS	THOMAS	Temp/Prob		Teacher			X		Lincoln Middle	2001-02	B. Kolb	MS	
ROGERS	THOMAS	Temp/Prob		Teacher			X		Lincoln Middle	2002-03	R. Mueller	MS Math	
ROGERS	THOMAS	T		Teacher			X		Lincoln Middle	2004-05	J. Schmidt	MS Math	
Rogers	Thomas	Tenured		Teacher			X		Oceanside HS	2006-07	E. Frazier	HS Math	
ROMERO	DAWN	Temp/Prob		Teacher			X		Jefferson MS	2000-01	D. Daris	MS PE	
ROMERO	DAWN	Temp/Prob		Teacher			X		Jefferson MS	2001-02	D. Daris	MS PE	
ROMERO	DAWN	T		Teacher			X		Lincoln Middle	2003-04	B. Kolb	MS PE	
ROMERO	DAWN	T		Teacher			X		Lincoln Middle	2005-06	J. Schmidt	MS PE	
ROWAN II	MICHAEL	Temp/Prob		Teacher			X		North Terrace Elem	1999-00	B. Rowe	K	
ROWAN II	MICHAEL	Temp/Prob		Teacher			X		North Terrace Elem	2000-01	B. Rowe	K/1st	
ROWAN II	MICHAEL	T		Teacher			X		North Terrace Elem	2002-03	B. Rowe	K/1st	
ROWAN II	MICHAEL	T		Teacher			X		North Terrace Elem	2004-05	B. Rowe	K/1st	
Rowan II	Michael	Tenured		Teacher			X		Santa Margarita Elem School	2006-07	P. Kurtz	2nd/3rd	
RUIZ	ERIN	T		Teacher			X		North Terrace Elem	2001-02	R. Rowe	4th	
RUIZ	ERIN	T		Teacher			X		King Middle	2002-03	M. Munden	6th	
RUIZ	SOCORRO	Temp/Prob		Teacher			X		El Camino High	2001-02	R. Briggs	HS	
RUIZ	SOCORRO	Temp/Prob		Teacher			X		El Camino High	2002-03	R. Briggs	HS	
RUIZ	SOCORRO	T		Teacher			X		El Camino High	2004-05	E.S. Bessant	HS	
Ruiz	Socorro	Tenured		Teacher			X		El Camino HS	2006-07	D. Daris	HS	

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SAAVEDRA	MARLENA	Temp/Prob		Teacher			X		Del Rio Elem	2000-01	P. Morgan	Elem	
SAAVEDRA	MARLENA	Temp/Prob		Teacher			X		Del Rio Elem	2001-02	P. Morgan	2nd	
SAAVEDRA	MARLENA	T		Teacher			X		Del Rio Elem	2004-05	P. Morgan	3rd	
Saavedra	Marlena	Tenured		Teacher			X		Del Rio Elem School	2006-07	P. Morgan	1st	
Sacos-Francis	Julie	Tenured		Teacher - LH SDC			X		Jefferson MS	2005-06	L. Philyaw	MS SpEd	
SALMON	BLAIR	Temp/Prob		Teacher			X		San Luis Rey Elem	1998-99	M. Munden	1st	
SALMON	BLAIR	Temp/Prob		Teacher			X		San Luis Rey Elem	1999-00	M. Munden	1st	
SALMON	BLAIR	T		Teacher			X		San Luis Rey Elem	2000-01	M. Munden	1st	
SALMON	BLAIR	T		Teacher			X		San Luis Rey Elem	2002-03	P. Thompson	1st	
SALMON	BLAIR	T		Teacher			X		San Luis Rey Elem	2004-05	P. Thompson	1st	
Salmon	Blair	Tenured		Teacher			X		San Luis Rey Elem School	2006-07	P. Thompson	1st	
SANCHEZ	SALVADOR	Temp/Prob		Teacher			X		San Luis Rey Elem	1998-99		1st	
SANCHEZ	SALVADOR	Temp/Prob		Teacher			X		San Luis Rey Elem	1999-00	M. Munden	1st	
SANCHEZ	SALVADOR	T		Teacher			X		San Luis Rey Elem	2001-02	M. Munden	1st	
SANCHEZ	SALVADOR	T		Teacher			X		San Luis Rey Elem	2003-04	P. Thompson	Kinder	
SANCHEZ	SALVADOR	T		Teacher			X		San Luis Rey Elem	2005-06	P. Thompson	4th	
Sanders	Xylena	Tenured		Resource Specialist			X		King MS	2004-05	D. Shreves	MS SpEd	
Sanders	Xylena	Tenured		Resource Specialist			X		King MS	2005-06	C. Turner	MS SpEd	
SAUNDERS, JR	R	Temp/Prob		Teacher			X		Santa Margarita Elem	2000-01	F. Gomez	4th/5th	
SAUNDERS, JR	R	Temp/Prob		Teacher			X		Santa Margarita Elem	2001-02	F. Gomez	Elem SpEd	
SAUNDERS, JR	R	T		Teacher			X		Santa Margarita Elem	2003-04	F. Gomez	Elem	
SAUNDERS, JR	R	T		Teacher			X		Santa Margarita Elem	2005-06	P. Kurtz	3rd	
SCHWARTZ	JONATHAN	Temp/Prob		Teacher			X		Santa Margarita Elem	2000-01	F. Gomez	1st	
SCHWARTZ	JONATHAN	Temp/Prob		Teacher			X		Santa Margarita Elem	2001-02	F. Gomez	Elem	
SCHWARTZ	JONATHAN	T		Teacher			X		Santa Margarita Elem	2003-04	F. Gomez	Elem	
SCHWARTZ	JONATHAN	T		Teacher			X		Santa Margarita Elem	2005-06	P. Kurtz	2nd	
Rockdale (SCOTT)	KRISTY	Temp/Prob		Teacher			X		Ivey Ranch Elem	2000-01	J. Iman	1st	
Rockdale (SCOTT)	KRISTY	Temp/Prob		Teacher			X		Ivey Ranch Elem	2001-02	J. Iman	1st	
Rockdale (SCOTT)	KRISTY	T		Teacher			X		Ivey Ranch Elem	2003-04	F. Wilson	1st	
Rockdale (SCOTT)	KRISTY	T		Teacher			X		Ivey Ranch Elem	2005-06	F. Wilson	1st	
SCOTT	MARLENE	Temp/Prob		Teacher			X		Santa Margarita Elem	2001-02	F. Gomez	Elem	
SCOTT	MARLENE	Temp/Prob		Teacher			X		Nichols Elem	2002-03	J. Iman	1st	
SCOTT	MARLENE	T		Teacher			X		Nichols Elem	2003-04	J. Iman	1st	
SCOTT	MARLENE	T		Teacher			X		Nichols Elem	2005-06	J. Iman	3rd	
Sellers	Peggy	Tenured		Teacher			X		El Camino HS	2004-05	D. Daris	HS Math	
Sellers	Peggy	Tenured		Teacher			X		El Camino HS	2005-06	D. Daris	HS Math	
SHANAHAN (Young)	LAURA	Temp/Prob		Teacher			X		El Camino High	2001-02	G. Thornton	HS Eng	
SHANAHAN (Young)	LAURA	Temp/Prob		Teacher			X		El Camino High	2002-03	G. Thornton	HS Eng	
SHANAHAN (Young)	LAURA	T		Teacher			X		El Camino High	2004-05	D. Daris	HS Eng	
SHAW	HOLLY	T		Teacher			X		McAuliffe Elem	1997-98	C. Motes	4th	
SHAW	HOLLY	T		Teacher			X		McAuliffe Elem	2000-01	C. Motes	Kinder	
SHAW	HOLLY	T		Teacher			X		McAuliffe Elem	2001-02	M. Gleisberg	Kinder	
SHAW	HOLLY	T		Teacher			X		McAuliffe Elem	2003-04	M. Gleisberg	1st	
SHAW	HOLLY	T		Teacher			X		Mission Elem	2005-06	T. McAteer	3rd	
SHIRLEY	COLLEEN	Temp/Prob		Teacher			X		King Middle	2001-02	D. Shreves	6th	
SHIRLEY	COLLEEN	Temp/Prob		Teacher			X		King Middle	2002-03	F. Balanon	6th	
SHIRLEY	COLLEEN	T		Teacher			X		King Middle	2003-04	M. Munden	7th	
SHORTMAN	LESLEY	Temp/Prob		Teacher			X		El Camino High	2001-02	G. Thornton	HS Eng	
SHORTMAN	LESLEY	Temp/Prob		Teacher			X		El Camino High	2002-03	G. Thornton	HS Eng	
SHORTMAN	LESLEY	T		Teacher			X		El Camino High	2004-05	D. Daris	HS Eng	
Shortman	Lesley	Tenured		Teacher			X		El Camino HS	2006-07	L. Sanchez	HS Eng	
Sifuentes	Therese	Tenured		Teacher			X		Pacifica Elem	2000-01	C. Sanders	5th/6th	
Sifuentes	Therese	Tenured		Teacher			X		Pacifica Elem	2001-02	C. Sanders	6th	
SIFUENTES	THERESE	T		Teacher			X		Pacifica Elem	2003-04	C. Sanders	Kinder	
SIMMONS	BRENDA	Temp/Prob		Teacher - SH			X		Garrison Elem	2002-03	M. Oliver	Elem SpEd	
SIMMONS	BRENDA	Temp/Prob		Teacher - SH			X		Garrison Elem	2004-05	M. Oliver	Elem SpEd	
SIMMONS	BRENDA	T		Teacher - SH			X		Garrison Elem	2005-06	M. Oliver	Elem SpEd	
SIMMONS	DOUGLAS	T		Teacher			X		Jefferson Middle	2001-02	E.S. Bessant	7th	
SIMMONS	DOUGLAS	T		Teacher			X		Jefferson Middle	2003-04	W. Cocita	MS Math	

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Simmons	Douglas	Tenured		Teacher			X		Jefferson Middle	2005-06	L. Philyaw	7th	
SINCLAIR	SAMANTHA	T		Teacher			X		King Middle	1999-00	E. Galvan	MS	
SINCLAIR (Stevens-Allen)	SAMANTHA	T		Teacher			X		King Middle	2001-02	R. Clendening	MS	
Sisson (Sport)	Ellie	Tenured		Teacher			X		Ditmar	2003-04	Tim Turner	3rd	
Sisson (Sport)	Ellie	Tenured		Teacher			X		Ivey Ranch Elem School	2004-05	F. Wilson	4th/5th	
Sisson (Sport)	Ellie	Tenured		Teacher			X		Ivey Ranch Elem School	2006-07	J. Johnson	3rd	
SKINNER	BEVERLY	Temp/Prob		Teacher			X		King Middle	2001-02	D. Shreves	MS	
SKINNER	BEVERLY	Temp/Prob		Teacher			X		King Middle	2002-03	D. Shreves	MS	
SKINNER	BEVERLY	T		Teacher			X		King Middle	2003-04	M. Munden	MS	
SKINNER	BEVERLY	T		Teacher			X		King Middle	2005-06	D. Shreves	MS	
SLASOR	JANELLE	Temp/Prob		Resource Specialist			X		Jefferson MS	1998-99	F. Delgado	MS SpEd	
SLASOR	JANELLE	Temp/Prob		Resource Specialist			X		Jefferson MS	1999-00	F. Delgado	MS SpEd	
SLASOR	JANELLE	T		Resource Specialist			X		Jefferson MS	2001-02	D. Daris	MS SpEd	
SLASOR	JANELLE	T		Resource Specialist			X		King Middle	2003-04	D. Shreves	MS SpEd	
SLASOR	JANELLE	T		Resource Specialist			X		King Middle	2005-06	D. Shreves	MS SpEd	
Slater	Linda	Tenured		Teacher - SH			X		Oceanside HS	2006-07	J. Pomele	HS SpEd	
Sleiman-Stearman	Zein	Tenured		Teacher			X		El Camino HS	2000-01	E. Walters	HS Eng	
Sleiman-Stearman	Zein	Tenured		Teacher			X		El Camino HS	2006-07	D. Daris	HS Eng	
SMITH	MATTHEW	Temp/Prob		Teacher			X		Jefferson Middle	1998-99	D. Daris	8th	
SMITH	MATTHEW	Temp/Prob		Teacher			X		Jefferson Middle	1999-00	D. Daris	MS	
SMITH	MATTHEW	T		Teacher			X		Jefferson Middle	2001-02	F. Delgado	MS Lang Arts	
SMITH	MATTHEW	T		Teacher			X		Jefferson Middle	2003-04	W. Cocita	MS Lang Arts	
SOTO	JOSE	T		Resource Specialist			X		Del Rio Elem	1998-99	P. Morgan	Elem SpEd	
SOTO	JOSE	T		Resource Specialist			X		Del Rio Elem	2000-01	P. Morgan	Elem SpEd	
SOTO	JOSE	T		Resource Specialist			X		Del Rio Elem	2002-03	P. Morgan	Elem SpEd	
SOTO	JOSE	T		Resource Specialist			X		Del Rio Elem	2004-05	P. Morgan	Elem SpEd	
Soto	Jose	Tenured		Resource Specialist			X		Del Rio Elem School	2006-07	P. Morgan	Elem SpEd	
SPENCER	DANA	Temp/Prob		Teacher			X		Mission Elem	2000-01	R. Gibson	2nd	
SPENCER	DANA	Temp/Prob		Teacher			X		Mission Elem	2001-02	R. Gibson	2nd	
SPENCER	DANA	T		Teacher			X		Mission Elem	2003-04	R. Gibson	5th	
Spencer	Dana	Tenured		Teacher			X		King MS	2006-07	B. Rowe	6th	
Spooner	Marguerite	Tenured		Teacher			X		Clair W. Burgener Academy	2004-05	E.S. Bessant	Various	
Spooner	Marguerite	Tenured		Teacher			X		Mission	2005-06	T. McAteer	5th	
Spooner	Marguerite	Tenured		Teacher			X		Clair W. Burgener Academy	2006-07	E.S. Bessant	Various	
Stafford	Kortni	Tenured		Teacher			X		Oceanside HS	2004-05	K. Marquardt	HS Biology	
Stafford	Kortni	Tenured		Teacher	X		X		Jefferson MS	2005-06	W. Cocita	MS Science	
Stanford (Clark)	JANNA	Temp/Prob		Teacher			X		San Luis Rey Elem	2000-01	M. Munden	3rd	
Stanford (Clark)	JANNA	Temp/Prob		Teacher			X		San Luis Rey Elem	2001-02	M. Munden	3rd	
Stanford (Clark)	JANNA	T		Teacher			X		San Luis Rey Elem	2003-04	P. Thompson	3rd	
Stanford (Clark)	JANNA	T		Teacher			X		San Luis Rey Elem	2005-06	P. Thompson	3rd	
Stein (PODOLSKY)	JESSICA	T		Teacher			X		Lincoln Middle	2000-01	P. Barnes	MS Math	
Stein (PODOLSKY)	JESSICA	T		Teacher			X		Lincoln Middle	2001-02	B. Kolb	MS Math	
Stein (PODOLSKY)	JESSICA	T		Teacher			X		Lincoln Middle	2003-04	J. Schmidt	MS	
Stein (Podolsky)	Jessica	Tenured		Teacher			X		Lincoln MS	2005-06	J. Schmidt	7th/8th	
Steiner	Patricia	Tenured		Teacher			X		El Camino HS	2005-06	L. Sanchez	HS S.S.	
Steiner	Patricia	Tenured		Teacher			X		El Camino HS	2006-07	R. Nelson	HS S.S.	
STEPHENS	DAVID	Temp/Prob		Teacher			X		Clair W. Burgener Academy	1998-99	L. Goldstein	various	
STEPHENS	DAVID	Temp/Prob		Teacher			X		Stuart Mesa Elem	1999-00	B. Kolb	Elem	
STEPHENS	DAVID	T		Teacher			X		Stuart Mesa Elem	2001-02	T. McAteer	Elem	
STEPHENS	DAVID	T		Teacher			X		Stuart Mesa Elem	2003-04	T. McAteer	5th	
STEPHENS	DAVID	T		Resource Teacher - SBRT			X		Ditmar Elem	2005-06	F. Balanon	Elem	
STICKLES	MARTHA	Temp/Prob		Teacher			X		Laurel Elem	2001-02	L. Ibarra	4th	
STICKLES	MARTHA	Temp/Prob		Teacher			X		Mission Elem	2002-03	R. Gibson	3rd	
STICKLES	MARTHA	T		Teacher			X		Mission Elem	2004-05	R. Gibson	4th	
Stickles	Martha	Tenured		Teacher			X		Mission Elem School	2006-07	R. Gibson	4th	
Stone	Dulce	Tenured		Resource Specialist			X		Pacific Elem School	2003-04	C. Sanders	Elem. SpEd	
Stone	Dulce	Tenured		Resource Specialist			X		Pacific Elem School	2004-05	C. Sanders	Elem. SpEd	
Stone	Dulce	Tenured		Resource Specialist			X		Pacific Elem School	2006-07	P. Morgan	Elem. SpEd	
STONE	JONATHAN	Temp/Prob		Teacher			X		Pacific Elem School	2000-01	C. Sanders	2nd/3rd	

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STONE	JONATHAN	Temp/Prob		Teacher			X		Pacifica Elem School	2001-02	C. Sanders	3rd	
STONE	JONATHAN	T		Teacher			X		Ivey Ranch Elem	2002-03	F. Wilson	4th/5th	
STONE	JONATHAN	T		Teacher			X		Ivey Ranch Elem	2004-05	F. Wilson	4th/5th	
Stone	Jonathan	Tenured		Teacher			X		Ivey Ranch Elem School	2006-07	J. Johnson	4th	
Stone (Tuft)	Catrina	Temp/Prob		Teacher			X		King Middle	2003-04	M. Munden	8th Lang Arts	
Stone (Tuft)	Catrina	Temp/Prob		Teacher			X		King Middle	2004-05	M. Munden	8th Lang Arts	
Stone (Tuft)	Catrina	Tenured		Teacher			X		King Middle	2005-06	D. Shreves	8th Lang Arts	
Stone (Tuft)	Catrina	Tenured		Teacher			X		King MS	2006-07	C. Turner	8th Lang Arts	
Stone (Van der Molen)	MELANIE	Temp/Prob		Teacher			X		Laurel Elem	2000-01	K. Marquardt	1st	
Stone (Van der Molen)	MELANIE	Temp/Prob		Teacher			X		Laurel Elem	2001-02	L. Ibarra	1st	
Stone (Van der Molen)	MELANIE	T		Teacher			X		Laurel Elem	2002-03	L. Ibarra	1st	
Stone (Van der Molen)	MELANIE	T		Teacher			X		San Luis Rey Elem	2003-04	P. Thompson	K	
Stone (Van der Molen)	MELANIE	T		Teacher			X		Laurel Elem	2004-05	K. Obrzut	1st/2nd	
Story	Mark	Tenured		Teacher - LH SDC			X		Lincoln MS	2006-07	J. Schmidt	MS SpEd	
Story	Mark	Tenured		Teacher - LH SDC			X		Lincoln MS	2007-08	R. Mueller	MS SpEd	
STRATHMAN	SHARON	Temp/Prob		Teacher			X		Libby Elem	2000-01	E. Szielski	1st	
STRATHMAN	SHARON	Temp/Prob		Teacher			X		Libby Elem	2001-02	B. Johnson	1st	
STRATHMAN	SHARON	T		Teacher			X		Libby Elem	2003-04	B. Johnson	5th	
STRATHMAN	SHARON	T		Teacher			X		Jefferson Middle	2005-06	W. Cocita	MS Science	
STRAUSE	HENRY	T		Teacher			X		El Camino High	2001-02	R. Nelson	HS Art	
STRAUSE	HENRY	T		Teacher			X		El Camino High	2003-04	R. Nelson	HS Art	
STRAUSE	HENRY	T		Teacher			X		El Camino High	2004-05	R. Nelson	HS Art	
STRUVE (Drane)	MARY	Temp/Prob		Teacher			X		San Luis Rey Elem	2000-01	M. Munden	4th	
STRUVE (Drane)	MARY	Temp/Prob		Teacher			X		San Luis Rey Elem	2001-02	M. Munden	4th	
STRUVE (Drane)	MARY	T		Teacher			X		San Luis Rey Elem	2003-04	P. Thompson	4th	
STRUVE (Drane)	MARY	T		Teacher			X		San Luis Rey Elem	2005-06	P. Thompson	4th	
Sturgeon (Dennis)	Erin	Tenured		Teacher - SH			X		King MS	2005-06	D. Shreves	MS SpEd	
SWANSON	SHERRY	T		Teacher			X		Oceanside High	2003-04	J. Walters	9th Eng	
SWANSON	SHERRY	T		Teacher			X		Oceanside High	2005-06	J. Stephens	12th Eng	
SWARTZ	CATHI	Temp/Prob		Teacher			X		King MS	2000-01	E. Galvan	MS SpEd	
SWARTZ	CATHI	Temp/Prob		Teacher			X		Stuart Mesa Elem	2001-02	T. McAteer	Elem	
SWARTZ	CATHI	T		Teacher			X		Santa Margarita Elem	2002-03	F. Gomez	2nd	
SWARTZ	CATHI	T		Teacher			X		Santa Margarita Elem	2004-05	F. Gomez	4th	
Swartz	Cathi	Tenured		Teacher			X		Santa Margarita Elem School	2006-07	P. Kurtz	2nd	
SWEENEY	MOYA	Temp/Prob		Teacher			X		Laurel Elem	2001-02	L. Ibarra	6th	
SWEENEY	MOYA	Temp/Prob		Teacher			X		Jefferson MS	2002-03	F. Delgado	ELD	
SWEENEY	MOYA	T		Teacher			X		Mission Elem	2003-04	R. Gibson	4th	
SWEENEY	MOYA	T		Teacher			X		Mission Elem	2004-05	F. Balanon	5th	
Taliana	Michael	Tenured		Teacher			X		Jefferson MS	2002-03	D. Daris	MS Math	
Taliana	Michael	Tenured		Teacher			X		Reynolds Elem	2003-04	L. Graziola	3rd	
Taliana	Michael	Tenured		Teacher			X		Clair W. Burgener Academy	2004-05	E.S. Bessant	Alg	
Taliana	Michael	Tenured		Teacher			X		Lincoln MS	2005-06	J. Schmidt	8th Alg	
TARGHETTA	CARRIE	T		Teacher			X		El Camino High	2001-02	G. Thornton	HS Eng	
TARGHETTA	CARRIE	T		Teacher			X		El Camino High	2002-03	G. Thornton	HS Eng	
TARGHETTA	CARRIE	T		Teacher			X		El Camino High	2004-05	D. Daris	HS Eng	
Targhetta	Carrie	Tenured		Teacher			X		El Camino HS	2006-07	L. Sanchez	HS Eng	
THIBODEAUX	JOSHUA	Temp/Prob		Teacher			X		Oceanside High	2002-03	K. Marquardt	HS Math	
THIBODEAUX	JOSHUA	Temp/Prob		Teacher			X		Oceanside High	2003-04	K. Marquardt	HS Math	
THIBODEAUX	JOSHUA	T		Teacher			X		Oceanside High	2004-05	C. Mora	HS Math	
Thibodeaux	Joshua	Tenured		Teacher			X		El Camino HS	2006-07	D. Legg	HS Math	
THIELEN	KARYN	Temp/Prob		Teacher			X		Del Rio Elem	1999-00	P. Morgan	2nd	
THIELEN	KARYN	Temp/Prob		Teacher			X		Del Rio Elem	2000-01	P. Morgan	3rd	
THIELEN	KARYN	T		Teacher			X		Del Rio Elem	2002-03	P. Morgan	3rd	
THIELEN	KARYN	T		Teacher			X		Del Rio Elem	2004-05	P. Morgan	4th	
THOMPSON	DAVID	T		Teacher - LH SDC			X		El Camino High	2000-01	E. Walters	HS SpEd	
THOMPSON	DAVID	T		Teacher - LH SDC			X		El Camino High	2002-03	R. Nelson	HS SpEd	
THOMPSON	DAVID	T		Teacher - LH SDC			X		El Camino High	2004-05	R. Nelson	HS SpEd	
Thompson	David	Tenured		Teacher - LH SDC			X		El Camino HS	2006-07	R. Nelson	HS SpEd	
Thompson	Kevin	Tenured		Teacher			X		El Camino HS	2005-06	L. Sanchez	HS S.S.	

Oceanside USD - Permanent Certificated Instructional Employees (CIE) <10 yrs Tenure
 Stull Act Program Hrs, FY 1997-98 through FY 2007-08 (Every Other Year Evaluation)

Lname	Fname	Tenure Status	Seniority Date	Job Title	Obs1	Obs2	Summative Eval	Assistance Plan	Work Location	Fiscal Year	Evaluator	Grade Level	Satisfactory / Unsatisfactory
THOMPSON	ORLANDO	T		Teacher			X		Jefferson MS	1998-99	L. Goldstein	MS	
THOMPSON	ORLANDO	T		Teacher			X		Clair W. Burgener Academy	2002-03	J. Shirley	TOSA	
THOMPSON	ORLANDO	T		Teacher	X		X		Clair W. Burgener Academy	2004-05	E. S. Bessant	Math	
Thompson	Orlando	Tenured		Teacher			X		Clair W. Burgener Academy	2006-07	E. S. Bessant	Math	
THORNBURY	TERESA	Temp/Prob		Teacher			X		Oceanside HS	2002-03	K. Marquardt	HS Math	
THORNBURY	TERESA	Temp/Prob		Teacher			X		Oceanside HS	2003-04	K. Marquardt	HS Math	
THORNBURY	TERESA	T		Teacher			X		Oceanside High	2005-06	L. Philyaw	HS Math	
Torrez	Cynthia	Tenured		Resource Specialist			X		King MS	2006-07	B. Rowe	MS SpEd	
TRAUGH	STEVEN	Temp/Prob		Teacher			X		North Terrace Elem School	1999-00	B. Rowe	Music	
TRAUGH	STEVEN	Temp/Prob		Teacher			X		Libby	2000-01	E. Szielenski	Music	
TRAUGH	STEVEN	T		Teacher			X		Libby	2002-03	B. Johnson	Music	
TRAUGH	STEVEN	T		Teacher	X		X		Jefferson Middle	2004-05	D. Daris	Music	
TRELEASE	RENEE	Temp/Prob		Teacher			X		Palmquist Elem	1999-00	J. Assman	1st	
TRELEASE	RENEE	Temp/Prob		Teacher			X		Palmquist Elem	2000-01	S. Morr	K/1st	
TRELEASE	RENEE	T		Teacher			X		Palmquist Elem	2004-05	S. Morr	1st	
Trelease	Renee	Tenured		Teacher			X		Palmquist Elem School	2006-07	S. Morr	1st	
TURNER	JOHNNY	Temp/Prob		Teacher			X		Reynolds Elem	2000-01	L.Hess	1st	
TURNER	JOHNNY	Temp/Prob		Teacher			X		Reynolds Elem	2001-02	P. Thompson	5th	
TURNER	JOHNNY	T		Teacher			X		Reynolds Elem	2003-04	L. Graziola	5th	
Turner	Johnny	Tenured		Teacher			X		Reynolds Elem School	2005-06	L. Graziola	5th	
Vallete	Teresa	Tenured		Teacher - LH SDC			X		El Camino HS	2006-07	D. Daris	HS SpEd	
VAN DIEPEN	LEA	Temp/Prob		Teacher			X		Pacifica Elem	1999-00	P. Traynor	2nd	
VAN DIEPEN	LEA	Temp/Prob		Teacher			X		Pacifica Elem	2000-01	C. Sanders	2nd	
VAN DIEPEN	LEA	T		Teacher			X		Pacifica Elem	2002-03	C. Sanders	2nd	
VAN DIEPEN	LEA	T		Teacher			X		Pacifica Elem	2004-05	C. Sanders	2nd	
Van Diepen	Lea	Tenured		Teacher			X		Pacifica Elem School	2006-07	P. Morgan	2nd	
VANHOOSER	MALINDA	T		Resource Specialist			X		El Camino High	2000-01	E. Walters	HS SpEd	
VANHOOSER	MALINDA	T		Resource Specialist			X		El Camino High	2002-03	R. Nelson	HS SpEd	
VANHOOSER	MALINDA	T		Resource Specialist			X		El Camino High	2004-05	R. Nelson	HS SpEd	
Vanhooser	Malinda	Tenured		Resource Specialist			X		El Camino HS	2006-07	D. Daris	HS SpEd	
Vico (RUBEN)	IRENE	Temp/Prob		Teacher			X		Jefferson Middle	1999-00	F. Delgado	MS Lang Arts	
Vico (RUBEN)	IRENE	Temp/Prob		Teacher			X		Jefferson Middle	2000-01	F. Delgado	MS Lang Arts	
Vico (RUBEN)	IRENE	T		Teacher			X		Jefferson Middle	2002-03	D. Daris	MS Lang Arts	
Vico (RUBEN)	IRENE	T		Teacher	X		X		Jefferson Middle	2004-05	D. Coleman	MS	
Vico (Ruben)	Irene	Tenured		SBRT Resource Teacher			X		North Terrace Elem School	2006-07	B. Wilcox	Elem SBRT	
Villalpando (Robertson)	JENNIFER	T		Teacher			X		Clair W. Burgener Academy	2002-03	J. Shirley	Various	
Villalpando (Robertson)	JENNIFER	T		Teacher	X		X		Jefferson Middle	2004-05	W. Cocita	MS Lang Arts	
Villalpando (Robertson)	Jennifer	Tenured		Teacher	X		X		Jefferson MS	2006-07	W. Cocita	MS Lang Arts	
VOGEL	JEFFREY	T		Teacher			X		Clair W. Burgener Academy	2000-01	J. Shirley	Various	
VOGEL	JEFFREY	T		Teacher			X		Clair W. Burgener Academy	2002-03	J. Shirley	Various	
VOGEL	JEFFREY	T		Teacher			X		Oceanside High	2004-05	K. Obrzut	HS Eng	
Vogel	Jeffrey	Tenured		Teacher	X		X		Oceanside HS	2006-07	J. Poumele	HS Eng	
VOGEL	REBECCA	T		Teacher			X		Nichols Elem School	2002-03	J. Iman	4th	
VOGEL	REBECCA	T		Teacher			X		Nichols Elem School	2004-05	J. Iman	4th	
Vogel	Rebecca	Tenured		Teacher			X		Nichols Elem School	2006-07	J. Iman	5th	
VORIS	REBECCA	T		Teacher			X		Reynolds Elem	2003-04	L. Graziola	K	
VORIS	REBECCA	T		Teacher			X		Reynolds Elem	2005-06	L. Graziola	K	
VORIS	THOMAS	T		Teacher			X		Clair W. Burgener Academy	2001-02	J. Shirley	Various	
VORIS	THOMAS	T		Teacher			X		Clair W. Burgener Academy	2002-03	J. Shirley	Various	
VORIS	THOMAS	T		Teacher			X		El Camino High	2004-05	E. S. Bessant	HS S.S.	
Voris	Thomas	Tenured		Teacher			X		El Camino HS	2006-07	D. Legg	HS S.S.	
WAGGETT, JR	DONALD	Temp/Prob		Teacher			X		King MS	1999-00	R. Clendening	MS Math	
WAGGETT, JR	DONALD	Temp/Prob		Teacher			X		King MS	2000-01	E. Galvan	MS Math	
WAGGETT, JR	DONALD	T		Teacher			X		King MS	2002-03	M. Munden	MS Math	
WAGGETT, JR	DONALD	T		Teacher			X		Oceanside High	2003-04	K. Marquardt	HS Math	
WAGGETT, JR	DONALD	T		Teacher			X		Oceanside High	2004-05	R. Mueller	HS Math	
Waggett, Jr	Donald	Tenured		Teacher			X		Oceanside HS	2006-07	E. Frazier	HS Math	
WAGNER	CLAUDIA	T		Teacher			X		Oceanside HS	2001-02	K. Marquardt	HS Math	
WAGNER	CLAUDIA	T		Teacher			X		Jefferson Middle	2005-06	L. Philyaw	MS Math	

Oceanside USD - Permanent Certificated Instructional Employees (CIE) <10 yrs Tenure
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Lname	Fname	Tenure Status	Seniority Date	Job Title	Obs1	Obs2	Summative Eval	Assistance Plan	Work Location	Fiscal Year	Evaluator	Grade Level	Satisfactory / Unsatisfactory
WAGNER	DAVID	T		Teacher			X		Oceanside High	1997-98	D. Daris	HS SS.	
WAGNER	DAVID	T		Teacher			X		Oceanside High	2000-01	M. Gleisberg	HS SS.	
WAGNER	DAVID	T		Teacher			X		Oceanside High	2004-05	C. Mora	HS SS.	
Wagner	David	Tenured		Teacher			X		Oceanside HS	2006-07	K. Marquardt	HS SS.	
WALKER	ANDREA	Temp/Prob		Teacher			X		South Oceanside Elem	1998-99	L. Hess	3rd	
WALKER	ANDREA	Temp/Prob		Teacher			X		South Oceanside Elem	1999-00	J. Kastely	3rd	
WALKER	ANDREA	T		Teacher			X		South Oceanside Elem	2001-02	T. Keane	3rd	
WALKER	ANDREA	T		Teacher			X		South Oceanside Elem	2003-04	J. Reimer	3rd	
WALKER	ANDREA	T		Teacher			X		South Oceanside Elem	2005-06	M. Oliver	6th	
WALSH	MICHAEL	Temp/Prob		Resource Specialist			X		Nichols Elem	2002-03	J. Iman	Elem SpEd	
WALSH	MICHAEL	Temp/Prob		Resource Specialist			X		Nichols Elem	2003-04	J. Iman	Elem SpEd	
WALSH	MICHAEL	T		Resource Specialist			X		Nichols Elem	2005-06	J. Iman	Elem SpEd	
Watts	Sylvia	Tenured		Preschool Teacher			X		Del Rio Elem School	2003-04	P. Morgan	Pre-K	
Watts	Sylvia	Tenured		Preschool Teacher			X		Del Rio Elem School	2006-07	P. Morgan	Pre-K	
WEBB (Strom-Zigler)	DARCY	Temp/Prob		Teacher			X		Pacifica Elem	2001-02	C. Sanders	5th	
WEBB (Strom-Zigler)	DARCY	Temp/Prob		Teacher			X		King Middle	2002-03	M. Munden	6th	
WEBB (Strom-Zigler)	DARCY	T		Teacher			X		King Middle	2003-04	D. Shreves	6th	
WEBB (Strom-Zigler)	DARCY	T		Teacher			X		King Middle	2005-06	D. Shreves	6th	
WEBB (Strom-Zigler)	MARK	T		Teacher			X		Pacifica Elem	2000-01	C. Sanders	6th	
WEBB (Strom-Zigler)	MARK	T		Teacher			X		Pacifica Elem	2001-02	C. Sanders	3rd	
WEBB (Strom-Zigler)	MARK	T		Teacher			X		Pacifica Elem	2003-04	C. Sanders	3rd	
WEBB (Strom-Zigler)	MARK	T		Teacher			X		Pacifica Elem	2005-06	C. Sanders	1st	
WEICKGENANT	MARY	Temp/Prob		Teacher			X		Jefferson Middle	2000-01	F. Delgado	MS Lang Arts	
WEICKGENANT	MARY	Temp/Prob		Teacher			X		Jefferson Middle	2001-02	E.S. Bessant	MS Lang Arts	
WEICKGENANT	MARY	T		Teacher			X		Jefferson Middle	2003-04	W. Cocita	MS	
WEICKGENANT	MARY	T		Teacher			X		Jefferson Middle	2005-06	L. Philyaw	MS	
WERTS	SHEREEN	Temp/Prob		Teacher			X		Del Rio Elem	2000-01	P. Morgan	3rd	
WERTS	SHEREEN	Temp/Prob		Teacher			X		Del Rio Elem	2001-02	P. Morgan	3rd	
WEST	DARLENE	T		Teacher			X		Ocean Shores High	2001-02	P. Cowman	HS Eng	
WEST	DARLENE	T		Teacher			X		Ocean Shores High	2002-03	P. Cowman	HS Eng	
WEST	SERINA	T		Teacher			X		Libby Elem	1999-00	E. Szielenski	2nd	
WEST	SERINA	T		Teacher			X		Libby Elem	2002-03	B. Johnson	2nd	
WEST	SERINA	T		Teacher			X		Libby Elem	2004-05	B. Johnson	2nd	
West	Serina	Tenured		Teacher			X		Libby Elem School	2006-07	B. Bronson	2nd	
Whalen (WALTON)	CASEY	Temp/Prob		Teacher			X		El Camino High	2001-02	V. Esquibel	HS	
Whalen (WALTON)	CASEY	Temp/Prob		Teacher			X		El Camino High	2002-03	V. Esquibel	HS	
Whalen (WALTON)	CASEY	T		Teacher			X		El Camino High	2004-05	E.S. Bessant	HS	
Whalen (Walton)	Casey	Tenured		Teacher			X		El Camino HS	2006-07	R. Nelson	HS	
WIELAND	PATRICIA	Temp/Prob		Teacher			X		Stuart Mesa Elem	2000-01	B. Kolb	Elem	
WIELAND	PATRICIA	Temp/Prob		Teacher			X		Stuart Mesa Elem	2001-02	T. McAteer	Elem	
WILHOVSKY	ERIK	Temp/Prob		Resource Specialist			X		El Camino High	2001-02	R. Nelson	HS SpEd	
WILHOVSKY	ERIK	Temp/Prob		Resource Specialist			X		El Camino High	2002-03	R. Nelson	HS SpEd	
WILHOVSKY	ERIK	T		Resource Specialist			X		El Camino High	2004-05	R. Nelson	HS SpEd	
Wilhovsky	Erik	Tenured		Teacher - ARC			X		El Camino HS	2006-07	D. Legg	HS SpEd	
WILKINS	DONNA	Temp/Prob		Teacher			X		Santa Margarita Elem	2000-01	F. Gomez	Elem	
WILKINS	DONNA	Temp/Prob		Teacher			X		Santa Margarita Elem	2001-02	F. Gomez	Elem	
WILKINS	DONNA	T		Teacher			X		Santa Margarita Elem	2003-04	F. Gomez	Elem	
Wilkins	Donna	Tenured		SBRT Resource Teacher			X		Santa Margarita Elem School	2005-06	P. Kurtz	SBRT	
WILLIAMS	ALLEN	Temp/Prob		Teacher			X		El Camino High	2001-02	R. Briggs	HS	
WILLIAMS	ALLEN	Temp/Prob		Teacher			X		El Camino High	2002-03	V. Esquibel	HS	
WILLIAMS	ALLEN	T		Teacher			X		El Camino High	2004-05	E.S. Bessant	HS ARC	
Williams	Allen	Tenured		Teacher - ARC			X		El Camino HS	2006-07	D. Legg	HS ARC	
WILLIAMS	BARBARA	T		Resource Specialist			X		San Luis Rey Elem	2001-02	M. Munden	Elem SpEd	
WILLIAMS	BARBARA	T		Resource Specialist			X		San Luis Rey Elem	2003-04	P. Thompson	Elem SpEd	
WILLIAMS	BARBARA	T		Resource Specialist			X		San Luis Rey Elem	2004-05	P. Thompson	Elem SpEd	
WILLIAMS	CHERYL	Temp/Prob		Teacher-SH			X		Santa Margarita Elem	2000-01	F. Gomez	Elem	
WILLIAMS	CHERYL	Temp/Prob		Teacher-SH			X		Santa Margarita Elem	2001-02	F. Gomez	Elem	
WILLIAMS	CHERYL	T		Teacher-SH			X		Stuart Mesa Elem	2003-04	T. McAteer	Elem SpEd	
Williams	Cheryl	Tenured		Teacher - SH			X		Stuart Mesa Elem School	2006-07	R. Gibson	Elem SpEd	

Oceanside USD - Permanent Certificated Instructional Employees (CIE) <10 yrs Tenure
 Stull Act Program Hrs, FY 1997-98 through FY 2007-08 (Every Other Year Evaluation)

Lname	Fname	Tenure Status	Seniority Date	Job Title	Obs1	Obs2	Summative Eval	Assistance Plan	Work Location	Fiscal Year	Evaluator	Grade Level	Satisfactory / Unsatisfactory
WILLIAMS (Pittroff)	ELISA	Temp/Prob		Teacher			X		King Middle	2001-02	F. Balanon	MS Arts	
WILLIAMS (Pittroff)	ELISA	Temp/Prob		Teacher			X		King Middle	2002-03	F. Balanon	MS Arts	
WILLIAMS (Pittroff)	ELISA	T		Teacher			X		King Middle	2003-04	D. Shreves	MS Arts	
WILLSEY	FRANK	T		Teacher			X		Oceanside HS	2001-02	J. Walters	HS	
WILLSEY	FRANK	T		Teacher			X		Oceanside HS	2002-03	J. Walters	HS	
Windham	Daniel	Tenured		Teacher			X		El Camino HS	2005-06	D. Daris	HS Eng	
Winn	Kristy	Tenured		Resource Specialist			X		Palmquist Elem School	2005-06	S. Morr	Elem SpEd	
Winn	Kristy	Tenured		Resource Specialist	X		X		Palmquist Elem School	2006-07	T. Keane/ S. Morr	Elem SpEd	
Winters(Rasmussen) Holly	HOLLY	Temp/Prob		Teacher			X		El Camino High	2001-02	V. Esquibel	HS Spanish	
Winters(Rasmussen) Holly	HOLLY	Temp/Prob		Teacher			X		El Camino High	2002-03	V. Esquibel	HS Spanish	
Winters(Rasmussen) Holly	HOLLY	T		Teacher			X		El Camino High	2004-05	E S. Bessant	HS Spanish	
WintersRasmussen	Holly	Tenured		Teacher			X		El Camino HS	2006-07	D. Legg	HS Spanish	
Yan (Norlander)	Joanne	Temp/Prob		Teacher			X		King Middle	2002-03	M. Munden	7th Sci	
Yan (Norlander)	Joanne	Temp/Prob		Teacher			X		King Middle	2003-04	M. Munden	8th Sci	
Yan (Norlander)	Joanne	Tenured		Teacher			X		King MS	2005-06	D. Shreves	8th Sci	
YAZEL	DENNIS	Temp/Prob		Teacher			X		Jefferson Middle	2000-01	D. Daris	MS Science	
YAZEL	DENNIS	Temp/Prob		Teacher			X		Jefferson Middle	2001-02	F. Delgado	MS Science	
YAZEL	DENNIS	T		Teacher			X		Jefferson Middle	2003-04	W Cocita	MS Science	
YAZEL	DENNIS	T		Teacher			X		Jefferson Middle	2005-06	W Cocita	MS Science	
YENDES	DAVID	Temp/Prob		Teacher			X		El Camino High	2000-01	E. Walters	HS	
YENDES	DAVID	Temp/Prob		Teacher			X		El Camino High	2001-02	G. Thornton	HS	
YENDES	DAVID	T		Teacher			X		El Camino High	2003-04	R. Nelson	HS	
YENDES	DAVID	T		Teacher			X		El Camino High	2005-06	D. Daris	HS	
ZACK	KATHRYN	T		Teacher			X		Clair W. Burgener Academy	2001-02	J. Shirley	Various	
ZACK	KATHRYN	T		Teacher			X		Clair W. Burgener Academy	2002-03	J. Shirley	Various	
ZAVODNY	NICOLE	Temp/Prob		Teacher SE (ECE)			X		Garrison Elem	2000-01	E. Council	Pre-K	
ZAVODNY	NICOLE	Temp/Prob		Teacher SE (ECE)			X		Garrison Elem	2001-02	E. Council	Pre-K	
ZAVODNY	NICOLE	T		Teacher SE (ECE)			X		Garrison Elem	2004-05	M. Oliver	Pre-K	
Zavodny	Nicole	Tenured		Teacher SE (ECE)			X		Garrison Elem School	2006-07	M. Oliver	Pre-K	
ZELEDON	ANA	Temp/Prob		Teacher - SH			X		Pacifica Elem	2002-03	C. Sanders	Pre-K	
ZELEDON	ANA	Temp/Prob		Teacher - SH			X		Del Rio Elem	2003-04	P. Morgan	Pre-K	
ZELEDON	ANA	T		Teacher - SH			X		Del Rio Elem	2004-05	P. Morgan	Pre-K	
Zeledon	Ana	Tenured		PS Teacher - SH			X		Del Rio Elem School	2005-06	P. Morgan	Pre-K	
ZELUFF	KAREN	T		Teacher			X		Ivey Ranch Elem	2004-05	F. Wilson	Kinder	
Zeluff	Karen	Tenured		Teacher			X		Ivey Ranch Elem School	2006-07	F. Wilson	Kinder	
Zendejas	Kristin	Tenured		Teacher			X		El Camino HS	2004-05	R. Nelson	HS	
Zendejas	Kristin	Tenured		Teacher			X		El Camino HS	2005-06	D. Legg	HS	
ZIMNY	H	Temp/Prob		Teacher			X		Lincoln Middle	2000-01	P. Barnes	6th Core	
ZIMNY	H	Temp/Prob		Teacher			X		Lincoln Middle	2001-02	J. Schmidt	MS	
ZIMNY	H	T		Teacher			X		Lincoln Middle	2002-03	J. Schmidt	MS	
ZIMNY	H	T		Teacher			X		Lincoln Middle	2005-06	J. Schmidt	MS	
ZIVOTSKY	ANN	Temp/Prob		Resource Teacher			X		Lincoln Middle	1998-99	P. Barnes	7th Sci	
ZIVOTSKY	ANN	Temp/Prob		Resource Teacher			X		Lincoln Middle	1999-00	J. Schmidt	MS	
ZIVOTSKY	ANN	T		Resource Teacher			X		Lincoln Middle	2001-02	B. Kolb	MS	
ZIVOTSKY	ANN	T		Resource Teacher			X		Lincoln Middle	2003-04	B. Kolb	MS	
ZIVOTSKY	ANN	T		Resource Teacher (SBRT)			X		Lincoln Middle	2005-06	J. Schmidt	MS	

Tab 5

Howell, Kenneth

From: Arthur M. Palkowitz <apalkowitz@sashlaw.com>
Sent: Wednesday, December 24, 2014 12:53 PM
To: Howell, Kenneth
Cc: Spano, Jim
Subject: RE: Oceanside-Stull Act

Hi Ken,

Thank you for your message. The District is closed until January 5, 2015.
At that time I will respond to your questions.

Thank you,

Art

From: KHowell@sco.ca.gov [<mailto:KHowell@sco.ca.gov>]
Sent: Wednesday, December 24, 2014 12:49 PM
To: Arthur M. Palkowitz
Cc: jspano@sco.ca.gov
Subject: FW: Oceanside-Stull Act

Art,

I'm currently reviewing the attached document and I wanted to know if the file name is accurate. Namely, does this list *exclude* certificated instructional and non-instructional employees that have less than 10 years tenure? If so, the list would not represent the complete listing of certificated instructional and non-instructional employees that received evaluations for FY 1997-98 through FY 2004-05.

Also, the list only mentions CIE (Certificated Instructional Employees)...does this mean that certificated non-instructional employees are not included? Per the P's and G's, permanent certificated instructional and non-instructional employees that receive an unsatisfactory evaluation in the years in which they would not have otherwise been evaluated are considered reimbursable (along with various activities).

My overarching concern with this analysis is that may be working with incomplete data, and I want to provide the district every opportunity to provide the full and complete listing for consideration.

Thank you,

Ken Howell

Audit Manager
State Controller's Office
Division of Audits / Mandated Cost Audits Bureau
Office: 916-323-2368
khowell@sco.ca.gov

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From: Spano, Jim
Sent: Monday, December 22, 2014 4:29 PM
To: Howell, Kenneth
Subject: FW: Oceanside-Stull Act

Ken,

FYI

*Jim L. Spano, CPA
Chief, Mandated Cost Audits Bureau
Division of Audits
State Controller's Office
Work - (916) 323-5849
Fax - (916) 327-0832*

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From: Arthur M. Palkowitz [<mailto:apalkowitz@sashlaw.com>]
Sent: Friday, December 19, 2014 10:39 AM
To: Spano, Jim
Subject: Oceanside-Stull Act

Hi Jim,

Please find attached the Stull Act information you requested from Oceanside USD. The information is provided in excel and pdf format.

Please contact if you have any questions. Thank you for your cooperation.

Happy Holidays!

Art



Art Palkowitz, Esq.
Stutz Artiano Shinoff & Holtz, APC
2488 Historic Decatur Road, Suite 200
San Diego, CA 92106
Telephone: (619) 232-3122 x481
Fax: (619) 232-3264

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Please consider the environment before printing this e-mail.

Tab 6

Howell, Kenneth

From: Arthur M. Palkowitz <apalkowitz@sashlaw.com>
Sent: Monday, January 05, 2015 3:32 PM
To: Howell, Kenneth
Cc: Spano, Jim
Subject: RE: Oceanside-Stull Act

Hi Ken,

I apologize for the confusion.

Response: The list includes all certificated employees. The District does not employ individuals that are designated as certificated non-instructional.

Art

Stutz Artiano Shinoff Holtz
(619) 232-3122

From: KHowell@sco.ca.gov [mailto:KHowell@sco.ca.gov]
Sent: Monday, January 05, 2015 2:58 PM
To: Arthur M. Palkowitz
Cc: jspano@sco.ca.gov
Subject: RE: Oceanside-Stull Act

Hi Arthur,

In reading both responses, I noticed that the second sentence for each response appears to be incomplete. Specifically, where it says "the District does not employ employees that are certificated..." What was meant by this comment?

Thank you,

Ken Howell

Audit Manager
State Controller's Office
Division of Audits / Mandated Cost Audits Bureau
Office: 916-323-2368
khowell@sco.ca.gov

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From: Arthur M. Palkowitz [mailto:apalkowitz@sashlaw.com]
Sent: Monday, January 05, 2015 2:49 PM
To: Howell, Kenneth
Cc: Spano, Jim
Subject: RE: Oceanside-Stull Act

Hi Ken/Jim,

I had an opportunity today to discuss with District staff your questions.

1. Does this list *exclude* certificated instructional and non-instructional employees that have less than 10 years tenure?

Response: The list includes all certificated employees. The District does not employees that are certificated non-instructional employees. The list represents the complete listing of certificated instructional employees that received evaluations for FY 1997-98 through FY 2004-05.

2. Also, the list only mentions CIE (Certificated Instructional Employees)...does this mean that certificated non-instructional employees are not included? Per the P's and G's, permanent certificated instructional and non-instructional employees that receive an unsatisfactory evaluation in the years in which they would not have otherwise been evaluated are considered reimbursable (along with various activities).

Response: The list includes all certificated employees. The District does not employees that are certificated non-instructional employees. The list represents the complete listing of certificated instructional employees that received evaluations for FY 1997-98 through FY 2004-05.

Thank you for providing us with the questions. Please do not hesitate to contact me with any further questions or comments you may have.

Happy New Year!

Art

Stutz Artiano Shinoff Holtz
(619) 232-3122

From: KHowell@sco.ca.gov [<mailto:KHowell@sco.ca.gov>]
Sent: Wednesday, December 24, 2014 12:49 PM
To: Arthur M. Palkowitz
Cc: jspano@sco.ca.gov
Subject: FW: Oceanside-Stull Act

Art,

I'm currently reviewing the attached document and I wanted to know if the file name is accurate. Namely, does this list *exclude* certificated instructional and non-instructional employees that have less than 10 years tenure? If so, the list would not represent the complete listing of certificated instructional and non-instructional employees that received evaluations for FY 1997-98 through FY 2004-05.

Also, the list only mentions CIE (Certificated Instructional Employees)...does this mean that certificated non-instructional employees are not included? Per the P's and G's, permanent certificated instructional and non-instructional employees that receive an unsatisfactory evaluation in the years in which they would not have otherwise been evaluated are considered reimbursable (along with various activities).

My overarching concern with this analysis is that may be working with incomplete data, and I want to provide the district every opportunity to provide the full and complete listing for consideration.

Thank you,

Ken Howell

Audit Manager
State Controller's Office
Division of Audits / Mandated Cost Audits Bureau
Office: 916-323-2368
khowell@sco.ca.gov

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From: Spano, Jim
Sent: Monday, December 22, 2014 4:29 PM
To: Howell, Kenneth
Subject: FW: Oceanside-Stull Act

Ken,

FYI

*Jim L. Spano, CPA
Chief, Mandated Cost Audits Bureau
Division of Audits
State Controller's Office
Work - (916) 323-5849
Fax - (916) 327-0832*

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From: Arthur M. Palkowitz [<mailto:apalkowitz@sashlaw.com>]
Sent: Friday, December 19, 2014 10:39 AM
To: Spano, Jim
Subject: Oceanside-Stull Act

Hi Jim,

Please find attached the Stull Act information you requested from Oceanside USD. The information is provided in excel and pdf format.

Please contact if you have any questions. Thank you for your cooperation.

Happy Holidays!

Art



Art Palkowitz, Esq.
Stutz Artiano Shinoff & Holtz, APC
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Please consider the environment before printing this e-mail.

Tab 7

Howell, Kenneth

From: Howell, Kenneth
Sent: Wednesday, January 21, 2015 2:11 PM
To: apalkowitz@sashlaw.com
Cc: Spano, Jim
Subject: Oceanside USD - Stull Act IRC
Attachments: FY 1997-98 Allowable Evaluations.xls; FY 1998-99 Allowable Evaluations.xls; FY 1999-2000 Allowable Evaluations.xls; FY 2000-01 Allowable Evaluations.xls; FY 2001-02 Allowable Evaluations.xls; FY 2002-03 Allowable Evaluations.xls; FY 2003-04 Allowable Evaluations.xls; FY 2004-05 Allowable Evaluations.xls; Oceanside Permanent CIE Less Than 10 yrs Tenure-FINAL (S0214390)_edited.xls; Oceanside USD Schedule 1.pdf; Summary of Indirect Costs.pdf

Art,

Per our conversation today, I wanted to send you some documentation that may help with your review.

The district provided a listing of 1,698 employees that received evaluations for the audit period. We removed evaluations from the population for the following reasons:

- Duplicated evaluations for permanent employees performed in consecutive years, rather than every other year (51)
- Duplicated evaluations performed in the same year (10)
- Items outside of the IRC period (472)
- Unallowable subjects/programs performed by certificated instructional employees (16)

The allowable population was 1,149 total evaluations for the IRC period. Here's the breakdown of allowable evaluations per year:

- FY 1997-98 - 4
- FY 1998-99 - 55
- FY 1999-2000 - 96
- FY 2000-01 - 196
- FY 2001-02 - 249
- FY 2002-03 - 164
- FY 2003-04 - 220
- FY 2004-05 - 165

As you know, this documentation is subject to management review and may change at any time. For now, the detail provided provides the most up-to-date information/analysis for the Oceanside USD Stull Act IRC.

If possible, please provide us with an update by Friday so we can assess if an IRC extension request is necessary.

Thank you,

Ken Howell
Audit Manager
State Controller's Office
Division of Audits / Mandated Cost Audits Bureau

Office: 916-323-2368
khowell@sco.ca.gov

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**Summary of Allowable Evaluation Costs for
FY 1997-98 through FY 2004-05**

Oceanside Unified School District
 The Stull Act Program
 Analysis of Evaluations for FY 1997-98 through FY 2004-05
 S10-MCC-020

<u>Fiscal Year</u>	<u>Allowable evaluations</u>	<u>Productive Hourly Rate</u>	<u>Avg. time per eval (in hours)</u>	<u>Total allowable costs</u>
1997-98	4	\$ 47.85	0.5	\$ 96
1998-99	55	various	0.5	\$ 1,377
1999-2000	96	various	0.5	\$ 2,508
2000-01	196	various	0.5	\$ 5,482
2001-02	249	various	0.5	\$ 7,643
2002-03	164	various	0.5	\$ 5,137
2003-04	220	various	0.5	\$ 6,788
2004-05	165	various	0.5	\$ 5,328
	<u>1,149</u>			<u>\$ 34,359</u>

The full detail supporting this summary was provided to Art Palkowitz by email on January 21, 2015.

Summary of Indirect Costs

Oceanside Unified School District
 Legislatively Mandated Stull Act Program
 Summary of Indirect Costs
 FY 1997-98 through 2004-05
 Audit ID #:

From: (Summary of Indirect Cost Rates)

Fiscal Year	Object Account (All Salaries and Benefits)	Amount Claimed			Amount Allowed			Audit Adjustment Reasoning		
		Direct Costs	Indirect Cost Rate	Indirect Costs	Direct Costs	Indirect Cost Rate	Indirect Costs	Related I/Cost resulting from Unallowable Direct Costs	Wrong J-380 Rate	Total I/C Adj
1997-98	Evaluation Activities	\$ 51,719	5.00%	\$ 2,586	\$ 96	5.00%	\$ 5	\$ (2,581)	\$ -	\$ (2,581)
	Total	\$ 51,719		\$ 2,586	\$ 96		\$ 5	\$ (2,581)	\$ -	\$ (2,581)
1998-99	Evaluation Activities	\$ 71,101	5.00%	\$ 3,555	\$ 1,377	5.00%	\$ 69	\$ (3,486)	\$ -	\$ (3,486)
	Total	\$ 71,101		\$ 3,555	\$ 1,377		\$ 69	\$ (3,486)	\$ -	\$ (3,486)
1999-00	Evaluation Activities	\$ 100,454	5.00%	\$ 5,023	\$ 2,508	5.00%	\$ 125	\$ (4,898)	\$ -	\$ (4,898)
	Total	\$ 100,454		\$ 5,023	\$ 2,508		\$ 125	\$ (4,898)	\$ -	\$ (4,898)
2000-01	Evaluation Activities	\$ 141,674	4.53%	\$ 6,418	\$ 5,482	4.53%	\$ 248	\$ (6,170)	\$ -	\$ (6,170)
	Total	\$ 141,674		\$ 6,418	\$ 5,482		\$ 248	\$ (6,170)	\$ -	\$ (6,170)
2001-02	Evaluation Activities	\$ 194,137	4.94%	\$ 9,590	\$ 7,643	4.94%	\$ 378	\$ (9,212)	\$ -	\$ (9,212)
	Total	\$ 194,137		\$ 9,590	\$ 7,643		\$ 378	\$ (9,212)	\$ -	\$ (9,212)
2002-03	Evaluation Activities	\$ 197,873	5.06%	\$ 10,012	\$ 5,137	5.06%	\$ 260	\$ (9,752)	\$ -	\$ (9,752)
	Total	\$ 197,873		\$ 10,012	\$ 5,137		\$ 260	\$ (9,752)	\$ -	\$ (9,752)
2003-04	Evaluation Activities	\$ 221,249	4.15%	\$ 9,182	\$ 6,788	4.15%	\$ 282	\$ (8,900)	\$ -	\$ (8,900)
	Total	\$ 221,249		\$ 9,182	\$ 6,788		\$ 282	\$ (8,900)	\$ -	\$ (8,900)
2004-05	Evaluation Activities	\$ 235,193	4.53%	\$ 10,654	\$ 5,328	4.53%	\$ 241	\$ (10,413)	\$ -	\$ (10,413)
	Total	\$ 235,193		\$ 10,654	\$ 5,328		\$ 241	\$ (10,413)	\$ -	\$ (10,413)
Total		\$ 1,213,400		\$ 57,020	\$ 34,359		\$ 1,608	\$ (55,412)	\$ -	\$ (55,412)

Oceanside USD Schedule 1

**Schedule 1—
Summary of Program Costs
July 1, 1997, through June 30, 2005**

<u>Cost Elements</u>	<u>Actual Costs Claimed</u>	<u>Allowable per Audit</u>	<u>Audit Adjustments</u>
<u>July 1, 1997, through June 30, 1998</u>			
Direct costs			
Salaries and benefits			
Evaluation activities	\$ 51,719	\$ 96	\$ (51,623)
Total direct costs	51,719	96	(51,623)
Indirect costs	2,586	5	(2,581)
Total program costs	<u>\$ 54,305</u>	101	<u>\$ (54,204)</u>
Less amount paid by state		-	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 101</u>	
<u>July 1, 1998, through June 30, 1999</u>			
Direct costs			
Salaries and benefits			
Evaluation activities	\$ 71,101	\$ 1,377	\$ (69,724)
Total direct costs	71,101	1,377	(69,724)
Indirect costs	3,555	69	(3,486)
Total program costs	<u>\$ 74,656</u>	1,446	<u>\$ (73,210)</u>
Less amount paid by state		-	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 1,446</u>	
<u>July 1, 1999, through June 30, 2000</u>			
Direct costs			
Salaries and benefits			
Evaluation activities	\$ 100,454	\$ 2,508	\$ (97,946)
Total direct costs	100,454	2,508	(97,946)
Indirect costs	5,023	125	(4,898)
Total program costs	<u>\$ 105,477</u>	2,633	<u>\$ (102,844)</u>
Less amount paid by state		-	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 2,633</u>	
<u>July 1, 2000, through June 30, 2001</u>			
Direct costs			
Salaries and benefits			
Evaluation activities	\$ 141,674	\$ 5,482	\$ (136,192)
Total direct costs	141,674	5,482	(136,192)
Indirect costs	6,418	248	(6,170)
Total program costs	<u>\$ 148,092</u>	5,730	<u>\$ (142,362)</u>
Less amount paid by state		-	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 5,730</u>	

**Schedule 1—
Summary of Program Costs
July 1, 1997, through June 30, 2005**

<u>Cost Elements</u>	<u>Actual Costs Claimed</u>	<u>Allowable per Audit</u>	<u>Audit Adjustments</u>
<u>July 1, 2001, through June 30, 2002</u>			
Direct costs			
Salaries and benefits			
Evaluation activities	\$ 194,137	\$ 7,643	\$ (186,494)
Total direct costs	194,137	7,643	(186,494)
Indirect costs	9,590	378	(9,212)
Total program costs	<u>\$ 203,727</u>	<u>8,021</u>	<u>\$ (195,706)</u>
Less amount paid by state		-	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 8,021</u>	
<u>July 1, 2002, through June 30, 2003</u>			
Direct costs			
Salaries and benefits			
Evaluation activities	\$ 197,873	\$ 5,137	\$ (192,736)
Total direct costs	197,873	5,137	(192,736)
Indirect costs	10,012	260	(9,752)
Total program costs	<u>\$ 207,885</u>	<u>5,397</u>	<u>\$ (202,488)</u>
Less amount paid by state		-	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 5,397</u>	
<u>July 1, 2003, through June 30, 2004</u>			
Direct costs			
Salaries and benefits			
Evaluation activities	\$ 221,249	\$ 6,788	\$ (214,461)
Total direct costs	221,249	6,788	(214,461)
Indirect costs	9,182	282	(8,900)
Total program costs	<u>\$ 230,431</u>	<u>7,070</u>	<u>\$ (223,361)</u>
Less amount paid by state		-	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 7,070</u>	
<u>July 1, 2004, through June 30, 2005</u>			
Direct costs			
Salaries and benefits			
Evaluation activities	\$ 235,193	\$ 5,328	\$ (229,865)
Total direct costs	235,193	5,328	(229,865)
Indirect costs	10,654	241	(10,413)
Total program costs	<u>\$ 245,847</u>	<u>5,569</u>	<u>\$ (240,278)</u>
Less amount paid by state		-	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 5,569</u>	
<u>Summary: July 1, 1997, through June 30, 2005</u>			
Direct costs			
Salaries and benefits			
Evaluation activities	\$ 1,213,400	\$ 34,359	\$ (1,179,041)
Total direct costs	1,213,400	34,359	(1,179,041)
Indirect costs	57,020	1,608	(55,412)
Total program costs	<u>\$ 1,270,420</u>	<u>\$ 35,967</u>	<u>\$ (1,234,453)</u>
Less amount paid by state		-	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 35,967</u>	

Tab 8

Howell, Kenneth

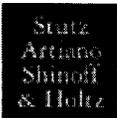
From: Arthur M. Palkowitz <apalkowitz@sashlaw.com>
Sent: Thursday, January 29, 2015 3:24 PM
To: Howell, Kenneth
Cc: Spano, Jim
Subject: RE: Oceanside

Hi Ken,

Unfortunately, I did not receive the analysis or your email dated January 21, 2015. Could you please resend it?

As I initially expressed to you, we are not in agreement to the estimate of 30 minutes per evaluation. The reasonable period to conduct the informal classroom observations; formal classroom observations, writing the final evaluation reports and/or preparing the Teacher Evaluation Report is approximately five- six hours. This period of time has been accepted by the Controller in other Stull Act audits.

Thank you,
Art



Art Palkowitz, Esq.
Stutz Artiano Shinoff & Holtz, APC
2488 Historic Decatur Road, Suite 200
San Diego, CA 92106
Telephone: (619) 232-3122 x481
Fax: (619) 232-3264

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Please consider the environment before printing this e-mail.

From: KHowell@sco.ca.gov [<mailto:KHowell@sco.ca.gov>]
Sent: Thursday, January 29, 2015 3:09 PM
To: Arthur M. Palkowitz
Cc: jspano@sco.ca.gov
Subject: RE: Oceanside

Hi Art,

Sorry about the phone tag today. Our analysis for the Oceanside USD IRC was provided in an email sent to you on January 21st. We attached our analysis of the allowable population provided by the district, and included an updated Schedule 1 of allowable costs for FY 1997-98 through FY 2004-05.

If the district accepts the analysis, we will reissue the final audit report and reinstate the costs as shown on the Schedule 1.

Thank you,

Ken Howell

Audit Manager
State Controller's Office
Division of Audits / Mandated Cost Audits Bureau
Office: 916-323-2368
khowell@sco.ca.gov

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From: Arthur M. Palkowitz [<mailto:apalkowitz@sashlaw.com>]
Sent: Friday, January 23, 2015 2:23 PM
To: Howell, Kenneth
Cc: Spano, Jim
Subject: Oceanside

Ken,

Thank you for reviewing your information during our recent telephone conversation.
I look forward to receiving your analysis.

Art



Art Palkowitz, Esq.
Stutz Artiano Shinoff & Holtz, APC
2488 Historic Decatur Road, Suite 200
San Diego, CA 92106
Telephone: (619) 232-3122 x481
Fax: (619) 232-3264

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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 2, 2015, I served the:

SCO Comments on IRC

Incorrect Reduction Claim

The Stull Act, 14-9825-I-01

Education Code Sections 44660-44665;

Statutes 1983, Chapter 498; Statutes 1999, Chapter 4

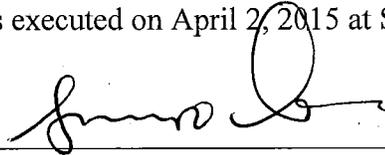
Fiscal Years: 1997-1998, 1998-1999, 1999-2000, 2000-2001,

2001-2002, 2002-2003, 2003-2004, and 2004-2005

Oceanside Unified School 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 April 2, 2015 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: 2/3/15

Claim Number: 14-9825-I-01

Matter: The Stull Act

Claimant: Oceanside Unified School District

TO ALL PARTIES, INTERESTED PARTIES, AND INTERESTED PERSONS:

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Socorro Aquino, *State Controller's Office*

Division of Audits, 3301 C Street, Suite 700, Sacramento, CA 95816

Phone: (916) 322-7522

SAquino@sco.ca.gov

Marieta Delfin, *State Controller's Office*

Division of Accounting and Reporting, 3301 C Street, Suite 700, Sacramento, CA 95816

Phone: (916) 322-4320

mdelfin@sco.ca.gov

Donna Ferebee, *Department of Finance*

915 L Street, Suite 1280, Sacramento, CA 95814

Phone: (916) 445-3274

donna.ferebee@dof.ca.gov

Chris Ferguson, *Department of Finance*

Education Systems Unit, 915 L Street, 7th Floor, 915 L Street, 7th Floor, Sacramento, CA 95814

Phone: (916) 445-3274

Chris.Ferguson@dof.ca.gov

Susan Geanacou, *Department of Finance*

915 L Street, Suite 1280, Sacramento, CA 95814

Phone: (916) 445-3274

susan.geanacou@dof.ca.gov

Ed Hanson, *Department of Finance*

Education Systems Unit, 915 L Street, 7th Floor, Sacramento, CA 95814

Phone: (916) 445-0328
ed.hanson@dof.ca.gov

Karen Huddleston, Controller, *Oceanside Unified School District*
2111 Mission Avenue, Oceanside, CA 92058
Phone: (760) 966-4045
khuddleston@oside.k12.ca.us

Cheryl Ide, Associate Finance Budget Analyst, *Department of Finance*
Education Systems Unit, 915 L Street, Sacramento, CA 95814
Phone: (916) 445-0328
Cheryl.ide@dof.ca.gov

Jill Kanemasu, *State Controller's Office*
Division of Accounting and Reporting, 3301 C Street, Suite 700, Sacramento, CA 95816
Phone: (916) 322-9891
jkanemasu@sco.ca.gov

Shelly Kruse, Accountant, *Oceanside Unified School District*
Fiscal Services, 2111 Mission Avenue, Oceanside, CA 92058
Phone: (760) 966-4440
michelle.kruse@oside.us

Jay Lal, *State Controller's Office (B-08)*
Division of Accounting & Reporting, 3301 C Street, Suite 700, Sacramento, CA 95816
Phone: (916) 324-0256
JLal@sco.ca.gov

Kathleen Lynch, *Department of Finance (A-15)*
915 L Street, Suite 1280, 17th Floor, Sacramento, CA 95814
Phone: (916) 445-3274
kathleen.lynch@dof.ca.gov

Kathleen McPerry, Administrative Secretary II, to Karen Huddleston, Controller, *Oceanside Unified School District*
Fiscal Services, 2111 Mission Avenue, Oceanside, CA 92058
Phone: (760) 966-4038
kmcperry@oside.us

Yazmin Meza, *Department of Finance*
915 L Street, Sacramento, CA 95814
Phone: (916) 445-0328
Yazmin.meza@dof.ca.gov

Robert Miyashiro, *Education Mandated Cost Network*
1121 L Street, Suite 1060, Sacramento, CA 95814
Phone: (916) 446-7517
robertm@sscal.com

Jameel Naqvi, Analyst, *Legislative Analysts' Office*
Education Section, 925 L Street, Suite 1000, Sacramento, CA 95814
Phone: (916) 319-8331
Jameel.naqvi@lao.ca.gov

Keith Nezaam, *Department of Finance*

915 L Street, 8th Floor, Sacramento, CA 95814
Phone: (916) 445-8913
Keith.Nezaam@dof.ca.gov

Andy Nichols, *Nichols Consulting*
1857 44th Street, Sacramento, CA 95819
Phone: (916) 455-3939
andy@nichols-consulting.com

Christian Osmena, *Department of Finance*
915 L Street, Sacramento, CA 95814
Phone: (916) 445-0328
christian.osmena@dof.ca.gov

Arthur Palkowitz, *Stutz Artiano Shinoff & Holtz*
Claimant Representative
2488 Historic Decatur Road, Suite 200, San Diego, CA 92106
Phone: (619) 232-3122
apalkowitz@sashlaw.com

Keith Petersen, *SixTen & Associates*
P.O. Box 340430, Sacramento, CA 95834-0430
Phone: (916) 419-7093
kpbsixten@aol.com

Sandra Reynolds, *Reynolds Consulting Group, Inc.*
P.O. Box 894059, Temecula, CA 92589
Phone: (951) 303-3034
sandrareynolds_30@msn.com

Kathy Rios, *State Controller's Office*
Division of Accounting and Reporting, 3301 C Street, Suite 700, Sacramento, CA 95816
Phone: (916) 324-5919
krios@sco.ca.gov

David Scribner, *Max8550*
2200 Sunrise Boulevard, Suite 240, Gold River, CA 95670
Phone: (916) 852-8970
dscribner@max8550.com

Jim Spano, Chief, Mandated Cost Audits Bureau, *State Controller's Office*
Division of Audits, 3301 C Street, Suite 700, Sacramento, CA 95816
Phone: (916) 323-5849
jspano@sco.ca.gov

Dennis Speciale, *State Controller's Office*
Division of Accounting and Reporting, 3301 C Street, Suite 700, Sacramento, CA 95816
Phone: (916) 324-0254
DSpeciale@sco.ca.gov

2488 Historic Decatur Road
Suite 200
San Diego, California 92106
(619) 232-3122
Fax (619) 232-3264
www.sashlaw.com



Exhibit C

Arthur M. Palkowitz
apalkowitz@sashlaw.com

RECEIVED
May 4, 2015
**Commission on
State Mandates**

May 1, 2015

LATE FILING

Heather Halsey
Executive Director
COMMISSION ON STATE MANDATES
980 9th Street, Suite 300
Sacramento, CA 95814

Re: INCORRECT REDUCTION CLAIM ON: CHAPTER 498 STATUTES OF 1983;
CHAPTER 4, STATUTES OF 1999.
THE STULL ACT PROGRAM : FISCAL YEARS 1997-1998, 1998-1999, 1999-2000,
2000-2001, 2001-2002, 2002-2003, 2003-2004, 2004-2005.
Oceanside Unified School District; Claimant
Rebuttal Comments

Dear Ms. Halsey:

The following information is provided in rebuttal to the State Controller's Office ("Controller") response dated March 27, 2015, to the Claimant's Incorrect Reduction Claim. (IRC)

I. **INTRODUCTION**

On September 27, 2005, the Commission on State Mandates ("Commission") adopted the Parameters and Guidelines for the activities of the Stull Act set forth in Chapter 498, Statutes (Chapter 498/83); Chapter 4, Statutes of 1999 (Chapter 4/99) and Education Code sections 44660-44665. The Stull Act required school districts to develop and adopt specific guidelines to evaluate and assess certificated instructional employees that perform the requirements of educational programs mandated by state or federal law as it reasonably relates to the instructional techniques and strategies used by the employee and the employee's adherence to curricular objectives.

Oceanside Unified School District ("the District") filed claims for reimbursement of costs that the District incurred during Fiscal Years 1997-1998, 1998-1999, 1999-2000, 2000-2001, 2001-2002, 2002-2003, 2003-2004, 2004-2005 to implement the state mandated Stull Program Act.

Heather Halsey
Executive Director
COMMISSION ON STATE MANDATES

May 1, 2015
Page 2

Claimants' Rebuttal Comments

The District claimed \$1,286,956 for reimbursement of costs for the salaries and benefits of the school site staff and related indirect costs. The Controller denied \$1,270,420 contending the District did not support claimed costs with source documents.

II.

PARAMETERS AND GUIDELINES

The approved parameters and guidelines required reimbursement for the following activities:

1. Evaluate and assess the performance of certificated instructional employees that perform the requirements of educational programs demanded by state or federal law as it reasonably relates to the instructional techniques and strategies used by the employee and the employee's adherence to curricular objectives.
2. Evaluate and assess the performance of certificated instructional employees that teach reading, writing, mathematics, history/social science, and science grades 2-11 as it reasonably relates to the progress of pupils towards the state adopted academic contents standards as measured by state adopted assessment tests.
3. Evaluate and assess the performance of permanent certificated and non-instructional employees that that perform the requirements of educational programs demanded by state or federal law and receive an unsatisfactory evaluation in the years in which the permanent certificated employee would not have otherwise been evaluated pursuant to Education Code section 44664. (Exhibit B, p. 8.)

The District contends the following activities are reimbursable:

1. Preparing for the evaluation;
2. Goals and objectives conference with instructor;
3. Pre-observation conference with instructor;
4. Classroom observation with instructor;
5. Post-observation conference with instructor;
6. Final conference with instructor;

Heather Halsey
Executive Director
COMMISSION ON STATE MANDATES

Claimants' Rebuttal Comments

7. Conducting final conferences; written evaluations;
8. District reporting. (Exhibit M.)

All the above relates to the review of the employee's instructional techniques and strategies used by the employee and the employee's adherence to curricular objectives. The Controller's unilateral determination that the aforementioned activities are ineligible is not supported by the parameters and guidelines or any other authoritative document.

III.

DISTRICT PROVIDED TIME RECORDS FOR MANDATED COSTS.

The District provided a list of employees, title, hourly rate for each fiscal year that evaluations were performed, (Exhibit E, F, G, H, I, J, K, L.) as well as employee average time records for mandated costs. (Exhibit M.) Each employee recorded their average time performing evaluation activities for the period of Fiscal Year 1997-98 through Fiscal Year 2004-05. The time spent by District employees to conduct the reimbursable activities would average 6-7 hours per employee.

The District complied with the evaluation requirements contained in Article 15 of the Collective Bargaining Agreement for years 1997- 2005, probationary certificated employees evaluated at least once each school year and permanent certificated employees evaluated at least once every other school year. (Exhibit "N".)

Despite the production of this supporting documentation, the Audit Report stated "The District did not provide source documents supporting the average time or access to employee evaluations to support the number of employees evaluated." (Exhibit D, p. 8.)

IV.

CLAIMANTS TIME STUDY IS REASONABLE BASED ON OTHER AUDITS.

A review of other similar Controller audits provides support for the amounts asserted by the claimant. Controller's audits concluded the average time spent for the evaluation in Poway Unified School District, 1.52 hours for permanent, 3.57 for non-permanent, and 12.93 for unsatisfactory evaluations. (Exhibit P; p. 15.)

In the audit of Norwalk-LaMirada Unified School District the Controller allowed 1.89 hours for permanent, 3.07 for non-permanent, and 12.99 for unsatisfactory. (Exhibit "Q"; p. 16.)

Heather Halsey
Executive Director
COMMISSION ON STATE MANDATES

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Page 4

Claimants' Rebuttal Comments

In the Long Beach Unified School District audit, the Controller applied an average of 2.14 hours to each fiscal year. (Exhibit "R"; p. 16.) Long Beach provided a listing of all evaluators (principals and vice principals) for the audit period, including the payroll and benefit information. (The claimant provided the same information.) Controller then calculated an average productive rate (PHR) that was applied to allowable evaluations in each fiscal year. (Exhibit "R"; p. 10.)

During the Elk Grove Unified School District, Controller determined a rounded average of 2.5 hours per evaluation for permanent employees and 5.0 for unsatisfactory evaluations. (Exhibit "S", p.11)

In the audit of Castrol Valley Unified School District, Controller accepted an average of 3.57 per evaluation for permanent employees and 7.88 for unsatisfactory evaluations. (Exhibit "T", p.15.) (The following chart lists the school districts and their average time per evaluation.)

DISTRICT	PERMANENT	NON-PERMANENT	UNSATISFACTORY
Poway	2	3	13
Norwalk	1.89	3.7	12.99
Long Beach	2.14	N/A	4.88
Elk Grove	2.50	N/A	5.00
Castro Valley	3.57	3.89	7.88

Documentation submitted by the claimant supports the reasonable time spent per evaluation of 6.40 hours FY 1997-98 and 6.50 in FY 1998-1999. For the claimant's time to be limited by Controller to .30 minutes is far below the other times accepted in School District audits and is inconsistent with the documentation submitted by the claimant. As a result Controller's decision to disallow the reimbursement claim is unreasonable, as well as arbitrary and capricious.

Heather Halsey
Executive Director
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May 1, 2015
Page 5

Claimants' Rebuttal Comments

V.

CONTROLLER IMPROPERLY DENIED CLAIMANT'S EVALUATIONS FOR FY 1997-1998.

The Controller allowed four evaluations for FY 1997-1998. As illustrated in the chart below, the claimant's documentation supports 67 evaluations, an amount the Controller accepted for FY 1998-1999.

1997-98	Employee Name	Claimed Hours	Time Per Evaluations	Evaluations
	Rob Rowe	66.67 (E/3)	395 minutes (Ex. M/38)	10
	Dan Daris	97.29 (E/3)	467 minutes (Ex. M/25)	12
	Frank Gomez	29.14 (E/3)	269 minutes (Ex. M/41)	6
	Kim Marguarat	39.13 (E/3)	313 minutes (Ex. M/32)	7
	Pat Barnes	57.23 (E/3)	448 minutes (Ex. M/02)	7
	Peg Cowman	32.07 (E/3)	457 minutes (Ex. M/32)	4
	Phyllis Morgan	52.25 (E/3)	418 minutes (Ex. M/6)	7
	Raye Clendening	36.00 (E/3)	360 minutes (Ex. M/12)	6
	Sherry Freeman	46.75 (E/4)	330 minutes (Ex. M/34)	8
TOTAL EVALUATIONS 1997-98				67

Controller allowed a total of four evaluations for FY 1997-98. The preceding chart lists 67 evaluations, consisted with the number of evaluations for FY1998-1999 that was accepted by the Controller. (District started using File Maker in 2005. The information prior to that time, more than ten years ago, is currently inaccessible.)

Heather Halsey
Executive Director
COMMISSION ON STATE MANDATES

Claimants' Rebuttal Comments

1998-99	Employee Name	Claimed Hours	Time Per Evaluations	Evaluations
	Rob Rowe	50.00 (F/3)	395 minutes (Ex. M/38)	8
	Brian Kolb (Ex. F/3)	40.67 (F/3)	305 minutes (Ex. M/02)	8
	Martha Munden	74.70 (F/3)	498 minutes (Ex. M/39)	9
	Pat Barnes (Ex. F/3)	57.23 (F/3)	448 minutes (Ex. M/02)	7
	Kim Marguarat (Ex. F/3)	39.13 (F/3)	313 minutes (Ex. M/32)	7
	Peg Cowman	32.07 (F/3)	457 minutes (Ex. M/32)	4
	Raye Clendening	45.00 (F/3)	360 minutes (Ex. M/12)	7
	Garry Shoeton	118.15 (F/3)	417 minutes (Ex. M/33)	7
	Sherry Freeman	44.00 (F/4)	330 minutes (Ex. M/34)	8
TOTAL EVALUATIONS 1998-99				55

Without any evidence to the contrary, Controller arbitrarily denied the reimbursement claims for FY 1997-98 through Fiscal Year 2004-05, disregarding the reliable and unrefuted documentary evidence. Controller's decision is an abuse of discretion, arbitrary, capricious, and unsupported by the test claim and P & G's.

VI.
CONCLUSION

Oceanside's documentation complied with the requirements of the P & G's and more than met their burden in producing evidence supporting their claim. Controller in effect established a clear and convincing standard, resulting in Oceanside being denied of their constitutional right to be reimbursed for the increased costs. Oceanside contends allowance of

Heather Halsey
Executive Director
COMMISSION ON STATE MANDATES

May 1, 2015
Page 7

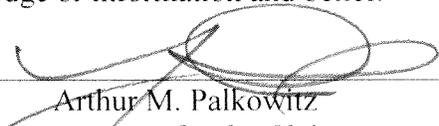
Claimants' Rebuttal Comments

four evaluations is erroneous and is not supported by the evidence. An allocation of .5 for each evaluation is unreasonable.

There can be no doubt the District's school site staff performed the reimbursable activities. The District has submitted sufficient documentation to prove each school site performed the activities of assessing and evaluating the certificated employees as required by the mandate. The statistical method used by the District is reasonable and non-excessive.

The District accepts the Controller's allowable total evaluations of 1,149 (State Controller Office IRC Comments; p. 108) adjusted for the evaluations for FY 1997-1998 for a total of 1,212. The Claimant's adjusted reimbursement claim for FY 1997-1998 to FY 2004-2005 in the amount of \$181,800.00 is based on an average hourly rate of \$60.00 per hour at 2.5 hours per evaluation.

I declare, by my signature below, that the statements made in this document are true and complete to the best of my own personal knowledge or information and belief.



Arthur M. Palkowitz
Attorney for the Claimants

AMP/llm

EXHIBIT P

POWAY UNIFIED SCHOOL DISTRICT

Audit Report

STULL ACT PROGRAM

Chapter 498, Statutes of 1983,
and Chapter 4, Statutes of 1999

July 1, 1997, through June 30, 2011



JOHN CHIANG
California State Controller

August 2014



JOHN CHIANG
California State Controller

August 20, 2014

Todd Gutschow, President
Board of Education
Poway Unified School District
14435 Harvest Court
Poway, CA 92064

Dear Mr. Gutschow:

The State Controller's Office audited the costs claimed by Poway Unified School District for the legislatively mandated Stull Act Program (Chapter 498, Statutes of 1983, and Chapter 4, Statutes of 1999) for the period of July 1, 1997, through June 30, 2011.

The district claimed \$4,161,778 for the mandated program. Our audit found that \$943,147 is allowable and \$3,218,631 is unallowable. The costs are unallowable primarily because the district claimed reimbursement for non-mandated activities. The State paid the district \$415,123. Allowable costs claimed exceed the amount paid by \$528,024.

If you disagree with the audit finding, you may file an Incorrect Reduction Claim (IRC) with the Commission on State Mandates (Commission). The IRC must be filed within three years following the date that we notify you of a claim reduction. You may obtain IRC information at the Commission's website at www.csm.ca.gov/docs/IRCFForm.pdf.

If you have any questions, please contact Jim L. Spano, Chief, Mandated Cost Audits Bureau, by phone at (916) 323-5849.

Sincerely,

Original signed by

JEFFREY V. BROWNFIELD, CPA
Chief, Division of Audits

JVB/sk

cc: John P. Collins, Ed.D., Superintendent
Poway Unified School District
Malliga Tholandi, Associate Superintendent, Business Support Services
Poway Unified School District
Naomi Sweet, Administrative Assistant II, Finance
Poway Unified School District
Joy Ramiro, Director, Finance
Poway Unified School District
Brent Watson, Executive Director
Business Advisory Services
San Diego County Office of Education
Peter Foggiato, Director
School Fiscal Services Division
California Department of Education
Carol Bingham, Senior Fiscal Policy Advisor
Government Affairs Division
California Department of Education
Thomas Todd, Assistant Program Budget Manager
Education Systems Unit
California Department of Finance
Jay Lal, Manager
Division of Accounting and Reporting
State Controller's Office

Contents

Audit Report

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Audit Report

Summary

The State Controller's Office (SCO) audited the costs claimed by Poway Unified School District for the legislatively mandated Stull Act Program (Chapter 498, Statutes of 1983, and Chapter 4, Statutes of 1999) for the period of July 1, 1997, through June 30, 2011.

The district claimed \$4,161,778 for the mandated program. Our audit found that \$943,147 is allowable and \$3,218,631 is unallowable. The costs are unallowable primarily because the district claimed reimbursement for non-mandated activities. The State paid the district \$415,123. Allowable costs claimed exceed the amount paid by \$528,024.

Background

Chapter 498, Statutes of 1983, and Chapter 4, Statutes of 1999, added Education Code sections 44660-44665. The legislation provided reimbursement for specific activities related to evaluation and assessment of the performance of "certificated personnel" within each school district, except for those employed in local, discretionary educational programs.

On May 27, 2004, the Commission on State Mandates (Commission) determined that the legislation imposed a state mandate reimbursable under Government Code section 17514.

The program's parameters and guidelines establish the state mandate and define reimbursement criteria. The Commission adopted the parameters and guidelines on September 27, 2005. In compliance with Government Code section 17558, the SCO issues claiming instructions to assist local agencies and school districts in claiming mandated program reimbursable costs.

The Commission approved reimbursable activities as follows:

- Evaluate and assess the performance of certificated instructional employees that perform the requirements of educational programs mandated by state or federal laws as it reasonably relates to the instructional techniques and strategies used by the employee and the employee's adherence to curricular objectives (Education Code section 44662(b) as amended by Chapter 498, Statutes of 1983).
- Evaluate and assess the performance of certificated instructional employees that teach reading, writing, mathematics, history/social science, and science in grades 2 to 11 as it reasonably relates to the progress of pupils toward the state adopted academic content standards as measured by state adopted assessment tests (Education Code section 44662(b) as amended by Chapter 4, Statutes of 1999).
- Assess and evaluate permanent certificated, instructional, and non-instructional employees that perform the requirements of educational programs mandated by state or federal law and receive an unsatisfactory evaluation in the years in which the permanent certificated employee would not have otherwise been evaluated pursuant to Education Code section 44664. The additional

evaluations shall last until the employee achieves a positive evaluation, or is separated from the school district (Education Code section 44664 as amended by Chapter 498, Statutes of 1983).

Objectives, Scope, and Methodology

We conducted the audit to determine whether costs claimed represent increased costs resulting from the Stull Act Program for the period of July 1, 1997, through June 30, 2011.

The objectives of our audit were to determine whether costs claimed were supported by appropriate source documents, were not funded by another source, and were not unreasonable and/or excessive.

The legal authority to conduct this audit is provided by Government Code sections 12410, 17558.5, and 17561. We did not audit the district's financial statements. We conducted this performance audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

We limited our review of the district's internal controls to gaining an understanding of the transaction flow and claim preparation process as necessary to develop appropriate auditing procedures. Our audit scope did not assess the efficiency or effectiveness of program operations.

To achieve our audit objectives, we performed the following audit procedures:

- Interviewed employees, completed the internal control questionnaire, and performed a walk-through of the cost components of each claim.
- Traced costs claimed to supporting documentation that showed when the costs were incurred, the validity of such costs, and their relationship to mandated activities.

Conclusion

Our audit found an instance of noncompliance with the requirements outlined above. This instance is described in the accompanying Summary of Program Costs (Schedule 1) and in the Finding and Recommendation section of this report.

For the audit period, Poway Unified School District claimed \$4,161,778 for costs of the Stull Act Program. Our audit found that \$943,147 is allowable and \$3,218,631 is unallowable.

For the fiscal year (FY) 1997-98 claim, the State paid the district \$19,546. Our audit found that \$58,111 is allowable. The State will pay allowable costs claimed that exceed the amount paid, totaling \$38,565, contingent upon available appropriations.

For the FY 1998-99 through FY 2007-08 claims, the State made no payment to the district. Our audit found that \$707,875 is allowable. The State will pay allowable costs claimed, contingent upon available appropriations.

For the FY 2008-09 claim, the State paid the district \$211,391. Our audit found that \$82,364 is allowable. The State will offset \$129,027 from other mandated program payments due the district. Alternatively, the district may remit this amount to the State.

For the FY 2009-10 claim, the State paid the district \$184,186. Our audit found that \$61,569 is allowable. The State will offset \$122,617 from other mandated program payments due the district. Alternatively, the district may remit this amount to the State.

For the FY 2010-11 claim, the State made no payment to the district. Our audit found that \$33,228 is allowable. The State will pay allowable costs claimed that exceed the amount paid, totaling \$33,228, contingent upon available appropriations.

**Views of
Responsible
Official**

We issued a draft audit report on July 9, 2014. Malliga Tholandi, Associate Superintendent, Business Support Services, responded by letter dated July 25, 2014 (Attachment), disagreeing with the audit results. This final audit report includes the district's response.

Restricted Use

This report is solely for the information and use of Poway Unified School District, the San Diego County Office of Education, the California Department of Education, the California Department of Finance, and the SCO; it is not intended to be and should not be used by anyone other than these specified parties. This restriction is not intended to limit distribution of this report, which is a matter of public record.

Original signed by

JEFFREY V. BROWNFIELD, CPA
Chief, Division of Audits

August 20, 2014

**Schedule 1—
Summary of Program Costs
July 1, 1997, through June 30, 2011**

Cost Elements	Actual Costs Claimed	Allowable per Audit	Audit Adjustment ¹
<u>July 1, 1997, through June 30, 1998</u>			
Direct costs:			
Salaries and benefits			
Evaluation activities	\$ 224,521	\$ 55,108	\$ (169,413)
Training	—	—	—
Total direct costs	224,521	55,108	(169,413)
Indirect costs	12,237	3,003	(9,234)
Total program costs	<u>\$ 236,758</u>	58,111	<u>\$ (178,647)</u>
Less amount paid by state		(19,546)	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 38,565</u>	
<u>July 1, 1998, through June 30, 1999</u>			
Direct costs:			
Salaries and benefits			
Evaluation activities	\$ 167,088	\$ 56,190	\$ (110,898)
Training	—	—	—
Total direct costs	167,088	56,190	(110,898)
Indirect costs	7,235	2,433	(4,802)
Total program costs	<u>\$ 174,323</u>	58,623	<u>\$ (115,700)</u>
Less amount paid by state		—	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 58,623</u>	
<u>July 1, 1999, through June 30, 2000</u>			
Direct costs:			
Salaries and benefits			
Evaluation activities	\$ 326,643	\$ 57,779	\$ (268,864)
Training	—	—	—
Total direct costs	326,643	57,779	(268,864)
Indirect costs	9,995	1,768	(8,227)
Total program costs	<u>\$ 336,638</u>	59,547	<u>\$ (277,091)</u>
Less amount paid by state		—	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 59,547</u>	

Schedule 1 (continued)

Cost Elements	Actual Costs Claimed	Allowable per Audit	Audit Adjustment ¹
<u>July 1, 2000, through June 30, 2001</u>			
Direct costs:			
Salaries and benefits			
Evaluation activities	\$ 355,176	\$ 60,534	\$ (294,642)
Training	—	—	—
Total direct costs	355,176	60,534	(294,642)
Indirect costs	14,314	2,440	(11,874)
Total program costs	<u>\$ 369,490</u>	62,974	<u>\$ (306,516)</u>
Less amount paid by state		—	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 62,974</u>	
<u>July 1, 2001, through June 30, 2002</u>			
Direct costs:			
Salaries and benefits			
Evaluation activities	\$ 411,447	\$ 63,211	\$ (348,236)
Training	—	—	—
Total direct costs	411,447	63,211	(348,236)
Indirect costs	19,091	2,933	(16,158)
Total program costs	<u>\$ 430,538</u>	66,144	<u>\$ (364,394)</u>
Less amount paid by state		—	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 66,144</u>	
<u>July 1, 2002, through June 30, 2003</u>			
Direct costs:			
Salaries and benefits			
Evaluation activities	\$ 365,399	\$ 64,623	\$ (300,776)
Training	—	—	—
Total direct costs	365,399	64,623	(300,776)
Indirect costs	16,553	2,927	(13,626)
Total program costs	<u>\$ 381,952</u>	67,550	<u>\$ (314,402)</u>
Less amount paid by state		—	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 67,550</u>	

Schedule 1 (continued)

Cost Elements	Actual Costs Claimed	Allowable per Audit	Audit Adjustment ¹
<u>July 1, 2003, through June 30, 2004</u>			
Direct costs:			
Salaries and benefits			
Evaluation activities	\$ 306,838	\$ 66,573	\$ (240,265)
Training	—	—	—
Total direct costs	306,838	66,573	(240,265)
Indirect costs	15,342	3,329	(12,013)
Total program costs	<u>\$ 322,180</u>	69,902	<u>\$ (252,278)</u>
Less amount paid by state		—	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 69,902</u>	
<u>July 1, 2004, through June 30, 2005</u>			
Direct costs:			
Salaries and benefits			
Evaluation activities	\$ 360,085	\$ 69,034	\$ (291,051)
Training	—	—	—
Total direct costs	360,085	69,034	(291,051)
Indirect costs	18,617	3,569	(15,048)
Total program costs	<u>\$ 378,702</u>	72,603	<u>\$ (306,099)</u>
Less amount paid by state		—	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 72,603</u>	
<u>July 1, 2005, through June 30, 2006</u>			
Direct costs:			
Salaries and benefits			
Evaluation activities	\$ 326,394	\$ 73,158	\$ (253,236)
Training	—	—	—
Total direct costs	326,394	73,158	(253,236)
Indirect costs	16,940	3,797	(13,143)
Total program costs	<u>\$ 343,334</u>	76,955	<u>\$ (266,379)</u>
Less amount paid by state		—	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 76,955</u>	

Schedule 1 (continued)

Cost Elements	Actual Costs Claimed	Allowable per Audit	Audit Adjustment ¹
<u>July 1, 2006, through June 30, 2007</u>			
Direct costs:			
Salaries and benefits			
Evaluation activities	\$ 210,698	\$ 77,144	\$ (133,554)
Training	2,820	2,836	16
Total direct costs	213,518	79,980	(133,538)
Indirect costs	11,850	4,437	(7,413)
Total program costs	<u>\$ 225,368</u>	84,417	<u>\$ (140,951)</u>
Less amount paid by state		—	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 84,417</u>	
<u>July 1, 2007, through June 30, 2008</u>			
Direct costs:			
Salaries and benefits			
Evaluation activities	\$ 238,589	\$ 82,572	\$ (156,017)
Training	2,434	2,383	(51)
Total direct costs	241,023	84,955	(156,068)
Indirect costs	11,931	4,205	(7,726)
Total program costs	<u>\$ 252,954</u>	89,160	<u>\$ (163,794)</u>
Less amount paid by state		—	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 89,160</u>	
<u>July 1, 2008, through June 30, 2009</u>			
Direct costs:			
Salaries and benefits			
Evaluation activities	\$ 229,598	\$ 77,428	\$ (152,170)
Training	2,148	1,593	(555)
Total direct costs	231,746	79,021	(152,725)
Indirect costs	9,803	3,343	(6,460)
Total program costs	<u>\$ 241,549</u>	82,364	<u>\$ (159,185)</u>
Less amount paid by state		(211,391)	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ (129,027)</u>	

Schedule 1 (continued)

Cost Elements	Actual Costs Claimed	Allowable per Audit	Audit Adjustment ¹
<u>July 1, 2009, through June 30, 2010</u>			
Direct costs:			
Salaries and benefits			
Evaluation activities	\$ 175,637	\$ 58,631	\$ (117,006)
Training	314	185	(129)
Total direct costs	175,951	58,816	(117,135)
Indirect costs	8,235	2,753	(5,482)
Total program costs	<u>\$ 184,186</u>	61,569	<u>\$ (122,617)</u>
Less amount paid by state		(184,186)	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ (122,617)</u>	
<u>July 1, 2010, through June 30, 2011</u>			
Direct costs:			
Salaries and benefits			
Evaluation activities	\$ 272,262	\$ 31,772	\$ (240,490)
Training	183	126	(57)
Total direct costs	272,445	31,898	(240,547)
Indirect costs	11,361	1,330	(10,031)
Total program costs	<u>\$ 283,806</u>	33,228	<u>\$ (250,578)</u>
Less amount paid by state		—	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 33,228</u>	
<u>Summary: July 1, 1997, through June 30, 2011</u>			
Direct costs:			
Salaries and benefits			
Evaluation activities	\$ 3,970,375	\$ 893,757	\$ (3,076,618)
Training	7,899	7,123	(776)
Total direct costs	3,978,274	900,880	(3,077,394)
Indirect costs	183,504	42,267	(141,237)
Total program costs	<u>\$ 4,161,778</u>	943,147	<u>\$ (3,218,631)</u>
Less amount paid by state		(415,123)	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 528,024</u>	

¹ See the Finding and Recommendation section.

Finding and Recommendation

FINDING— Overstated salaries and benefits and related indirect costs

The district claimed \$3,978,274 in salaries and benefits and \$183,504 in related indirect costs for the audit period. We found that \$3,077,394 in salaries and benefits is unallowable. The costs are unallowable primarily because the district claimed reimbursement for non-mandated evaluation costs (\$3,076,618) and training costs (\$776). Related indirect costs totaled \$141,237.

The following table summarizes the unallowable salaries and benefits and related indirect costs by fiscal year:

Fiscal Year	Salaries and Benefits				Total Audit Adjustment [(C)+(D)]
	(A) Claimed	(B) Allowable	(C) Adjustment [(B)-(A)]	(D) Indirect Costs Adjustment	
1997-98	\$ 224,521	\$ 55,108	\$ (169,413)	\$ (9,234)	\$ (178,647)
1998-99	167,088	56,190	(110,898)	(4,802)	(115,700)
1999-2000	326,643	57,779	(268,864)	(8,227)	(277,091)
2000-01	355,176	60,534	(294,642)	(11,874)	(306,516)
2001-02	411,447	63,211	(348,236)	(16,158)	(364,394)
2002-03	365,399	64,623	(300,776)	(13,626)	(314,402)
2003-04	306,838	66,573	(240,265)	(12,013)	(252,278)
2004-05	360,085	69,034	(291,051)	(15,048)	(306,099)
2005-06	326,394	73,158	(253,236)	(13,143)	(266,379)
2006-07	213,518	79,980	(133,538)	(7,413)	(140,951)
2007-08	241,023	84,955	(156,068)	(7,726)	(163,794)
2008-09	231,746	79,021	(152,725)	(6,460)	(159,185)
2009-10	175,951	58,816	(117,135)	(5,482)	(122,617)
2010-11	272,445	31,898	(240,547)	(10,031)	(250,578)
	<u>\$ 3,978,274</u>	<u>\$ 900,880</u>	<u>\$ (3,077,394)</u>	<u>\$ (141,237)</u>	<u>\$ (3,218,631)</u>

Time Log Activities

The time logs determined the time it took district evaluators to perform 11 activities within the teacher evaluation process. The district evaluated permanent, probationary, and temporary certificated instructional teachers. The time log results reported time for meetings, observation, report writing, and other activities within the evaluation process.

The time logs determined it takes district evaluators an average of 3 hours per permanent teacher to complete an evaluation, and an average of 5.42 hours per probationary/temporary teacher to complete an evaluation.

Six of the 11 activities the district identified in its time logs are not reimbursable under the mandate. The six non-reimbursable activities include:

- Conducting a certificated planning conference with the certificated staff member to review his or her goals and objectives;
- Conducting a pre-observation conference with the certificated staff member;
- Conducting a post-observation conference with the certificated staff member;
- Conducting a mid-year evaluation conference with the temporary or probationary certificated staff member;
- Conducting a final evaluation conference with certificated staff member; and
- Discussing STAR results and how to improve instructional abilities with the certificated staff member.

The program's parameters and guidelines do not allow conferences (pre-, post-, and final observation conferences) between the evaluators and teachers, as conferences were required before the enactment of the test claim legislation. Therefore, these activities do not impose a new program or higher level of service.

The parameters and guidelines do not allow reimbursement for discussing STAR results, as this activity is not listed as a reimbursable activity in the parameters and guidelines.

The district's time logs identified an activity described as "Receiving training, inside or outside the district on evaluating certificated staff." We reviewed this information, along with district's additional training documentation, in our Calculation of Allowable Training Costs section.

We determined that the time spent on the following four activities is reimbursable:

- Classroom observations;
- Completing certificated observation form;
- Writing the mid-year evaluation report (temporary or probationary staff member only); and
- Writing the final evaluation report.

The time logs found that it takes the district evaluators an average of 1.52 hours per permanent teacher evaluation and 3.57 hours per probationary/temporary teacher (non-permanent) evaluation to complete allowable activities within the evaluation process. In addition, the time logs supported that it takes the district evaluators an average of 12.93 hours per unsatisfactory teacher evaluation to complete allowable activities within the evaluation process.

Completed Evaluations

The district did not keep track of completed evaluations during the audit period. To support claimed evaluations, we used the data the district gathered from its time logs as a completed teacher evaluations database. We cross-checked the database with the district’s employee listings to ensure that teachers were employed at the district each year and that their information was accurate. Once completed, we reviewed the completed teacher evaluations for each fiscal year to ensure that only eligible evaluations were counted for reimbursement. The parameters and guidelines allow reimbursement for those evaluations conducted for certificated instructional personnel who perform the requirements of education programs mandated by state or federal law during specific evaluation periods.

The following table shows evaluations identified that are not reimbursable under the mandated program:

<u>Fiscal Year</u>	<u>Number of Completed Evaluations</u>		
	<u>District- Provided</u>	<u>Audited</u>	<u>Difference</u>
2006-07	508	535	27
2007-08	539	555	16
2008-09	559	459	(100)
2009-10	552	426	(126)
2010-11	165	163	(2)
Totals	<u>2,323</u>	<u>2,138</u>	<u>(185)</u>

The non-reimbursable evaluations included the following:

- Assistant principals, directors, librarians, nurses, coordinators, program specialists, psychologists, speech therapists, staff developers, and Teacher on Special Assignment (TOSA) employees who are not certificated instructional employees;
- Adult education, hourly, and ROTC teachers who do not perform the requirements of the program that is mandated by state or federal law;
- Teachers claimed multiple times in one school year;
- Permanent biannual teachers claimed every year rather than every other year; and
- Permanent five-year teachers claimed multiple times in a five-year period rather than once every five years.

Calculation of Allowable Evaluation Costs

To arrive at allowable salaries and benefits for “evaluation activities” from fiscal year (FY) 2006-07 through FY 2010-11, we multiplied the number of allowable evaluations by allowable hours per evaluation and claimed productive hourly rates.

For the remaining years, we used the data for FY 2006-07 as the “base” year. We applied an implicit price deflator to total allowable evaluation activities costs in FY 2006-07 to determine allowable evaluation activities costs for FY 1997-98 through FY 2005-06.

The following table summarizes allowable evaluation costs by fiscal year.

Fiscal Year	Evaluation activities		
	Claimed	Allowable	Audit Adjustment
1997-98	\$ 224,521	\$ 55,108	\$ (169,413)
1998-99	167,088	56,190	(110,898)
1999-2000	326,643	57,779	(268,864)
2000-01	355,176	60,534	(294,642)
2001-02	411,447	63,211	(348,236)
2002-03	365,399	64,623	(300,776)
2003-04	306,838	66,573	(240,265)
2004-05	360,085	69,034	(291,051)
2005-06	326,394	73,158	(253,236)
2006-07	210,698	77,144	(133,554)
2007-08	238,589	82,572	(156,017)
2008-09	229,598	77,428	(152,170)
2009-10	175,637	58,631	(117,006)
2010-11	272,262	31,772	(240,490)
Total	<u>\$ 3,970,375</u>	<u>\$ 893,757</u>	<u>\$ (3,076,618)</u>

We then applied the applicable indirect cost rates to allowable evaluation activities to calculate allowable indirect costs of \$41,912 for this component.

Calculation of Allowable Training Costs

The district claimed training hours from FY 2006-07 through FY 2010-11, totaling \$7,899 for the audit period. We found that \$7,123 in training costs is reimbursable under the mandate and \$776 is not reimbursable. The primary reason for the non-reimbursable costs was insufficient supporting documentation. The district did not provide sufficient documentation to support the costs related to the one-time activity of training staff on the implementation of the reimbursable activities listed in the parameters and guidelines.

The following table summarizes claimed, allowable, and unallowable salaries and benefits related to training costs by fiscal year using the claimed PHRs:

Fiscal Year	Training		Audit
	Claimed	Allowable	Adjustment
2006-07	\$ 2,820	\$ 2,836	\$ 16
2007-08	2,434	2,383	(51)
2008-09	2,148	1,593	(555)
2009-10	314	185	(129)
2010-11	183	126	(57)
Total	<u>\$ 7,899</u>	<u>\$ 7,123</u>	<u>\$ (776)</u>

We applied the applicable indirect cost rates to allowable training costs to calculate allowable indirect costs of \$355 for this component.

The parameters and guidelines (section IV.A.1) state that the following is reimbursable:

Evaluate and assess the performance of certificated instructional employees that perform the requirements of educational programs mandated by state or federal law as it reasonably relates to the instructional techniques and strategies used by the employee and the employee's adherence to curricular objectives.

Reimbursement for this activity is limited to:

- a. Reviewing the employee's instructional techniques and strategies and adherence to curricular objectives, and
- b. Including in the written evaluation of the certificated instructional employees the assessment of these factors during the following evaluation periods:
 - o Once each year for probationary certificated employees;
 - o Every other year for permanent certificated employees; and
 - o Beginning January 1, 2004, every five years for certificated employees with permanent status who have been employed at least ten years with the school district, are highly qualified, and whose previous evaluation rated the employee as meeting or exceeding standards, if the evaluator and certificated employee being evaluated agree.

The parameters and guidelines (section IV.A.2) state that the following is reimbursable:

Evaluate and assess the performance of certificated instructional employees that teach reading, writing, mathematics, history/social science, and science in grades 2 to 11 as it reasonably relates to the progress of pupils towards the state adopted academic content standards as measured by state adopted assessment tests.

Reimbursement for this activity is limited to:

- a. Reviewing the results of the Standardized Testing and Reporting test as it reasonably relates to the performance of those certificated employees that teach reading, writing, mathematics, history/social science, and science in grades 2 to 11, and

- b. Including in the written evaluation of those certificated employees the assessment of the employee's performance based on the Standardized Testing and Reporting results for the pupils they teach during the evaluation periods specified in Education Code section 44664, and described below:
- Once each year for probationary certificated employees;
 - Every other year for permanent certificated employees; and
 - Beginning January 1, 2004, every five years for certificated employees with permanent status who have been employed at least ten years with the school district, are highly qualified, and whose previous evaluation rated the employee as meeting or exceeding standards, if the evaluator and certificated employee being evaluated agree.

The parameters and guidelines (section IV.C—Training) state that training staff on implementing the reimbursable activities listed in Section IV of the parameters and guidelines is reimbursable as a one-time activity for each employee.

The parameters and guidelines (section IV—Reimbursable Activities) also state:

To be eligible for mandated cost reimbursement for any fiscal year, only actual costs may be claimed. Actual costs are those costs actually incurred to implement the mandated activities. Actual costs must be traceable and supported by source documents that show the validity of such costs, when they were incurred, and their relationship to the reimbursable activities. A source document is a document created at or near the same time the actual cost was incurred for the event or activity in question. Source documents may include, but are not limited to, employee time records or time logs, sign-in sheets, invoices, and receipts.

Recommendation

Commencing in FY 2012-13, the district elected to participate in a block grant program, pursuant to Government Code section 17581.6, in lieu of filing annual mandated cost claims. If the district chooses to opt out of the block grant program, we recommend that the district ensure that claimed costs are based on actual costs, are for activities reimbursable under the program's parameters and guidelines, and are supported by contemporaneous source documentation.

District's Response

PART I. TIME STUDY ACTIVITIES

Using time study forms prepared by our mandate consultant, District staff evaluators recorded the time spent over the course of the year-long process to evaluate certificated staff during FY 2006-07 through FY 2010-11. The annual cost of the evaluation process is based on the average time to implement eleven different components of the annual employee evaluation process, multiplied by the number of evaluations performed each year, and then multiplied by the average productive

hourly rates (salary and benefits) for the evaluators. For the eleven components, the total average time to complete the evaluation process based on the District time study documents and the audited allowable times are as follows:

<u>Evaluation Type</u>	<u>District Ave. Hours Time Study</u>	<u>Audited Ave. Hours Allowed</u>
Permanent	3.0	1.52
Probation/Temporary	5.42	3.57
Unsatisfactory	n/a	12.93

The reported average time for each of the eleven evaluation activities was calculated by the auditor. At this time, the District has no objection to the audited average District time for each of the activities. The District does disagree with the audited total time which excludes six activities.

The Six Non-Reimbursable Activities

The draft audit report states six of the eleven activities identified in the time study are not reimbursable:

1. Goals and objectives conference
2. Pre-observation conference
5. Post-observation conference
6. Mid-year evaluation conference
9. Final evaluation conference
10. Discussing STAR results

A seventh activity, training (11), was removed from the time study and separately adjusted.

The draft audit report states that conferences between the evaluators and evaluated person are not reimbursable because they were required before the enactment of the test claim legislation and thus do not impose a new program or higher level of service. The District disagrees with this disallowance. The mandate reimburses the new program requirement to “evaluate and assess” which necessarily involves a comprehensive process. The conferences are one part of a continuum of evaluation and assessment steps, none of which individually completes the mandate. The conferences and related tasks are effective and efficient methods to evaluate and assess employees and necessary to communicate the findings of the evaluation to the employee. Whether the conferences in general were required as a matter of law before the Stull Act is a statewide issue for the Commission on State Mandates.

The Four Allowed Activities

The draft audit report states that four of the eleven activities identified by the district are reimbursable:

3. Classroom observations (formal and informal);
4. Observation form preparation

7. Mid-year evaluation report preparation
8. Final evaluation report.

The District agrees that these activities are reimbursable.

SCO's Comments

Time Study Activities

Our finding and recommendation are unchanged. The conferences between the teachers and evaluators are non-reimbursable activities.

The district states in its response that “the mandate reimburses the new program requirement to ‘evaluate and assess’ which necessarily involves a comprehensive process.” We disagree. Not all activities from the evaluation process are reimbursable. The mandate reimburses only those activities that impose a new requirement or higher level of service for the agencies.

The program’s parameters and guidelines (sections IV.A.1, IV.A.2, and IV.B.1) specify that reimbursement is limited to only those activities outlined in each section. Section IV.B.1 identifies reimbursable evaluation conferences only for those instances in which an unsatisfactory evaluation took place for certificated instructional or non-instructional personnel in those years in which the employee would not have otherwise been evaluated.

The district claimed costs for the conferences resulting from evaluations completed under sections IV.A.1 and IV.A.2 of the parameters and guidelines. Sections IV.A.1 and IV.A.2 do not identify evaluation conferences or any other types of conferences as reimbursable activities.

Furthermore, the Commission found in its statement of decision that conferences between the evaluators and teachers are not reimbursable because they were required before the enactment of the test claim legislation.

Under prior law, the evaluation was to be prepared in writing and a copy of the evaluation was to be given to the employee. A meeting was to be held between the certificated employee and the evaluator to discuss the evaluation and assessment. The Commission indicated in its statement of decision document that:

...the 1975 test claim legislation did not amend the requirements in Former Education Code sections 13488 and 13489 to prepare written evaluations of certificated employees, receive responses to those evaluations, and conduct a meeting with the certificated employee to discuss the evaluation...

Furthermore, the 1983 test claim statute still requires school districts to prepare the evaluation in writing, to transmit a copy to the employee, and to conduct a meeting with the employee to discuss the evaluation and assessment. These activities are not new.

However, the 1983 test claim statute amended the evaluation requirements by adding two new evaluation factors relating to 1) the instructional techniques and strategies used by the employee, and 2) the employee's adherence to curricular objectives. The Commission found that Education Code section 44662, subdivision (b), as amended by Statutes of 1983, Chapter 498, imposed a new requirement on school districts to:

...evaluate and assess the performance of certificated instructional employees that perform the requirements of educational programs mandated by state or federal law as it reasonably relates to the instructional techniques and strategies used by the employee and the employee's adherence to curricular objectives.

Reimbursement is limited to the additional requirements imposed by the amendments. The additional requirements include the review of the employee's instructional techniques and strategies and adherence to curricular objectives, and to include in the written evaluation of the certificated instructional employees the assessment of only these factors. Conference activities do not impose a new program or higher level of service.

District's Response

PART 2. COMPLETED AND ALLOWABLE EVALUATIONS

A. Time Study (FY 2006-07 through FY 2010-11)

The District has no ongoing database of names and position information for the evaluations conducted each fiscal year retroactive to FY 1997-98 (none was required by the claiming instructions). This information is available from the time study form for each evaluation conducted from FY 2006-07 through FY 2010-11. The auditor sorted the time study information by fiscal year and teacher name, and removed "unallowable evaluations": non-instructional employees, unallowable job titles, duplicates, and evaluations not found during field work. "Unsatisfactory evaluations" were removed so a separate time average could be applied. The auditor provided the following table of modifications to the provided time study universe:

Evaluations form time logs		2,323
Add: Evaluations found during testing		<u>138</u>
Total evaluations		2,461
Less:		
Non-instructional employees	39	
Unallowable job titles	8	
Duplicates	243	
No evaluation found during testing	14	
Group evaluation	<u>19</u>	<u>323</u>
Total audited allowable evaluations		2,138
(2,133) routine and 5 unsatisfactory)		

The draft audit report disallows about 13% (323) of the 2,461 evaluations included in the time study. The draft audit report states these evaluations were disallowed for five reasons:

1. Assistant principals, directors, librarians, nurses, coordinators, program specialists, and Teachers on Special Assignment (TOSA) employees who are not certificated instructional employees.

This category of 39 disallowed evaluations comprises about 2% of the evaluations included in the time study. The parameters and guidelines states that the mandate is to evaluate the performance of “certificated instructional employees.” All certificated personnel are “instructional” personnel even if some are not classroom teachers. The audit report does not indicate how these other certificated personnel are not implementing the “curricular objectives.” The District does agree that the portion of the mandate relating to the evaluation of compliance with the testing assessment standards (the STAR component) is limited to classroom teachers because the parameters and guidelines specifically states “employees that teach” specified curriculum. A Commission on State Mandates decision will be needed since this is an issue of statewide significance relevant to all Stull Act audits.

2. Adult education, hourly, and ROTC teachers who do not perform the requirements of the program that is mandated by state or federal law.

This category of 8 disallowed evaluations comprises less than 1% of the evaluations included in the time study. For purposes of the Stull Act reimbursement, adult education teachers are properly excluded from the total allowed for reimbursement since they are not provided K-12 instruction. However, the draft audit report does not state a basis to exclude the other instructors from the time study.

3. Teacher evaluations claimed multiple times in one school year.

This category of 243 disallowed evaluations comprises about 10% of the evaluations included in the time study. Potential and legitimate “duplicate” evaluations generally occur as a result of an employee transferring to another school during the evaluation cycle, or a change in employment status of the employee. The District agrees that for purposes of the Stull Act reimbursement, only one complete evaluation should be counted for each employee within the annual cycle.

4. Permanent biannual teacher evaluations claimed every year rather than every other year.

This category was not separately identified by the audit. The District has particular reasons for performing an evaluation of some permanent teachers more often than biannually. However, for purposes of the Stull Act reimbursement, only one complete evaluation should be counted for each employee every other year after the employee attains permanent status.

5. Permanent five-year teachers claimed multiple times in a five-year period rather than once every five years.

This category was not separately identified by the audit. The District has particular reasons for performing an evaluation of some permanent teachers more often than every five years. However, for purposes of the Stull Act reimbursement, only one complete evaluation should be counted for each permanent employee every fifth year after the employee attains fifth-year permanent status.

There are two other adjustment reasons not addressed by the draft audit report:

6. No evaluation found during testing

This category of 14 disallowed evaluations comprises less than 1% of the evaluations included in the time study. These disallowances appear to result when a time study form from an employee exists but no evaluation form was found in the employee file. The District asserts that the time study form is sufficient documentation that the evaluation occurred.

7. Group evaluation

This category of 19 disallowed evaluations comprises less than 1% of the evaluations included in the time study. The draft audit report does not state a basis to exclude this type of evaluation from the time study.

SCO's Comments

Completed and Allowable Evaluations – Time Study (FY 2006-07 through FY 2010-11)

Our finding and recommendation are unchanged.

- 1. Assistant principals, directors, librarians, nurses, coordinators, program specialists, and Teachers on Special Assignment (TOSA) employees who are not certificated instructional employees.*

The district states that “All certificated personnel are ‘instructional’ personnel even if some are not classroom teachers.” We disagree.

The language of the parameters and guidelines and the Commission statement of decision address the difference between certificated instructional employees and certificated non-instructional employees.

In its statement of decision, the Commission identifies instructional employees as teachers, and non-instructional employees as principals and various administrators. The Commission further states that the test claim legislation, as it relates to evaluation and assessment of certificated non-instructional employees, does not constitute a new program or higher level of service.

In addition, the parameters and guidelines clearly identify reimbursable components and activities as they relate to certificated instructional and certificated non-instructional personnel. Our draft report identifies a finding related to the component of evaluating instructional techniques and strategies and adherence to curricular objectives for the certificated instructional employees. The intent of this component is to evaluate the elements of classroom instruction. Assistant principals, directors, librarians, nurses, coordinators, program specialists, and TOSAs do not provide classroom instruction and are considered “non-instructional” certificated personnel.

2. *Adult education, hourly, and ROTC teachers who do not perform the requirements of the program that is mandated by state or federal law.*

Regarding the issue of adult education teachers, the district states that they are “properly excluded from the total allowed for reimbursement. . . .” However, the district also states that “the draft audit report does not state a basis to exclude the other instructors from the time study.” The hourly teacher was excluded because former Education Code section 13489 was amended (in 1973) to exclude hourly teachers from the requirement to evaluate and assess on a continuing basis. The ROTC teachers were excluded because, per Education Code 51750, the establishment of a school course in military science and tactics is optional, and not a required course of study for any student. Therefore, the ROTC course is not mandated.

3. *Teacher evaluations claimed multiple times in one school year.*

The district agrees that “only one complete evaluation should be counted for each employee within the annual cycle. . . .”

4. *Permanent biannual teacher evaluations claimed every year rather than every other year.*

The district agrees that “only one complete evaluation should be counted for each employee every other year after the employee attains permanent status.”

5. *Permanent five-year teachers claimed multiple times in a five-year period rather than once every five years.*

The district agrees that “only one complete evaluation should be counted for each permanent employee every fifth year after the employee attains fifth-year permanent status.”

6. *No evaluation found during testing*

The district asserts that the “time study form is sufficient documentation that the evaluation occurred.” We disagree.

During the fieldwork portion of the audit, we selected a sample of evaluations to test for compliance with the parameters and guidelines. Our review of the tested sample found fourteen evaluations that could not be located by the district. We excluded those fourteen evaluations from the total allowable population.

7. *Group evaluation*

During fieldwork, we found that an evaluator completed only one evaluation for twenty different employees. However, these employees were each listed separately in the total population of completed evaluations. Since we found evidence that these employees were part of a single evaluation, we only allowed one evaluation.

District's Response

PART 2. COMPLETED AND ALLOWABLE EVALUATIONS

B. Extrapolation of Prior Years (FY 1997-98 through FY 2005-06)

In the absence of the previously mentioned database of the number of evaluations conducted each fiscal year, the audit used the cost date for FY 2006-07 as a "base" year and applied an Implicit Price Deflator to total allowable evaluation costs for FY 2006-07 to determine allowable evaluation costs for each of FY 1997-98 through FY 2005-06.

The District believes that this extrapolation method overlooks the fact that the number of staff evaluated during these prior years would have been larger than those in later years. The audit uses averages for the years 1997-98 thru 2005-06 of 309 permanent, 115 probationary and temporary, and 1 unsatisfactory evaluation per year (425 total), based upon the time study results for the period 2006-07 thru 2010-11. This represents about 30% of the District teachers for those years. If the same percentage were applied to prior years, there would be a minimum of 413 permanent, 128 probationary and temporary evaluations for a total of 541 evaluations per year for the period 1997-98 thru 2005-06. The District is continuing its work on this comparative data and will present it in the incorrect reduction claim.

SCO's Comments**Completed and Allowable Evaluations – Extrapolation of Prior Years (FY 1997-98 through FY 2005-06)**

Our finding and recommendation are unchanged.

The district asserts that the extrapolation method used for this audit "overlooks the fact that the number of staff evaluated during these prior years would have been larger than those in later years." The district has not provided evidence to support their assertion, but says it will provide this comparative data in the incorrect reduction claim.

District's Response

PART 3. TRAINING COSTS

The District claimed training time for staff during the time study period (FY 2006-07 through FY 2010-11) totaling \$7,899. The draft audit report determined that \$7,123 is reimbursable and \$776 is not because some of the same district employees were claimed for more than one fiscal year. The District disagrees with this disallowance. Meetings with the principals and other evaluators to commence the annual evaluation cycle are reasonable and necessary when the collective bargaining contract or the District evaluation process changes. As a separate issue, the audit should include training costs in the prior year extrapolation process.

SCO's Comments**Training Costs**

Our finding and recommendation are unchanged.

The district disagrees with the unallowable duplicate training hours claimed for the same employees. The district states that:

Meetings with the principals and other evaluators to commence the annual evaluation cycle are reasonable and necessary when the collective bargaining contract or the District evaluation process changes.

The parameters and guidelines state that the district may claim reimbursement to “train staff on implementing the reimbursable activities” and that training is reimbursable as a “one-time activity for each employee.”

The district believes that the meetings with the principals and other evaluators are “reasonable and necessary” activities. However, the reimbursement is limited to only those activities outlined in the parameters and guidelines (section IV.C).

The district also believes that training costs should have been included in the prior year extrapolation process. We disagree. Training costs are a one-time activity, for which the district did not provide any supporting documentation to verify compliance with the parameters and guidelines in the years prior to FY 2006-07.

**OTHER ISSUE—
Public Records
Request**

The district's response included other comments related to the mandates cost claims. The district's comments and SCO's response are presented below.

District's Response

Pursuant to Government Code Section 6253, the District requests copies of all audit work papers in support of the audit findings. The District requests that the Controller provide the District any and all written audit instructions, memoranda, or other writings in effect and applicable during the claiming periods to the findings.

SCO's Comment

The SCO will respond to the district's request in a separate letter.

**Attachment—
District's Response to
Draft Audit Report**

BOARD OF EDUCATION
Kimberley Beatty
Marc Davis
Todd Gutschow
Andrew Patapow
Penny Ranftle

SUPERINTENDENT
John P. Collins, Ed.D.



BUSINESS SUPPORT SERVICES

Malliga Tholandi
Associate Superintendent

mtholandi@powayusd.com

858-521-2778
FAX 858-485-1388

POWAY UNIFIED SCHOOL DISTRICT

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

July 25, 2014

Mr. Jim L. Spano, Chief
Mandated Costs Audits Bureau
Division of Audits
State Controller's Office
P.O. Box 942850
Sacramento, CA 94250-5874

Re: Poway Unified School District
Stull Act Mandate Audit
FY 1997-98 through FY 2010-11

Dear Mr. Spano:

This letter is the response of the Poway Unified School District to the draft audit report dated July 9, 2014, received by the District on July 16, 2014, for the above-referenced program and fiscal years, transmitted by the letter from Jeffrey V. Brownfield, Chief, Division of Audits, State Controller's Office.

The District appreciated the opportunity to utilize a time study of the mandate program activities to replace the original documentation for the historic claim years. The time study is a reasonable method to fulfill the Controller's expectations for cost accounting and documentation. However, the District will file an incorrect reduction claim due to the limited scope of activities approved for reimbursement. The District disagrees with the Controller's interpretation of the Stull Act legislation and the test claim findings. From the discussion at the audit entrance and exit conferences, as well as the results of previous audits at other districts, it is clear that this disagreement cannot be resolved at this point. A Commission on State Mandates decision will be needed since these are issues of statewide significance relevant to all Stull Act audits.

Findings: Overstated salaries and benefits and related indirect costs

The District claimed \$3,978,274 in salaries and benefits and \$183,504 in related indirect costs for the audit period. The audit determined that \$3,077,394 in salaries and benefits are unallowable evaluation costs (\$3,076,618) and training costs (\$776). Related unallowable indirect costs totaled \$141,237.

PART 1. TIME STUDY ACTIVITIES

Using time study forms prepared by our mandate consultant, District staff evaluators recorded the time spent over the course of the year-long process to evaluate certificated staff during FY 2006-07 through FY 2010-11. The annual cost of the evaluation process is based on the average time to implement eleven different components of the annual employee evaluation process, multiplied by the number of evaluations performed each year, and then multiplied by the average productive hourly rates (salary and benefits) for the evaluators. For the eleven components, the total average time to complete the evaluation process based on the District time study documents and the audited allowable times are as follows:

Evaluation Type	District Ave. Hours <u>Time Study</u>	Audited Ave. Hours <u>Allowed</u>
Permanent	3.0	1.52
Probationary/Temporary	5.42	3.57
Unsatisfactory	n/a	12.93

The reported average time for each of the eleven evaluation activities was calculated by the auditor. At this time, the District has no objection to the audited average District time for each of the activities. The District does disagree with the audited total time which excludes six activities.

The Six Non-Reimbursable Activities

The draft audit report states six of the eleven activities identified in the time study are not reimbursable:

1. Goals and objectives conference
2. Pre-observation conference
5. Post-observation conference
6. Mid-year evaluation conference
9. Final evaluation conference
10. Discussing STAR results

A seventh activity, training (11), was removed from the time study and separately adjusted.

The draft audit report states that conferences between the evaluators and evaluated person are not reimbursable because they were required before the enactment of the test claim legislation and thus do not impose a new program or higher level of service. The District disagrees with this disallowance. The mandate reimburses the new program requirement to "evaluate and assess" which necessarily involves a comprehensive process. The conferences are one part of a continuum of evaluation and assessment steps, none of which individually completes the mandate. The conferences and related tasks are effective and efficient methods to evaluate and assess employees and necessary to communicate the findings of the evaluation to the employee. Whether the conferences in general were required as a matter of law before the Stull Act is a statewide issue for the Commission on State mandates.

The Four Allowed Activities

The draft audit report states that four of the eleven activities identified by the district are reimbursable:

3. Classroom observations (formal and informal);
4. Observation form preparation
7. Mid-year evaluation report preparation
8. Final evaluation report.

The District agrees that these activities are reimbursable.

PART 2. COMPLETED AND ALLOWABLE EVALUATIONS

A. Time Study (FY 2006-07 through FY 2010-11)

The District has no ongoing database of names and position information for the evaluations conducted each fiscal year retroactive to FY 1997-98 (none was required by the claiming instructions). This information is available from the time study form for each evaluation conducted from FY 2006-07 through FY 2010-11. The auditor sorted the time study information by fiscal year and teacher name, and removed "unallowable evaluations": non-instructional employees, unallowable job titles, duplicates, and evaluations not found during field work. "Unsatisfactory evaluations" were removed so a separate time average could be applied. The auditor provided the following table of modifications to the provided time study universe:

Evaluations from time logs		2,323
Add: Evaluations found during testing		<u>138</u>
Total evaluations		2,461
Less:		
Non-instructional employees	39	
Unallowable job titles	8	
Duplicates	243	
No evaluation found during testing	14	
Group evaluation	<u>19</u>	<u>323</u>
Total audited allowable evaluations (2,133 routine and 5 unsatisfactory)		2,138

The draft audit report disallows about 13% (323) of the 2,461 evaluations included in the time study. The draft audit report states these evaluations were disallowed for five reasons:

1. Assistant principals, directors, librarians, nurses, coordinators, program specialists, and Teachers on Special Assignment (TOSA) employees who are not certificated instructional employees.

This category of 39 disallowed evaluations comprises about 2% of the evaluations included in the time study. The parameters and guidelines state that the mandate is to evaluate the performance of "certificated instructional employees." All certificated personnel are "instructional" personnel even if some are not classroom teachers. The audit report does not indicate how these other certificated personnel are not implementing the "curricular objectives." The District does agree that the portion of the mandate relating to the evaluation of compliance with the testing assessment standards (the STAR component) is limited to classroom teachers because the parameters and guidelines specifically state "employees that teach" specified curriculum. A Commission on State Mandates decision will be needed since this is an issue of statewide significance relevant to all Stull Act audits.

2. Adult education, hourly, and ROTC teachers who do not perform the requirements of the program that is mandated by state or federal law.

This category of 8 disallowed evaluations comprises less than 1% of the evaluations included in the time study. For purposes of the Stull Act reimbursement, adult education teachers are properly excluded from the total allowed for reimbursement since they are not providing K-12 instruction. However, the draft audit report does not state a basis to exclude the other instructors from the time study.

3. Teacher evaluations claimed multiple times in one school year.

This category of 243 disallowed evaluations comprises about 10% of the evaluations included in the time study. Potential and legitimate "duplicate" evaluations generally occur as a result of an employee transferring to another school during the evaluation cycle, or a change in employment status of the employee. The District agrees that for purposes of the Stull Act reimbursement, only one complete evaluation should be counted for each employee within the annual cycle.

4. Permanent biannual teacher evaluations claimed every year rather than every other year.

This category was not separately identified by the audit. The District has particular reasons for performing an evaluation of some permanent teachers more often than biannually. However, for purposes of the Stull Act reimbursement, only one complete evaluation should be counted for each employee every other year after the employee attains permanent status.

5. Permanent five-year teachers claimed multiple times in a five-year period rather than once every five years.

This category was not separately identified by the audit. The District has particular reasons for performing an evaluation of some permanent teachers more often than every five years. However, for purposes of the Stull Act reimbursement, only one complete evaluation should be counted for each permanent employee every fifth year after the employee attains fifth-year permanent status.

There are two other adjustment reasons not addressed by the draft audit report:

6. No evaluation found during testing

This category of 14 disallowed evaluations comprises less than 1% of the evaluations included in the time study. These disallowances appear to result when a time study form for an employee exists but no evaluation form was found in the employee file. The District asserts that the time study form is sufficient documentation that the evaluation occurred.

7. Group evaluation

This category of 19 disallowed evaluations comprises less than 1% of the evaluations included in the time study. The draft audit report does not state a basis to exclude this type of evaluation from the time study.

B. Extrapolation of Prior Years (FY 1997-98 through FY 2005-06)

In the absence of the previously mentioned database of the number of evaluations conducted each fiscal year, the audit used the cost data for FY 2006-07 as a "base" year and applied an Implicit Price Deflator to total allowable evaluation costs for FY 2006-07 to determine allowable evaluation costs for each of FY 1997-98 through FY 2005-06.

The District believes that this extrapolation method overlooks the fact that the number of staff evaluated during these prior years would have been larger than those in later years. The audit uses averages for the years 1997-98 thru 2005-06 of 309 permanent, 115 probationary and temporary, and 1 unsatisfactory evaluation per year (425 total), based upon the time study results for the period 2006-07 thru 2010-11. This represents about 30% of the District teachers for those years. If the same percentage were applied to the prior years, there would be a minimum of 413 permanent, 128 probationary and temporary evaluations for a total of 541 evaluations per year for the period 1997-98 thru 2005-06. The District is continuing its work on this comparative data and will present it in the incorrect reduction claim.

PART 3. TRAINING COSTS

The District claimed training time for staff during the time study period (FY 2006-07 through FY 2010-11) totaling \$7,899. The draft audit report determined that \$7,123 is reimbursable and \$776 is not because some of the same district employees were claimed for more than one fiscal year. The District disagrees with this disallowance. Meetings with the principals and other evaluators to commence the annual evaluation cycle are reasonable and necessary when the collective bargaining contract or the District evaluation process changes. As a separate issue, the audit should include training costs in the prior year extrapolation process.

Public Records Request

Pursuant to Government Code Section 6253, the District requests copies of all audit work papers in support of the audit findings. The District requests that the Controller provide the District any and all written audit instructions, memoranda, or other writings in effect and applicable during the claiming periods to the findings.

Sincerely,



Malliga Tholandi
Associate Superintendent, Business Support Services
Poway Unified School District

**State Controller's Office
Division of Audits
Post Office Box 942850
Sacramento, CA 94250-5874**

<http://www.sco.ca.gov>

EXHIBIT Q

NORWALK-LA MIRADA UNIFIED SCHOOL DISTRICT

Audit Report

STULL ACT PROGRAM

Chapter 498, Statutes of 1983,
and Chapter 4, Statutes of 1999

July 1, 1997, through June 30, 2011



JOHN CHIANG
California State Controller

May 2014



JOHN CHIANG
California State Controller

May 27, 2014

Margarita Rios, President
Board of Education
Norwalk-La Mirada Unified School District
12820 Pioneer Boulevard
Norwalk, CA 90650

Dear Ms. Rios:

The State Controller's Office audited the costs claimed by Norwalk-La Mirada Unified School District for the legislatively mandated Stull Act Program (Chapter 498, Statutes of 1983, and Chapter 4, Statutes of 1999) for the period of July 1, 1997, through June 30, 2011.

The district claimed \$4,366,931 for the mandated program. Our audit found that \$751,351 is allowable and \$3,615,580 is unallowable. The costs are unallowable primarily because the district claimed reimbursement for estimated costs and non-mandated activities, and misstated productive hourly rates. The State paid the district \$859,122. The amount paid exceeds allowable costs claimed by \$107,771.

If you disagree with the audit finding, you may file an Incorrect Reduction Claim (IRC) with the Commission on State Mandates (CSM). The IRC must be filed within three years following the date that we notify you of a claim reduction. You may obtain IRC information at the CSM's website at www.csm.ca.gov/docs/IRCForm.pdf.

If you have any questions, please contact Jim L. Spano, Chief, Mandated Cost Audits Bureau, by phone at (916) 323-5849.

Sincerely,

Original signed by

JEFFREY V. BROWNFIELD, CPA
Chief, Division of Audits

JVB/mh

cc: Ruth Pérez, Ed.D, Superintendent
Norwalk-La Mirada Unified School District
Estuardo Santillan, Assistant Superintendent
Business Services
Norwalk-La Mirada Unified School District
Manuel Cardoso, Director of Fiscal Services
Norwalk-La Mirada Unified School District
Wayne Shannon, Assistant Superintendent
Human Resources
Norwalk-La Mirada Unified School District
Steve Fericean, Administrative Assistant
Human Resources
Norwalk-La Mirada Unified School District
Marlene Dunn, Director
Business Advisory Services
Los Angeles County Office of Education
Peter Foggiato, Director
School Fiscal Services Division
California Department of Education
Carol Bingham, Senior Fiscal Policy Advisor
Government Affairs Division
California Department of Education
Thomas Todd, Assistant Program Budget Manager
Education Systems Unit
California Department of Finance
Jay Lal, Manager
Division of Accounting and Reporting
State Controller's Office

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Audit Report

Summary

The State Controller's Office (SCO) audited the costs claimed by Norwalk-La Mirada Unified School District for the legislatively mandated Stull Act Program (Chapter 498, Statutes of 1983, and Chapter 4, Statutes of 1999) for the period of July 1, 1997, through June 30, 2011.

The district claimed \$4,366,931 for the mandated program. Our audit found that \$751,351 is allowable and \$3,615,580 is unallowable. The costs are unallowable primarily because the district claimed reimbursement for estimated costs and non-mandated activities, and misstated productive hourly rates. The State paid the district \$859,122. The amount paid exceeds allowable costs claimed by \$107,771.

Background

Chapter 498, Statutes of 1983, and Chapter 4, Statutes of 1999, added Education Code sections 44660-44665. The legislation provided reimbursement for specific activities related to evaluation and assessment of the performance of "certificated personnel" within each school district, except for those employed in local, discretionary educational programs.

On May 27, 2004, the Commission on State Mandates (CSM) determined that the legislation imposed a state mandate reimbursable under Government Code section 17514.

The program's parameters and guidelines establish the State mandate and define reimbursement criteria. The CSM adopted the parameters and guidelines on September 27, 2005. In compliance with Government Code section 17558, the SCO issues claiming instructions to assist local agencies and school districts in claiming mandated program reimbursable costs.

The Commission approved reimbursable activities as follows:

- Evaluate and assess the performance of certificated instructional employees who perform the requirements of educational programs mandated by state or federal laws as it reasonably relates to the instructional techniques and strategies used by the employee and the employee's adherence to curricular objectives (Education Code section 44662(b) as amended by Chapter 498, Statutes of 1983).
- Evaluate and assess the performance of certificated instructional employees who teach reading, writing, mathematics, history/social science, and science in grades 2 to 11 as it reasonably relates to the progress of pupils toward the state adopted academic content standards as measured by state adopted assessment tests (Education Code section 44662(b) as amended by Chapter 4, Statutes of 1999).

- Assess and evaluate permanent certificated, instructional, and non-instructional employees who perform the requirements of educational programs mandated by state or federal law and receive an unsatisfactory evaluation in the years in which the permanent certificated employee would not have otherwise been evaluated pursuant to Education Code section 44664. The additional evaluations shall last until the employee achieves a positive evaluation, or is separated from the school district (Education Code section 44664 as amended by Chapter 498, Statutes of 1983).

Objective, Scope, and Methodology

We conducted the audit to determine whether costs claimed represent increased costs resulting from the Stull Act Program for the period of July 1, 1997, through June 30, 2011.

Our audit scope included, but was not limited to, determining whether costs claimed were supported by appropriate source documents, were not funded by another source, and were not unreasonable and/or excessive.

We conducted this performance audit under the authority of Government Code sections 12410, 17558.5, and 17561. We did not audit the district's financial statements. We conducted the audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

We limited our review of the district's internal controls to gaining an understanding of the transaction flow and claim preparation process as necessary to develop appropriate auditing procedures.

We conducted this performance audit under the authority of Government Code sections 12410, 17558.5, and 17561. We did not audit the district's financial statements. Except for the issue noted below, we conducted the audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

We limited our review of the district's internal controls to gaining an understanding of the transaction flow and claim preparation process as necessary to develop appropriate auditing procedures.

Conclusion

Our audit found an instance of noncompliance with the requirements outlined above. This instance is described in the accompanying Summary of Program Costs (Schedule 1) and in the Finding and Recommendation section of this report.

For the audit period, Norwalk-La Mirada Unified School District claimed \$4,366,931 for costs of the Stull Act Program. Our audit found that \$751,351 is allowable and \$3,615,580 is unallowable.

For the fiscal year (FY) 1997-98 claim, the State paid the district \$9,297. Our audit found that \$35,091 is allowable. The State will pay the allowable costs claimed that exceed the amount paid, totaling \$25,794, contingent upon available appropriations.

For the FY 1998-99 through FY 2007-08 claims, the State made no payments to the district. Our audit found that \$541,689 is allowable. The State will pay allowable costs claimed, contingent upon available appropriations.

For the FY 2008-09 claim, the State paid the district \$566,879. Our audit found that \$55,894 is allowable. The State will offset \$510,985 from other mandated program payments due the district. Alternatively, the district may remit this amount to the State.

For the FY 2009-10 claim, the State paid the district \$281,946. Our audit found that \$56,036 is allowable. The State will offset \$225,910 from other mandated program payments due the district. Alternatively, the district may remit this amount to the State.

For the FY 2010-11 claim, the State paid the district \$1,000. Our audit found that \$62,641 is allowable. The State will pay allowable costs claimed that exceed the amount paid, totaling \$61,641, contingent upon available appropriations.

**Views of
Responsible
Official**

We issued a draft audit report on April 28, 2014. Estuardo Santillan, Assistant Superintendent, Business Services, responded by letter dated May 8, 2014 (Attachment), disagreeing with the audit results. This final audit report includes the district's response.

Restricted Use

This report is solely for the information and use of Norwalk-La Mirada Unified School District, the Los Angeles County Office of Education, the California Department of Education, the California Department of Finance, and the SCO; it is not intended to be and should not be used by anyone other than these specified parties. This restriction is not intended to limit distribution of this report, which is a matter of public record

Original signed by

JEFFREY V. BROWNFIELD, CPA
Chief, Division of Audits

May 27, 2014

**Schedule 1—
Summary of Program Costs
July 1, 1997, through June 30, 2011**

Cost Elements	Actual Costs Claimed	Allowable per Audit	Audit Adjustment
<u>July 1, 1997, through June 30, 1998</u>			
Direct costs:			
Salaries and benefits			
Evaluation activities	\$ 104,662	\$ 32,615	\$ (72,047)
Training	—	—	—
Total direct costs	104,662	32,615	(72,047)
Indirect costs	7,944	2,476	(5,468)
Total program costs	<u>\$ 112,606</u>	35,091	<u>\$ (77,515)</u>
Less amount paid by the State		(9,297)	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 25,794</u>	
<u>July 1, 1998, through June 30, 1999</u>			
Direct costs:			
Salaries and benefits			
Evaluation activities	\$ 112,463	\$ 37,372	\$ (75,091)
Training	—	—	—
Total direct costs	112,463	37,372	(75,091)
Indirect costs	8,626	2,866	(5,760)
Total program costs	<u>\$ 121,089</u>	40,238	<u>\$ (80,851)</u>
Less amount paid by the State		—	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 40,238</u>	
<u>July 1, 1999, through June 30, 2000</u>			
Direct costs:			
Salaries and benefits			
Evaluation activities	\$ 197,347	\$ 40,444	\$ (156,903)
Training	—	—	—
Total direct costs	197,347	40,444	(156,903)
Indirect costs	13,518	2,770	(10,748)
Total program costs	<u>\$ 210,865</u>	43,214	<u>\$ (167,651)</u>
Less amount paid by the State		—	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 43,214</u>	

Schedule 1 (continued)

Cost Elements	Actual Costs Claimed	Allowable per Audit	Audit Adjustment
<u>July 1, 2000, through June 30, 2001</u>			
Direct costs:			
Salaries and benefits			
Evaluation activities	\$ 232,354	\$ 54,316	\$ (178,038)
Training	—	—	—
Total direct costs	232,354	54,316	(178,038)
Indirect costs	15,684	3,666	(12,018)
Total program costs	<u>\$ 248,038</u>	57,982	<u>\$ (190,056)</u>
Less amount paid by the State		—	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 57,982</u>	
<u>July 1, 2001, through June 30, 2002</u>			
Direct costs:			
Salaries and benefits			
Evaluation activities	\$ 256,963	\$ 60,198	\$ (196,765)
Training	—	—	—
Total direct costs	256,963	60,198	(196,765)
Indirect costs	17,371	4,070	(13,301)
Total program costs	<u>\$ 274,334</u>	64,268	<u>\$ (210,066)</u>
Less amount paid by the State		—	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 64,268</u>	
<u>July 1, 2002, through June 30, 2003</u>			
Direct costs:			
Salaries and benefits			
Evaluation activities	\$ 289,883	\$ 51,056	\$ (238,827)
Training	—	—	—
Total direct costs	289,883	51,056	(238,827)
Indirect costs	21,509	3,788	(17,721)
Total program costs	<u>\$ 311,392</u>	54,844	<u>\$ (256,548)</u>
Less amount paid by the State		—	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 54,844</u>	

Schedule 1 (continued)

Cost Elements	Actual Costs Claimed	Allowable per Audit	Audit Adjustment
<u>July 1, 2003, through June 30, 2004</u>			
Direct costs:			
Salaries and benefits			
Evaluation activities	\$ 304,642	\$ 54,838	\$ (249,804)
Training	—	—	—
Total direct costs	304,642	54,838	(249,804)
Indirect costs	21,995	3,959	(18,036)
Total program costs	<u>\$ 326,637</u>	58,797	<u>\$ (267,840)</u>
Less amount paid by the State		—	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 58,797</u>	
<u>July 1, 2004, through June 30, 2005</u>			
Direct costs:			
Salaries and benefits			
Evaluation activities	\$ 339,664	\$ 55,295	\$ (284,369)
Training	—	—	—
Total direct costs	339,664	55,295	(284,369)
Indirect costs	12,839	2,090	(10,749)
Total program costs	<u>\$ 352,503</u>	57,385	<u>\$ (295,118)</u>
Less amount paid by the State		—	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 57,385</u>	
<u>July 1, 2005, through June 30, 2006</u>			
Direct costs:			
Salaries and benefits			
Evaluation activities	\$ 378,436	\$ 52,331	\$ (326,105)
Training	1,898	1,872	(26)
Total direct costs	380,334	54,203	(326,131)
Indirect costs	12,942	1,854	(11,088)
Total program costs	<u>\$ 393,276</u>	56,057	<u>\$ (337,219)</u>
Less amount paid by the State		—	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 56,057</u>	

Schedule 1 (continued)

Cost Elements	Actual Costs Claimed	Allowable per Audit	Audit Adjustment
<u>July 1, 2006, through June 30, 2007</u>			
Direct costs:			
Salaries and benefits			
Evaluation activities	\$ 421,281	\$ 52,503	\$ (368,778)
Training	—	—	—
Total direct costs	421,281	52,503	(368,778)
Indirect costs	23,002	2,867	(20,135)
Total program costs	<u>\$ 444,283</u>	55,370	<u>\$ (388,913)</u>
Less amount paid by the State		—	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 55,370</u>	
<u>July 1, 2007, through June 30, 2008</u>			
Direct costs:			
Salaries and benefits			
Evaluation activities	\$ 202,836	\$ 48,925	\$ (153,911)
Training	2,227	1,746	(481)
Total direct costs	205,063	50,671	(154,392)
Indirect costs	11,586	2,863	(8,723)
Total program costs	<u>\$ 216,649</u>	53,534	<u>\$ (163,115)</u>
Less amount paid by the State		—	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 53,534</u>	
<u>July 1, 2008, through June 30, 2009</u>			
Direct costs:			
Salaries and benefits			
Evaluation activities	\$ 617,697	\$ 52,952	\$ (564,745)
Training	1,274	459	(815)
Total direct costs	618,971	53,411	(565,560)
Indirect costs	28,782	2,483	(26,299)
Total program costs	<u>\$ 647,753</u>	55,894	<u>\$ (591,859)</u>
Less amount paid by the State		(566,879)	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ (510,985)</u>	

Schedule 1 (continued)

Cost Elements	Actual Costs Claimed	Allowable per Audit	Audit Adjustment
<u>July 1, 2009, through June 30, 2010</u>			
Direct costs:			
Salaries and benefits			
Evaluation activities	\$ 273,506	\$ 54,240	\$ (219,266)
Training	175	153	(22)
Total direct costs	273,681	54,393	(219,288)
Indirect costs	8,265	1,643	(6,622)
Total program costs	<u>\$ 281,946</u>	56,036	<u>\$ (225,910)</u>
Less amount paid by the State		(281,946)	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ (225,910)</u>	
<u>July 1, 2010, through June 30, 2011</u>			
Direct costs:			
Salaries and benefits			
Evaluation activities	\$ 406,534	\$ 59,840	\$ (346,694)
Training	—	—	—
Total direct costs	406,534	59,840	(346,694)
Indirect costs	19,026	2,801	(16,225)
Total program costs	<u>\$ 425,560</u>	62,641	<u>\$ (362,919)</u>
Less amount paid by the State		(1,000)	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 61,641</u>	
<u>Summary: July 1, 1997, through June 30, 2011</u>			
Direct costs:			
Salaries and benefits			
Evaluation activities	\$ 4,138,268	\$ 706,925	\$ (3,431,343)
Training	5,574	4,230	(1,344)
Total direct costs	4,143,842	711,155	(3,432,687)
Indirect costs	223,089	40,196	(182,893)
Total program costs	<u>\$ 4,366,931</u>	751,351	<u>\$ (3,615,580)</u>
Less amount paid by the State		(859,122)	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ (107,771)</u>	

Finding and Recommendation

**FINDING—
Overstated salaries
and benefits and
related indirect costs**

The district claimed \$4,143,842 in salaries and benefits and \$223,089 in related indirect costs for the audit period. We found that \$3,432,687 in salaries and benefits is unallowable. The costs are unallowable primarily because the district claimed reimbursement for non-mandated evaluation costs (\$3,431,343) and training costs (\$1,344). Related indirect costs totaled \$182,893.

The following table summarizes the unallowable salaries and benefits and related indirect costs by fiscal year:

Fiscal Year	Salaries and Benefits			(D)	Total
	(A) Claimed	(B) Allowable	(C) Adjustment	Indirect Costs Adjustment	Audit Adjustment [(C)+(D)]
1997-98	\$ 104,662	\$ 32,615	\$ (72,047)	\$ (5,468)	\$ (77,515)
1998-99	112,463	37,372	(75,091)	(5,760)	(80,851)
1999-2000	197,347	40,444	(156,903)	(10,748)	(167,651)
2000-01	232,354	54,316	(178,038)	(12,018)	(190,056)
2001-02	256,963	60,198	(196,765)	(13,301)	(210,066)
2002-03	289,883	51,056	(238,827)	(17,721)	(256,548)
2003-04	304,642	54,838	(249,804)	(18,036)	(267,840)
2004-05	339,664	55,295	(284,369)	(10,749)	(295,118)
2005-06	380,334	54,203	(326,131)	(11,088)	(337,219)
2006-07	421,281	52,503	(368,778)	(20,135)	(388,913)
2007-08	205,063	50,671	(154,392)	(8,723)	(163,115)
2008-09	618,971	53,411	(565,560)	(26,299)	(591,859)
2009-10	273,681	54,393	(219,288)	(6,622)	(225,910)
2010-11	406,534	59,840	(346,694)	(16,225)	(362,919)
	<u>\$ 4,143,842</u>	<u>\$ 711,155</u>	<u>\$ (3,432,687)</u>	<u>\$ (182,893)</u>	<u>\$ (3,615,580)</u>

Unsupported Costs

The majority of the costs claimed by the district were unsupported because they were based on time records identifying estimated average time increments, which were not completed contemporaneously.

At the entrance conference, the district acknowledged that the time documentation submitted with the claims represented estimated averages of the time spent completing teacher evaluations. The district requested to proceed with a full-year time study during FY 2012-13 as a substitute for records of actual time spent on teacher evaluations. We suspended the audit while the district performed the time study. The district applied the time study results to the audit period.

Time Study Activities

The time study determined the time it took district evaluators to perform eight activities within the teacher evaluation process. The district evaluated permanent, probationary, and temporary certificated instructional teachers. The time study results reported time for meetings, observation, report writing, and other activities within the evaluation process.

The time study determined that it takes district evaluators an average of 4.40 hours per permanent teacher to complete an evaluation, and an average of 5.07 hours per probationary/temporary teacher (non-permanent) to complete an evaluation.

Five of the eight activities the district identified in its time study are not reimbursable under the mandate. The five non-reimbursable activities include:

1. Conducting a goals and objectives conference with the certificated staff member to review their goals and objectives;
2. Conducting a pre-observation conference with the certificated staff member;
3. Conducting a post-observation conference with the certificated staff member;
4. Conducting a final evaluation conference with the certificated staff member; and
5. Discussing STAR results and how to improve instructional abilities with this certificated staff member outside of the activities identified.

The program's parameters and guidelines do not allow reimbursement for conferences (pre-, post-, and final observation conferences) between the evaluators and teachers, as this activity was required before the enactment of the test claim legislation. Therefore, these activities do not impose a new program or higher level of service.

The parameters and guidelines do not allow reimbursement for discussing STAR results, as this activity is not listed as a reimbursable activity in the parameters and guidelines. In addition, interviews with the district evaluators revealed that discussing STAR results entailed conducting group meetings of overall STAR performance and areas in need of improvement, rather than separately evaluating each individual teacher performance based on STAR results.

We determined that the time spent on the following three activities is reimbursable:

1. Classroom observations (formal and informal);
2. Writing a report regarding observations; and
3. Writing the final evaluation report.

The time study results found that it takes district evaluators an average of 1.89 hours per permanent teacher evaluation and 3.07 hours per probationary/temporary teacher (non-permanent) to complete allowable activities within the evaluation process. In addition, the time study supported that it takes the district evaluators an average of 12.99 hours per unsatisfactory teacher evaluation to complete allowable activities within the evaluation process.

Completed Evaluations

The district did not keep track of completed evaluations during the audit period. To support claimed evaluations, the district created a database of completed teacher evaluations by reviewing employee files. Once completed, we reviewed the completed teacher evaluations for each fiscal year to ensure that only eligible evaluations were counted for reimbursement. The parameters and guidelines allow reimbursement for those evaluations conducted for certificated instructional personnel who perform the requirements of education programs mandated by state or federal law during specific evaluation periods.

The following table shows evaluations identified that are not reimbursable under the mandated program:

<u>Fiscal Year</u>	<u>Number of Completed Evaluations</u>		
	<u>District- Provided</u>	<u>Audited</u>	<u>Difference</u>
1997-98	384	217	(167)
1998-99	412	237	(175)
1999-2000	439	240	(199)
2000-01	534	300	(234)
2001-02	558	330	(228)
2002-03	481	272	(209)
2003-04	493	298	(195)
2004-05	474	284	(190)
2005-06	421	251	(170)
2006-07	376	252	(124)
2007-08	361	234	(127)
2008-09	382	243	(139)
2009-10	373	259	(114)
2010-11	440	318	(122)
Totals	<u>6,128</u>	<u>3,735</u>	<u>(2,393)</u>

The non-reimbursable evaluations included the following:

- Counselors, literacy coaches, school nurses, disabilities service resource, paraeducators, Title I resource, and Teachers on Special Assignment (TOSAs) who are not certificated instructional employees;
- Non-special education preschool teachers and adult education teachers who do not perform the requirements of the program that are mandated by state or federal law;
- Duplicate teacher evaluations claimed multiple times in one school year; and
- Permanent biannual teacher evaluations claimed every year rather than every other year.

Average Productive Hourly Rate (PHR)

The district claimed an average productive hourly rate (PHR) for the district’s evaluators in each fiscal year. Using the completed teacher evaluations database, we obtained a list of all evaluators at the district. We recalculated each evaluator’s PHR, using the district-provided payroll data. We then calculated an average rate for FY 2005-06 through FY 2010-11. The older records were kept on an inactive system that the district was unable to reasonably access. However, based on our analysis of the recent five fiscal years and review of the rates for the older years, we accepted the rates for the prior years as claimed.

The following table shows the PHR audit adjustments by fiscal year:

<u>Average Productive Hourly Rate</u>			
<u>Fiscal Year</u>	<u>Claimed</u>	<u>Audited</u>	<u>Difference</u>
2006-07	73.39	73.46	0.07
2007-08	74.37	75.85	1.48
2008-09	80.31	76.54	(3.77)
2009-10	81.59	76.57	(5.02)
2010-11	98.69	75.51	(23.18)

The misstated average PHRs resulted in overstated costs of \$23,648. Of that amount, \$23,528 relates to allowable evaluation costs and \$120 relates to allowable training costs. The overstated costs are included in the evaluation and training cost adjustments.

Calculation of Allowable Evaluation Costs

To arrive at allowable salaries and benefits in each fiscal year, we multiplied the number of allowable evaluations by allowable hours per evaluation and average audited PHRs.

The following table summarizes allowable evaluation costs by fiscal year using the audited PHRs.

Fiscal Year	Evaluation activities		
	Claimed	Allowable	Audit Adjustment
1997-98	\$ 104,662	\$ 32,615	\$ (72,047)
1998-99	112,463	37,372	(75,091)
1999-2000	197,347	40,444	(156,903)
2000-01	232,354	54,316	(178,038)
2001-02	256,963	60,198	(196,765)
2002-03	289,883	51,056	(238,827)
2003-04	304,642	54,838	(249,804)
2004-05	339,664	55,295	(284,369)
2005-06	378,436	52,331	(326,105)
2006-07	421,281	52,503	(368,778)
2007-08	202,836	48,925	(153,911)
2008-09	617,697	52,952	(564,745)
2009-10	273,506	54,240	(219,266)
2010-11	406,534	59,840	(346,694)
Total	<u>\$ 4,138,268</u>	<u>\$ 706,925</u>	<u>\$ (3,431,343)</u>

We then applied the applicable indirect cost rates to allowable evaluation activities to calculate allowable indirect costs of \$40,007 for this component.

Calculation of Allowable Training Costs

The district claimed training hours in several fiscal years, totaling \$5,574 for the audit period. We found that \$4,230 in training costs is reimbursable under the mandate and \$1,344 is not reimbursable. The primary reason for the unsupported training costs was district employees exceeding one-time training. The district did not support that the additional training hours related to one-time training on other reimbursable activities listed in the parameters and guidelines.

The following table summarizes claimed, allowable, and unallowable salaries and benefits related to training costs by fiscal year using the audited PHRs:

Fiscal Year	Training		
	Claimed	Allowable	Audit Adjustment
2005-06	\$ 1,898	\$ 1,872	\$ (26)
2007-08	2,227	1,746	(481)
2008-09	1,274	459	(815)
2009-10	175	153	(22)
Total	<u>\$ 5,574</u>	<u>\$ 4,230</u>	<u>\$ (1,344)</u>

For FY 2005-06, the district incorrectly claimed costs related to training as travel and training rather than salaries and benefits. We reclassified the district's training costs to salaries and benefits. We then applied the applicable indirect cost rates to allowable training costs to calculate allowable indirect costs of \$189 for this component.

The parameters and guidelines (section IV.A.1) state that the following is reimbursable:

Evaluate and assess the performance of certificated instructional employees that perform the requirements of educational programs mandated by state or federal law as it reasonably relates to the instructional techniques and strategies used by the employee and the employee's adherence to curricular objectives.

Reimbursement for this activity is limited to:

- a. Reviewing the employee's instructional techniques and strategies and adherence to curricular objectives, and
- b. Including in the written evaluation of the certificated instructional employees the assessment of these factors during the following evaluation periods:
 - o Once each year for probationary certificated employees;
 - o Every other year for permanent certificated employees; and
 - o Beginning January 1, 2004, every five years for certificated employees with permanent status who have been employed at least ten years with the school district, are highly qualified, and whose previous evaluation rated the employee as meeting or exceeding standards, if the evaluator and certificated employee being evaluated agree.

The parameters and guidelines (section IV.A.2) state that the following is reimbursable:

Evaluate and assess the performance of certificated instructional employees that teach reading, writing, mathematics, history/social science, and science in grades 2 to 11 as it reasonably relates to the progress of pupils towards the state adopted academic content standards as measured by state adopted assessment tests.

Reimbursement for this activity is limited to:

- a. Reviewing the results of the Standardized Testing and Reporting test as it reasonably relates to the performance of those certificated employees that teach reading, writing, mathematics, history/social science, and science in grades 2 to 11, and
- b. Including in the written evaluation of those certificated employees the assessment of the employee's performance based on the Standardized Testing and Reporting results for the pupils they teach during the evaluation periods specified in Education Code section 44664, and described below:
 - o Once each year for probationary certificated employees;
 - o Every other year for permanent certificated employees; and

- o Beginning January 1, 2004, every five years for certificated employees with permanent status who have been employed at least ten years with the school district, are highly qualified, and whose previous evaluation rated the employee as meeting or exceeding standards, if the evaluator and certificated employee being evaluated agree.

The parameters and guidelines (section IV.C—Training) state that the district may train staff on implementing the reimbursable activities listed in Section IV of the parameters and guidelines (one-time activity for each employee).

The parameters and guidelines (section IV—Reimbursable Activities) also state:

To be eligible for mandated cost reimbursement for any fiscal year, only actual costs may be claimed. Actual costs are those costs actually incurred to implement the mandated activities. Actual costs must be traceable and supported by source documents that show the validity of such costs, when they were incurred, and their relationship to the reimbursable activities. A source document is a document created at or near the same time the actual cost was incurred for the event or activity in question. Source documents may include, but are not limited to, employee time records or time logs, sign-in sheets, invoices, and receipts.

Recommendation

Commencing in FY 2013-14, the district elected to participate in a block grant program, pursuant to Government Code section 17581.6, in lieu of filing annual mandated cost claims. If the district chooses to opt out of the block grant program, we recommend that the district ensure that claimed costs are based on actual costs, are for activities reimbursable under the program’s parameters and guidelines, and are supported by contemporaneous source documentation.

District’s Response

A. TIME STUDY

The District's claims were based on our consultant's forms which are declarations of estimated average time to implement the mandated activities by the staff who implemented the mandate. The auditor would not accept these forms because they were not "contemporaneous" documents. At the entrance conference the District requested to proceed with a full-year time study during FY 2012-13 since this method has been accepted by the Controller for audits of other districts.

This time study was conducted using forms prepared by our consultant and acceptable to the auditor. The annual cost of evaluations is calculated based on the average time from the time study to implement eight different components of the annual employee evaluation process, multiplied by the number of evaluations performed each year, and then multiplied by the average productive hourly rates (salary and benefits) for the evaluators. For the eight time study components, the total average time to complete the evaluation process based on the District documentation and the audited allowable times are as follows:

<u>Eval Type</u>	<u>Audited Avg. Hours Time Study</u>	<u>Audited Avg. Hours Allowed</u>	<u>Percentage Allowed</u>
Permanent	4.40	1.89	43%
Non-Permanent	5.07	3.07	61%
Unsatisfactory	14.20	12.99	91%

At this time, the District has no objection to the auditor's calculation of the reported time study hours. However, the District does disagree with the scope of activities allowed for reimbursement.

Five Non-Reimbursable Activities

The draft audit report states five of the eight activities identified in the time study are not reimbursable:

1. Conducting a goals and objectives conference with the certificated staff member to review their goals and objectives;
2. Conducting a pre-observation conference with the certificated staff member;
3. Conducting a post-observation conference with the certificated staff member;
4. Conducting a final evaluation conference with the certificated staff member; and
5. Discussing STAR results and how to improve instructional abilities with this certificated staff member outside of the activities identified.

The draft audit report states that conferences between the evaluators and teachers are not reimbursable because they were required before the enactment of the test claim legislation and thus are not imposing a new program or higher level of service. The District disagrees with this disallowance. The mandate reimburses the new program requirement to "evaluate and assess" which necessarily involves a comprehensive process. The conferences are one part of a continuum of evaluation and assessment steps, none of which individually completes the mandate. The conferences and related tasks are effective and efficient methods to evaluate and assess employees and necessary to communicate the findings of the evaluation to the employee. Whether the conferences in general were required as a matter of law before the Stull Act is a decision for the Commission pursuant to a future incorrect reduction claim.

Three Allowed Activities

The draft audit report states that three of the eight activities identified by the district are reimbursable:

6. Classroom observations (formal and informal);
7. Writing a report regarding observations; and
8. Writing the final evaluation report.

The District agrees that these activities are reimbursable.

B. COMPLETED/ALLOWABLE EVALUATIONS

The draft audit report states that the program's parameters and guidelines allow reimbursement for those evaluations conducted for *certificated instructional personnel who perform the requirements of education programs mandated by state or federal law*. The draft audit report disallows about 40% of about 6,128 evaluations included in the District database of completed evaluations prepared for the audit. The evaluations were disallowed for five reasons:

1. Counselors, literacy coaches, school nurses, disabilities service resource, paraeducators, Title 1 resource, and TOSAs [Teachers on Special Assignments] who are not certificated instructional employees.

This category comprises about 5% of the evaluations included in the time study. The parameters and guidelines state that the mandate is to evaluate the performance of "certificated instructional employees." All certificated personnel are "instructional" personnel even if some are not classroom teachers. The audit report does not indicate how these other certificated personnel are not implementing the "curricular objectives." The District does agree that the portion of the mandate relating to the evaluation of compliance with the testing assessment standards (the STAR component) is limited to classroom teachers because the parameters and guidelines specifically state "employees that teach" specified curriculum. A Commission on State Mandates decision will be needed since this is an issue of statewide significance relevant to all Stull Act audits.

2. Non-special education preschool teachers and adult education teachers who do not perform the requirements of the program that is mandated by state or federal law.

This category comprises about 2% of the evaluations included in the time study. Federal law requires preschool instruction for special education pupils as part of the pupil's Individual Education Program. If the teacher is providing instruction to special education preschool pupils, the teacher is implementing the federal mandate. This is also a statewide audit appeal issue. However, for purposes of the Stull Act reimbursement, adult education teachers are properly excluded from the total allowed for reimbursement.

3. Duplicate teacher evaluations claimed multiple times in one school year.

This category comprises about 32% of the evaluations included in the time study. Potential and legitimate "duplicate" evaluations generally occur as a result of an employee transferring to another school during the evaluation cycle, or a change in employment status of the employee. However, the majority of these disallowed evaluations result from the District procedure of treating the probationary annual evaluation cycle as two complete evaluations, with about half the time reported for each. However, for purposes of the Stull Act reimbursement, only one complete evaluation should be counted for each employee within the annual cycle, but with the staff time for the entire annual evaluation cycle.

4. Permanent biannual teacher evaluations claimed every year rather than every other year.

This category comprises less than 1% of the evaluations included in the time study. The District has particular reasons for performing an evaluation of some permanent teachers more often than biannually. However, for purposes of the Stull Act reimbursement, only one complete evaluation should be counted for each employee every other year after the employee attains permanent status.

C. AVERAGE PRODUCTIVE HOURLY RATES (PHR)

The draft audit report concludes that the claimed average productive hourly rates were misstated and resulted in overstated costs of \$23,648. This represents about 3% of the \$711,155 in audited salary and benefits claimed for the 14 years.

The auditor agreed with the average PHRs claimed for FY 1997-98 through 2005-06. However, the audited rates for FY 2006-07 through FY 2010-11 vary from 1/10 of 1% (FY 2006-07) to 23% (FY 2010-11). The significant source of the variance in FY 2010-11 results from the auditor using the names of the evaluators from the completed teacher evaluations database where the District used an average of the positions that typically perform the evaluations. The District has not completed its analysis of the variances and may respond to this issue in the incorrect reduction claim.

D. TRAINING COSTS

The District claimed training time for staff in four fiscal years, totaling \$5,574 for the audit period. The draft audit report determined that \$4,230 in training costs is reimbursable and \$1,344 is not because some of the same district employees were claimed for more than one fiscal year. The District disagrees with this disallowance. The mandate parameters and guidelines allow training costs as a one-time activity per employee. Annual meetings with the principals and other evaluators to commence the annual evaluation cycle are reasonable and necessary when the collective bargaining contract and District evaluation process changes.

SCO's Comment

Time Study

Our finding and recommendation is unchanged. Conferences between the teachers and evaluators are non-reimbursable activities.

The district states in its response that “the mandate reimburses the new program requirement to ‘evaluate and assess’ which necessarily involves a comprehensive process.” We disagree. Not all activities from the evaluation process are reimbursable. The mandate reimburses only those activities that impose a new requirement or higher level of service for the agencies.

The parameters and guidelines (sections IV.A.1, IV.A.2, and IV.B.1) specify that reimbursement is limited to only those activities outlined in each section. Section IV.B.1 identifies reimbursable evaluation conferences only for those instances when an unsatisfactory evaluation

took place for certificated instructional or non-instructional personnel in those years in which the employee would not have otherwise been evaluated.

The district claimed costs for the evaluation conferences resulting from evaluations completed under sections IV.A.1 and IV.A.2 of the parameters and guidelines. Sections IV.A.1 and IV.A.2 do not identify evaluation conferences or any other types of conferences as reimbursable activities.

Furthermore, the Commission on State Mandates (CSM) found in its statement of decision that evaluation conferences between the evaluators and teachers are not reimbursable because they were required before the enactment of the test claim legislation.

Under prior law, the evaluation was to be prepared in writing and a copy of the evaluation given to the employee. An evaluation meeting was to be held between the certificated employee and the evaluator to discuss the evaluation and assessment. The CSM indicated in its statement of decision document that:

...the 1975 test claim legislation did not amend the requirements in Former Education Code sections 13488 and 13489 to prepare written evaluations of certificated employees, receive responses to those evaluations, and conduct a meeting with the certificated employee to discuss the evaluation...

Furthermore, the 1983 test claim statute still requires school districts to prepare the evaluation in writing, to transmit a copy to the employee, and to conduct a meeting with the employee to discuss the evaluation and assessment. These activities are not new.

However, the 1983 test claim statute amended the evaluation requirements by adding two new evaluation factors relating to 1) the instructional techniques and strategies used by the employee; and 2) the employee's adherence to curricular objectives. The CSM found that Education Code section 44662, subdivision (b), as amended by Statutes of 1983, Chapter 498, imposed a new required act on school districts to:

...evaluate and assess the performance of certificated instructional employees that perform the requirements of educational programs mandated by state or federal law as it reasonably relates to the instructional techniques and strategies used by the employee and the employee's adherence to curricular objectives.

Reimbursement is limited to the additional requirements imposed by the amendments. The additional requirements include the review of the employee's instructional techniques and strategies and adherence to curricular objectives, and to include in the written evaluation of the certificated instructional employees the assessment of only these factors. Conference activities do not impose a new program or higher level of service.

Completed/Allowable Evaluations

1. *Counselors, literacy coaches, school nurses, disabilities service resource, paraeducators, Title 1 resource, and Teachers on Special Assignment who are not certificated instructional employees.*

Our finding and recommendation is unchanged. The district states that “All certificated personnel are ‘instructional’ personnel even if they are not classroom teachers.” We disagree.

The language of the parameters and guidelines and the CSM statement of decision address the difference between certificated instructional employees and certificated non-instructional employees.

In its statement of decision, the CSM identifies instructional employees as teachers and non-instructional employees as principals and various administrators. The CSM further states that the test claim legislation determined that evaluation and assessment of certificated non-instructional employees, do not constitute a new program or higher level of service.

In addition, the parameters and guidelines clearly identify reimbursable components and activities as they relate to certificated instructional and certificated non-instructional personnel. Our draft report identifies a finding related to the component of evaluating instructional techniques and strategies and adherence to curricular objectives for the certificated instructional employees. The intent of this component is to evaluate the elements of classroom instruction. Counselors, literacy coaches, school nurses, disabilities service resource, paraeducators, Title 1 resource, and TOSAs do not provide classroom instruction and are considered “non-instructional” certificated personnel.

2. *Non-special education preschool teachers and adult education teachers who do not perform the requirements of the program that is mandated by state or federal law.*

Our finding and recommendation is unchanged. The district states the following in its response:

Federal law requires preschool instruction for special education pupils as part of the pupil’s Individual Education Program. If the teacher is providing instruction to special education preschool pupils, the teacher is implementing the federal mandate.

Our finding indicated that the evaluations of the special education preschool teachers were allowed for reimbursement. The district’s response asserts that special education preschool teacher evaluations should be allowable. We agree on this issue.

Regarding the issue of adult education teachers, the district states that they were “properly excluded from the total allowed for reimbursement.” We agree.

3. *Duplicate teacher evaluations claimed multiple times in one school*

year.

Our finding and recommendation is unchanged.

The district states that “only one complete evaluation should be counted for each employee within the annual cycle...” We agree.

4. *Permanent biannual teacher evaluations claimed every year rather than every other year.*

Our finding and recommendation is unchanged.

The district states that “only one complete evaluation should be counted for each employee every other year after the employee attains permanent status.” We agree.

Average Productive Hourly Rates (PHR)

Our finding and recommendation is unchanged.

The district states that it has not completed its analysis of the rate variances and may respond to this issue in the incorrect reduction claim.

Training Costs

Our finding and recommendation is unchanged.

The district disagrees with the unallowable “duplicate” training hours claimed for the same employees. The district states that:

Annual meetings with the principals and other evaluators to commence the annual evaluation cycle are reasonable and necessary when the collective bargaining contract and District evaluation process changes.

The parameters and guidelines state that the district may claim reimbursement to “train staff on implementing the reimbursable activities” and that training is reimbursable as a “one-time activity for each employee.”

The district believes that the meetings with the principals and other evaluators are “reasonable and necessary” activities. However, the reimbursement is limited to only those activities outlined in the parameters and guidelines (section IV.C).

OTHER ISSUE— Fraud risk questionnaire

The district’s response included other comments related to the mandated cost claims. The district’s comments and SCO’s response are presented below.

District’s Response

The draft audit report states that the auditor was unable to assess the fraud risk because the district ‘did not respond’ to inquiries regarding fraud assessment. More precisely, the District stated that it would not submit written responses to the auditor’s questionnaire, but the District

was at all times available to verbally respond.

SCO's Comment

We agree with the district's response and have removed this language from the final audit report.

**OTHER ISSUE—
Public records
request**

The district's response included other comments related to the mandated cost claims. The district's comments and SCO's response are presented below.

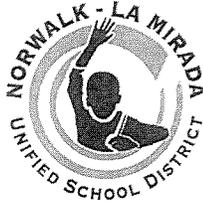
District's Response

The District requests copies of all audit work papers in support of the audit findings. The District requests that the Controller provide the District any and all written instructions, memoranda, or other writings in effect and applicable during the claiming periods to the findings. . . .

SCO's Comment

The SCO will responded to the district's request by letter separate from this audit report.

**Attachment—
District’s Response to
Draft Audit Report**



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May 8, 2014

Mr. Jim L. Spano, Chief
Mandated Costs Audits Bureau
Division of Audits
State Controller's Office
P.O. Box 942850
Sacramento, CA 94250-5874

Re: Norwalk-La Mirada Unified School District
Stull Act Mandate Audit
FY 1997-98 through FY 2010-11

Dear Mr. Spano:

This letter is the response of the Norwalk-La Mirada Unified School District to the draft audit report dated April 28, 2014, received by e-mail on the same date, for the above-referenced program and fiscal years, transmitted by the letter from Jeffrey V. Brownfield, Chief, Division of Audits, State Controller's Office.

The District appreciated the opportunity to utilize a time study of the mandate program activities to replace the original documentation for the historic claim years. The time study is a reasonable method to fulfill the Controller's expectations for cost accounting and documentation. However, the District will file an incorrect reduction claim due to the limited scope of activities approved for reimbursement. The District disagrees with the Controller's interpretation of the Stull Act legislation and the test claim findings. From the discussion at the audit entrance and exit conferences, as well as the results of previous audits at other districts, it is clear that this disagreement cannot be resolved at this point. A Commission on State Mandates decision will be needed since this is an issue of statewide significance relevant to all Stull Act audits.

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Member

DARRYL R. ADAMS
Member
ANA VALENCIA
Member

KAREN L. MORRISON
Member
DR. RUTH PÉREZ
Superintendent

Findings: Overstated salaries and benefits and related indirect costs

The District claimed \$4,143,842 in salaries and benefits and \$223,089 in related indirect costs for the audit period. The audit determined that \$3,432,687 in salaries and benefits is unallowable as unallowable evaluation costs (\$3,431,343) and training costs (\$1,344). Related unallowable indirect costs totaled \$182,893.

A. TIME STUDY

The District's claims were based on our consultant's forms which are declarations of estimated average time to implement the mandated activities by the staff who implemented the mandate. The auditor would not accept these forms because they were not "contemporaneous" documents. At the entrance conference the District requested to proceed with a full-year time study during FY 2012-13 since this method has been accepted by the Controller for audits of other districts.

This time study was conducted using forms prepared by our consultant and acceptable to the auditor. The annual cost of evaluations is calculated based on the average time from the time study to implement eight different components of the annual employee evaluation process, multiplied by the number of evaluations performed each year, and then multiplied by the average productive hourly rates (salary and benefits) for the evaluators. For the eight time study components, the total average time to complete the evaluation process based on the District documentation and the audited allowable times are as follows:

<u>Eval Type</u>	<u>Audited Avg. Hours Time Study</u>	<u>Audited Avg. Hours Allowed</u>	<u>Percentage Allowed</u>
Permanent	4.40	1.89	43%
Non-Permanent	5.07	3.07	61%
Unsatisfactory	14.20	12.99	91%

At this time, the District has no objection to the auditor's calculation of the reported time study hours. However, the District does disagree with the scope of activities allowed for reimbursement.

Five Non-Reimbursable Activities

The draft audit report states five of the eight activities identified in the time study are not reimbursable:

1. Conducting a goals and objectives conference with the certificated staff member to review their goals and objectives;

2. Conducting a pre-observation conference with the certificated staff member;
3. Conducting a post-observation conference with the certificated staff member;
4. Conducting a final evaluation conference with the certificated staff member; and
5. Discussing STAR results and how to improve instructional abilities with this certificated staff member outside of the activities identified.

The draft audit report states that conferences between the evaluators and teachers are not reimbursable because they were required before the enactment of the test claim legislation and thus are not imposing a new program or higher level of service. The District disagrees with this disallowance. The mandate reimburses the new program requirement to "evaluate and assess" which necessarily involves a comprehensive process. The conferences are one part of a continuum of evaluation and assessment steps, none of which individually completes the mandate. The conferences and related tasks are effective and efficient methods to evaluate and assess employees and necessary to communicate the findings of the evaluation to the employee. Whether the conferences in general were required as a matter of law before the Stull Act is a decision for the Commission pursuant to a future incorrect reduction claim.

Three Allowed Activities

The draft audit report states that three of the eight activities identified by the district are reimbursable:

6. Classroom observations (formal and informal);
7. Writing a report regarding observations; and
8. Writing the final evaluation report.

The District agrees that these activities are reimbursable.

B. COMPLETED/ALLOWABLE EVALUATIONS

The draft audit report states that the program's parameters and guidelines allow reimbursement for those evaluations conducted for *certificated instructional personnel who perform the requirements of education programs mandated by state or federal law*. The draft audit report disallows about 40% of about 6,128

evaluations included in the District database of completed evaluations prepared for the audit. The evaluations were disallowed for five reasons:

1. Counselors, literacy coaches, school nurses, disabilities service resource, paraeducators, Title 1 resource, and TOSAs who are not certificated instructional employees.

This category comprises about 5% of the evaluations included in the time study. The parameters and guidelines state that the mandate is to evaluate the performance of "certificated instructional employees." All certificated personnel are "instructional" personnel even if some are not classroom teachers. The audit report does not indicate how these other certificated personnel are not implementing the "curricular objectives." The District does agree that the portion of the mandate relating to the evaluation of compliance with the testing assessment standards (the STAR component) is limited to classroom teachers because the parameters and guidelines specifically state "employees that teach" specified curriculum. A Commission on State Mandates decision will be needed since this is an issue of statewide significance relevant to all Stull Act audits.

2. Non-special education preschool teachers and adult education teachers who do not perform the requirements of the program that is mandated by state or federal law.

This category comprises about 2% of the evaluations included in the time study. Federal law requires preschool instruction for special education pupils as part of the pupil's Individual Education Program. If the teacher is providing instruction to special education preschool pupils, the teacher is implementing the federal mandate. This is also a statewide audit appeal issue. However, for purposes of the Stull Act reimbursement, adult education teachers are properly excluded from the total allowed for reimbursement.

3. Duplicate teacher evaluations claimed multiple times in one school year.

This category comprises about 32% of the evaluations included in the time study. Potential and legitimate "duplicate" evaluations generally occur as a result of an employee transferring to another school during the evaluation cycle, or a change in employment status of the employee. However, the majority of these disallowed evaluations result from the District procedure of treating the probationary annual evaluation cycle as two complete evaluations, with about half the time reported for each. However, for purposes of the Stull Act reimbursement, only one complete evaluation should be counted for each employee within the annual cycle, but with the staff time for the entire annual evaluation cycle.

4. Permanent biannual teacher evaluations claimed every year rather than every other year.

This category comprises less than 1% of the evaluations included in the time study. The District has particular reasons for performing an evaluation of some permanent teachers more often than biannually. However, for purposes of the Stull Act reimbursement, only one complete evaluation should be counted for each employee every other year after the employee attains permanent status.

C. AVERAGE PRODUCTIVE HOURLY RATES (PHR)

The draft audit report concludes that the claimed average productive hourly rates were misstated and resulted in overstated costs of \$23,648. This represents about 3% of the \$711,155 in audited salary and benefits claimed for the 14 years. The auditor agreed with the average PHRs claimed for FY 1997-98 through 2005-06. However, the audited rates for FY 2006-07 through FY 2010-11 vary from 1/10 of 1% (FY 2006-07) to 23% (FY 2010-11). The significant source of the variance in FY 2010-11 results from the auditor using the names of the evaluators from the completed teacher evaluations database where the District used an average of the positions that typically perform the evaluations. The District has not completed its analysis of the variances and may respond to this issue in the incorrect reduction claim.

D. TRAINING COSTS

The District claimed training time for staff in four fiscal years, totaling \$5,574 for the audit period. The draft audit report determined that \$4,230 in training costs is reimbursable and \$1,344 is not because some of the same district employees were claimed for more than one fiscal year. The District disagrees with this disallowance. The mandate parameters and guidelines allow training costs as a one-time activity per employee. Annual meetings with the principals and other evaluators to commence the annual evaluation cycle are reasonable and necessary when the collective bargaining contract and District evaluation process changes.

Fraud Risk Questionnaire

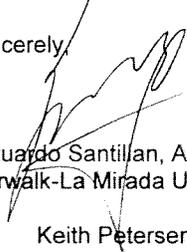
The draft audit report states that the auditor was unable to assess the fraud risk because the district "did not respond" to inquiries regarding fraud assessment. More precisely, the District stated that it would not submit *written* responses to the auditor's questionnaire, but the District was at all times available to *verbally* respond.

Public Records Request

The District requests copies of all audit work papers in support of the audit findings. The District requests that the Controller provide the District any and all written audit instructions, memoranda, or other writings in effect and applicable during the claiming periods to the findings.

Government Code Section 6253, subdivision (c), requires the state agency that is the subject of the request, within ten days from receipt of a request for a copy of records, to determine whether the request, in whole or in part, seeks copies of disclosable public records in possession of the agency and promptly notify the requesting party of that determination and the reasons therefore. Also, as required, when so notifying the District, the agency must state the estimated date and time when the records will be made available.

Sincerely,



Estuardo Santillan, Assistant Superintendent, Business Services
Norwalk-La Mirada Unified School District

c: Keith Petersen, President, SixTen and Associates

**State Controller's Office
Division of Audits
Post Office Box 942850
Sacramento, CA 94250-5874**

<http://www.sco.ca.gov>

EXHIBIT R

LONG BEACH UNIFIED SCHOOL DISTRICT

Audit Report

THE STULL ACT PROGRAM

Chapter 4198, Statutes of 1983;
and Chapter 4, Statutes of 1999

July 1, 2001, through June 30, 2010



JOHN CHIANG
California State Controller

August 2013



JOHN CHIANG
California State Controller

August 22, 2013

John McGinnis, President
Board of Education
Long Beach Unified School District
1515 Hughes Way
Long Beach, CA 90810

Dear Mr. McGinnis:

The State Controller's Office audited the costs claimed by the Long Beach Unified School District for the legislatively mandated Stull Act Program (Chapter 498, Statutes of 1983; and Chapter 4, Statutes of 1999) for the period of July 1, 2001, through June 30, 2010.

The district claimed \$2,978,750 for the mandated program. Our audit found that \$2,057,668 is allowable and \$921,082 is unallowable. The costs are unallowable primarily because the district claimed reimbursement for estimated and ineligible costs. The State paid the district \$262,194. The State will pay allowable costs claimed that exceed the amount paid, totaling \$1,795,474, contingent upon available appropriations.

If you disagree with the audit findings, you may file an Incorrect Reduction Claim (IRC) with the Commission on State Mandates (CSM). The IRC must be filed within three years following the date that we notify you of a claim reduction. You may obtain IRC information at the CSM's website at www.csm.ca.gov/docs/IRCFORM.pdf.

If you have any questions, please contact Jim L. Spano, Chief, Mandated Cost Audits Bureau, by phone at (916) 323-5849.

Sincerely,

Original signed by

JEFFREY V. BROWNFIELD, CPA
Chief, Division of Audits

JVB/sk

cc: Christopher Steinhauser, Superintendent of Schools
Long Beach Unified School District
James Novak, Ed.D., Chief Business and Financial Officer
Long Beach Unified School District
Ruth Perez Ashley, Assistant Superintendent
HRS and Leadership Development
Long Beach Unified School District
Rebecca J. Turrentine, Ed.D., President, Board of Education
Los Angeles County Office of Education
Scott Hannan, Director
School Fiscal Services Division
California Department of Education
Carol Bingham, Director
Fiscal Policy Division
California Department of Education
Thomas Todd, Assistant Program Budget Manager
Education Systems Unit
California Department of Finance
Jay Lal, Manager
Division of Accounting and Reporting
State Controller's Office

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Audit Report

Summary

The State Controller's Office audited the costs claimed by the Long Beach Unified School District for the legislatively mandated Stull Act Program (Chapter 498, Statutes of 1983; and Chapter 4, Statutes of 1999) for the period of July 1, 2001, through June 30, 2010.

The district claimed \$2,978,750 for the mandated program. Our audit found that \$2,057,668 is allowable and \$921,082 is unallowable. The costs are unallowable primarily because the district claimed reimbursement for estimated and ineligible costs. The State paid the district \$262,194. The State will pay allowable costs claimed that exceed the amount paid, totaling \$1,795,474, contingent upon available appropriations.

Background

The Stull Act (Chapter 498, Statutes of 1983; and Chapter 4, Statutes of 1999), added Education Code sections 44660-44665. The legislation provided reimbursement for specific activities related to evaluation and assessment of the performance of "certificated personnel" within each school district, except for those employed in local, discretionary educational programs.

On May 27, 2004, the Commission on State Mandates (CSM) determined that the legislation imposed a state mandate reimbursable under Government Code section 17514.

The program's parameters and guidelines establish the state mandate and define reimbursement criteria. The CSM adopted the parameters and guidelines on September 27, 2005. In compliance with Government Code section 17558, the SCO issues claiming instructions to assist local agencies and school districts in claiming mandated program reimbursable costs.

The CSM approved reimbursable activities as follows:

- Evaluate and assess the performance of certificated instructional employees who perform the requirements of educational programs mandated by state or federal laws as it reasonably relates to the instructional techniques and strategies used by the employee and the employee's adherence to curricular objectives (Education Code section 44662(b) as amended by Chapter 498, Statutes of 1983).
- Evaluate and assess the performance of certificated instructional employees who teach reading, writing, mathematics, history/social science, and science in grades 2 to 11 as it reasonably relates to the progress of pupils toward the state adopted academic content standards as measured by state adopted assessment tests (Education Code section 44662(b) as amended by Chapter 4, Statutes of 1999).

- Assess and evaluate permanent certificated, instructional, and non-instructional employees who perform the requirements of educational programs mandated by state or federal law and receive an unsatisfactory evaluation in the years in which the permanent certificated employee would not have otherwise been evaluated pursuant to Education Code section 44664. The additional evaluations shall last until the employee achieves a positive evaluation, or is separated from the school district (Education Code section 44664 as amended by Chapter 498, Statutes of 1983).

Objective, Scope, and Methodology

We conducted the audit to determine whether costs claimed represent increased costs resulting from the Stull Act Program for the period of July 1, 2001, through June 30, 2010.

Our audit scope included, but was not limited to, determining whether costs claimed were supported by appropriate source documents, were not funded by another source, and were not unreasonable and/or excessive.

We conducted this performance audit under the authority of Government Code sections 12410, 17558.5, and 17561. We did not audit the district's financial statements. We conducted the audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

We limited our review of the district's internal controls to gaining an understanding of the transaction flow and claim preparation process as necessary to develop appropriate auditing procedures.

Conclusion

Our audit found instances of noncompliance with the requirements outlined above. These instances are described in the accompanying Summary of Program Costs (Schedule 1) and in the Finding and Recommendation section of this report.

For the audit period, the Long Beach Unified School District claimed \$2,978,750 for costs of the Stull Act Program. Our audit found that \$2,057,668 is allowable and \$921,082 is unallowable.

The State paid the district \$262,194. Our audit found that \$2,057,668 is allowable. The State will pay allowable costs claimed that exceed the amount paid, totaling \$1,795,474, contingent upon available appropriations.

**Views of
Responsible
Official**

We issued a draft audit report on July 16, 2013. James Novak, Ed.D., Chief Business and Financial Officer, responded by letter dated July 29, 2013 (Attachment), generally agreeing with the SCO's methodology, but addressing a few concerns. The final audit report includes the district's response.

Restricted Use

This report is solely for the information and use of the Long Beach Unified School District, the Los Angeles County Office of Education, the California Department of Education, the California Department of Finance, and the SCO; it is not intended to be and should not be used by anyone other than these specified parties. This restriction is not intended to limit distribution of this report, which is a matter of public record.

Original signed by

JEFFREY V. BROWNFIELD, CPA
Chief, Division of Audits

August 22, 2013

Schedule 1— Summary of Program Costs July 1, 2001, through June 30, 2010

Cost Elements	Actual Costs Claimed	Allowable per Audit	Audit Adjustment	Reference ¹
<u>July 1, 2001, through June 30, 2002</u>				
Direct costs:				
Salaries and benefits:				
Evaluation activities	\$ 672,009	\$ 441,341	\$ (230,668)	
Total direct costs	672,009	441,341	(230,668)	
Indirect costs	34,810	22,861	(11,949)	
Total program costs	<u>\$ 706,819</u>	464,202	<u>\$ (242,617)</u>	
Less amount paid by the State		—		
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 464,202</u>		
<u>July 1, 2002, through June 30, 2003</u>				
Direct costs:				
Salaries and benefits:				
Evaluation activities	\$ 352,176	\$ 139,795	\$ (212,381)	
Total direct costs	352,176	139,795	(212,381)	
Indirect costs	18,736	7,437	(11,299)	
Total program costs	<u>\$ 370,912</u>	147,232	<u>\$ (223,680)</u>	
Less amount paid by the State		—		
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 147,232</u>		
<u>July 1, 2003, through June 30, 2004</u>				
Direct costs:				
Salaries and benefits:				
Evaluation activities	\$ 240,405	\$ 129,810	\$ (110,595)	
Total direct costs	240,405	129,810	(110,595)	
Indirect costs	12,597	6,802	(5,795)	
Total program costs	<u>\$ 253,002</u>	136,612	<u>\$ (116,390)</u>	
Less amount paid by the State		—		
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 136,612</u>		

Schedule 1 (continued)

Cost Elements	Actual Costs Claimed	Allowable per Audit	Audit Adjustment	Reference ¹
<u>July 1, 2004, through June 30, 2005</u>				
Direct costs:				
Salaries and benefits:				
Evaluation activities	\$ 671,900	\$ 355,199	\$ (316,701)	
Total direct costs	671,900	355,199	(316,701)	
Indirect costs	46,025	24,331	(21,694)	
Total program costs	<u>\$ 717,925</u>	379,530	<u>\$ (338,395)</u>	
Less amount paid by the State		—		
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 379,530</u>		
<u>July 1, 2005, through June 30, 2006</u>				
Direct costs:				
Salaries and benefits:				
Evaluation activities	\$ 227,362	\$ 354,175	\$ 126,813	
STAR results/assessment	1,503	—	(1,503)	
Training	1,297	1,247	(50)	
Total direct costs	230,162	355,422	125,260	
Indirect costs	15,858	24,489	8,631	
Total direct and indirect costs	246,020	379,911	133,891	
Less allowable costs that exceed costs claimed ²	—	(133,891)	(133,891)	
Total program costs	<u>\$ 246,020</u>	246,020	<u>\$ —</u>	
Less amount paid by the State		—		
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 246,020</u>		
<u>July 1, 2006, through June 30, 2007</u>				
Direct costs:				
Salaries and benefits:				
Evaluation activities	\$ 202,806	\$ 361,635	\$ 158,829	
STAR results/assessment	9,323	—	(9,323)	
Training	379	236	(143)	
Total direct costs	212,508	361,871	149,363	
Indirect costs	8,373	14,258	5,885	
Total direct and indirect costs	220,881	376,129	155,248	
Less allowable costs that exceed costs claimed ²	—	(155,248)	(155,248)	
Total program costs	<u>\$ 220,881</u>	220,881	<u>\$ —</u>	
Less amount paid by the State		—		
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 220,881</u>		

Schedule 1 (continued)

Cost Elements	Actual Costs Claimed	Allowable per Audit	Audit Adjustment	Reference ¹
<u>July 1, 2007, through June 30, 2008</u>				
Direct costs:				
Salaries and benefits:				
Evaluation activities	\$ 163,122	\$ 398,338	\$ 235,216	
STAR results/assessment	1,377	—	(1,377)	
Training	10,836	9,353	(1,483)	
Total direct costs	175,335	407,691	232,356	
Indirect costs	6,487	15,085	8,598	
Total direct and indirect costs	181,822	422,776	240,954	
Less allowable costs that exceed costs claimed ²	—	(240,954)	(240,954)	
Total program costs	<u>\$ 181,822</u>	181,822	<u>\$ —</u>	
Less amount paid by the State		—		
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 181,822</u>		
<u>July 1, 2008, through June 30, 2009</u>				
Direct costs:				
Salaries and benefits:				
Evaluation activities	\$ 135,882	\$ 230,434	\$ 94,552	
STAR results/assessment	8,942	—	(8,942)	
Training	2,499	1,400	(1,099)	
Total direct costs	147,323	231,834	84,511	
Indirect costs	6,261	9,853	3,592	
Total direct and indirect costs	153,584	241,687	88,103	
Less allowable costs that exceed costs claimed ²	—	(88,103)	(88,103)	
Total program costs	<u>\$ 153,584</u>	153,584	<u>\$ —</u>	
Less amount paid by the State		(134,409)		
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 19,175</u>		

Schedule 1 (continued)

Cost Elements	Actual Costs Claimed	Allowable per Audit	Audit Adjustment	Reference ¹
<u>July 1, 2009, through June 30, 2010</u>				
Direct costs:				
Salaries and benefits:				
Evaluation activities	\$ 109,504	\$ 181,630	\$ 72,126	
STAR results/assessment	9,591	—	(9,591)	
Training	3,775	2,773	(1,002)	
Total direct costs	122,870	184,403	61,533	
Indirect costs	4,915	7,376	2,461	
Total direct and indirect costs	127,785	191,779	63,994	
Less allowable costs that exceed costs claimed ²	—	(63,994)	(63,994)	
Total program costs	<u>\$ 127,785</u>	127,785	<u>\$ —</u>	
Less amount paid by the State		(127,785)		
Allowable costs claimed in excess of (less than) amount paid		<u>\$ —</u>		
<u>Summary: July 1, 2001, through June 30, 2010</u>				
Direct costs:				
Salaries and benefits:				
Evaluation activities	\$ 2,775,166	\$ 2,592,357	\$ (182,809)	
STAR results/assessment	30,736	—	(30,736)	
Training	18,786	15,009	(3,777)	
Total direct costs	2,824,688	2,607,366	(217,322)	
Indirect costs	154,062	132,492	(21,570)	
Total direct and indirect costs	2,978,750	2,739,858	(238,892)	
Less allowable costs that exceed costs claimed ²	—	(682,190)	(682,190)	
Total program costs	<u>\$ 2,978,750</u>	2,057,668	<u>\$ (921,082)</u>	
Less amount paid by the State		(262,194)		
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 1,795,474</u>		

¹ See the Finding and Recommendation section.

² Government Code section 17568 stipulates that the State will not reimburse any claim more than one year after the filing deadline specified in the SCO's claiming instructions. That deadline has expired for FY 2005-06 through FY 2009-10.

Finding and Recommendation

**FINDING—
Overstated salaries,
benefits, and related
indirect costs**

The district claimed \$2,824,688 in salaries and benefits, and \$154,062 in related indirect costs for the audit period. We determined that \$217,322 in salaries and benefits, and \$21,570 in related indirect costs are unallowable. The costs are unallowable primarily because the district claimed reimbursement for estimated and non-mandated costs.

The following table summarizes the unallowable salaries and benefits and related indirect costs by fiscal year:

Fiscal Year	Direct Costs: Salaries and Benefits				(E) Indirect Costs	Audit Adjustment [(D)+(E)]
	(A) Evaluation Activities	(B) STAR Results Review / Assessment	(C) Training	(D) Total [(A)+(B)+(C)]		
2001-02	\$ (230,668)	\$ -	\$ -	\$ (230,668)	\$ (11,949)	\$ (242,617)
2002-03	(212,381)	-	-	(212,381)	(11,299)	(223,680)
2003-04	(110,595)	-	-	(110,595)	(5,795)	(116,390)
2004-05	(316,701)	-	-	(316,701)	(21,694)	(338,395)
2005-06	126,813	(1,503)	(50)	125,260	8,631	133,891
2006-07	158,829	(9,323)	(143)	149,363	5,885	155,248
2007-08	235,216	(1,377)	(1,483)	232,356	8,598	240,954
2008-09	94,552	(8,942)	(1,099)	84,511	3,592	88,103
2009-10	72,126	(9,591)	(1,002)	61,533	2,461	63,994
Totals	<u>\$ (182,809)</u>	<u>\$ (30,736)</u>	<u>\$ (3,777)</u>	<u>\$ (217,322)</u>	<u>\$ (21,570)</u>	<u>\$ (238,892)</u>

Time Documentation FY 2001-02 through FY 2004-05

Time documentation provided by the district for fiscal year (FY) 2001-02 through FY 2004-05 was insufficient to support costs claimed primarily for the following reasons:

- Documentation provided was based on average time increments supported with time records that were not completed contemporaneously.
- Documentation provided did not identify the employee names, employment status, or teaching assignment. Therefore, the district did not support whether claimed evaluations met reimbursable criteria for frequency of evaluations specific to employment status and for program assignments mandated by state or federal law.

Time Documentation FY 2005-06 through FY 2009-10

The district provided time documentation for FY 2005-06 through FY 2009-10 that was based on actual time increments collected contemporaneously. The documentation also identified which employees were evaluated and reported reimbursable activities consistent with the program's parameters and guidelines:

- Evaluate the teachers' instructional techniques and strategies and adherence to curricular objectives.
- Provide written assessment of the evaluation of the instructional techniques and strategies and adherence to curricular objectives.
- Review the results of the Standardized Testing and Reporting (STAR) test as it relates to the performance of these employees who teach reading, writing, math, history/social sciences and science in grades 2 through 11.
- Provide written assessment of the teacher's performance based on the STAR results.

However, according to the district's representatives and the collective bargaining agreement, the district does not use Standardized Testing norms for teacher evaluation purposes. Therefore, time documentation listing these activities of reviewing the results of the Standardized Testing and Reporting test and providing a written assessment of the teacher's performance based on the STAR results is not reimbursable because the district does not perform these activities.

For the remaining two activities of evaluating the teachers' instructional techniques and strategies and providing written assessment of the evaluation, the time records submitted in FY 2005-06 through FY 2009-10 supported an average of 2.14 hours for district evaluators to complete the reimbursable activities. The documentation also supported the average of 4.88 hours for reimbursable unsatisfactory evaluations. We applied the average time increments to the entire audit period to determine allowable hours claimed.

Completed Evaluations

The district provided lists of certificated employee evaluations completed during the audit period. We used the district's data to ensure that only eligible evaluations were counted for reimbursement in each fiscal year. The program's parameters and guidelines allow reimbursement for those evaluations conducted for certificated instructional personnel who perform the requirements of educational programs mandated by state or federal law during specific evaluations periods.

The table below summarizes the total number of evaluations by fiscal year, and lists evaluations not reimbursable under the mandated program:

Fiscal Year	District-reported Evaluations	Unallowable Evaluations				Unsatisfactory Evaluations *	Allowable Evaluations
		Duplicate Same Year	Duplicate Consecutive Year	Charter School	Job Classification/ Job name		
2001-02	4,349	(465)	-	(28)	(543)	-	3,313
2002-03	1,230	(60)	-	(12)	(146)	-	1,012
2003-04	1,147	(116)	(22)	-	(116)	(4)	889
2004-05	3,215	(330)	(7)	(16)	(476)	(2)	2,384
2005-06	2,790	(195)	(20)	(18)	(328)	(8)	2,221
2006-07	2,922	(269)	(25)	(22)	(449)	(7)	2,150
2007-08	3,224	(347)	(26)	(24)	(527)	(15)	2,285
2008-09	1,908	(200)	(23)	(9)	(383)	(14)	1,279
2009-10	1,391	(187)	(18)	(2)	(188)	(9)	987
Total	22,176	(2,169)	(141)	(131)	(3,156)	(59)	16,520

*Unsatisfactory evaluations represent the number of allowable unsatisfactory evaluations that were accounted for separately.

The non-reimbursable evaluations include the following:

- Permanent biennial and probationary teacher evaluations claimed more than once in a single year;
- Permanent biennial teacher evaluations claimed every year rather than every other year;
- Evaluations of principals, vice principals, counselors, and others who are not certificated instructional employees;
- Evaluations of preschool and ROTC teachers who do not perform the requirements of the program as mandated by state or federal law; and
- Evaluations of charter school teachers, which are not eligible for reimbursement per the program’s parameters and guidelines.

Average Productive Hourly Rate (PHR)

The district claimed individual productive hourly rates (PHR) for each evaluator in each fiscal year. However, the district’s documentation did not track how many and which evaluations were completed by specific evaluators. Therefore, it was impossible to determine allowable costs by applying the individual productive hourly rates to unknown number of completed allowable evaluations per each district’s evaluator. However, the district proposed an alternative methodology.

The district provided a listing of all evaluators (principals and vice principals) for the audit period, including the payroll and benefit information. We calculated an average PHR for all evaluators by fiscal year, and applied the average PHR to allowable evaluations in each fiscal year.

Calculation of Allowable Evaluation Costs

To arrive at allowable salaries and benefits in each fiscal year, we multiplied the number of allowable evaluations by allowable average hours per evaluation and average PHR. Allowable salaries and benefits incurred for evaluation activities totaled \$2,592,357 and unallowable costs totaled \$182,809 for the audit period. We then applied the applicable indirect cost rates to allowable salaries and benefits to calculate the allowable indirect costs for this component.

The following table summarizes claimed, allowable, and unallowable evaluation costs by fiscal year:

Fiscal Year	Evaluation Salaries and Benefits		Audit Adjustment [(B)-(A)]
	(A) Claimed	(B) Allowable	
2001-02	\$ 672,009	\$ 441,341	\$ (230,668)
2002-03	352,176	139,795	(212,381)
2003-04	240,405	129,810	(110,595)
2004-05	671,900	355,199	(316,701)
2005-06	227,362	354,175	126,813
2006-07	202,806	361,635	158,829
2007-08	163,122	398,338	235,216
2008-09	135,882	230,434	94,552
2009-10	109,504	181,630	72,126
Totals	<u>\$ 2,775,166</u>	<u>\$ 2,592,357</u>	<u>\$ (182,809)</u>

Evaluation Costs Related to STAR Results/Assessment

The district claimed \$30,736 in costs related to evaluating STAR results and the written assessment of STAR results for employee evaluations. As previously noted, the district’s collective bargaining agreement explicitly excluded Standardized Testing norms to be used as part of the evaluation process. The district’s representatives confirmed that these activities are not being performed as part of the evaluation process. Therefore, claimed costs associated with this activity are unallowable.

Calculation of Allowable Training Costs

The district claimed \$18,786 in training costs for the audit period. Our analysis revealed that \$15,009 in training costs was allowable and \$3,777 was unallowable for the audit period. The costs are unallowable primarily because the district claimed unsupported and ineligible training hours, exceeding a one-time training per employee requirement of the mandated program.

The following table summarizes claimed, allowable, and unallowable training costs by fiscal year:

Fiscal Year	Training Salaries and Benefits		Audit Adjustment [(B)-(A)]
	(A) Claimed	(B) Allowable	
2005-06	\$ 1,297	\$ 1,247	\$ (50)
2006-07	379	236	(143)
2007-08	10,836	9,353	(1,483)
2008-09	2,499	1,400	(1,099)
2009-10	3,775	2,773	(1,002)
Totals	<u>\$ 18,786</u>	<u>\$ 15,009</u>	<u>\$ (3,777)</u>

The parameters and guidelines (section IV.A.1) state that the following is reimbursable:

Evaluate and assess the performance of certificated instructional employees that perform the requirements of educational programs mandated by state or federal law as it reasonably relates to the instructional techniques and strategies used by the employee and the employee’s adherence to curricular objectives.

Reimbursement for this activity is limited to:

- a. Reviewing the employee’s instructional techniques and strategies and adherence to curricular objectives, and
- b. Including in the written evaluation of the certificated instructional employees the assessment of these factors during the following evaluation periods:
 - o Once each year for probationary certificated employees;
 - o Every other year for permanent certificated employees; and
 - o Beginning January 1, 2004, every five years for certificated employees with permanent status who have been employed at least ten years with the school district, are highly qualified, and whose previous evaluation rated the employee as meeting or exceeding standards, if the evaluator and certificated employee being evaluated agree.

The parameters and guidelines (section IV.A.2) state that the following is reimbursable:

Evaluate and assess the performance of certificated instructional employees that teach reading, writing, mathematics, history/social science, and science in grades 2 to 11 as it reasonably relates to the progress of pupils towards the state adopted academic content standards as measured by state adopted assessment tests.

Reimbursement for this activity is limited to:

- a. Reviewing the results of the Standardized Testing and Reporting test as it reasonably relates to the performance of those certificated employees that teach reading, writing, mathematics, history/social science, and science in grades 2 to 11, and
- b. Including in the written evaluation of those certificated employees the assessment of the employee's performance based on the Standardized Testing and Reporting results for the pupils they teach during the evaluation periods specified in Education Code section 44664, and described below:
 - o Once each year for probationary certificated employees;
 - o Every other year for permanent certificated employees; and
 - o Beginning January 1, 2004, every five years for certificated employees with permanent status who have been employed at least ten years with the school district, are highly qualified, and whose previous evaluation rated the employee as meeting or exceeding standards, if the evaluator and certificated employee being evaluated agree.

The parameters and guidelines (section IV.C—Training) state the district may train staff on implementing the reimbursable activities listed in Section IV of the parameters and guidelines. (One-time activity for each employee.)

The parameters and guidelines (section IV—Reimbursable Activities) also state:

To be eligible for mandated cost reimbursement for any fiscal year, only actual costs may be claimed. Actual costs are those costs actually incurred to implement the mandated activities. Actual costs must be traceable and supported by source documents that show the validity of such costs, when they were incurred, and their relationship to the reimbursable activities. A source document is a document created at or near the same time the actual cost was incurred for the event or activity in question. Source documents may include, but are not limited to, employee time records or time logs, sign-in sheets, invoices, and receipts.

Recommendation

We recommend that the district ensure that claimed costs are based on actual costs, are for activities reimbursable under the program's parameters and guidelines, and are supported by contemporaneous source documentation.

District's Response

This letter is in response to the draft audit report issued by the State Controller's Office (SCO) with regard to the Stull Act Program audit for the period from July 1, 2001 through June 30, 2010.

The District appreciates the professional courtesy of the SCO staff during the audit, and appreciates the opportunity to respond to the audit findings. The District generally agrees with the methodology the SCO staff utilized to determine a reasonable reimbursement rate for each fiscal year.

That said, the District has two significant areas of concern regarding the methodology used in identifying the Average Productive Hourly Rate (PHR) for each of the audit years. First, we believe SCO should have utilized the actual PHR determined for audit years 2005-06 through 2009-10 rather than applying an average (calculated as 2.14 hours) determined with respect to the entire period from 2005-06 through 2009-10. Second, we believe one of two alternate methods should be utilized in determining the appropriate PHR for audit years 2001-02 through 2004-05.

Concerns Regarding 2005-06 Through 2009-10

In order to determine the PHR for each audit year, the SCO began by examining actual data from fiscal years 2005-06 through 2009-10, and calculated averages for each of those five fiscal years. The results are as follows:

Fiscal Year	Average Productive Hourly Rate
2005-06	2.45 hours
2006-07	1.97 hours
2007-08	2.27 hours
2008-09	2.06 hours
2009-10	1.84 hours

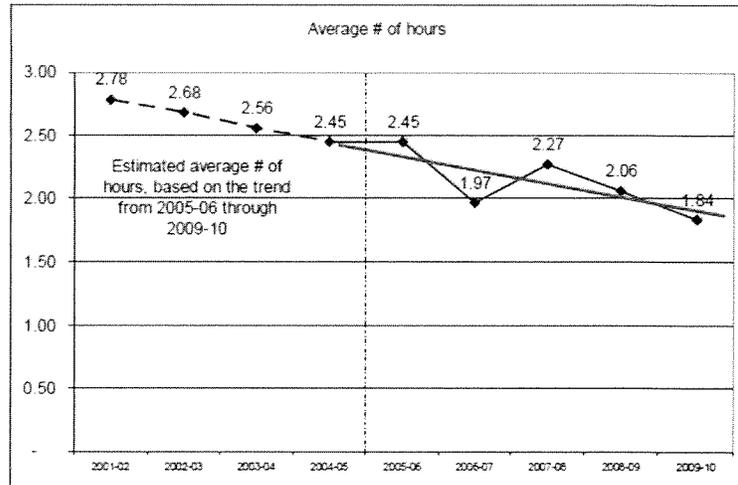
Rather than applying the actual known rates for each individual fiscal year, the SCO calculated an average for fiscal years 2005-06 through 2009-10, and applied the average (calculated to be 2.14 hours) to each fiscal year within that five year period. With respect to fiscal years, 2005-06 through 2009-10, it would seem to be more accurate to apply the known rates for each individual year rather than an average.

Accordingly, we request the SCO adjust the audit finding to reflect actual PHR determined for each of fiscal years 2005-06 through 2009-10.

Concerns Regarding 2001-02 Through 2004-05

We understand the SCO applied that PHR average of 2.14 hours (see above) to fiscal years 2001-02 through 2004-05. That resulted in PHR data from 2009-10 influencing funding for 2001-02. We suggest a better methodology would be to calculate PHR for this period on the basis of either (1) trend analysis reflecting a generally higher PHR in earlier years; or (2) the earliest year for which actual data is available (i.e. 2005-06).

We have charted the known PHR data for the period 2005-06 through 2009-10. That data is as follows:



The clear trend revealed by this data is that PHR was generally higher in earlier years, and would have been much higher than 2.14 during the 2001-02 through 2004-05 period. Using the “FORECAST” function in Microsoft Excel, we have determined an appropriate PHR for each individual fiscal year from 2001-02 through 2004-05. Those figures are as follows:

Fiscal Year	Average Productive Hourly Rate
2001-02	2.78 hours
2002-03	2.68 hours
2003-04	2.56 hours
2004-05	2.45 hours

While we believe use of these revised PHR numbers would be more consistent with the data, as an alternative (if SCO insists on use of actual data rather than projections), we would be willing to accept the SCO’s use of actual PHR data for the closest available year (i.e. the 2005-06 fiscal year) as a basis for auditing fiscal years 2001-02 through 2004-05. This approach has the benefit of using actual data from the nearest available year, and also results in use of a PHR figure that is more consistent with the trend analysis.

SCO’s Comments

The district’s response to the draft audit report addresses the concerns with the average time per allowable evaluation calculations. However, the district’s response inadvertently refers to the average time allotment as “PHR” – Productive Hourly Rate. The SCO’s comments below are in relation to the district’s comments regarding the average time allotment calculations.

1. Concerns Regarding 2005-06 Through 2009-10

The finding and recommendation remain unchanged.

The district generally agrees with the methodology the SCO staff utilized to determine a reasonable reimbursement rate for each fiscal

year. However, the district believes it would be more accurate to apply the average time increments per evaluation for each fiscal year individually rather than applying an overall average time allotment calculated by the SCO for FY 2005-06 through FY 2009-10. We disagree.

The district provided contemporaneous time documentation for evaluations completed for FY 2005-06 through FY 2009-10. The documentation for each fiscal year represented a varying number of time logs for completed evaluations. The district stated that the evaluation process remained consistent during the audit period. Therefore, we used the largest number of data points (i.e. time logs) for the entire period to calculate the most accurate time increment per evaluation, based on overall data combined for FY 2005-06 through FY 2009-10.

The district's request to use each fiscal year's individual average time increments rather than an overall period average would yield no difference in allowable costs. Applying an overall average of 2.14 hours per allowable evaluation revealed that the district will receive the entire costs claimed for FY 2005-06 through FY 2009-10.

In addition, we used the average of 2.14 hours per allowable evaluation to calculate allowable costs for the entire audit period to maintain the consistency of the evaluation process.

2. Concerns Regarding 2001-02 Through 2004-05

The finding and recommendation remain unchanged.

The district generally agrees with the methodology the SCO staff utilized to determine a reasonable reimbursement rate for each fiscal year. However, the district believes that applying an overall average of 2.14 hours per evaluation addressed above in item 1 to FY 2001-02 through FY 2004-05 results in average time data from FY 2009-10 that influences the allowable costs for FY 2001-02.

The district believes it is appropriate to use the earliest year data for which actual time records are available (i.e. FY 2005-06) to apply the "FORECAST" function in Microsoft Excel to determine average time increments individually for FY 2001-02 through FY 2004-05. We disagree.

Forecasting is a process of estimating the results based on past and present data. This process starts with certain assumptions and involves a degree of uncertainty with the predictions.

In this instance, the district's proposed method incorrectly presumes that five data points (i.e. average time increments calculated for each fiscal year starting FY 2005-06 through FY 2009-10) accurately represent a trend that results in higher averages for each preceding

year from FY 2001-02 through FY 2004-05. On the contrary, the average time increments calculated for FY 2005-06 (2.45 hours), FY 2006-07 (1.97 hours), and FY 2007-08 (2.27 hours) represent inconsistent year-to-year average hours variances.

To determine actual costs claimed for the years in question, we relied on actual time documentation to calculate the time increment that would most closely reflect the consistency of the evaluation process throughout the audit period. We examined over 4,000 time logs prepared by the district evaluators for FY 2005-06 through FY 2009-10 to calculate the overall average time increment of 2.14 hours per allowable evaluation. We applied this average to FY 2001-02 through FY 2004-05 because the district was unable to provide contemporaneous time documentation to support claimed costs.

We believe the average of 2.14 hours per allowable evaluation represents the most accurate average time allotment based on district-provided actual time records for the evaluation process that remained consistent throughout the audit period.

**Attachment—
District’s Response to
Draft Audit Report**



LONG BEACH UNIFIED SCHOOL DISTRICT
Office of the Chief Business and Financial Officer
1515 Hughes Way, CA 90810-1839 • (562) 997-8189 • FAX (562) 997-8284

July 29, 2013

Jim L. Spano, Chief
Mandated Cost Audits Bureau
State Controller's Office
Division of Audits
Post Office Box 942850
Sacramento, CA 94250-5874

Dear Mr. Spano:

This letter is in response to the draft audit report issued by the State Controller's Office (SCO) with regard to the Stull Act Program audit for the period from July 1, 2001 through June 30, 2010.

The District appreciates the professional courtesy of the SCO staff during the audit, and appreciates the opportunity to respond to the audit findings. The District generally agrees with the methodology the SCO staff utilized to determine a reasonable reimbursement rate for each fiscal year.

That said, the District has two significant areas of concern regarding the methodology used in identifying the Average Productive Hourly Rate (PHR) for each of the audit years. First, we believe SCO should have utilized the actual PHR determined for audit years 2005-06 through 2009-10 rather than applying an average (calculated as 2.14 hours) determined with respect to the entire period from 2005-06 through 2009-10. Second, we believe one of two alternate methods should be utilized in determining the appropriate PHR for audit years 2001-02 through 2004-05.

Concerns Regarding 2005-06 Through 2009-10

In order to determine the PHR for each audit year, the SCO began by examining actual data from fiscal years 2005-06 through 2009-10, and calculated averages for each of those five fiscal years. The results are as follows:

Fiscal Year	Average Productive Hourly Rate
2005-06	2.45 hours
2006-07	1.97 hours
2007-08	2.27 hours
2008-09	2.06 hours
2009-10	1.84 hours

Rather than applying the actual known rates for each individual fiscal year, the SCO calculated an average for fiscal years 2005-06 through 2009-10, and applied the average (calculated to be 2.14 hours) to each fiscal year within that five year period. With respect to fiscal years, 2005-06 through

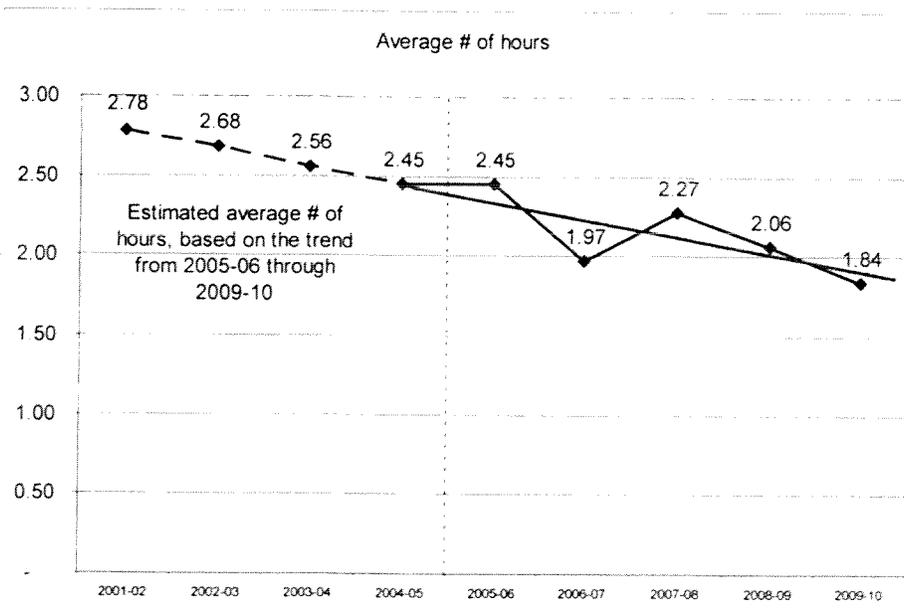
2009-10, it would seem to be more accurate to apply the known rates for each individual year rather than an average.

Accordingly, we request the SCO adjust the audit finding to reflect actual PHR determined for each of fiscal years 2005-06 through 2009-10.

Concerns Regarding 2001-02 Through 2004-05

We understand the SCO applied that PHR average of 2.14 hours (see above) to fiscal years 2001-02 through 2004-05. That resulted in PHR data from 2009-10 influencing funding for 2001-02. We suggest a better methodology would be to calculate PHR for this period on the basis of either (1) trend analysis reflecting a generally higher PHR in earlier years; or (2) the earliest year for which actual data is available (i.e. 2005-06).

We have charted the known PHR data for the period 2005-06 through 2009-10. That data is as follows:



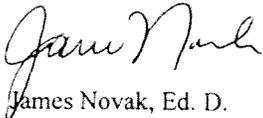
The clear trend revealed by this data is that PHR was generally higher in earlier years, and would have been much higher than 2.14 during the 2001-02 through 2004-05 period. Using the "FORECAST" function in Microsoft Excel, we have determined an appropriate PHR for each individual fiscal year from 2001-02 through 2004-05. Those figures are as follows:

Fiscal Year	Average Productive Hourly Rate
2001-02	2.78 hours
2002-03	2.68 hours
2003-04	2.56 hours
2004-05	2.45 hours

While we believe use of these revised PHR numbers would be more consistent with the data, as an alternative (if SCO insists on use of actual data rather than projections), we would be willing to accept the SCO's use of actual PHR data for the closest available year (i.e. the 2005-06 fiscal year) as a basis for auditing fiscal years 2001-02 through 2004-05. This approach has the benefit of using actual data from the nearest available year, and also results in use of a PHR figure that is more consistent with the trend analysis.

The District thanks the SCO for the opportunity to respond to the audit findings.

Sincerely,



James Novak, Ed. D.
Chief Business and Financial Officer
Long Beach Unified School District

cc: Christopher Steinhauser, Superintendent
Ruth Perez Ashley, Assistant Superintendent, HRS and Leadership Development

**State Controller's Office
Division of Audits
Post Office Box 942850
Sacramento, CA 94250-5874**

<http://www.sco.ca.gov>

EXHIBIT S

ELK GROVE UNIFIED SCHOOL DISTRICT

Audit Report

STULL ACT PROGRAM

Chapter 498, Statutes of 1983,
and Chapter 4, Statutes of 1999

July 1, 1997, through June 30, 2010



JOHN CHIANG
California State Controller

August 2013



JOHN CHIANG
California State Controller

August 23, 2013

Chet Madison, Sr., President
Board of Education
Elk Grove Unified School District
9510 Elk Grove-Florin Road
Elk Grove, CA 95624

Dear Mr. Madison:

The State Controller's Office audited the costs claimed by the Elk Grove Unified School District for the legislatively mandated Stull Act Program (Chapter 498, Statutes of 1983, and Chapter 4, Statutes of 1999) for the period of July 1, 1997, through June 30, 2010.

The district claimed \$4,362,150 for the mandated program. Our audit found that \$2,158,736 is allowable and \$2,203,414 is unallowable. The costs are unallowable primarily because the district claimed estimated and ineligible costs. The State paid the district \$628,288. Allowable costs claimed exceed the amount paid by \$1,530,448.

If you disagree with the audit findings, you may file an Incorrect Reduction Claim (IRC) with the Commission on State Mandates (CSM). The IRC must be filed within three years following the date that we notify you of a claim reduction. You may obtain IRC information at the CSM's website at www.csm.ca.gov/docs/IRCForm.pdf.

If you have any questions, please contact Jim L. Spano, Chief, Mandated Cost Audits Bureau, by phone at (916) 323-5849.

Sincerely,

Original signed by

JEFFREY V. BROWNFIELD, CPA
Chief, Division of Audits

JVB/nh

cc: Steven M. Ladd, Ed.D, Superintendent
Elk Grove Unified School District
Rich Fagan, Associate Superintendent
Elk Grove Unified School District
Carrie Hargis, Director of Fiscal Services
Elk Grove Unified School District
Jacquelyn Levy, President, Board of Education
Sacramento County Office of Education
Scott Hannan, Director
School Fiscal Services Division
California Department of Education
Carol Bingham, Director
Fiscal Policy Division
California Department of Education
Thomas Todd, Assistant Program Budget Manager
Education Systems Unit
California Department of Finance
Jay Lal, Manager
Division of Accounting and Reporting
State Controller's Office

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Audit Report

Summary

The State Controller’s Office (SCO) audited the costs claimed by the Elk Grove Unified School District for the legislatively mandated Stull Act Program (Chapter 498, Statutes of 1983, and Chapter 4, Statutes of 1999) for the period of July 1, 1997, through June 30, 2010.

The district claimed \$4,362,150 for the mandated program. Our audit found that \$2,158,736 is allowable and \$2,203,414 is unallowable. The costs are unallowable primarily because the district claimed estimated and ineligible costs. The State paid the district \$628,288. Allowable costs claimed exceed the amount paid by \$1,530,448.

Background

The Stull Act, Chapter 498, Statutes of 1983, and Chapter 4, Statutes of 1999, added Education Code sections 44660-44665. The legislation provided reimbursement for specific activities related to evaluation and assessment of the performance of “certificated personnel” within each school district, except for those employed in local discretionary educational programs.

On May 27, 2004, the Commission on State Mandates (CSM) determined that the legislation imposed a state mandate reimbursable under Government Code section 17514.

The program’s parameters and guidelines establish the state mandate and define reimbursement criteria. The CSM adopted the parameters and guidelines on September 27, 2005. In compliance with Government Code section 17558, the SCO issues claiming instructions to assist local agencies and school districts in claiming mandated program reimbursable costs.

The Commission approved reimbursable activities as follows:

- Evaluate and assess the performance of certificated instructional employees who perform the requirements of educational programs mandated by state or federal laws as it reasonably relates to the instructional techniques and strategies used by the employee, and the employee’s adherence to curricular objectives (Education Code section 44662 subdivision (b) as amended by Chapter 498, Statutes of 1983).
- Evaluate and assess the performance of certificated instructional employees who teach reading, writing, mathematics, history/social science, and science in grades 2 through 11 as it reasonably relates to the progress of pupils toward the State-adopted academic content standards as measured by State-adopted assessment tests (Education Code section 44662 subdivision (b), as amended by Chapter 4, Statutes of 1999).

- Assess and evaluate permanent certificated, instructional, and non-instructional employees who perform the requirements of educational programs mandated by State or federal law and receive an unsatisfactory evaluation in the years in which the permanent certificated employee would not have otherwise been evaluated pursuant to Education Code section 44664. The additional evaluations shall last until the employee achieves a positive evaluation, or is separated from the school district (Education Code section 44664 as amended by Chapter 498, Statutes of 1983).

Objective, Scope, and Methodology

We conducted the audit to determine whether costs claimed represent increased costs resulting from the Stull Act Program for the period of July 1, 1997, through June 30, 2010.

Our audit scope included, but was not limited to, determining whether costs claimed were supported by appropriate source documents, were not funded by another source, and were not unreasonable and/or excessive.

We conducted this performance audit under the authority of Government Code sections 12410, 17558.5, and 17561. We did not audit the district's financial statements. We conducted the audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

We limited our review of the district's internal controls to gaining an understanding of the transaction flow and claim preparation process as necessary to develop appropriate auditing procedures.

Conclusion

Our audit found instances of noncompliance with the requirements outlined above. These instances are described in the accompanying Summary of Program Costs (Schedule 1) and in the Findings and Recommendations section of this report.

For the audit period, the Elk Grove Unified School District claimed \$4,362,150 for costs of the Stull Act Program. Our audit found that \$2,158,736 is allowable and \$2,203,414 is unallowable.

For the fiscal year (FY) 1997-98 claim, the State paid the district \$18,475. Our audit found that \$114,513 is allowable. The State will pay allowable costs claimed that exceed the amount paid, totaling \$96,038, contingent upon available appropriations.

For FY 1998-99 through FY 2004-05, FY 2006-07, and FY 2007-08 claims, the State made no payment to the district. Our audit found that \$1,458,105 is allowable. The State will pay allowable costs claimed, contingent upon available appropriations.

For the FY 2005-06 claim, the State paid the district \$139,177. Our audit found that the entire amount is allowable.

For the FY 2008-09 claim, the State paid the district \$221,236. Our audit found that \$247,802 is allowable. The State will pay allowable costs claimed that exceed the amount paid, totaling \$26,566, contingent upon available appropriations.

For the FY 2009-10 claim, the State paid the district \$249,400. Our audit found that \$199,139 is allowable. The State will offset \$50,261 from other mandated program payments due the district. Alternatively, the district may remit this amount to the State.

**Views of
Responsible
Official**

We issued a draft audit report on April 22, 2013. Rich Fagan, Associate Superintendent of Finance and School Support, responded by letter dated May 6, 2013 (Attachment), disagreeing with the audit results. This final audit report includes the district's response.

Restricted Use

This report is solely for the information and use of the Elk Grove Unified School District, the Sacramento County Office of Education, the California Department of Education, the California Department of Finance, and the SCO; it is not intended to be and should not be used by anyone other than these specified parties. This restriction is not intended to limit distribution of this report, which is a matter of public record.

Original signed by

JEFFREY V. BROWNFIELD, CPA
Chief, Division of Audits

August 23, 2013

**Schedule 1—
Summary of Program Costs
July 1, 1997, through June 30, 2010**

Cost Elements	Actual Costs Claimed	Allowable per Audit	Audit Adjustments	Reference ¹
<u>July 1, 1997, through June 30, 1998</u>				
Direct costs				
Salaries and benefits				
Evaluation activities	\$ 215,385	\$ 108,113	\$ (107,272)	Finding 1
Total direct costs	215,385	108,113	(107,272)	
Indirect costs	12,751	6,400	(6,351)	Finding 2
Total direct and indirect costs	228,136	114,513	(113,623)	
Less late filing penalty ²	—	—	—	
Total program costs	<u>\$ 228,136</u>	114,513	<u>\$ (113,623)</u>	
Less amount paid by state		(18,475)		
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 96,038</u>		
<u>July 1, 1998, through June 30, 1999</u>				
Direct costs				
Salaries and benefits				
Evaluation activities	\$ 379,092	\$ 110,601	\$ (268,491)	Finding 1
Total direct costs	379,092	110,601	(268,491)	
Indirect costs	20,130	5,873	(14,257)	Finding 2
Total direct and indirect costs	399,222	116,474	(282,748)	
Less late filing penalty ²	—	—	—	
Total program costs	<u>\$ 399,222</u>	116,474	<u>\$ (282,748)</u>	
Less amount paid by state		—		
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 116,474</u>		
<u>July 1, 1999, through June 30, 2000</u>				
Direct costs				
Salaries and benefits				
Evaluation activities	\$ 493,048	\$ 115,377	\$ (377,671)	Finding 1
Total direct costs	493,048	115,377	(377,671)	
Indirect costs	24,159	5,653	(18,506)	Finding 2
Total direct and indirect costs	517,207	121,030	(396,177)	
Less late filing penalty ²	—	—	—	
Total program costs	<u>\$ 517,207</u>	121,030	<u>\$ (396,177)</u>	
Less amount paid by state		—		
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 121,030</u>		

Schedule 1 (continued)

Cost Elements	Actual Costs Claimed	Allowable per Audit	Audit Adjustments	Reference ¹
<u>July 1, 2000, through June 30, 2001</u>				
Direct costs				
Salaries and benefits				
Evaluation activities	\$ 389,885	\$ 120,017	\$ (269,868)	Finding 1
Total direct costs	389,885	120,017	(269,868)	
Indirect costs	20,235	6,229	(14,006)	Finding 2
Total direct and indirect costs	410,120	126,246	(283,874)	
Less late filing penalty ²	—	—	—	
Total program costs	<u>\$ 410,120</u>	126,246	<u>\$ (283,874)</u>	
Less amount paid by state		—		
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 126,246</u>		
<u>July 1, 2001, through June 30, 2002</u>				
Direct costs				
Salaries and benefits				
Evaluation activities	\$ 340,432	\$ 143,409	\$ (197,023)	Finding 1
Total direct costs	340,432	143,409	(197,023)	
Indirect costs	13,617	5,736	(7,881)	Finding 2
Total direct and indirect costs	354,049	149,145	(204,904)	
Less late filing penalty ²	—	—	—	
Total program costs	<u>\$ 354,049</u>	149,145	<u>\$ (204,904)</u>	
Less amount paid by state		—		
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 149,145</u>		
<u>July 1, 2002, through June 30, 2003</u>				
Direct costs				
Salaries and benefits				
Evaluation activities	\$ 465,746	\$ 175,293	\$ (290,453)	Finding 1
Total direct costs	465,746	175,293	(290,453)	
Indirect costs	37,446	14,094	(23,352)	Finding 2
Total direct and indirect costs	503,192	189,387	(313,805)	
Less late filing penalty ²	—	—	—	
Total program costs	<u>\$ 503,192</u>	189,387	<u>\$ (313,805)</u>	
Less amount paid by state		—		
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 189,387</u>		

Schedule 1 (continued)

Cost Elements	Actual Costs Claimed	Allowable per Audit	Audit Adjustments	Reference ¹
<u>July 1, 2003, through June 30, 2004</u>				
Direct costs				
Salaries and benefits				
Evaluation activities	\$ 436,433	\$ 192,026	\$ (244,407)	Finding 1
Total direct costs	436,433	192,026	(244,407)	
Indirect costs	24,702	10,869	(13,833)	Finding 2
Total direct and indirect costs	461,135	202,895	(258,240)	
Less late filing penalty ²	—	—	—	
Total program costs	<u>\$ 461,135</u>	202,895	<u>\$ (258,240)</u>	
Less amount paid by state		—		
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 202,895</u>		
<u>July 1, 2004, through June 30, 2005</u>				
Direct costs				
Salaries and benefits				
Evaluation activities	\$ 402,938	\$ 160,881	\$ (242,057)	Finding 1
Total direct costs	402,938	160,881	(242,057)	
Indirect costs	15,916	6,355	(9,561)	Finding 2
Total direct and indirect costs	418,854	167,236	(251,618)	
Less late filing penalty ²	—	—	—	
Total program costs	<u>\$ 418,854</u>	167,236	<u>\$ (251,618)</u>	
Less amount paid by state		—		
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 167,236</u>		
<u>July 1, 2005, through June 30, 2006</u>				
Direct costs				
Salaries and benefits				
Evaluation activities	\$ 130,965	\$ 160,269	\$ 29,304	Finding 1
Training	297	341	44	Finding 1
Total direct costs	131,262	160,610	29,348	
Indirect costs	7,915	12,512	4,597	Finding 2
Total direct and indirect costs	139,177	173,122	33,945	
Less allowable costs that exceed costs claimed ³	—	(33,945)	(33,945)	
Total program costs	<u>\$ 139,177</u>	139,177	<u>\$ —</u>	
Less amount paid by state ⁴		(139,177)		
Allowable costs claimed in excess of (less than) amount paid		<u>\$ —</u>		

Schedule 1 (continued)

Cost Elements	Actual Costs Claimed	Allowable per Audit	Audit Adjustments	Reference ¹
<u>July 1, 2006, through June 30, 2007</u>				
Direct costs				
Salaries and benefits				
Evaluation activities	\$ 187,316	\$ 180,355	\$ (6,961)	Finding 1
Total direct costs	187,316	180,355	(6,961)	
Indirect costs	14,648	14,104	(544)	Finding 2
Total program costs	<u>\$ 201,964</u>	194,459	<u>\$ (7,505)</u>	
Less amount paid by state		—		
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 194,459</u>		
<u>July 1, 2007, through June 30, 2008</u>				
Direct costs				
Salaries and benefits				
Evaluation activities	\$ 215,617	\$ 181,729	\$ (33,888)	Finding 1
Total direct costs	215,617	181,729	(33,888)	
Indirect costs	11,277	9,504	(1,773)	Finding 2
Total program costs	<u>\$ 226,894</u>	191,233	<u>\$ (35,661)</u>	
Less amount paid by state		—		
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 191,233</u>		
<u>July 1, 2008, through June 30, 2009</u>				
Direct costs				
Salaries and benefits				
Evaluation activities	\$ 242,517	\$ 237,723	\$ (4,794)	Finding 1
Total direct costs	242,517	237,723	(4,794)	
Indirect costs	10,283	10,079	(204)	Finding 2
Total program costs	<u>\$ 252,800</u>	247,802	<u>\$ (4,998)</u>	
Less amount paid by state		(221,236)		
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 26,566</u>		
<u>July 1, 2009, through June 30, 2010</u>				
Direct costs				
Salaries and benefits				
Evaluation activities	\$ 236,825	\$ 189,098	\$ (47,727)	Finding 1
Total direct costs	236,825	189,098	(47,727)	
Indirect costs	12,575	10,041	(2,534)	Finding 2
Total program costs	<u>\$ 249,400</u>	199,139	<u>\$ (50,261)</u>	
Less amount paid by state		(249,400)		
Allowable costs claimed in excess of (less than) amount paid		<u>\$ (50,261)</u>		

Schedule 1 (continued)

Cost Elements	Actual Costs Claimed	Allowable per Audit	Audit Adjustments	Reference ¹
<u>Summary: July 1, 1997, through June 30, 2010</u>				
Direct costs				
Salaries and benefits				
Evaluation activities	\$ 4,136,199	\$ 2,074,891	\$ (2,061,308)	
Training	297	341	44	
Total direct costs	4,136,496	2,075,232	(2,061,264)	
Indirect costs	225,654	117,449	(108,205)	
Total direct and indirect costs	4,362,150	2,192,681	(2,169,469)	
Less allowable costs that exceed costs claimed	—	(33,945)	(33,945)	
Less late filing penalty	—	—	—	
Total program costs	<u>\$ 4,362,150</u>	2,158,736	<u>\$ (2,203,414)</u>	
Less amount paid by state		(628,288)		
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 1,530,448</u>		

¹ See the Findings and Recommendations section.

² The district filed its FY 1997-98 through FY 2004-05 initial reimbursement claims by the due date specified in Government Code section 17560, and amended the claims after the due date. Pursuant to Government Code section 17568, the State assessed a late filing penalty equal to 10% of allowable costs that exceed the timely filed claim amount, with no maximum penalty amount (for claims amended on or after September 30, 2002). Allowable costs do not exceed the initial amount claimed for FY 1997-98 through FY 2004-05. Therefore, there is no late claim penalty.

³ Government Code section 17568 stipulates that the State will not reimburse any claim more than one year after the filing deadline specified in the SCO's claiming instructions. That deadline has expired for FY 2005-06.

⁴ Payment from funds appropriated under Chapter 724, Statutes of 2010 (Assembly Bill No. 1610).

Findings and Recommendations

**FINDING 1—
Overstated salaries
and benefits**

The district claimed \$4,136,496 in salaries and benefits for the audit period. We determined that \$2,075,232 is allowable and \$2,061,264 is unallowable. The costs are unallowable primarily for the following reasons:

- The district misstated hours and reimbursable activities for fiscal year (FY) 2000-01 through FY 2009-10, totaling \$1,829,712 in overstated costs.
- The district did not provide documentation supporting evaluations completed for FY 1997-98 through FY 1999-2000, totaling \$753,434. We determined allowable costs for this period by using the current audit results for FY 2000-01, and applying the Implicit Price Deflator to determine prior year costs.
- The district underclaimed evaluations for FY 2000-01 through FY 2009-10, totaling \$518,788.
- The district miscalculated productive hourly rates for FY 2000-01 through FY 2009-10 totaling \$3,050 in understated costs.
- The district underclaimed training costs for FY 2005-06 by \$44. The district claimed \$297; we determined that \$341 is allowable.

The following table summarizes the unallowable salaries and benefits by fiscal year:

<u>Fiscal Year</u>	<u>Amount Claimed</u>	<u>Amount Allowable</u>	<u>Audit Adjustment</u>
1997-98	\$ 215,385	\$ 108,113	\$ (107,272)
1998-99	379,092	110,601	(268,491)
1999-2000	493,048	115,377	(377,671)
2000-01	389,885	120,017	(269,868)
2001-02	340,432	143,409	(197,023)
2002-03	465,746	175,293	(290,453)
2003-04	436,433	192,026	(244,407)
2004-05	402,938	160,881	(242,057)
2005-06	131,262	160,610	29,348
2006-07	187,316	180,355	(6,961)
2007-08	215,617	181,729	(33,888)
2008-09	242,517	237,723	(4,794)
2009-10	236,825	189,098	(47,727)
Total salaries and benefits	<u>\$ 4,136,496</u>	<u>\$ 2,075,232</u>	<u>\$ (2,061,264)</u>

Time Documentation and Unallowable Activities

The time documentation submitted by the district represented multiple claiming methodologies throughout the audit period. We reviewed each claiming methodology and concluded that the time documentation was insufficient to support costs claimed. The claiming methodologies were as follows:

- For FY 1997-98 through 2004-05, the time documentation consisted of the year-end estimates of hours that were completed in the form of a survey. The time surveys represented hours that were estimated at the end of each fiscal year. We did not accept the time surveys in support of claimed costs because they were not completed contemporaneously and also varied greatly from other subsequent time tracking methodologies employed by the district in later years.
- Starting in FY 2005-06, the district evaluators maintained evaluation hours via time tracking forms. In many instances however, the forms did not segregate claimed hours and therefore, did not provide sufficient detail to accurately determine the reimbursable activities.

The varying claiming methodologies resulted in inconsistent time documentation practices throughout the audit period. We noted the following during our review of the time tracking forms for FY 2005-06 through FY 2009-10:

- The time increments for the same activity varied greatly from year to year and from one tracking methodology to another.
- The documentation provided lacked a detailed account of activities for the hours claimed. The district did not support the reasonableness of varying efforts, by evaluators based on the limited documentation that did provide adequate detail.
- Some documentation that included the detailed account of claimed activities identified unallowable activities claimed, such as pre-, post-, or goals conferences. However, the hours were recorded in one-time block and did not provide time increments by each specific activity. The district did not segregate the unallowable hours because claimed hours were not accounted for separately for each step in the evaluation process.
- Some documentation also presented a single time block for multiple evaluations of employees without identifying the employee names and the time it took for each evaluation. Therefore, the district did not support whether those unidentified evaluations met reimbursable criteria for frequency of evaluations specific to employment status and for program assignments mandated by state or federal law.
- The district-provided documentation did not support the amount of follow-up evaluations that were performed as a result of potentially unsatisfactory evaluations.

Average Hours per Evaluation

The district used an average time allotment per evaluation for FY 2006-07, FY 2007-08, and FY 2008-09 to calculate claimed costs. For FY 2006-07, the time allotment per evaluation ranged from 1 hour to 3.5 hours. For FY 2007-08, the allotment was fixed at 2.5 hours, and for FY 2008-09 it was fixed at 2.42 hours.

We determined a rounded average of 2.5 hours per evaluation based on the sample of documentation that provided adequate detail about activities claimed and identified specific evaluations completed. We

applied this average time allotment to all allowable evaluations for the tested period of FY 2000-01 through FY 2009-10. We determined the allowable evaluations based on our analysis of all evaluations completed for certificated personnel within the district throughout the audit period.

For the allowable unsatisfactory evaluations, we doubled the average of 2.5 hours, to a total of 5 hours to account for the additional reimbursable activities.

Allowable Evaluations

The district used its Quintessential School Systems (QSS) database to track evaluations received throughout the audit period. We used the district's data to ensure that only eligible evaluations were counted for reimbursement in each fiscal year. The program's parameters and guidelines allow reimbursement for those evaluations conducted for certificated instructional personnel who perform the requirements of educational programs mandated by state or federal law during specific evaluation periods.

The data provided for completed evaluations was not complete for the first three years of the audit period. Therefore, we used the data for FY 2000-01 as the "base" year, in which the evaluation data was most complete. After completing our analysis of allowable evaluations for FY 2000-01 through FY 2009-10, we then applied an Implicit Price Deflator to the total allowable costs in FY 2000-01 to determine allowable costs for FY 1999-2000, FY 1998-99, and FY 1997-98.

The table below summarizes the total number of evaluations by fiscal year, and lists evaluations not reimbursable under the mandated program:

Fiscal Year	Claimed Evaluations	Duplicate Same Year	Duplicate Consecutive Years	Charter Schools	Job Site / Job Name	Unsatisfactory Evaluations *	Allowable Evaluations
2000-01	988	(79)	-	(2)	(133)	-	774
2001-02	1,517	(400)	(52)	(3)	(144)	(3)	915
2002-03	1,729	(396)	(35)	-	(222)	(3)	1,073
2003-04	1,656	(340)	(25)	-	(126)	(8)	1,157
2004-05	1,372	(298)	(28)	-	(77)	(3)	966
2005-06	1,418	(359)	(20)	(1)	(89)	(3)	946
2006-07	1,534	(353)	(23)	-	(124)	(1)	1,033
2007-08	1,550	(344)	(18)	-	(138)	(1)	1,049
2008-09	1,771	(244)	(20)	(6)	(168)	(1)	1,332
2009-10	1,398	(143)	(71)	(2)	(137)	(2)	1,043
Total	14,933	(2,956)	(292)	(14)	(1,358)	(25)	10,288

* Unsatisfactory evaluations represent the number of allowable unsatisfactory evaluations that were accounted for separately.

The non-reimbursable evaluations included the following:

- Duplicate teacher evaluations claimed multiple times in one school year;
- Permanent biannual teacher evaluations claimed every year rather than every other year;
- Evaluations of employees at charter schools and non-instructional school sites;
- Principals, vice principals, directors, counselors, psychologists, librarians (and others) who are not certificated instructional employees; and
- Certificated instructional employees who worked on educational programs not mandated by state or federal law.

Additional Evaluators

Our review of the allowable evaluations found that many evaluators were not included in the claims. The evaluators were principals or vice principals who completed the evaluation of the certificated employees in the audit period, but those evaluations were omitted from the claims. Because we applied the average time increment of 2.5 hours per evaluation to all eligible evaluations in the audit period, we calculated allowable costs for those evaluations that were not claimed. The summary table of allowable evaluations, presented above, includes the additional evaluations that we identified as a result of our analysis. The total audit adjustment for the additional evaluators totaled \$518,788 for FY 2000-01 through FY 2009-10.

Productive Hourly Rates

The district used a hybrid system of claiming productive hourly rates. For any employees whose actual productive hours fell below 1,800, the district used actual hours for each employee. For those employees whose productive hours were greater than 1,800, the district capped the hours at 1,800 and did not use actual productive hours.

The SCO's State Mandated Cost Manual states that school districts may use one of the following methods to compute productive hourly rates:

- Actual annual productive hours for each employee;
- The weighted-average annual productive hours for each job title; or
- 1,800 annual productive hours for all employees.

The hybrid system used by the district is not an acceptable method of computing productive hourly rates. Therefore, we recalculated productive hourly rates for evaluators using the payroll and benefit rate data provided by the district and used actual productive hours to calculate the rates. We then applied the recalculated rates to allowable evaluation hours. The adjustment related to productive hourly rate calculation totaled \$3,050 for FY 2000-01 through FY 2009-10.

Implicit Price Deflator

Given the documentation limitations for FY 1997-98, FY 1998-99, and FY 1999-2000, we agreed with the district to use the Implicit Price Deflator and apply it to allowable costs for FY 2000-01, when the supporting documentation was most complete. We used the allowable salaries and benefits in FY 2000-01 as the “base” year and applied the Implicit Price Deflator to the three earliest years in the audit period. Allowable salaries and benefits in FY 2000-01 totaled \$120,017. Using the Implicit Price Deflator resulted in the following allowable salaries and benefits: \$115,377 for FY 1999-2000; \$110,601 for FY 1998-99; and \$108,113 for FY 1997-98. The total salaries and benefits adjustment for FY 1997-98 through FY 1999-2000 was \$753,434.

Training Costs

The district claimed \$297 in training costs for FY 2005-06. Our analysis revealed allowable training costs of \$341 for FY 2005-06. The \$44 understated training costs occurred primarily because the district used incorrect productive hourly rates for the employees receiving training.

The program’s parameters and guidelines (section IV.A.1) state that the following is reimbursable:

Evaluate and assess the performance of certificated instructional employees that perform the requirements of educational programs mandated by state or federal law as it reasonably relates to the instructional techniques and strategies used by the employee and the employee’s adherence to curricular objectives.

Reimbursement for this activity is limited to:

- a. Reviewing the employee’s instructional techniques and strategies and adherence to curricular objectives, and
- b. Including in the written evaluation of the certificated instructional employees the assessment of these factors during the following evaluation periods:
 - Once each year for probationary certificated employees;
 - Every other year for permanent certificated employees; and
 - Beginning January 1, 2004, every five years for certificated employees with permanent status who have been employed at least ten years with the school district, are highly qualified, and whose previous evaluation rates the employee as meeting or exceeding standards, if the evaluator and certificated employee being evaluated agree.

The parameters and guidelines (section IV – Reimbursable Activities) also state:

To be eligible for mandated cost reimbursement for any fiscal year, only actual costs may be claimed. Actual costs are those costs actually incurred to implement the mandated activities. Actual costs must be

traceable and supported by source documents that show the validity of such costs, when they were incurred, and their relationship to the reimbursable activities. A source document is a document created at or near the same time the actual costs was incurred for the event or activity in question. Source documents may include, but are not limited to, employee time records or time logs, sign-in sheets, invoices, and receipts.

Recommendation

We recommend that the district ensure that claimed costs are based on actual costs, are for activities reimbursable under the program's parameters and guidelines, and are supported by contemporaneous source documentation.

District's Response

1. Supporting Documentation vs. Corroborating Documentation

The documentation which supports EGUSD's initial claims meets the definition of supporting documentation contained in the Stull Act guidelines. The guidelines state that a source document is a document created at or near the same time the actual cost was incurred for the event "or activity in question". In the case of the Stull Act initial claims, EGUSD administrators did in fact complete time records at or near the time of the "activity in question" was being performed. The "activity in question" is a teacher evaluation. District administrators prepared time records in the first few months of 2006 which documented the costs actually incurred to carry out the eligible mandated teacher evaluation activities. Evaluating and assessing the performance of teachers was ongoing at the time the initial claim documentation was prepared. Therefore this guideline was met.

In addition, the guidelines state that source documents may include, but are not limited to, employee time records or time logs, sign-in sheets, invoices, and receipts. EGUSD's actual costs are supported by time records and are traceable and supported by source documents that show the validity of such costs, when they were incurred, and their relationship to the reimbursable activities. Therefore, this guideline was met.

2. No District could meet SCO's initial claim supporting documentation interpretation

To address initial claim situations like the Stull Act program, a broad interpretation was envisioned by the Commission. The guidelines do not say "the specific event or activity in question", the guidelines say the "event or activity in question." Without a broader interpretation, no claimant could ever meet this incorrect interpretation of the contemporaneous standard that SCO is applying to EGUSD in this audit. How else could a claimant notified for the first time regarding the Stull Act program at the end of 2005 be able to have or prepare "contemporaneous documentation" for costs incurred from FY 1997/98 through 2004/05? SCO needs to re-examine its position on this issue. If SCO does not re-examine its position, it will create an unfair and illegal result where the handful districts whose initial Stull Act claims were field audited by SCO are penalized while similarly situated claimants get paid.

3. Audit Status Meeting on May 10, 2012

EGUSD's position on its initial claim documentation was explained at length to SCO auditors during a status meeting held May 10, 2012 at EGUSD. At the conclusion of this meeting, SCO indicated they would review this position along with the initial claim documentation. Eight months later, on January 23, 2013 SCO contacted EGUSD to schedule an exit conference. EGUSD had no contact with the SCO auditors during this eight month time frame. EGUSD was led to believe that SCO was reviewing and analyzing the large volume of time records provided to SCO that properly supported the initial claims. However, EGUSD's articulated position regarding the initial claim documentation was not mentioned in the Draft Report. It is unclear to EGUSD what SCO had actually done during this eight month period. No rebuttal to EGUSD's position was provided. SCO simply changed its characterization of the initial claim documentation from "corroborating documentation" to the following:

"For FY 1997-98 through 2004-05, the time documentation consisted of the year-end estimates of hours that were completed in the form of a survey. The time surveys represented approximate hours that were estimated at the end of each fiscal year. We did not accept these documents in support of claimed costs because they were not completed contemporaneously and also varied greatly from other subsequent time tracking methodologies employed by the district in later years."

4. SCO inaccurately characterized EGUSD's initial claim documentation

The SCO description of the initial claims supporting documentation contained in the Draft Report is inaccurate in many ways. Specifically:

- A. "The initial claims were supported by surveys." This is not accurate as the initial claims were supported by time records, not surveys.
- B. "The initial claim documentation represented approximate hours that were estimated at the end of each fiscal year." This is not accurate as the time records were completed in early 2006 for all eight fiscal years which comprised the initial claim period. In addition, the guidelines were not adopted until 2005 so how could EGUSD be completing year end surveys for a reimbursement program that had not been approved by the Commission?
- C. "SCO did not accept these documents in support of claimed costs because they were not completed contemporaneously." This is not accurate as the time records were completely contemporaneously with teacher evaluation activity ongoing during the 2005/06 school year. These records were completed at or near the teacher evaluation activity in question which meets the definition in the guidelines. Refer to Section (1).
- D. "The initial claims varied greatly from other subsequent tracking methods employed by the district in later years." This statement is the only accurate one made by SCO regarding the initial claim years. However, by including this statement here, SCO is inferring the initial claim tracking method is inaccurate and that subsequent year's methods are accurate. This does not reconcile with SCO's statements in the Draft Report which were critical of the majority

of the results of later tracking methods. It should be noted that SCO decided that the small percentage of “properly documented” time records from the later years were sufficient to form the basis of the 2.5 hours per evaluation used to approve costs for the entire audit period.

In all of this analysis, SCO never asked the basic question of why one method yielded a higher average time than the other method. There is no guideline restriction which prevents claimants from utilizing different methods from one year to the next year.

5. The Reason Why the Methodologies Vary

The limited time documentation from the FY 2006/07 through 2008/09 periods used by SCO to derive its allowable 2.5 hours per evaluation did not include all eligible activity within the evaluation process. The forms provided by SCO to EGUSD on April 26, 2013 demonstrate that ongoing informal teacher observation time was not documented and included. This critical, ongoing and time consuming element of the teacher evaluation process was included within the supporting documentation for the initial claim years and is the main reason why the results of the different methods vary.

SCO recognized in its Final Audit Report of the Carlsbad Unified School District dated June 15, 2013 that informal observations are an eligible activity. SCO’s position regarding this activity is stated at the top of page eight of the Carlsbad Unified School District Final Report. EGUSD requests its time spent on this activity be approved as well.

6. Effective Date of the Guidelines is September 27, 2005

SCO’s interpretation of the contemporaneous documentation language contained in the guidelines is a moot point since the guidelines for the Stull Act program were adopted September 27, 2005 by the Commission. The initial claim period predates the date of guideline adoption. SCO’s application of an overly narrow interpretation of the supporting documentation guideline language to claims prior to the fiscal year 2005/06 violates the Clovis Unified School District appellate court decision dated September 21, 2010. This decision found SCO could not apply contemporaneous source documentation requirements (CSDR) prior to the date the CSDR language was actually approved by CSM and added to a program's guidelines. In addition, SCO is using an unlawful retroactive rule to reduce claims.

7. SCO did not complete the audit within two years

Government Code Section 17558.5, (a) states *“A reimbursement claim for actual costs filed by a local agency or school district pursuant to this chapter is subject to the initiation of an audit by the Controller no later than three years after the date that the actual reimbursement claim is filed or last amended, whichever is later. However, if no funds are appropriated or no payment is made to a claimant for the program for the fiscal year for which the claim is filed, the time for the Controller to initiate an audit shall commence to run from the date of initial payment of the claim. In any case, an audit shall be completed not later than two years after the date that the audit is commenced.”*

SCO commenced the Stull Act Mandated Cost audit of EGUSD, for the period July 1, 1997/98 through June 30, 2009 with an engagement letter and documentation request dated October 12, 2010. It should be noted that SCO threatened to disallow all costs for the audit period in an email dated October 29, 2010 based on a mistaken belief that EGUSD had not provided requested documentation. SCO decided to redirect the assigned auditor to another project in November 2010 even though the audit had already commenced and the requested documentation provided. SCO resumed the audit in September 2011 while adding FY 2009110 to the audit scope. The Draft Report for this audit was not issued until April 22, 2013. The completion of this audit will have occurred beyond two years and is in violation of this statute.

In addition, Government Code Section 17558.5(e) states "Nothing in this section shall be construed to limit the adjustment of payments when inaccuracies are determined to be the result of the intent to defraud, or when a delay in the completion of an audit is the result of willful acts by the claimant or inability to reach agreement on terms of final settlement." None of these exceptions apply to the EGUSD Stull Act audit, SCO simply commenced the audit, decided to postpone the audit and as a result did not complete the audit within two years.

8. Requested Action

EGUSD wants to be reimbursed for its actual cost to comply with this mandate. EGUSD's initial claims were properly documented and supported according to the guidelines and SCO's acceptance of this initial claim documentation would be acceptable to EGUSD. EGUSD has already communicated to SCO regarding data entry errors made on its initial claims.

In the alternative, EGUSD is still willing to provide SCO additional assurance regarding its actual costs of conducting teacher evaluations by conducting a time study as proposed in our letter dated April 8, 2013. This proposal was not made because EGUSD had concerns regarding the adequacy of the documentation supporting its initial claims but was made in order to come to an acceptable resolution of this audit for both parties and to avoid protracted and costly actions before the Office of Administrative Law, the Commission, and/or the courts.

On April 17, 2013, however, SCO rejected EGUSD's time study proposal. SCO's reasoning was arbitrary and EGUSD did not receive the same treatment afforded to another school district that did a poorer job on its documentation. EGUSD was rejected because a minimal amount of its incomplete documentation was accepted by SCO and now EGUSD somehow has to accept the results of this incomplete product. EGUSD requests that SCO reconsider its decision regarding a current time study or conversely, accept the initial claim documentation

SCO's Comments**1. Supporting Documentation vs. Corroborating Documentation**

The finding and recommendation are unchanged.

The district believes the documentation that supports the district's initial claims met the definition of supporting documentation contained in the Stull Act Program's parameters and guidelines. The district states:

In the case of the Stull Act initial claims, EGUSD administrators did in fact complete time records at or near the time of the "activity in question" was being performed. The "activity in question" is a teacher evaluation. District administrators prepared time records in the first few months of 2006 which documented the costs actually incurred to carry out the eligible mandated teacher evaluation activities . . .

The district claims that time documentation completed in FY 2005-06 represents adequate support for costs claimed for FY 1997-98 through FY 2004-05. We disagree.

The parameters and guidelines state that "a source document is a document created at or near the same time the actual cost was incurred for the event or activity in question." The district's attempt to broadly define the "activity" as a teacher evaluation is misleading. The parameters and guidelines (Section IV) define specific activities that are reimbursable within the evaluation process. These specific activities require proper time documentation created at or near the time the actual costs were incurred.

The documentation submitted for the initial claim filing period of FY 1997-98 through FY 2004-05 did not properly support costs claimed as required by the program's parameters and guidelines. The documentation provided was not created at or near the time the actual costs were incurred. Claimed hours for these years were estimated, were not based on actual time documentation, and therefore were unallowable.

2. No District could meet SCO's initial claim supporting documentation interpretation

The finding and recommendation are unchanged.

The district believes the Commission on State Mandates (CSM) envisioned a broader interpretation for the application of contemporaneous source documentation rule. The district also believes that the SCO's position creates an unfair and illegal position for those districts that were audited. We disagree.

We are bound by the requirements of the program's parameters and guidelines. We conduct our audits in accordance with the criteria outlined in the parameters and guidelines. The parameters and guidelines provide a clear definition of appropriate supporting documentation as well as the reimbursement period to which these criteria apply. The reimbursement period begins on or after July 1, 1997, which is the beginning of the initial claim period.

3. Audit Status Meeting on May 10, 2012

The finding and recommendation are unchanged.

The district communicated its position on initial claim documentation during a status meeting held on May 10, 2012. The district believes that the SCO might not have given enough consideration to the district's comments and did not articulate the district's position in the draft audit report.

The intent of the draft audit report is to present the SCO's findings resulting from the audit. We issued the draft audit report on April 22, 2013, and presented the audit findings to the district. We discussed these findings during the exit conference held on March 7, 2013. At the exit conference, we stated that we took into account the district's comments from the May 10, 2012 status meeting and reviewed supporting documentation once more for the initial claim period of FY 1997-98 through FY 2004-05. The documentation provided for those years did not meet reimbursement criteria. The audit report identifies the reasons for which the time documentation was not adequate.

4. SCO inaccurately characterized EGUSD's initial claim documentation

The finding and recommendation are unchanged.

The district believes the description of the initial claims supporting documentation contained in the draft audit report is inaccurate.

- a. The district believes the initial claims were supported with proper time records rather than surveys. We disagree. The district did not provide any time sheets or time records collected at or near the time claimed hours were incurred in the initial claim years. Rather, the district provided documentation collected years after the costs were incurred. The time estimates were collected by means of surveying the staff that performed, or might have performed, claimed activities. The staff signing the forms included certifications declaring that their recollection of the time spent was true and correct. The forms were signed in early 2006 for activities that took place in FY 1997-98 through FY 2004-05. However, the parameters and guidelines state that declarations cannot be substituted for source documents.
- b. The district disagrees with the SCO's statement that the initial claim documentation represented time estimates rather than actual time. The district states that the time records for FY 1997-98 through FY 2004-05 were completed in FY 2005-06 for all eight fiscal years for the program adopted in the same year.

The parameters and guidelines state that a source document is “a document created at or near the same time the actual costs was incurred for the event or activity in question.” The parameters and guidelines also specify that these criteria apply to the entire reimbursement period beginning July 1, 1997. If the time records were completed “in early 2006 for all eight fiscal years which comprised the initial claim period,” these time records did not meet the reimbursement criteria. In addition, completing time records years after the hours were incurred involves estimating hours for activities that previously took place.

- c. The district disagrees with the SCO’s statement that the documents provided for FY 1997-98 through FY 2004-05 were not completed contemporaneously. The district believes that the time records to support the initial eight years were completed contemporaneously with teacher evaluation activity ongoing during FY 2005-06. We disagree.

Our audit revealed that the time documentation collected contemporaneously during the teacher evaluation process in FY 2005-06 was used to support claimed hours for FY 2005-06. The district used a separate set of documentation collected in the same fiscal year that represented the surveys sent out to the district’s evaluators. The surveys (already mentioned in item 4(a) above) estimated the time for activities that took place in FY 1997-98 through FY 2004-05. The district created two sets of documentation to support costs claimed in the initial eight years of the claim filing period and costs incurred in FY 2005-06.

- d. The district questions why “the SCO is inferring the initial claim tracking method is inaccurate and that subsequent year’s methods are accurate.” The district states that the draft audit report noted some deficiencies in the documentation presented for the later tracking methods. The district believes that our method to calculate the average 2.5 hours per evaluation may not be sufficient. We disagree.

The average of the 2.5 hours per allowable evaluation was based on the district’s own contemporaneous time documentation collected in later years of the audit period. While there is no restriction that prevents claimants from utilizing different methods to support claimed costs from one year to the next, these methods must comply with the requirements of the program. In this instance, the district did not provide proper support for FY 1997-98 through FY 2004-05 costs. Since the evaluation process was static year to year, we used time documentation collected contemporaneously in later years to form the basis of the average time allotment. We applied the average to the entire audit period.

We did note in the draft report some deficiencies with the time documentation collected contemporaneously. However, we also concluded that the average of 2.5 hours per evaluation was a reasonable time allowance based on time samples that did provide adequate detail to comply with the program’s parameters and guidelines.

5. The Reason Why the Methodologies Vary

The finding and recommendation are unchanged.

The district states:

The limited time documentation from the FY 2006/07 through FY 2008/09 periods used by the SCO to derive its allowable 2.5 hours per evaluation did not include all eligible activity within the evaluation process. The forms provided by the SCO to EGUSD on April 26, 2013 demonstrate that ongoing informal teacher observation time was not documented and included. This critical, ongoing and time consuming element of the teacher evaluation process was included within the supporting documentation for the initial claim years and is the main reason why the results of the different methods vary.

The district's time documentation did not support the accuracy of the statement above. The district did not present any evidence supporting that informal observations took place on a regular basis and that those informal observations were not included in the claims for the later years of the audit period.

We disagree with the district's assertion that this activity was included in the supporting documentation for the initial claim years. The time documentation supporting the initial eight years of the audit period failed to segregate claimed hours into individual activities within the evaluation process. The documentation provided estimates of time for "Evaluate and Assess" and "Write-up" activities without providing further details about observations or other steps within the evaluation process. The district did not support whether other activities were included in the claimed hours.

The average per allowable evaluation (2.5 hours) was derived from documentation provided by the district. By signing the claims, the district is assuring the SCO that the information contained in the document is true and correct. If the district believes the documentation in the later years does not accurately reflect all eligible activities, it should make any necessary changes to its claiming process going forward.

6. Effective Date of the Guidelines is September 27, 2005

The finding and recommendation are unchanged.

The district believes that since the guidelines for the Stull Act Program were adopted September 27, 2005, and the initial claim period predates the date of the guideline adoption, all initial claims are not bound by the requirements of the program's parameters and guidelines. We disagree. The "initial claim period" claims are bound by the same requirements as any other claimed year. The adoption date of the guidelines is irrelevant.

7. SCO did not complete the audit within two years

The finding and recommendation are unchanged.

The district states that the SCO “commenced the Stull Act Mandated Cost audit of EGUSD, for the period of July 1, 1997, through June 30, 2009, with an engagement letter and documentation request dated October 12, 2010.” The district further states the SCO postponed the audit and resumed it in September 2011. Therefore, the district believes that the SCO did not complete the audit within two years.

The previous audit opened on October 12, 2010, was cancelled prior to conducting an entrance meeting and performing fieldwork. The current audit was initiated via a phone conversation on September 1, 2011, informing the district and obtaining a mutual understanding that it would be a new audit initiation of the current audit. The two year requirement, for the current audit, began on the initial contact date of September 1, 2011.

8. Requested Action

The finding and recommendation are unchanged.

The district is requesting reimbursement for its actual cost to comply with the mandate. The district is also asking for the SCO’s acceptance of the initial claim documentation. As an alternative, the district is asking to conduct a time study.

The purpose of the audit was to determine the actual increased costs incurred by the district to comply with the mandated program. The results of the audit found that claimed costs were overstated. The district is only entitled to reimbursement for costs that are mandate-related and properly supported. The audit report addresses why the district-submitted documentation is not adequate to support costs claimed in the initial eight years of the audit period.

We calculated 2.5 hours per evaluation based on time documentation the district collected contemporaneously, which was certified by the district when filing the claims. We applied the average to those years in which we had no contemporaneous time documentation to support the claimed costs.

The use of a time study would generally be appropriate in cases where the district did not collect any contemporaneous time records for the claimed period. However, the district provided contemporaneous time records supporting costs claimed. While the claims for the first eight years filed were based on estimated hours, the claims for the latter five years were based on contemporaneous time documentation collected by the district.

**FINDING 2—
Overstated indirect
costs**

The district claimed \$225,654 for indirect costs during the audit period. We determined that \$117,449 is allowable and the net amount of \$108,205 is unallowable (overstated by \$111,032 and understated by \$2,827). The overstatement of \$111,032 occurred as a result of the adjustments noted to salaries and benefits identified in audit Finding 1. The district also understated indirect costs totaling \$2,827 for FY 2005-06 because it understated its indirect cost rate in FY 2005-06.

The following table summarizes the claimed, allowable, and unallowable indirect costs for the audit period by fiscal year:

<u>Fiscal Year</u>	<u>Amount Claimed</u>	<u>Amount Allowable</u>	<u>Audit Adjustment</u>
1997-98	\$ 12,751	\$ 6,400	\$ (6,351)
1998-99	20,130	5,873	(14,257)
1999-2000	24,159	5,653	(18,506)
2000-01	20,235	6,229	(14,006)
2001-02	13,617	5,736	(7,881)
2002-03	37,446	14,094	(23,352)
2003-04	24,702	10,869	(13,833)
2004-05	15,916	6,355	(9,561)
2005-06	7,915	12,512	4,597
2006-07	14,648	14,104	(544)
2007-08	11,277	9,504	(1,773)
2008-09	10,283	10,079	(204)
2009-10	12,575	10,041	(2,534)
Total indirect costs	<u>\$ 225,654</u>	<u>\$ 117,449</u>	<u>\$ (108,205)</u>

For FY 2005-06, the district claimed an indirect cost rate of 6.03% instead of the CDE-approved rate of 7.79%. We recalculated allowable indirect costs using the CDE-approved rate.

The parameters and guidelines (section V.B.) state that school districts must use the indirect cost rate approved by the California Department of Education.

Recommendation

We recommend that the district ensure that the indirect rates it claims agree with CDE-approved rates and that indirect costs are mandate-related and appropriately supported.

District's Response

The district did not respond to this finding.

**Attachment—
District's Response to Draft Audit Report**



Members of the Board

Jeanette J. Amavisca
Priscilla S. Cox
Carmine S. Forcina
Steve Ly
Chet Madison, Sr.
Anthony "Tony" Perez
Bobbie Singh-Allen

Rich Fagan
Associate Superintendent
Finance & School Support

(916) 686-7744
FAX: (916) 686-7570

Robert L. Trigg Education Center
9510 Elk Grove-Floren Road, Elk Grove, CA 95624

May 6, 2013

Jim Spano, CPA
Audit Bureau Chief
State Controller's Office Division of Audits
300 Capitol Mall, Suite 500
Sacramento, CA 95814

Subject: Response to the State Controller's Office Stull Act Mandated Cost Draft Audit Report.

Dear Mr. Spano,

We are in receipt of the State Controller's Office (SCO) Draft Report of the Elk Grove Unified School District's Stull Act Mandated Cost Program for the period July 1, 1997 through June 30, 2010. The Draft Report is dated April 22, 2013 and provides EGUSD with 15 days to provide a response regarding the accuracy of any findings. EGUSD provides the following response.

Finding 1

General Comment

EGUSD disagrees with the use of 2.5 hours as the actual average time spent on EGUSD eligible evaluation activities to apply to the eligible evaluations for FY 1997/98 through 2004/05 (initial claims). In addition, EGUSD disagrees with SCO's characterizations and conclusion regarding initial claim documentation.

Draft Report- April 22, 2013

The SCO Draft Report Finding 1, states the following regarding initial claim time documentation and unallowable activities:

"For FY 1997-98 through 2004-05, the time documentation consisted of the year-end estimates of hours that were completed in the form of a survey. The time surveys represented approximate hours that were estimated at the end of each fiscal year. We did not accept these documents in support of claimed costs because they were not completed contemporaneously and also varied greatly from other subsequent time tracking methodologies employed by the district in later years."

SCO Audit Status Document- April 23, 2012

In an audit status document provided to EGUSD on or about April 23, 2012, SCO described this documentation as follows:

“Per the program’s parameters and guidelines (IV. Reimbursable Activities), the documentation submitted for FY 1997-98 through FY 2004-05 represent “corroborating” documentation, but does not include contemporaneous records to support hours claimed.”

The documentation definitions that SCO is referring come from the *Stull Act Parameters and Guidelines* (guidelines) adopted September 27, 2005 by the Commission on State Mandates (Commission). These guidelines describe two categories of documentation as follows:

“To be eligible for mandated cost reimbursement for any fiscal year, only actual costs may be claimed. Actual costs are those costs actually incurred to implement the mandated activities. Actual costs must be traceable and supported by source documents that show the validity of such costs, when they were incurred, and their relationship to the reimbursable activities. A source document is a document created at or near the same time the actual cost was incurred for the event or activity in question. Source documents may include, but are not limited to, employee time records or time logs, sign-in sheets, invoices, and receipts.

Evidence corroborating the source documents may include, but is not limited to, worksheets, cost allocation reports (system generated), purchase orders, contracts, agendas, and declarations...Evidence corroborating the source documents may include data relevant to the reimbursable activities otherwise in compliance with local, state, and federal government requirements. However, corroborating documents cannot be substituted for source documents.”

Based on its interpretation of the guidelines, SCO has concluded that the documentation supporting EGUSD’s initial claims was unacceptable because it was not completed contemporaneously and the documentation was corroborating documentation, and not supporting documentation. SCO appears to interpret the documentation language of the guidelines as requiring FY 1997/98 activity be documented in 1997/98, FY 1998/99 activity be documented in FY 1998/99 and so on. This was not the intent of the guidelines and would effectively prevent any initial claim documentation from ever being accepted under this interpretation.

District Response

1. Supporting Documentation vs. Corroborating Documentation

The documentation which supports EGUSD’s initial claims meets the definition of supporting documentation contained in the Stull Act guidelines. The guidelines state that a source document is a document created at or near the same time the actual cost was incurred for the event “or activity in question”. In the case of the Stull Act initial claims, EGUSD administrators did in fact complete time records at or near the time of the “activity in question” was being

performed. The “activity in question” is a teacher evaluation. District administrators prepared time records in the first few months of 2006 which documented the costs actually incurred to carry out the eligible mandated teacher evaluation activities. Evaluating and assessing the performance of teachers was ongoing at the time the initial claim documentation was prepared. Therefore this guideline was met.

In addition, the guidelines state that source documents may include, but are not limited to, employee time records or time logs, sign-in sheets, invoices, and receipts. EGUSD’s actual costs are supported by time records and are traceable and supported by source documents that show the validity of such costs, when they were incurred, and their relationship to the reimbursable activities. Therefore, this guideline was met.

2. No District could meet SCO’s initial claim supporting documentation interpretation

To address initial claim situations like the Stull Act program, a broad interpretation was envisioned by the Commission. The guidelines do not say “the specific event or activity in question”, the guidelines say the “event or activity in question.” Without a broader interpretation, no claimant could ever meet this incorrect interpretation of the contemporaneous standard that SCO is applying to EGUSD in this audit. How else could a claimant notified for the first time regarding the Stull Act program at the end of 2005 be able to have or prepare “contemporaneous documentation” for costs incurred from FY 1997/98 through 2004/05? SCO needs to re-examine its position on this issue. If SCO does not re-examine its position, it will create an unfair and illegal result where the handful districts whose initial Stull Act claims were field audited by SCO are penalized while similarly situated claimants get paid.

3. Audit Status Meeting on May 10, 2012

EGUSD’s position on its initial claim documentation was explained at length to SCO auditors during a status meeting held May 10, 2012 at EGUSD. At the conclusion of this meeting, SCO indicated they would review this position along with the initial claim documentation. Eight months later, on January 23, 2013 SCO contacted EGUSD to schedule an exit conference. EGUSD had no contact with the SCO auditors during this eight month time frame. EGUSD was led to believe that SCO was reviewing and analyzing the large volume of time records provided to SCO that properly supported the initial claims. However, EGUSD’s articulated position regarding the initial claim documentation was not mentioned in the Draft Report. It is unclear to EGUSD what SCO had actually done during this eight month period. No rebuttal to EGUSD’s position was provided. SCO simply changed its characterization of the initial claim documentation from “corroborating documentation” to the following:

“For FY 1997-98 through 2004-05, the time documentation consisted of the year-end estimates of hours that were completed in the form of a survey. The time surveys represented approximate hours that were estimated at the end of each fiscal year. We did not accept these documents in support of claimed costs because they were not completed contemporaneously and also varied greatly from other subsequent time tracking methodologies employed by the district in later years.”

4. SCO inaccurately characterized EGUSD's initial claim documentation

The SCO description of the initial claims supporting documentation contained in the Draft Report is inaccurate in many ways. Specifically:

- (A) "The initial claims were supported by surveys." This is not accurate as the initial claims were supported by time records, not surveys.
- (B) "The initial claim documentation represented approximate hours that were estimated at the end of each fiscal year." This is not accurate as the time records were completed in early 2006 for all eight fiscal years which comprised the initial claim period. In addition, the guidelines were not adopted until 2005 so how could EGUSD be completing year end surveys for a reimbursement program that had not been approved by the Commission?
- (C) "SCO did not accept these documents in support of claimed costs because they were not completed contemporaneously." This is not accurate as the time records were completely contemporaneously with teacher evaluation activity ongoing during the 2005/06 school year. These records were completed at or near the teacher evaluation activity in question which meets the definition in the guidelines. Refer to Section (1).
- (D) "The initial claims varied greatly from other subsequent tracking methods employed by the district in later years." This statement is the only accurate one made by SCO regarding the initial claim years. However, by including this statement here, SCO is inferring the initial claim tracking method is inaccurate and that subsequent year's methods are accurate. This does not reconcile with SCO's statements in the Draft Report which were critical of the majority of the results of later tracking methods. It should be noted that SCO decided that the small percentage of "properly documented" time records from the later years were sufficient to form the basis of the 2.5 hours per evaluation used to approve costs for the entire audit period.

In all of this analysis, SCO never asked the basic question of why one method yielded a higher average time than the other method. There is no guideline restriction which prevents claimants from utilizing different methods from one year to the next year.

5. The Reason Why the Methodologies Vary

The limited time documentation from the FY 2006/07 through 2008/09 periods used by SCO to derive its allowable 2.5 hours per evaluation did not include all eligible activity within the evaluation process. The forms provided by SCO to EGUSD on April 26, 2013 demonstrate that ongoing informal teacher observation time was not documented and included. This critical, ongoing and time consuming element of the teacher evaluation process was included within the supporting documentation for the initial claim years and is the main reason why the results of the different methods vary.

SCO recognized in its Final Audit Report of the Carlsbad Unified School District dated June 15, 2013 that informal observations are an eligible activity. SCO's position regarding this activity is stated at the top of page eight of the Carlsbad Unified School District Final Report. EGUSD requests its time spent on this activity be approved as well.

6. Effective Date of the Guidelines is September 27, 2005

SCO's interpretation of the contemporaneous documentation language contained in the guidelines is a moot point since the guidelines for the Stull Act program were adopted September 27, 2005 by the Commission. The initial claim period predates the date of guideline adoption. SCO's application of an overly narrow interpretation of the supporting documentation guideline language to claims prior to the fiscal year 2005/06 violates the Clovis Unified School District appellate court decision dated September 21, 2010. This decision found SCO could not apply contemporaneous source documentation requirements (CSDR) prior to the date the CSDR language was actually approved by CSM and added to a program's guidelines. In addition, SCO is using an unlawful retroactive rule to reduce claims.

7. SCO did not complete the audit within two years

Government Code Section 17558.5, (a) states "A reimbursement claim for actual costs filed by a local agency or school district pursuant to this chapter is subject to the initiation of an audit by the Controller no later than three years after the date that the actual reimbursement claim is filed or last amended, whichever is later. However, if no funds are appropriated or no payment is made to a claimant for the program for the fiscal year for which the claim is filed, the time for the Controller to initiate an audit shall commence to run from the date of initial payment of the claim. In any case, an audit shall be completed not later than two years after the date that the audit is commenced."

SCO commenced the Stull Act Mandated Cost audit of EGUSD, for the period July 1, 1997/98 through June 30, 2009 with an engagement letter and documentation request dated October 12, 2010. It should be noted that SCO threatened to disallow all costs for the audit period in an email dated October 29, 2010 based on a mistaken belief that EGUSD had not provided requested documentation. SCO decided to redirect the assigned auditor to another project in November 2010 even though the audit had already commenced and the requested documentation provided. SCO resumed the audit in September 2011 while adding FY 2009/10 to the audit scope. The Draft Report for this audit was not issued until April 22, 2013. The completion of this audit will have occurred beyond two years and is in violation of this statute.

In addition, Government Code Section 17558.5((e) states "Nothing in this section shall be construed to limit the adjustment of payments when inaccuracies are determined to be the result of the intent to defraud, or when a delay in the completion of an audit is the result of willful acts by the claimant or inability to reach agreement on terms of final settlement." None of these exceptions apply to the EGUSD Stull Act audit, SCO simply commenced the audit, decided to postpone the audit and as a result did not complete the audit within two years.

8. Requested Action

EGUSD wants to be reimbursed for its actual cost to comply with this mandate. EGUSD's initial claims were properly documented and supported according to the guidelines and SCO's acceptance of this initial claim documentation would be acceptable to EGUSD. EGUSD has already communicated to SCO regarding data entry errors made on its initial claims.

In the alternative, EGUSD is still willing to provide SCO additional assurance regarding its actual costs of conducting teacher evaluations by conducting a time study as proposed in our letter dated April 8, 2013. This proposal was not made because EGUSD had concerns regarding the adequacy of the documentation supporting its initial claims but was made in order to come to an acceptable resolution of this audit for both parties and to avoid protracted and costly actions before the Office of Administrative Law, the Commission, and/or the courts.

On April 17, 2013, however, SCO rejected EGUSD's time study proposal. SCO's reasoning was arbitrary and EGUSD did not receive the same treatment afforded to another school district that did a poorer job on its documentation. EGUSD was rejected because a minimal amount of its incomplete documentation was accepted by SCO and now EGUSD somehow has to accept the results of this incomplete product. EGUSD requests that SCO reconsider its decision regarding a current time study or conversely, accept the initial claim documentation.

Please contact me with any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Rich Fagan", with a horizontal line extending to the right.

Rich Fagan
Associate Superintendent of Finance & School Support
Elk Grove Unified School District

**State Controller's Office
Division of Audits
Post Office Box 942850
Sacramento, CA 94250-5874**

<http://www.sco.ca.gov>

EXHIBIT T

CASTRO VALLEY UNIFIED SCHOOL DISTRICT

Audit Report

THE STULL ACT PROGRAM

Chapter 498, Statutes of 1983;
and Chapter 4, Statutes of 1999

July 1, 1997, through June 30, 2010



JOHN CHIANG
California State Controller

July 2013



JOHN CHIANG
California State Controller

July 25, 2013

Jo A.S. Loss, President
Board of Education
Castro Valley Unified School District
4400 Alma Avenue
Castro Valley, CA 94546

Dear Mr. Loss:

The State Controller's Office audited the costs claimed by the Castro Valley Unified School District for the legislatively mandated Stull Act Program (Chapter 498, Statutes of 1983; and Chapter 4, Statutes of 1999) for the period of July 1, 1997, through June 30, 2010.

The district claimed \$3,776,958 for the mandated program. Our audit found that \$733,430 is allowable (\$737,573 less a \$4,143 penalty for filing a late claim) and \$3,043,528 is unallowable. The costs are unallowable primarily because the district claimed reimbursement for estimated costs, non-mandated activities, overstated training costs, and misstated productive hourly rates. The State paid the district \$277,602. Allowable costs claimed exceed the amount paid by \$455,828.

If you disagree with the audit findings, you may file an Incorrect Reduction Claim (IRC) with the Commission on State Mandates (CSM). The IRC must be filed within three years following the date that we notify you of a claim reduction. You may obtain IRC information at the CSM's website at www.csm.ca.gov/docs/IRCForm.pdf.

If you have any questions, please contact Jim L. Spano, Chief, Mandated Cost Audits Bureau, at (916) 323-5849.

Sincerely,

Original signed by

JEFFREY V. BROWNFIELD, CPA
Chief, Division of Audits

JVB/nh

cc: Jim Negri, Superintendent
Castro Valley Unified School District
Candi Clark, Ed.D., Assistant Superintendent
Castro Valley Unified School District
Gael Treible, Director
Castro Valley Unified School District
Sherri Beetz, Ed.D., Assistant Superintendent
Castro Valley Unified School District
Joaquin J. Rivera, President, Board of Education
Alameda County Office of Education
Scott Hannan, Director
School Fiscal Services Division
California Department of Education
Carol Bingham, Director
Fiscal Policy Division
California Department of Education
Thomas Todd, Assistant Program Budget Manager
Education Systems Unit
California Department of Finance
Jay Lal, Manager
Division of Accounting and Reporting
State Controller's Office

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Audit Report

Summary

The State Controller's Office (SCO) audited the costs claimed by the Castro Valley Unified School District for the legislatively mandated Stull Act Program (Chapter 498, Statutes of 1983; and Chapter 4, Statutes of 1999) for the period of July 1, 1997, through June 30, 2010.

The district claimed \$3,776,958 for the mandated program. Our audit found that \$733,430 is allowable (\$737,573 less a \$4,143 penalty for filing a late claim) and \$3,043,528 is unallowable. The costs are unallowable primarily because the district claimed reimbursement for estimated costs, non-mandated activities, overstated training costs, and misstated productive hourly rates. The State paid the district \$277,602. Allowable costs claimed exceed the amount paid by \$455,828.

Background

The Stull Act (Chapter 498, Statutes of 1983, and Chapter 4, Statutes of 1999), added Education Code sections 44660-44665. The legislation provided reimbursement for specific activities related to evaluation and assessment of the performance of "certificated personnel" within each school district, except for those employed in local, discretionary educational programs.

On May 27, 2004, the Commission on State Mandates (CSM) determined that the legislation imposed a state mandate reimbursable under Government Code section 17514.

The program's parameters and guidelines establish the state mandate and define reimbursement criteria. The CSM adopted the parameters and guidelines on September 27, 2005. In compliance with Government Code section 17558, the SCO issues claiming instructions to assist local agencies and school districts in claiming mandated program reimbursable costs.

The Commission approved reimbursable activities as follows:

- Evaluate and assess the performance of certificated instructional employees who perform the requirements of educational programs mandated by state or federal laws as it reasonably relates to the instructional techniques and strategies used by the employee and the employee's adherence to curricular objectives (Education Code section 44662(b) as amended by Chapter 498, Statutes of 1983).
- Evaluate and assess the performance of certificated instructional employees who teach reading, writing, mathematics, history/social science, and science in grades 2 to 11 as it reasonably relates to the progress of pupils toward the state adopted academic content standards as measured by state adopted assessment tests (Education Code section 44662(b) as amended by Chapter 4, Statutes of 1999).
- Assess and evaluate permanent certificated, instructional, and non-instructional employees who perform the requirements of educational programs mandated by state or federal law and receive an unsatisfactory evaluation in the years in which the permanent

certificated employee would not have otherwise been evaluated pursuant to Education Code section 44664. The additional evaluations shall last until the employee achieves a positive evaluation, or is separated from the school district (Education Code section 44664 as amended by Chapter 498, Statutes of 1983).

Objective, Scope, and Methodology

We conducted the audit to determine whether costs claimed represent increased costs resulting from the Stull Act Program for the period of July 1, 1997, through June 30, 2010.

Our audit scope included, but was not limited to, determining whether costs claimed were supported by appropriate source documents, were not funded by another source, and were not unreasonable and/or excessive.

We conducted this performance audit under the authority of Government Code sections 12410, 17558.5, and 17561. We did not audit the district's financial statements. We conducted the audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

We limited our review of the district's internal controls to gaining an understanding of the transaction flow and claim preparation process as necessary to develop appropriate auditing procedures.

Conclusion

Our audit found instances of noncompliance with the requirements outlined above. These instances are described in the accompanying Summary of Program Costs (Schedule 1) and in the Finding and Recommendation section of this report.

For the audit period, the Castro Valley Unified School District claimed \$3,776,958 for costs of the Stull Act Program. Our audit found that \$733,430 is allowable (\$737,573 less a \$4,143 penalty for filing a late claim) and \$3,043,528 is unallowable.

For the fiscal year (FY) 1997-98 claim, the State paid the district \$14,123. Our audit found that \$37,286 is allowable. The State will pay allowable costs claimed that exceed the amount paid, totaling \$23,163, contingent upon available appropriations.

For the FY 1998-99 through FY 2007-08 claims, the State made no payment to the district. Our audit found that \$597,592 is allowable. The state will pay allowable costs claimed, contingent upon available appropriations.

For FY 2008-09 and FY 2009-10 claims, the State paid the district \$263,479. Our audit found that \$98,552 is allowable. The State will offset \$164,927 from other mandated program payments due the district. Alternatively, the district may remit this amount to the State.

**Views of
Responsible
Official**

We issued a draft audit report on May 31, 2013. Candi Clark, Assistant Superintendent of Business Services, responded by letter dated June 13, 2013 (Attachment), disagreeing with the audit results. This final audit report includes the district's response.

Restricted Use

This report is solely for the information and use of the Castro Valley Unified School District, the Alameda County Office of Education, the California Department of Education, the California Community Colleges Chancellor's Office, the California Department of Finance, and the SCO; it is not intended to be and should not be used by anyone other than these specified parties. This restriction is not intended to limit distribution of this report, which is a matter of public record.

Original signed by

JEFFREY V. BROWNFIELD, CPA
Chief, Division of Audits

July 25, 2013

**Schedule 1—
Summary of Program Costs
July 1, 1997, through June 30, 2010**

Cost Elements	Actual Costs Claimed	Allowable per Audit	Audit Adjustment ¹
<u>July 1, 1997, through June 30, 1998</u>			
Direct costs:			
Salaries and benefits			
Evaluation activities	\$ 178,135	\$ 38,737	\$ (139,398)
Training	112	112	—
Total direct costs	178,247	38,849	(139,398)
Indirect costs	11,836	2,580	(9,256)
Total direct and indirect costs	190,083	41,429	(148,654)
Less late penalty ²	—	(4,143)	(4,143)
Total program costs	<u>\$ 190,083</u>	37,286	<u>\$ (152,797)</u>
Less amount paid by State		(14,123)	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 23,163</u>	
<u>July 1, 1998, through June 30, 1999</u>			
Direct costs:			
Salaries and benefits			
Evaluation activities	\$ 200,056	\$ 34,978	\$ (165,078)
Training	111	—	(111)
Total direct costs	200,167	34,978	(165,189)
Indirect costs	7,546	1,319	(6,227)
Total program costs	<u>\$ 207,713</u>	36,297	<u>\$ (171,416)</u>
Less amount paid by State		—	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 36,297</u>	
<u>July 1, 1999, through June 30, 2000</u>			
Direct costs:			
Salaries and benefits			
Evaluation activities	\$ 295,149	\$ 49,089	\$ (246,060)
Training	134	—	(134)
Total direct costs	295,283	49,089	(246,194)
Indirect costs	5,138	854	(4,284)
Total program costs	<u>\$ 300,421</u>	49,943	<u>\$ (250,478)</u>
Less amount paid by State		—	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 49,943</u>	

Schedule 1 (continued)

Cost Elements	Actual Costs Claimed	Allowable per Audit	Audit Adjustment ¹
<u>July 1, 2000, through June 30, 2001</u>			
Direct costs:			
Salaries and benefits			
Evaluation activities	\$ 352,606	48,295	(304,311)
Training	134	—	(134)
Total direct costs	352,740	48,295	(304,445)
Indirect costs	12,734	1,743	(10,991)
Total program costs	<u>\$ 365,474</u>	50,038	<u>(315,436)</u>
Less amount paid by State		—	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 50,038</u>	
<u>July 1, 2001, through June 30, 2002</u>			
Direct costs:			
Salaries and benefits			
Evaluation activities	\$ 328,673	\$ 58,340	\$ (270,333)
Training	144	—	(144)
Total direct costs	328,817	58,340	(270,477)
Indirect costs	13,711	2,433	(11,278)
Total program costs	<u>\$ 342,528</u>	60,773	<u>(281,755)</u>
Less amount paid by State		—	
Allowable costs claimed in excess of (less than) amount paid		<u>60,773</u>	
<u>July 1, 2002, through June 30, 2003</u>			
Direct costs:			
Salaries and benefits			
Evaluation activities	\$ 343,891	\$ 56,577	\$ (287,314)
Training	144	—	(144)
Total direct costs	344,035	56,577	(287,458)
Indirect costs	22,604	3,717	(18,887)
Total program costs	<u>\$ 366,639</u>	60,294	<u>\$ (306,345)</u>
Less amount paid by State		—	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 60,294</u>	

Schedule 1 (continued)

Cost Elements	Actual Costs Claimed	Allowable per Audit	Audit Adjustment ¹
<u>July 1, 2003, through June 30, 2004</u>			
Direct costs:			
Salaries and benefits			
Evaluation activities	\$ 364,224	\$ 56,140	(308,084)
Training	4,545	2,183	(2,362)
Total direct costs	368,769	58,323	(310,446)
Indirect costs	19,065	3,015	(16,050)
Total program costs	<u>\$ 387,834</u>	61,338	<u>\$ (326,496)</u>
Less amount paid by State		—	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 61,338</u>	
<u>July 1, 2004, through June 30, 2005</u>			
Direct costs:			
Salaries and benefits			
Evaluation activities	\$ 390,092	\$ 58,803	\$ (331,289)
Training	3,604	—	(3,604)
Total direct costs	393,696	58,803	(334,893)
Indirect costs	14,961	2,235	(12,726)
Total program costs	<u>\$ 408,657</u>	61,038	<u>\$ (347,619)</u>
Less amount paid by State		—	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 61,038</u>	
<u>July 1, 2005, through June 30, 2006</u>			
Direct costs:			
Salaries and benefits			
Evaluation activities	\$ 334,437	\$ 56,701	\$ (277,736)
Training	18,948	18,487	(461)
Total direct costs	353,385	75,188	(278,197)
Indirect costs	15,150	3,406	(11,744)
Total program costs	<u>\$ 368,535</u>	78,594	<u>\$ (289,941)</u>
Less amount paid by State		—	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 78,594</u>	

Schedule 1 (continued)

Cost Elements	Actual Costs Claimed	Allowable per Audit	Audit Adjustment ¹
<u>July 1, 2006, through June 30, 2007</u>			
Direct costs:			
Salaries and benefits			
Evaluation activities	\$ 265,656	\$ 65,815	\$ (199,841)
Training	14,794	3,339	(11,455)
Total direct costs	280,450	69,154	(211,296)
Indirect costs	15,846	3,907	(11,939)
Total program costs	<u>\$ 296,296</u>	73,061	<u>\$ (223,235)</u>
Less amount paid by State		—	
Allowable costs claimed in excess of (less than) amount paid		\$ 73,061	
<u>July 1, 2007, through June 30, 2008</u>			
Direct costs:			
Salaries and benefits			
Evaluation activities	\$ 237,501	\$ 62,017	\$ (175,484)
Training	2,192	998	(1,194)
Total direct costs	239,693	63,015	(176,678)
Indirect costs	12,177	3,201	(8,976)
Total program costs	<u>\$ 251,870</u>	66,216	<u>\$ (185,654)</u>
Less amount paid by State		—	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 66,216</u>	
<u>July 1, 2008, through June 30, 2009</u>			
Direct costs:			
Salaries and benefits			
Evaluation activities	\$ 208,644	\$ 47,741	\$ (160,903)
Training	1,725	1,190	(535)
Total direct costs	210,369	48,931	(161,438)
Indirect costs	9,319	2,168	(7,151)
Total program costs	<u>\$ 219,688</u>	51,099	<u>\$ (168,589)</u>
Less amount paid by State		(192,259)	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ (141,160)</u>	

Schedule 1 (continued)

Cost Elements	Actual Costs Claimed	Allowable per Audit	Audit Adjustment ¹
<u>July 1, 2009, through June 30, 2010</u>			
Direct costs:			
Salaries and benefits			
Evaluation activities	\$ 66,204	\$ 44,390	\$ (21,814)
Training	419	—	(419)
Total direct costs	66,623	44,390	(22,233)
Indirect costs	4,597	3,063	(1,534)
Total program costs	<u>\$ 71,220</u>	47,453	<u>\$ (23,767)</u>
Less amount paid by State		(71,220)	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ (23,767)</u>	
<u>Summary: July 1, 1997, through June 30, 2010</u>			
Direct costs:			
Salaries and benefits			
Evaluation activities	\$ 3,565,268	\$ 677,623	\$ (2,887,645)
Training	47,006	26,309	(20,697)
Total direct costs	3,612,274	703,932	(2,908,342)
Indirect costs	164,684	33,641	(131,043)
Total direct and indirect costs	3,776,958	737,573	(3,039,385)
Less late penalty	—	(4,143)	(4,143)
Total program costs	<u>\$ 3,776,958</u>	733,430	<u>\$ (3,043,528)</u>
Less amount paid by State		(277,602)	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 455,828</u>	

¹ See the Finding and Recommendation section.

² The district filed its FY 1997-98 initial reimbursement claim after the due date specified in Government Code section 17560. Pursuant to Government Code section 17561, subdivision (d) (3), the State assessed a late filing penalty equal to 10% of allowable costs, with no maximum penalty amount.

Finding and Recommendation

**FINDING—
Overstated salaries
and benefits and
related indirect costs**

The district claimed \$3,612,274 in salaries and benefits and \$164,684 in related indirect costs for the audit period. We determined that \$2,908,342 in salaries and benefits is unallowable. The costs are unallowable primarily because the district claimed reimbursement for non-mandated activities (\$2,839,221), overstated training costs (\$20,129), and misstated productive hourly rates (\$48,992). Related indirect costs totaled \$131,043.

The following table summarizes the unallowable salaries and benefits and related indirect costs by fiscal year:

Fiscal Year	Direct Costs: Salaries and Benefits					
	(A) Evaluation Activities ¹	(B) Training ¹	(C) Productive Hourly Rates	(D) Total [(A)+(B)+(C)]	(E) Indirect Costs	Audit Adjustment [(D) + (E)]
1997-98	\$ (136,258)	\$ -	\$ (3,140)	\$ (139,398)	\$ (9,256)	\$ (148,654)
1998-99	(164,128)	(111)	(950)	(165,189)	(6,227)	(171,416)
1999-2000	(237,370)	(134)	(8,690)	(246,194)	(4,284)	(250,478)
2000-01	(296,473)	(134)	(7,838)	(304,445)	(10,991)	(315,436)
2001-02	(265,385)	(144)	(4,948)	(270,477)	(11,278)	(281,755)
2002-03	(282,615)	(144)	(4,699)	(287,458)	(18,887)	(306,345)
2003-04	(300,665)	(2,309)	(7,472)	(310,446)	(16,050)	(326,496)
2004-05	(325,137)	(3,604)	(6,152)	(334,893)	(12,726)	(347,619)
2005-06	(277,924)	-	(273)	(278,197)	(11,744)	(289,941)
2006-07	(195,041)	(11,482)	(4,773)	(211,296)	(11,939)	(223,235)
2007-08	(178,923)	(1,145)	3,390	(176,678)	(8,976)	(185,654)
2008-09	(163,669)	(503)	2,734	(161,438)	(7,151)	(168,589)
2009-10	(15,633)	(419)	(6,181)	(22,233)	(1,534)	(23,767)
Totals	\$ (2,839,221)	\$ (20,129)	\$ (48,992)	\$ (2,908,342)	\$ (131,043)	\$ (3,039,385)

¹ Amounts were calculated using claimed average productive hourly rates.

Unsupported Costs

The majority of the costs claimed by the district were unallowable because they were based on time records that identified estimated average time increments that were not completed contemporaneously.

Prior to the start of the audit, district representatives conducted a partial-year time study in FY 2009-10 and a full-year time study in FY 2010-11 as a substitute for records of actual time spent on teacher evaluations. The time study results were applied to the audit period.

Time Study Activities

The time study documented the time it took district evaluators to perform eight activities within the teacher evaluation process. The district evaluated permanent, probationary, and temporary certificated instructional teachers. The time study results reported time for meetings, observation, report writing, and other activities within the evaluation process.

The time study determined it takes district evaluators an average of 5.81, 6.25, and 5.12 hours per permanent, probationary, and temporary teacher respectively to complete an evaluation.

Five of the eight activities the district identified in their time study are not reimbursable under the mandate. The five non-reimbursable activities include:

1. Conducting a goals and objectives conference with the certificated staff member;
2. Conducting a pre-observation conference with the certificated staff member;
3. Conducting a post-observation conference with the certificated staff member;
4. Conducting a final evaluation conference with the certificated staff member; and
5. Discussing STAR results and instructional abilities improvement opportunities with the certificated staff members.

Conferences between the evaluators and teachers are not reimbursable because they were required before the enactment of the test claim legislation. These activities are not imposing a new program or higher level of service. Conferences including pre-, post-, and final observation conferences are not reimbursable.

Discussing STAR results is not reimbursable because it is not listed as a reimbursable activity in the parameters and guidelines. In addition, interviews with the district evaluators revealed that discussing STAR results entailed conducting group meetings of overall STAR performance and areas in need of improvement rather than separately evaluating each individual teacher performance based on STAR results.

We determined that the time spent on the following three activities is reimbursable:

1. Classroom observations (formal and informal);
2. Writing a report regarding observations; and
3. Writing the final evaluation report.

The time study results revealed that it takes the district evaluators an average of 3.57, 3.89, and 3.37 hours per permanent, probationary, and temporary teacher evaluation respectively to complete allowable activities within the evaluation process. In addition, the time study supported that it takes the district evaluators an average of 7.88 hours per unsatisfactory teacher evaluation to complete allowable activities within the evaluation process.

Completed Evaluations

The district did not keep track of completed evaluations during the audit period. To support claimed evaluations, the district created a database of completed teacher evaluations by reviewing employee files. Once

completed, we reviewed the completed teacher evaluations for each fiscal year to ensure that only eligible evaluations were counted for reimbursement. The program’s parameters and guidelines allow reimbursement for those evaluations conducted for certificated instructional personnel who perform the requirements of education programs mandated by state or federal law during specific evaluation periods.

The following table shows evaluations identified that are not reimbursable under the mandated program:

Fiscal Year	Number of Completed Evaluations		
	District-provided	Audited	Difference
1997-98	209	204	(5)
1998-99	192	182	(10)
1999-2000	245	237	(8)
2000-01	232	217	(15)
2001-02	256	244	(12)
2002-03	251	235	(16)
2003-04	238	229	(9)
2004-05	251	235	(16)
2005-06	246	232	(14)
2006-07	256	242	(14)
2007-08	227	217	(10)
2008-09	184	167	(17)
2009-10	191	151	(40)
Totals	<u>2,978</u>	<u>2,792</u>	<u>(186)</u>

The non-reimbursable evaluations included the following:

- Coordinators, management, program specialists, counselors, librarians, nurses, psychologists, and social workers who are not certificated instructional employees;
- Preschool teachers who do not perform the requirements of the program that is mandated by state or federal law;
- Duplicate teacher evaluations claimed multiple times in one school year;
- Permanent biannual teacher evaluations claimed every year rather than every other year; and
- Permanent five-year teacher evaluations claimed multiple times in a five-year period rather than once every five years.

Average Productive Hourly Rate (PHR)

The district claimed an average productive hourly rate (PHR) for the district’s evaluators in each fiscal year. Using the completed teacher evaluations database, we obtained a list of all evaluators at the district. We recalculated each evaluator’s PHR, using the district-provided payroll data. We then calculated an average rate in each fiscal year.

The following table shows the PHR audit adjustments by fiscal year:

Fiscal Year	Average Productive Hourly Rate		
	Claimed	Audited	Difference
1997-98	\$ 56.15	\$ 51.94	\$ (4.21)
1998-99	54.48	53.04	(1.44)
1999-2000	67.09	57.00	(10.09)
2000-01	72.05	61.99	(10.06)
2001-02	72.39	66.73	(5.66)
2002-03	72.90	67.31	(5.59)
2003-04	78.39	69.24	(9.15)
2004-05	78.02	70.63	(7.39)
2005-06	69.09	69.32	0.23
2006-07	80.48	75.01	(5.47)
2007-08	74.78	79.17	4.39
2008-09	74.78	79.38	4.60
2009-10	92.54	81.23	(11.31)

Calculation of Allowable Evaluation Costs

To arrive at allowable salaries and benefits in each fiscal year, we multiplied the number of allowable evaluations by allowable hours per evaluation and average audited PHRs.

The following table summarizes allowable evaluation costs by fiscal year using the audited PHRs.

Fiscal Year	Salaries and Benefits		
	Claimed	Allowable	Audit Adjustment
1997-98	\$ 178,135	\$ 38,737	\$ (139,398)
1998-99	200,056	34,978	(165,078)
1999-2000	295,149	49,089	(246,060)
2000-01	352,606	48,295	(304,311)
2001-02	328,673	58,340	(270,333)
2002-03	343,891	56,577	(287,314)
2003-04	364,224	56,140	(308,084)
2004-05	390,092	58,803	(331,289)
2005-06	334,437	56,701	(277,736)
2006-07	265,656	65,815	(199,841)
2007-08	237,501	62,017	(175,484)
2008-09	208,644	47,741	(160,903)
2009-10	66,204	44,390	(21,814)
Total	\$ 3,565,268	\$ 677,623	\$ (2,887,645)

We then applied the applicable indirect cost rates to allowable salaries and benefits to calculate allowable indirect costs of \$130,833 for this component.

Calculation of Allowable Training Costs

The district’s claims reported training hours in each fiscal year, totaling \$47,006 for the audit period. We concluded that \$26,309 in training costs is reimbursable under the mandate and \$20,697 is not reimbursable. The unallowable training costs primarily included ineligible hours attending training by the same employees exceeding a one-time per employee requirement, and ineligible hours attending various meetings that are not reimbursable under the mandated program.

The following table summarizes claimed, allowable, and unallowable training costs by fiscal year using the audited PHRs:

Fiscal Year	Salaries and Benefits		
	Claimed	Allowable	Audit Adjustment
1997-98	\$ 112	\$ 112	\$ -
1998-99	111	-	(111)
1999-2000	134	-	(134)
2000-01	134	-	(134)
2001-02	144	-	(144)
2002-03	144	-	(144)
2003-04	4,545	2,183	(2,362)
2004-05	3,604	-	(3,604)
2005-06	18,948	18,487	(461)
2006-07	14,794	3,339	(11,455)
2007-08	2,192	998	(1,194)
2008-09	1,725	1,190	(535)
2009-10	419	-	(419)
Total	\$ 47,006	\$ 26,309	\$ (20,697)

For FY 2005-06 and FY 2009-10, the district incorrectly claimed training costs in the Travel and Training rather than the Salaries and Benefits object accounts. We reclassified the district’s training costs to Salaries and Benefits.

We then applied the applicable indirect cost rates to allowable salaries and benefits to calculate allowable indirect costs of \$210 for this component.

The parameters and guidelines (section IV.A.1) state that the following is reimbursable:

Evaluate and assess the performance of certificated instructional employees that perform the requirements of educational programs mandated by state or federal law as it reasonably relates to the instructional techniques and strategies used by the employee and the employee’s adherence to curricular objectives.

Reimbursement for this activity is limited to:

- a. Reviewing the employee's instructional techniques and strategies and adherence to curricular objectives, and
- b. Including in the written evaluation of the certificated instructional employees the assessment of these factors during the following evaluation periods:
 - o Once each year for probationary certificated employees;
 - o Every other year for permanent certificated employees; and
 - o Beginning January 1, 2004, every five years for certificated employees with permanent status who have been employed at least ten years with the school district, are highly qualified, and whose previous evaluation rated the employee as meeting or exceeding standards, if the evaluator and certificated employee being evaluated agree.

The parameters and guidelines (section IV.A.2) state that the following is reimbursable:

Evaluate and assess the performance of certificated instructional employees that teach reading, writing, mathematics, history/social science, and science in grades 2 to 11 as it reasonably relates to the progress of pupils towards the state adopted academic content standards as measured by state adopted assessment tests.

Reimbursement for this activity is limited to:

- a. Reviewing the results of the Standardized Testing and Reporting test as it reasonably relates to the performance of those certificated employees that teach reading, writing, mathematics, history/social science, and science in grades 2 to 11, and
- b. Including in the written evaluation of those certificated employees the assessment of the employee's performance based on the Standardized Testing and Reporting results for the pupils they teach during the evaluation periods specified in Education Code section 44664, and described below:
 - o Once each year for probationary certificated employees;
 - o Every other year for permanent certificated employees; and
 - o Beginning January 1, 2004, every five years for certificated employees with permanent status who have been employed at least ten years with the school district, are highly qualified, and whose previous evaluation rated the employee as meeting or exceeding standards, if the evaluator and certificated employee being evaluated agree.

The parameters and guidelines (section IV.C—Training) state that the district may train staff on implementing the reimbursable activities listed in Section IV of the parameters and guidelines. (One-time activity for each employee.)

The parameters and guidelines (section IV—Reimbursable Activities) also state:

To be eligible for mandated cost reimbursement for any fiscal year, only actual costs may be claimed. Actual costs are those costs actually incurred to implement the mandated activities. Actual costs must be traceable and supported by source documents that show the validity of such costs, when they were incurred, and their relationship to the reimbursable activities. A source document is a document created at or near the same time the actual cost was incurred for the event or activity in question. Source documents may include, but are not limited to, employee time records or time logs, sign-in sheets, invoices, and receipts.

Recommendation

We recommend that the district ensure that claimed costs are based on actual costs, are for activities reimbursable under the program’s parameters and guidelines, and are supported by contemporaneous source documentation.

District’s Response

TIME STUDY ACTIVITIES \$2,839,221

The annual cost of evaluations is calculated based on the average time to implement eight different components of the annual employee evaluation process, multiplied by the number of evaluations performed each year, and then multiplied by the average productive hourly rates (salary and benefits) for the evaluators. For the eight components, the total average time to complete the evaluation process based on the district documentation and the audited allowable times are as follows:

Evaluation Type	District Ave. Hours Time Study	Audited Ave. Hours Allowed
Permanent	5.81	3.57
Probationary	6.25	3.89
Temporary	5.12	3.37
Unsatisfactory	None	7.88

The average time for the evaluation process was calculated by the auditor based on the District’s staff time reports. At this time, the District has no objection to the auditor’s calculations.

The draft audit report states five of the eight activities identified in the time study are not reimbursable:

- 1 Conducting a conference with the certificated staff member to review their goals and objectives;
- 2 Conducting a pre-observation conference with the certificated staff member;

- 3 Conducting a post-observation conference with the certificated staff member;
- 4 Conducting a final evaluation conference with the certificated staff member; and
- 5 Discussing STAR results and how to improve instructional abilities with the certificated staff member. The draft audit report states that conferences between the evaluators and teachers are not reimbursable because they were required before the enactment of the test claim legislation and thus are not imposing a new program or higher level of service.

The District disagrees with this disallowance. The mandate reimburses the new program requirement to “evaluate and assess” which necessarily involves a comprehensive process. The conferences are one part of a continuum of evaluation and assessment steps, none of which individually completes the mandate. The conferences and related tasks are effective and efficient methods to evaluate and assess employees and necessary to communicate the findings of the evaluation to the employee. Whether the conferences in general were required as a matter of law before the Stull Act is a decision for the Commission pursuant to a future incorrect reduction claim.

The draft audit report states that three of the eight activities identified by the district are reimbursable:

- 6 Classroom observations (formal and informal);
- 7 Writing a report regarding observations; and
- 8 Writing the final evaluation report.

The District agrees that these activities are reimbursable.

COMPLETED/ALLOWABLE EVALUATIONS

The draft audit report states that the program's parameters and guidelines allow reimbursement for those evaluations conducted for certificated instructional personnel who perform the requirements of education programs mandated by state or federal law during specific evaluation periods. The draft audit report disallows 186 of about 3,000 evaluations (about 6%) claimed for the thirteen years for five reasons:

1. *Coordinators, management, program specialists, counselors, librarians, nurses, psychologists, and social workers who are not certificated instructional employees.*

The District disagrees with this disallowance. The parameters and guidelines state that the mandate is to evaluate the performance of “certificated instructional employees.” All certificated personnel are “instructional” personnel even if they are not classroom teachers. The audit report does not indicate how these other certificated personnel are not implementing state curricular objectives. The District does concur that the portion of the mandate relating to the evaluation of compliance with the testing assessment standards (the STAR component) is limited to classroom teachers because the parameters and guidelines specifically state “employees that teach” specified curriculum.

2. *Preschool teachers who do not perform the requirements of the program that is mandated by state or federal law.*

The District disagrees with this disallowance. Federal and State law requires preschool instruction for special education pupils as part of the pupil's Individual Education Program. If the teacher is providing instruction to special education preschool pupils, the teacher is implementing the special education mandate.

3. *Duplicate teacher evaluations claimed multiple times in one school year.*

Potential “duplicate” evaluations generally occur as a result of an employee transferring to another school during the evaluation cycle, or a change in employment status of the employee. The District concurs that only one complete evaluation should be counted for each employee

4. *Permanent biannual teacher evaluations claimed every year rather than every other year.*

The District concurs that only one complete evaluation should be counted for each employee every other year after the employee attains permanent status.

5. *Permanent five-year teacher evaluations claimed multiple times in a five-year period rather than once every five years.*

The District concurs that only one complete evaluation should be counted for each employee every fifth year after the employee attains permanent five-year status.

AVERAGE PRODUCTIVE HOURLY RATE (PHR) \$48,992

Of the \$3.6 million in salary and benefits claimed for the thirteen years, the draft audit report reduces this amount by \$48,992 (about 1.5%) based on the auditor’s calculation of the average productive hourly rates. District staff has reviewed the auditor's calculations and we have no disputed amounts at this time.

TRAINING COSTS \$20,129

The draft audit reports states that the mandate parameters and guidelines only allow training costs as a one-time activity per employee. The disallowances are based on “duplicate” training hours for the “same” employees. The District disagrees with this disallowance. Most of the disallowed staff time was incurred for meetings with the principals and other evaluators to commence the annual evaluation cycle. These are reasonable and necessary when the collective bargaining contract and district evaluation process changes.

SCO’s Comment

Time Study Activities

Our finding and recommendation are unchanged. The conferences between the teachers and evaluators are non-reimbursable activities.

The district states in its response that “the mandate reimburses the new

program requirement to ‘evaluate and assess’ which necessarily involves a comprehensive process.” We disagree. Not all activities from the evaluation process are reimbursable. The mandate reimburses only those activities that impose a new requirement or higher level of service for the agencies.

The parameters and guidelines (sections IV.A.1, IV.A.2, and IV.B.1) specify that reimbursement is limited to only those activities outlined in each section. Section IV.B.1 identifies reimbursable evaluation conferences only for those instances when an unsatisfactory evaluation took place for certificated instructional or non-instructional personnel in those years in which the employee would not have otherwise been evaluated.

The district claimed costs for the evaluation conferences resulting from evaluations completed under sections IV.A.1 and IV.A.2 of the parameters and guidelines. Sections IV.A.1 and IV.A.2 do not identify evaluation conferences or any other types of conferences as reimbursable activities.

Furthermore, the CSM found in its statement of decision that evaluation conferences between the evaluators and teachers are not reimbursable because they were required before the enactment of the test claim legislation.

Under prior law, the evaluation was to be prepared in writing and a copy of the evaluation given to the employee. An evaluation meeting was to be held between the certificated employee and the evaluator to discuss the evaluation and assessment. The CSM indicated in its statement of decision document that:

... the 1975 test claim legislation did not amend the requirements in Former Educate Code sections 13488 and 13489 to prepare written evaluations of certificated employees, receive responses to those evaluations, and conduct a meeting with the certificated employee to discuss the evaluation ...

Furthermore, the 1983 test claim statute still requires school districts to prepare the evaluation in writing, to transmit a copy to the employee, and to conduct a meeting with the employee to discuss the evaluation and assessment. These activities are not new.

However, the 1983 test claim statute amended the evaluation requirements by adding two new evaluation factors relating to 1) the instructional techniques and strategies used by the employee, and 2) the employee’s adherence to curricular objectives. The CSM found that Education Code section 44662, subdivision (b), as amended by Statutes of 1983, Chapter 498, imposed a new required act on school districts to:

... evaluate and assess the performance of certificated instructional employees that perform the requirements of educational programs mandated by state or federal law as it reasonably relates to the instructional techniques and strategies used by the employee and the employee’s adherence to curricular objectives.

Reimbursement is limited to the additional requirements imposed by the

amendments. The additional requirements include the review of the employee's instructional techniques and strategies and adherence to curricular objectives, and to include in the written evaluation of the certificated instructional employees the assessment of only these factors. Conference activities do not impose a new program or higher level of service.

Completed/Allowable Evaluations

1. *Coordinators, management, program specialists, counselors, librarians, nurses, psychologists, and social workers who are not certificated instructional employees.*

Our finding and recommendation are unchanged. The district states that "All certificated personnel are 'instructional' personnel even if they are not classroom teachers." We disagree.

The language of the program's parameters and guidelines and the CSM statement of decision address the difference between certificated instructional employees and certificated non-instructional employees.

In its statement of decision, the CSM identifies instructional employees as teachers and non-instructional employees as principals and various administrators. The CSM further states that the test claim legislation, as it relates to evaluation and assessment of certificated non-instructional employees, do not constitute a new program or higher level of service.

In addition, the parameters and guidelines clearly identify reimbursable components and activities as they relate to certificated instructional and certificated non-instructional personnel. Our draft report identifies a finding related to the component of evaluating instructional techniques and strategies and adherence to curricular objectives for the certificated instructional employees. The intent of this component is to evaluate the elements of classroom instruction. Coordinators, management, program specialists, counselors, librarians, nurses, psychologists, and social workers do not provide classroom instruction and are considered "non-instructional" certificated personnel.

2. *Preschool teachers do not perform the requirements of the program that is mandated by state or federal law.*

Our finding and recommendation is unchanged. The district states the following in its response:

Federal and State law requires preschool instruction for special education pupils as part of the pupil's Individual Education Program. If the teacher is providing instruction to special education preschool pupils, the teacher is implementing the special education mandate.

Our finding indicated that the evaluations of the preschool teachers were excluded for reimbursement. The finding did not indicate that we excluded those teachers that work with special education pupils. The issue at hand is whether preschool teachers, in general, perform the requirements of educational programs mandated by state or federal law.

The district has not provided any documentation to support that preschool teachers previously excluded from reimbursement, if any, performed any activities related to special education pupils.

3. *Duplicate teacher evaluations claimed multiple times in one school year.*

The district concurs with our finding and recommendation.

4. *Permanent biannual teacher evaluations claimed every year rather than every other year.*

The district concurs with our finding and recommendation.

5. *Permanent five-year teacher evaluations claimed multiple times in a five-year period rather than once every five years.*

The district concurs with our finding and recommendation.

Average Productive Hourly Rate (PHR)

The district does not dispute our calculations at this time.

Training Costs

Our finding and recommendation are unchanged. The district disagrees with the unallowable “duplicate” training hours claimed for the same employees. The district states that:

Most of the disallowed staff time was incurred for meetings with the principals and other evaluators to commence the annual evaluation cycle. These are reasonable and necessary when the collective bargaining contract and district evaluation process changes.

The parameters and guidelines states that the district may claim reimbursement to “train staff on implementing the reimbursable activities.” The parameters and guidelines also state that training is reimbursable as a “one-time activity for each employee.”

The district believes that the meetings with the principals and other evaluators are “reasonable and necessary” activities. However, the reimbursement is limited to only those activities outlined in the parameters and guidelines (section IV.C).

**PUBLIC RECORDS
REQUEST**

The district's response included other comments related to the mandated cost claims. The district's comments and SCO's response are presented below.

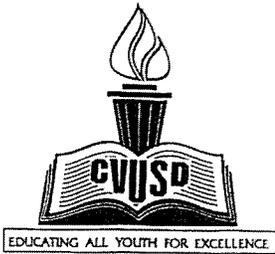
District's Response

The District requests copies of all audit work papers in support of the audit findings. The District requests that the Controller provide the District any and all written instructions, memoranda, or other writings in effect and applicable during the claiming periods to the findings. . .

SCO's Comment

The SCO responded to the district's request by a separate letter dated July 10, 2013.

**Attachment—
District’s Response to
Draft Audit Report**



Castro Valley Unified School District

BOARD OF EDUCATION

Jo A.S. Loss, President
George Granger, Vice-President/ Clerk
Charmaine Banther
John J. Barbieri
Janice Friesen

SUPERINTENDENT

Jim Negri

P.O. BOX 2146 • CASTRO VALLEY, CALIFORNIA 94546 • (510) 537-3000 • Fax (510) 886-8962

June 13, 2013

Mr. Jim L. Spano, Chief
Mandated Costs Audits Bureau
Division of Audits
State Controller's Office
P.O. Box 942850
Sacramento, CA 94250-5874

Subject: Castro Valley Unified School District
Stull Act Mandate Audit
FY 1997-98 through FY 2009-10

Dear Mr. Spano:

This letter is the response of the Castro Valley Unified School District to the draft audit report dated May 31, 2013, received by e-mail on June 3, 2013, for the above-referenced program and fiscal years, transmitted by the letter from Jeffrey V. Brownfield, Chief, Division of Audits, State Controller's Office.

The District appreciated the opportunity to utilize a time study of the mandate program activities to replace the original documentation for the historic claim years. The time study is a reasonable method to fulfill the Controller's expectations for cost accounting and documentation. However, the District will file an incorrect reduction claim due to the limited scope of activities approved for reimbursement. The District disagrees with the Controller's interpretation of the Stull Act legislation and the test claim findings. From the discussion at the audit entrance and exit conferences, it is clear that this disagreement cannot be resolved at this point. A Commission on State Mandates decision will be needed since this is an issue of statewide significance relevant to all Stull Act audits.

Finding 1 Overstated salaries and benefits and related indirect costs

The draft audit report concludes that of the \$3,612,274 in salaries and benefits and \$164,684 in related indirect costs claimed for the audit period, that \$2,908,342 in salaries and benefits and \$131,043 in related indirect costs are unallowable, for several reasons:

TIME STUDY ACTIVITIES \$2,839,221



The annual cost of evaluations is calculated based on the average time to implement eight different components of the annual employee evaluation process, multiplied by the number of evaluations performed each year, and then multiplied by the average productive hourly rates (salary and benefits) for the evaluators. For the eight components, the total average time to complete the evaluation process based on the district documentation and the audited allowable times are as follows:

Evaluation Type	District Ave. Hours <u>Time Study</u>	Audited Ave. Hours <u>Allowed</u>
Permanent	5.81	3.57
Probationary	6.25	3.89
Temporary	5.12	3.37
Unsatisfactory	None	7.88

The average time for the evaluation process was calculated by the auditor based on the District's staff time reports. At this time, the District has no objection to the auditor's calculations.

The draft audit report states five of the eight activities identified in the time study are not reimbursable:

- 1 Conducting a conference with the certificated staff member to review their goals and objectives;
- 2 Conducting a pre-observation conference with the certificated staff member;
- 3 Conducting a post-observation conference with the certificated staff member;
- 4 Conducting a final evaluation conference with the certificated staff member; and
- 5 Discussing STAR results and how to improve instructional abilities with the certificated staff member.

The draft audit report states that conferences between the evaluators and teachers are not reimbursable because they were required before the enactment of the test claim legislation and thus are not imposing a new program or higher level of service.

The District disagrees with this disallowance. The mandate reimburses the new program requirement to "evaluate and assess" which necessarily involves a comprehensive process. The conferences are one part of a continuum of evaluation and assessment steps, none of which individually completes the mandate. The conferences and related tasks are effective and efficient methods to evaluate and assess employees and necessary to communicate the findings of the evaluation to the employee. Whether the conferences in general were required as a matter of law before the Stull Act is a decision for the Commission pursuant to a future incorrect reduction claim.



The draft audit report states that three of the eight activities identified by the district are reimbursable:

- 6 Classroom observations (formal and informal);
- 7 Writing a report regarding observations; and
- 8 Writing the final evaluation report.

The District agrees that these activities are reimbursable.

COMPLETED/ALLOWABLE EVALUATIONS

The draft audit report states that the program's parameters and guidelines allow reimbursement for those evaluations conducted for certificated instructional personnel who perform the requirements of education programs mandated by state or federal law during specific evaluation periods. The draft audit report disallows 186 of about 3,000 evaluations (about 6%) claimed for the thirteen years for five reasons:

1. *Coordinators, management, program specialists, counselors, librarians, nurses, psychologists, and social workers who are not certificated instructional employees.*

The District disagrees with this disallowance. The parameters and guidelines state that the mandate is to evaluate the performance of "certificated instructional employees." All certificated personnel are "instructional" personnel even if they are not classroom teachers. The audit report does not indicate how these other certificated personnel are not implementing state curricular objectives. The District does concur that the portion of the mandate relating to the evaluation of compliance with the testing assessment standards (the STAR component) is limited to classroom teachers because the parameters and guidelines specifically state "employees that teach" specified curriculum.

2. *Preschool teachers who do not perform the requirements of the program that is mandated by state or federal law.*

The District disagrees with this disallowance. Federal and State law requires preschool instruction for special education pupils as part of the pupil's Individual Education Program. If the teacher is providing instruction to special education preschool pupils, the teacher is implementing the special education mandate.

3. *Duplicate teacher evaluations claimed multiple times in one school year.*

Potential "duplicate" evaluations generally occur as a result of an employee transferring to another school during the evaluation cycle, or a change in employment status of the employee. The District concurs that only one complete evaluation should be counted for each employee

4. *Permanent biannual teacher evaluations claimed every year rather than every other year.*

The District concurs that only one complete evaluation should be counted for each employee every other year after the employee attains permanent status.



5. *Permanent five-year teacher evaluations claimed multiple times in a five-year period rather than once every five years.*

The District concurs that only one complete evaluation should be counted for each employee every fifth year after the employee attains permanent five-year status.

AVERAGE PRODUCTIVE HOURLY RATE (PHR) \$48,992

Of the \$3.6 million in salary and benefits claimed for the thirteen years, the draft audit report reduces this amount by \$48,992 (about 1.5%) based on the auditor's calculation of the average productive hourly rates. District staff has reviewed the auditor's calculations and we have no disputed amounts at this time.

TRAINING COSTS \$20,129

The draft audit reports states that the mandate parameters and guidelines only allow training costs as a one-time activity per employee. The disallowances are based on "duplicate" training hours for the "same" employees. The District disagrees with this disallowance. Most of the disallowed staff time was incurred for meetings with the principals and other evaluators to commence the annual evaluation cycle. These $A = \pi r^2$ reasonable and necessary when the collective bargaining contract and district evaluation process changes.

Public Records Request

The District requests copies of all audit work papers in support of the audit findings. The District requests that the Controller provide the District any and all written audit instructions, memoranda, or other writings in effect and applicable during the claiming periods to the findings.

Government Code Section 6253, subdivision (c), requires the state agency that is the subject of the request, within ten days from receipt of a request for a copy of records, to determine whether the request, in whole or in part, seeks copies of disclosable public records in possession of the agency and promptly notify the requesting party of that determination and the reasons therefore. Also, as required, when so notifying the District, the agency must state the estimated date and time when the records will be made available.

Sincerely,

Dr. Candi Clark
Assistant Superintendent of Business Services
Castro Valley Unified School District

**State Controller's Office
Division of Audits
Post Office Box 942850
Sacramento, CA 94250-5874**

<http://www.sco.ca.gov>

DECLARATION OF SERVICE BY EMAIL

I, the undersigned, declare as follows:

I am a resident of the County of Solano 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 May 5, 2015, I served the:

SCO Comments on IRC

Incorrect Reduction Claim

The Stull Act, 14-9825-I-01

Education Code Sections 44660-44665;

Statutes 1983, Chapter 498; Statutes 1999, Chapter 4

Fiscal Years: 1997-1998, 1998-1999, 1999-2000, 2000-2001,
2001-2002, 2002-2003, 2003-2004, and 2004-2005

Oceanside Unified School 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 May 5, 2015 at Sacramento, California.



Heidi J. Palchik
Commission on State Mandates
980 Ninth Street, Suite 300
Sacramento, CA 95814
(916) 323-3562

COMMISSION ON STATE MANDATES

Mailing List

Last Updated: 4/24/15

Claim Number: 14-9825-I-01

Matter: The Stull Act

Claimant: Oceanside Unified School 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.)

Socorro Aquino, *State Controller's Office*

Division of Audits, 3301 C Street, Suite 700, Sacramento, CA 95816

Phone: (916) 322-7522

SAquino@sco.ca.gov

Marieta Delfin, *State Controller's Office*

Division of Accounting and Reporting, 3301 C Street, Suite 700, Sacramento, CA 95816

Phone: (916) 322-4320

mdelfin@sco.ca.gov

Donna Ferebee, *Department of Finance*

915 L Street, Suite 1280, Sacramento, CA 95814

Phone: (916) 445-3274

donna.ferebee@dof.ca.gov

Chris Ferguson, *Department of Finance*

Education Systems Unit, 915 L Street, 7th Floor, 915 L Street, 7th Floor, Sacramento, CA 95814

Phone: (916) 445-3274

Chris.Ferguson@dof.ca.gov

Susan Geanacou, *Department of Finance*

915 L Street, Suite 1280, Sacramento, CA 95814

Phone: (916) 445-3274

susan.geanacou@dof.ca.gov

Ed Hanson, *Department of Finance*

Education Systems Unit, 915 L Street, 7th Floor, Sacramento, CA 95814

Phone: (916) 445-0328
ed.hanson@dof.ca.gov

Karen Huddleston, Controller, *Oceanside Unified School District*
2111 Mission Avenue, Oceanside, CA 92058
Phone: (760) 966-4045
khuddleston@oside.k12.ca.us

Cheryl Ide, Associate Finance Budget Analyst, *Department of Finance*
Education Systems Unit, 915 L Street, Sacramento, CA 95814
Phone: (916) 445-0328
Cheryl.ide@dof.ca.gov

Jill Kanemasu, *State Controller's Office*
Division of Accounting and Reporting, 3301 C Street, Suite 700, Sacramento, CA 95816
Phone: (916) 322-9891
jkanemasu@sco.ca.gov

Shelly Kruse, Accountant, *Oceanside Unified School District*
Fiscal Services, 2111 Mission Avenue, Oceanside, CA 92058
Phone: (760) 966-4440
michelle.kruse@oside.us

Jay Lal, *State Controller's Office (B-08)*
Division of Accounting & Reporting, 3301 C Street, Suite 700, Sacramento, CA 95816
Phone: (916) 324-0256
JLal@sco.ca.gov

Kathleen Lynch, *Department of Finance (A-15)*
915 L Street, Suite 1280, 17th Floor, Sacramento, CA 95814
Phone: (916) 445-3274
kathleen.lynch@dof.ca.gov

Kathleen McPerry, Administrative Secretary II, to Karen Huddleston, Controller, *Oceanside Unified School District*
Fiscal Services, 2111 Mission Avenue, Oceanside, CA 92058
Phone: (760) 966-4038
kmcperry@oside.us

Yazmin Meza, *Department of Finance*
915 L Street, Sacramento, CA 95814
Phone: (916) 445-0328
Yazmin.meza@dof.ca.gov

Robert Miyashiro, *Education Mandated Cost Network*
1121 L Street, Suite 1060, Sacramento, CA 95814
Phone: (916) 446-7517
robertm@sscal.com

Jameel Naqvi, Analyst, *Legislative Analysts' Office*
Education Section, 925 L Street, Suite 1000, Sacramento, CA 95814
Phone: (916) 319-8331
Jameel.naqvi@lao.ca.gov

Keith Nezaam, *Department of Finance*

915 L Street, 8th Floor, Sacramento, CA 95814
Phone: (916) 445-8913
Keith.Nezaam@dof.ca.gov

Andy Nichols, *Nichols Consulting*
1857 44th Street, Sacramento, CA 95819
Phone: (916) 455-3939
andy@nichols-consulting.com

Christian Osmena, *Department of Finance*
915 L Street, Sacramento, CA 95814
Phone: (916) 445-0328
christian.osmena@dof.ca.gov

Arthur Palkowitz, *Stutz Artiano Shinoff & Holtz*
Claimant Representative
2488 Historic Decatur Road, Suite 200, San Diego, CA 92106
Phone: (619) 232-3122
apalkowitz@sashlaw.com

Keith Petersen, *SixTen & Associates*
P.O. Box 340430, Sacramento, CA 95834-0430
Phone: (916) 419-7093
kbsixten@aol.com

Sandra Reynolds, *Reynolds Consulting Group, Inc.*
P.O. Box 894059, Temecula, CA 92589
Phone: (951) 303-3034
sandrareynolds_30@msn.com

David Scribner, *Max8550*
2200 Sunrise Boulevard, Suite 240, Gold River, CA 95670
Phone: (916) 852-8970
dscribner@max8550.com

Jim Spano, Chief, Mandated Cost Audits Bureau, *State Controller's Office*
Division of Audits, 3301 C Street, Suite 700, Sacramento, CA 95816
Phone: (916) 323-5849
jspano@sco.ca.gov

Dennis Speciale, *State Controller's Office*
Division of Accounting and Reporting, 3301 C Street, Suite 700, Sacramento, CA 95816
Phone: (916) 324-0254
DSpeciale@sco.ca.gov



June 17, 2016

Mr. Arthur Palkowitz
Artiano, Shinoff, & Holz, APC
2488 Historic Decatur Road,
Suite 200
San Diego, CA 92106

Ms. Jill Kanemasu
State Controller's Office
Accounting and Reporting
3301 C Street, Suite 700
Sacramento, CA 95816

Exhibit D

And Parties, Interested Parties, and Interested Persons (See Mailing List)

Re: **Draft Proposed Decision, Schedule for Comments, and Notice of Hearing**
The Stull Act, 14-9825-I-01
Education Code Section 44660-44665
Statutes 1983, Chapter 498; Statutes 1999, Chapter 4
Fiscal Years: 1997-1998, 1998-1999, 1999-2000, 2000-2001, 2001-2002,
2002-2003, 2003-2004, and 2004-2005
Oceanside Unified School District, Claimant

Dear Mr. Palkowitz and Ms. Kanemasu:

The Draft Proposed Decision for the above-named matter is enclosed for your review and comment.

Written Comments

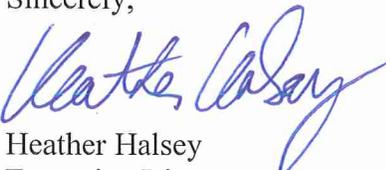
Written comments may be filed on the Draft Proposed Decision by **July 8, 2016**. You are advised that comments filed with the Commission on State Mandates (Commission) are required to be simultaneously served on the other interested parties on the mailing list, and to be accompanied by a proof of service. However, this requirement may also be satisfied by electronically filing your documents. Refer to http://www.csm.ca.gov/dropbox_procedures.php on the Commission's website for electronic filing instructions. (Cal. Code Regs., tit. 2, § 1181.3.)

If you would like to request an extension of time to file comments, please refer to section 1187.9(a) of the Commission's regulations.

Hearing

This matter is set for hearing on **Friday, September 23, 2016**, at 10:00 a.m., State Capitol, Room 447, Sacramento, California. The Proposed Decision will be issued on or about September 9, 2016. Please let us know in advance if you or a representative of your agency will testify at the hearing, and if other witnesses will appear. If you would like to request postponement of the hearing, please refer to section 1187.9(b) of the Commission's regulations.

Sincerely,


Heather Halsey
Executive Director

ITEM _
INCORRECT REDUCTION CLAIM
DRAFT PROPOSED DECISION

Education Code Sections 44660-44665
Statutes 1983, Chapter 498; Statutes 1999, Chapter 4

The Stull Act

Fiscal Years 1997-1998, 1998-1999, 1999-2000, 2000-2001,
2001-2002, 2002-2003, 2003-2004, and 2004-2005.

14-9825-I-01

Oceanside Unified School District, Claimant

EXECUTIVE SUMMARY

Overview

This Incorrect Reduction Claim (IRC) addresses audit reductions made by the State Controller's Office (Controller) to reimbursement claims of the Oceanside Unified School District (claimant) for fiscal years 1997-1998 through 2004-2005 under the *Stull Act* program. The Controller found \$1,270,420 that was claimed for employee salaries was unallowable due to the lack of source documentation.

Because the claimant did not provide the source documentation to support its actual costs, as required by the Parameters and Guidelines, staff finds that the Controller's audit findings are correct as a matter of law and the IRC is denied.

The Stull Act Program

The test claim statutes amended the Stull Act, which as originally enacted in 1971 requires school districts to develop and adopt evaluation and assessment guidelines for the performance of certificated personnel, evaluate and assess certificated personnel, and prepare a written evaluation of certificated personnel, including, if necessary, areas of improvement. The certificated employee and evaluator are required to meet and discuss the evaluation and assessment.

On May 27, 2004, the Commission adopted the Statement of Decision, finding that amendments to Education Code sections 44660-44665¹ impose a state-mandated higher level of service on school districts to perform specified new evaluation, review, and assessment activities.² On September 27, 2005, the Commission adopted the Parameters and Guidelines authorizing

¹ Statutes 1983, Chapter 498 and Statutes 1999, Chapter 4.

² Exhibit A, IRC, pages 46-48 (Test Claim Statement of Decision, 98-TC-05, pages 35-37).

reimbursement for the activities the Commission found to be reimbursable in the Statement of Decision. The Parameters and Guidelines also specify that only actual costs are reimbursable, and must be supported by retained source documents “created at or near the same time the actual cost was incurred for the event or activity in question” in order to verify claimed costs, and that claimants must report each employee and “describe the specific reimbursable activities performed and the hours devoted to each reimbursable activity performed.”³

Procedural History

The Controller issued the Final Audit Report on August 24, 2011.⁴ On August 20, 2014, the claimant filed the IRC.⁵ The Controller filed two requests for extension of time to file comments on the IRC on November 26, 2014 and February 2, 2015, which were granted for good cause. On March 27, 2015, the Controller filed comments on the IRC.⁶ On May 4, 2014, the claimant filed late rebuttal comments.⁷

Commission staff issued the Draft Proposed Decision on June 17, 2016.⁸

Commission Responsibilities

Government Code section 17561(d) authorizes the Controller to audit the claims filed by local agencies and school districts and to reduce any claim for reimbursement of state-mandated costs that the Controller determines is excessive or unreasonable.

Government Code Section 17551(d) requires the Commission to hear and decide a claim that the Controller has incorrectly reduced payments to the local agency or school district. If the Commission determines that a reimbursement claim has been incorrectly reduced, section 1185.9 of the Commission’s regulations requires the Commission to send the decision to the Controller and request that the costs in the claim be reinstated.

The Commission must review questions of law, including interpretation of parameters and guidelines, de novo, without consideration of legal conclusions made by the Controller in the context of an audit. The Commission is vested with exclusive authority to adjudicate disputes over the existence of state-mandated programs within the meaning of article XIII B, section 6.⁹ The Commission must also interpret the Government Code and implementing regulations in accordance with the broader constitutional and statutory scheme. In making its decisions, the Commission must strictly construe article XIII B, section 6 and not apply it as an “equitable

³ Exhibit A, IRC, pages 53-57 (Parameters and Guidelines).

⁴ Exhibit A, IRC, pages 80-98 (Final Audit Report).

⁵ Exhibit A, IRC.

⁶ Exhibit B, Controller’s Comments on the IRC.

⁷ Exhibit C, Claimant’s Late Rebuttal Comments.

⁸ Exhibit D, Draft Proposed Decision.

⁹ *Kinlaw v. State of California* (1991) 54 Cal.3d 326, 331-334; Government Code sections 17551, 17552.

remedy to cure the perceived unfairness resulting from political decisions on funding priorities.”¹⁰

With regard to the Controller’s audit decisions, the Commission must determine whether they were arbitrary, capricious, or entirely lacking in evidentiary support. This standard is similar to the standard used by the courts when reviewing an alleged abuse of discretion of a state agency.¹¹

The Commission must also review the Controller’s audit in light of the fact that the initial burden of providing evidence for a claim of reimbursement lies with the claimant.¹² In addition, section 1185.1(f)(3) and 1185.2(c) of the Commission’s regulations requires that any assertions of fact by the parties to an IRC must be supported by documentary evidence. The Commission’s ultimate findings of fact must be supported by substantial evidence in the record.¹³

Claims

The following chart provides a brief summary of the claims and issues raised and staff’s recommendation.

Issue	Description	Staff Recommendation
Whether the audit reduction for inadequate source documentation is correct as a matter of law.	<p>The Parameters and Guidelines authorize claimants to file for actual costs and require keeping contemporaneous source documentation to validate the actual costs claimed. Claimants must report each employee and “describe the specific reimbursable activities performed and the hours devoted to each reimbursable activity performed.”</p> <p>The documentation provided to the Controller for fiscal years 1997-1998 to 2004-2005</p>	<p><i>Correct</i> – The claimant’s documentation does not comply with the Parameters and Guidelines because the documentation does not verify the <i>actual</i> time taken to perform the mandated activities during the audit period, and it was not prepared at or near the time the reimbursable activity was performed. Nor does the documentation identify the employees evaluated, which is necessary to determine</p>

¹⁰ *County of Sonoma v. Commission on State Mandates* (2000), 84 Cal.App.4th 1264, 1280, citing *City of San Jose v. State of California* (1996) 45 Cal.App.4th 1802, 1817.

¹¹ *Johnston v. Sonoma County Agricultural Preservation and Open Space District* (2002) 100 Cal.App.4th 973, 983-984; *American Bd. of Cosmetic Surgery, Inc. v. Medical Bd. of California* (2008) 162 Cal.App.4th 534, 547.

¹² *Gilbert v. City of Sunnyvale* (2005) 130 Cal.App.4th 1264, 1274-1275.

¹³ Government Code section 17559(b), which provides that a claimant or the state may commence a proceeding in accordance with the provisions of section 1094.5 of the Code of Civil Procedure to set aside a decision of the Commission on the ground that the Commission’s decision is not supported by substantial evidence in the record.

	<p>consisted of estimated average time on forms signed by claimed staff in February or March of 2006.</p> <p>After the IRC was filed, claimant argues that employees took six to seven hours to perform the reimbursable activities, but accepts 2.5 hours per evaluation. However, there is no evidence in the record to support this number of hours.</p>	<p>whether the costs claimed were limited to the scope of the mandate.</p> <p>Therefore, staff finds that the audit finding is correct as a matter of law.</p>
--	---	--

Staff Analysis

Because the Claimant Did Not Provide the Controller with Contemporaneous Source Documentation of Actual Costs, as Required by the Parameters and Guidelines, the Controller’s Reductions Are Correct as a Matter of Law.

The Parameters and Guidelines for *The Stull Act* program specify that only actual costs are reimbursable, and must be supported by retained source documents “created at or near the same time the actual cost was incurred for the event or activity in question” to verify claimed costs, and that claimants must report each employee and “describe the specific reimbursable activities performed and the hours devoted to each reimbursable activity performed.”¹⁴

The record indicates that the documentation provided to the Controller for fiscal years 1997-2005 consists of average time forms signed by claimed staff in February or March of 2006. Each employee (evaluator) recorded the average minutes spent annually to perform evaluation activities for 1997-1998 through 2004-2005 on a single form, with estimates generally ranging from 5-10 hours per evaluation.¹⁵ Claimant also provided collective bargaining agreements from 1994 to 2007, describing its evaluation policies and procedures during the audit period.¹⁶

This documentation, however, does not comply with the Parameters and Guidelines because it does not verify the *actual* time taken to perform the mandated activities during the audit period, nor was the documentation prepared at or near the same time as the reimbursable activity was performed. Rather, the time records were all signed in February or March 2006,¹⁷ raising questions of whether the estimated times of five to 10 hours are accurate and reliable, especially in light of the Controller’s calculation for 2006-2007 and 2007-2008 that showed that each

¹⁴ Exhibit A, IRC, pages 53-57 (Parameters and Guidelines).

¹⁵ Exhibit A, IRC, pages 91 (Final Audit Report), 143-191.

¹⁶ Exhibit A, IRC, 193-240.

¹⁷ Exhibit A, IRC, pages 143-191.

evaluation took only 30 minutes, or more time than the district claimed for those years.¹⁸

Moreover, the documentation provided during the audit does not identify the employees evaluated, which is necessary to determine whether the costs claimed were limited to the scope of the mandate which is limited to the higher level of service approved in the Test Claim Statement of Decision.

After the IRC was filed, the Controller offered to revise the findings for the audit period to reimburse 30 minutes for each of 1,149 evaluations claimed for the audit period (the same time allowed for the 2006-2007 and 2007-2008 reimbursement claims). The claimant rejected this offer, insisting that each evaluation took five to six hours, as in the Controller's *Stull Act* audits of other school districts.¹⁹ In rebuttal comments, the claimant argues that the correct number of evaluations for 1997-1998 is 67 (instead of the four allowed by the Controller in the post-IRC negotiations) and that "the time spent by District employees to conduct the reimbursable activities would average 6-7 hours per employee."²⁰ But the rebuttal comments conclude that each evaluation should be reimbursed at 2.5 hours.²¹ Claimant's various assertions about the time per evaluation are not supported by any contemporaneous source documentation to verify the actual time to perform the activities, as required by the Parameters and Guidelines. Moreover, there is no evidence in the record, as required by the Commission's regulations,²² to justify reimbursement at 2.5 hours per evaluation.

Conclusion

Accordingly, staff finds that the claimant did not comply with the requirements of the Parameters and Guidelines because the source documentation provided was insufficient to support the claimant's actual costs, and thus, the Controller's reduction of costs claimed is correct as a matter of law.

Staff Recommendation

Staff recommends that the Commission adopt the Proposed Decision to deny the IRC, and authorize staff to make any technical, non-substantive changes following the hearing.

¹⁸ Exhibit A, IRC, pages 91 and 92 (Final Audit Report). Exhibit B, Controller's Comments on the IRC, page 13.

¹⁹ Exhibit B, Controller's Comments on the IRC, pages 15, 118.

²⁰ Exhibit C, Claimant's Late Rebuttal Comments, page 3.

²¹ Exhibit C, Claimant's Late Rebuttal Comments, page 7.

²² California Code of Regulations, title 2, sections 1185.1 and 1187.5.

BEFORE THE
 COMMISSION ON STATE MANDATES
 STATE OF CALIFORNIA

IN RE INCORRECT REDUCTION CLAIM
 ON:

Education Code Sections 44660-44665

Statutes 1983, Chapter 498;
 Statutes 1999, Chapter 4

Fiscal Years 1997-1998, 1998-1999, 1999-
 2000, 2000-2001, 2001-2002, 2002-2003,
 2003-2004, and 2004-2005

Oceanside Unified School District, Claimant

Case No.: 14-9825-I-01

The Stull Act

DECISION PURSUANT TO
 GOVERNMENT CODE SECTION
 17500 ET SEQ.; CALIFORNIA CODE OF
 REGULATIONS, TITLE 2, DIVISION 2,
 CHAPTER 2.5, ARTICLE 7

(Adopted September 23, 2016)

DECISION

The Commission on State Mandates (Commission) heard and decided this Incorrect Reduction Claim (IRC) during a regularly scheduled hearing on September 23, 2016. [Witness list will be included in the adopted Decision.]

The law applicable to the Commission’s determination of a reimbursable state-mandated program is article XIII B, section 6 of the California Constitution, Government Code section 17500 et seq., and related case law.

The Commission [adopted/modified] the Proposed Decision to [approve/partially approve/deny] the IRC by a vote of [vote count will be included in the adopted Decision] as follows:

Member	Vote
Ken Alex, Director of the Office of Planning and Research	
Richard Chivaro, Representative of the State Controller	
Mark Hariri, Representative of the State Treasurer, Vice Chairperson	
Sarah Olsen, Public Member	
Eraina Ortega, Representative of the Director of the Department of Finance, Chairperson	
Carmen Ramirez, City Council Member	
Don Saylor, County Supervisor	

Summary of the Findings

This IRC addresses reductions made by the State Controller’s Office (Controller) to reimbursement claims of the Oceanside Unified School District (claimant) for fiscal years 1997-

1998, 1998-1999, 1999-2000, 2000-2001, 2001-2002, 2002-2003, 2003-2004, and 2004-2005²³ under *The Stull Act* program. The Controller found that of the \$1,286,956 claimed for employee salaries, \$1,270,420 is unallowable due to lack of source documentation.

The Commission finds that the claimant did not provide sufficient source documentation (contemporaneous or otherwise) to support its actual costs, as required by the Parameters and Guidelines, so the Controller’s audit findings are correct as a matter of law and the IRC is denied.

COMMISSION FINDINGS

I. Chronology

- 08/24/2011 The Controller issued the Final Audit Report.²⁴
- 08/20/2014 The claimant filed the IRC.²⁵
- 11/26/14 The Controller filed a request for extension of time to file comments on the IRC, which was granted for good cause.
- 02/02/15 The Controller filed a request for extension of time to file comments on the IRC, which was granted for good cause.
- 03/27/2015 The Controller filed comments on the IRC.²⁶
- 05/04/2015 The Claimant filed late rebuttal comments.²⁷
- 6/17/2016 Commission staff issued the Draft Proposed Decision.²⁸

II. Background

A. The Stull Act Program

The Stull Act was originally enacted in 1971 to establish a uniform system of evaluation and assessment of the performance of “certificated personnel” (including certificated non-instructional personnel) within each school district.²⁹ As originally enacted, the Stull Act required the governing board of each school district to develop and adopt specific guidelines to evaluate and assess certificated personnel, and to avail itself of the advice of certificated instructional personnel before developing and adopting the guidelines. The evaluation and assessment of the certificated personnel had to be in writing, conducted once each school year for probationary employees and every other year for permanent employees, and a copy

²³ Fiscal years 2005-2006, 2006-2007 and 2007-2008 were also part of the audit, but were not included in this IRC.

²⁴ Exhibit A, IRC, pages 80-98 (Final Audit Report).

²⁵ Exhibit A, IRC.

²⁶ Exhibit B, Controller’s Comments on the IRC.

²⁷ Exhibit C, Claimant’s Late Rebuttal Comments.

²⁸ Exhibit D, Draft Proposed Decision.

²⁹ Former Education Code sections 13485-13490.

transmitted to the employee no later than sixty days before the end of the school year. If the employee was not performing his or her duties in a satisfactory manner according to the standards, the “employing authority” was required to notify the employee in writing, describe the unsatisfactory performance, and confer with the employee in making specific recommendations as to areas of improvement and endeavor to assist in the improvement. The employee then had the right to initiate a written response to the evaluation, which became a permanent part of the employee’s personnel file. The school district was also required to hold a meeting with the employee to discuss the evaluation.

The Stull Act was amended from 1975 through 1999, and a test claim was filed on these amendments. On May 27, 2004, the Commission partially approved the Test Claim and adopted the Statement of Decision, finding that Statutes 1983, chapter 498 and Statutes 1999, chapter 4, which amended Education Code sections 44660-44665, impose a reimbursable state-mandated higher level of service on school districts. The Commission also found many activities in the Test Claim pertaining to certificated personnel were required under preexisting law and were therefore not reimbursable, such as developing and adopting specific evaluation and assessment guidelines for performance; evaluating and assessing them as it relates to the established standards; preparing and drafting a written evaluation, to include recommendations, if necessary, for areas of improvement; receiving and reviewing written responses to evaluations; and preparing for and holding a meeting with the evaluator to discuss the evaluation and assessment.³⁰ The Parameters and Guidelines were adopted on September 27, 2005, authorizing reimbursement for only the following activities:

A. Certificated Instructional Employees

1. Evaluate and assess the performance of certificated instructional employees that perform the requirements of educational programs mandated by state or federal law as it reasonably relates to the instructional techniques and strategies used by the employee and the employee's adherence to curricular objectives (Ed. Code, § 44662, subd. (b), as amended by Stats. 1983, ch. 498.). (*Reimbursement period begins July 1, 1997.*)

Reimbursement for this activity is limited to:

- a. reviewing the employee's instructional techniques and strategies and adherence to curricular objectives, and
- b. including in the written evaluation of the certificated instructional employees the assessment of these factors during the following evaluation periods:
 - once each year for probationary certificated employees;
 - every other year for permanent certificated employees; and
 - beginning January 1, 2004, every five years for certificated employees with permanent status who have been employed at

³⁰ Exhibit A, IRC, pages 28 and 35 (Statement of Decision).

least ten years with the school district, are highly qualified (as defined in 20 U.S.C. § 7801), and whose previous evaluation rated the employee as meeting or exceeding standards, if the evaluator and certificated employee being evaluated agree.

Note: For purposes of claiming reimbursement, eligible claimants must identify the state or federal law mandating the educational program being performed by the certificated instructional employees.

2. Evaluate and assess the performance of certificated instructional employees that teach reading, writing, mathematics, history/social science, and science in grades 2 to 11 as it reasonably relates to the progress of pupils towards the state adopted academic content standards as measured by state adopted assessment tests (Ed. Code, § 44662, subd. (b), as amended by Stats. 1999, ch. 4.). (*Reimbursement period begins March 15, 1999.*)

Reimbursement for this activity is limited to:

- a. reviewing the results of the Standardized Testing and Reporting test as it reasonably relates to the performance of those certificated employees that teach reading, writing, mathematics, history/social science, and science in grades 2 to 11, and
- b. including in the written evaluation of those certificated employees the assessment of the employee's performance based on the Standardized Testing and Reporting results for the pupils they teach during the evaluation periods specified in Education Code section 44664, and described below:
 - once each year for probationary certificated employees;
 - every other year for permanent certificated employees; and
 - beginning January 1, 2004, every five years for certificated employees with permanent status who have been employed at least ten years with the school district, are highly qualified (as defined in 20 U.S.C. § 7801), and whose previous evaluation rated the employee as meeting or exceeding standards, if the evaluator and certificated employee being evaluated agree.

B. Certificated (Instructional and Non-Instructional) Employees

1. Evaluate and assess permanent certificated, instructional and non-instructional, employees that perform the requirements of educational programs mandated by state or federal law and receive an unsatisfactory evaluation in the years in which the permanent certificated employee would not have otherwise been evaluated pursuant to Education Code section 44664 (i.e., every other year). The additional evaluations shall last until the employee achieves a positive evaluation, or is separated from the

school district (Ed. Code, § 44664, as amended by Stats. 1983, ch. 498).
(*Reimbursement period begins July 1, 1997.*)

This additional evaluation and assessment of the permanent certificated employee requires the school district to perform the following activities:

- a. evaluating and assessing the certificated employee performance as it reasonably relates to the following criteria: (1) the progress of pupils toward the standards established by the school district of expected pupil achievement at each grade level in each area of study, and, if applicable, the state adopted content standards as measured by state adopted criterion referenced assessments; (2) the instructional techniques and strategies used by the employee; (3) the employee's adherence to curricular objectives; (4) the establishment and maintenance of a suitable learning environment, within the scope of the employee's responsibilities; and, if applicable, (5) the fulfillment of other job responsibilities established by the school district for certificated non-instructional personnel (Ed. Code, § 44662, subs. (b) and (c));
- b. reducing the evaluation and assessment to writing (Ed. Code, § 44663, subd. (a)). The evaluation shall include recommendations, if necessary, as to areas of improvement in the performance of the employee. If the employee is not performing his or her duties in a satisfactory manner according to the standards prescribed by the governing board, the school district shall notify the employee in writing of that fact and describe the unsatisfactory performance (Ed. Code, § 44664, subd. (b));
- c. transmitting a copy of the written evaluation to the certificated employee (Ed. Code, § 44663, subd. (a));
- d. attaching any written reaction or response to the evaluation by the certificated employee to the employee's personnel file (Ed. Code, § 44663, subd. (a)); and
- e. conducting a meeting with the certificated employee to discuss the evaluation (Ed. Code, § 44553, subd. (a)).

Note: For purposes of claiming reimbursement, eligible claimants must identify the state or federal law mandating the educational program being performed by the certificated, instructional and non-instructional employees.

C. Training

1. Train staff on implementing the reimbursable activities listed in Section IV of these parameters and guidelines. (One-time activity for each employee.) (*Reimbursement period begins July 1, 1997.*)³¹

The Parameters and Guidelines also require claimants to submit contemporaneous source documentation to verify their actual costs:

To be eligible for mandated cost reimbursement for any fiscal year, only actual costs may be claimed. Actual costs are those costs actually incurred to implement the mandated activities. Actual costs must be traceable and supported by source documents that show the validity of such costs, when they were incurred, and their relationship to the reimbursable activities. A source document is a document created at or near the same time the actual cost was incurred for the event or activity in question. Source documents may include, but are not limited to, employee time records or time logs, sign-in sheets, invoices, and receipts.³²

Section V. of the Parameters and Guidelines authorizes reimbursement for employee salaries and benefits and directs claimants to:

Report each employee implementing the reimbursable activities by name, job classification, and productive hourly rate (total wages and related benefits divided by productive hours). Describe the specific reimbursable activities performed and the hours devoted to each reimbursable activity performed.

And section VI. of the Parameters and Guidelines requires claimants to retain all documentation until the ultimate resolution of any audit findings:

All documentation used to support the reimbursable activities, as described in Section IV., must be retained during the period subject to audit. If an audit has been initiated by the Controller during the period subject to audit, the retention period is extended until the ultimate resolution of any audit findings.³³

B. The Controller's Audit and Summary of the Issues

The Controller audited claimant's reimbursement claims for fiscal years 1997-1998 through 2004-2005, and 2006-2007 through 2007-2008 (no claims were filed for 2005-2006). The Controller reduced the reimbursement claims for fiscal years 1997-1998 through 2004-2005 to \$0 (an audit adjustment of \$1,270,420 in direct and indirect costs) because the claimant did not provide source documentation to support the average time claimed for each evaluation, or provide the Controller access to the employee evaluations completed during the audit period to support the number of employees evaluated.³⁴ Instead, the claimant supported the costs claimed for 1997-1998 through 2004-2005 with "Employee Average Time Records for Mandated Costs"

³¹ Exhibit A, IRC, pages 54-56 (Parameters and Guidelines).

³² Exhibit A, IRC, page 53 (Parameters and Guidelines).

³³ Exhibit A, IRC, pages 57-58 (Parameters and Guidelines).

³⁴ Exhibit A, IRC, pages 6 and 91 (Final Audit Report).

forms, prepared by the mandate consultant for purposes of claiming costs, on which each employee recorded an estimate of the average time performing the reimbursable activities for each evaluation for the audit period. Each form was signed by the staff evaluator in either February or March 2006, when the initial reimbursement claims were filed, and certified under penalty of perjury that a good faith estimate was being reported.³⁵ For example, the first form provided shows an average time to prepare for the evaluation of 50 minutes, 45 minutes for a goals and objectives conference with the instructor, 20 minutes for a pre-observation conference with the instructor, 40 minutes for the classroom observation of the instructor, 30 minutes for the post-observation conference with the instructor, 40 minutes for the final conference with the instructor, and 80 minutes to complete a district report, which totals roughly five hours for one evaluation as follows:³⁶

<u>Reimbursable Activities Codes:</u> Code 11 Preparing for the evaluation Code 12 Goals and objectives conference with instructor Code 13 Pre-observation conference with instructor Code 14 Classroom observation of instructor Code 15 Post-observation conference with instructor Code 16 Final conference with instructor Code 17 District reporting CLASSROOM TEACHER TIME IS NOT REIMBURSED		<u>Evaluation Criteria:</u> (A) district standards and test results (B) instructional techniques/strategies (C) adherence to curricular objectives (D) suitable learning environment			
Allocate the average time spent on each criterion (A-D) for each of the following evaluation steps:	Average time in Minutes				
	A	B	C	D	
Code 11 Preparing for the evaluation	20	10	10	10	
Code 12 Goals and objectives conference with instructor	15	10	10	10	
Code 13 Pre-observation conference with instructor	5	5	5	5	
Code 14 Classroom observation of instructor	10	10	10	10	
Code 15 Post-observation conference with instructor	5	10	10	5	
Code 16 Final conference with instructor	10	10	10	10	
Code 17 District Reporting	20	20	20	20	

Other “Employee Average Time Records for Mandated Costs” forms show estimates of five to 10 hours per evaluation, for a mean time of about 8 hours.³⁷

Although the IRC was filed only on the Controller’s reduction of costs claimed for fiscal years 1997-1998 to 2004-2005, the audit also included the reimbursement claims for fiscal years 2006-2007 and 2007-2008, for which no reductions occurred.

³⁵ Exhibit A, IRC, pages 91, 143-191.

³⁶ Exhibit A, IRC, page 143.

³⁷ Exhibit A, IRC, pages 143-191 (Employee Average Time Record for Mandated Costs forms). The mean of the first ten forms (pp. 143-153) is 8.05 hours.

For these two years, the district provided a list of employees who evaluated teachers, their title, productive hourly rate detail, as well as contemporaneous time documentation that supported an average time of approximately 30 minutes per allowable evaluation. The district also provided a list of teachers who were evaluated, which allowed the SCO auditors to determine which evaluations were reimbursable.³⁸

The audit report states that the claimant's time logs for 2006-2007 were not dated or signed by the employees, so the Controller determined the allowable salaries by obtaining the district's evaluation procedures and interviewing administrators who performed the evaluation activities in these fiscal years. Ten percent of the claimant's 23 school sites were randomly sampled and the Controller found an average time of approximately 30 minutes per allowable evaluation.³⁹ The Controller determined that the costs claimed for fiscal years 2006-2007 and 2007-2008 were understated by \$4,834, and the Final Audit Report indicates that the claimant "agreed to our recommendation that it allow half an hour for each written observation and final teacher evaluation verified."⁴⁰

In the response to the IRC, the Controller explained: "There is no reasonable means of applying the time allowance [from 2006-2008] to FY 1997-98 through FY 2004-05 without knowing the certificated instructional employees evaluated and the reimbursability of the evaluations."⁴¹

C. Post-IRC Negotiations

After the claimant filed the IRC, the Controller contacted the claimant and offered to adjust the audit findings if the claimant provided a list of every employee evaluated during those years.⁴² The Controller was emailed the list from the claimant on December 19, 2014.⁴³ On December 24, 2014, the Controller emailed the claimant to request clarification because the provided information appeared to be incomplete.⁴⁴ On January 5, 2015, the claimant emailed the Controller to confirm that the information provided was complete.⁴⁵ On January 21, 2015, the Controller emailed the claimant to explain that of the 1,698 employees listed by the claimant that received evaluations during the audit period, the Controller allowed 1,149 evaluations and excluded the rest because of duplicated evaluations for permanent employees performed in consecutive years, rather than every other year; duplicated evaluations performed in the same year; evaluations outside the audit period; and unallowable subjects or programs performed by

³⁸ Exhibit B, Controller's Comments on the IRC, page 13.

³⁹ Exhibit A, IRC, page 91 (Final Audit Report). Exhibit B, Controller's Comments on the IRC, page 13.

⁴⁰ Exhibit A, IRC, pages 91 and 92 (Final Audit Report).

⁴¹ Exhibit B, Controller's Comments on the IRC, page 14.

⁴² Exhibit B, Controller's Comments on the IRC, page 8.

⁴³ Exhibit B, Controller's Comments on the IRC, pages 8, 67-97, 100.

⁴⁴ Exhibit B, Controller's Comments on the IRC, pages 8, 99, 104-105.

⁴⁵ Exhibit B, Controller's Comments on the IRC, pages 8, 103-104.

certificated instructional employees.⁴⁶ The Controller offered to revise the audit to reimburse 30 minutes for each of the 1,149 evaluations (the same average time allowed for the 2006-2007 and 2007-2008 claims), and to augment the audit findings for 1997-1998 to 2004-2005 by \$35,967, plus indirect costs. On January 29, 2015, the claimant sent an email refusing the Controller's offer, arguing that five to six hours, rather than 30 minutes, is the average time to perform the mandated activities, as the Controller has found in other *Stull Act* audits.⁴⁷ As a result of the impasse, the Controller said it "did not expand [its] audit procedures to test the validity of the FY 1997-98 through FY 2004-05 listing of evaluations the district provided."⁴⁸ Therefore, the reimbursement claims at issue in this IRC all remain reduced to \$0.

III. Positions of the Parties

A. Oceanside Unified School District

The claimant argues that the Controller incorrectly reduced the costs claimed for fiscal years 1997-1998 through 2004-2005 and seeks reinstatement of \$1,270,420. The claimant argues that it provided a list of employees, title, and the employees' hourly rates for each fiscal year that evaluations were performed. It also provided average time records, copies of its collective bargaining agreements containing evaluation requirements, and policies and procedures on evaluations, all of which confirm that the activities were performed during the audit period. The claimant states that "[t]here can be no doubt the District's school site staff performed the reimbursable activities" and that "sufficient documentation" was provided to prove each school site performed the activities of assessing and evaluating certificated employees as required by the mandate.⁴⁹ The claimant also states:

Furthermore, the district complied fully with the requirements of the *Stull Act* during the claiming period and we feel that we submitted claims appropriate to the costs incurred. While we were able to supply supporting documentation, it was not accepted as sufficient by the audit team. The additional documentation requested was, and is, available but would be a significant drain on district resources, including staff and funds, to provide. Consequently, the district cannot expend any further time or resources to produce the requested records.⁵⁰

The claimant also relies on the Office of Management and Budget Circular A-87,⁵¹ which establishes standards for state and local governments to determine administrative costs applicable to grants, contracts, and other agreements with state and local governments. According to the claimant: "Randomly sampling workers to find out what they are working on is

⁴⁶ Exhibit B, Controller's Comments on the IRC, pages 15, 108.

⁴⁷ Exhibit B, Controller's Comments on the IRC, pages 15, 118.

⁴⁸ Exhibit B, Controller's Comments on the IRC, page 15.

⁴⁹ Exhibit A, IRC, pages 6-7.

⁵⁰ Exhibit A, IRC, (claimant's response to the Final Audit Report) page 98.

⁵¹ Exhibit A, IRC, page 244.

one of the federally approved methods of identifying worker effort. Such method is reasonable and may be implemented rather than 100 percent time reporting method.”⁵²

In late rebuttal comments submitted on May 4, 2015, the claimant states that “the time spent by District employees to conduct the reimbursable activities would average 6-7 hours per employee.”⁵³ The claimant further argues that the Controller’s audits on *The Stull Act* of other school district claims supports the average time claimed in this IRC. For example, the claimant refers to an audit finding of the average time spent for evaluations in the Poway Unified School District of 1.52 hours for permanent employees, 3.57 hours for non-permanent employees, and 12.93 hours for unsatisfactory evaluations. For the Norwalk-LaMirada Unified School District, the Controller allowed 1.89 hours for permanent employees, 3.07 hours for non-permanent employees, and 12.99 hours for unsatisfactory evaluations. And the claimant asserts that Long Beach Unified School District provided the same documentation to the Controller as the claimant, and was allowed an average of 2.14 hours for each evaluation for each fiscal year. The claimant argues that:

Documentation submitted by the claimant supports the reasonable time spent per evaluation of 6.40 hours [in] FY 1997-98 and 6.50 hours in FY 1998-99. For the claimant’s time to be limited by the Controller to 30 minutes is far below the other times accepted in School District audits and is inconsistent with the documentation submitted by the claimant. As a result [the] Controller’s decision to disallow the reimbursement claim is unreasonable, as well as arbitrary and capricious.⁵⁴

The claimant also argues that the Controller’s offer to revise the audit findings for fiscal year 1997-1998 after the IRC was filed, by allowing only four evaluations instead of 67, is arbitrary and capricious. The claimant concludes by stating that the “District accepts the Controller’s allowable total evaluations of 1,149 . . . adjusted for the evaluations for FY 1997-1998 for a total of 1,212. The Claimant’s adjusted reimbursement claim for FY 1997-1998 to FY 2004-2005 in the amount of \$181,800.00 is based on an average hourly rate of \$60.00 per hour at 2.5 hours per evaluation.”⁵⁵

B. State Controller’s Office

The Controller maintains that the reductions are correct and that the audit finding should be upheld because the district’s claims do not comply with the documentation requirements in the Parameters and Guidelines. Insufficient source documentation was provided to support the number of certificated instructional employees evaluated for 1997-1998 through 2004-2005. Actual cost documentation supporting the time to perform the reimbursable activities, a listing of certificated instructional employees evaluated, and the nature of the evaluations were provided only for 2006-07 and 2007-08. According to the Controller, “there is no reasonable means of applying the time allowance to FY 1997-98 through FY 2004-05 without knowing the

⁵² Exhibit A, IRC, page 7.

⁵³ Exhibit C, Claimant’s Late Rebuttal Comments, page 3.

⁵⁴ Exhibit C, Claimant’s Late Rebuttal Comments, page 4.

⁵⁵ Exhibit C, Claimant’s Late Rebuttal Comments, page 7.

certificated instructional employees evaluated and the reimbursability of the evaluations.”⁵⁶

As to the claimant’s reference to the Office of Management and Budget Circular A-87, the Controller notes that the “district did not provide the auditors with any reasonable sampling methodology to arrive at allowable costs.”⁵⁷ And in response to the claimant’s argument that the Controller authorized more time per evaluation in its other audits of *The Stull Act* program, the Controller states: “Time documentation supporting the reimbursable activities of the Stull Act Program for other audits is not relevant to this audit. The district’s records supported approximately 30 minutes for the reimbursable activities of the Stull Act Program, not five to six hours, as requested by Mr. Palkowitz.”⁵⁸

IV. Discussion

Government Code section 17561(d) authorizes the Controller to audit the claims filed by local agencies and school districts and to reduce any claim for reimbursement of state mandated costs that the Controller determines is excessive or unreasonable.

Government Code Section 17551(d) requires the Commission to hear and decide a claim that the Controller has incorrectly reduced payments to the local agency or school district. If the Commission determines that a reimbursement claim has been incorrectly reduced, section 1185.9 of the Commission’s regulations requires the Commission to send the decision to the Controller and request that the costs in the claim be reinstated.

The Commission must review questions of law, including interpretation of the parameters and guidelines, *de novo*, without consideration of legal conclusions made by the Controller in the context of an audit. The Commission is vested with exclusive authority to adjudicate disputes over the existence of state-mandated programs within the meaning of article XIII B, section 6.⁵⁹ The Commission must also interpret the Government Code and implementing regulations in accordance with the broader constitutional and statutory scheme. In making its decisions, the Commission must strictly construe article XIII B, section 6 and not apply it as an “equitable remedy to cure the perceived unfairness resulting from political decisions on funding priorities.”⁶⁰

With regard to the Controller’s audit decisions, the Commission must determine whether they were arbitrary, capricious, or entirely lacking in evidentiary support. This standard is similar to

⁵⁶ Exhibit B, Controller’s Comments on the IRC, page 14.

⁵⁷ Exhibit B, Controller’s Comments on the IRC, page 14.

⁵⁸ Exhibit B, Controller’s Comments on the IRC, page 14.

⁵⁹ Government Code sections 17551, 17552; *Kinlaw v. State of California* (1991) 54 Cal.3d 326, 331-334.

⁶⁰ *County of Sonoma v. Commission on State Mandates* (2000) 84 Cal.App.4th 1264, 1281, citing *City of San Jose v. State of California* (1996) 45 Cal.App.4th 1802, 1817.

the standard used by the courts when reviewing an alleged abuse of discretion of a state agency.⁶¹ Under this standard, the courts have found that:

When reviewing the exercise of discretion, “[t]he scope of review is limited, out of deference to the agency’s authority and presumed expertise: ‘The court may not reweigh the evidence or substitute its judgment for that of the agency. [Citation.]’” ... “In general ... the inquiry is limited to whether the decision was arbitrary, capricious, or entirely lacking in evidentiary support. . . .” [Citations.] When making that inquiry, the “ ‘ ‘court must ensure that an agency has adequately considered all relevant factors, and has demonstrated a rational connection between those factors, the choice made, and the purposes of the enabling statute.’ ”⁶²

The Commission must review the Controller’s audit in light of the fact that the initial burden of providing evidence for a claim of reimbursement lies with the claimant.⁶³ In addition, sections 1185.1(f)(3) and 1185.2(c) of the Commission’s regulations require that any assertions of fact by the parties to an IRC must be supported by documentary evidence. The Commission’s ultimate findings of fact must be supported by substantial evidence in the record.⁶⁴

Because the Claimant Did Not Provide the Controller with Contemporaneous Source Documentation of Actual Costs, as Required by the Parameters and Guidelines, the Controller’s Reductions Are Correct as a Matter of Law.

After a test claim is approved, the Commission adopts parameters and guidelines to provide instructions for eligible claimants to prepare reimbursement claims for the direct and indirect costs incurred under a state-mandated program.⁶⁵ At the time the earlier reimbursement claims in this case were filed, the Government Code also stated “[c]laims for direct and indirect costs filed pursuant to Section 17561 shall be filed in the manner prescribed in the parameters and guidelines.”⁶⁶ The parameters and guidelines are regulatory, in that before their adoption, notice and an opportunity to comment on them are provided, and a full quasi-judicial hearing is held.⁶⁷ Once adopted, whether after judicial review or without it, the parameters and guidelines are final

⁶¹ *Johnston v. Sonoma County Agricultural Preservation and Open Space District* (2002) 100 Cal.App.4th 973, 983-984; *American Bd. of Cosmetic Surgery, Inc. v. Medical Bd. of California* (2008) 162 Cal.App.4th 534, 547.

⁶² *American Bd. of Cosmetic Surgery, Inc. v. Medical Bd. of California* (2008) 162 Cal.App.4th 534, 547-548.

⁶³ *Gilbert v. City of Sunnyvale* (2005) 130 Cal.App.4th 1264, 1274-1275.

⁶⁴ Government Code section 17559(b), which provides that a claimant or the state may commence a proceeding in accordance with the provisions of section 1094.5 of the Code of Civil Procedure to set aside a decision of the Commission on the ground that the Commission’s decision is not supported by substantial evidence in the record.

⁶⁵ Government Code section 17557; California Code of Regulations, title 2, section 1183.7(e).

⁶⁶ Government Code section 17564, as amended by Statutes 1999, chapter 643.

⁶⁷ *Clovis Unified School Dist. v. Chiang* (2010) 188 Cal.App.4th 794, 799, 805, and 808.

and binding on the parties.⁶⁸ The Controller may audit the records of the claimant “to verify the actual amount of the mandated costs” claimed in a reimbursement claim, and reduce any claim that the Controller determines is excessive or unreasonable.⁶⁹

The Parameters and Guidelines adopted for *The Stull Act* program authorize claimants to request reimbursement for actual costs incurred and require claimants and to keep contemporaneous source documentation (documentation created at or near the same time the actual costs was incurred) to support the costs claimed:

To be eligible for mandated cost reimbursement for any fiscal year, only actual costs may be claimed. Actual costs are those costs actually incurred to implement the mandated activities. Actual costs must be traceable and supported by source documents that show the validity of such costs, when they were incurred, and their relationship to the reimbursable activities. A source document is a document created at or near the same time the actual cost was incurred for the event or activity in question. Source documents may include, but are not limited to, employee time records or time logs, sign-in sheets, invoices, and receipts.⁷⁰

Section V. of the Parameters and Guidelines authorizes reimbursement for employee salaries and benefits and directs claimants to do the following:

Report each employee implementing the reimbursable activities by name, job classification, and productive hourly rate (total wages and related benefits divided by productive hours). *Describe the specific reimbursable activities performed and the hours devoted to each reimbursable activity performed.*⁷¹

And section VI. of the Parameters and Guidelines requires claimants to retain all documentation until the ultimate resolution of any audit findings.⁷²

The record indicates that the documentation provided to the Controller for fiscal years 1997-2005 consists of average time forms signed by claimed staff in February or March of 2006, when the initial reimbursement claims for the program were submitted to the Controller. Each employee (evaluator) estimated the average minutes spent annually to perform evaluation activities for 1997-1998 through 2004-2005 on a single form, with estimates generally ranging from 5 to 10 hours per evaluation,⁷³ and certified under penalty of perjury that actual data or a good faith estimate was reported. Claimant also provided a list of the evaluators,⁷⁴ and

⁶⁸ *California School Boards Association v. State of California* (2009) 171 Cal.App.4th 1183, 1201.

⁶⁹ Government Code section 17561(d)(2)(A)(i) and (B).

⁷⁰ Exhibit A, IRC, page 53 (Parameters and Guidelines).

⁷¹ Exhibit A, IRC, page 56 (Parameters and Guidelines), emphasis added.

⁷² Exhibit A, IRC, page 57 (Parameters and Guidelines).

⁷³ Exhibit A, IRC, pages 143-191 (Employee Average Time Record for Mandated Costs forms). The mean of the first ten forms (pp. 143-153) is 8.05 hours.

⁷⁴ Exhibit A, IRC, pages 101-141.

collective bargaining agreements from 1994 to 2007, describing its evaluation policies and procedures during the audit period.⁷⁵

This documentation, however, does not verify the *actual* time taken to perform the mandated activities during the audit period, as required by the Parameters and Guidelines. Nor was the documentation prepared at or near the same time as the reimbursable activity was performed, as required by the Parameters and Guidelines. Rather, the time records were all signed in February or March 2006,⁷⁶ raising questions of whether the estimated times of five to 10 hours is accurate and reliable, especially in light of the Controller's calculation for 2006-2007 and 2007-2008 that showed that each evaluation took only 30 minutes, or more time than the district claimed for those years.⁷⁷

Moreover, the documentation provided during the audit does not identify the employees evaluated, which is necessary to determine whether the costs claimed were limited to the scope of the mandate. This program was approved only as a higher level of service and thus, not all activities required by the Education Code to evaluate employees are reimbursable. The scope of the mandate is limited to: (1) the evaluation of certificated instructional personnel who perform the requirements of educational programs mandated by state or federal law as it reasonably relates only to the instructional techniques and strategies used by the employee and the employee's adherence to curricular objectives; (2) the evaluation of certificated instructional employees that teach core subjects in grades 2 to 11 as it reasonably relates to the progress of pupils on state adopted content standards and assessment tests; and (3) the continued evaluation of permanent certificated employees that perform the requirements of educational programs mandated by state or federal law and receive an unsatisfactory evaluation.⁷⁸

After the audit was completed and the IRC filed, the claimant provided to the Controller a list of every employee evaluated during the audit years in question.⁷⁹ As part of its offer to revise the audit findings, the Controller said that of the 1,698 employees listed by the claimant that received evaluations for the audit period, the Controller allowed 1,149 evaluations and excluded the rest because the information the claimant provided indicated there were duplicated evaluations for permanent employees performed in consecutive years, rather than every other year; duplicated evaluations performed in the same year; evaluations made outside of the IRC period; and unallowable subjects or programs performed by certificated instructional employees.⁸⁰ The claimant, however, did not provide any time logs or other contemporaneous documentation to support the time for each evaluation. Nevertheless, the Controller offered to provide limited reimbursement for those years for 1,149 evaluations at 30 minutes per

⁷⁵ Exhibit A, IRC, pages 193-240.

⁷⁶ Exhibit A, IRC, pages 143-191.

⁷⁷ Exhibit A, IRC, pages 91 and 92 (Final Audit Report). Exhibit B, Controller's Comments on the IRC, page 13.

⁷⁸ Exhibit A, IRC, pages 54-56 (Parameters and Guidelines).

⁷⁹ Exhibit B, Controller's Comments on the IRC, page 14. The list is on pages 69-97 of Exhibit B.

⁸⁰ Exhibit B, Controller's Comments on the IRC, pages 15 and 108.

evaluation, based on the time logs prepared by the claimant's employees at or near the time the reimbursable activities were performed in fiscal years 2006-2007 and 2007-2008.⁸¹ The claimant rejected this offer, insisting that each evaluation took five to six hours, as the Controller has found in audits of *The Stull Act* program in other school districts.⁸²

In rebuttal comments, the claimant states that the correct number of evaluations for 1997-1998 is 67 (instead of the four allowed by the Controller in the post-IRC negotiations) and that "the time spent by District employees to conduct the reimbursable activities would average 6-7 hours per employee."⁸³ But the rebuttal comments conclude that each evaluation should be reimbursed at 2.5 hours as follows:

The District accepts the Controller's allowable total evaluations of 1,149 . . . adjusted for the evaluations for FY 1997-1998 for a total of 1,212. The Claimant's adjusted reimbursement claim for FY 1997-1998 to FY 2004-2005 in the amount of \$181,800.00 is based on an average hourly rate of \$60.00 per hour at 2.5 hours per evaluation.⁸⁴

The Commission finds that the claimant's various assertions that the evaluations took either five to six hours, or six to seven hours, or 2.5 hours, are not supported by any contemporaneous source documentation to verify the actual time to perform the activities, as required by the Parameters and Guidelines. Moreover, the claimant's assertion that evaluations take 2.5 hours is not supported by any evidence in the record. Section 1185.1 of the Commission's regulations requires all assertions of fact in an IRC shall be supported by testimonial or documentary evidence and shall be submitted in accordance with section 1187.5 of the regulations. Section 1187.5 requires that written representations of fact shall be under oath or affirmation by persons who are authorized and competent to so, based on the declarant's personal knowledge or information or belief. The Controller's audits of the records of other school districts is not relevant to the claimant's audit here and, pursuant to section 1187.5(a) of the Commission's regulations, non-relevant evidence must be excluded.⁸⁵

Accordingly, the Commission finds that the claimant did not comply with the requirements of the Parameters and Guidelines because no contemporaneous source documentation was provided and the documentation that was provided was insufficient to support the claimant's actual costs, and thus, the Controller's reduction of costs claimed is correct as a matter of law.

V. Conclusion

For the reasons discussed above, the Commission denies this IRC.

⁸¹ Exhibit B, Controller's Comments on the IRC, pages 14 and 108.

⁸² Exhibit B, Controller's Comments on the IRC, pages 15 and 118.

⁸³ Exhibit C, Claimant's Late Rebuttal Comments, page 3.

⁸⁴ Exhibit C, Claimant's Late Rebuttal Comments, page 7.

⁸⁵ California Code of Regulations, title 2, sections 1185.1 and 1187.5.

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 June 17, 2016, I served the:

Draft Proposed Decision, Schedule for Comments, and Notice of Hearing

The Stull Act, 14-9825-I-01

Education Code Section 44660-44665

Statutes 1983, Chapter 498; Statutes 1999, Chapter 4

Fiscal Years: 1997-1998, 1998-1999, 1999-2000, 2000-2001, 2001-2002, 2002-2003, 2003-2004, and 2004-2005

Oceanside Unified School 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 June 17, 2016 at Sacramento, California.



Jill L. Magee

Commission on State Mandates

980 Ninth Street, Suite 300

Sacramento, CA 95814

(916) 323-3562

COMMISSION ON STATE MANDATES

Mailing List

Last Updated: 3/24/16

Claim Number: 14-9825-I-01

Matter: The Stull Act

Claimant: Oceanside Unified School 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.)

Socorro Aquino, *State Controller's Office*

Division of Audits, 3301 C Street, Suite 700, Sacramento, CA 95816

Phone: (916) 322-7522

SAquino@sco.ca.gov

Lacey Baysinger, *State Controller's Office*

Division of Accounting and Reporting, 3301 C Street, Suite 700, Sacramento, CA 95816

Phone: (916) 324-0254

lbaysinger@sco.ca.gov

Marieta Delfin, *State Controller's Office*

Division of Accounting and Reporting, 3301 C Street, Suite 700, Sacramento, CA 95816

Phone: (916) 322-4320

mdelfin@sco.ca.gov

Donna Ferebee, *Department of Finance*

915 L Street, Suite 1280, Sacramento, CA 95814

Phone: (916) 445-3274

donna.ferebee@dof.ca.gov

Chris Ferguson, *Department of Finance*

Education Systems Unit, 915 L Street, 7th Floor, 915 L Street, 7th Floor, Sacramento, CA 95814

Phone: (916) 445-3274

Chris.Ferguson@dof.ca.gov

Susan Geanacou, *Department of Finance*

915 L Street, Suite 1280, Sacramento, CA 95814

Phone: (916) 445-3274

susan.geanacou@dof.ca.gov

Rebecca Hamilton, *Department of Finance*

Education Systems Unit, 915 L Street, 7th Floor, Sacramento, CA 95814
Phone: (916) 445-0328
Rebecca.Hamilton@dof.ca.gov

Ed Hanson, *Department of Finance*
Education Systems Unit, 915 L Street, 7th Floor, Sacramento, CA 95814
Phone: (916) 445-0328
ed.hanson@dof.ca.gov

Karen Huddleston, *Controller, Oceanside Unified School District*
2111 Mission Avenue, Oceanside, CA 92058
Phone: (760) 966-4045
khuddleston@oside.k12.ca.us

Jill Kanemasu, *State Controller's Office*
Division of Accounting and Reporting, 3301 C Street, Suite 700, Sacramento, CA 95816
Phone: (916) 322-9891
jkanemasu@sco.ca.gov

Dan Kaplan, *Fiscal & Policy Analyst, Legislative Analyst's Office*
925 L Street, Suite 1000, Sacramento, CA 95814
Phone: (916) 319-8353
Dan.Kaplan@lao.ca.gov

Anne Kato, *State Controller's Office*
Division of Accounting and Reporting, 3301 C Street, Suite 700, Sacramento, CA 95816
Phone: (916) 324-5919
akato@sco.ca.gov

Shelly Kruse, *Accountant, Oceanside Unified School District*
Fiscal Services, 2111 Mission Avenue, Oceanside, CA 92058
Phone: (760) 966-4440
michelle.kruse@oside.us

Jay Lal, *State Controller's Office (B-08)*
Division of Accounting & Reporting, 3301 C Street, Suite 700, Sacramento, CA 95816
Phone: (916) 324-0256
JLal@sco.ca.gov

Kathleen McPerry, *Administrative Secretary II, to Karen Huddleston, Controller, Oceanside Unified School District*
Fiscal Services, 2111 Mission Avenue, Oceanside, CA 92058
Phone: (760) 966-4038
kmcperry@oside.us

Yazmin Meza, *Department of Finance*
915 L Street, Sacramento, CA 95814
Phone: (916) 445-0328
Yazmin.meza@dof.ca.gov

Robert Miyashiro, *Education Mandated Cost Network*
1121 L Street, Suite 1060, Sacramento, CA 95814
Phone: (916) 446-7517
robertm@sscal.com

Keith Nezaam, *Department of Finance*
915 L Street, 8th Floor, Sacramento, CA 95814
Phone: (916) 445-8913

Keith.Nezaam@dof.ca.gov

Andy Nichols, *Nichols Consulting*
1857 44th Street, Sacramento, CA 95819
Phone: (916) 455-3939
andy@nichols-consulting.com

Christian Osmena, *Department of Finance*
915 L Street, Sacramento, CA 95814
Phone: (916) 445-0328
christian.osmena@dof.ca.gov

Arthur Palkowitz, *Artiano Shinoff & Holtz, APC*
Claimant Representative
2488 Historic Decatur Road, Suite 200, San Diego, CA 92106
Phone: (619) 232-3122
apalkowitz@sashlaw.com

Keith Petersen, *SixTen & Associates*
P.O. Box 340430, Sacramento, CA 95834-0430
Phone: (916) 419-7093
kbsixten@aol.com

Sandra Reynolds, *Reynolds Consulting Group, Inc.*
P.O. Box 894059, Temecula, CA 92589
Phone: (951) 303-3034
sandrareynolds_30@msn.com

Carla Shelton, *Commission on State Mandates*
980 9th Street, Suite 300, Sacramento, CA 95814
Phone: (916) 327-6490
carla.shelton@csm.ca.gov

Jim Spano, Chief, Mandated Cost Audits Bureau, *State Controller's Office*
Division of Audits, 3301 C Street, Suite 700, Sacramento, CA 95816
Phone: (916) 323-5849
jspano@sco.ca.gov

Dennis Speciale, *State Controller's Office*
Division of Accounting and Reporting, 3301 C Street, Suite 700, Sacramento, CA 95816
Phone: (916) 324-0254
DSpeciale@sco.ca.gov



RECEIVED
June 29, 2016
Commission on
State Mandates

BETTY T. YEE
California State Controller

June 29, 2016

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

Re: **Draft Proposed Decision**
Incorrect Reduction Claim
The Stull Act, 14-9825-I-01
Education Code Section 44660-44665
Statutes 1983, Chapter 498; Statutes 1999, Chapter 4
Fiscal Years: 1997-1998, 1998-1999, 1999-2000, 2000-2001, 2001-2002,
2002-03, 2003-04 and 2004-05
Oceanside Unified School District, Claimant

Dear Ms. Halsey:

The State Controller's Office (SCO) has reviewed the Commission on State Mandates' (Commission) draft staff analysis dated June 17, 2016, for the above incorrect reduction claim filed by Oceanside Unified School District. We support the Commission's conclusion and recommendation.

The Commission supported the SCO adjustment related to inadequate source documentation provided by the claimant because the documentation did not comply with the program's parameters and guidelines.

If you have any questions, please contact me by telephone at (916) 323-5849.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim L. Spano".

JIM L. SPANO, Chief
Mandated Cost Audits Bureau
Division of Audits

P.O. Box 942850, Sacramento, CA 94250 ♦ (916) 445-2636
3301 C Street, Suite 700, Sacramento, CA 95816 ♦ (916) 324-8907
901 Corporate Center Drive, Suite 200, Monterey Park, CA 91754 ♦ (323) 981-6802

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 July 5, 2016, I served the:

SCO Comment on the Draft Proposed Decision

The Stull Act, 14-9825-I-01

Education Code Section 44660-44665

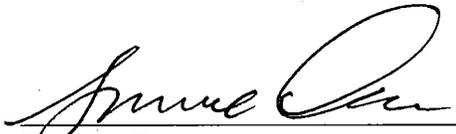
Statutes 1983, Chapter 498; Statutes 1999, Chapter 4

Fiscal Years: 1997-1998, 1998-1999, 1999-2000, 2000-2001, 2001-2002, 2002-2003, 2003-2004, and 2004-2005

Oceanside Unified School 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 July 5, 2016 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: 3/24/16

Claim Number: 14-9825-I-01

Matter: The Stull Act

Claimant: Oceanside Unified School District

TO ALL PARTIES, INTERESTED PARTIES, AND INTERESTED PERSONS:

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Socorro Aquino, *State Controller's Office*

Division of Audits, 3301 C Street, Suite 700, Sacramento, CA 95816

Phone: (916) 322-7522

SAquino@sco.ca.gov

Lacey Baysinger, *State Controller's Office*

Division of Accounting and Reporting, 3301 C Street, Suite 700, Sacramento, CA 95816

Phone: (916) 324-0254

lbaysinger@sco.ca.gov

Marieta Delfin, *State Controller's Office*

Division of Accounting and Reporting, 3301 C Street, Suite 700, Sacramento, CA 95816

Phone: (916) 322-4320

mdelfin@sco.ca.gov

Donna Ferebee, *Department of Finance*

915 L Street, Suite 1280, Sacramento, CA 95814

Phone: (916) 445-3274

donna.ferebee@dof.ca.gov

Chris Ferguson, *Department of Finance*

Education Systems Unit, 915 L Street, 7th Floor, 915 L Street, 7th Floor, Sacramento, CA 95814

Phone: (916) 445-3274

Chris.Ferguson@dof.ca.gov

Susan Geanacou, *Department of Finance*

915 L Street, Suite 1280, Sacramento, CA 95814

Phone: (916) 445-3274

susan.geanacou@dof.ca.gov

Rebecca Hamilton, *Department of Finance*

Education Systems Unit, 915 L Street, 7th Floor, Sacramento, CA 95814
Phone: (916) 445-0328
Rebecca.Hamilton@dof.ca.gov

Ed Hanson, *Department of Finance*
Education Systems Unit, 915 L Street, 7th Floor, Sacramento, CA 95814
Phone: (916) 445-0328
ed.hanson@dof.ca.gov

Karen Huddleston, *Controller, Oceanside Unified School District*
2111 Mission Avenue, Oceanside, CA 92058
Phone: (760) 966-4045
khuddleston@oside.k12.ca.us

Jill Kanemasu, *State Controller's Office*
Division of Accounting and Reporting, 3301 C Street, Suite 700, Sacramento, CA 95816
Phone: (916) 322-9891
jkanemasu@sco.ca.gov

Dan Kaplan, *Fiscal & Policy Analyst, Legislative Analyst's Office*
925 L Street, Suite 1000, Sacramento, CA 95814
Phone: (916) 319-8353
Dan.Kaplan@lao.ca.gov

Anne Kato, *State Controller's Office*
Division of Accounting and Reporting, 3301 C Street, Suite 700, Sacramento, CA 95816
Phone: (916) 324-5919
akato@sco.ca.gov

Shelly Kruse, *Accountant, Oceanside Unified School District*
Fiscal Services, 2111 Mission Avenue, Oceanside, CA 92058
Phone: (760) 966-4440
michelle.kruse@oside.us

Jay Lal, *State Controller's Office (B-08)*
Division of Accounting & Reporting, 3301 C Street, Suite 700, Sacramento, CA 95816
Phone: (916) 324-0256
JLal@sco.ca.gov

Kathleen McPerry, *Administrative Secretary II, to Karen Huddleston, Controller, Oceanside Unified School District*
Fiscal Services, 2111 Mission Avenue, Oceanside, CA 92058
Phone: (760) 966-4038
kmcperry@oside.us

Yazmin Meza, *Department of Finance*
915 L Street, Sacramento, CA 95814
Phone: (916) 445-0328
Yazmin.meza@dof.ca.gov

Robert Miyashiro, *Education Mandated Cost Network*
1121 L Street, Suite 1060, Sacramento, CA 95814
Phone: (916) 446-7517
robertm@sscal.com

Keith Nezaam, *Department of Finance*
915 L Street, 8th Floor, Sacramento, CA 95814
Phone: (916) 445-8913

Keith.Nezaam@dof.ca.gov

Andy Nichols, *Nichols Consulting*
1857 44th Street, Sacramento, CA 95819
Phone: (916) 455-3939
andy@nichols-consulting.com

Christian Osmena, *Department of Finance*
915 L Street, Sacramento, CA 95814
Phone: (916) 445-0328
christian.osmena@dof.ca.gov

Arthur Palkowitz, *Artiano Shinoff & Holtz, APC*
Claimant Representative
2488 Historic Decatur Road, Suite 200, San Diego, CA 92106
Phone: (619) 232-3122
apalkowitz@sashlaw.com

Keith Petersen, *SixTen & Associates*
P.O. Box 340430, Sacramento, CA 95834-0430
Phone: (916) 419-7093
kbsixten@aol.com

Sandra Reynolds, *Reynolds Consulting Group, Inc.*
P.O. Box 894059, Temecula, CA 92589
Phone: (951) 303-3034
sandrareynolds_30@msn.com

Carla Shelton, *Commission on State Mandates*
980 9th Street, Suite 300, Sacramento, CA 95814
Phone: (916) 327-6490
carla.shelton@csm.ca.gov

Jim Spano, Chief, Mandated Cost Audits Bureau, *State Controller's Office*
Division of Audits, 3301 C Street, Suite 700, Sacramento, CA 95816
Phone: (916) 323-5849
jspano@sco.ca.gov

Dennis Speciale, *State Controller's Office*
Division of Accounting and Reporting, 3301 C Street, Suite 700, Sacramento, CA 95816
Phone: (916) 324-0254
DSpeciale@sco.ca.gov

Arthur M. Palkowitz
619.881-1288
apalkowitz@as7law.com

RECEIVED
July 08, 2016
**Commission on
State Mandates**

July 8, 2016

Exhibit F

Heather Halsey
Executive Director
Commission on State Mandates
980 9th Street, Suite 300
Sacramento, CA 95814

Re: Case Name: The Stull Act Program (14-9825-I-01)
Written Comments to Draft Proposed Decision
Claimant: Oceanside Unified School District

Dear Ms. Halsey:

Oceanside Unified School District (“Claimant”) files the following written comments in response to the Draft Proposed Decision.

A. Introduction

Claimant has provided ample evidence they are entitled to reimbursement for performing the reimbursable activities required by the mandate. Despite this, State Controller Office (“Controller”) rejected 99% of the claimant's reimbursement claim despite Controller's revised audit findings that concluded 1,149 evaluations were performed. As a result, the denial of the claim is arbitrary and capricious and must be reversed.

B. Summary

Oceanside Unified School District (“the District”) filed claims for reimbursement of costs that the District incurred during Fiscal Years 1997-1998, 1998-1999, 1999-2000, 2000-2001, 2001-2002, 2002-2003, 2003-2004, 2004-2005 (eight claims) to implement the state mandated Stull Program Act Program set forth in Chapter 498, Statutes (Chapter 498/83) and Chapter 4, Statutes of 1999 (Chapter 4/99). The costs claimed were primarily for the salaries and benefits of the school site staff and related indirect costs. Controller denied claimant’s costs contending the District did not support claimed costs with source documents.

The reimbursable activities include the following:

1. Preparing the evaluation;
2. Goals and objectives conference with instructor;

Case Name: The Stull Act Program

3. Pre-observation conference with instructor;
4. Classroom observation with instructor;
5. Post observation conference with instructor;
6. Final conference with instructor;
7. Conducting final conferences; written evaluations;
8. District reporting.

C. Analysis

The guidelines for the Stull Act program were adopted September 27, 2005, by the Commission. The initial claim period, Fiscal Years 1997-1998, 1998-1999, 1999-2000, 2000-2001, 2001-2002, 2002-2003, 2003-2004, 2004-2005, predates the date of guideline adoption. Controller's application of an overly narrow interpretation of the supporting documentation guideline language to claims prior to the fiscal year 2005/06 violates the Clovis Unified School District appellate court decision dated September 21, 2010. This decision found Controller could not apply contemporaneous source documentation requirements (CSDR) prior to the date the CSDR language was actually approved by Commission on State Mandates and added to a program's guidelines.

Claimant's claim that 2.5 hours were incurred for each evaluation is based on the Controller's audit from a comparable neighboring district, also serving grades k-12; as well as other time studies accepted by the Controller during the audits of other school districts. (Ex. P-T) The Draft Proposed Decision provides no legal authority, as there is none, to exclude the time studies from the as the basis for claimant's claim.

Effectively the time studies included in the Controller's audits created a Reasonable Reimbursement Methodology, a uniform cost allowance, in conformity with Government Code section 17518.5(b), as it is based on cost information from a representative sample of eligible claimants, information provided by association of local agencies and school districts, or other projections of local costs. The time study of 2.5 hours per evaluation is reliable since auditing of reimbursement claims is not a prerequisite for the development and approval of a reasonable reimbursement methodology. (Cal. Code Regs., § 1183.12)

Time studies have been acceptable methodologies for reimbursement in lieu of or in support of contemporaneous records. To disregard its application, especially when the time studies have been approved by the Controller is an abuse of discretion. To conclude the reimbursable activities listed above were conducted in 30 minutes, allows less than 4 minutes

Artiano Shinoff

Heather Halsey
Executive Director
Commission on State Mandates

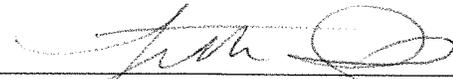
July 8, 2016
Page 3

Case Name: The Stull Act Program

for each activity to be completed. An analysis of each activity easily concludes otherwise. As such the record includes evidence, as required by the Commission's regulations, to justify reimbursement at 2.5 hours per evaluation.

CERTIFICATION

I certify by my signature below, under penalty of perjury under the laws of the State of California, that the statements made in this document are true and complete to the best of my own personal knowledge or information and belief.



Arthur M. Palkowitz
Attorney for the Claimant

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 July 8, 2016, I served the:

Claimant Comments on the Draft Proposed Decision

The Stull Act, 14-9825-I-01

Education Code Section 44660-44665

Statutes 1983, Chapter 498; Statutes 1999, Chapter 4

Fiscal Years: 1997-1998, 1998-1999, 1999-2000, 2000-2001, 2001-2002, 2002-2003, 2003-2004, and 2004-2005

Oceanside Unified School 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 July 8, 2016 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: 3/24/16

Claim Number: 14-9825-I-01

Matter: The Stull Act

Claimant: Oceanside Unified School District

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Socorro Aquino, *State Controller's Office*

Division of Audits, 3301 C Street, Suite 700, Sacramento, CA 95816

Phone: (916) 322-7522

SAquino@sco.ca.gov

Lacey Baysinger, *State Controller's Office*

Division of Accounting and Reporting, 3301 C Street, Suite 700, Sacramento, CA 95816

Phone: (916) 324-0254

lbaysinger@sco.ca.gov

Marieta Delfin, *State Controller's Office*

Division of Accounting and Reporting, 3301 C Street, Suite 700, Sacramento, CA 95816

Phone: (916) 322-4320

mdelfin@sco.ca.gov

Donna Ferebee, *Department of Finance*

915 L Street, Suite 1280, Sacramento, CA 95814

Phone: (916) 445-3274

donna.ferebee@dof.ca.gov

Chris Ferguson, *Department of Finance*

Education Systems Unit, 915 L Street, 7th Floor, 915 L Street, 7th Floor, Sacramento, CA 95814

Phone: (916) 445-3274

Chris.Ferguson@dof.ca.gov

Susan Geanacou, *Department of Finance*

915 L Street, Suite 1280, Sacramento, CA 95814

Phone: (916) 445-3274

susan.geanacou@dof.ca.gov

Rebecca Hamilton, *Department of Finance*

Education Systems Unit, 915 L Street, 7th Floor, Sacramento, CA 95814
Phone: (916) 445-0328
Rebecca.Hamilton@dof.ca.gov

Ed Hanson, *Department of Finance*
Education Systems Unit, 915 L Street, 7th Floor, Sacramento, CA 95814
Phone: (916) 445-0328
ed.hanson@dof.ca.gov

Karen Huddleston, *Controller, Oceanside Unified School District*
2111 Mission Avenue, Oceanside, CA 92058
Phone: (760) 966-4045
khuddleston@oside.k12.ca.us

Jill Kanemasu, *State Controller's Office*
Division of Accounting and Reporting, 3301 C Street, Suite 700, Sacramento, CA 95816
Phone: (916) 322-9891
jkanemasu@sco.ca.gov

Dan Kaplan, *Fiscal & Policy Analyst, Legislative Analyst's Office*
925 L Street, Suite 1000, Sacramento, CA 95814
Phone: (916) 319-8353
Dan.Kaplan@lao.ca.gov

Anne Kato, *State Controller's Office*
Division of Accounting and Reporting, 3301 C Street, Suite 700, Sacramento, CA 95816
Phone: (916) 324-5919
akato@sco.ca.gov

Shelly Kruse, *Accountant, Oceanside Unified School District*
Fiscal Services, 2111 Mission Avenue, Oceanside, CA 92058
Phone: (760) 966-4440
michelle.kruse@oside.us

Jay Lal, *State Controller's Office (B-08)*
Division of Accounting & Reporting, 3301 C Street, Suite 700, Sacramento, CA 95816
Phone: (916) 324-0256
JLal@sco.ca.gov

Kathleen McPerry, *Administrative Secretary II, to Karen Huddleston, Controller, Oceanside Unified School District*
Fiscal Services, 2111 Mission Avenue, Oceanside, CA 92058
Phone: (760) 966-4038
kmcperry@oside.us

Yazmin Meza, *Department of Finance*
915 L Street, Sacramento, CA 95814
Phone: (916) 445-0328
Yazmin.meza@dof.ca.gov

Robert Miyashiro, *Education Mandated Cost Network*
1121 L Street, Suite 1060, Sacramento, CA 95814
Phone: (916) 446-7517
robertm@sscal.com

Keith Nezaam, *Department of Finance*
915 L Street, 8th Floor, Sacramento, CA 95814
Phone: (916) 445-8913

Keith.Nezaam@dof.ca.gov

Andy Nichols, *Nichols Consulting*
1857 44th Street, Sacramento, CA 95819
Phone: (916) 455-3939
andy@nichols-consulting.com

Christian Osmena, *Department of Finance*
915 L Street, Sacramento, CA 95814
Phone: (916) 445-0328
christian.osmena@dof.ca.gov

Arthur Palkowitz, *Artiano Shinoff & Holtz, APC*
Claimant Representative
2488 Historic Decatur Road, Suite 200, San Diego, CA 92106
Phone: (619) 232-3122
apalkowitz@sashlaw.com

Keith Petersen, *SixTen & Associates*
P.O. Box 340430, Sacramento, CA 95834-0430
Phone: (916) 419-7093
kbsixten@aol.com

Sandra Reynolds, *Reynolds Consulting Group, Inc.*
P.O. Box 894059, Temecula, CA 92589
Phone: (951) 303-3034
sandrareynolds_30@msn.com

Carla Shelton, *Commission on State Mandates*
980 9th Street, Suite 300, Sacramento, CA 95814
Phone: (916) 327-6490
carla.shelton@csm.ca.gov

Jim Spano, Chief, Mandated Cost Audits Bureau, *State Controller's Office*
Division of Audits, 3301 C Street, Suite 700, Sacramento, CA 95816
Phone: (916) 323-5849
jspano@sco.ca.gov

Dennis Speciale, *State Controller's Office*
Division of Accounting and Reporting, 3301 C Street, Suite 700, Sacramento, CA 95816
Phone: (916) 324-0254
DSpeciale@sco.ca.gov

ITEM 2
COMMISSION ON STATE MANDATES
SEPTEMBER 27, 2005
PROPOSED CONSENT CALENDAR (action)

Exhibit G

Items 7, 8, 9, 10, 12, 13, 14, 15, 16, and 19

INFORMATIONAL HEARING PURSUANT TO CALIFORNIA CODE OF REGULATIONS,
TITLE 2, CHAPTER 2.5, ARTICLE 8 (action)

ADOPTION OF PROPOSED PARAMETERS AND GUIDELINES AND AMENDMENTS TO
PARAMETERS AND GUIDELINES

- Item 7 *The Stull Act*, 98-TC-25
Denair Unified School District and Grant Joint Union High School District,
Claimants
Education Code Sections 44660 – 44665 (formerly Ed. Code §§ 13485-13490)
Statutes 1975, Chapter 1216 (SB 777); Statutes 1983, Chapter 498 (SB 813);
Statutes 1986, Chapter 393 (AB 3878); Statutes 1995, Chapter 392 (AB 729);
Statutes 1999, Chapter 4 (SB 412)
- Item 8 *Mandate Reimbursement Process*, CSM-4485
Statutes 1975, Chapter 486 (AB 1375), Statutes 1984, Chapter 1459 (SB 2337);
Statutes 1995, Chapter 303 (AB 903 - Budget Act of 1995); Statutes 1996,
Chapter 162 (SB 1393 - Budget Act of 1996); Statutes 1997, Chapter 282 (AB
107 - Budget Act of 1997); Statutes 1998, Chapter 324 (AB 1656 - Budget Act
of 1998); Statutes 1999, Chapter 50 (SB 160 - Budget Act of 1999); Statutes
2000, Chapter 52 (AB 1740 - Budget Act of 2000); Statutes 2001, Chapter 106
(SB 739 - Budget Act of 2001); Statutes 2002, Chapter 379 (AB 425 - Budget
Act of 2002); Statutes 2003, Chapter 157 (AB 1765 - Budget Act of 2003);
Statutes 2004, Chapter 208 (SB 1113 - Budget Act of 2004); Statutes 2005,
Chapter 38 (SB 77 - Budget Act of 2005)

SET ASIDE PARAMETERS AND GUIDELINES, AS DIRECTED BY THE LEGISLATURE,
STATUTES 2004, CHAPTER 72, (AB 138)

- Item 9 *Brown Act Reform*, 04-PGA-08 (CSM-4469) and
Open Meetings Act (CSM-4257)
Government Code Sections 54952, 54954.2, 54954.3, 54957.1, and 54957.7
Statutes 1993, Chapters 1136 (AB 1426), 1137 (SB 36), and 1138 (SB 1140);
Statutes 1994, Chapter 32 (SB 752); and
Statutes 1986, Chapter 641 (AB 2674)
- Item 10 *Redevelopment Agencies – Tax Disbursement Reporting*, 99-TC-06
Health and Safety Code Section 33672.7
Statutes 1998, Chapter 39 (SB 258)

SET ASIDE OR AMEND PARAMETERS AND GUIDELINES BASED ON STATUTES 2004, CHAPTER 889, (AB 2853) AND REQUEST OF THE STATE CONTROLLER'S OFFICE

- Item 12 *Involuntary Lien Notices*, 04-PGA-15 (SB 90-3891)
Statutes 1980, Chapter 1281 (AB 481)
- Item 13 *Property Tax: Family Transfers*, 04-PGA-16 (CSM-4320)
Statutes 1987, Chapter 48 (AB 47)
- Item 14 *County Treasury Oversight Committees*, 04-PGA-17 (CSM 96-365-03)
Government Code Sections 27130, 27131, 27132, 27132.1, 27132.2, 27132.3,
27132.4, 27133, 27134, 27135, 27136, 27137
Statutes of 1995, Chapter 784 (SB 866); Statutes of 1996, Chapter 156 (SB 864)
- Item 15 *Investment Reports*, 04-PGA-18 (CSM 96-358-02)
Government Code Section 53646, Subdivisions (a), (b), and (e)
Statutes 1995, Chapter 783 (SB 564) Statutes 1996, Chapter 156 (SB 864)
Statutes 1996, Chapter 749 (SB 109)
- Item 16 *Two-Way Traffic Signal Communications*, 04-PGA-19 (CSM-4504)
Vehicle Code Section 2140
Statutes 1994, Chapter 1297 (AB 3418), Statutes 2004, Chapter 889 (AB 2853)

SET ASIDE OR AMEND PARAMETERS AND GUIDELINES BASED ON AMENDMENTS BY STATUTES 2004, CHAPTER 227 (SB 1102)

- Item 19 *Senior Citizens' Mobilehome Property Tax Deferral Program*, 04-PGA-31
(SB 90-1623)
Statutes 1983, Chapter 1051 (AB 800)

POSTPONED TO DECEMBER HEARING

SET ASIDE PARAMETERS AND GUIDELINES BASED ON STATUTES 2004, CHAPTER 316 (AB 2851)

- Item 11 *Residential Care Services*, 04-PGA-12 (CSM-4292) (Tentative)
Welfare and Institutions Code Sections 4075, 4076, and 5705.6
Statutes 1985, Chapter 1352 (SB 155); Title 9, California Code of Regulations,
Section 549, DMH Letters No. 85-40, 86-14, 86-26, 86-30, 87

SET ASIDE OR AMEND PARAMETERS AND GUIDELINES BASED ON BY STATUTES 2004, CHAPTER 895 (AB 2855)

- Item 18 *Pupil Exclusions*, 04-PGA-28 (CSM-4457 & 4477) (Tentative)
Statutes 1978, Chapter 668 (AB 2191)

THIS ITEM WILL BE DISTRIBUTED AT A
LATER TIME

ITEM 7
FINAL STAFF ANALYSIS
PROPOSED PARAMETERS AND GUIDELINES

Education Code Sections 44660-44665
(Former Ed. Code, §§ 13485-13490)

Statutes 1983, Chapter 498
Statutes 1999, Chapter 4

The Stull Act (98-TC-25)

Denair Unified School District and Grant Joint Union High School District, Claimants

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ITEM 7
FINAL STAFF ANALYSIS
PROPOSED PARAMETERS AND GUIDELINES

Education Code Sections 44660-44665
(Former Ed. Code, §§ 13485-13490)

Statutes 1983, Chapter 498
Statutes 1999, Chapter 4

The Stull Act (98-TC-25)

Denair Unified School District and Grant Joint Union High School District, Claimants

EXECUTIVE SUMMARY

On May 27, 2004, the Commission on State Mandates (Commission) adopted the Statement of Decision for *The Stull Act* test claim, finding that Education Code sections 44660-44665 (formerly Ed. Code, §§ 13485-13490) constitute a new program or higher level of service and impose a state-mandated program upon school districts within the meaning of article XIII B, section 6 of the California Constitution and Government Code section 17514. The Commission approved this test claim for specific reimbursable activities related to evaluation and assessment of the performance of "certificated personnel" within each school district, except for those employed in local, discretionary educational programs.

Staff reviewed the claimant's proposed parameters and guidelines and the comments received. Non-substantive, technical changes were made for purposes of clarification, consistency with language in recently adopted parameters and guidelines, and conformity to the Statement of Decision and statutory language.

Substantive changes were made to the following sections of the claimant's proposed parameters and guidelines. A draft staff analysis was issued on August 5, 2005. No comments were received.

III. Period of Reimbursement

The claimant proposed a reimbursement period beginning on or after July 1, 1998, for costs incurred in compliance with the mandate. The test claim was deemed filed on June 30, 1999, and thus, a reimbursement period beginning July 1, 1997, was established. Therefore, the costs incurred for compliance with Statutes 1983, chapter 498 are eligible for reimbursement on or after July 1, 1997. Statutes 1999, chapter 4 was an urgency statute operative March 15, 1999; therefore, costs incurred for compliance with Statutes 1999, chapter 4 are eligible for reimbursement on or after March 15, 1999.

IV. Reimbursable Activities

The claimant's proposed reimbursable activities mirrored those in the Commission's Statement of Decision. The State Controller's Office suggested technical changes. The Department of Finance stated that the claimant's proposal did not provide guidance on which educational programs mandated by state or federal law the activities were limited to, and argued that the clarification was needed to ensure that offsetting funding is applied to the reimbursement claims.

Staff notes that no comments were received when a request for additional briefing was issued with the draft staff analysis on the test claim on March 19, 2004. Thus, the Statement of Decision stated that "...the determination of the certificated employees performing mandated functions for which school districts are eligible to receive reimbursement will be addressed during the parameters and guidelines phase."

However, none of the parties submitted comments that identified the mandated educational programs. Therefore, staff recommends that for purposes of claiming reimbursement, eligible claimants must identify the state or federal law mandating the educational program being performed by the certificated employees. Staff added this language after the applicable activities.

In addition, because of the complex nature of this particular program, staff finds that training is reasonably necessary to carry out the mandate. Thus, staff proposes that one-time training per employee on the implementation of the reimbursable activities listed in Section IV be reimbursable.

V. Claim Preparation and Submission

Because staff included one-time training as a reimbursable activity, the training component was not deleted from this section as recommended by the Department of Finance.

Staff Recommendation

Staff recommends that the Commission adopt the proposed parameters and guidelines, beginning on page 7.

Staff also recommends that the Commission authorize staff to make any non-substantive, technical corrections to the parameters and guidelines following the hearing.

STAFF ANALYSIS

Claimant

Denair Unified School District and Grant Joint Union High School District

Chronology

05/27/04 Commission on State Mandates (Commission) adopted Statement of Decision
06/17/04 Claimant submitted proposed parameters and guidelines
08/02/04 The State Controller's Office (SCO) submitted comments
08/13/04 Grant Joint Union High School District added as a co-claimant to test claim
09/29/04 The Department of Finance (DOF) submitted comments
08/05/05 Draft staff analysis issued
09/09/05 Final staff analysis issued

Summary of the Mandate

On May 27, 2004, the Commission adopted the Statement of Decision for *The Stull Act* test claim, finding that Education Code sections 44660-44665 (formerly Ed. Code, §§ 13485-13490) constitute a new program or higher level of service and impose a state-mandated program upon school districts within the meaning of article XIII B, section 6 of the California Constitution and Government Code section 17514. Accordingly, the Commission approved this test claim for the following reimbursable activities:

- Evaluate and assess the performance of certificated instructional employees that perform the requirements of educational programs mandated by state or federal law as it reasonably relates to the instructional techniques and strategies used by the employee and the employee's adherence to curricular objectives. (Ed. Code, § 44662, subd. (b), as amended by Stats. 1983, ch. 498.)

Reimbursement for this activity is limited to the review of the employee's instructional techniques and strategies and adherence to curricular objectives, and to include in the written evaluation of the certificated instructional employees the assessment of these factors during the following evaluation periods:

- Once each year for probationary certificated employees;
 - Every other year for permanent certificated employees; and
 - Beginning January 1, 2004, every five years for certificated employees with permanent status who have been employed at least ten years with the school district, are highly qualified (as defined in 20 U.S.C. § 7801), and whose previous evaluation rated the employee as meeting or exceeding standards, if the evaluator and certificated employee being evaluated agree.
- Evaluate and assess the performance of certificated instructional employees that teach reading, writing, mathematics, history/social science, and science in grades 2 to 11 as it reasonably relates to the progress of pupils towards the state adopted academic

content standards as measured by state adopted assessment tests. (Ed. Code, § 44662, subd. (b), as amended by Stats. 1999, ch. 4.)

Reimbursement for this activity is limited to the review of the results of the STAR test as it reasonably relates to the performance of those certificated employees that teach reading, writing, mathematics, history/social science, and science in grades 2 to 11, and to include in the written evaluation of those certificated employees the assessment of the employee's performance based on the STAR results for the pupils they teach during the evaluation periods specified in Education Code section 44664, and described below:

- Once each year for probationary certificated employees;
 - Every other year for permanent certificated employees; and
 - Beginning January 1, 2004, every five years for certificated employees with permanent status who have been employed at least ten years with the school district, are highly qualified (as defined in 20 U.S.C. § 7801), and whose previous evaluation rated the employee as meeting or exceeding standards, if the evaluator and certificated employee being evaluated agree.
- Assess and evaluate permanent certificated, instructional and non-instructional, employees that perform the requirements of educational programs mandated by state or federal law and receive an unsatisfactory evaluation in the years in which the permanent certificated employee would not have otherwise been evaluated pursuant to Education Code section 44664 (i.e., every other year). The additional evaluations shall last until the employee achieves a positive evaluation, or is separated from the school district. (Ed. Code, § 44664, as amended by Stats. 1983, ch. 498.) This additional evaluation and assessment of the permanent certificated employee requires the school district to perform the following activities:
 - Evaluate and assess the certificated employee performance as it reasonably relates to the following criteria: (1) the progress of pupils toward the standards established by the school district of expected pupil achievement at each grade level in each area of study, and, if applicable, the state adopted content standards as measured by state adopted criterion referenced assessments; (2) the instructional techniques and strategies used by the employee; (3) the employee's adherence to curricular objectives; (4) the establishment and maintenance of a suitable learning environment, within the scope of the employee's responsibilities; and, if applicable, (5) the fulfillment of other job responsibilities established by the school district for certificated non-instructional personnel (Ed. Code, § 44662, subds. (b) and (c));
 - The evaluation and assessment shall be reduced to writing. (Ed. Code, § 44663, subd. (a).) The evaluation shall include recommendations, if necessary, as to areas of improvement in the performance of the employee. If the employee is not performing his or her duties in a satisfactory manner according to the standards prescribed by the governing board, the school district shall notify the employee in writing of that fact and describe the unsatisfactory performance (Ed. Code, § 44664, subd. (b));

- Transmit a copy of the written evaluation to the certificated employee (Ed. Code, § 44663, subd. (a));
- Attach any written reaction or response to the evaluation by the certificated employee to the employee's personnel file (Ed. Code, § 44663, subd. (a)); and
- Conduct a meeting with the certificated employee to discuss the evaluation (Ed. Code, § 44553, subd. (a).)

The Commission further found that the activities listed above do not constitute reimbursable state-mandated programs with respect to certificated personnel employed in local, discretionary educational programs.

Finally, the Commission found that all other statutes in the test claim not mentioned above are not reimbursable state-mandated programs within the meaning of article XIII B, section 6 and Government Code section 17514.

Discussion

Staff reviewed the claimant's proposed parameters and guidelines and the comments received. Non-substantive, technical changes were made for purposes of clarification, consistency with language in recently adopted parameters and guidelines, and conformity to the Statement of Decision and statutory language.

Substantive changes were made to the following sections of the claimant's proposed parameters and guidelines. A draft staff analysis was issued on August 5, 2005. No comments were received.

III. Period of Reimbursement

The claimant proposed a reimbursement period beginning on or after July 1, 1998, for costs incurred in compliance with the mandate. The adopted Statement of Decision states that the claimant filed the test claim on July 7, 1999; however, staff clarifies that the test claim was originally filed on June 30, 1999. On July 7, 1999, the claimant submitted a corrected test claim form. Accordingly, the test claim is deemed filed on June 30, 1999, and a reimbursement period beginning July 1, 1997, was established.

Therefore, the costs incurred for compliance with Statutes 1983, chapter 498 are eligible for reimbursement on or after July 1, 1997. Statutes 1999, chapter 4 was an urgency statute operative March 15, 1999; therefore, costs incurred for compliance with Statutes 1999, chapter 4 are eligible for reimbursement on or after March 15, 1999.

IV. Reimbursable Activities

The claimant's proposed reimbursable activities mirrored those in the Commission's Statement of Decision. In its comments to the claimant's proposal, the SCO suggested a technical change to number the activities rather than using bullets. The DOF stated that the claimant's proposal did not provide guidance on which educational programs mandated by state or federal law the activities were limited to, and argued that the clarification was needed to ensure that offsetting funding is applied to the reimbursement claims.

Staff notes that the test claim draft staff analysis was issued on March 19, 2004, with a request to the parties for additional briefing on the following two issues:

1. Are there any sources of state or federal funds appropriated to school districts that can be applied to the activities identified in the draft staff analysis as reimbursable state-mandated activities for the evaluation of certificated personnel under the Stull Act?
2. Are the state-mandated activities identified in the draft staff analysis reimbursable under article XIII B, section 6 of the California Constitution for the evaluation of certificated personnel employed in local, discretionary educational programs?

Commission staff did not receive any comments. Thus, based on the *Department of Finance v. Commission on State Mandates* case, staff limited the reimbursable activities to the evaluations of certificated personnel that perform the requirements of educational programs mandated by state or federal law. Because the parties did not file comments in response to the request for additional briefing, the Statement of Decision stated that "...the determination of the certificated employees performing mandated functions for which school districts are eligible to receive reimbursement will be addressed during the parameters and guidelines phase."¹

However, none of the parties submitted comments that identified the mandated educational programs. Thus, staff recommends that for purposes of claiming reimbursement, eligible claimants must identify the state or federal law mandating the educational program being performed by the certificated employees. Staff added this language after the applicable activities.

In addition, because of the complex nature of this particular program, staff finds that training is reasonably necessary to carry out the mandate. Thus, staff proposes that one-time training per employee on the implementation of the reimbursable activities listed in Section IV be reimbursable.

V. Claim Preparation and Submission

In its comments to the claimant's proposed parameters and guidelines, DOF recommended that the training component under Section V.A. be deleted because training was not found to be a reimbursable activity by the Commission. However, because staff included one-time training as a reimbursable activity, the training component was not deleted from this section.

Staff Recommendation

Staff recommends that the Commission adopt the proposed parameters and guidelines, beginning on page 7.

Staff also recommends that the Commission authorize staff to make any non-substantive, technical corrections to the parameters and guidelines following the hearing.

¹ Exhibit A, page 116.

PROPOSED PARAMETERS AND GUIDELINES

Education Code Sections 44660-44665
(Former Ed. Code, §§ 13485-13490)

~~Statutes 1975, Chapter 1216~~

Statutes 1983, Chapter 498

~~Statutes 1986, Chapter 393~~

~~Statutes 1995, Chapter 392~~

Statutes 1999, Chapter 4

The Stull Act (98-TC-25)

Denair Unified School District and Grant Joint Union High School District, Claimants

I. SUMMARY OF THE MANDATE

On May 27, 2004, the Commission on State Mandates ("Commission") adopted the Statement of Decision for *The Stull Act (98-TC-25)* test claim. The Commission found that Education Code sections 44660-44665 (formerly Ed. Code, §§ 13485-13490) constitute a new program or higher level of service and impose a state-mandated program upon school districts within the meaning of article XIII B, section 6 of the California Constitution and Government Code section 17514. Accordingly, the Commission approved this test claim for the following reimbursable activities:

- Evaluate and assess the performance of certificated instructional employees that perform the requirements of educational programs mandated by state or federal law as it reasonably relates to the instructional techniques and strategies used by the employee and the employee's adherence to curricular objectives. (Ed. Code, § 44662, subd. (b), as amended by Stats. 1983, ch. 498.)

Reimbursement for this activity is limited to the review of the employee's instructional techniques and strategies and adherence to curricular objectives, and to include in the written evaluation of the certificated instructional employees the assessment of these factors during the following evaluation periods:

- Once each year for probationary certificated employees;
 - Every other year for permanent certificated employees; and
 - Beginning January 1, 2004, every five years for certificated employees with permanent status who have been employed at least ten years with the school district, are highly qualified (as defined in 20 U.S.C. § 7801), and whose previous evaluation rated the employee as meeting or exceeding standards, if the evaluator and certificated employee being evaluated agree.
- Evaluate and assess the performance of certificated instructional employees that teach reading, writing, mathematics, history/social science, and science in grades 2 to 11 as it reasonably relates to the progress of pupils towards the state adopted academic

content standards as measured by state adopted assessment tests. (Ed. Code, § 44662, subd. (b), as amended by Stats. 1999, ch. 4.)

Reimbursement for this activity is limited to the review of the results of the STAR test as it reasonably relates to the performance of those certificated employees that teach reading, writing, mathematics, history/social science, and science in grades 2 to 11, and to include in the written evaluation of those certificated employees the assessment of the employee's performance based on the STAR results for the pupils they teach during the evaluation periods specified in Education Code section 44664, and described below:

- Once each year for probationary certificated employees;
 - Every other year for permanent certificated employees; and
 - Beginning January 1, 2004, every five years for certificated employees with permanent status who have been employed at least ten years with the school district, are highly qualified (as defined in 20 U.S.C. § 7801), and whose previous evaluation rated the employee as meeting or exceeding standards, if the evaluator and certificated employee being evaluated agree.
- Assess and evaluate permanent certificated, instructional and non-instructional, employees that perform the requirements of educational programs mandated by state or federal law and receive an unsatisfactory evaluation in the years in which the permanent certificated employee would not have otherwise been evaluated pursuant to Education Code section 44664 (i.e., every other year). The additional evaluations shall last until the employee achieves a positive evaluation, or is separated from the school district. (Ed. Code, § 44664, as amended by Stats. 1983, ch. 498.) This additional evaluation and assessment of the permanent certificated employee requires the school district to perform the following activities:
 - Evaluate and assess the certificated employee performance as it reasonably relates to the following criteria: (1) the progress of pupils toward the standards established by the school district of expected pupil achievement at each grade level in each area of study, and, if applicable, the state adopted content standards as measured by state adopted criterion referenced assessments; (2) the instructional techniques and strategies used by the employee; (3) the employee's adherence to curricular objectives; (4) the establishment and maintenance of a suitable learning environment, within the scope of the employee's responsibilities; and, if applicable, (5) the fulfillment of other job responsibilities established by the school district for certificated non-instructional personnel (Ed. Code, § 44662, subds. (b) and (c));
 - The evaluation and assessment shall be reduced to writing. (Ed. Code, § 44663, subd. (a).) The evaluation shall include recommendations, if necessary, as to areas of improvement in the performance of the employee. If the employee is not performing his or her duties in a satisfactory manner according to the standards prescribed by the governing board, the school district shall notify the employee in writing of that fact and describe the unsatisfactory performance (Ed. Code, § 44664, subd. (b));

- o Transmit a copy of the written evaluation to the certificated employee (Ed. Code, § 44663, subd. (a));
- o Attach any written reaction or response to the evaluation by the certificated employee to the employee's personnel file (Ed. Code, § 44663, subd. (a)); and
- o Conduct a meeting with the certificated employee to discuss the evaluation (Ed. Code, § 44553, subd. (a).)

The Commission further found that the activities listed above do not constitute reimbursable state-mandated programs with respect to certificated personnel employed in local, discretionary educational programs.

Finally, the Commission found that all other statutes in the test claim not mentioned above are not reimbursable state-mandated programs within the meaning of article XIII B, section 6 and Government Code section 17514.

II. ELIGIBLE CLAIMANTS

Any "school district" as defined in Government Code section 17519, except for community colleges, which incurs increased costs as a result of this mandate is eligible to claim reimbursement. Charter schools are not eligible claimants.

III. PERIOD OF REIMBURSEMENT

Government Code section 17557 states that a test claim must be submitted on or before June 30 following a given fiscal year to establish eligibility for that fiscal year. The test claim for this mandate was filed on June ~~29~~ 30, 1999. Therefore, the costs incurred for compliance with ~~Statutes of 1975, Chapter 1216; Statutes of 1983, Chapter 498; Statutes of 1986, Chapter 393; Statutes of 1995, Chapter 392;~~ are eligible for reimbursement on or after July 1, 1997. Statutes of 1999, Chapter 4 was an urgency statute operative March 15, 1999; therefore, costs incurred for compliance with Statutes 1999, chapter 4 are eligible for reimbursement on or after July 1, 1998 March 15, 1999.

Actual costs for one fiscal year should be included in each claim. Estimated costs for the subsequent year may be included on the same claim, if applicable. Pursuant to Government Code section 17561, subdivision (d)(1)(A), all claims for reimbursement of initial fiscal year costs shall be submitted to the State Controller within 120 days of the issuance date for the claiming instructions.

If the total costs for a given fiscal year do not exceed \$1,000, no reimbursement shall be allowed, except as otherwise allowed by Government Code section 17564.

IV. REIMBURSABLE ACTIVITIES

To be eligible for mandated cost reimbursement for any fiscal year, only actual costs may be claimed. Actual costs are those costs actually incurred to implement the mandated activities. Actual costs must be traceable and supported by source documents that show the validity of such costs, when they were incurred, and their relationship to the reimbursable activities. A source document is a document created at or near the same time the actual cost was incurred for the event or activity in question. Source documents may include, but are not limited to, employee time records or time logs, sign-in sheets, invoices, and receipts.

Evidence corroborating the source documents may include, but is not limited to, worksheets, cost allocation reports (system generated), purchase orders, contracts, agendas, and declarations. Declarations must include a certification or declaration stating, "I certify (or declare) under penalty of perjury under the laws of the State of California that the foregoing is true and correct," and must further comply with the requirements of Code of Civil Procedure section 2015.5. Evidence corroborating the source documents may include data relevant to the reimbursable activities otherwise in compliance with local, state, and federal government requirements. However, corroborating documents cannot be substituted for source documents.

The claimant is only allowed to claim and be reimbursed for increased costs for the reimbursable activities identified below. Increased cost is limited to the cost of an activity that the claimant is required to incur as a result of the mandate.

For each eligible claimant, the following activities are reimbursable:

A. Certificated Instructional Employees

1. Evaluate and assess the performance of certificated instructional employees that perform the requirements of educational programs mandated by state or federal law as it reasonably relates to the instructional techniques and strategies used by the employee and the employee's adherence to curricular objectives. (Ed. Code, § 44662, subd. (b), as amended by Stats. 1983, ch. 498.). (Reimbursement period begins July 1, 1997.)

Reimbursement for this activity is limited to:

- a. ~~the reviewing of~~ the employee's instructional techniques and strategies and adherence to curricular objectives, and ~~to~~
- b. including in the written evaluation of the certificated instructional employees the assessment of these factors during the following evaluation periods:
 - o ~~Once~~ each year for probationary certificated employees;
 - o ~~Every~~ other year for permanent certificated employees; and
 - o ~~B~~beginning January 1, 2004, every five years for certificated employees with permanent status who have been employed at least ten years with the school district, are highly qualified (as defined in 20 U.S.C. § 7801), and whose previous evaluation rated the employee as meeting or exceeding standards, if the evaluator and certificated employee being evaluated agree.

Note: For purposes of claiming reimbursement, eligible claimants must identify the state or federal law mandating the educational program being performed by the certificated instructional employees.

2. Evaluate and assess the performance of certificated instructional employees that teach reading, writing, mathematics, history/social science, and science in grades 2 to 11 as it reasonably relates to the progress of pupils towards the state adopted academic content standards as measured by state adopted assessment tests. (Ed. Code, § 44662, subd. (b), as amended by Stats. 1999, ch. 4.). (Reimbursement period begins March 15, 1999.)

Reimbursement for this activity is limited to:

a. ~~the reviewing of~~ the results of the Standardized Testing And Reporting test as it reasonably relates to the performance of those certificated employees that teach reading, writing, mathematics, history/social science, and science in grades 2 to 11, and to

b. ~~including~~ in the written evaluation of those certificated employees the assessment of the employee's performance based on the Standardized Testing And Reporting results for the pupils they teach during the evaluation periods specified in Education Code section 44664, and described below:

- o ~~Once~~ each year for probationary certificated employees;
- o ~~Every~~ other year for permanent certificated employees; and
- o ~~Beginning~~ January 1, 2004, every five years for certificated employees with permanent status who have been employed at least ten years with the school district, are highly qualified (as defined in 20 U.S.C. § 7801), and whose previous evaluation rated the employee as meeting or exceeding standards, if the evaluator and certificated employee being evaluated agree.

B. Certificated (Instructional and Non-Instructional) Employees

~~1. Assess and evaluate~~ and assess permanent certificated, instructional and non-instructional employees that perform the requirements of educational programs mandated by state or federal law and receive an unsatisfactory evaluation in the years in which the permanent certificated employee would not have otherwise been evaluated pursuant to Education Code section 44664 (i.e., every other year). The additional evaluations shall last until the employee achieves a positive evaluation, or is separated from the school district. (Ed. Code, § 44664, as amended by Stats. 1983, ch. 498.)
(Reimbursement period begins July 1, 1997.)

This additional evaluation and assessment of the permanent certificated employee requires the school district to perform the following activities:

ea. ~~Evaluating~~ and ~~assessing~~ the certificated employee performance as it reasonably relates to the following criteria: (1) the progress of pupils toward the standards established by the school district of expected pupil achievement at each grade level in each area of study, and, if applicable, the state adopted content standards as measured by state adopted criterion referenced assessments; (2) the instructional techniques and strategies used by the employee; (3) the employee's adherence to curricular objectives; (4) the establishment and maintenance of a suitable learning environment, within the scope of the employee's responsibilities; and, if applicable, (5) the fulfillment of other job responsibilities established by the school district for certificated non-instructional personnel (Ed. Code, § 44662, subs. (b) and (c));

eb. ~~reducing~~ ~~The evaluation and assessment shall be reduced to writing.~~ (Ed. Code, § 44663, subd. (a)). The evaluation shall include recommendations, if necessary, as to areas of improvement in the performance of the employee. If the employee is not performing his or her duties in a satisfactory manner according to the standards prescribed by the governing board, the school district shall notify the

employee in writing of that fact and describe the unsatisfactory performance (Ed. Code, § 44664, subd. (b));

~~ec. Transmitting~~ a copy of the written evaluation to the certificated employee (Ed. Code, § 44663, subd. (a));

~~ed. Attaching~~ any written reaction or response to the evaluation by the certificated employee to the employee's personnel file (Ed. Code, § 44663, subd. (a)); and

~~ee. Conducting~~ a meeting with the certificated employee to discuss the evaluation (Ed. Code, § 44553, subd. (a)).

Note: For purposes of claiming reimbursement, eligible claimants must identify the state or federal law mandating the educational program being performed by the certificated, instructional and non-instructional, employees.

C. Training

1. Train staff on implementing the reimbursable activities listed in Section IV of these parameters and guidelines. (One-time activity for each employee.) (Reimbursement period begins July 1, 1997.)

V. CLAIM PREPARATION AND SUBMISSION

Each of the following cost elements must be identified for each reimbursable activity identified in Section IV, Reimbursable Activities, of this document. Each claimed reimbursable cost must be supported by source documentation as described in Section IV. Additionally, each reimbursable claim must be filed in a timely manner.

A. Direct Cost Reporting

Direct cost are those costs incurred specifically for the reimbursable activities. The following direct costs are eligible for reimbursement.

1. Salaries and Benefits

Report each employee implementing the reimbursable activities by name, job classification, and productive hourly rate (total wages and related benefits divided by productive hours). Describe the specific reimbursable activities performed and the hours devoted to each reimbursable activity performed.

2. Materials and Supplies

Report the cost of materials and supplies that have been consumed or expended for the purpose of the reimbursable activities. Purchases shall be claimed at the actual price after deducting discounts, rebates, and allowances received by the claimant. Supplies that are withdrawn from inventory shall be charged on an appropriate and recognized method of costing, consistently applied.

3. Contracted Services

Report the name of the contractor and services performed to implement the reimbursable activities. Attach a copy of the contract to the claim. If the contractor bills for time and materials, report the number of hours spent on the activities and all costs charged. If the contract is a fixed price, report the dates when services were performed and itemize all costs for those services.

4. Fixed Assets and Equipment

Report the purchase price paid for fixed assets and equipment (including computers) necessary to implement the reimbursable activities. The purchase price includes taxes, delivery costs, and installation costs. If the fixed asset or equipment is also used for purposes other than the reimbursable activities, only the pro-rata portion of the purchase price used to implement the reimbursable activities can be claimed.

5. Travel

Report the name of the employee traveling for the purpose of the reimbursable activities. Include the date of travel, destination point, the specific reimbursable activity requiring travel, and related travel expenses reimbursed to the employee in compliance with the rules of the local jurisdiction. Report employee travel time according to the rules of cost element A.1. Salaries and Benefits, for each applicable reimbursable activity.

6. Training

Report the cost of training an employee to perform the reimbursable activities, as specified in Section IV of this document. Report the name and job classification of each employee preparing for, attending, and/or conducting training necessary to implement the reimbursable activities. Provide the title, subject, and purpose (related to the mandate of the training session), dates attended, and location. If the training encompasses subjects broader than the reimbursable activities, only the pro-rata portion can be claimed. Report employee training time for each applicable reimbursable activity according to the rules of cost element A. 1, Salaries and Benefits, and A.2, Materials and Supplies. Report the cost of consultants who conduct the training according to the rules of cost element A.3, Contracted Services.

B. Indirect Cost Rates

Indirect costs are costs that have been incurred for common or joint purposes. These costs benefit more than one cost objective and cannot be readily identified with a particular final cost objective without effort disproportionate to the results achieved. After direct costs have been determined and assigned to other activities, as appropriate, indirect costs are those remaining to be allocated to benefited cost objectives. A cost may not be allocated as an indirect cost if any other cost incurred for the same purpose, in like circumstances, has been claimed as a direct cost.

Indirect costs include: (a) the indirect costs originating in each department or agency of the governmental unit carrying out state mandated programs, and (b) the costs of central governmental services distributed through the central service cost allocation plan and not otherwise treated as direct costs.

School districts must use the J-380 (or subsequent replacement) nonrestrictive indirect cost rate provisionally approved by the California Department of Education.

County offices of education must use the J-580 (or subsequent replacement) nonrestrictive indirect cost rate provisionally approved by the California Department of Education.

VI. RECORD RETENTION

Pursuant to Government Code section 17558.5, subdivision (a), a reimbursement claim for actual costs filed by a local agency or school district pursuant to this chapter¹ is subject to the initiation of an audit by the State Controller no later than three years after the date that the actual reimbursement claim is filed or last amended, whichever is later. However, if no funds are appropriated or no payment is made to a claimant for the program for the fiscal year for which the claim is filed, the time for the Controller to initiate an audit shall commence to run from the date of initial payment of the claim. All documentation used to support the reimbursable activities, as described in Section IV, must be retained during the period subject to audit. If an audit has been initiated by the Controller during the period subject to audit, the retention period is extended until the ultimate resolution of any audit findings.

VII. OFFSETTING SAVINGS AND REIMBURSEMENTS

Any offsetting savings the claimant experiences in the same program as a result of the same statutes or executive orders found to contain the mandates shall be deducted from the costs claimed. In addition, reimbursement for this mandate from any source, including, but not limited to, service fees collected, federal funds, and other state funds shall be identified and deducted from this claim.

VIII. STATE CONTROLLER'S CLAIMING INSTRUCTIONS

Pursuant to Government Code section 17558, subdivision (b), the Controller shall issue claiming instructions for each mandate that requires state reimbursement no later than 60 days after receiving the adopted parameters and guidelines from the Commission, to assist local agencies and school districts in claiming costs to be reimbursed. The claiming instructions shall be derived from the statute, regulations, or executive order creating the mandate and the parameters and guidelines adopted by the Commission.

Pursuant to Government Code section 17561, subdivision (d)(1), issuance of the claiming instructions shall constitute notice of the right of local agencies and schools districts to file reimbursement claims, based upon parameters and guidelines adopted by the Commission.

IX. REMEDIES BEFORE THE COMMISSION

Upon request of a local agency or school district, the Commission shall review the claiming instructions issued by the State Controller or any other authorized state agency for reimbursement of mandated costs pursuant to Government Code section 17571. If the Commission determines that the claiming instructions do not conform to the parameters and guidelines, the Commission shall direct the Controller to modify the claiming instructions and the Controller shall modify the claiming instructions to conform to the parameters and guidelines as directed by the Commission.

In addition, requests may be made to amend parameters and guidelines pursuant to Government Code section 17557, subdivision (ad), and California Code of Regulations, title 2, section 1183.2.

¹ This refers to Title 2, division 4, part 7, chapter 4 of the Government Code.

X. LEGAL AND FACTUAL BASIS FOR THE PARAMETERS AND GUIDELINES

The Statement of Decision is legally binding on all parties and provides the legal and factual basis for the parameters and guidelines. The support for the legal and factual findings is found in the administrative record for the test claim. The administrative record, including the Statement of Decision, is on file with the Commission.

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BEFORE THE
COMMISSION ON STATE MANDATES
STATE OF CALIFORNIA

IN RE TEST CLAIM ON:

Education Code Sections 44660-44665
(Former Ed. Code, §§ 13485-13490);

Statutes 1975, Chapter 1216; Statutes 1983,
Chapter 498; Statutes 1986, Chapter 393;
Statutes 1995, Chapter 392; Statutes 1999,
Chapter 4;

Filed on July 7, 1999;

By Denair Unified School District, Claimant.

No. 98-TC-25

The Stull Act

STATEMENT OF DECISION PURSUANT
TO GOVERNMENT CODE SECTION 17500
ET SEQ.; CALIFORNIA CODE OF
REGULATIONS, TITLE 2, DIVISION 2,
CHAPTER 2.5, ARTICLE 7

(Adopted on May 27, 2004)

STATEMENT OF DECISION

The attached Statement of Decision of the Commission on State Mandates is hereby adopted in the above-entitled matter.



PAULA HIGASHI, Executive Director

6-1-2004
Date

BEFORE THE
COMMISSION ON STATE MANDATES
STATE OF CALIFORNIA

IN RE TEST CLAIM ON:

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(Former Ed. Code, §§ 13485-13490);

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TO GOVERNMENT CODE SECTION 17500
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REGULATIONS, TITLE 2, DIVISION 2,
CHAPTER 2.5, ARTICLE 7.

(Adopted on May 27, 2004)

PROPOSED STATEMENT OF DECISION

The Commission on State Mandates (Commission) heard and decided this test claim during a regularly scheduled hearing on May 27, 2004. David E. Scribner appeared for the claimant, Denair Unified School District. Barbara Taylor appeared for the Department of Finance.

The law applicable to the Commission's determination of a reimbursable state-mandated program is article XIII B, section 6 of the California Constitution, Government Code section 17500 et seq., and related case law.

The Commission adopted the staff analysis at the hearing by a vote of 4 to 0.

BACKGROUND

This test claim addresses the Stull Act. The Stull Act was originally enacted in 1971 to establish a uniform system of evaluation and assessment of the performance of "certificated personnel" within each school district. (Former Ed. Code, §§ 13485-13490.)¹ The Stull Act required the governing board of each school district to develop and adopt specific guidelines to evaluate and assess certificated personnel², and to avail itself of the advice of certificated instructional personnel before developing and adopting the guidelines.³ The evaluation and assessment of the certificated personnel was required to be reduced to writing and a copy transmitted to the employee no later than sixty days before the end of the school year.⁴ The employee then had the right to initiate a written response to the evaluation, which became a permanent part of the

¹ Statutes 1971, chapter 361.

² Former Education Code section 13487.

³ Former Education Code section 13486.

⁴ Former Education Code section 13488.

employee's personnel file.⁵ The school district was also required to hold a meeting with the employee to discuss the evaluation.⁶

Former Education Code section 13489 required that the evaluation and assessment be continuous. For probationary employees, the evaluation had to occur once each school year. For permanent employees, the evaluation was required every other year. Former section 13489 also required that the evaluation include recommendations, if necessary, for areas of improvement in the performance of the employee. If the employee was not performing his or her duties in a satisfactory manner according to the standards, the "employing authority"⁷ was required to notify the employee in writing, describe the unsatisfactory performance, and confer with the employee making specific recommendations as to areas of improvement and endeavor to assist in the improvement.

In 1976, the Legislature renumbered the provisions of the Stull Act. The Stull Act can now be found in Education Code sections 44660-44665.⁸

The test claim legislation, enacted between 1975 and 1999, amended the Stull Act. The claimant alleges that the amendments constitute a reimbursable state-mandated program within the meaning of article XIII B, section 6 of the California Constitution.⁹

In addition, the claimant, a school district, alleges that compliance with the Stull Act is new as to county offices of education and, thus, counties are entitled to reimbursement for all activities under the Stull Act.¹⁰

However, no county office of education has appeared in this action as a claimant, nor filed a declaration alleging mandated costs exceeding \$1000, as expressly required by Government Code section 17564 and section 1183 of the Commission's regulations.

Therefore, the test claim has not been perfected as to county offices of education. The findings in this analysis, therefore, are limited to school districts.

⁵ *Ibid.*

⁶ *Ibid.*

⁷ Former Education Code section 13490 defined "employing authority" as "the superintendent of the school district in which the employee is employed, or his designee, or in the case of a district which has no superintendent, a school principal or other person designated by the governing board."

⁸ Statutes 1976, chapter 1010.

⁹ In 1999, the Legislature added Education Code section 44661.5 to the Stull Act. (Stats. 1999, ch. 279.) Education Code section 44661.5 authorizes a school district to include objective standards from the National Board for Professional Teaching Standards or any objective standards from the California Standards for the Teaching Profession when developing evaluation and assessment guidelines. The claimant did not include Education Code section 44661.5 in this test claim.

¹⁰ Exhibit A (Test Claim, pages 7-9) to Item 9 of the May 27, 2004 Commission Hearing.

Claimant's Position

The claimant contends that the test claim legislation constitutes a reimbursable state-mandated program for the following "new" activities:

- Rewrite standards for employee assessment to reflect expected student "achievement" (as opposed to the prior requirement of expected student "progress") and to expand the standards to reflect expected student achievement at each "grade level." (Stats. 1975, ch. 1216.)
- Develop job responsibilities for certificated non-instructional personnel, including but not limited to, supervisory and administrative personnel. (Stats. 1975, ch. 1216.)
- Assess and evaluate non-instructional personnel. (Stats. 1975, ch. 1216; Stats. 1995, ch. 392.)
- Receive and review responses from certificated non-instructional personnel regarding the employee's evaluation. (Stats. 1986, ch. 393.)
- Conduct a meeting between the certificated non-instructional employee and the evaluator to discuss the evaluation and assessment. (Stats. 1986, ch. 393.)
- Conduct additional evaluations of certificated employees who receive an unsatisfactory evaluation. (Stats. 1983, ch. 498.)
- Review the results of a certificated instructional employee's participation in the Peer Assistance and Review Program for Teachers as part of the assessment and evaluation. (Stats. 1999, ch. 4.)
- Assess and evaluate the performance of certificated instructional personnel as it relates to the instructional techniques and strategies used and the employee's adherence to curricular objectives. (Stats. 1983, ch. 498.)
- Assess and evaluate certificated instructional personnel as it relates to the progress of pupils towards the state adopted academic content standards, if applicable, as measured by state adopted criterion referenced assessments. (Stats. 1999, ch. 4.)
- Assess and evaluate certificated personnel employed by county superintendents of education. (Stats. 1975, ch. 1216.)"

Department of Finance's Position

The Department of Finance filed comments on March 6, 2001, contending that most of the activities requested by the claimant do not constitute reimbursable state-mandated activities. The Department of Finance states, however, that the following activities "may" be reimbursable:

- Assess and evaluate the performance of certificated instructional personnel as it relates to the progress of students toward the attainment of state academic standards, as measured by state-adopted assessments.

" Exhibit A (Test Claim) to Item 9 of the May 27, 2004 Commission Hearing.

- Modification of assessment and evaluation methods to determine whether instructional staff is adhering to the curricular objectives and instructional techniques and strategies associated with the updated state academic standards.
- Assess and evaluate permanent certificated staff that has received an unsatisfactory evaluation at least once each year, until the employee receives a satisfactory evaluation, or is separated from the school district.
- Implementation of the Stull Act by county offices of education.¹²

Discussion

The courts have found that article XIII B, section 6 of the California Constitution¹³ recognizes the state constitutional restrictions on the powers of local government to tax and spend.¹⁴ "Its purpose is to preclude the state from shifting financial responsibility for carrying out governmental functions to local agencies, which are 'ill equipped' to assume increased financial responsibilities because of the taxing and spending limitations that articles XIII A and XIII B impose."¹⁵ A test claim statute or executive order may impose a reimbursable state-mandated program if it orders or commands a local agency or school district to engage in an activity or task.¹⁶ In addition, the required activity or task must be new, constituting a "new program," or it must create a "higher level of service" over the previously required level of service.¹⁷

¹² Exhibit B to Item 9 of the May 27, 2004 Commission Hearing.

¹³ Article XIII B, section 6 provides: "Whenever the Legislature or any state agency mandates a new program or higher level of service on any local government, the state shall provide a subvention of funds to reimburse such local government for the costs of such program or increased level of service, except that the Legislature may, but need not, provide such subvention of funds for the following mandates: (a) Legislative mandates requested by the local agency affected; (b) Legislation defining a new crime or changing an existing definition of a crime; or (c) Legislative mandates enacted prior to January 1, 1975, or executive orders or regulations initially implementing legislation enacted prior to January 1, 1975."

¹⁴ *Department of Finance v. Commission on State Mandates* (2003) 30 Cal.4th 727, 735.

¹⁵ *County of San Diego v. State of California* (1997) 15 Cal.4th 68, 81.

¹⁶ *Long Beach Unified School Dist. v. State of California* (1990) 225 Cal.App.3d 155, 174. In *Department of Finance v. Commission on State Mandates*, *supra*, 30 Cal.4th at page 742, the court agreed that "activities undertaken at the option or discretion of a local government entity (that is, actions undertaken without any legal compulsion or threat of penalty for nonparticipation) do not trigger a state mandate and hence do not require reimbursement of funds - even if the local entity is obligated to incur costs as a result of its discretionary decision to participate in a particular program or practice." The court left open the question of whether non-legal compulsion could result in a reimbursable state mandate, such as in a case where failure to participate in a program results in severe penalties or "draconian" consequences. (*Id.*, at p. 754.)

¹⁷ *Lucia Mar Unified School District v. Honig* (1988) 44 Cal.3d 830, 835-836.

The courts have defined a "program" subject to article XIII B, section 6, of the California Constitution, as one that carries out the governmental function of providing public services, or a law that imposes unique requirements on local agencies or school districts to implement a state policy, but does not apply generally to all residents and entities in the state.¹⁸ To determine if the program is new or imposes a higher level of service, the test claim legislation must be compared with the legal requirements in effect immediately before the enactment of the test claim legislation.¹⁹ Finally, the newly required activity or increased level of service must impose costs mandated by the state.²⁰

The Commission is vested with exclusive authority to adjudicate disputes over the existence of state-mandated programs within the meaning of article XIII B, section 6.²¹ In making its decisions, the Commission must strictly construe article XIII B, section 6 and not apply it as an "equitable remedy to cure the perceived unfairness resulting from political decisions on funding priorities."²²

Issue 1: Is the test claim legislation subject to article XIII B, section 6 of the California Constitution?

Certain statutes in the test claim legislation do not require school districts to perform activities and, thus, are not subject to article XIII B, section 6.

In order for a statute to be subject to article XIII B, section 6 of the California Constitution, the statutory language must require local agencies or school districts to perform an activity or task. If the statutory language does not mandate local agencies or school districts to perform a task, then compliance with the test claim statute is within the discretion of the local entity and a reimbursable state-mandated program does not exist.

Here, there are two test claim statutes, Education Code section 44664, subdivision (b) (as amended by Stats. 1983, ch. 498 and Stats. 1999, ch. 4) and Education Code section 44662, subdivision (d) (as amended by Stats. 1999, ch. 4) that do not require school districts to perform activities and, thus, are not subject to article XIII B, section 6 of the California Constitution.

Education Code section 44664, subdivision (b), as amended by Statutes 1983, chapter 498. In 1983, the Legislature amended Education Code section 44664 by adding subdivision (b). Subdivision (b) authorizes a school district to require a certificated employee that receives an

¹⁸ *County of Los Angeles v. State of California* (1987) 43 Cal.3d 46, 56; *Lucia Mar, supra*, 44 Cal.3d 830, 835.

¹⁹ *Lucia Mar, supra*, 44 Cal.3d 830, 835.

²⁰ *County of Fresno v. State of California* (1991) 53 Cal.3d 482, 487; *County of Sonoma v. Commission on State Mandates* (2000) 84 Cal.App.4th 1265, 1284; Government Code sections 17514 and 17556.

²¹ *Kinlaw v. State of California* (1991) 54 Cal.3d 326, 331-334; Government Code sections 17551, 17552.

²² *City of San Jose v. State of California* (1996) 45 Cal.App.4th 1802, 1817; *County of Sonoma, supra*, 84 Cal.App.4th 1265, 1280.

unsatisfactory evaluation to participate in a program to improve the employee's performance. Education Code section 44664, subdivision (b), stated the following:

Any evaluation performed pursuant to this article which contains an unsatisfactory rating of an employee's performance in the area of teaching methods or instruction *may* include the requirement that the certificated employee shall, as determined by the employing authority, participate in a program designed to improve appropriate areas of the employee's performance and to further pupil achievement and the instructional objectives of the employing authority.
(Emphasis added.)

The plain language of the statute authorizes, but does not mandate, a school district to require its certificated employees to participate in a program designed to improve performance if the employee receives an unsatisfactory evaluation. Thus, the Commission finds that Education Code section 44664, subdivision (b), as amended by Statutes 1983, chapter 498, does not mandate school districts to perform an activity and, thus, it is not subject to article XIII B, section 6 of the California Constitution.

Education Code section 44662, subdivision (d), and Education Code section 44664, subdivision (b), as amended by Statutes 1999, chapter 4. In 1999, the Legislature amended Education Code section 44664, subdivision (b), by adding the following underlined sentence:

Any evaluation performed pursuant to this article which contains an unsatisfactory rating of an employee's performance in the area of teaching methods or instruction may include the requirement that the certificated employee shall, as determined by the employing authority, participate in a program designed to improve appropriate areas of the employee's performance and to further pupil achievement and the instructional objectives of the employing authority. If a district participates in the Peer Assistance and Review Program for Teachers established pursuant to Article 4.5 (commencing with Section 44500), any certificated employee who receives an unsatisfactory rating on an evaluation performed pursuant to this section shall participate in the Peer Assistance and Review Program for Teachers.

The 1999 test claim legislation also amended Education Code section 44662 by adding subdivision (d), which states:

Results of an employee's participation in the Peer Assistance and Review Program for Teachers established by Article 4.5 (commencing with Section 44500) shall be made available as part of the evaluation conducted pursuant to this section.

The claimant requests reimbursement to "receive and review, for purposes of a certificated employee's assessment and evaluation, if applicable, the results of an employee's participation in the Peer Assistance and Review Program for Teachers established by Article 4.5 (commencing with section 44500.)"²³

²³ Exhibit A (Test Claim, page 7) to Item 9 of the May 27, 2004 Commission Hearing.

The Department of Finance contends that reviewing the results of the Peer Assistance and Review Program, as part of the Stull Act evaluation of the employee's performance, is not a reimbursable state-mandated activity because participation in the Peer Assistance and Review Program is voluntary.²⁴

In response to the Department of Finance, the claimant states the following:

The legislative intent behind the amendments to the Stull Act was to ensure that school districts adopt objective, uniform evaluation and assessment guidelines that effectively assess certificated employee performance. To meet this desired goal, school districts that participate in the Peer Assistance and Review Program must include an employee's results of participation in the employee's evaluation. If this information was not considered by the district, inconsistent, incomplete, and inaccurate evaluations and assessments would occur – a result contrary to the Legislature's stated intent. Therefore, the claimant contends that the activities associated with the receipt and review of an employee's participation in the Peer Assistance and Review Program impose reimbursable state-mandated activities upon school districts.²⁵

For the reasons described below, the Commission finds that the receipt and review of the results of an employee's participation in the Peer Assistance and Review Program is not a state-mandated activity and, therefore, the 1999 amendments to Education Code sections 44662 and 44664 are not subject to article XIII B, section 6 of the California Constitution.

In *Department of Finance v. Commission on State Mandates*²⁶, the Supreme Court reviewed test claim legislation that required school site councils to post a notice and an agenda of their meetings. The court determined that school districts were not legally compelled to establish eight of the nine school site councils and, thus, school districts were not mandated by the state to comply with the notice and agenda requirements for these school site councils.²⁷ The court reviewed the ballot materials for article XIII B, which provided that "a state mandate comprises something that a local government entity is required or forced to do."²⁸ The ballot summary by the Legislative Analyst further defined "state mandates" as "requirements imposed on local governments by legislation or executive orders."²⁹

The court also reviewed and affirmed the holding of the *City of Merced* case.^{30, 31} The court stated the following:

²⁴ Exhibit B to Item 9 of the May 27, 2004 Commission Hearing.

²⁵ Exhibit C (Claimant Rebuttal, page 7) to Item 9 of the May 27, 2004 Commission Hearing.

²⁶ *Department of Finance, supra*, 20 Cal.4th 727.

²⁷ *Id.* at page 731.

²⁸ *Id.* at page 737.

²⁹ *Ibid.*

³⁰ *Id.* at page 743.

³¹ *City of Merced v. State of California* (1984) 153 Cal.App.3d 777.

In *City of Merced*, the city was under no legal compulsion to resort to eminent domain-but when it elected to employ that means of acquiring property, its obligation to compensate for lost business goodwill was not a reimbursable state mandate, because the city was not required to employ eminent domain in the first place. Here as well, if a school district elects to participate in or continue participation in any underlying *voluntary* education-related funded program, the district's obligation to comply with the notice and agenda requirements related to that program does not constitute a reimbursable state mandate. (Emphasis in original.)³²

Thus, the Supreme Court held as follows:

[W]e reject claimants' assertion that they have been legally compelled to incur notice and agenda costs, and hence are entitled to reimbursement from the state, based merely upon the circumstance that notice and agenda provisions are mandatory elements of education-related programs in which claimants have participated, *without regard to whether claimant's participation in the underlying program is voluntary or compelled.* [Emphasis added.]³³

The Supreme Court left undecided whether a reimbursable state mandate "might be found in circumstances short of legal compulsion—for example, if the state were to impose a substantial penalty (independent of the program funds at issue) upon any local entity that declined to participate in a given program."³⁴

The decision of the California Supreme Court in *Department of Finance* is relevant and its reasoning applies in this case. The Supreme Court explained that "the proper focus under a legal compulsion inquiry is upon the nature of the claimants' participation in the underlying programs themselves."³⁵ Thus, based on the Supreme Court's decision, the Commission is required to determine if the underlying program (in this case, participation in the Peer Assistance and Review Program) is a voluntary decision at the local level or is legally compelled by the state.

The Peer Assistance and Review Program and the amendment to the Stull Act to reflect the Peer Assistance and Review Program were sponsored by Governor Davis and were enacted by the Legislature during the 1999 special legislative session on education. As expressly provided in the legislation, the intent of the Legislature, in part, was to coordinate the Peer Assistance and Review Program with the evaluations of certificated employees under the Stull Act. Section 1 of the 1999 test claim legislation states the following:

It is the intent of the Legislature to establish a teacher peer assistance and review system as a critical feedback mechanism that allows exemplary teachers to assist

³² *Ibid.*

³³ *Id.* at page 731.

³⁴ *Ibid.*

³⁵ *Id.* at page 743.

veteran teachers in need of development in subject matter knowledge or teaching strategies, or both.

It is further the intent of the Legislature that a school district that operates a program pursuant to Article 4.5 (commencing with Section 44500) of Chapter 3 of Part 25 of the Education Code coordinate its employment policies and procedures for that program with its activities for professional staff development, the Beginning Teacher Support and Assessment Program, and the biennial evaluations of certificated employees required pursuant to Section 44664 [of the Stull Act].

The plain language of Education Code section 44500, subdivision (a), authorizes, but does not require, school districts to participate in the Peer Assistance and Review Program. That section states in pertinent part that "[t]he governing board of a school district and the exclusive representative of the certificated employees in the school district *may* develop and implement a program authorized by this article that meets local conditions and conforms with the principles set forth in subdivision (b)." (Emphasis added.) If a school district implements the program, the program must assist a teacher to improve his or her teaching skills and knowledge, and provide that the final evaluation of a teacher's participation in the program be made available for placement in the personnel file of the teacher receiving assistance. (Ed. Code, § 44500, subd. (b).) Furthermore, school districts that participate in the Peer Assistance and Review Program receive state funding pursuant to Education Code sections 44505 and 44506.

Therefore, the Commission finds that school districts are not legally compelled to participate in the Peer Assistance and Review Program and, thus, not legally compelled to receive and review the results of the program as part of the Stull Act evaluation.

The Commission further finds that school districts are not practically compelled to participate in the Peer Assistance and Review Program and review the results as part of the Stull Act evaluation. In *Department of Finance*, the California Supreme Court, when considering the practical compulsion argument raised by the school districts, reviewed its earlier decision in *City of Sacramento v. State of California* (1990) 50 Cal.3d 51.³⁶ The *City of Sacramento* case involved test claim legislation that extended mandatory coverage under the state's unemployment insurance law to include state and local governments and nonprofit corporations. The state legislation was enacted to conform to a 1976 amendment to the Federal Unemployment Tax Act, which required for the first time that a "certified" state plan include unemployment coverage of employees of public agencies. States that did not comply with the federal amendment faced a loss of a federal tax credit and an administrative subsidy.³⁷ The local agencies, knowing that federally mandated costs are not eligible for state subvention, argued against a federal mandate. The local agencies contended that article XIII B, section 9 requires clear legal compulsion not present in the Federal Unemployment Tax Act.³⁸ The state, on the other hand, contended that California's failure to comply with the federal "carrot and stick" scheme was so substantial that the state had no realistic "discretion" to refuse. Thus, the state

³⁶ *Department of Finance, supra*, 30 Cal.4th at pages 749-751.

³⁷ *City of Sacramento, supra*, 50 Cal.3d at pages 57-58.

³⁸ *Id.* at page 71.

contended that the test claim statute merely implemented a federal mandate and that article XIII B, section 6 does not require strict legal compulsion to apply.³⁹

The Supreme Court in *City of Sacramento* concluded that although local agencies were not strictly compelled to comply with the test claim legislation, the legislation constituted a federal mandate. The Supreme Court concluded that because the financial consequences to the state and its residents for failing to participate in the federal plan were so onerous and punitive, and the consequences amounted to "certain and severe federal penalties" including "double taxation" and other "draconian" measures, the state was mandated by federal law to participate in the plan.⁴⁰

The Supreme Court applied the same analysis in the *Department of Finance* case and found that the practical compulsion finding for a state mandate requires a showing of "certain and severe penalties" such as "double taxation" and other "draconian" consequences. The Court stated the following:

Even assuming, for purposes of analysis only, that our construction of the term "federal mandate" in *City of Sacramento* [citation omitted], applies equally in the context of article XIII B, section 6, for reasons set below we conclude that, contrary to the situation we described in that case, claimants here have not faced "certain and severe ... penalties" such as "double ... taxation" and other "draconian" consequences . . .⁴¹

Although there are statutory consequences for not participating in the Peer Assistance and Review Program, the Commission finds, as explained below, that the consequences do not constitute the type of draconian penalties described in the *Department of Finance* case.

Pursuant to Education Code section 44504, subdivision (b), school districts that do not participate in the Peer Assistance and Review Program are not eligible to receive state funding for specified programs. Education Code section 44504, subdivision (b), states the following:

A school district that does not elect to participate in the program authorized under this article by July 1, 2001, is not eligible for any apportionment, allocation, or other funding from an appropriation for the program authorized pursuant to this article or for any apportionments, allocations, or other funding from funding for local assistance appropriated pursuant to the Budget Act Item 6110-231-0001, funding appropriated for the Administrator Training and Evaluation Program set forth in Article 3 (commencing with Section 44681) of Chapter 3.1 of Part 25, from an appropriation for the Instructional Time and Staff Development Reform Program as set forth in Article 7.5 (commencing with Section 44579) of Chapter 3, or from an appropriation for school development plans as set forth in Article 1 (commencing with Section 44670.1) of Chapter 3.1 and the Superintendent of Public Instruction shall not apportion, allocate, or otherwise provide any funds to the district pursuant to those programs.

³⁹ *Ibid.*

⁴⁰ *Id.* at pages 73-76.

⁴¹ *Department of Finance, supra*, 30 Cal.4th at page 751.

The funding appropriated under the programs specified in Education Code section 44504, subdivision (b), are not state-mandated programs. Most are categorical programs undertaken at the discretion of the school district in order to receive grant funds. For example, the funding appropriated pursuant to the Budget Act Item 6110-231-0001 is local assistance funding to school districts "for the purpose of the Proposition 98 educational programs specified in subdivision (b) of Section 12.40 of this act." (Stats. 1999, ch. 50, State Budget Act.) The education programs specified in subdivision (b) of Section 12.40 of the 1999 State Budget Act include the Tenth Grade Counseling Program, the Reader Service for Blind Teacher Program, and the Home to School Transportation Program. (A full list of the educational programs identified in section 12.40 of the 1999 State Budget Act is provided in the footnote below.)⁴²

The same is true for the other programs identified in Education Code section 44504, subdivision (b), all of which are voluntary: i.e., the Administrator Training and Evaluation Program, the Instructional Time and Staff Development Reform Program, and the School Development Plans Program.

Accordingly, the Commission finds that the 1999 amendment to Education Code sections 44662, subdivision (d), and 44664, subdivision (b), does not impose a mandate on school districts to receive and review the results of the Peer Assistance and Review Program as part of the Stull Act

⁴² Section 12.40 of the 1999 State Budget Act identifies the following programs: Item 6110-108-0001 – Tenth Grade Counseling (Ed. Code, § 48431.7); Item 6110-110-0001 – Reader Service for Blind Teachers (Ed. Code, §§ 45371, 44925); Item 6110-111-0001 – Home to School Transportation and Small District Transportation (Ed. Code, § 41850, 42290); Item 6110-116-0001 – School Improvement Program (Ed. Code, § 52000 et seq.); Item 6110-118-0001 – State Vocational Education (in lieu of funds otherwise appropriated pursuant to Business and Professions Code section 19632); Item 6110-119-0001 – Educational Services for Foster Youth (Ed. Code, § 42920 et seq.); Item 6110-120-0001 – Pupil Dropout Prevention Programs (Ed. Code, §§ 52890, 52900, 54720, 58550); Item 6110-122-0001 – Specialized Secondary Programs (Ed. Code, § 58800 et seq.); Item 6110-124-0001 – Gifted and Talented Pupil Program (Ed. Code, § 52200 et seq.); Item 6110-126-0001 – Miller-Unruh Basic Reading Act of 1965 (Ed. Code, § 54100 et seq.); Item 6110-127-0001 – Opportunity Classes and Programs (Ed. Code, § 48643 et seq.); Item 6110-128-0001 – Economic Impact Aid (Ed. Code, §§ 54020, 54031, 54033, 54040); Item 6110-131-0001 – American Indian Early Childhood Education Program (Ed. Code, § 52060 et seq.); Item 6110-146-0001 – Demonstration Programs in Intensive Instruction (Ed. Code, § 58600 et seq.); Item 6110-151-0001 – California Indian Education Centers (Ed. Code, § 33380); Item 6110-163-0001 – The Early Intervention for School Success Program (Ed. Code, § 54685 et seq.); Item 6110-167-0001 – Agricultural Vocational Education Incentive Program (Ed. Code, § 52460 et seq.); Item 6110-180-0001 – grant money pursuant to the federal Technology Literacy Challenge Grant Program; Item 6110-181-0001 – Educational Technology Programs (Ed. Code, § 51870 et seq.); Item 6110-193-0001 – Administrator Training and Evaluation Program, School Development Plans and Resource Consortia, Bilingual Teacher Training Program; Item 6110-197-0001 – Instructional Support-Improving School Effectiveness – Intersegmental Programs; Item 6110-203-0001 – Child Nutrition Programs (Ed. Code, §§ 41311, 49536, 49501, 49550, 49552, 49559); Item 6110-204-0001 – 7th and 8th Grad Math Academies; and Item 6110-209-0001 – Teacher Dismissal Apportionments (Ed. Code, § 44944).

evaluation and, thus, these sections are not subject to article XIII B, section 6 of the California Constitution.

The remaining requirements imposed by the test claim legislation constitute a state-mandated program only for those certificated employees that perform the duties mandated by state and federal law.

The remaining test claim legislation requires school districts, in their evaluation of certificated personnel, to perform the following activities:

- assess and evaluate the performance of non-instructional certificated personnel (former Ed. Code, §§ 13485, 13487, as amended by Stats. 1975, ch. 1216; Ed. Code, § 44663, as amended by Stats. 1986, ch. 393);
- establish standards of expected student achievement at each grade level in each area of study to be included in a district's evaluation and assessment guidelines (former Ed. Code, § 13487, as repealed and reenacted by Stats. 1975, ch. 1216);
- evaluate and assess the performance of instructional certificated employees as it reasonably relates to the instructional techniques and strategies used by certificated employees, the certificated employee's adherence to curricular objectives, and the progress of pupils towards the state adopted academic content standards (Ed. Code, § 44662, subd. (b), as amended by Stats. 1983, ch. 498 and Stats. 1999, ch. 4); and
- assess and evaluate certificated personnel that receive an unsatisfactory evaluation once each year until the employee achieves a positive evaluation, or is separated from the school district (Ed. Code, § 44664, as amended by Stats. 1983, ch. 498).

Pursuant to the Supreme Court's decision in the *Department of Finance* case, the Commission finds that the evaluation and assessment activities required by the test claim legislation constitute state-mandated activities only for those certificated employees that perform the duties mandated by state or federal law. The activities associated with evaluating and assessing certificated personnel employed in local, discretionary educational programs do not constitute state-mandated activities and, thus, are not subject to article XIII B, section 6 of the California Constitution.

In *Department of Finance, supra*, the Court found, on page 731 of the decision, that:

[W]e reject claimants' assertion that they have been legally compelled to incur notice and agenda costs, and hence are entitled to reimbursement from the state, based merely upon the circumstance that notice and agenda provisions are mandatory elements of education-related program in which claimants have participated, without regard to whether claimant's participation in the underlying program is voluntary or compelled. [Emphasis added.]

In the present case, the California Constitution gives the Legislature plenary authority over education by requiring the Legislature to encourage by all suitable means the promotion of education and to provide for a system of common schools.⁴³ A system of common schools

⁴³ California Constitution, article IX, sections 1, 5; *Hayes v. Commission on State Mandates* (1992) 11 Cal. App.4th 1564, 1579, fn. 5.

means one system, which prescribes the courses of study and educational progression from grade to grade.⁴⁴ Schools are required to meet the minimum standards and guidelines regarding course instruction and educational progression established by the Legislature.⁴⁵

Given this background, the Legislature has historically mandated specified educational programs that school districts are required to follow. For example, Education Code section 48200 provides that each person between the ages of six and 18 years is subject to compulsory full-time education. School districts are required to adopt a course of study for grades 1 to 6 that shall include English, Mathematics, Social Sciences, Science, Visual and Performing Arts, Health, and Physical Education.⁴⁶ School districts are required to offer the following courses for grades 7 to 12: English, Social Sciences, Foreign Language, Physical Education, Science, Mathematics, Visual and Performing Arts, Career Technical Education; and Driver Education.⁴⁷ Education Code section 51225.3 describes the state-mandated courses of instruction required for high school graduation. In addition, in the appropriate elementary and secondary grade levels, the required course of study shall include instruction in personal and public safety and accident prevention (Ed. Code, § 51202), instruction about the nature and effects of alcohol, narcotics, and restricted dangerous drugs (Ed. Code, § 51203), and, in grades 7 and 8, instruction on parenting skills and education (Ed. Code, 51220.5). Finally, Education Code section 44805 states that "every teacher in the public schools shall enforce the course of study . . . prescribed for schools."

In addition, federal law requires school districts to provide a free and appropriate education to all handicapped children.⁴⁸

Thus, school districts are required to employ certificated personnel to fulfill the requirements of the state and federal mandated educational programs. Accordingly, pursuant to the *Department of Finance* case, school districts are mandated by the state to perform the test claim requirements to evaluate and assess the certificated personnel performing the mandated functions.

Moreover, the Commission finds that the test claim requirements to evaluate and assess the certificated personnel performing mandated functions constitutes a program subject to article XIII B, section 6 of the California Constitution. The California Supreme Court, in the case of *County of Los Angeles v. State of California*⁴⁹, defined the word "program" within the meaning of article XIII B, section 6 as a program that carries out the governmental function of providing a

⁴⁴ *Wilson v. State Board of Education* (1999) 75 Cal.App.4th 1123, 1135-1136. In *Wilson*, the court determined that charter schools fall within the system of common schools because their educational programs are required to meet the same state standards, including minimum duration of instruction applicable to all public schools, measurement of student progress by the same assessments required of all public school students, and students are taught by teachers meeting the same minimum requirements as all other public school teachers. (*Id.* at p. 1138.)

⁴⁵ *Burton v. Pasadena City Board of Education* (1977) 71 Cal.App.3d 52, 58.

⁴⁶ Education Code section 51210.

⁴⁷ Education Code section 51220.

⁴⁸ *Hayes, supra*, 11 Cal.App.4th at page 1592.

⁴⁹ *County of Los Angeles, supra*, 43 Cal.3d at page 56.

service to the public, or laws which, to implement a state policy, impose unique requirements on local governments and do not apply generally to all residents and entities in the state. Only one of these findings is necessary to trigger the applicability of article XIII B, section 6.⁵⁰

Legislative intent of the test claim legislation is provided in Education Code section 44660 as follows:

It is the intent of the Legislature that governing boards establish a uniform system of evaluation and assessment of the performance of all certificated personnel within each school district of the state, including schools conducted or maintained by county superintendents of education. The system shall involve the development and adoption by each school district of objective evaluation and assessment guidelines, which may, at the discretion of the governing board, be uniform throughout the district, or for compelling reasons, be individually developed for territories or schools within the district, provided that all certificated personnel of the district shall be subject to a system of evaluation and assessment adopted pursuant to this article.⁵¹

The Commission finds that objectively evaluating the performance of certificated personnel performing mandated functions within a school district carries out the governmental function of providing a service to the public. Public education is a governmental function within the meaning of article XIII B, section 6. The California Supreme Court in *Lucia Mar* stated that "the contributions called for [in the test claim legislation] are used to fund a 'program' . . . for the education of handicapped children is clearly a governmental function providing a service to the public."⁵² Additionally, the court in the *Long Beach Unified School District* case held that "although numerous private schools exist, education in our society is considered to be a peculiarly governmental function."⁵³ In addition, the test claim legislation imposes unique requirements on school districts.

However, the activities associated with evaluating and assessing certificated personnel employed in local, discretionary educational programs do not constitute state-mandated activities and, thus, are not subject to article XIII B, section 6 of the California Constitution. Pursuant to existing law, school districts are encouraged to develop their own local programs that best fit the needs and interests of the pupils. Unless the Legislature expressly imposes statutory requirements on school districts, school districts have discretionary control with their educational programs.⁵⁴

⁵⁰ *Carmel Valley Fire Protection Dist.*, *supra*, 190 Cal.App.3d at page 537.

⁵¹ As originally enacted, former Education Code section 13485 stated the legislative intent as follows: "It is the intent of the Legislature to establish a uniform system of evaluation and assessment of the performance of certificated personnel within each school district of the state. The system shall involve the development and adoption by each school district of objective evaluation and assessment guidelines."

⁵² *Lucia Mar*, *supra*, 44 Cal.3d at page 835.

⁵³ *Long Beach Unified School District*, *supra*, 225 Cal.App.3d at page 172.

⁵⁴ California Constitution, article IX, section 14; Education Code sections 35160, 35160.1, 51002.

For example, the Supreme Court in the *Department of Finance* case found that eight of the nine educational programs were voluntary and not mandated by the state. These include the following programs: School Improvement Program (Ed. Code, § 52010 et seq.); American Indian Early Childhood Education Program (Ed. Code, § 52060 et seq.); School-Based Coordinated Categorical Program (Ed. Code, § 52850 et seq.); Compensatory Education Programs (Ed. Code, § 54420 et seq.); Migrant Education Program (Ed. Code, § 54440 et seq.); Motivation and Maintenance Program (Ed. Code, § 54720 et seq.); Parental Involvement Program (Ed. Code, § 11500 et seq.); and Federal Indian Education Program (25 U.S.C, § 2604).⁵⁵

The Commission finds that school districts are free to discontinue their participation in these underlying voluntary programs and free to discontinue employing certificated personnel funded by these programs. Accordingly, the test claim requirements to evaluate and assess certificated personnel funded or employed in local discretionary programs are not mandated by the state and not subject to article XIII B, section 6 of the California Constitution.⁵⁶

Since the parties did not file comments in response to the request for additional briefing on this issue, the determination of the certificated employees performing mandated functions for which schools districts are eligible to receive reimbursement will be addressed during the parameters and guidelines phase.

Issue 2: Does the test claim legislation impose a new program or higher level of service within the meaning of article XIII B, section 6 of the California Constitution?

The California Supreme Court and the courts of appeal have held that article XIII B, section 6 was not intended to entitle local agencies and school districts for all costs resulting from legislative enactments, but only those costs mandated by a new program or higher level of service imposed on them by the state.⁵⁷ Generally, to determine if the program is new or imposes a higher level of service, the analysis must compare the test claim legislation with the legal requirements in effect immediately before the enactment of the test claim legislation.⁵⁸

As indicated above, the Stull Act was enacted in 1971. The test claim legislation, enacted from 1975 to 1999, amended the Stull Act. The issue is whether the amendments constitute a new program or higher level of service within the meaning of article XIII B, section 6 of the California Constitution.

⁵⁵ *Department of Finance, supra*, 30 Cal.4th at page 745.

⁵⁶ The court did not conclude whether school districts were legally compelled to participate in the Bilingual-Bicultural Education program (Ed. Code, § 52160 et seq.) since the case was denied on other grounds. (*Department of Finance, supra*, 30 Cal.4th at p. 746-747.)

⁵⁷ *Lucia Mar Unified School Dist., supra*, 44 Cal.3d at page 834; *City of San Jose v. State of California* (1996) 45 Cal.App.4th 1802, 1816.

⁵⁸ *Lucia Mar Unified School Dist., supra*, 44 Cal.3d at page 835.

Develop job responsibilities for certificated non-instructional personnel, and assess and evaluate the performance of certificated non-instructional personnel (Former Ed. Code, §§ 13485, 13487, as amended by Stats. 1975, ch. 1216; Ed. Code, § 44663, as amended by Stats. 1986, ch. 393).

The claimant is requesting reimbursement for the following activities relating to certificated non-instructional employees:

- Establish and define job responsibilities for certificated non-instructional personnel, including, but not limited to, supervisory and administrative personnel.
- Evaluate and assess the performance of certificated non-instructional personnel as it reasonably relates to the fulfillment of the established job responsibilities.
- Prepare and draft a written evaluation of the certificated non-instructional employee. The evaluation shall include recommendations, if necessary, as to areas of improvement.
- Receive and review from a certificated non-instructional employee written responses regarding the evaluation.
- Prepare and hold a meeting between the certificated non-instructional employee and the evaluator to discuss the evaluation and assessment.⁵⁹

As originally enacted in 1971, the Stull Act stated in former Education Code section 13485 the following:

It is the intent of the Legislature to establish a uniform system of evaluation and assessment of the performance of certificated personnel within each school district of the state. The system shall involve the development and adoption by each school district of objective evaluation and assessment guidelines.

Former Education Code section 13486 stated the following:

In the development and adoption of these guidelines and procedures, the governing board shall avail itself of the advice of the certificated instructional personnel in the district's organization of certificated personnel.

Former Education Code section 13487 required school districts to develop and adopt specific evaluation and assessment guidelines for certificated personnel. Former section 13487 stated the following:

The governing board of each school district shall develop and adopt specific evaluation and assessment guidelines which shall include but shall not necessarily be limited in content to the following elements:

- (a) The establishment of standards of expected student progress in each area of study and of techniques for the assessment of that progress.
- (b) Assessment of certificated personnel as it relates to the established standards.
- (c) Assessment of other duties normally required to be performed by certificated employees as an adjunct to their regular assignments.

⁵⁹ Exhibit A (Test Claim, page 6) to Item 9 of the May 27, 2004 Commission Hearing.

- (d) The establishment of procedures and techniques for ascertaining that the certificated employee is maintaining proper control and is preserving a suitable learning environment.

Former Education Code section 13488 required that the evaluation and assessment be reduced to writing, that an opportunity to respond be given to the certificated employee, and that a meeting be held between the certificated employee and the evaluator to discuss the evaluation. Former section 13488 stated the following:

Evaluation and assessment made pursuant to this article shall be reduced to writing and a copy thereof shall be transmitted to the certificated employee not later than 60 days before the end of each school year in which the evaluation takes place. The certificated employee shall have the right to initiate a written reaction or response to the evaluation. Such response shall become a permanent attachment to the employee's personnel file. Before the end of the school year, a meeting shall be held between the certificated personnel and the evaluator to discuss the evaluation.

And, former Education Code section 13489 required that the evaluation and assessment be performed on a continuing basis, and that the evaluation include necessary recommendations as to areas of improvement. Former Education Code section 13489, as enacted in 1971, stated the following:

Evaluation and assessment of the performance of each certificated employee shall be made on a continuing basis, at least once each school year for probationary personnel, and at least every other year for personnel with permanent status. The evaluation shall include recommendations, if necessary, as to areas of improvement in the performance of the employee. In the event an employee is not performing his duties in a satisfactory manner according to the standards prescribed by the governing board, the employing authority shall notify the employee in writing of such fact and describe such unsatisfactory performance. The employing authority shall thereafter confer with the employee making specific recommendations as to areas of improvement in the employee's performance and endeavor to assist him in such performance.

In addition, section 42 of the 1971 statute provided a specific exemption for certificated employees of community colleges if a related bill was enacted. Section 42 stated the following:

Article 5 (commencing with Section 13401) and Article 5.5 (commencing with Section 13485) of Chapter 2 of Division 10 of the Education Code shall not apply to certificated employees in community colleges if Senate Bill No. 696 or Assembly Bill No. 3032 is enacted at the 1971 Regular Session of the Legislature.

According to the history, Senate Bill 696 was enacted as Statutes 1971, chapter 1654. Thus, certificated employees of community colleges were not required to comply with the Stull Act.

- (c) The governing board of each school district shall establish and define job responsibilities for those certificated noninstructional personnel, including, but not limited to, supervisory and administrative personnel, whose responsibilities cannot be evaluated appropriately under the provisions of subdivision (b), and shall evaluate and assess the competency of such noninstructional employees as it reasonably relates to the fulfillment of those responsibilities. ...

The 1975 test claim legislation did not amend the requirements in former Education Code sections 13488 or 13489 to prepare written evaluations of certificated employees, receive responses to those evaluations, and conduct a meeting with the certificated employee to discuss the evaluation.

Additionally, in 1986, the test claim legislation (Stats. 1986, ch. 393) amended Education Code section 44663 (which derived from former Ed. Code, § 13488) by adding subdivision (b) to provide that the evaluation and assessment of certificated non-instructional employees shall be reduced to writing before June 30 of the year that the evaluation is made, that an opportunity to respond be given to the certificated non-instructional employee, and that a meeting be held between the certificated non-instructional employee and the evaluator to discuss the evaluation before July 30. Education Code section 44663, subdivision (b), as added by the test claim legislation, states the following:

In the case of a certificated noninstructional employee, who is employed on a 12-month basis, the evaluation and assessment made pursuant to this article shall be reduced to writing and a copy thereof shall be transmitted to the certificated employee no later than June 30 of the year in which the evaluation and assessment is made. A certificated noninstructional employee, who is employed on a 12-month basis shall have the right to initiate a written reaction or response to the evaluation. This response shall become a permanent attachment to the employee's personnel file. Before July 30 of the year in which the evaluation and assessment take place, a meeting shall be held between the certificated employee and the evaluator to discuss the evaluation and assessment.

The claimant contends that the Stull Act, as originally enacted in 1971, required the assessment and evaluation of teachers, or certificated instructional employees, only. The claimant argues that when the Stull Act was amended in 1975 and 1986, it added the requirement for schools districts to develop job responsibilities to assess and evaluate the performance of non-instructional personnel. The claimant contends that under the rules of statutory construction, an amendment indicates the legislative intent to change the law. The claimant contends that this amendment imposed additional activities on school districts to develop job responsibilities and evaluate certificated non-instructional employees, which constitute a higher level of service.⁶²

The Department of Finance argues that school districts have always had the requirement to assess and evaluate non-instructional personnel because the original legislation enacted in 1971 refers to all certificated personnel. The Department of Finance contends that the subsequent

⁶² Exhibit C to Item 9 of the May 27, 2004 Commission Hearing.

In 1972, former Education Code section 13485 was amended to specifically exclude from the requirements of the Stull Act certificated personnel employed on an hourly basis in adult education classes.⁶⁰

In 1973, former Education Code section 13489 was amended to exclude hourly and temporary certificated employees and substitute teachers, at the discretion of the governing board, from the requirement to evaluate and assess on a continuing basis.⁶¹

Thus, under prior law, school districts were required to perform the following activities as they related to "certificated personnel:"

- Develop and adopt specific evaluation and assessment guidelines for the performance of "certificated personnel."
- Evaluate and assess "certificated personnel" as it relates to the established standards.
- Prepare and draft a written evaluation of the "certificated employee." The evaluation shall include recommendations, if necessary, as to areas of improvement.
- Receive and review from a "certificated employee" written responses regarding the evaluation.
- Prepare and hold a meeting between the "certificated employee" and the evaluator to discuss the evaluation and assessment.

The test claim legislation, in 1975 (Stats. 1975; ch. 1216), amended the Stull Act by adding language relating to certificated "non-instructional" employees. As amended, former Education Code section 13485 stated in relevant part the following (with the amended language underlined):

It is the intent of the Legislature that governing boards establish a uniform system of evaluation and assessment of the performance of all certificated personnel within each school district of the state

Former Education Code section 13487 was also repealed and reenacted by Statutes 1975, chapter 1216, as follows (amendments relevant to this issue are underlined):

- (a) The governing board of each school district shall establish standards of expected student achievement at each grade level in each area of study.
- (b) The governing board of each school district shall evaluate and assess certificated employee competency as it reasonably relates to (1) the progress of students toward the established standards, (2) the performance of those noninstructional duties and responsibilities, including supervisory and advisory duties, as may be prescribed by the board, and (3) the establishment and maintenance of a suitable learning environment within the scope of the employee's responsibilities.

⁶⁰ Statutes 1972, chapter 535.

⁶¹ Statutes 1972, chapter 1973.

amendments that specifically list certificated non-instructional personnel, were clarifying edits and not new requirements.⁶³

The Stull Act was an existing program when the test claim legislation was enacted. Thus, the issue is whether the 1975 and 1986 amendments to the Stull Act mandated an increased, or higher level of service to develop job responsibilities and to evaluate and assess certificated non-instructional employees. In 1987, the California Supreme Court in *County of Los Angeles v. State of California* expressly stated that the term "higher level of service" must be read in conjunction with the phrase "new program." Both are directed at *state-mandated increases in the services* provided by local agencies.⁶⁴

In 1990, the Second District Court of Appeal decided the *Long Beach Unified School District* case, which challenged a test claim filed with the Board of Control on executive orders issued by the Department of Education to alleviate racial and ethnic segregation in schools.⁶⁵ The court determined that the executive orders did not constitute a "new program" since schools had an existing constitutional obligation to alleviate racial segregation.⁶⁶ However, the court found that the executive orders constituted a "higher level of service" because the requirements imposed by the state went beyond constitutional and case law requirements. The court stated in relevant part the following:

The phrase "higher level of service" is not defined in article XIII B or in the ballot materials. [Citation omitted.] A mere increase in the cost of providing a service which is the result of a requirement mandated by the state is not tantamount to a higher level of service. [Citation omitted.] However, a review of the Executive Order and guidelines shows that a higher level of service is mandated because the requirements go beyond constitutional and case law requirements. . . . While these steps fit within the "reasonably feasible" description of [case law], the point is that these steps are no longer merely being suggested as options which the local school district may wish to consider but are *required acts*. *These requirements constitute a higher level of service*. We are supported in our conclusion by the report of the Board to the Legislature regarding its decision that the Claim is reimbursable: "Only those costs that are above and beyond the regular level of service for like pupils in the district are reimbursable."^{67, 68}

⁶³ Exhibit B to Item 9 of the May 27, 2004 Commission Hearing.

⁶⁴ *County of Los Angeles, supra*, 43 Cal.3d at page 56.

⁶⁵ *Long Beach Unified School District, supra*, 225 Cal.App.4th 155.

⁶⁶ *Id.* at page 173.

⁶⁷ *Ibid.*, emphasis added.

⁶⁸ See also, *County of Los Angeles v. Commission on State Mandates* (2003) 110 Cal.App.4th 1176, 1193-1194, where the Second District Court of Appeal followed the earlier rulings and held that in the case of an existing program, reimbursement is required only when the state is divesting itself of its responsibility to provide fiscal support for a program, or is forcing a new program on a locality for which it is ill-equipped to allocate funding.

Thus, in order for the 1975 and 1986 amendments to the Stull Act, relating to certificated non-instructional personnel, to impose a new program or higher level of service, the Commission must find that the state is imposing new required acts or activities on school districts beyond those already required by law.

For the reasons described below, the Commission finds that school districts have been required to develop job responsibilities for certificated non-instructional employees, evaluate and assess certificated non-instructional employees, draft written evaluations of certificated non-instructional employees, receive and review written responses to the evaluation from certificated non-instructional employees, and conduct meetings regarding the evaluation with certificated non-instructional employees under the Stull Act since 1971, before the enactment of the test claim legislation.

Claimant argues that the statutory amendments to the Stull Act, by themselves, reflect the legislative intent to change the law. However, the intent to change the law may not always be presumed by an amendment, as suggested by the claimant. The court has recognized that changes in statutory language can be intended to clarify the law, rather than change it.

We assume the Legislature amends a statute for a purpose, but that purpose need not necessarily be to change the law. [Citation.] Our consideration of the surrounding circumstances can indicate that the Legislature made ... changes in statutory language in an effort only to clarify a statute's true meaning. [Citations omitted.]⁶⁹

Thus, to determine whether the Stull Act, as originally enacted in 1971, applied to all certificated employees of a school district, instructional and non-instructional employees alike, the Commission must apply the rules of statutory construction. Under the rules of statutory construction, the first step is to look at the statute's words and give them their plain and ordinary meaning. Where the words of the statute are not ambiguous, they must be applied as written and may not be altered in any way. Moreover, the intent must be gathered with reference to the whole system of law of which it is a part so that all may be harmonized and have effect.⁷⁰

As indicated by the plain language of former Education Code sections 13485, 13487, 13488, and 13489, school districts were required under prior law to develop evaluation and assessment guidelines for the evaluation of "certificated" employees, evaluate and assess "certificated" employees on a continuing basis, draft written evaluations of "certificated" employees, receive and review written response to the evaluation from "certificated" employees, and conduct meetings regarding the evaluation with "certificated" employees. The plain language of these statutes does not distinguish between instructional employees (teachers) and non-instructional employees (principals, administrators), or specifically exclude certificated non-instructional employees. When read in context with the whole system of law of which these statutes are a part, the requirements of the Stull Act originally applied to *all* certificated employees under prior law.

As enacted, the Stull Act was placed in Chapter 2 of Division 10 of the 1971 Education Code, a chapter addressing "Certificated Employees." Certificated employees are those employees

⁶⁹ *Western Security Bank v. Superior Court* (1997) 15 Cal.4th 232, 243.

⁷⁰ *People v. Thomas* (1992) 4 Cal.4th 206, 210.

directly involved in the educational process and include both instructional and non-instructional employees such as teachers, administrators, supervisors, and principals.⁷¹ Certificated employees must be properly credentialed for the specific position they hold.⁷² A "certificated person" was defined in former Education Code section 12908 as "a person who holds one or more documents such as a certificate, a credential, or a life diploma, which singly or in combination license the holder to engage in the school service designated in the document or documents." The definition of "certificated person" governs the construction of Division 10 of the former Education Code and is not limited to instructional employees.⁷³

Thus, the plain language of former Education Code sections 13485, 13487, 13488, and 13489 read within the context of Chapter 2 of Division 10 of the 1971 Education Code, a division that governs both instructional and non-instructional certificated employees, required school districts to develop evaluation and assessment guidelines and to evaluate both instructional and non-instructional certificated employees based on the guidelines on a continuing basis.

In addition, former Education Code section 13486, as enacted in 1971, expressly required school districts to avail themselves "of the advice of the *certificated instructional personnel* in the district's organization of certificated personnel" when developing and adopting the evaluation guidelines. (Emphasis added.) Former Education Code sections 13485, 13487, 13488, and 13489, enacted at the same time, did not limit the evaluation and assessment requirements to "certificated instructional personnel" only. Rather, "certificated employees" were required to be evaluated. Thus, had the Legislature intended to require school districts to evaluate and assess only teachers, as argued by claimant, they would have limited the requirements of former Education Code sections 13485, 13487, 13488, 13489 to "certificated instructional personnel." Under the rules of statutory construction, the Commission is prohibited from altering the plain language of a statute, or writing into a statute, by implication, express requirements that the Legislature itself has not seen fit to place in the statute.⁷⁴

Moreover, under prior law, the Legislature expressly excluded certain types of certificated employees from the requirements of the Stull Act, and never expressly excluded non-instructional employees. When the Stull Act was originally enacted in 1971, the Legislature excluded employees of community colleges from the requirements.⁷⁵ In 1972, the Legislature revisited the Stull Act and expressly excluded certificated personnel employed on an hourly basis in adult education classes.⁷⁶ In 1973, school districts were authorized to exclude hourly and temporary certificated employees, and substitute teachers from the evaluation requirement.⁷⁷ Under the rules of statutory construction, where exceptions to a general rule are specified by

⁷¹ Former Education Code section 13187 et seq. of the 1971 Education Code.

⁷² Former Education Code section 13251 et seq. of the 1971 Education Code.

⁷³ Former Education Code 12901 of the 1971 Education Code.

⁷⁴ *Whitcomb v. California Employment Commission* (1944) 24 Cal.2d 753, 757; *In re Rudy L.* (1994) 29 Cal.App.4th 1007, 1011.

⁷⁵ Section 42 of Statutes 1971, chapter 361.

⁷⁶ Statutes 1972, chapter 535.

⁷⁷ Statutes 1973, chapter 220.

statute, other exceptions are not to be implied or presumed, absent a discernible and contrary legislative intent.⁷⁸ Thus, it cannot be implied from the plain language of the legislation that the Legislature intended to exclude certificated non-instructional employees from the requirements of the Stull Act.

The conclusion that the Stull Act applied to non-instructional employees under prior law is further supported by case law. In 1977, the First District Court of Appeal considered *Grant v. Adams*.⁷⁹ The *Grant* case involved a school district employee who was a certified teacher with credentials as an administrator who had been serving as a principal (a non-instructional employee) of an elementary school from 1973 through 1974. In May 1974, the employee was reassigned and demoted to a teaching position for the 1974-1975 school year.⁸⁰ The employee made the argument that the Stull Act, when coupled with other statutory provisions, created a property interest in his position as a principal and required that an evaluation be conducted before termination of an administrative assignment. The court disagreed with the employee's argument, holding that the Stull Act evaluation was not a precondition to reassignment or dismissal.⁸¹ When analyzing the issue, the court made the following findings:

In 1971, the Legislature passed the so-called "Stull Act," Education Code sections 13485-13490. Among other things the Stull Act required that all school districts establish evaluation procedures for certificated personnel. (Ed. Code, § 13485.) *The state board of education developed guidelines for evaluation of administrators and teachers pursuant to the Stull Act. Respondents [school district] adopted those guidelines without relevant change in June 1972. The guidelines called for evaluation of personnel on permanent status at least once every two years. Appellant was given no evaluation pursuant to the guidelines. (Emphasis added.)*⁸²

In 1979, the California Supreme Court decided *Miller v. Chico Unified School District Board of Education*, a case with similar facts.⁸³ In the *Miller* case, the employee was a principal of a junior high school from 1958 until 1976, when he was reassigned to a teaching position. In 1973, the school board adopted procedures to formally evaluate administrators pursuant to the Stull Act.⁸⁴ The employee received a Stull Act evaluation in 1973, 1974, and 1975.⁸⁵ In 1976, the school board requested the employee's cooperation in his fourth annual Stull evaluation report, but the employee refused on advice of counsel.⁸⁶ The employee sought reinstatement to

⁷⁸ *People v. Galambos* (2002) 104 Cal.App.4th 1147.

⁷⁹ *Grant v. Adams* (1977) 69 Cal.App.3d 127.

⁸⁰ *Id.* at page 130.

⁸¹ *Id.* at pages 134-135.

⁸² *Id.* at page 143, footnote 3.

⁸³ *Miller v. Chico Unified School District Board of Education* (1979) 24 Cal.3d 703.

⁸⁴ *Id.* at page 707.

⁸⁵ *Id.* at pages 708-710, 717.

⁸⁶ *Id.* at page 709.

his position as a principal on the ground that the school board failed to comply with the Stull Act.⁸⁷ The court denied the employee's request and made the following findings:

The record indicates, however, that the school board substantially complied with the Stull Act's mandate that the board fix performance guidelines for its certificated personnel, evaluate plaintiff in light of such guidelines, inform plaintiff of the results of any evaluation, and suggest to plaintiff ways to improve his performance.

The school board's guidelines provide for annual evaluations of supervisory personnel; accordingly, the board evaluated plaintiff in 1973, 1974, and 1975. Although plaintiff received generally satisfactory evaluations in 1973 and 1974, the board's evaluation report in 1974 contains suggestions for specific areas of improvement. . . .

Plaintiff's final Stull Act evaluation in June 1975 plainly notified plaintiff "in writing" of any unsatisfactory conduct on his part, and in addition provided a forum for plaintiff's supervisors to make "specific recommendations as to areas of improvement in the employee's performance and endeavor to assist him in such performance." [Former Ed. Code, § 13489.]

The court is surely obligated to understand the purpose of . . . [the Stull Act] and to apply those sections to the relevant facts.⁸⁸

Finally, the legislative history of the 1986 test claim legislation supports the conclusion that the specific language added to the Stull Act was not intended to impose new required acts on school districts. As stated above, the test claim legislation (Stats. 1986, ch. 393) amended Education Code section 44663 by adding subdivision (b) to provide that the evaluation and assessment of certificated non-instructional employees shall be reduced to writing before June 30 of the year that the evaluation is made, that an opportunity to respond be given to the certificated non-instructional employee, and that a meeting be held between the certificated non-instructional employee and the evaluator to discuss the evaluation before July 30. The legislative history of Statutes 1986, chapter 393 (Assem. Bill No. 3878) indicates that the purpose of the bill was to extend for 45 days the *current* requirement for the evaluation of certificated non-instructional employees.⁸⁹ The analysis of Assembly Bill 3878 by the Assembly Education Committee, dated

⁸⁷ *Id.* at page 716.

⁸⁸ *Id.* at pages 717-718.

⁸⁹ Letter from San Diego Unified School District to the Honorable Teresa Hughes, Chairperson of the Assembly Education Committee, on Assembly Bill 3878, April 4, 1986; Assembly Education Committee, Republican Analysis on Assembly Bill 3878, April 7, 1986; Department of Finance, Enrolled Bill Report on Assembly Bill 3878, April 21, 1986; Legislative Analyst, Analysis of Assembly Bill 3878, April 24, 1986; Assembly Education Committee, Republican Analysis on Assembly Bill 3878, April 26, 1986; Senate Committee on Education, Staff Analysis on Assembly Bill 3878, May 28, 1986; Legislative Analyst, Analysis of Assembly Bill 3878, June 18, 1986. (Exhibit I to Item 9 of the May 27, 2004 Commission Hearing.)

April 7, 1986, states the following:

Current statute requires evaluations of noninstructional certificated employees on 12 month contracts to be conducted within 30 days before the last school day. This apparently is a problem for San Diego [Unified School District] because all evaluations are jammed in at the end of the school year. They feel it would make more sense to allow extra time to evaluate those on 12 month contracts and spread the process out over a longer period of time.⁹⁰

The April 24, 1986 analysis of Assembly Bill 3878 by the Legislative Analyst states the following:

Our review indicates that this bill does not mandate any new duties on school district governing boards, but simply extends the date by which evaluations of certain certificated employees must be completed.⁹¹

Based on the foregoing authorities, the Commission finds that school districts were required under prior law to perform the following activities:

- Develop and adopt specific evaluation and assessment guidelines for the performance of certificated non-instructional personnel.
- Evaluate and assess certificated non-instructional personnel as it relates to the established standards.
- Prepare and draft a written evaluation of the certificated non-instructional employee. The evaluation shall include recommendations, if necessary, as to areas of improvement.
- Receive and review from a certificated non-instructional employee written responses regarding the evaluation.
- Prepare and hold a meeting between the certificated non-instructional employee and the evaluator to discuss the evaluation and assessment.

The Commission further finds that the language added to former Education Code section 13487 by the 1975 test claim legislation to "establish and define job responsibilities" for certificated non-instructional personnel falls within the preexisting duty to develop and adopt objective evaluation and assessment guidelines for all certificated employees, does not mandate any new required acts, and, thus, does not constitute a new program or higher level of service.⁹²

Accordingly, the Commission finds that the 1975 and 1986 amendments to former Education Code sections 13485 and 13487 and Education Code section 44663 as they relate to certificated non-instructional employees do not constitute a new program or higher level of service.⁹³

⁹⁰ *Id.* at page 301.

⁹¹ *Id.* at page 306.

⁹² *Long Beach Unified School District, supra*, 225 Cal.App.4th at page 173.

⁹³ It is noted that the analysis by the Legislative Analyst on Senate Bill 777, which was enacted as Statutes 1975, chapter 1216, concludes that "there would also be undetermined increased local costs due to the addition of... non-instructional certificated employees in evaluation and

Establish standards of expected pupil achievement at each grade level in each area of study (Former Ed. Code, § 13487, as repealed and reenacted by Stats. 1975, ch. 1216).

The claimant is requesting reimbursement to establish standards of expected pupil achievement at each grade level in each area of study.

Former Education Code section 13487, as originally enacted in 1971, required school districts to develop and adopt specific evaluation and assessment guidelines for certificated personnel. Former section 13487 stated in relevant part the following:

The governing board of each school district shall develop and adopt specific evaluation and assessment guidelines which shall include but shall not necessarily be limited in content to the following elements:

- (a) The establishment of standards of expected student progress in each area of study and of techniques for the assessment of that progress.

The test claim legislation, in Statutes 1975, chapter 1216, repealed and reenacted former Education Code section 13487. As reenacted, the statute provided the following (amendments relevant to this issue are reflected with strikeout and underline):

- (a) The governing board of each school district shall establish standards of expected student ~~progress~~ achievement at each grade level in each area of study.

The claimant contends that the 1975 test claim legislation imposed a new program or higher level of service on school districts to rewrite standards for employee assessment to reflect expected student "achievement" (as opposed expected student "progress") and to expand the standards to reflect expected student achievement at each "grade level."⁹⁴ The claimant further states the following:

Prior law only required that the standards of expected student achievement be established to show student progress. Under prior law, these standards may have tracked student progress over time. For example, a school district may have established reading standards for pupils upon graduating from eighth grade. Under the test claim legislation, school districts no longer have the ability to determine over what period standards of expected student achievement will be

assessment requirements." (See, Exhibit I, pp. 292-294.) The courts have determined, however, that legislative findings are not relevant to the issue of whether a reimbursable state-mandated program exists:

[T]he statutory scheme [in Government Code section 17500 et seq.] contemplates that the Commission, as a quasi-judicial body, has the sole and exclusive authority to adjudicate whether a state mandate exists. Thus, any legislative findings are irrelevant to the issue of whether a state mandate exists. . . ." (*City of San Jose, supra*, 45 Cal.App.4th at pp. 1817-1818, quoting *County of Los Angeles v. Commission on State Mandates* (1995) 32 Cal.App.4th 805, 819, and *Kinlaw v. State of California, supra*, 54 Cal.3d at p. 333.)

⁹⁴ Exhibit A (Test Claim, page 4) to Item 9 of the May 27, 2004 Commission Hearing.

established: The standards must be established by each grade level. The new standards outlined in the test claim legislation align more closely with the state's new content standards . . ."⁹⁵

The Department of Finance contends that the 1975 amendment to former Education Code section 13487 does not constitute a new program or higher level of service. The Department states the following:

Finance notes that in practice, school district standards required by Chapter 361/71 would have had to have been differentiated by grade in order to provide a measure of "expected student progress." Finance also notes that changing the term "expected student progress" to the term "expected student achievement" is a wording change that would not require additional work on the part of school districts. These changes did not require additional work on the part of school districts, and therefore, are not reimbursable.^{96,97}

In order for the 1975 reenactment of former Education Code section 13487 to constitute a new program or higher level of service, the Commission must find that the state is imposing new required acts or activities on school districts beyond those already required by law.⁹⁸ For the reasons below, the Commission finds that the 1975 reenactment of former Education Code section 13487 does not constitute a new program or higher level of service.

On its face, the activities imposed by the 1975 reenactment of former Education Code section 13487 do not appear different than the activities required by the original 1971 version of former Education Code section 13487. Both versions require that standards for evaluation be established so that certificated personnel are evaluated based on student progress. As originally enacted in 1971, "[t]he governing board of each school district shall develop and adopt specific evaluation and assessment guidelines which shall include . . . the establishment of standards of *expected student progress* in each area of study . . . [and the] . . . assessment of certificated personnel competence as it relates to the established standards." (Emphasis added.) As reenacted in 1975, "[t]he governing board of each school district shall establish standards of expected student achievement at each grade level in each area of study . . . and evaluate and assess certificated employee competency as it reasonably relates to . . . *the progress of students toward the established standards.*" (Emphasis added.)

⁹⁵ Exhibit C, page 2, to Item 9 of the May 27, 2004 Commission Hearing.

⁹⁶ Exhibit B, page 1, to Item 9 of the May 27, 2004 Commission Hearing.

⁹⁷ The Department of Finance's factual assertion is not supported by "documentary evidence . . . authenticated by declarations under penalty of perjury signed by persons who are authorized and competent to do so," as required by the Commission's regulations. (Cal. Code Regs., tit. 2, § 1183.02, subd. (c)(1).)

⁹⁸ *County of Los Angeles, supra*, 43 Cal.3d at page 56; *Long Beach Unified School Dist., supra*, 225 Cal.App.4th at page 173; and *County of Los Angeles, supra*, 110 Cal.App.4th at pages 1193-1194.

In addition, the legislative history of the test claim statute, Statutes 1975, chapter 1216 (Sen. Bill No. 777), does not reveal an intention by the Legislature to impose new required acts. Legislative history simply indicates that the language was "modified."⁹⁹

Moreover, claimant's argument, that the test claim statute imposes a higher level of service because, under prior law, school districts "may" have only tracked student progress over time (for example, by establishing "reading standards for pupils upon graduating from eighth grade"), is not persuasive. Under the claimant's interpretation, the performance of a first grade teacher could be evaluated and assessed based on reading standards for eighth grade students; students that the teacher did *not* teach. The Stull Act, as originally enacted, required the school district to evaluate and assess the performance of all certificated employees based on the progress of their pupils. In addition, the claimant's factual assertion is not supported by "documentary evidence ... authenticated by declarations under penalty of perjury signed by persons who are authorized and competent to do so," as required by the Commission's regulations.¹⁰⁰

Finally, assuming for the sake of argument only, that school districts were required to establish new standards of expected student achievement due to the 1975 test claim statute, that activity would have occurred outside the reimbursement period for this claim. The reimbursement period for this test claim, if approved by the Commission, begins July 1, 1998. The test claim statute was enacted in 1975, 23 years earlier than the reimbursement period. There is no requirement in the test claim statute that establishing the standards is an ongoing activity.

Therefore, based on the evidence in the record, the Commission finds that former Education Code section 13487 as reenacted by Statutes 1975, chapter 1216, does not impose a new program or higher level of service on school districts.

Evaluate and assess the performance of certificated instructional employees (Ed. Code, § 44662, subd. (b), as amended by Stats. 1983, ch. 498 and Stats. 1999, ch. 4).

The claimant requests reimbursement to evaluate and assess the performance of certificated instructional employees as it reasonably relates to the following:

- the instructional techniques and strategies used by the certificated employee (Stats. 1983, ch. 498);
- the certificated employee's adherence to curricular objectives (Stats 1983, ch. 498); and
- the progress of pupils towards the state adopted academic content standards as measured by state adopted criterion referenced assessments (Stats. 1999, ch. 4).¹⁰¹

⁹⁹ Senate Committee on Education, Staff Analysis on Senate Bill 777, as amended on May 7, 1975; Assembly Education Committee, Analysis of Senate Bill 777, as amended on August 12, 1975; Ways and Means Staff Analysis on Senate Bill 777, as amended on August 19, 1975; Legislative Analyst, Analysis of Senate Bill 777, as amended on August 19, 1975, dated August 22, 1975; Assembly Third Reading of Senate Bill 777, as amended on August 19, 1975. (Exhibit I to Item 9 of the May 27, 2004 Commission Hearing.)

¹⁰⁰ Cal. Code Regs., tit. 2, § 1183.02, subd. (c)(1).

¹⁰¹ Exhibit A (Test Claim, page 6) to Item 9 of the May 27, 2004 Commission Hearing.

The Department of Finance agrees that these activities constitute reimbursable state-mandated activities under article XIII B, section 6.¹⁰²

For the reasons described below, the Commission finds that evaluating and assessing the performance of certificated instructional employees that perform the requirements of educational programs mandated by state or federal law based on these factors constitutes a new program or higher level of service.

The instructional techniques and strategies used by the employee, and the employee's adherence to curricular objectives. In 1983, the test claim legislation amended Education Code section 44662, subdivision (b), to require the school district to evaluate and assess certificated employee competency as it reasonably relates to "the instructional techniques and strategies used by the employee," and "the employee's adherence to curricular objectives." (Stats. 1983, ch. 498.)

Before the 1983 test claim legislation was enacted, the Stull Act required school districts to establish an objective and uniform system of evaluation and assessment of the performance of certificated personnel.¹⁰³ When developing these guidelines, school districts were required to receive advice from certificated instructional personnel. The court interpreted this provision to require districts to meet and confer, and engage in collective bargaining, with representatives of certificated employee organizations before adopting the evaluation guidelines.¹⁰⁴ Thus, certificated instructional employees were evaluated based on the guidelines developed through collective bargaining, and on the following criteria required by the state:

- the progress of students toward the established standards of expected student achievement at each grade level in each area of study; and
- the establishment and maintenance of a suitable learning environment within the scope of the employee's responsibilities.¹⁰⁵

Under prior law, the evaluation had to be reduced to writing and a copy of the evaluation given to the employee. An evaluation meeting had to be held between the certificated employee and the evaluator to discuss the evaluation and assessment.¹⁰⁶

The 1983 test claim statute still requires school districts to reduce the evaluation to writing, to transmit a copy to the employee, and to conduct a meeting with the employee to discuss the evaluation and assessment.¹⁰⁷ These activities are not new. However, the 1983 test claim statute amended the evaluation requirements by adding two new evaluation factors: the instructional

¹⁰² Exhibit B to Item 9 of the May 27, 2004 Commission Hearing.

¹⁰³ Former Education Code sections 13485 and 13487.

¹⁰⁴ *Certificated Employees Council of the Monterey Peninsula Unified School District v. Monterey Peninsula Unified School District* (1974) 42 Cal.App.3d 328, 334.

¹⁰⁵ Former Education Code section 13487, subdivision (b), as amended by Statutes 1975, chapter 1216.

¹⁰⁶ Former Education Code sections 13485-13490, as originally enacted by Statutes 1971, chapter 361.

¹⁰⁷ Education Code sections 44662, 44663, 44664.

techniques and strategies used by the employee, and the employee's adherence to curricular objectives. Thus, school districts are now required by the state to evaluate and assess the competency of certificated instructional employees as it reasonably relates to:

- the progress of students toward the established standards of expected student achievement at each grade level in each area of study;
- the instructional techniques and strategies used by the employee;
- the employee's adherence to curricular objectives; and
- the establishment and maintenance of a suitable learning environment, within the scope of the employee's responsibilities.

School districts may have been evaluating teachers on their instructional techniques and adherence to curricular objectives before the enactment of the test claim statute based on the evaluation guidelines developed through the collective bargaining process. But, the state did not previously require the evaluation in these two areas. Government Code section 17565 states that "if a ... school district, at its option, has been incurring costs which are subsequently mandated by the state, the state shall reimburse the ... school district for those costs after the operative date of the mandate."

Accordingly, the Commission finds that Education Code section 44662, subdivision (b), as amended by Statutes 1983, chapter 498, imposes a new required act and, thus, a new program or higher level of service on school districts to evaluate and assess the performance of certificated instructional employees that perform the requirements of educational programs mandated by state or federal law as it reasonably relates to the instructional techniques and strategies used by the employee and the employee's adherence to curricular objectives.

Reimbursement for this activity is limited to the review of the employee's instructional techniques and strategies and adherence to curricular objectives, and to include in the written evaluation of the certificated instructional employees the assessment of these factors during the following evaluation periods:

- once each year for probationary certificated employees;
- every other year for permanent certificated employees; and
- beginning January 1, 2004, every five years for certificated employees with permanent status who have been employed at least ten years with the school district, are highly qualified (as defined in 20 U.S.C. § 7801)¹⁰⁸, and whose previous evaluation rated the employee as meeting or exceeding standards, if the evaluator and certificated employee being evaluated agree.¹⁰⁹

¹⁰⁸ Section 7801 of title 20 of the United States Code defines "highly qualified" as a teacher that has obtained full state certification as a teacher or passed the state teacher licensing examination, and holds a license to teach, and the teacher has not had certification requirements waived on an emergency, temporary, or provisional basis.

¹⁰⁹ Education Code section 44664, subdivision (a)(3), as amended by Statutes 2003, chapter 566.

State adopted academic content standards as measured by state adopted assessment tests. In 1999, the test claim legislation (Stats. 1999, ch. 4) amended Education Code 44662, subdivision (b)(1), by adding the following underlined language:

The governing board of each school district shall evaluate and assess certificated employee competency as it reasonably relates to:

The progress of pupils toward the standards established pursuant to subdivision (a) [standards of expected pupil achievement at each grade level in each area of study] and, if applicable, the state adopted academic content standards as measured by state adopted criterion referenced assessments.

Before the 1999 test claim legislation, school districts were required to evaluate and assess certificated employees based on the progress of pupils. The progress of pupils was measured by standards, adopted by *local school districts*, of expected student achievement at each grade level in each area of study. The evaluation had to be reduced to writing and a copy of the evaluation given to the employee. An evaluation meeting had to be held between the certificated employee and the evaluator to discuss the evaluation and assessment.¹¹⁰

The 1999 test claim legislation still requires school districts to evaluate and assess certificated employees based on the progress of pupils. It also still requires school districts to reduce the evaluation to writing, to transmit a copy to the employee, and to conduct a meeting with the employee to discuss the evaluation and assessment.¹¹¹ These activities are not new.

However, the test claim legislation, beginning January 1, 2000¹¹², imposes a new requirement on school districts to evaluate the performance of certificated employees as it reasonably relates to the progress of pupils based not only on standards adopted by local school districts, but also on the academic content standards adopted by the *state*, as measured by the state adopted assessment tests.

The state academic content standards and the assessment tests that measure the academic progress of students were created in 1995 with the enactment of the California Assessment of Academic Achievement Act.¹¹³ The act required the State Board of Education to develop and adopt a set of statewide academically rigorous content standards in the core curriculum areas of reading, writing, mathematics, history/social science, and science to serve as the basis for assessing the academic achievement of individual pupils and of schools.¹¹⁴ In addition, the Act established the Standardized Testing and Reporting Program (otherwise known as the STAR Program)¹¹⁵; which requires each school district to annually administer to all pupils in grades 2 to 11 a nationally normed achievement test of basic skills, and an achievement test based on the

¹¹⁰ Former Education Code sections 13485-13490, as originally enacted by Statutes 1971, chapter 361.

¹¹¹ Education Code sections 44662, 44663, 44664.

¹¹² Statutes 1999, chapter 4 became operative and effective on January 1, 2000.

¹¹³ Education Code section 60600 et seq.

¹¹⁴ Education Code section 60605, subdivision (a).

¹¹⁵ Education Code section 60640, subdivision (a).

state's academic content standards.¹¹⁶ The Commission determined that the administration of the STAR test to pupils constitutes a partial reimbursable state-mandated program (CSM 97-TC-23).

Although evaluating the performance of a certificated employee based on the progress of pupils is not new, the Commission finds that the requirement to evaluate and assess the performance of certificated instructional employees that teach reading, writing, mathematics, history/social science, and science in grades 2 to 11, as it reasonably relates to the progress of pupils towards the state adopted academic content standards as measured by state adopted criterion referenced assessments is a new required act and, thus a higher level of service within the meaning of article XIII B, section 6 of the California Constitution.

This higher level of service is limited to the review of the results of the STAR test as it reasonably relates to the performance of those certificated employees that teach reading, writing, mathematics, history/social science, and science in grades 2 to 11, and to include in the written evaluation of those certificated employees the assessment of the employee's performance based on the STAR results for the pupils they teach during the evaluation periods specified in Education Code section 44664, and described below:

- once each year for probationary certificated employees;
- every other year for permanent certificated employees; and
- beginning January 1, 2004, every five years for certificated employees with permanent status who have been employed at least ten years with the school district, are highly qualified (as defined in 20 U.S.C. § 7801), and whose previous evaluation rated the employee as meeting or exceeding standards, if the evaluator and certificated employee being evaluated agree.¹¹⁷

Assess and evaluate permanent certificated, instructional and non-instructional, employees that receive an unsatisfactory evaluation once each year until the employee achieves a positive evaluation, or is separated from the school district (Ed. Code, § 44664, as amended by Stats. 1983, ch. 498).

The claimant is requesting reimbursement to conduct additional assessments and evaluations for permanent certificated employees that receive an unsatisfactory evaluation as follows:

Conduct additional annual assessments and evaluations of permanent certificated instructional and non-instructional employees who have received an unsatisfactory evaluation. The school district must conduct the annual assessment and evaluation of a permanent certificated employee until the employee achieves a positive evaluation or is separated from the school district. This mandated activity is limited to those annual assessments and evaluations that occur in years in which the employee would not have been required to be evaluated as per Section 44664 (i.e., permanent certificated employees shall be evaluated every other year). When conducting these additional evaluations the full cost of the

¹¹⁶ Education Code section 60640, subdivision (b).

¹¹⁷ Education Code section 44664, subdivision (a)(3), as amended by Statutes 2003, chapter 566.

evaluation is reimbursable (e.g., evaluation under all criterion, preparing written evaluation, review of comments, and holding a hearing with the teacher).¹¹⁸

The Department of Finance agrees that the 1983 amendment to Education Code section 44664 imposes a reimbursable state-mandated activity.

Before the enactment of the test claim legislation, former Education Code section 13489 (as last amended by Stats. 1973, ch. 220) required that an evaluation for permanent certificated employees occur every other year. Former Education Code section 13489 stated in relevant part the following:

Evaluation and assessment of the performance of each certificated employee shall be made on a continuing basis, at least once each school year for probationary personnel, and *at least every other year for personnel with permanent status*. The evaluation shall include recommendations, if necessary, as to areas of improvement in the performance of the employee. In the event an employee is not performing his duties in a satisfactory manner according to the standards prescribed by the governing board, the employing authority shall notify the employee in writing of such fact and describe such unsatisfactory performance. The employing authority shall thereafter confer with the employee making specific recommendations as to areas of improvement in the employee's performance and endeavor to assist him in such performance. (Emphasis added.)

In 1976, former Education Code section 13489 was renumbered to Education Code section 44664.¹¹⁹ The test claim legislation (Stats. 1983, ch. 498) amended Education Code section 44664, by adding the following sentence: "When any permanent certificated employee has received an unsatisfactory evaluation, the employing authority shall *annually evaluate* the employee until the employee achieves a positive evaluation or is separated from the district." (Emphasis added.)¹²⁰

The Commission finds that Education Code section 44664, as amended by Statutes 1983, chapter 498, imposes a new required act and, thus, a new program or higher level of service by requiring school districts to perform additional evaluations for permanent certificated employees that perform the requirements of educational programs mandated by state or federal law and receive an unsatisfactory evaluation.

This higher level of service is limited to those annual assessments and evaluations that occur in years in which the permanent certificated employee would not have otherwise been evaluated pursuant to Education Code section 44664 (i.e., every other year) and lasts until the employee achieves a positive evaluation or is separated from the school district. This additional evaluation

¹¹⁸ Exhibit A (Test Claim) to Item 9 of the May 27, 2004 Commission Hearing.

¹¹⁹ Statutes 1976, chapter 1010.

¹²⁰ Statutes 2003, chapter 566, amended Education Code section 44664 by changing the word "when" to "if." The language now states the following: "~~When~~ If any permanent certificated employee has received an unsatisfactory evaluation, the employing authority shall annually evaluate the employee until the employee achieves a positive evaluation or is separated from the district."

and assessment of the permanent-certificated employee requires the school district to perform the following activities:

- evaluate and assess the certificated employee performance as it reasonably relates to the following criteria: (1) the progress of pupils toward the standards established by the school district of expected pupil achievement at each grade level in each area of study, and, if applicable, the state adopted content standards as measured by state adopted criterion referenced assessments; (2) the instructional techniques and strategies used by the employee; (3) the employee's adherence to curricular objectives; (4) the establishment and maintenance of a suitable learning environment, within the scope of the employee's responsibilities; and, if applicable, (5) the fulfillment of other job responsibilities established by the school district for certificated non-instructional personnel (Ed. Code, § 44662, subs. (b) and (c));
- the evaluation and assessment shall be reduced to writing. (Ed. Code, § 44663, subd. (a).) The evaluation shall include recommendations, if necessary, as to areas of improvement in the performance of the employee. If the employee is not performing his or her duties in a satisfactory manner according to the standards prescribed by the governing board, the school district shall notify the employee in writing of that fact and describe the unsatisfactory performance (Ed. Code, § 44664, subd. (b));
- transmit a copy of the written evaluation to the certificated employee (Ed. Code, § 44663, subd. (a));
- attach any written reaction or response to the evaluation by the certificated employee to the employee's personnel file (Ed. Code, § 44663, subd. (a)); and
- conduct a meeting with the certificated employee to discuss the evaluation (Ed. Code, § 44553, subd. (a)).

Issue 3: Does Education Code Section 44662 (As Amended by Stats. 1999, ch. 4) and Education Code Section 44664 (As Amended by Stats. 1983, ch. 498) Impose Costs Mandated by the State Within the Meaning of Government Code Section 17514?

As indicated above, the Commission finds that the following activities constitute a new program or higher level of service:

- evaluate and assess the performance of certificated instructional employees that perform the requirements of educational programs mandated by state or federal law as it reasonably relates to the instructional techniques and strategies used by the employee and the employee's adherence to curricular objectives (Ed. Code, § 44662, subd. (b), as amended by Stats. 1983, ch. 498);
- evaluate and assess the performance of certificated instructional employees that teach reading, writing, mathematics, history/social science, and science in grades 2 to 11 as it reasonably relates to the progress of pupils towards the state adopted academic content standards as measured by state adopted assessment tests (Ed. Code, § 44662, subd. (b), as amended by Stats. 1999, ch. 4); and
- assess and evaluate permanent certificated, instructional and non-instructional, employees that perform the requirements of educational programs mandated by state or federal law

and receive an unsatisfactory evaluation in the years in which the permanent certificated employee would not have otherwise been evaluated until the employee receives achieves a positive evaluation, or is separated from the school district (Ed. Code, § 44664, as amended by Stats. 1983, ch. 498).

The Commission must continue its inquiry to determine if these activities result in increased costs mandated by the state pursuant to Government Code section 17514.

Government Code section 17514 defines "costs mandated by the state" as any increased cost a local agency or school district is required to incur as a result of a statute that mandates a new program or higher level of service. The claimant states that it has incurred significantly more than \$200 to comply with the test claim statutes plead in this claim.^{121, 122}

The Commission finds that there is nothing in the record to dispute the costs alleged by the claimant. The parties have not identified any sources of state or federal funds appropriated to school districts that can be applied to the activities identified above. Moreover, none of the exceptions to finding a reimbursable state-mandated program under Government Code section 17556 apply to this claim.

Therefore, the Commission finds that Education Code section 44662 (as amended by Stats. 1999, ch. 4) and Education Code section 44664 (as amended by Stats. 1983, ch. 498), result in costs mandated by the state under Government Code section 17514.

CONCLUSION

The Commission concludes that Education Code section 44662, as amended by Statutes 1999, chapter 4, and Education Code section 44664, as amended by Statutes 1983, chapter 498, mandate a new program or higher level of service for school districts within the meaning of article XIII B, section 6 of the California Constitution, and impose costs mandated by the state pursuant to Government Code section 17514 for the following activities only:

- Evaluate and assess the performance of certificated instructional employees that perform the requirements of educational programs mandated by state or federal law as it reasonably relates to the instructional techniques and strategies used by the employee and the employee's adherence to curricular objectives (Ed. Code, § 44662, subd. (b), as amended by Stats. 1983, ch. 498).

Reimbursement for this activity is limited to the review of the employee's instructional techniques and strategies and adherence to curricular objectives, and to include in the written evaluation of the certificated instructional employees the assessment of these factors during the following evaluation periods:

- once each year for probationary certificated employees;
- every other year for permanent certificated employees; and

¹²¹ Exhibit A to Item 9 of the May 27, 2004 Commission Hearing (Test Claim and Declaration of Larry S. Phelps, Superintendent of Denair Unified School District).

¹²² After this test claim was filed, Government Code section 17564 was amended to require that all test claims and reimbursement claims submitted exceed \$1000 in costs. (Stats. 2002, ch. 1124.)

- beginning January 1, 2004, every five years for certificated employees with permanent status who have been employed at least ten years with the school district, are highly qualified (as defined in 20 U.S.C. § 7801), and whose previous evaluation rated the employee as meeting or exceeding standards, if the evaluator and certificated employee being evaluated agree.
- Evaluate and assess the performance of certificated instructional employees that teach reading, writing, mathematics, history/social science, and science in grades 2 to 11 as it reasonably relates to the progress of pupils towards the state adopted academic content standards as measured by state adopted assessment tests (Ed. Code, § 44662, subd. (b), as amended by Stats. 1999, ch. 4).

Reimbursement for this activity is limited to the review of the results of the STAR test as it reasonably relates to the performance of those certificated employees that teach reading, writing, mathematics, history/social science, and science in grades 2 to 11, and to include in the written evaluation of those certificated employees the assessment of the employee's performance based on the STAR results for the pupils they teach during the evaluation periods specified in Education Code section 44664, and described below:

- once each year for probationary certificated employees;
- every other year for permanent certificated employees; and
- beginning January 1, 2004, every five years for certificated employees with permanent status who have been employed at least ten years with the school district, are highly qualified (as defined in 20 U.S.C. § 7801), and whose previous evaluation rated the employee as meeting or exceeding standards, if the evaluator and certificated employee being evaluated agree.
- Assess and evaluate permanent certificated, instructional and non-instructional, employees that perform the requirements of educational programs mandated by state or federal law and receive an unsatisfactory evaluation in the years in which the permanent certificated employee would not have otherwise been evaluated pursuant to Education Code section 44664 (i.e., every other year). The additional evaluations shall last until the employee achieves a positive evaluation, or is separated from the school district. (Ed. Code, § 44664, as amended by Stats. 1983, ch. 498). This additional evaluation and assessment of the permanent certificated employee requires the school district to perform the following activities:
 - evaluate and assess the certificated employee performance as it reasonably relates to the following criteria: (1) the progress of pupils toward the standards established by the school district of expected pupil achievement at each grade level in each area of study, and, if applicable, the state adopted content standards as measured by state adopted criterion referenced assessments; (2) the instructional techniques and strategies used by the employee; (3) the employee's adherence to curricular objectives; (4) the establishment and maintenance of a suitable learning environment, within the scope of the employee's responsibilities; and, if applicable, (5) the fulfillment of other job responsibilities established by the school district for certificated non-instructional personnel (Ed. Code, § 44662, subds. (b) and (c));

- o the evaluation and assessment shall be reduced to writing. (Ed. Code, § 44663, subd. (a).) The evaluation shall include recommendations, if necessary, as to areas of improvement in the performance of the employee. If the employee is not performing his or her duties in a satisfactory manner according to the standards prescribed by the governing board, the school district shall notify the employee in writing of that fact and describe the unsatisfactory performance (Ed. Code, § 44664, subd. (b));
- o transmit a copy of the written evaluation to the certificated employee (Ed. Code, § 44663, subd. (a));
- o attach any written reaction or response to the evaluation by the certificated employee to the employee's personnel file (Ed. Code, § 44663, subd. (a)); and
- o conduct a meeting with the certificated employee to discuss the evaluation (Ed. Code, § 44553, subd. (a)).

The Commission further finds that the activities listed above do not constitute reimbursable state-mandated programs with respect to certificated personnel employed in local, discretionary educational programs.

Finally, the Commission finds that all other statutes in the test claim not mentioned above are not reimbursable state-mandated programs within the meaning of article XIII B, section 6 and Government Code section 17514.

DECLARATION OF SERVICE BY MAIL

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.

June 1, 2004, I served the:

Adopted Statement of Decision

The Stull Act, 98-TC-25

Education Code Sections 44660 – 44665 (formerly Ed. Code §§ 13485-13490)

Statutes 1975, Chapter 1216; Statutes 1983, Chapter 498; Statutes 1986, Chapter 393;

Statutes 1995, Chapter 392; Statutes 1999, Chapter 4

Denair Unified School District, Claimant

by placing a true copy thereof in an envelope addressed to:

Mr. David Scribner
Executive Director
School Mandates Group
3113 Catalina Island Road
West Sacramento, CA 95691

State Agencies and Interested Parties (See attached mailing list);

and by sealing and depositing said envelope in the United States mail at Sacramento, California, with postage thereon fully paid.

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 June 1, 2004, at Sacramento, California.


VICTORIA SORIANO

Commission on State Mandates

Original List Date: 7/7/1999
Last Updated: 3/12/2004
List Print Date: 06/01/2004
Claim Number: 98-TC-25
Issue: The Stull Act

Mailing Information: Notice of adopted SOD

Mailing List

TO ALL PARTIES AND INTERESTED PARTIES:

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, § 1181.2.)

Mr. Steve Shields
Shields Consulting Group, Inc.
1536 36th Street
Sacramento, CA 95816

Tel: (916) 454-7310
Fax: (916) 454-7312

Mr. Keith Gmeinder,
Department of Finance (A-15)
915 L Street, 8th Floor
Sacramento, CA 95814

Tel: (916) 445-8913
Fax: (916) 327-0225

Mr. Bob Campbell
Department of Finance (A-15)
915 L Street, Suite 1190
Sacramento, CA 95814

Tel: (916) 445-3274
Fax: (916) 324-4888

Mr. Gerald Shelton
California Department of Education (E-08)
Fiscal and Administrative Services Division
1430 N Street, Suite 2213
Sacramento, CA 95814

Tel: (916) 445-0554
Fax: (916) 327-8306

Ms. Beth Hunter
Centration, Inc.
8316 Red Oak Street, Suite 101
Rancho Cucamonga, CA 91730

Tel: (866) 481-2642
Fax: (866) 481-5383

Mr. Edward E. Parraz
Denair Unified School District
3460 Lester Road
Denair, CA 95316-9502

Tel: (209) 632-7514
Fax: (209) 632-9194

Mr. Keith B. Petersen
SixTen & Associates
5252 Balboa Avenue, Suite 807
San Diego, CA 92117

Tel: (858) 514-8605

Fax: (858) 514-8645

Ms. Jeannie Oropeza
Department of Finance (A-15)
Education Systems Unit
915 L Street, 7th Floor
Sacramento, CA 95814

Tel: (916) 445-0328

Fax: (916) 323-9530

Mr. Steve Smith
Steve Smith Enterprises, Inc.
4633 Whitney Avenue, Suite A
Sacramento, CA 95821

Tel: (916) 483-4231

Fax: (916) 483-1403

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

Tel: (916) 323-5849

Fax: (916) 327-0832

Mr. Arthur Palkowitz
San Diego Unified School District
4100 Normal Street, Room 3159
San Diego, CA 92103-8363

Tel: (619) 725-7565

Fax: (619) 725-7569

Mr. Larry Phelps
Denair Unified School District
3460 Lester Road
Denair, CA 95316

Claimant

Tel: (209) 632-7514

Fax: (209) 632-9194

Mr. Gene Seis
Lassen County Office of Education
472-013 Johnsonville Road North
Susanville, CA 96130

Claimant

Tel: (530) 257-2196

Fax: (530) 257-2518

Mr. David E. Scribner
Schools Mandate Group
3113 Catalina Island Road
West Sacramento, CA 95691

Tel: (916) 373-1060

Fax: (916) 373-1070

Mr. Jim Jagers
Centration, Inc.
12150 Tributary Point Drive, Suite 140
Gold River, CA 95670

Tel: (916) 351-1050

Fax: (916) 351-1020

Mr. Todd Wherry
MCS Education Services
11130 Sun Center Drive, Suite 100
Rancho Cordova, CA 95670

Tel: (916) 669-5119

Fax: (916) 669-0888

Dr. Carol Berg
Education Mandated Cost Network
1121 L Street, Suite 1060
Sacramento, CA 95814

Tel: (916) 446-7517

Fax: (916) 446-2011

Mr. Paul Warren
Legislative Analyst's Office (B-29)
925 L Street, Suite 1000
Sacramento, CA 95814

Tel: (916) 319-8310

Fax: (916) 324-4281

Ms. Ginny Brummels
State Controller's Office (B-08)
Division of Accounting & Reporting
3301 C Street, Suite 500
Sacramento, CA 95816

Tel: (916) 324-0256

Fax: (916) 323-6527

Claimants' Proposed Parameters and Guidelines

Education Code Sections 44660-44665 (Formerly Ed. Code, §§ 13485-13490)

Statutes of 1975, Chapter 1216; Statutes of 1983, Chapter 498; Statutes of 1986, Chapter 393;
Statutes of 1995, Chapter 392; Statutes of 1999, Chapter 4

The Stull Act (98-TC-25)

I. Summary of the Mandate

On May 27, 2004, the Commission on State Mandates ("Commission") adopted the Statement of Decision for *The Stull Act (98-TC-25)* test claim. The Commission found that Education Code sections 44660-44665 (formerly Ed. Code, §§ 13485-13490) constitute a new program or higher level of service and impose a state-mandated program upon school districts within the meaning of article XIII B, section 6 of the California Constitution and Government Code section 17514. Accordingly, the Commission approved this test claim for the following reimbursable activities:

- Evaluate and assess the performance of certificated instructional employees that perform the requirements of educational programs mandated by state or federal law as it reasonably relates to the instructional techniques and strategies used by the employee and the employee's adherence to curricular objectives. (Ed. Code, § 44662, subd. (b), as amended by Stats. 1983, ch. 498.)

Reimbursement for this activity is limited to the review of the employee's instructional techniques and strategies and adherence to curricular objectives, and to include in the written evaluation of the certificated instructional employees the assessment of these factors during the following evaluation periods:

- o Once each year for probationary certificated employees;
 - o Every other year for permanent certificated employees; and
 - o Beginning January 1, 2004, every five years for certificated employees with permanent status who have been employed at least ten years with the school district, are highly qualified (as defined in 20 U.S.C. § 7801), and whose previous evaluation rated the employee as meeting or exceeding standards, if the evaluator and certificated employee being evaluated agree.
- Evaluate and assess the performance of certificated instructional employees that teach reading, writing, mathematics, history/social science, and science in grades 2 to 11 as it reasonably relates to the progress of pupils towards the state adopted

academic content standards as measured by state adopted assessment tests. (Ed. Code, § 44662, subd. (b), as amended by Stats. 1999, ch. 4.)

Reimbursement for this activity is limited to the review of the results of the STAR test as it reasonably relates to the performance of those certificated employees that teach reading, writing, mathematics, history/social science, and science in grades 2 to 11, and to include in the written evaluation of those certificated employees the assessment of the employee's performance based on the STAR results for the pupils they teach during the evaluation periods specified in Education Code section 44664, and described below:

- o Once each year for probationary certificated employees;
 - o Every other year for permanent certificated employees; and
 - o Beginning January 1, 2004, every five years for certificated employees with permanent status who have been employed at least ten years with the school district, are highly qualified (as defined in 20 U.S.C. § 7801), and whose previous evaluation rated the employee as meeting or exceeding standards, if the evaluator and certificated employee being evaluated agree.
- Assess and evaluate permanent certificated, instructional, and non-instructional employees that perform the requirements of educational programs mandated by state or federal law and receive an unsatisfactory evaluation in the years in which the permanent certificated employee would not have otherwise been evaluated pursuant to Education Code section 44664 (i.e., every other year). The additional evaluations shall last until the employee achieves a positive evaluation, or is separated from the school district. (Ed. Code, § 44664, as amended by Stats. 1983, ch. 498.) This additional evaluation and assessment of the permanent certificated employee requires the school district to perform the following activities:
 - o Evaluate and assess the certificated employee performance as it reasonably relates to the following criteria: (1) the progress of pupils toward the standards established by the school district of expected pupil achievement at each grade level in each area of study, and, if applicable, the state adopted content standards as measured by state adopted criterion referenced assessments; (2) the instructional techniques and strategies used by the employee; (3) the employee's adherence to curricular objectives; (4) the establishment and maintenance of a suitable learning environment, within the scope of the employee's responsibilities; and, if applicable, (5) the fulfillment of other job responsibilities established by the school district for certificated non-instructional personnel (Ed. Code, § 44662, subds. (b) and (c));
 - o The evaluation and assessment shall be reduced to writing. (Ed. Code, § 44663, subd. (a).) The evaluation shall include recommendations, if

necessary, as to areas of improvement in the performance of the employee. If the employee is not performing his or her duties in a satisfactory manner according to the standards prescribed by the governing board, the school district shall notify the employee in writing of that fact and describe the unsatisfactory performance (Ed. Code, § 44664, subd. (b));

- Transmit a copy of the written evaluation to the certificated employee (Ed. Code, § 44663, subd. (a));
- Attach any written reaction or response to the evaluation by the certificated employee to the employee's personnel file (Ed. Code, § 44663, subd. (a)); and
- Conduct a meeting with the certificated employee to discuss the evaluation (Ed. Code, § 44553, subd. (a).)

II. Eligible Claimants

Any "school district" as defined in Government Code section 17519, except for community colleges, which incurs increased costs as a result of this mandate is eligible to claim reimbursement. Charter schools are not eligible claimants.

III. Period of Reimbursement

Government Code section 17557 states that a test claim must be submitted on or before June 30 following a given fiscal year to establish eligibility for that fiscal year. The test claim for this mandate was filed on June 29, 1999. Therefore, the costs incurred for compliance with Statutes of 1975, Chapter 1216; Statutes of 1983, Chapter 498; Statutes of 1986, Chapter 393; Statutes of 1995, Chapter 392; Statutes of 1999, Chapter 4 are eligible for reimbursement on or after July 1, 1998.

Actual costs for one fiscal year should be included in each claim. Estimated costs for the subsequent year may be included on the same claim, if applicable. Pursuant to Government Code section 17561, subdivision (d)(1)(A), all claims for reimbursement of initial fiscal year costs shall be submitted to the State Controller within 120 days of the issuance date for the claiming instructions.

If the total costs for a given fiscal year do not exceed \$1,000, no reimbursement shall be allowed, except as otherwise allowed by Government Code section 17564.

IV. Reimbursable Activities

To be eligible for mandated cost reimbursement for any fiscal year, only actual costs may be claimed. Actual costs are those costs actually incurred to implement the mandated activities. Actual costs must be traceable and supported by source documents that show the validity of such costs, when they were incurred, and their relationship to the reimbursable activities. A source document is a document created at or near the same time the actual cost was incurred for the

event or activity in question. Source documents may include, but are not limited to, employee time records or time logs, sign-in sheets, invoices, and receipts.

Evidence corroborating the source documents may include, but is not limited to, worksheets, cost allocation reports (system generated), purchase orders, contracts, agendas, and declarations. Declarations must include a certification or declaration stating, "I certify (or declare) under penalty of perjury under the laws of the State of California that the foregoing is true and correct," and must further comply with the requirements of Code of Civil Procedure section 2015.5. Evidence corroborating the source documents may include data relevant to the reimbursable activities otherwise in compliance with local, state, and federal government requirements. However, corroborating documents cannot be substituted for source documents.

The claimant is only allowed to claim and be reimbursed for increased costs for the reimbursable activities identified below. Increased cost is limited to the cost of an activity that the claimant is required to incur as a result of the mandate.

For each eligible claimant, the following activities are reimbursable:

- Evaluate and assess the performance of certificated instructional employees that perform the requirements of educational programs mandated by state or federal law as it reasonably relates to the instructional techniques and strategies used by the employee and the employee's adherence to curricular objectives. (Ed. Code, § 44662, subd. (b), as amended by Stats. 1983, ch. 498.)

Reimbursement for this activity is limited to the review of the employee's instructional techniques and strategies and adherence to curricular objectives, and to include in the written evaluation of the certificated instructional employees the assessment of these factors during the following evaluation periods:

- o Once each year for probationary certificated employees;
 - o Every other year for permanent certificated employees; and
 - o Beginning January 1, 2004, every five years for certificated employees with permanent status who have been employed at least ten years with the school district, are highly qualified (as defined in 20 U.S.C. § 7801), and whose previous evaluation rated the employee as meeting or exceeding standards, if the evaluator and certificated employee being evaluated agree.
- Evaluate and assess the performance of certificated instructional employees that teach reading, writing, mathematics, history/social science, and science in grades 2 to 11 as it reasonably relates to the progress of pupils towards the state adopted academic content standards as measured by state adopted assessment tests. (Ed. Code, § 44662, subd. (b), as amended by Stats. 1999, ch. 4.)

Reimbursement for this activity is limited to the review of the results of the STAR test as it reasonably relates to the performance of those certificated employees that teach reading, writing, mathematics, history/social science, and science in grades 2 to 11, and to include in the written evaluation of those certificated employees the assessment of the employee's performance based on the STAR results for the pupils they teach during the evaluation periods specified in Education Code section 44664, and described below:

- o Once each year for probationary certificated employees;
 - o Every other year for permanent certificated employees; and
 - o Beginning January 1, 2004, every five years for certificated employees with permanent status who have been employed at least ten years with the school district, are highly qualified (as defined in 20 U.S.C. § 7801), and whose previous evaluation rated the employee as meeting or exceeding standards, if the evaluator and certificated employee being evaluated agree.
- Assess and evaluate permanent certificated, instructional, and non-instructional employees that perform the requirements of educational programs mandated by state or federal law and receive an unsatisfactory evaluation in the years in which the permanent certificated employee would not have otherwise been evaluated pursuant to Education Code section 44664 (i.e., every other year). The additional evaluations shall last until the employee achieves a positive evaluation, or is separated from the school district. (Ed. Code, § 44664, as amended by Stats. 1983, ch. 498.) This additional evaluation and assessment of the permanent certificated employee requires the school district to perform the following activities:
 - o Evaluate and assess the certificated employee performance as it reasonably relates to the following criteria: (1) the progress of pupils toward the standards established by the school district of expected pupil achievement at each grade level in each area of study, and, if applicable, the state adopted content standards as measured by state adopted criterion referenced assessments; (2) the instructional techniques and strategies used by the employee; (3) the employee's adherence to curricular objectives; (4) the establishment and maintenance of a suitable learning environment, within the scope of the employee's responsibilities; and, if applicable, (5) the fulfillment of other job responsibilities established by the school district for certificated non-instructional personnel (Ed. Code, § 44662, subds. (b) and (c));
 - o The evaluation and assessment shall be reduced to writing. (Ed. Code, § 44663, subd. (a).) The evaluation shall include recommendations, if necessary, as to areas of improvement in the performance of the employee. If the employee is not performing his or her duties in a satisfactory manner according to the standards prescribed by the governing board, the school

district shall notify the employee in writing of that fact and describe the unsatisfactory performance (Ed. Code, § 44664, subd. (b));

- Transmit a copy of the written evaluation to the certificated employee (Ed. Code, § 44663, subd. (a));
- Attach any written reaction or response to the evaluation by the certificated employee to the employee's personnel file (Ed. Code, § 44663, subd. (a)); and
- Conduct a meeting with the certificated employee to discuss the evaluation (Ed. Code, § 44553, subd. (a).)

V. Claim Preparation and Submission

Each of the following cost elements must be identified for each reimbursable activity identified in Section IV, Reimbursable Activities, of this document. Each claimed reimbursable cost must be supported by source documentation as described in Section IV. Additionally, each reimbursable claim must be filed in a timely manner.

A. Direct Cost Reporting

Direct cost are those costs incurred specifically for the reimbursable activities. The following direct costs are eligible for reimbursement.

1. **Salaries and Benefits**
Report each employee implementing the reimbursable activities by name, job classification, and productive hourly rate (total wages and related benefits divided by productive hours). Describe the specific reimbursable activities performed and the hours devoted to each reimbursable activity performed.
2. **Materials and Supplies**
Report the cost of materials and supplies that have been consumed or expended for the purpose of the reimbursable activities. Purchases shall be claimed at the actual price after deducting discounts, rebates, and allowances received by the claimant. Supplies that are withdrawn from inventory shall be charged on an appropriate and recognized method of costing, consistently applied.
3. **Contracted Services**
Report the name of the contractor and services performed to implement the reimbursable activities. Attach a copy of the contract to the claim. If the contractor bills for time and materials, report the number of hours spent on the activities and all costs charged. If the contract is a fixed price, report the dates when services were performed and itemize all costs for those services.
4. **Fixed Assets and Equipment**
Report the purchase price paid for fixed assets and equipment (including computers) necessary to implement the reimbursable activities. The purchase

price includes taxes, delivery costs, and installation costs. If the fixed asset or equipment is also used for purposes other than the reimbursable activities, only the pro-rata portion of the purchase price used to implement the reimbursable activities can be claimed.

5. Travel

Report the name of the employee traveling for the purpose of the reimbursable activities. Include the date of travel, destination point, the specific reimbursable activity requiring travel, and related travel expenses reimbursed to the employee in compliance with the rules of the local jurisdiction. Report employee travel time according to the rules of cost element A.1, Salaries and Benefits, for each applicable reimbursable activity.

6. Training

Report the cost of training an employee to perform the reimbursable activities, as specified in Section IV of this document. Report the name and job classification of each employee preparing for, attending, and/or conducting training necessary to implement the reimbursable activities. Provide the title, subject, and purpose (related to the mandate of the training session), dates attended, and location. If the training encompasses subjects broader than the reimbursable activities, only the pro-rata portion can be claimed. Report employee training time for each applicable reimbursable activity according to the rules of cost element A.1, Salaries and Benefits, and A.2, Materials and Supplies. Report the cost of consultants who conduct the training according to the rules of cost element A.3, Contracted Services.

B. Indirect Cost Rates

Indirect costs are costs that have been incurred for common or joint purposes. These costs benefit more than one cost objective and cannot be readily identified with a particular final cost objective without effort disproportionate to the results achieved. After direct costs have been determined and assigned to other activities, as appropriate, indirect costs are those remaining to be allocated to benefited cost objectives. A cost may not be allocated as an indirect cost if any other cost incurred for the same purpose, in like circumstances, has been claimed as a direct cost.

Indirect costs include: (a) the indirect costs originating in each department or agency of the governmental unit carrying out state mandated programs, and (b) the costs of central governmental services distributed through the central service cost allocation plan and not otherwise treated as direct costs.

School districts must use the J-380 (or subsequent replacement) nonrestrictive indirect cost rate provisionally approved by the California Department of Education.

County offices of education must use the J-580 (or subsequent replacement) nonrestrictive indirect cost rate provisionally approved by the California Department of Education.

VI. Record Retention

Pursuant to Government Code section 17558.5, subdivision (a), a reimbursement claim for actual costs filed by a local agency or school district pursuant to this chapter¹ is subject to the initiation of an audit by the State Controller no later than three years after the date that the actual reimbursement claim is filed or last amended, whichever is later. However, if no funds are appropriated or no payment is made to a claimant for the program for the fiscal year for which the claim is filed, the time for the Controller to initiate an audit shall commence to run from the date of initial payment of the claim. All documentation used to support the reimbursable activities, as described in Section IV, must be retained during the period subject to audit. If an audit has been initiated by the Controller during the period subject to audit, the retention period is extended until the ultimate resolution of any audit findings.

VII. Offsetting Savings and Reimbursements

Any offsetting savings the claimant experiences in the same program as a result of the same statutes or executive orders found to contain the mandates shall be deducted from the costs claimed. In addition, reimbursement for this mandate from any source, including, but not limited to, service fees collected, federal funds, and other state funds shall be identified and deducted from this claim.

VIII. State Controller's Claiming Instructions

Pursuant to Government Code section 17558, subdivision (b), the Controller shall issue claiming instructions for each mandate that requires state reimbursement no later than 60 days after receiving the adopted parameters and guidelines from the Commission, to assist local agencies and school districts in claiming costs to be reimbursed. The claiming instructions shall be derived from the statute, regulations, or executive order creating the mandate and the parameters and guidelines adopted by the Commission.

Pursuant to Government Code section 17561, subdivision (d)(1), issuance of the claiming instructions shall constitute notice of the right of local agencies and schools districts to file reimbursement claims, based upon parameters and guidelines adopted by the Commission.

IX. Remedies Before the Commission

Upon request of a local agency or school district, the Commission shall review the claiming instructions issued by the State Controller or any other authorized state agency for reimbursement of mandated costs pursuant to Government Code section 17571. If the Commission determines that the claiming instructions do not conform to the parameters and guidelines, the Commission shall direct the Controller to modify the claiming instructions and

¹ This refers to Title 2, division 4, part 7, chapter 4 of the Government Code.

the Controller shall modify the claiming instructions to conform to the parameters and guidelines as directed by the Commission.

In addition, requests may be made to amend parameters and guidelines pursuant to Government Code section 17557m subdivision (a), and California Code of Regulations, title 2, section 1183.2.

X. Legal and Factual Basis for the Parameters and Guidelines

The Statement of Decision is legally binding on all parties and provides the legal and factual basis for the parameters and guidelines. The support for the legal and factual findings is found in the administrative record for the test claim. The administrative record, including the Statement of Decision, is on file with the Commission.



RE Exhibit C
AUG 02 2004
COMMISSION ON
STATE MANDATES

STEVE WESTLY
California State Controller
Division of Accounting and Reporting

July 30, 2004

Ms. Nancy Patton
Assistant Executive Director
Commission on State Mandates
980 Ninth Street, Suite 300
Sacramento, CA 95814

RE: PROPOSED PARAMETERS AND GUIDELINES
THE STULL ACT, 98-TC-25
STATUTES 1975, CHAPTER 1216; STATUTES 1983, CHAPTER 498;
STATUTES 1986, CHAPTER 393; STATUTES 1995, CHAPTER 392;
STATUTES 1999, CHAPTER 4

Dear Ms. Patton:

We have reviewed the proposed Parameters and Guidelines (P's & G's) submitted by Denair Unified School District for the above referenced subject matter. Our recommendations for changes to the proposed P's & G's are attached; additions are underlined; deletions have a strike-through.

We recommend that these changes be taken into consideration for further clarification of the reimbursable components. If you have any questions, please contact Ginny Brummels, Manager of the Local Reimbursements Section, at (916) 324-0256.

Sincerely,

JOHN A. KORACH, Chief
Division of Accounting and Reporting

Enclosure

JAK:glb

cc: Interested parties

MAILING ADDRESS P.O. Box 942850, Sacramento, CA 94250
STREET ADDRESS 3301 C Street, Suite 500, Sacramento, CA 95816
PHONE (916) 445-8753 FAX (916) 323-4807

COMMENTS ON PARAMETERS AND GUIDELINES
THE STULL ACT 98-TC-25
STATUTES OF 1975, CHAPTER 1216

I. Summary of the Mandate

On May 27, 2004, the Commission on State Mandates ("Commission") adopted the Statement of Decision for *The Stull Act* (98-TC-25) test claim. The Commission found that Education Code sections 44660-44665 (formerly Ed. Code, §§ 13485-13490) constitute a new program or higher level of service and impose a state-mandated program upon school districts within the meaning of article XIII B, section 6 of the California Constitution and Government Code section 17514. Accordingly, the Commission approved this test claim for the following reimbursable activities:

- Evaluate and assess the performance of certificated instructional employees that perform the requirements of educational programs mandated by state or federal law as it reasonably relates to the instructional techniques and strategies used by the employee and the employee's adherence to curricular objectives. (Ed. Code, § 44662, subd. (b), as amended by Stats. 1983, ch. 498.)

Reimbursement for this activity is limited to the review of the employee's instructional techniques and strategies and adherence to curricular objectives, and to include in the written evaluation of the certificated instructional employees the assessment of these factors during the following evaluation periods:

- Once each year for probationary certificated employees;
 - Every other year for permanent certificated employees; and
 - Beginning January 1, 2004, every five years for certificated employees with permanent status who have been employed at least ten years with the school district, are highly qualified (as defined in 20 U.S.C. § 7801), and whose previous evaluation rated the employee as meeting or exceeding standards, if the evaluator and certificated employee being evaluated agree.
- Evaluate and assess the performance of certificated instructional employees that teach reading, writing, mathematics, history/social

- ~~science, and science in grades 2 to 11 as it reasonably relates to the progress of pupils towards the state adopted academic content standards as measured by state adopted assessment tests. (Ed. Code § 44662, subd. (b), as amended by Stats. 1999, ch. 4.)~~

~~Reimbursement for this activity is limited to the review of the results of the STAR test as it reasonably relates to the performance of those certificated employees that teach reading, writing, mathematics, history/social science, and science in grades 2 to 11, and to include in the written evaluation of those certificated employees the assessment of the employee's performance based on the STAR results for the pupils they teach during the evaluation periods specified in Education Code section 44664, and described below:~~

- ~~Once each year for probationary certificated employees;~~
- ~~Every other year for permanent certificated employees; and~~
- ~~Beginning January 1, 2004, every five years for certificated employees with permanent status who have been employed at least ten years with the school district, are highly qualified (as defined in 20 U.S.C. § 7801), and whose previous evaluation rated the employee as meeting or exceeding standards, if the evaluator and certificated employee being evaluated agree.~~
- ~~Assess and evaluate permanent certificated, instructional, and non-instructional employees that perform the requirements of educational programs mandated by state or federal law and receive an unsatisfactory evaluation in the years in which the permanent certificated employee would not have otherwise been evaluated pursuant to Education Code section 44664 (i.e., every other year). The additional evaluations shall last until the employee achieves a positive evaluation, or is separated from the school district. (Ed. Code, § 44664, as amended by Stats. 1983, ch. 498.) This additional evaluation and assessment of the permanent certificated employee requires the school district to perform the following activities:~~
 - ~~Evaluate and assess the certificated employee performance as it reasonably relates to the following criteria: (1) the progress of pupils toward the standards established by the school district of expected pupil achievement at each grade level in each area of study, and, if applicable, the state adopted content standards as measured by state adopted criterion referenced assessments; (2) the~~

~~instructional techniques and strategies used by the employee; (3) the employee's adherence to curricular objectives; (4) the establishment and maintenance of a suitable learning environment, within the scope of the employee's responsibilities; and, if applicable, (5) the fulfillment of other job responsibilities established by the school district for certificated non-instructional personnel (Ed. Code, § 44662, subds. (b) and (c));~~

- ~~○ The evaluation and assessment shall be reduced to writing. (Ed. Code, § 44663, subd. (a).) The evaluation shall include recommendations, if necessary, as to areas of improvement in the performance of the employee. If the employee is not performing his or her duties in a satisfactory manner according to the standards prescribed by the governing board, the school district shall notify the employee in writing of that fact and describe the unsatisfactory performance (Ed. Code, § 44664, subd. (b));~~
- ~~○ Transmit a copy of the written evaluation to the certificated employee (Ed. Code, § 44663, subd. (a));~~
- ~~○ Attach any written reaction or response to the evaluation by the certificated employee to the employee's personnel file (Ed. Code, § 44663, subd. (a)); and~~
- ~~○ Conduct a meeting with the certificated employee to discuss the evaluation (Ed. Code, § 44553, subd. (a).)~~

The above information is repeated at the Reimbursable Activities section IV. Therefore, it is not needed here.

III. Period of Reimbursement

Government Code section 17557 states that a test claim must be submitted on or before June 30 following a given fiscal year to establish eligibility for that fiscal year. The test claim for this mandate was filed on June 29, 1999. Therefore, the costs incurred for compliance with Statutes of 1975, chapter 1216; Statutes of 1983, chapter 498; Statutes of 1986, chapter 393; and Statutes of 1995, chapter 392; ~~Statutes of 1999, Chapter 4~~ are eligible for reimbursement on or after July 1, 1998. Costs incurred for compliance with Statutes of 1999, chapter 4 are eligible for reimbursement on or after January 1, 2000.

The revision is to clarify that Statutes 1999, chapter 4 became operative and effective on January 1, 2000, per the Statement of Decision.

IV. Reimbursable Activities

1. • "Evaluate and assess the performance of certificated instructional employees that perform the requirements of educational programs mandated by state or federal law as it reasonably relates to the instructional techniques and strategies used by the employee and the employee's adherence to curricular objectives. (Ed. Code, § 44662, subd. (b), as amended by Stats. 1983, ch. 498.)..."
2. • "Evaluate and assess the performance of certificated instructional employees that teach reading, writing, mathematics, history/social science, and science in grades 2 to 11 as it reasonably relates to the progress of pupils towards the state adopted academic content standards as measured by state adopted assessment tests. (Ed. Code § 44662, subd. (b), as amended by Stats. 1999, ch. 4.)..."
3. • "Assess and evaluate permanent certificated, instructional, and non-instructional employees that perform the requirements of educational programs mandated by state or federal law and receive an unsatisfactory evaluation in the years in which the permanent certificated employee would not have otherwise been evaluated pursuant to Education Code section 44664 (i.e., every other year). The additional evaluations shall last until the employee achieves a positive evaluation, or is separated from the school district. (Ed. Code, § 44664, as amended by Stats. 1983, ch. 498.) This additional evaluation and assessment of the permanent certificated employee requires the school district to perform the following activities:
 - Evaluate and assess the certificated employee performance as it reasonably relates to the following criteria: (1) the progress of pupils toward the standards established by the school district of expected pupil achievement at each grade level in each area of study, and, if applicable, the state adopted content standards as measured by state adopted criterion

referenced assessments; (2) the instructional techniques and strategies used by the employee; (3) the employee's adherence to curricular objectives; (4) the establishment and maintenance of a suitable learning environment, within the scope of the employee's responsibilities; and, if applicable, (5) the fulfillment of other job responsibilities established by the school district for certificated non-instructional personnel (Ed. Code, § 44662, subs. (b) and (c));

- The evaluation and assessment shall be reduced to writing. (Ed. Code, § 44663, subd. (a).) The evaluation shall include recommendations, if necessary, as to areas of improvement in the performance of the employee. If the employee is not performing his or her duties in a satisfactory manner according to the standards prescribed by the governing board, the school district shall notify the employee in writing of that fact and describe the unsatisfactory performance (Ed. Code, § 44664, subd. (b));
- Transmit a copy of the written evaluation to the certificated employee (Ed. Code, § 44663, subd. (a));
- Attach any written reaction or response to the evaluation by the certificated employee to the employee's personnel file (Ed. Code, § 44663, subd. (a)); and
- Conduct a meeting with the certificated employee to discuss the evaluation (Ed. Code, § 44553, subd. (a).)"

The Commission further finds that the activities listed above do not constitute reimbursable state-mandated programs with respect to certificated personnel employed in local, discretionary educational programs.

Finally, the Commission finds that all other statutes in the test claim not mentioned above are not reimbursable state-mandated programs within the meaning of article XIII B, section 6 and Government Code section 17514.

The addition above is to clarify the Commission's findings.

PROOF OF SERVICE BY MAIL

CSM – 98-TC-25

I, the undersigned, declare as follows:

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 action. My place of employment and business address is 3301 C Street, Suite 500, Sacramento, California 95816.

On July 30, 2004, I served the attached recommendation of the State Controller's Office by placing a true copy thereof enclosed in a sealed envelope addressed to each of the persons named below at the addresses shown and by depositing said envelopes in the United States mail at Sacramento, California, with postage thereon fully prepaid.

Dr. Carol Berg
Education Mandated Cost Network
1121 L Street, Suite 1060
Sacramento, CA 95814

Ms. Ginny Brummels
State Controller's Office (B-08)
Division of Accting & Reporting
3301 C Street, Suite 500
Sacramento, CA 95816

Mr. Bob Campbell
Department of Finance (A-15)
915 L Street, Suite 1190
Sacramento, CA 95814

Mr. Keith Gmeinder
Department of Finance (A-15)
915 L Street, 8th Floor
Sacramento, CA 95814

Ms. Beth Hunter
Centration, Inc.
8316 Red Oak Street, Suite 101
Rancho Cucamonga, CA 91730

Mr. Jim Jagers
Centration, Inc.
12150 Tributary Point Drive, Suite 140
Gold River, CA 95670

Ms. Jeannie Orpeza
Department of Finance (A-15)
Education Systems Unit
915 L Street, 7th Floor
Sacramento, CA 95814

Mr. Arthur Palkowitz
San Diego Unified School District
4100 Normal Street, Room 3159
San Diego, CA 92103-8363

Mr. Edward E. Parraz
Denair Unified School District
3460 Lester Road
Denair, CA 95316-9502

Mr. Keith Petersen
SixTen & Associates
5252 Balboa Avenue, Suite 807
San Diego, CA 92117

Mr. Larry Phelps
Denair Unified School District
3460 Lester Road
Denair, CA 95316

Mr. Joe Rombold
MCS Education Services
11130 Sun Center Drive, Suite 100
Rancho Cordova, CA 95670

Mr. David E. Scribner
Schools Mandate Group
3113 Catalina Island Road
West Sacramento, CA 95691

Mr. Gene Seis
Lassen County Office of Education
472-013 Johnsonville Road North
Susanville, CA 96130

Mr. Steve Shields
Shields Consulting Group, Inc.
1536 36th Street
Sacramento, CA 95816

Mr. Gerald Shelton
California Department of Education (E-08)
Fiscal & Administrative Services Division
1430 N Street, Suite 2213
Sacramento, CA 95814

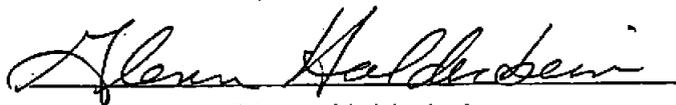
Mr. Steve Smith
Steve Smith Enterprises, Inc.
4633 Whitney Avenue, Suite A
Sacramento, CA 95821

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

Mr. Paul Warren
Legislative Analyst's Office (B-29)
925 L Street, Suite 1000
Sacramento, CA 95814

I declare under penalty of perjury that the foregoing is true and correct.

Executed on July 30, 2004, at Sacramento, California.



Glenn Holderbein

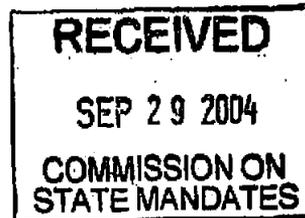
**DEPARTMENT OF
FINANCE**

ARNOLD SCHWARZENEGGER, GOVERNOR

915 L STREET ■ SACRAMENTO CA ■ 95814-3706 ■ WWW.DOF.CA.GOV

September 27, 2004

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



Dear Ms. Higashi:

As requested in your letter of June 28, 2004, the Department of Finance (Finance) has reviewed the Proposed Parameters and Guidelines submitted by the Denair Unified School District (claimant) for the Commission on State Mandates Test Claim 98-TC-25 titled "The Stull Act." In general, the parameters and guidelines appear to be consistent with the Adopted Statement of Decision, adopted by the Commission on May 27, 2004. However, Finance does have two issues of concern.

First, the statement of decision outlined specific reimbursable activities limited to "...educational programs mandated by State or federal law..." The parameters and guidelines do not provide guidance on which programs meet this description. This omission has the potential to cause confusion in the claiming process by leaving to the interpretation of each claimant which programs are included in the reimbursable activities. Furthermore, this clarification is needed in order to ensure that any offsetting funding is applied to the reimbursement claims.

Second, under Subsection 6 of Section V-Claim Preparation and Submission, of the Proposed Parameters and Guidelines, the claimant allows for costs associated with training. These costs are inconsistent with the Adopted Statement of Decision. Training costs were not claimed as a reimbursable activity in the original test claim and were not found to be reimbursable by the Commission. Furthermore, as any training provided by school districts to their employees conducting the evaluations would presumably occur during the course of the regular workday, Finance does not believe school districts are eligible for reimbursement of any associated salary and benefit costs. Therefore, Finance requests that this subsection be removed from the parameters and guidelines.

As required by the Commission's regulations, we are including a "Proof of Service" indicating that the parties included on the mailing list which accompanied your June 28, 2004, letter have been provided with copies of this letter via either United States Mail or, in the case of other State agencies, Interagency Mail Service.

If you have any questions regarding this letter, please contact Barbara Taylor, Staff Finance Budget Analyst, at (916) 445-0328 or Keith Gmeinder, State mandates claims coordinator for the Department of Finance, at (916) 445-8913.

Sincerely,

Jeannie Oropeza
Program Budget Manager

Attachment

PROOF OF SERVICE

Test Claim Name: The Stull Act
Test Claim Number: CSM 98-TC-25

I, the undersigned, declare as follows:

I am employed in the County of Sacramento, State of California, I am 18 years of age or older and not a party to the within entitled cause; my business address is 915 L Street, 7th Floor, Sacramento, CA 95814.

On September 27, 2004, I served the attached recommendation of the Department of Finance in said cause, by facsimile to the Commission on State Mandates and by placing a true copy thereof: (1) to claimants and nonstate agencies enclosed in a sealed envelope with postage thereon fully prepaid in the United States Mail at Sacramento, California; and (2) to state agencies in the normal pickup location at 915 L Street, 7th Floor, for Interagency Mail Service, addressed as follows:

A-16

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

B-8

State Controller's Office
Division of Accounting & Reporting
Attention: Ginny Brummels
3301 C Street, Room 500
Sacramento, CA 95816

B-29

Legislative Analyst's Office
Attention: Mr. Paul Warren
925 L Street, Suite 1000
Sacramento, CA 95814

Education Mandated Cost Network
C/O School Services of California
Attention: Dr. Carol Berg, PhD
1121 L Street, Suite 1060
Sacramento, CA 95814

E-8

Department of Education
Fiscal and Administrative Services Division
Attention: Gerry Shelton
1430 N Street, Suite 2213
Sacramento, CA 95814

B-08

State Controller's Office
Division of Audits
Attention: Jim Spano
300 Capitol Mall, Suite 518
Sacramento, CA 95814

San Diego Unified School District
Attention: Arthur Palkowitz
4100 Normal Street, Room 3159
San Diego, CA 92103-2682

Denair Unified School District
Attention: Larry Phelps
3460 Lester Road
Denair, CA 95316

Sixten & Associates
Attention: Keith B. Petersen
5252 Balboa Avenue, Suite 807
San Diego, CA 92117

Steve Smith Enterprises, Inc.
Attention: Steven Smith
4633 Whitney Avenue, Suite A
Sacramento, CA 95821

Shields Consulting Group, Inc.
Attention: Steve Shields
1536 36th Street
Sacramento, CA 95816

Denair Unified School District
Attention: Edward E. Parraz
3460 Lester Road
Denair, CA 95316-9502

Centration, Inc.
Attention: Beth Hunter
8316 Red Oak Street, Suite 101
Rancho Cucamonga, CA 91730

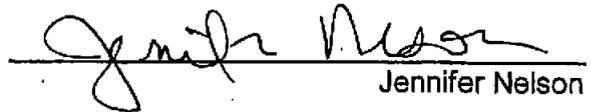
Schools Mandate Group
Attention: David E. Scribner
3113 Catalina Island Road
West Sacramento, CA 95691

Lassen County Office of Education
Attention: Gene Seis
472-013 Johnsonville Road North
Susanville, CA 96130

Centration, Inc.
Attention: Jim Jagers
12150 Tributary Point Drive, Suite 140
Gold River, CA 95670

MCS Education Services
Attention: Joe Rombold
11130 Sun Center Drive, Suite 100
Rancho Cordova, CA 95670

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 September 27, 2004, at Sacramento, California.


Jennifer Nelson



STEVE WESTLY
California State Controller
Division of Accounting and Reporting

RECEIVED
SEP 09 2005
**COMMISSION ON
STATE MANDATES**

August 23, 2005

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

RE: DRAFT STAFF ANALYSIS AND PROPOSED PARAMETERS AND GUIDELINES
THE STULL ACT, 98-TC-25
EDUCATION CODE SECTIONS 44660 – 44665 (FORMERLY ED. CODE §§ 13485 –
13490) STATUTES 1975, CHAPTER 1216; STATUTES 1983, CHAPTER 498;
STATUTES 1986, CHAPTER 393; STATUTES 1995, CHAPTER 392; STATUTES
1999, CHAPTER 4

Dear Ms. Higashi:

We have reviewed the draft staff analysis and proposed parameters and guidelines for program referenced above. We concur with your staff analysis and proposed revisions to the parameters and guidelines.

If you have any questions, please contact Ginny Brummels, Manager of the Local Reimbursements Section, at (916) 324-0256.

Sincerely,

JOHN A. KORACH, Chief
Division of Accounting and Reporting

JAK:glb

cc: Interested parties

PROOF OF SERVICE BY MAIL

I, the undersigned, declare as follows:

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 action. My place of employment and business address is 3301 C Street, Suite 500, Sacramento, California 95816.

On September 2, 2005, I served the attached recommendation of the State Controller's Office by placing a true copy thereof enclosed in a sealed envelope addressed to each of the persons named below at the addresses shown and by depositing said envelopes in the United States mail at Sacramento, California, with postage thereon fully prepaid.

Mr. Steve Shields
Shields Consulting Group, Inc.
1536 36th Street
Sacramento, CA 95816

Ms. Jesse McGuinn
Department of Finance (A-15)
915 L Street, 8th Floor
Sacramento, CA 95814

Ms. Susan Geanacou
Department of Finance (A-15)
915 L Street, Suite 1190
Sacramento, CA 95814

Mr. Gerald Shelton
California Department of Education (E-08)
Fiscal & Administrative Services Division
1430 N Street, Suite 2213
Sacramento, CA 95814

Ms. Beth Hunter
Centration, Inc.
8316 Red Oak Street, Suite 101
Rancho Cucamonga, CA 91730

Mr. Edward E. Parraz
Grant Joint Union High School District
1333 Grand Avenue
Sacramento, CA 95838

Mr. Keith B. Peterson
SixTen & Associates
5252 Balboa Avenue, Suite 807
San Diego, CA 92117

Ms. Jeannie Oropeza
Department of Finance (A-15)
Education Systems Unit
915 L Street, 7th Floor
Sacramento, CA 95814

Mr. Steve Smith
Steve Smith Enterprises, Inc.
4633 Whitney Avenue, Suite A
Sacramento, CA 95821

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

Mr. Arthur Palkowitz
San Diego Unified School District
4100 Normal Street, Room 3159
San Diego, CA 92103-8363

Mr. Larry Phelps
Denair Unified School District
3460 Lester Road
Denair, CA 95316

Mr. Gene Sies
Lassen County Office of Education
472-013 Johnsonville Road North
Susanville, CA 96130

Mr. David E. Scribner
Scribner Consulting Group, Inc.
3840 Rosin Court, Suite 190
Sacramento, CA 95834

Mr. Jim Jagers
Axiom, Inc.
2440 Gold River Road, Suite 200
Gold River, CA 95670

Mr. Joe Rombold
School Innovations and Advocacy
11130 Sun Center Drive, Suite 100
Rancho Cordova, CA 95670

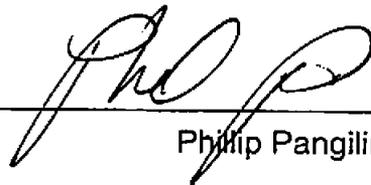
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Education Mandated Cost Network
1121 L Street, Suite 1060
Sacramento, CA 95814

Mr. Paul Warren
Legislative Analyst's Office (B-29)
925 L Street, Suite 1000
Sacramento, CA 95814

Ms. Ginny Brummels
State Controller's Office (B-08)
Division of Accounting and Reporting
3301 C Street, Suite 500
Sacramento, CA 95816

I declare under penalty of perjury that the foregoing is true and correct.

Executed on September 2, 2005, at Sacramento, California.



Philip Pangilinan



2488 Historic Decatur Road
Suite 200
San Diego, California 92106
Main: 619.232.3122
Fax: 619.232.3264
as7law.com

Arthur M. Palkowitz
619.881-1288
apalkowitz@as7law.com

RECEIVED
September 7, 2016
*Commission on
State Mandates*

September 7, 2016

LATE FILING

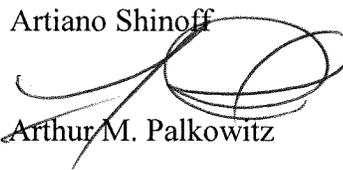
Heather Halsey
Executive Director
Commission on State Mandates
980 9th Street, Suite 300
Sacramento, CA 95814

Re: Case Name: The Stull Act Program (14-9825-I-01)
Claimant: Oceanside Unified School District

Dear Ms. Halsey:

Oceanside Unified School District ("Claimant") files the attached documents in support of their Incorrect Reduction Claim.

Thank you for your cooperation.

Artiano Shinoff

Arthur M. Palkowitz

AMP:llm

Test Claim: The Stull Act Program (14-9825-I-01)
 Claimants: Oceanside Unified School District
 Written Comments to Draft Proposed Decision
 Declaration: Todd McAteer

DECLARATION

I, Dr. Todd McAteer declare as follows:

1. I am currently the Director of Human Resources, Certificated Employees at Oceanside Unified School District (“District”).

2. In my position with the District I am very familiar with the Stull Act requirements. The District certificated employees performed the following activities as required by the Stull Act during fiscal years: 1997-1998 to 2004-2005:

- A. Preparing for the evaluation;
- B. Goals and objectives conference with instructor;
- C. Pre-observation conference with instructor;
- D. Classroom observation with instructor;
- E. Post-observation conference with instructor;
- F. Final conference with instructor;
- G. Conducting final conferences; written evaluations;
- H. District reporting.

3. I have reviewed the following Stull Act audit reports as they pertain to the times spent on the Stull Act activities:

- A. Elk Grove School District
- B. Poway Union School District
- C. Norwalk School District
- D. Castro School District

5. The Stull requirements performed by Elk Grove School District, Poway Union School District, and Norwalk School District are nearly identical to the Stull requirement performed by the Oceanside School District during the following fiscal years: 1997-1998, 1998-1999, 1999-2000, 2000-2001, 2001-2002, 2002-2003, 2003-2004, 2004-2005.

6. The following represents the District employees’ evaluations for FY 1997-1998 and FY 1998-1999.

1997-98	Employee Name	Claimed Hours	Time Per Evaluations	Evaluations
---------	---------------	---------------	----------------------	-------------

Test Claim: The Stull Act Program (14-9825-I-01)
 Claimants: Oceanside Unified School District
 Written Comments to Draft Proposed Decision
 Declaration: Todd McAteer

	Rob Rowe	66.67 (E/3)	395 minutes (Ex. M/38)	10
	Dan Daris	97.29 (E/3)	467 minutes (Ex. M/25)	12
	Frank Gomez	29.14 (E/3)	269 minutes (Ex. M/41)	6
	Kim Marguarat	39.13 (E/3)	313 minutes (Ex. M/32)	7
	Pat Barnes	57.23 (E/3)	448 minutes (Ex. M/02)	7
	Peg Cowman	32.07 (E/3)	457 minutes (Ex. M/32)	4
	Phyllis Morgan	52.25 (E/3)	418 minutes (Ex. M/6)	7
	Raye Clendening	36.00 (E/3)	360 minutes (Ex. M/12)	6
	Sherry Freeman	46.75 (E/4)	330 minutes (Ex. M/34)	8
TOTAL EVALUATIONS 1997-98				67

1998-99	Employee Name	Claimed Hours	Time Per Evaluations	Evaluations
	Rob Rowe	50.00 (F/3)	395 minutes (Ex. M/38)	8
	Brian Kolb (Ex. F/3)	40.67 (F/3)	305 minutes (Ex. M/02)	8
	Martha Munden	74.70 (F/3)	498 minutes (Ex. M/39)	9
	Pat Barnes (Ex. F/3)	57.23 (F/3)	448 minutes (Ex. M/02)	7
	Kim Marguarat (Ex. F/3)	39.13 (F/3)	313 minutes (Ex. M/32)	7
	Peg Cowman	32.07 (F/3)	457 minutes (Ex. M/32)	4
	Raye Clendening	45.00 (F/3)	360 minutes (Ex. M/12)	7
	Garry Shoeton	118.15 (F/3)	417 minutes (Ex. M/33)	7
	Sherry Freeman	44.00 (F/4)	330 minutes (Ex. M/34)	8
TOTAL EVALUATIONS 1998-99				55

Test Claim: The Stull Act Program (14-9825-I-01)
Claimants: Oceanside Unified School District
Written Comments to Draft Proposed Decision
Declaration: Todd McAteer

7. The district provided a list of 1,698 employees that received evaluations for the audit period. Controller removed evaluations from the population for the following reasons:

- Duplicated evaluations for permanent employees performed in consecutive years, rather than every other year (51)
- Duplicated evaluations performed in the same year (10)
- Items outside of the IRC period (472) 2006-07
- Unallowable subjects/programs performed by certificated instructional employees (16)

The allowable population determined by Controller was 1,149 total evaluations for the IRC period.

8. The period of time for each employee to perform the activities is at a minimum 2.5 hours. This amount is less than the Controller accepted for other Stull audits. Based on the evaluations accepted by the controller and the average hourly rate of \$60.00 represents a reimbursement of \$172,350.

9. I and/or my staffed have prepared the following attached documents:

Copy of Oceanside Permanent CIE Less Than 10 Years.

I certify by my signature below, under penalty of perjury under the laws of the State of California, that the statements made in this document are true and complete to the best of my own personal knowledge or information and belief.

Dated: September 7, 2016


Todd McAteer

CASTRO VALLEY UNIFIED SCHOOL DISTRICT

Audit Report

THE STULL ACT PROGRAM

Chapter 498, Statutes of 1983;
and Chapter 4, Statutes of 1999

July 1, 1997, through June 30, 2010



JOHN CHIANG
California State Controller

July 2013



JOHN CHIANG
California State Controller

July 25, 2013

Jo A.S. Loss, President
Board of Education
Castro Valley Unified School District
4400 Alma Avenue
Castro Valley, CA 94546

Dear Mr. Loss:

The State Controller's Office audited the costs claimed by the Castro Valley Unified School District for the legislatively mandated Stull Act Program (Chapter 498, Statutes of 1983; and Chapter 4, Statutes of 1999) for the period of July 1, 1997, through June 30, 2010.

The district claimed \$3,776,958 for the mandated program. Our audit found that \$733,430 is allowable (\$737,573 less a \$4,143 penalty for filing a late claim) and \$3,043,528 is unallowable. The costs are unallowable primarily because the district claimed reimbursement for estimated costs, non-mandated activities, overstated training costs, and misstated productive hourly rates. The State paid the district \$277,602. Allowable costs claimed exceed the amount paid by \$455,828.

If you disagree with the audit findings, you may file an Incorrect Reduction Claim (IRC) with the Commission on State Mandates (CSM). The IRC must be filed within three years following the date that we notify you of a claim reduction. You may obtain IRC information at the CSM's website at www.csm.ca.gov/docs/IRCForm.pdf.

If you have any questions, please contact Jim L. Spano, Chief, Mandated Cost Audits Bureau, at (916) 323-5849.

Sincerely,

Original signed by

JEFFREY V. BROWNFIELD, CPA
Chief, Division of Audits

JVB/nh

cc: Jim Negri, Superintendent
Castro Valley Unified School District
Candi Clark, Ed.D., Assistant Superintendent
Castro Valley Unified School District
Gael Treible, Director
Castro Valley Unified School District
Sherri Beetz, Ed.D., Assistant Superintendent
Castro Valley Unified School District
Joaquin J. Rivera, President, Board of Education
Alameda County Office of Education
Scott Hannan, Director
School Fiscal Services Division
California Department of Education
Carol Bingham, Director
Fiscal Policy Division
California Department of Education
Thomas Todd, Assistant Program Budget Manager
Education Systems Unit
California Department of Finance
Jay Lal, Manager
Division of Accounting and Reporting
State Controller's Office

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Audit Report

Summary

The State Controller's Office (SCO) audited the costs claimed by the Castro Valley Unified School District for the legislatively mandated Stull Act Program (Chapter 498, Statutes of 1983; and Chapter 4, Statutes of 1999) for the period of July 1, 1997, through June 30, 2010.

The district claimed \$3,776,958 for the mandated program. Our audit found that \$733,430 is allowable (\$737,573 less a \$4,143 penalty for filing a late claim) and \$3,043,528 is unallowable. The costs are unallowable primarily because the district claimed reimbursement for estimated costs, non-mandated activities, overstated training costs, and misstated productive hourly rates. The State paid the district \$277,602. Allowable costs claimed exceed the amount paid by \$455,828.

Background

The Stull Act (Chapter 498, Statutes of 1983, and Chapter 4, Statutes of 1999), added Education Code sections 44660-44665. The legislation provided reimbursement for specific activities related to evaluation and assessment of the performance of "certificated personnel" within each school district, except for those employed in local, discretionary educational programs.

On May 27, 2004, the Commission on State Mandates (CSM) determined that the legislation imposed a state mandate reimbursable under Government Code section 17514.

The program's parameters and guidelines establish the state mandate and define reimbursement criteria. The CSM adopted the parameters and guidelines on September 27, 2005. In compliance with Government Code section 17558, the SCO issues claiming instructions to assist local agencies and school districts in claiming mandated program reimbursable costs.

The Commission approved reimbursable activities as follows:

- Evaluate and assess the performance of certificated instructional employees who perform the requirements of educational programs mandated by state or federal laws as it reasonably relates to the instructional techniques and strategies used by the employee and the employee's adherence to curricular objectives (Education Code section 44662(b) as amended by Chapter 498, Statutes of 1983).
- Evaluate and assess the performance of certificated instructional employees who teach reading, writing, mathematics, history/social science, and science in grades 2 to 11 as it reasonably relates to the progress of pupils toward the state adopted academic content standards as measured by state adopted assessment tests (Education Code section 44662(b) as amended by Chapter 4, Statutes of 1999).
- Assess and evaluate permanent certificated, instructional, and non-instructional employees who perform the requirements of educational programs mandated by state or federal law and receive an unsatisfactory evaluation in the years in which the permanent

certificated employee would not have otherwise been evaluated pursuant to Education Code section 44664. The additional evaluations shall last until the employee achieves a positive evaluation, or is separated from the school district (Education Code section 44664 as amended by Chapter 498, Statutes of 1983).

Objective, Scope, and Methodology

We conducted the audit to determine whether costs claimed represent increased costs resulting from the Stull Act Program for the period of July 1, 1997, through June 30, 2010.

Our audit scope included, but was not limited to, determining whether costs claimed were supported by appropriate source documents, were not funded by another source, and were not unreasonable and/or excessive.

We conducted this performance audit under the authority of Government Code sections 12410, 17558.5, and 17561. We did not audit the district's financial statements. We conducted the audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

We limited our review of the district's internal controls to gaining an understanding of the transaction flow and claim preparation process as necessary to develop appropriate auditing procedures.

Conclusion

Our audit found instances of noncompliance with the requirements outlined above. These instances are described in the accompanying Summary of Program Costs (Schedule 1) and in the Finding and Recommendation section of this report.

For the audit period, the Castro Valley Unified School District claimed \$3,776,958 for costs of the Stull Act Program. Our audit found that \$733,430 is allowable (\$737,573 less a \$4,143 penalty for filing a late claim) and \$3,043,528 is unallowable.

For the fiscal year (FY) 1997-98 claim, the State paid the district \$14,123. Our audit found that \$37,286 is allowable. The State will pay allowable costs claimed that exceed the amount paid, totaling \$23,163, contingent upon available appropriations.

For the FY 1998-99 through FY 2007-08 claims, the State made no payment to the district. Our audit found that \$597,592 is allowable. The state will pay allowable costs claimed, contingent upon available appropriations.

For FY 2008-09 and FY 2009-10 claims, the State paid the district \$263,479. Our audit found that \$98,552 is allowable. The State will offset \$164,927 from other mandated program payments due the district. Alternatively, the district may remit this amount to the State.

**Views of
Responsible
Official**

We issued a draft audit report on May 31, 2013. Candi Clark, Assistant Superintendent of Business Services, responded by letter dated June 13, 2013 (Attachment), disagreeing with the audit results. This final audit report includes the district's response.

Restricted Use

This report is solely for the information and use of the Castro Valley Unified School District, the Alameda County Office of Education, the California Department of Education, the California Community Colleges Chancellor's Office, the California Department of Finance, and the SCO; it is not intended to be and should not be used by anyone other than these specified parties. This restriction is not intended to limit distribution of this report, which is a matter of public record.

Original signed by

JEFFREY V. BROWNFIELD, CPA
Chief, Division of Audits

July 25, 2013

**Schedule 1—
Summary of Program Costs
July 1, 1997, through June 30, 2010**

Cost Elements	Actual Costs Claimed	Allowable per Audit	Audit Adjustment ¹
<u>July 1, 1997, through June 30, 1998</u>			
Direct costs:			
Salaries and benefits			
Evaluation activities	\$ 178,135	\$ 38,737	\$ (139,398)
Training	112	112	—
Total direct costs	178,247	38,849	(139,398)
Indirect costs	11,836	2,580	(9,256)
Total direct and indirect costs	190,083	41,429	(148,654)
Less late penalty ²	—	(4,143)	(4,143)
Total program costs	<u>\$ 190,083</u>	37,286	<u>\$ (152,797)</u>
Less amount paid by State		(14,123)	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 23,163</u>	
<u>July 1, 1998, through June 30, 1999</u>			
Direct costs:			
Salaries and benefits			
Evaluation activities	\$ 200,056	\$ 34,978	\$ (165,078)
Training	111	—	(111)
Total direct costs	200,167	34,978	(165,189)
Indirect costs	7,546	1,319	(6,227)
Total program costs	<u>\$ 207,713</u>	36,297	<u>\$ (171,416)</u>
Less amount paid by State		—	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 36,297</u>	
<u>July 1, 1999, through June 30, 2000</u>			
Direct costs:			
Salaries and benefits			
Evaluation activities	\$ 295,149	\$ 49,089	\$ (246,060)
Training	134	—	(134)
Total direct costs	295,283	49,089	(246,194)
Indirect costs	5,138	854	(4,284)
Total program costs	<u>\$ 300,421</u>	49,943	<u>\$ (250,478)</u>
Less amount paid by State		—	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 49,943</u>	

Schedule 1 (continued)

Cost Elements	Actual Costs Claimed	Allowable per Audit	Audit Adjustment ¹
<u>July 1, 2000, through June 30, 2001</u>			
Direct costs:			
Salaries and benefits			
Evaluation activities	\$ 352,606	48,295	(304,311)
Training	134	—	(134)
Total direct costs	352,740	48,295	(304,445)
Indirect costs	12,734	1,743	(10,991)
Total program costs	<u>\$ 365,474</u>	50,038	<u>(315,436)</u>
Less amount paid by State		—	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 50,038</u>	
<u>July 1, 2001, through June 30, 2002</u>			
Direct costs:			
Salaries and benefits			
Evaluation activities	\$ 328,673	\$ 58,340	\$ (270,333)
Training	144	—	(144)
Total direct costs	328,817	58,340	(270,477)
Indirect costs	13,711	2,433	(11,278)
Total program costs	<u>\$ 342,528</u>	60,773	<u>(281,755)</u>
Less amount paid by State		—	
Allowable costs claimed in excess of (less than) amount paid		<u>60,773</u>	
<u>July 1, 2002, through June 30, 2003</u>			
Direct costs:			
Salaries and benefits			
Evaluation activities	\$ 343,891	\$ 56,577	\$ (287,314)
Training	144	—	(144)
Total direct costs	344,035	56,577	(287,458)
Indirect costs	22,604	3,717	(18,887)
Total program costs	<u>\$ 366,639</u>	60,294	<u>\$ (306,345)</u>
Less amount paid by State		—	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 60,294</u>	

Schedule 1 (continued)

Cost Elements	Actual Costs Claimed	Allowable per Audit	Audit Adjustment ¹
<u>July 1, 2003, through June 30, 2004</u>			
Direct costs:			
Salaries and benefits			
Evaluation activities	\$ 364,224	\$ 56,140	(308,084)
Training	4,545	2,183	(2,362)
Total direct costs	368,769	58,323	(310,446)
Indirect costs	19,065	3,015	(16,050)
Total program costs	<u>\$ 387,834</u>	61,338	<u>\$ (326,496)</u>
Less amount paid by State		—	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 61,338</u>	
<u>July 1, 2004, through June 30, 2005</u>			
Direct costs:			
Salaries and benefits			
Evaluation activities	\$ 390,092	\$ 58,803	\$ (331,289)
Training	3,604	—	(3,604)
Total direct costs	393,696	58,803	(334,893)
Indirect costs	14,961	2,235	(12,726)
Total program costs	<u>\$ 408,657</u>	61,038	<u>\$ (347,619)</u>
Less amount paid by State		—	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 61,038</u>	
<u>July 1, 2005, through June 30, 2006</u>			
Direct costs:			
Salaries and benefits			
Evaluation activities	\$ 334,437	\$ 56,701	\$ (277,736)
Training	18,948	18,487	(461)
Total direct costs	353,385	75,188	(278,197)
Indirect costs	15,150	3,406	(11,744)
Total program costs	<u>\$ 368,535</u>	78,594	<u>\$ (289,941)</u>
Less amount paid by State		—	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 78,594</u>	

Schedule 1 (continued)

Cost Elements	Actual Costs Claimed	Allowable per Audit	Audit Adjustment ¹
<u>July 1, 2006, through June 30, 2007</u>			
Direct costs:			
Salaries and benefits			
Evaluation activities	\$ 265,656	\$ 65,815	\$ (199,841)
Training	14,794	3,339	(11,455)
Total direct costs	280,450	69,154	(211,296)
Indirect costs	15,846	3,907	(11,939)
Total program costs	<u>\$ 296,296</u>	73,061	<u>\$ (223,235)</u>
Less amount paid by State		—	
Allowable costs claimed in excess of (less than) amount paid		\$ 73,061	
<u>July 1, 2007, through June 30, 2008</u>			
Direct costs:			
Salaries and benefits			
Evaluation activities	\$ 237,501	\$ 62,017	\$ (175,484)
Training	2,192	998	(1,194)
Total direct costs	239,693	63,015	(176,678)
Indirect costs	12,177	3,201	(8,976)
Total program costs	<u>\$ 251,870</u>	66,216	<u>\$ (185,654)</u>
Less amount paid by State		—	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 66,216</u>	
<u>July 1, 2008, through June 30, 2009</u>			
Direct costs:			
Salaries and benefits			
Evaluation activities	\$ 208,644	\$ 47,741	\$ (160,903)
Training	1,725	1,190	(535)
Total direct costs	210,369	48,931	(161,438)
Indirect costs	9,319	2,168	(7,151)
Total program costs	<u>\$ 219,688</u>	51,099	<u>\$ (168,589)</u>
Less amount paid by State		(192,259)	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ (141,160)</u>	

Schedule 1 (continued)

Cost Elements	Actual Costs Claimed	Allowable per Audit	Audit Adjustment ¹
<u>July 1, 2009, through June 30, 2010</u>			
Direct costs:			
Salaries and benefits			
Evaluation activities	\$ 66,204	\$ 44,390	\$ (21,814)
Training	419	—	(419)
Total direct costs	66,623	44,390	(22,233)
Indirect costs	4,597	3,063	(1,534)
Total program costs	<u>\$ 71,220</u>	47,453	<u>\$ (23,767)</u>
Less amount paid by State		(71,220)	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ (23,767)</u>	
<u>Summary: July 1, 1997, through June 30, 2010</u>			
Direct costs:			
Salaries and benefits			
Evaluation activities	\$ 3,565,268	\$ 677,623	\$ (2,887,645)
Training	47,006	26,309	(20,697)
Total direct costs	3,612,274	703,932	(2,908,342)
Indirect costs	164,684	33,641	(131,043)
Total direct and indirect costs	3,776,958	737,573	(3,039,385)
Less late penalty	—	(4,143)	(4,143)
Total program costs	<u>\$ 3,776,958</u>	733,430	<u>\$ (3,043,528)</u>
Less amount paid by State		(277,602)	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 455,828</u>	

¹ See the Finding and Recommendation section.

² The district filed its FY 1997-98 initial reimbursement claim after the due date specified in Government Code section 17560. Pursuant to Government Code section 17561, subdivision (d) (3), the State assessed a late filing penalty equal to 10% of allowable costs, with no maximum penalty amount.

Finding and Recommendation

**FINDING—
Overstated salaries
and benefits and
related indirect costs**

The district claimed \$3,612,274 in salaries and benefits and \$164,684 in related indirect costs for the audit period. We determined that \$2,908,342 in salaries and benefits is unallowable. The costs are unallowable primarily because the district claimed reimbursement for non-mandated activities (\$2,839,221), overstated training costs (\$20,129), and misstated productive hourly rates (\$48,992). Related indirect costs totaled \$131,043.

The following table summarizes the unallowable salaries and benefits and related indirect costs by fiscal year:

Fiscal Year	Direct Costs: Salaries and Benefits					
	(A) Evaluation Activities ¹	(B) Training ¹	(C) Productive Hourly Rates	(D) Total [(A)+(B)+(C)]	(E) Indirect Costs	Audit Adjustment [(D) + (E)]
1997-98	\$ (136,258)	\$ -	\$ (3,140)	\$ (139,398)	\$ (9,256)	\$ (148,654)
1998-99	(164,128)	(111)	(950)	(165,189)	(6,227)	(171,416)
1999-2000	(237,370)	(134)	(8,690)	(246,194)	(4,284)	(250,478)
2000-01	(296,473)	(134)	(7,838)	(304,445)	(10,991)	(315,436)
2001-02	(265,385)	(144)	(4,948)	(270,477)	(11,278)	(281,755)
2002-03	(282,615)	(144)	(4,699)	(287,458)	(18,887)	(306,345)
2003-04	(300,665)	(2,309)	(7,472)	(310,446)	(16,050)	(326,496)
2004-05	(325,137)	(3,604)	(6,152)	(334,893)	(12,726)	(347,619)
2005-06	(277,924)	-	(273)	(278,197)	(11,744)	(289,941)
2006-07	(195,041)	(11,482)	(4,773)	(211,296)	(11,939)	(223,235)
2007-08	(178,923)	(1,145)	3,390	(176,678)	(8,976)	(185,654)
2008-09	(163,669)	(503)	2,734	(161,438)	(7,151)	(168,589)
2009-10	(15,633)	(419)	(6,181)	(22,233)	(1,534)	(23,767)
Totals	\$ (2,839,221)	\$ (20,129)	\$ (48,992)	\$ (2,908,342)	\$ (131,043)	\$ (3,039,385)

¹ Amounts were calculated using claimed average productive hourly rates.

Unsupported Costs

The majority of the costs claimed by the district were unallowable because they were based on time records that identified estimated average time increments that were not completed contemporaneously.

Prior to the start of the audit, district representatives conducted a partial-year time study in FY 2009-10 and a full-year time study in FY 2010-11 as a substitute for records of actual time spent on teacher evaluations. The time study results were applied to the audit period.

Time Study Activities

The time study documented the time it took district evaluators to perform eight activities within the teacher evaluation process. The district evaluated permanent, probationary, and temporary certificated instructional teachers. The time study results reported time for meetings, observation, report writing, and other activities within the evaluation process.

The time study determined it takes district evaluators an average of 5.81, 6.25, and 5.12 hours per permanent, probationary, and temporary teacher respectively to complete an evaluation.

Five of the eight activities the district identified in their time study are not reimbursable under the mandate. The five non-reimbursable activities include:

1. Conducting a goals and objectives conference with the certificated staff member;
2. Conducting a pre-observation conference with the certificated staff member;
3. Conducting a post-observation conference with the certificated staff member;
4. Conducting a final evaluation conference with the certificated staff member; and
5. Discussing STAR results and instructional abilities improvement opportunities with the certificated staff members.

Conferences between the evaluators and teachers are not reimbursable because they were required before the enactment of the test claim legislation. These activities are not imposing a new program or higher level of service. Conferences including pre-, post-, and final observation conferences are not reimbursable.

Discussing STAR results is not reimbursable because it is not listed as a reimbursable activity in the parameters and guidelines. In addition, interviews with the district evaluators revealed that discussing STAR results entailed conducting group meetings of overall STAR performance and areas in need of improvement rather than separately evaluating each individual teacher performance based on STAR results.

We determined that the time spent on the following three activities is reimbursable:

1. Classroom observations (formal and informal);
2. Writing a report regarding observations; and
3. Writing the final evaluation report.

The time study results revealed that it takes the district evaluators an average of 3.57, 3.89, and 3.37 hours per permanent, probationary, and temporary teacher evaluation respectively to complete allowable activities within the evaluation process. In addition, the time study supported that it takes the district evaluators an average of 7.88 hours per unsatisfactory teacher evaluation to complete allowable activities within the evaluation process.

Completed Evaluations

The district did not keep track of completed evaluations during the audit period. To support claimed evaluations, the district created a database of completed teacher evaluations by reviewing employee files. Once

completed, we reviewed the completed teacher evaluations for each fiscal year to ensure that only eligible evaluations were counted for reimbursement. The program’s parameters and guidelines allow reimbursement for those evaluations conducted for certificated instructional personnel who perform the requirements of education programs mandated by state or federal law during specific evaluation periods.

The following table shows evaluations identified that are not reimbursable under the mandated program:

Fiscal Year	Number of Completed Evaluations		
	District-provided	Audited	Difference
1997-98	209	204	(5)
1998-99	192	182	(10)
1999-2000	245	237	(8)
2000-01	232	217	(15)
2001-02	256	244	(12)
2002-03	251	235	(16)
2003-04	238	229	(9)
2004-05	251	235	(16)
2005-06	246	232	(14)
2006-07	256	242	(14)
2007-08	227	217	(10)
2008-09	184	167	(17)
2009-10	191	151	(40)
Totals	<u>2,978</u>	<u>2,792</u>	<u>(186)</u>

The non-reimbursable evaluations included the following:

- Coordinators, management, program specialists, counselors, librarians, nurses, psychologists, and social workers who are not certificated instructional employees;
- Preschool teachers who do not perform the requirements of the program that is mandated by state or federal law;
- Duplicate teacher evaluations claimed multiple times in one school year;
- Permanent biannual teacher evaluations claimed every year rather than every other year; and
- Permanent five-year teacher evaluations claimed multiple times in a five-year period rather than once every five years.

Average Productive Hourly Rate (PHR)

The district claimed an average productive hourly rate (PHR) for the district’s evaluators in each fiscal year. Using the completed teacher evaluations database, we obtained a list of all evaluators at the district. We recalculated each evaluator’s PHR, using the district-provided payroll data. We then calculated an average rate in each fiscal year.

The following table shows the PHR audit adjustments by fiscal year:

Fiscal Year	Average Productive Hourly Rate		
	Claimed	Audited	Difference
1997-98	\$ 56.15	\$ 51.94	\$ (4.21)
1998-99	54.48	53.04	(1.44)
1999-2000	67.09	57.00	(10.09)
2000-01	72.05	61.99	(10.06)
2001-02	72.39	66.73	(5.66)
2002-03	72.90	67.31	(5.59)
2003-04	78.39	69.24	(9.15)
2004-05	78.02	70.63	(7.39)
2005-06	69.09	69.32	0.23
2006-07	80.48	75.01	(5.47)
2007-08	74.78	79.17	4.39
2008-09	74.78	79.38	4.60
2009-10	92.54	81.23	(11.31)

Calculation of Allowable Evaluation Costs

To arrive at allowable salaries and benefits in each fiscal year, we multiplied the number of allowable evaluations by allowable hours per evaluation and average audited PHRs.

The following table summarizes allowable evaluation costs by fiscal year using the audited PHRs.

Fiscal Year	Salaries and Benefits		
	Claimed	Allowable	Audit Adjustment
1997-98	\$ 178,135	\$ 38,737	\$ (139,398)
1998-99	200,056	34,978	(165,078)
1999-2000	295,149	49,089	(246,060)
2000-01	352,606	48,295	(304,311)
2001-02	328,673	58,340	(270,333)
2002-03	343,891	56,577	(287,314)
2003-04	364,224	56,140	(308,084)
2004-05	390,092	58,803	(331,289)
2005-06	334,437	56,701	(277,736)
2006-07	265,656	65,815	(199,841)
2007-08	237,501	62,017	(175,484)
2008-09	208,644	47,741	(160,903)
2009-10	66,204	44,390	(21,814)
Total	\$ 3,565,268	\$ 677,623	\$ (2,887,645)

We then applied the applicable indirect cost rates to allowable salaries and benefits to calculate allowable indirect costs of \$130,833 for this component.

Calculation of Allowable Training Costs

The district’s claims reported training hours in each fiscal year, totaling \$47,006 for the audit period. We concluded that \$26,309 in training costs is reimbursable under the mandate and \$20,697 is not reimbursable. The unallowable training costs primarily included ineligible hours attending training by the same employees exceeding a one-time per employee requirement, and ineligible hours attending various meetings that are not reimbursable under the mandated program.

The following table summarizes claimed, allowable, and unallowable training costs by fiscal year using the audited PHRs:

Fiscal Year	Salaries and Benefits		
	Claimed	Allowable	Audit Adjustment
1997-98	\$ 112	\$ 112	\$ -
1998-99	111	-	(111)
1999-2000	134	-	(134)
2000-01	134	-	(134)
2001-02	144	-	(144)
2002-03	144	-	(144)
2003-04	4,545	2,183	(2,362)
2004-05	3,604	-	(3,604)
2005-06	18,948	18,487	(461)
2006-07	14,794	3,339	(11,455)
2007-08	2,192	998	(1,194)
2008-09	1,725	1,190	(535)
2009-10	419	-	(419)
Total	<u>\$ 47,006</u>	<u>\$ 26,309</u>	<u>\$ (20,697)</u>

For FY 2005-06 and FY 2009-10, the district incorrectly claimed training costs in the Travel and Training rather than the Salaries and Benefits object accounts. We reclassified the district’s training costs to Salaries and Benefits.

We then applied the applicable indirect cost rates to allowable salaries and benefits to calculate allowable indirect costs of \$210 for this component.

The parameters and guidelines (section IV.A.1) state that the following is reimbursable:

Evaluate and assess the performance of certificated instructional employees that perform the requirements of educational programs mandated by state or federal law as it reasonably relates to the instructional techniques and strategies used by the employee and the employee’s adherence to curricular objectives.

Reimbursement for this activity is limited to:

- a. Reviewing the employee's instructional techniques and strategies and adherence to curricular objectives, and
- b. Including in the written evaluation of the certificated instructional employees the assessment of these factors during the following evaluation periods:
 - Once each year for probationary certificated employees;
 - Every other year for permanent certificated employees; and
 - Beginning January 1, 2004, every five years for certificated employees with permanent status who have been employed at least ten years with the school district, are highly qualified, and whose previous evaluation rated the employee as meeting or exceeding standards, if the evaluator and certificated employee being evaluated agree.

The parameters and guidelines (section IV.A.2) state that the following is reimbursable:

Evaluate and assess the performance of certificated instructional employees that teach reading, writing, mathematics, history/social science, and science in grades 2 to 11 as it reasonably relates to the progress of pupils towards the state adopted academic content standards as measured by state adopted assessment tests.

Reimbursement for this activity is limited to:

- a. Reviewing the results of the Standardized Testing and Reporting test as it reasonably relates to the performance of those certificated employees that teach reading, writing, mathematics, history/social science, and science in grades 2 to 11, and
- b. Including in the written evaluation of those certificated employees the assessment of the employee's performance based on the Standardized Testing and Reporting results for the pupils they teach during the evaluation periods specified in Education Code section 44664, and described below:
 - Once each year for probationary certificated employees;
 - Every other year for permanent certificated employees; and
 - Beginning January 1, 2004, every five years for certificated employees with permanent status who have been employed at least ten years with the school district, are highly qualified, and whose previous evaluation rated the employee as meeting or exceeding standards, if the evaluator and certificated employee being evaluated agree.

The parameters and guidelines (section IV.C—Training) state that the district may train staff on implementing the reimbursable activities listed in Section IV of the parameters and guidelines. (One-time activity for each employee.)

The parameters and guidelines (section IV—Reimbursable Activities) also state:

To be eligible for mandated cost reimbursement for any fiscal year, only actual costs may be claimed. Actual costs are those costs actually incurred to implement the mandated activities. Actual costs must be traceable and supported by source documents that show the validity of such costs, when they were incurred, and their relationship to the reimbursable activities. A source document is a document created at or near the same time the actual cost was incurred for the event or activity in question. Source documents may include, but are not limited to, employee time records or time logs, sign-in sheets, invoices, and receipts.

Recommendation

We recommend that the district ensure that claimed costs are based on actual costs, are for activities reimbursable under the program’s parameters and guidelines, and are supported by contemporaneous source documentation.

District’s Response

TIME STUDY ACTIVITIES \$2,839,221

The annual cost of evaluations is calculated based on the average time to implement eight different components of the annual employee evaluation process, multiplied by the number of evaluations performed each year, and then multiplied by the average productive hourly rates (salary and benefits) for the evaluators. For the eight components, the total average time to complete the evaluation process based on the district documentation and the audited allowable times are as follows:

Evaluation Type	District Ave. Hours Time Study	Audited Ave. Hours Allowed
Permanent	5.81	3.57
Probationary	6.25	3.89
Temporary	5.12	3.37
Unsatisfactory	None	7.88

The average time for the evaluation process was calculated by the auditor based on the District's staff time reports. At this time, the District has no objection to the auditor's calculations.

The draft audit report states five of the eight activities identified in the time study are not reimbursable:

- 1 Conducting a conference with the certificated staff member to review their goals and objectives;
- 2 Conducting a pre-observation conference with the certificated staff member;

- 3 Conducting a post-observation conference with the certificated staff member;
- 4 Conducting a final evaluation conference with the certificated staff member; and
- 5 Discussing STAR results and how to improve instructional abilities with the certificated staff member. The draft audit report states that conferences between the evaluators and teachers are not reimbursable because they were required before the enactment of the test claim legislation and thus are not imposing a new program or higher level of service.

The District disagrees with this disallowance. The mandate reimburses the new program requirement to “evaluate and assess” which necessarily involves a comprehensive process. The conferences are one part of a continuum of evaluation and assessment steps, none of which individually completes the mandate. The conferences and related tasks are effective and efficient methods to evaluate and assess employees and necessary to communicate the findings of the evaluation to the employee. Whether the conferences in general were required as a matter of law before the Stull Act is a decision for the Commission pursuant to a future incorrect reduction claim.

The draft audit report states that three of the eight activities identified by the district are reimbursable:

- 6 Classroom observations (formal and informal);
- 7 Writing a report regarding observations; and
- 8 Writing the final evaluation report.

The District agrees that these activities are reimbursable.

COMPLETED/ALLOWABLE EVALUATIONS

The draft audit report states that the program's parameters and guidelines allow reimbursement for those evaluations conducted for certificated instructional personnel who perform the requirements of education programs mandated by state or federal law during specific evaluation periods. The draft audit report disallows 186 of about 3,000 evaluations (about 6%) claimed for the thirteen years for five reasons:

1. *Coordinators, management, program specialists, counselors, librarians, nurses, psychologists, and social workers who are not certificated instructional employees.*

The District disagrees with this disallowance. The parameters and guidelines state that the mandate is to evaluate the performance of “certificated instructional employees.” All certificated personnel are “instructional” personnel even if they are not classroom teachers. The audit report does not indicate how these other certificated personnel are not implementing state curricular objectives. The District does concur that the portion of the mandate relating to the evaluation of compliance with the testing assessment standards (the STAR component) is limited to classroom teachers because the parameters and guidelines specifically state “employees that teach” specified curriculum.

2. *Preschool teachers who do not perform the requirements of the program that is mandated by state or federal law.*

The District disagrees with this disallowance. Federal and State law requires preschool instruction for special education pupils as part of the pupil's Individual Education Program. If the teacher is providing instruction to special education preschool pupils, the teacher is implementing the special education mandate.

3. *Duplicate teacher evaluations claimed multiple times in one school year.*

Potential “duplicate” evaluations generally occur as a result of an employee transferring to another school during the evaluation cycle, or a change in employment status of the employee. The District concurs that only one complete evaluation should be counted for each employee

4. *Permanent biannual teacher evaluations claimed every year rather than every other year.*

The District concurs that only one complete evaluation should be counted for each employee every other year after the employee attains permanent status.

5. *Permanent five-year teacher evaluations claimed multiple times in a five-year period rather than once every five years.*

The District concurs that only one complete evaluation should be counted for each employee every fifth year after the employee attains permanent five-year status.

AVERAGE PRODUCTIVE HOURLY RATE (PHR) \$48,992

Of the \$3.6 million in salary and benefits claimed for the thirteen years, the draft audit report reduces this amount by \$48,992 (about 1.5%) based on the auditor's calculation of the average productive hourly rates. District staff has reviewed the auditor's calculations and we have no disputed amounts at this time.

TRAINING COSTS \$20,129

The draft audit reports states that the mandate parameters and guidelines only allow training costs as a one-time activity per employee. The disallowances are based on “duplicate” training hours for the “same” employees. The District disagrees with this disallowance. Most of the disallowed staff time was incurred for meetings with the principals and other evaluators to commence the annual evaluation cycle. These A = rrr 2 reasonable and necessary when the collective bargaining contract and district evaluation process changes.

SCO's Comment

Time Study Activities

Our finding and recommendation are unchanged. The conferences between the teachers and evaluators are non-reimbursable activities.

The district states in its response that “the mandate reimburses the new

program requirement to ‘evaluate and assess’ which necessarily involves a comprehensive process.” We disagree. Not all activities from the evaluation process are reimbursable. The mandate reimburses only those activities that impose a new requirement or higher level of service for the agencies.

The parameters and guidelines (sections IV.A.1, IV.A.2, and IV.B.1) specify that reimbursement is limited to only those activities outlined in each section. Section IV.B.1 identifies reimbursable evaluation conferences only for those instances when an unsatisfactory evaluation took place for certificated instructional or non-instructional personnel in those years in which the employee would not have otherwise been evaluated.

The district claimed costs for the evaluation conferences resulting from evaluations completed under sections IV.A.1 and IV.A.2 of the parameters and guidelines. Sections IV.A.1 and IV.A.2 do not identify evaluation conferences or any other types of conferences as reimbursable activities.

Furthermore, the CSM found in its statement of decision that evaluation conferences between the evaluators and teachers are not reimbursable because they were required before the enactment of the test claim legislation.

Under prior law, the evaluation was to be prepared in writing and a copy of the evaluation given to the employee. An evaluation meeting was to be held between the certificated employee and the evaluator to discuss the evaluation and assessment. The CSM indicated in its statement of decision document that:

. . . the 1975 test claim legislation did not amend the requirements in Former Educate Code sections 13488 and 13489 to prepare written evaluations of certificated employees, receive responses to those evaluations, and conduct a meeting with the certificated employee to discuss the evaluation . . .

Furthermore, the 1983 test claim statute still requires school districts to prepare the evaluation in writing, to transmit a copy to the employee, and to conduct a meeting with the employee to discuss the evaluation and assessment. These activities are not new.

However, the 1983 test claim statute amended the evaluation requirements by adding two new evaluation factors relating to 1) the instructional techniques and strategies used by the employee, and 2) the employee’s adherence to curricular objectives. The CSM found that Education Code section 44662, subdivision (b), as amended by Statutes of 1983, Chapter 498, imposed a new required act on school districts to:

. . . evaluate and assess the performance of certificated instructional employees that perform the requirements of educational programs mandated by state or federal law as it reasonably relates to the instructional techniques and strategies used by the employee and the employee’s adherence to curricular objectives.

Reimbursement is limited to the additional requirements imposed by the

amendments. The additional requirements include the review of the employee's instructional techniques and strategies and adherence to curricular objectives, and to include in the written evaluation of the certificated instructional employees the assessment of only these factors. Conference activities do not impose a new program or higher level of service.

Completed/Allowable Evaluations

1. Coordinators, management, program specialists, counselors, librarians, nurses, psychologists, and social workers who are not certificated instructional employees.

Our finding and recommendation are unchanged. The district states that "All certificated personnel are 'instructional' personnel even if they are not classroom teachers." We disagree.

The language of the program's parameters and guidelines and the CSM statement of decision address the difference between certificated instructional employees and certificated non-instructional employees.

In its statement of decision, the CSM identifies instructional employees as teachers and non-instructional employees as principals and various administrators. The CSM further states that the test claim legislation, as it relates to evaluation and assessment of certificated non-instructional employees, do not constitute a new program or higher level of service.

In addition, the parameters and guidelines clearly identify reimbursable components and activities as they relate to certificated instructional and certificated non-instructional personnel. Our draft report identifies a finding related to the component of evaluating instructional techniques and strategies and adherence to curricular objectives for the certificated instructional employees. The intent of this component is to evaluate the elements of classroom instruction. Coordinators, management, program specialists, counselors, librarians, nurses, psychologists, and social workers do not provide classroom instruction and are considered "non-instructional" certificated personnel.

2. Preschool teachers do not perform the requirements of the program that is mandated by state or federal law.

Our finding and recommendation is unchanged. The district states the following in its response:

Federal and State law requires preschool instruction for special education pupils as part of the pupil's Individual Education Program. If the teacher is providing instruction to special education preschool pupils, the teacher is implementing the special education mandate.

Our finding indicated that the evaluations of the preschool teachers were excluded for reimbursement. The finding did not indicate that we excluded those teachers that work with special education pupils. The issue at hand is whether preschool teachers, in general, perform the requirements of educational programs mandated by state or federal law.

The district has not provided any documentation to support that preschool teachers previously excluded from reimbursement, if any, performed any activities related to special education pupils.

3. *Duplicate teacher evaluations claimed multiple times in one school year.*

The district concurs with our finding and recommendation.

4. *Permanent biannual teacher evaluations claimed every year rather than every other year.*

The district concurs with our finding and recommendation.

5. *Permanent five-year teacher evaluations claimed multiple times in a five-year period rather than once every five years.*

The district concurs with our finding and recommendation.

Average Productive Hourly Rate (PHR)

The district does not dispute our calculations at this time.

Training Costs

Our finding and recommendation are unchanged. The district disagrees with the unallowable “duplicate” training hours claimed for the same employees. The district states that:

Most of the disallowed staff time was incurred for meetings with the principals and other evaluators to commence the annual evaluation cycle. These are reasonable and necessary when the collective bargaining contract and district evaluation process changes.

The parameters and guidelines states that the district may claim reimbursement to “train staff on implementing the reimbursable activities.” The parameters and guidelines also state that training is reimbursable as a “one-time activity for each employee.”

The district believes that the meetings with the principals and other evaluators are “reasonable and necessary” activities. However, the reimbursement is limited to only those activities outlined in the parameters and guidelines (section IV.C).

**PUBLIC RECORDS
REQUEST**

The district's response included other comments related to the mandated cost claims. The district's comments and SCO's response are presented below.

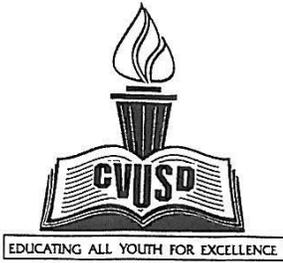
District's Response

The District requests copies of all audit work papers in support of the audit findings. The District requests that the Controller provide the District any and all written instructions, memoranda, or other writings in effect and applicable during the claiming periods to the findings. . .

SCO's Comment

The SCO responded to the district's request by a separate letter dated July 10, 2013.

**Attachment—
District’s Response to
Draft Audit Report**



Castro Valley Unified School District

BOARD OF EDUCATION

Jo A.S. Loss, President
George Granger, Vice-President/ Clerk
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Janice Friesen

SUPERINTENDENT

Jim Negri

P.O. BOX 2146 • CASTRO VALLEY, CALIFORNIA 94546 • (510) 537-3000 • Fax (510) 886-8962

June 13, 2013

Mr. Jim L. Spano, Chief
Mandated Costs Audits Bureau
Division of Audits
State Controller's Office
P.O. Box 942850
Sacramento, CA 94250-5874

Subject: Castro Valley Unified School District
Stull Act Mandate Audit
FY 1997-98 through FY 2009-10

Dear Mr. Spano:

This letter is the response of the Castro Valley Unified School District to the draft audit report dated May 31, 2013, received by e-mail on June 3, 2013, for the above-referenced program and fiscal years, transmitted by the letter from Jeffrey V. Brownfield, Chief, Division of Audits, State Controller's Office.

The District appreciated the opportunity to utilize a time study of the mandate program activities to replace the original documentation for the historic claim years. The time study is a reasonable method to fulfill the Controller's expectations for cost accounting and documentation. However, the District will file an incorrect reduction claim due to the limited scope of activities approved for reimbursement. The District disagrees with the Controller's interpretation of the Stull Act legislation and the test claim findings. From the discussion at the audit entrance and exit conferences, it is clear that this disagreement cannot be resolved at this point. A Commission on State Mandates decision will be needed since this is an issue of statewide significance relevant to all Stull Act audits.

Finding 1 Overstated salaries and benefits and related indirect costs

The draft audit report concludes that of the \$3,612,274 in salaries and benefits and \$164,684 in related indirect costs claimed for the audit period, that \$2,908,342 in salaries and benefits and \$131,043 in related indirect costs are unallowable, for several reasons:

TIME STUDY ACTIVITIES \$2,839,221



The annual cost of evaluations is calculated based on the average time to implement eight different components of the annual employee evaluation process, multiplied by the number of evaluations performed each year, and then multiplied by the average productive hourly rates (salary and benefits) for the evaluators. For the eight components, the total average time to complete the evaluation process based on the district documentation and the audited allowable times are as follows:

Evaluation Type	District Ave. Hours Time Study	Audited Ave. Hours Allowed
Permanent	5.81	3.57
Probationary	6.25	3.89
Temporary	5.12	3.37
Unsatisfactory	None	7.88

The average time for the evaluation process was calculated by the auditor based on the District’s staff time reports. At this time, the District has no objection to the auditor’s calculations.

The draft audit report states five of the eight activities identified in the time study are not reimbursable:

- 1 Conducting a conference with the certificated staff member to review their goals and objectives;
- 2 Conducting a pre-observation conference with the certificated staff member;
- 3 Conducting a post-observation conference with the certificated staff member;
- 4 Conducting a final evaluation conference with the certificated staff member; and
- 5 Discussing STAR results and how to improve instructional abilities with the certificated staff member.

The draft audit report states that conferences between the evaluators and teachers are not reimbursable because they were required before the enactment of the test claim legislation and thus are not imposing a new program or higher level of service.

The District disagrees with this disallowance. The mandate reimburses the new program requirement to “evaluate and assess” which necessarily involves a comprehensive process. The conferences are one part of a continuum of evaluation and assessment steps, none of which individually completes the mandate. The conferences and related tasks are effective and efficient methods to evaluate and assess employees and necessary to communicate the findings of the evaluation to the employee. Whether the conferences in general were required as a matter of law before the Stull Act is a decision for the Commission pursuant to a future incorrect reduction claim.



The draft audit report states that three of the eight activities identified by the district are reimbursable:

- 6 Classroom observations (formal and informal);
- 7 Writing a report regarding observations; and
- 8 Writing the final evaluation report.

The District agrees that these activities are reimbursable.

COMPLETED/ALLOWABLE EVALUATIONS

The draft audit report states that the program's parameters and guidelines allow reimbursement for those evaluations conducted for certificated instructional personnel who perform the requirements of education programs mandated by state or federal law during specific evaluation periods. The draft audit report disallows 186 of about 3,000 evaluations (about 6%) claimed for the thirteen years for five reasons:

1. *Coordinators, management, program specialists, counselors, librarians, nurses, psychologists, and social workers who are not certificated instructional employees.*

The District disagrees with this disallowance. The parameters and guidelines state that the mandate is to evaluate the performance of "certificated instructional employees." All certificated personnel are "instructional" personnel even if they are not classroom teachers. The audit report does not indicate how these other certificated personnel are not implementing state curricular objectives. The District does concur that the portion of the mandate relating to the evaluation of compliance with the testing assessment standards (the STAR component) is limited to classroom teachers because the parameters and guidelines specifically state "employees that teach" specified curriculum.

2. *Preschool teachers who do not perform the requirements of the program that is mandated by state or federal law.*

The District disagrees with this disallowance. Federal and State law requires preschool instruction for special education pupils as part of the pupil's Individual Education Program. If the teacher is providing instruction to special education preschool pupils, the teacher is implementing the special education mandate.

3. *Duplicate teacher evaluations claimed multiple times in one school year.*

Potential "duplicate" evaluations generally occur as a result of an employee transferring to another school during the evaluation cycle, or a change in employment status of the employee. The District concurs that only one complete evaluation should be counted for each employee

4. *Permanent biannual teacher evaluations claimed every year rather than every other year.*

The District concurs that only one complete evaluation should be counted for each employee every other year after the employee attains permanent status.



5. *Permanent five-year teacher evaluations claimed multiple times in a five-year period rather than once every five years.*

The District concurs that only one complete evaluation should be counted for each employee every fifth year after the employee attains permanent five-year status.

AVERAGE PRODUCTIVE HOURLY RATE (PHR) \$48,992

Of the \$3.6 million in salary and benefits claimed for the thirteen years, the draft audit report reduces this amount by \$48,992 (about 1.5%) based on the auditor's calculation of the average productive hourly rates. District staff has reviewed the auditor's calculations and we have no disputed amounts at this time.

TRAINING COSTS \$20,129

The draft audit reports states that the mandate parameters and guidelines only allow training costs as a one-time activity per employee. The disallowances are based on "duplicate" training hours for the "same" employees. The District disagrees with this disallowance. Most of the disallowed staff time was incurred for meetings with the principals and other evaluators to commence the annual evaluation cycle. These $A = \pi r^2$ reasonable and necessary when the collective bargaining contract and district evaluation process changes.

Public Records Request

The District requests copies of all audit work papers in support of the audit findings. The District requests that the Controller provide the District any and all written audit instructions, memoranda, or other writings in effect and applicable during the claiming periods to the findings.

Government Code Section 6253, subdivision (c), requires the state agency that is the subject of the request, within ten days from receipt of a request for a copy of records, to determine whether the request, in whole or in part, seeks copies of disclosable public records in possession of the agency and promptly notify the requesting party of that determination and the reasons therefore. Also, as required, when so notifying the District, the agency must state the estimated date and time when the records will be made available.

Sincerely,

Dr. Candi Clark
Assistant Superintendent of Business Services
Castro Valley Unified School District

**State Controller's Office
Division of Audits
Post Office Box 942850
Sacramento, CA 94250-5874**

<http://www.sco.ca.gov>

ELK GROVE UNIFIED SCHOOL DISTRICT

Audit Report

STULL ACT PROGRAM

Chapter 498, Statutes of 1983,
and Chapter 4, Statutes of 1999

July 1, 1997, through June 30, 2010



JOHN CHIANG
California State Controller

August 2013



JOHN CHIANG
California State Controller

August 23, 2013

Chet Madison, Sr., President
Board of Education
Elk Grove Unified School District
9510 Elk Grove-Florin Road
Elk Grove, CA 95624

Dear Mr. Madison:

The State Controller's Office audited the costs claimed by the Elk Grove Unified School District for the legislatively mandated Stull Act Program (Chapter 498, Statutes of 1983, and Chapter 4, Statutes of 1999) for the period of July 1, 1997, through June 30, 2010.

The district claimed \$4,362,150 for the mandated program. Our audit found that \$2,158,736 is allowable and \$2,203,414 is unallowable. The costs are unallowable primarily because the district claimed estimated and ineligible costs. The State paid the district \$628,288. Allowable costs claimed exceed the amount paid by \$1,530,448.

If you disagree with the audit findings, you may file an Incorrect Reduction Claim (IRC) with the Commission on State Mandates (CSM). The IRC must be filed within three years following the date that we notify you of a claim reduction. You may obtain IRC information at the CSM's website at www.csm.ca.gov/docs/IRCForm.pdf.

If you have any questions, please contact Jim L. Spano, Chief, Mandated Cost Audits Bureau, by phone at (916) 323-5849.

Sincerely,

Original signed by

JEFFREY V. BROWNFIELD, CPA
Chief, Division of Audits

JVB/nh

cc: Steven M. Ladd, Ed.D, Superintendent
Elk Grove Unified School District
Rich Fagan, Associate Superintendent
Elk Grove Unified School District
Carrie Hargis, Director of Fiscal Services
Elk Grove Unified School District
Jacquelyn Levy, President, Board of Education
Sacramento County Office of Education
Scott Hannan, Director
School Fiscal Services Division
California Department of Education
Carol Bingham, Director
Fiscal Policy Division
California Department of Education
Thomas Todd, Assistant Program Budget Manager
Education Systems Unit
California Department of Finance
Jay Lal, Manager
Division of Accounting and Reporting
State Controller's Office

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Attachment—District’s Response to Draft Audit Report	

Audit Report

Summary

The State Controller's Office (SCO) audited the costs claimed by the Elk Grove Unified School District for the legislatively mandated Stull Act Program (Chapter 498, Statutes of 1983, and Chapter 4, Statutes of 1999) for the period of July 1, 1997, through June 30, 2010.

The district claimed \$4,362,150 for the mandated program. Our audit found that \$2,158,736 is allowable and \$2,203,414 is unallowable. The costs are unallowable primarily because the district claimed estimated and ineligible costs. The State paid the district \$628,288. Allowable costs claimed exceed the amount paid by \$1,530,448.

Background

The Stull Act, Chapter 498, Statutes of 1983, and Chapter 4, Statutes of 1999, added Education Code sections 44660-44665. The legislation provided reimbursement for specific activities related to evaluation and assessment of the performance of "certificated personnel" within each school district, except for those employed in local discretionary educational programs.

On May 27, 2004, the Commission on State Mandates (CSM) determined that the legislation imposed a state mandate reimbursable under Government Code section 17514.

The program's parameters and guidelines establish the state mandate and define reimbursement criteria. The CSM adopted the parameters and guidelines on September 27, 2005. In compliance with Government Code section 17558, the SCO issues claiming instructions to assist local agencies and school districts in claiming mandated program reimbursable costs.

The Commission approved reimbursable activities as follows:

- Evaluate and assess the performance of certificated instructional employees who perform the requirements of educational programs mandated by state or federal laws as it reasonably relates to the instructional techniques and strategies used by the employee, and the employee's adherence to curricular objectives (Education Code section 44662 subdivision (b) as amended by Chapter 498, Statutes of 1983).
- Evaluate and assess the performance of certificated instructional employees who teach reading, writing, mathematics, history/social science, and science in grades 2 through 11 as it reasonably relates to the progress of pupils toward the State-adopted academic content standards as measured by State-adopted assessment tests (Education Code section 44662 subdivision (b), as amended by Chapter 4, Statutes of 1999).

- Assess and evaluate permanent certificated, instructional, and non-instructional employees who perform the requirements of educational programs mandated by State or federal law and receive an unsatisfactory evaluation in the years in which the permanent certificated employee would not have otherwise been evaluated pursuant to Education Code section 44664. The additional evaluations shall last until the employee achieves a positive evaluation, or is separated from the school district (Education Code section 44664 as amended by Chapter 498, Statutes of 1983).

Objective, Scope, and Methodology

We conducted the audit to determine whether costs claimed represent increased costs resulting from the Stull Act Program for the period of July 1, 1997, through June 30, 2010.

Our audit scope included, but was not limited to, determining whether costs claimed were supported by appropriate source documents, were not funded by another source, and were not unreasonable and/or excessive.

We conducted this performance audit under the authority of Government Code sections 12410, 17558.5, and 17561. We did not audit the district's financial statements. We conducted the audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

We limited our review of the district's internal controls to gaining an understanding of the transaction flow and claim preparation process as necessary to develop appropriate auditing procedures.

Conclusion

Our audit found instances of noncompliance with the requirements outlined above. These instances are described in the accompanying Summary of Program Costs (Schedule 1) and in the Findings and Recommendations section of this report.

For the audit period, the Elk Grove Unified School District claimed \$4,362,150 for costs of the Stull Act Program. Our audit found that \$2,158,736 is allowable and \$2,203,414 is unallowable.

For the fiscal year (FY) 1997-98 claim, the State paid the district \$18,475. Our audit found that \$114,513 is allowable. The State will pay allowable costs claimed that exceed the amount paid, totaling \$96,038, contingent upon available appropriations.

For FY 1998-99 through FY 2004-05, FY 2006-07, and FY 2007-08 claims, the State made no payment to the district. Our audit found that \$1,458,105 is allowable. The State will pay allowable costs claimed, contingent upon available appropriations.

For the FY 2005-06 claim, the State paid the district \$139,177. Our audit found that the entire amount is allowable.

For the FY 2008-09 claim, the State paid the district \$221,236. Our audit found that \$247,802 is allowable. The State will pay allowable costs claimed that exceed the amount paid, totaling \$26,566, contingent upon available appropriations.

For the FY 2009-10 claim, the State paid the district \$249,400. Our audit found that \$199,139 is allowable. The State will offset \$50,261 from other mandated program payments due the district. Alternatively, the district may remit this amount to the State.

**Views of
Responsible
Official**

We issued a draft audit report on April 22, 2013. Rich Fagan, Associate Superintendent of Finance and School Support, responded by letter dated May 6, 2013 (Attachment), disagreeing with the audit results. This final audit report includes the district's response.

Restricted Use

This report is solely for the information and use of the Elk Grove Unified School District, the Sacramento County Office of Education, the California Department of Education, the California Department of Finance, and the SCO; it is not intended to be and should not be used by anyone other than these specified parties. This restriction is not intended to limit distribution of this report, which is a matter of public record.

Original signed by

JEFFREY V. BROWNFIELD, CPA
Chief, Division of Audits

August 23, 2013

**Schedule 1—
Summary of Program Costs
July 1, 1997, through June 30, 2010**

Cost Elements	Actual Costs Claimed	Allowable per Audit	Audit Adjustments	Reference ¹
<u>July 1, 1997, through June 30, 1998</u>				
Direct costs				
Salaries and benefits				
Evaluation activities	\$ 215,385	\$ 108,113	\$ (107,272)	Finding 1
Total direct costs	215,385	108,113	(107,272)	
Indirect costs	12,751	6,400	(6,351)	Finding 2
Total direct and indirect costs	228,136	114,513	(113,623)	
Less late filing penalty ²	—	—	—	
Total program costs	<u>\$ 228,136</u>	114,513	<u>\$ (113,623)</u>	
Less amount paid by state		(18,475)		
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 96,038</u>		
<u>July 1, 1998, through June 30, 1999</u>				
Direct costs				
Salaries and benefits				
Evaluation activities	\$ 379,092	\$ 110,601	\$ (268,491)	Finding 1
Total direct costs	379,092	110,601	(268,491)	
Indirect costs	20,130	5,873	(14,257)	Finding 2
Total direct and indirect costs	399,222	116,474	(282,748)	
Less late filing penalty ²	—	—	—	
Total program costs	<u>\$ 399,222</u>	116,474	<u>\$ (282,748)</u>	
Less amount paid by state		—		
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 116,474</u>		
<u>July 1, 1999, through June 30, 2000</u>				
Direct costs				
Salaries and benefits				
Evaluation activities	\$ 493,048	\$ 115,377	\$ (377,671)	Finding 1
Total direct costs	493,048	115,377	(377,671)	
Indirect costs	24,159	5,653	(18,506)	Finding 2
Total direct and indirect costs	517,207	121,030	(396,177)	
Less late filing penalty ²	—	—	—	
Total program costs	<u>\$ 517,207</u>	121,030	<u>\$ (396,177)</u>	
Less amount paid by state		—		
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 121,030</u>		

Schedule 1 (continued)

Cost Elements	Actual Costs Claimed	Allowable per Audit	Audit Adjustments	Reference ¹
<u>July 1, 2000, through June 30, 2001</u>				
Direct costs				
Salaries and benefits				
Evaluation activities	\$ 389,885	\$ 120,017	\$ (269,868)	Finding 1
Total direct costs	389,885	120,017	(269,868)	
Indirect costs	20,235	6,229	(14,006)	Finding 2
Total direct and indirect costs	410,120	126,246	(283,874)	
Less late filing penalty ²	—	—	—	
Total program costs	<u>\$ 410,120</u>	126,246	<u>\$ (283,874)</u>	
Less amount paid by state		—		
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 126,246</u>		
<u>July 1, 2001, through June 30, 2002</u>				
Direct costs				
Salaries and benefits				
Evaluation activities	\$ 340,432	\$ 143,409	\$ (197,023)	Finding 1
Total direct costs	340,432	143,409	(197,023)	
Indirect costs	13,617	5,736	(7,881)	Finding 2
Total direct and indirect costs	354,049	149,145	(204,904)	
Less late filing penalty ²	—	—	—	
Total program costs	<u>\$ 354,049</u>	149,145	<u>\$ (204,904)</u>	
Less amount paid by state		—		
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 149,145</u>		
<u>July 1, 2002, through June 30, 2003</u>				
Direct costs				
Salaries and benefits				
Evaluation activities	\$ 465,746	\$ 175,293	\$ (290,453)	Finding 1
Total direct costs	465,746	175,293	(290,453)	
Indirect costs	37,446	14,094	(23,352)	Finding 2
Total direct and indirect costs	503,192	189,387	(313,805)	
Less late filing penalty ²	—	—	—	
Total program costs	<u>\$ 503,192</u>	189,387	<u>\$ (313,805)</u>	
Less amount paid by state		—		
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 189,387</u>		

Schedule 1 (continued)

Cost Elements	Actual Costs Claimed	Allowable per Audit	Audit Adjustments	Reference ¹
<u>July 1, 2003, through June 30, 2004</u>				
Direct costs				
Salaries and benefits				
Evaluation activities	\$ 436,433	\$ 192,026	\$ (244,407)	Finding 1
Total direct costs	436,433	192,026	(244,407)	
Indirect costs	24,702	10,869	(13,833)	Finding 2
Total direct and indirect costs	461,135	202,895	(258,240)	
Less late filing penalty ²	—	—	—	
Total program costs	<u>\$ 461,135</u>	202,895	<u>\$ (258,240)</u>	
Less amount paid by state		—		
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 202,895</u>		
<u>July 1, 2004, through June 30, 2005</u>				
Direct costs				
Salaries and benefits				
Evaluation activities	\$ 402,938	\$ 160,881	\$ (242,057)	Finding 1
Total direct costs	402,938	160,881	(242,057)	
Indirect costs	15,916	6,355	(9,561)	Finding 2
Total direct and indirect costs	418,854	167,236	(251,618)	
Less late filing penalty ²	—	—	—	
Total program costs	<u>\$ 418,854</u>	167,236	<u>\$ (251,618)</u>	
Less amount paid by state		—		
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 167,236</u>		
<u>July 1, 2005, through June 30, 2006</u>				
Direct costs				
Salaries and benefits				
Evaluation activities	\$ 130,965	\$ 160,269	\$ 29,304	Finding 1
Training	297	341	44	Finding 1
Total direct costs	131,262	160,610	29,348	
Indirect costs	7,915	12,512	4,597	Finding 2
Total direct and indirect costs	139,177	173,122	33,945	
Less allowable costs that exceed costs claimed ³	—	(33,945)	(33,945)	
Total program costs	<u>\$ 139,177</u>	139,177	<u>\$ —</u>	
Less amount paid by state ⁴		(139,177)		
Allowable costs claimed in excess of (less than) amount paid		<u>\$ —</u>		

Schedule 1 (continued)

Cost Elements	Actual Costs Claimed	Allowable per Audit	Audit Adjustments	Reference ¹
<u>July 1, 2006, through June 30, 2007</u>				
Direct costs				
Salaries and benefits				
Evaluation activities	\$ 187,316	\$ 180,355	\$ (6,961)	Finding 1
Total direct costs	187,316	180,355	(6,961)	
Indirect costs	14,648	14,104	(544)	Finding 2
Total program costs	<u>\$ 201,964</u>	194,459	<u>\$ (7,505)</u>	
Less amount paid by state		—		
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 194,459</u>		
<u>July 1, 2007, through June 30, 2008</u>				
Direct costs				
Salaries and benefits				
Evaluation activities	\$ 215,617	\$ 181,729	\$ (33,888)	Finding 1
Total direct costs	215,617	181,729	(33,888)	
Indirect costs	11,277	9,504	(1,773)	Finding 2
Total program costs	<u>\$ 226,894</u>	191,233	<u>\$ (35,661)</u>	
Less amount paid by state		—		
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 191,233</u>		
<u>July 1, 2008, through June 30, 2009</u>				
Direct costs				
Salaries and benefits				
Evaluation activities	\$ 242,517	\$ 237,723	\$ (4,794)	Finding 1
Total direct costs	242,517	237,723	(4,794)	
Indirect costs	10,283	10,079	(204)	Finding 2
Total program costs	<u>\$ 252,800</u>	247,802	<u>\$ (4,998)</u>	
Less amount paid by state		(221,236)		
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 26,566</u>		
<u>July 1, 2009, through June 30, 2010</u>				
Direct costs				
Salaries and benefits				
Evaluation activities	\$ 236,825	\$ 189,098	\$ (47,727)	Finding 1
Total direct costs	236,825	189,098	(47,727)	
Indirect costs	12,575	10,041	(2,534)	Finding 2
Total program costs	<u>\$ 249,400</u>	199,139	<u>\$ (50,261)</u>	
Less amount paid by state		(249,400)		
Allowable costs claimed in excess of (less than) amount paid		<u>\$ (50,261)</u>		

Schedule 1 (continued)

Cost Elements	Actual Costs Claimed	Allowable per Audit	Audit Adjustments	Reference ¹
<u>Summary: July 1, 1997, through June 30, 2010</u>				
Direct costs				
Salaries and benefits				
Evaluation activities	\$ 4,136,199	\$ 2,074,891	\$ (2,061,308)	
Training	297	341	44	
Total direct costs	4,136,496	2,075,232	(2,061,264)	
Indirect costs	225,654	117,449	(108,205)	
Total direct and indirect costs	4,362,150	2,192,681	(2,169,469)	
Less allowable costs that exceed costs claimed	—	(33,945)	(33,945)	
Less late filing penalty	—	—	—	
Total program costs	<u>\$ 4,362,150</u>	2,158,736	<u>\$ (2,203,414)</u>	
Less amount paid by state		(628,288)		
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 1,530,448</u>		

¹ See the Findings and Recommendations section.

² The district filed its FY 1997-98 through FY 2004-05 initial reimbursement claims by the due date specified in Government Code section 17560, and amended the claims after the due date. Pursuant to Government Code section 17568, the State assessed a late filing penalty equal to 10% of allowable costs that exceed the timely filed claim amount, with no maximum penalty amount (for claims amended on or after September 30, 2002). Allowable costs do not exceed the initial amount claimed for FY 1997-98 through FY 2004-05. Therefore, there is no late claim penalty.

³ Government Code section 17568 stipulates that the State will not reimburse any claim more than one year after the filing deadline specified in the SCO's claiming instructions. That deadline has expired for FY 2005-06.

⁴ Payment from funds appropriated under Chapter 724, Statutes of 2010 (Assembly Bill No. 1610).

Findings and Recommendations

FINDING 1— Overstated salaries and benefits

The district claimed \$4,136,496 in salaries and benefits for the audit period. We determined that \$2,075,232 is allowable and \$2,061,264 is unallowable. The costs are unallowable primarily for the following reasons:

- The district misstated hours and reimbursable activities for fiscal year (FY) 2000-01 through FY 2009-10, totaling \$1,829,712 in overstated costs.
- The district did not provide documentation supporting evaluations completed for FY 1997-98 through FY 1999-2000, totaling \$753,434. We determined allowable costs for this period by using the current audit results for FY 2000-01, and applying the Implicit Price Deflator to determine prior year costs.
- The district underclaimed evaluations for FY 2000-01 through FY 2009-10, totaling \$518,788.
- The district miscalculated productive hourly rates for FY 2000-01 through FY 2009-10 totaling \$3,050 in understated costs.
- The district underclaimed training costs for FY 2005-06 by \$44. The district claimed \$297; we determined that \$341 is allowable.

The following table summarizes the unallowable salaries and benefits by fiscal year:

<u>Fiscal Year</u>	<u>Amount Claimed</u>	<u>Amount Allowable</u>	<u>Audit Adjustment</u>
1997-98	\$ 215,385	\$ 108,113	\$ (107,272)
1998-99	379,092	110,601	(268,491)
1999-2000	493,048	115,377	(377,671)
2000-01	389,885	120,017	(269,868)
2001-02	340,432	143,409	(197,023)
2002-03	465,746	175,293	(290,453)
2003-04	436,433	192,026	(244,407)
2004-05	402,938	160,881	(242,057)
2005-06	131,262	160,610	29,348
2006-07	187,316	180,355	(6,961)
2007-08	215,617	181,729	(33,888)
2008-09	242,517	237,723	(4,794)
2009-10	236,825	189,098	(47,727)
Total salaries and benefits	<u>\$ 4,136,496</u>	<u>\$ 2,075,232</u>	<u>\$ (2,061,264)</u>

Time Documentation and Unallowable Activities

The time documentation submitted by the district represented multiple claiming methodologies throughout the audit period. We reviewed each claiming methodology and concluded that the time documentation was insufficient to support costs claimed. The claiming methodologies were as follows:

- For FY 1997-98 through 2004-05, the time documentation consisted of the year-end estimates of hours that were completed in the form of a survey. The time surveys represented hours that were estimated at the end of each fiscal year. We did not accept the time surveys in support of claimed costs because they were not completed contemporaneously and also varied greatly from other subsequent time tracking methodologies employed by the district in later years.
- Starting in FY 2005-06, the district evaluators maintained evaluation hours via time tracking forms. In many instances however, the forms did not segregate claimed hours and therefore, did not provide sufficient detail to accurately determine the reimbursable activities.

The varying claiming methodologies resulted in inconsistent time documentation practices throughout the audit period. We noted the following during our review of the time tracking forms for FY 2005-06 through FY 2009-10:

- The time increments for the same activity varied greatly from year to year and from one tracking methodology to another.
- The documentation provided lacked a detailed account of activities for the hours claimed. The district did not support the reasonableness of varying efforts, by evaluators based on the limited documentation that did provide adequate detail.
- Some documentation that included the detailed account of claimed activities identified unallowable activities claimed, such as pre-, post-, or goals conferences. However, the hours were recorded in one-time block and did not provide time increments by each specific activity. The district did not segregate the unallowable hours because claimed hours were not accounted for separately for each step in the evaluation process.
- Some documentation also presented a single time block for multiple evaluations of employees without identifying the employee names and the time it took for each evaluation. Therefore, the district did not support whether those unidentified evaluations met reimbursable criteria for frequency of evaluations specific to employment status and for program assignments mandated by state or federal law.
- The district-provided documentation did not support the amount of follow-up evaluations that were performed as a result of potentially unsatisfactory evaluations.

Average Hours per Evaluation

The district used an average time allotment per evaluation for FY 2006-07, FY 2007-08, and FY 2008-09 to calculate claimed costs. For FY 2006-07, the time allotment per evaluation ranged from 1 hour to 3.5 hours. For FY 2007-08, the allotment was fixed at 2.5 hours, and for FY 2008-09 it was fixed at 2.42 hours.

We determined a rounded average of 2.5 hours per evaluation based on the sample of documentation that provided adequate detail about activities claimed and identified specific evaluations completed. We

applied this average time allotment to all allowable evaluations for the tested period of FY 2000-01 through FY 2009-10. We determined the allowable evaluations based on our analysis of all evaluations completed for certificated personnel within the district throughout the audit period.

For the allowable unsatisfactory evaluations, we doubled the average of 2.5 hours, to a total of 5 hours to account for the additional reimbursable activities.

Allowable Evaluations

The district used its Quintessential School Systems (QSS) database to track evaluations received throughout the audit period. We used the district's data to ensure that only eligible evaluations were counted for reimbursement in each fiscal year. The program's parameters and guidelines allow reimbursement for those evaluations conducted for certificated instructional personnel who perform the requirements of educational programs mandated by state or federal law during specific evaluation periods.

The data provided for completed evaluations was not complete for the first three years of the audit period. Therefore, we used the data for FY 2000-01 as the "base" year, in which the evaluation data was most complete. After completing our analysis of allowable evaluations for FY 2000-01 through FY 2009-10, we then applied an Implicit Price Deflator to the total allowable costs in FY 2000-01 to determine allowable costs for FY 1999-2000, FY 1998-99, and FY 1997-98.

The table below summarizes the total number of evaluations by fiscal year, and lists evaluations not reimbursable under the mandated program:

Fiscal Year	Claimed Evaluations	Duplicate Same Year	Duplicate Consecutive Years	Charter Schools	Job Site / Job Name	Unsatisfactory Evaluations *	Allowable Evaluations
2000-01	988	(79)	-	(2)	(133)	-	774
2001-02	1,517	(400)	(52)	(3)	(144)	(3)	915
2002-03	1,729	(396)	(35)	-	(222)	(3)	1,073
2003-04	1,656	(340)	(25)	-	(126)	(8)	1,157
2004-05	1,372	(298)	(28)	-	(77)	(3)	966
2005-06	1,418	(359)	(20)	(1)	(89)	(3)	946
2006-07	1,534	(353)	(23)	-	(124)	(1)	1,033
2007-08	1,550	(344)	(18)	-	(138)	(1)	1,049
2008-09	1,771	(244)	(20)	(6)	(168)	(1)	1,332
2009-10	1,398	(143)	(71)	(2)	(137)	(2)	1,043
Total	14,933	(2,956)	(292)	(14)	(1,358)	(25)	10,288

* Unsatisfactory evaluations represent the number of allowable unsatisfactory evaluations that were accounted for separately.

The non-reimbursable evaluations included the following:

- Duplicate teacher evaluations claimed multiple times in one school year;
- Permanent biannual teacher evaluations claimed every year rather than every other year;
- Evaluations of employees at charter schools and non-instructional school sites;
- Principals, vice principals, directors, counselors, psychologists, librarians (and others) who are not certificated instructional employees; and
- Certificated instructional employees who worked on educational programs not mandated by state or federal law.

Additional Evaluators

Our review of the allowable evaluations found that many evaluators were not included in the claims. The evaluators were principals or vice principals who completed the evaluation of the certificated employees in the audit period, but those evaluations were omitted from the claims. Because we applied the average time increment of 2.5 hours per evaluation to all eligible evaluations in the audit period, we calculated allowable costs for those evaluations that were not claimed. The summary table of allowable evaluations, presented above, includes the additional evaluations that we identified as a result of our analysis. The total audit adjustment for the additional evaluators totaled \$518,788 for FY 2000-01 through FY 2009-10.

Productive Hourly Rates

The district used a hybrid system of claiming productive hourly rates. For any employees whose actual productive hours fell below 1,800, the district used actual hours for each employee. For those employees whose productive hours were greater than 1,800, the district capped the hours at 1,800 and did not use actual productive hours.

The SCO's State Mandated Cost Manual states that school districts may use one of the following methods to compute productive hourly rates:

- Actual annual productive hours for each employee;
- The weighted-average annual productive hours for each job title; or
- 1,800 annual productive hours for all employees.

The hybrid system used by the district is not an acceptable method of computing productive hourly rates. Therefore, we recalculated productive hourly rates for evaluators using the payroll and benefit rate data provided by the district and used actual productive hours to calculate the rates. We then applied the recalculated rates to allowable evaluation hours. The adjustment related to productive hourly rate calculation totaled \$3,050 for FY 2000-01 through FY 2009-10.

Implicit Price Deflator

Given the documentation limitations for FY 1997-98, FY 1998-99, and FY 1999-2000, we agreed with the district to use the Implicit Price Deflator and apply it to allowable costs for FY 2000-01, when the supporting documentation was most complete. We used the allowable salaries and benefits in FY 2000-01 as the “base” year and applied the Implicit Price Deflator to the three earliest years in the audit period. Allowable salaries and benefits in FY 2000-01 totaled \$120,017. Using the Implicit Price Deflator resulted in the following allowable salaries and benefits: \$115,377 for FY 1999-2000; \$110,601 for FY 1998-99; and \$108,113 for FY 1997-98. The total salaries and benefits adjustment for FY 1997-98 through FY 1999-2000 was \$753,434.

Training Costs

The district claimed \$297 in training costs for FY 2005-06. Our analysis revealed allowable training costs of \$341 for FY 2005-06. The \$44 understated training costs occurred primarily because the district used incorrect productive hourly rates for the employees receiving training.

The program’s parameters and guidelines (section IV.A.1) state that the following is reimbursable:

Evaluate and assess the performance of certificated instructional employees that perform the requirements of educational programs mandated by state or federal law as it reasonably relates to the instructional techniques and strategies used by the employee and the employee’s adherence to curricular objectives.

Reimbursement for this activity is limited to:

- a. Reviewing the employee’s instructional techniques and strategies and adherence to curricular objectives, and
- b. Including in the written evaluation of the certificated instructional employees the assessment of these factors during the following evaluation periods:
 - Once each year for probationary certificated employees;
 - Every other year for permanent certificated employees; and
 - Beginning January 1, 2004, every five years for certificated employees with permanent status who have been employed at least ten years with the school district, are highly qualified, and whose previous evaluation rates the employee as meeting or exceeding standards, if the evaluator and certificated employee being evaluated agree.

The parameters and guidelines (section IV – Reimbursable Activities) also state:

To be eligible for mandated cost reimbursement for any fiscal year, only actual costs may be claimed. Actual costs are those costs actually incurred to implement the mandated activities. Actual costs must be

traceable and supported by source documents that show the validity of such costs, when they were incurred, and their relationship to the reimbursable activities. A source document is a document created at or near the same time the actual costs was incurred for the event or activity in question. Source documents may include, but are not limited to, employee time records or time logs, sign-in sheets, invoices, and receipts.

Recommendation

We recommend that the district ensure that claimed costs are based on actual costs, are for activities reimbursable under the program's parameters and guidelines, and are supported by contemporaneous source documentation.

District's Response

1. Supporting Documentation vs. Corroborating Documentation

The documentation which supports EGUSD's initial claims meets the definition of supporting documentation contained in the Stull Act guidelines. The guidelines state that a source document is a document created at or near the same time the actual cost was incurred for the event "or activity in question". In the case of the Stull Act initial claims, EGUSD administrators did in fact complete time records at or near the time of the "activity in question" was being performed. The "activity in question" is a teacher evaluation. District administrators prepared time records in the first few months of 2006 which documented the costs actually incurred to carry out the eligible mandated teacher evaluation activities. Evaluating and assessing the performance of teachers was ongoing at the time the initial claim documentation was prepared. Therefore this guideline was met.

In addition, the guidelines state that source documents may include, but are not limited to, employee time records or time logs, sign-in sheets, invoices, and receipts. EGUSD's actual costs are supported by time records and are traceable and supported by source documents that show the validity of such costs, when they were incurred, and their relationship to the reimbursable activities. Therefore, this guideline was met.

2. No District could meet SCO's initial claim supporting documentation interpretation

To address initial claim situations like the Stull Act program, a broad interpretation was envisioned by the Commission. The guidelines do not say "the specific event or activity in question", the guidelines say the "event or activity in question." Without a broader interpretation, no claimant could ever meet this incorrect interpretation of the contemporaneous standard that SCO is applying to EGUSD in this audit. How else could a claimant notified for the first time regarding the Stull Act program at the end of 2005 be able to have or prepare "contemporaneous documentation" for costs incurred from FY 1997/98 through 2004/05? SCO needs to re-examine its position on this issue. If SCO does not re-examine its position, it will create an unfair and illegal result where the handful districts whose initial Stull Act claims were field audited by SCO are penalized while similarly situated claimants get paid.

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"For FY 1997-98 through 2004-05, the time documentation consisted of the year-end estimates of hours that were completed in the form of a survey. The time surveys represented approximate hours that were estimated at the end of each fiscal year. We did not accept these documents in support of claimed costs because they were not completed contemporaneously and also varied greatly from other subsequent time tracking methodologies employed by the district in later years."

4. SCO inaccurately characterized EGUSD's initial claim documentation

The SCO description of the initial claims supporting documentation contained in the Draft Report is inaccurate in many ways. Specifically:

- A. "The initial claims were supported by surveys." This is not accurate as the initial claims were supported by time records, not surveys.
- B. "The initial claim documentation represented approximate hours that were estimated at the end of each fiscal year." This is not accurate as the time records were completed in early 2006 for all eight fiscal years which comprised the initial claim period. In addition, the guidelines were not adopted until 2005 so how could EGUSD be completing year end surveys for a reimbursement program that had not been approved by the Commission?
- C. "SCO did not accept these documents in support of claimed costs because they were not completed contemporaneously." This is not accurate as the time records were completely contemporaneously with teacher evaluation activity ongoing during the 2005/06 school year. These records were completed at or near the teacher evaluation activity in question which meets the definition in the guidelines. Refer to Section (1).
- D. "The initial claims varied greatly from other subsequent tracking methods employed by the district in later years." This statement is the only accurate one made by SCO regarding the initial claim years. However, by including this statement here, SCO is inferring the initial claim tracking method is inaccurate and that subsequent year's methods are accurate. This does not reconcile with SCO's statements in the Draft Report which were critical of the majority

of the results of later tracking methods. It should be noted that SCO decided that the small percentage of “properly documented” time records from the later years were sufficient to form the basis of the 2.5 hours per evaluation used to approve costs for the entire audit period.

In all of this analysis, SCO never asked the basic question of why one method yielded a higher average time than the other method. There is no guideline restriction which prevents claimants from utilizing different methods from one year to the next year.

5. The Reason Why the Methodologies Vary

The limited time documentation from the FY 2006/07 through 2008/09 periods used by SCO to derive its allowable 2.5 hours per evaluation did not include all eligible activity within the evaluation process. The forms provided by SCO to EGUSD on April 26, 2013 demonstrate that ongoing informal teacher observation time was not documented and included. This critical, ongoing and time consuming element of the teacher evaluation process was included within the supporting documentation for the initial claim years and is the main reason why the results of the different methods vary.

SCO recognized in its Final Audit Report of the Carlsbad Unified School District dated June 15, 2013 that informal observations are an eligible activity. SCO’s position regarding this activity is stated at the top of page eight of the Carlsbad Unified School District Final Report. EGUSD requests its time spent on this activity be approved as well.

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7. SCO did not complete the audit within two years

Government Code Section 17558.5, (a) states *“A reimbursement claim for actual costs filed by a local agency or school district pursuant to this chapter is subject to the initiation of an audit by the Controller no later than three years after the date that the actual reimbursement claim is filed or last amended, whichever is later. However, if no funds are appropriated or no payment is made to a claimant for the program for the fiscal year for which the claim is filed, the time for the Controller to initiate an audit shall commence to run from the date of initial payment of the claim. In any case, an audit shall be completed not later than two years after the date that the audit is commenced.”*

SCO commenced the Stull Act Mandated Cost audit of EGUSD, for the period July 1, 1997/98 through June 30, 2009 with an engagement letter and documentation request dated October 12, 2010. It should be noted that SCO threatened to disallow all costs for the audit period in an email dated October 29, 2010 based on a mistaken belief that EGUSD had not provided requested documentation. SCO decided to redirect the assigned auditor to another project in November 2010 even though the audit had already commenced and the requested documentation provided. SCO resumed the audit in September 2011 while adding FY 2009110 to the audit scope. The Draft Report for this audit was not issued until April 22, 2013. The completion of this audit will have occurred beyond two years and is in violation of this statute.

In addition, Government Code Section 17558.5((e) states “Nothing in this section shall be construed to limit the adjustment of payments when inaccuracies are determined to be the result of the intent to defraud, or when a delay in the completion of an audit is the result of willful acts by the claimant or inability to reach agreement on terms of final settlement.” None of these exceptions apply to the EGUSD Stull Act audit, SCO simply commenced the audit, decided to postpone the audit and as a result did not complete the audit within two years.

8. Requested Action

EGUSD wants to be reimbursed for its actual cost to comply with this mandate. EGUSD’s initial claims were properly documented and supported according to the guidelines and SCO’s acceptance of this initial claim documentation would be acceptable to EGUSD. EGUSD has already communicated to SCO regarding data entry errors made on its initial claims.

In the alternative, EGUSD is still willing to provide SCO additional assurance regarding its actual costs of conducting teacher evaluations by conducting a time study as proposed in our letter dated April 8, 2013. This proposal was not made because EGUSD had concerns regarding the adequacy of the documentation supporting its initial claims but was made in order to come to an acceptable resolution of this audit for both parties and to avoid protracted and costly actions before the Office of Administrative Law, the Commission, and/or the courts.

On April 17, 2013, however, SCO rejected EGUSD’s time study proposal. SCO’s reasoning was arbitrary and EGUSD did not receive the same treatment afforded to another school district that did a poorer job on its documentation. EGUSD was rejected because a minimal amount of its incomplete documentation was accepted by SCO and now EGUSD somehow has to accept the results of this incomplete product. EGUSD requests that SCO reconsider its decision regarding a current time study or conversely, accept the initial claim documentation

SCO's Comments

1. Supporting Documentation vs. Corroborating Documentation

The finding and recommendation are unchanged.

The district believes the documentation that supports the district's initial claims met the definition of supporting documentation contained in the Stull Act Program's parameters and guidelines. The district states:

In the case of the Stull Act initial claims, EGUSD administrators did in fact complete time records at or near the time of the "activity in question" was being performed. The "activity in question" is a teacher evaluation. District administrators prepared time records in the first few months of 2006 which documented the costs actually incurred to carry out the eligible mandated teacher evaluation activities . . .

The district claims that time documentation completed in FY 2005-06 represents adequate support for costs claimed for FY 1997-98 through FY 2004-05. We disagree.

The parameters and guidelines state that "a source document is a document created at or near the same time the actual cost was incurred for the event or activity in question." The district's attempt to broadly define the "activity" as a teacher evaluation is misleading. The parameters and guidelines (Section IV) define specific activities that are reimbursable within the evaluation process. These specific activities require proper time documentation created at or near the time the actual costs were incurred.

The documentation submitted for the initial claim filing period of FY 1997-98 through FY 2004-05 did not properly support costs claimed as required by the program's parameters and guidelines. The documentation provided was not created at or near the time the actual costs were incurred. Claimed hours for these years were estimated, were not based on actual time documentation, and therefore were unallowable.

2. No District could meet SCO's initial claim supporting documentation interpretation

The finding and recommendation are unchanged.

The district believes the Commission on State Mandates (CSM) envisioned a broader interpretation for the application of contemporaneous source documentation rule. The district also believes that the SCO's position creates an unfair and illegal position for those districts that were audited. We disagree.

We are bound by the requirements of the program's parameters and guidelines. We conduct our audits in accordance with the criteria outlined in the parameters and guidelines. The parameters and guidelines provide a clear definition of appropriate supporting documentation as well as the reimbursement period to which these criteria apply. The reimbursement period begins on or after July 1, 1997, which is the beginning of the initial claim period.

3. Audit Status Meeting on May 10, 2012

The finding and recommendation are unchanged.

The district communicated its position on initial claim documentation during a status meeting held on May 10, 2012. The district believes that the SCO might not have given enough consideration to the district's comments and did not articulate the district's position in the draft audit report.

The intent of the draft audit report is to present the SCO's findings resulting from the audit. We issued the draft audit report on April 22, 2013, and presented the audit findings to the district. We discussed these findings during the exit conference held on March 7, 2013. At the exit conference, we stated that we took into account the district's comments from the May 10, 2012 status meeting and reviewed supporting documentation once more for the initial claim period of FY 1997-98 through FY 2004-05. The documentation provided for those years did not meet reimbursement criteria. The audit report identifies the reasons for which the time documentation was not adequate.

4. SCO inaccurately characterized EGUSD's initial claim documentation

The finding and recommendation are unchanged.

The district believes the description of the initial claims supporting documentation contained in the draft audit report is inaccurate.

- a. The district believes the initial claims were supported with proper time records rather than surveys. We disagree. The district did not provide any time sheets or time records collected at or near the time claimed hours were incurred in the initial claim years. Rather, the district provided documentation collected years after the costs were incurred. The time estimates were collected by means of surveying the staff that performed, or might have performed, claimed activities. The staff signing the forms included certifications declaring that their recollection of the time spent was true and correct. The forms were signed in early 2006 for activities that took place in FY 1997-98 through FY 2004-05. However, the parameters and guidelines state that declarations cannot be substituted for source documents.
- b. The district disagrees with the SCO's statement that the initial claim documentation represented time estimates rather than actual time. The district states that the time records for FY 1997-98 through FY 2004-05 were completed in FY 2005-06 for all eight fiscal years for the program adopted in the same year.

The parameters and guidelines state that a source document is “a document created at or near the same time the actual costs was incurred for the event or activity in question.” The parameters and guidelines also specify that these criteria apply to the entire reimbursement period beginning July 1, 1997. If the time records were completed “in early 2006 for all eight fiscal years which comprised the initial claim period,” these time records did not meet the reimbursement criteria. In addition, completing time records years after the hours were incurred involves estimating hours for activities that previously took place.

- c. The district disagrees with the SCO’s statement that the documents provided for FY 1997-98 through FY 2004-05 were not completed contemporaneously. The district believes that the time records to support the initial eight years were completed contemporaneously with teacher evaluation activity ongoing during FY 2005-06. We disagree.

Our audit revealed that the time documentation collected contemporaneously during the teacher evaluation process in FY 2005-06 was used to support claimed hours for FY 2005-06. The district used a separate set of documentation collected in the same fiscal year that represented the surveys sent out to the district’s evaluators. The surveys (already mentioned in item 4(a) above) estimated the time for activities that took place in FY 1997-98 through FY 2004-05. The district created two sets of documentation to support costs claimed in the initial eight years of the claim filing period and costs incurred in FY 2005-06.

- d. The district questions why “the SCO is inferring the initial claim tracking method is inaccurate and that subsequent year’s methods are accurate.” The district states that the draft audit report noted some deficiencies in the documentation presented for the later tracking methods. The district believes that our method to calculate the average 2.5 hours per evaluation may not be sufficient. We disagree.

The average of the 2.5 hours per allowable evaluation was based on the district’s own contemporaneous time documentation collected in later years of the audit period. While there is no restriction that prevents claimants from utilizing different methods to support claimed costs from one year to the next, these methods must comply with the requirements of the program. In this instance, the district did not provide proper support for FY 1997-98 through FY 2004-05 costs. Since the evaluation process was static year to year, we used time documentation collected contemporaneously in later years to form the basis of the average time allotment. We applied the average to the entire audit period.

We did note in the draft report some deficiencies with the time documentation collected contemporaneously. However, we also concluded that the average of 2.5 hours per evaluation was a reasonable time allowance based on time samples that did provide adequate detail to comply with the program’s parameters and guidelines.

5. The Reason Why the Methodologies Vary

The finding and recommendation are unchanged.

The district states:

The limited time documentation from the FY 2006/07 through FY 2008/09 periods used by the SCO to derive its allowable 2.5 hours per evaluation did not include all eligible activity within the evaluation process. The forms provided by the SCO to EGUSD on April 26, 2013 demonstrate that ongoing informal teacher observation time was not documented and included. This critical, ongoing and time consuming element of the teacher evaluation process was included within the supporting documentation for the initial claim years and is the main reason why the results of the different methods vary.

The district's time documentation did not support the accuracy of the statement above. The district did not present any evidence supporting that informal observations took place on a regular basis and that those informal observations were not included in the claims for the later years of the audit period.

We disagree with the district's assertion that this activity was included in the supporting documentation for the initial claim years. The time documentation supporting the initial eight years of the audit period failed to segregate claimed hours into individual activities within the evaluation process. The documentation provided estimates of time for "Evaluate and Assess" and "Write-up" activities without providing further details about observations or other steps within the evaluation process. The district did not support whether other activities were included in the claimed hours.

The average per allowable evaluation (2.5 hours) was derived from documentation provided by the district. By signing the claims, the district is assuring the SCO that the information contained in the document is true and correct. If the district believes the documentation in the later years does not accurately reflect all eligible activities, it should make any necessary changes to its claiming process going forward.

6. Effective Date of the Guidelines is September 27, 2005

The finding and recommendation are unchanged.

The district believes that since the guidelines for the Stull Act Program were adopted September 27, 2005, and the initial claim period predates the date of the guideline adoption, all initial claims are not bound by the requirements of the program's parameters and guidelines. We disagree. The "initial claim period" claims are bound by the same requirements as any other claimed year. The adoption date of the guidelines is irrelevant.

7. SCO did not complete the audit within two years

The finding and recommendation are unchanged.

The district states that the SCO “commenced the Stull Act Mandated Cost audit of EGUSD, for the period of July 1, 1997, through June 30, 2009, with an engagement letter and documentation request dated October 12, 2010.” The district further states the SCO postponed the audit and resumed it in September 2011. Therefore, the district believes that the SCO did not complete the audit within two years.

The previous audit opened on October 12, 2010, was cancelled prior to conducting an entrance meeting and performing fieldwork. The current audit was initiated via a phone conversation on September 1, 2011, informing the district and obtaining a mutual understanding that it would be a new audit initiation of the current audit. The two year requirement, for the current audit, began on the initial contact date of September 1, 2011.

8. Requested Action

The finding and recommendation are unchanged.

The district is requesting reimbursement for its actual cost to comply with the mandate. The district is also asking for the SCO’s acceptance of the initial claim documentation. As an alternative, the district is asking to conduct a time study.

The purpose of the audit was to determine the actual increased costs incurred by the district to comply with the mandated program. The results of the audit found that claimed costs were overstated. The district is only entitled to reimbursement for costs that are mandate-related and properly supported. The audit report addresses why the district-submitted documentation is not adequate to support costs claimed in the initial eight years of the audit period.

We calculated 2.5 hours per evaluation based on time documentation the district collected contemporaneously, which was certified by the district when filing the claims. We applied the average to those years in which we had no contemporaneous time documentation to support the claimed costs.

The use of a time study would generally be appropriate in cases where the district did not collect any contemporaneous time records for the claimed period. However, the district provided contemporaneous time records supporting costs claimed. While the claims for the first eight years filed were based on estimated hours, the claims for the latter five years were based on contemporaneous time documentation collected by the district.

**FINDING 2—
Overstated indirect
costs**

The district claimed \$225,654 for indirect costs during the audit period. We determined that \$117,449 is allowable and the net amount of \$108,205 is unallowable (overstated by \$111,032 and understated by \$2,827). The overstatement of \$111,032 occurred as a result of the adjustments noted to salaries and benefits identified in audit Finding 1. The district also understated indirect costs totaling \$2,827 for FY 2005-06 because it understated its indirect cost rate in FY 2005-06.

The following table summarizes the claimed, allowable, and unallowable indirect costs for the audit period by fiscal year:

<u>Fiscal Year</u>	<u>Amount Claimed</u>	<u>Amount Allowable</u>	<u>Audit Adjustment</u>
1997-98	\$ 12,751	\$ 6,400	\$ (6,351)
1998-99	20,130	5,873	(14,257)
1999-2000	24,159	5,653	(18,506)
2000-01	20,235	6,229	(14,006)
2001-02	13,617	5,736	(7,881)
2002-03	37,446	14,094	(23,352)
2003-04	24,702	10,869	(13,833)
2004-05	15,916	6,355	(9,561)
2005-06	7,915	12,512	4,597
2006-07	14,648	14,104	(544)
2007-08	11,277	9,504	(1,773)
2008-09	10,283	10,079	(204)
2009-10	12,575	10,041	(2,534)
Total indirect costs	<u>\$ 225,654</u>	<u>\$ 117,449</u>	<u>\$ (108,205)</u>

For FY 2005-06, the district claimed an indirect cost rate of 6.03% instead of the CDE-approved rate of 7.79%. We recalculated allowable indirect costs using the CDE-approved rate.

The parameters and guidelines (section V.B.) state that school districts must use the indirect cost rate approved by the California Department of Education.

Recommendation

We recommend that the district ensure that the indirect rates it claims agree with CDE-approved rates and that indirect costs are mandate-related and appropriately supported.

District's Response

The district did not respond to this finding.

**Attachment—
District’s Response to Draft Audit Report**



Members of the Board

Jeanette J. Amavisca
Priscilla S. Cox
Carmine S. Forcina
Steve Ly
Chet Madison, Sr.
Anthony "Tony" Perez
Bobbie Singh-Allen

Rich Fagan
Associate Superintendent
Finance & School Support

(916) 686-7744
FAX: (916) 686-7570

Robert L. Trigg Education Center
9510 Elk Grove-Florin Road, Elk Grove, CA 95624

May 6, 2013

Jim Spano, CPA
Audit Bureau Chief
State Controller's Office Division of Audits
300 Capitol Mall, Suite 500
Sacramento, CA 95814

Subject: Response to the State Controller's Office Stull Act Mandated Cost Draft Audit Report.

Dear Mr. Spano,

We are in receipt of the State Controller's Office (SCO) Draft Report of the Elk Grove Unified School District's Stull Act Mandated Cost Program for the period July 1, 1997 through June 30, 2010. The Draft Report is dated April 22, 2013 and provides EGUSD with 15 days to provide a response regarding the accuracy of any findings. EGUSD provides the following response.

Finding 1

General Comment

EGUSD disagrees with the use of 2.5 hours as the actual average time spent on EGUSD eligible evaluation activities to apply to the eligible evaluations for FY 1997/98 through 2004/05 (initial claims). In addition, EGUSD disagrees with SCO's characterizations and conclusion regarding initial claim documentation.

Draft Report- April 22, 2013

The SCO Draft Report Finding 1, states the following regarding initial claim time documentation and unallowable activities:

"For FY 1997-98 through 2004-05, the time documentation consisted of the year-end estimates of hours that were completed in the form of a survey. The time surveys represented approximate hours that were estimated at the end of each fiscal year. We did not accept these documents in support of claimed costs because they were not completed contemporaneously and also varied greatly from other subsequent time tracking methodologies employed by the district in later years."

SCO Audit Status Document- April 23, 2012

In an audit status document provided to EGUSD on or about April 23, 2012, SCO described this documentation as follows:

“Per the program’s parameters and guidelines (IV. Reimbursable Activities), the documentation submitted for FY 1997-98 through FY 2004-05 represent “corroborating” documentation, but does not include contemporaneous records to support hours claimed.”

The documentation definitions that SCO is referring come from the *Stull Act Parameters and Guidelines* (guidelines) adopted September 27, 2005 by the Commission on State Mandates (Commission). These guidelines describe two categories of documentation as follows:

“To be eligible for mandated cost reimbursement for any fiscal year, only actual costs may be claimed. Actual costs are those costs actually incurred to implement the mandated activities. Actual costs must be traceable and supported by source documents that show the validity of such costs, when they were incurred, and their relationship to the reimbursable activities. A source document is a document created at or near the same time the actual cost was incurred for the event or activity in question. Source documents may include, but are not limited to, employee time records or time logs, sign-in sheets, invoices, and receipts.

Evidence corroborating the source documents may include, but is not limited to, worksheets, cost allocation reports (system generated), purchase orders, contracts, agendas, and declarations...Evidence corroborating the source documents may include data relevant to the reimbursable activities otherwise in compliance with local, state, and federal government requirements, However, corroborating documents cannot be substituted for source documents.”

Based on its interpretation of the guidelines, SCO has concluded that the documentation supporting EGUSD’s initial claims was unacceptable because it was not completed contemporaneously and the documentation was corroborating documentation, and not supporting documentation. SCO appears to interpret the documentation language of the guidelines as requiring FY 1997/98 activity be documented in 1997/98, FY 1998/99 activity be documented in FY 1998/99 and so on. This was not the intent of the guidelines and would effectively prevent any initial claim documentation from ever being accepted under this interpretation.

District Response

1. Supporting Documentation vs. Corroborating Documentation

The documentation which supports EGUSD’s initial claims meets the definition of supporting documentation contained in the Stull Act guidelines. The guidelines state that a source document is a document created at or near the same time the actual cost was incurred for the event “or activity in question”. In the case of the Stull Act initial claims, EGUSD administrators did in fact complete time records at or near the time of the “activity in question” was being

performed. The “activity in question” is a teacher evaluation. District administrators prepared time records in the first few months of 2006 which documented the costs actually incurred to carry out the eligible mandated teacher evaluation activities. Evaluating and assessing the performance of teachers was ongoing at the time the initial claim documentation was prepared. Therefore this guideline was met.

In addition, the guidelines state that source documents may include, but are not limited to, employee time records or time logs, sign-in sheets, invoices, and receipts. EGUSD’s actual costs are supported by time records and are traceable and supported by source documents that show the validity of such costs, when they were incurred, and their relationship to the reimbursable activities. Therefore, this guideline was met.

2. No District could meet SCO’s initial claim supporting documentation interpretation

To address initial claim situations like the Stull Act program, a broad interpretation was envisioned by the Commission. The guidelines do not say “the specific event or activity in question”, the guidelines say the “event or activity in question.” Without a broader interpretation, no claimant could ever meet this incorrect interpretation of the contemporaneous standard that SCO is applying to EGUSD in this audit. How else could a claimant notified for the first time regarding the Stull Act program at the end of 2005 be able to have or prepare “contemporaneous documentation” for costs incurred from FY 1997/98 through 2004/05? SCO needs to re-examine its position on this issue. If SCO does not re-examine its position, it will create an unfair and illegal result where the handful districts whose initial Stull Act claims were field audited by SCO are penalized while similarly situated claimants get paid.

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In addition, Government Code Section 17558.5((e) states "Nothing in this section shall be construed to limit the adjustment of payments when inaccuracies are determined to be the result of the intent to defraud, or when a delay in the completion of an audit is the result of willful acts by the claimant or inability to reach agreement on terms of final settlement." None of these exceptions apply to the EGUSD Stull Act audit, SCO simply commenced the audit, decided to postpone the audit and as a result did not complete the audit within two years.

8. Requested Action

EGUSD wants to be reimbursed for its actual cost to comply with this mandate. EGUSD's initial claims were properly documented and supported according to the guidelines and SCO's acceptance of this initial claim documentation would be acceptable to EGUSD. EGUSD has already communicated to SCO regarding data entry errors made on its initial claims.

In the alternative, EGUSD is still willing to provide SCO additional assurance regarding its actual costs of conducting teacher evaluations by conducting a time study as proposed in our letter dated April 8, 2013. This proposal was not made because EGUSD had concerns regarding the adequacy of the documentation supporting its initial claims but was made in order to come to an acceptable resolution of this audit for both parties and to avoid protracted and costly actions before the Office of Administrative Law, the Commission, and/or the courts.

On April 17, 2013, however, SCO rejected EGUSD's time study proposal. SCO's reasoning was arbitrary and EGUSD did not receive the same treatment afforded to another school district that did a poorer job on its documentation. EGUSD was rejected because a minimal amount of its incomplete documentation was accepted by SCO and now EGUSD somehow has to accept the results of this incomplete product. EGUSD requests that SCO reconsider its decision regarding a current time study or conversely, accept the initial claim documentation

Please contact me with any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Rich Fagan", with a horizontal line extending to the right.

Rich Fagan
Associate Superintendent of Finance & School Support
Elk Grove Unified School District

**State Controller's Office
Division of Audits
Post Office Box 942850
Sacramento, CA 94250-5874**

<http://www.sco.ca.gov>

POWAY UNIFIED SCHOOL DISTRICT

Audit Report

STULL ACT PROGRAM

Chapter 498, Statutes of 1983,
and Chapter 4, Statutes of 1999

July 1, 1997, through June 30, 2011



JOHN CHIANG
California State Controller

August 2014



JOHN CHIANG
California State Controller

August 20, 2014

Todd Gutschow, President
Board of Education
Poway Unified School District
14435 Harvest Court
Poway, CA 92064

Dear Mr. Gutschow:

The State Controller's Office audited the costs claimed by Poway Unified School District for the legislatively mandated Stull Act Program (Chapter 498, Statutes of 1983, and Chapter 4, Statutes of 1999) for the period of July 1, 1997, through June 30, 2011.

The district claimed \$4,161,778 for the mandated program. Our audit found that \$943,147 is allowable and \$3,218,631 is unallowable. The costs are unallowable primarily because the district claimed reimbursement for non-mandated activities. The State paid the district \$415,123. Allowable costs claimed exceed the amount paid by \$528,024.

If you disagree with the audit finding, you may file an Incorrect Reduction Claim (IRC) with the Commission on State Mandates (Commission). The IRC must be filed within three years following the date that we notify you of a claim reduction. You may obtain IRC information at the Commission's website at www.csm.ca.gov/docs/IRCFORM.pdf.

If you have any questions, please contact Jim L. Spano, Chief, Mandated Cost Audits Bureau, by phone at (916) 323-5849.

Sincerely,

Original signed by

JEFFREY V. BROWNFIELD, CPA
Chief, Division of Audits

JVB/sk

cc: John P. Collins, Ed.D., Superintendent
Poway Unified School District
Malliga Tholandi, Associate Superintendent, Business Support Services
Poway Unified School District
Naomi Sweet, Administrative Assistant II, Finance
Poway Unified School District
Joy Ramiro, Director, Finance
Poway Unified School District
Brent Watson, Executive Director
Business Advisory Services
San Diego County Office of Education
Peter Foggiato, Director
School Fiscal Services Division
California Department of Education
Carol Bingham, Senior Fiscal Policy Advisor
Government Affairs Division
California Department of Education
Thomas Todd, Assistant Program Budget Manager
Education Systems Unit
California Department of Finance
Jay Lal, Manager
Division of Accounting and Reporting
State Controller's Office

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Audit Report

Summary

The State Controller's Office (SCO) audited the costs claimed by Poway Unified School District for the legislatively mandated Stull Act Program (Chapter 498, Statutes of 1983, and Chapter 4, Statutes of 1999) for the period of July 1, 1997, through June 30, 2011.

The district claimed \$4,161,778 for the mandated program. Our audit found that \$943,147 is allowable and \$3,218,631 is unallowable. The costs are unallowable primarily because the district claimed reimbursement for non-mandated activities. The State paid the district \$415,123. Allowable costs claimed exceed the amount paid by \$528,024.

Background

Chapter 498, Statutes of 1983, and Chapter 4, Statutes of 1999, added Education Code sections 44660-44665. The legislation provided reimbursement for specific activities related to evaluation and assessment of the performance of "certificated personnel" within each school district, except for those employed in local, discretionary educational programs.

On May 27, 2004, the Commission on State Mandates (Commission) determined that the legislation imposed a state mandate reimbursable under Government Code section 17514.

The program's parameters and guidelines establish the state mandate and define reimbursement criteria. The Commission adopted the parameters and guidelines on September 27, 2005. In compliance with Government Code section 17558, the SCO issues claiming instructions to assist local agencies and school districts in claiming mandated program reimbursable costs.

The Commission approved reimbursable activities as follows:

- Evaluate and assess the performance of certificated instructional employees that perform the requirements of educational programs mandated by state or federal laws as it reasonably relates to the instructional techniques and strategies used by the employee and the employee's adherence to curricular objectives (Education Code section 44662(b) as amended by Chapter 498, Statutes of 1983).
- Evaluate and assess the performance of certificated instructional employees that teach reading, writing, mathematics, history/social science, and science in grades 2 to 11 as it reasonably relates to the progress of pupils toward the state adopted academic content standards as measured by state adopted assessment tests (Education Code section 44662(b) as amended by Chapter 4, Statutes of 1999).
- Assess and evaluate permanent certificated, instructional, and non-instructional employees that perform the requirements of educational programs mandated by state or federal law and receive an unsatisfactory evaluation in the years in which the permanent certificated employee would not have otherwise been evaluated pursuant to Education Code section 44664. The additional

evaluations shall last until the employee achieves a positive evaluation, or is separated from the school district (Education Code section 44664 as amended by Chapter 498, Statutes of 1983).

Objectives, Scope, and Methodology

We conducted the audit to determine whether costs claimed represent increased costs resulting from the Stull Act Program for the period of July 1, 1997, through June 30, 2011.

The objectives of our audit were to determine whether costs claimed were supported by appropriate source documents, were not funded by another source, and were not unreasonable and/or excessive.

The legal authority to conduct this audit is provided by Government Code sections 12410, 17558.5, and 17561. We did not audit the district's financial statements. We conducted this performance audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

We limited our review of the district's internal controls to gaining an understanding of the transaction flow and claim preparation process as necessary to develop appropriate auditing procedures. Our audit scope did not assess the efficiency or effectiveness of program operations.

To achieve our audit objectives, we performed the following audit procedures:

- Interviewed employees, completed the internal control questionnaire, and performed a walk-through of the cost components of each claim.
- Traced costs claimed to supporting documentation that showed when the costs were incurred, the validity of such costs, and their relationship to mandated activities.

Conclusion

Our audit found an instance of noncompliance with the requirements outlined above. This instance is described in the accompanying Summary of Program Costs (Schedule 1) and in the Finding and Recommendation section of this report.

For the audit period, Poway Unified School District claimed \$4,161,778 for costs of the Stull Act Program. Our audit found that \$943,147 is allowable and \$3,218,631 is unallowable.

For the fiscal year (FY) 1997-98 claim, the State paid the district \$19,546. Our audit found that \$58,111 is allowable. The State will pay allowable costs claimed that exceed the amount paid, totaling \$38,565, contingent upon available appropriations.

For the FY 1998-99 through FY 2007-08 claims, the State made no payment to the district. Our audit found that \$707,875 is allowable. The State will pay allowable costs claimed, contingent upon available appropriations.

For the FY 2008-09 claim, the State paid the district \$211,391. Our audit found that \$82,364 is allowable. The State will offset \$129,027 from other mandated program payments due the district. Alternatively, the district may remit this amount to the State.

For the FY 2009-10 claim, the State paid the district \$184,186. Our audit found that \$61,569 is allowable. The State will offset \$122,617 from other mandated program payments due the district. Alternatively, the district may remit this amount to the State.

For the FY 2010-11 claim, the State made no payment to the district. Our audit found that \$33,228 is allowable. The State will pay allowable costs claimed that exceed the amount paid, totaling \$33,228, contingent upon available appropriations.

**Views of
Responsible
Official**

We issued a draft audit report on July 9, 2014. Malliga Tholandi, Associate Superintendent, Business Support Services, responded by letter dated July 25, 2014 (Attachment), disagreeing with the audit results. This final audit report includes the district's response.

Restricted Use

This report is solely for the information and use of Poway Unified School District, the San Diego County Office of Education, the California Department of Education, the California Department of Finance, and the SCO; it is not intended to be and should not be used by anyone other than these specified parties. This restriction is not intended to limit distribution of this report, which is a matter of public record.

Original signed by

JEFFREY V. BROWNFIELD, CPA
Chief, Division of Audits

August 20, 2014

**Schedule 1—
Summary of Program Costs
July 1, 1997, through June 30, 2011**

Cost Elements	Actual Costs Claimed	Allowable per Audit	Audit Adjustment ¹
<u>July 1, 1997, through June 30, 1998</u>			
Direct costs:			
Salaries and benefits			
Evaluation activities	\$ 224,521	\$ 55,108	\$ (169,413)
Training	—	—	—
Total direct costs	224,521	55,108	(169,413)
Indirect costs	12,237	3,003	(9,234)
Total program costs	<u>\$ 236,758</u>	58,111	<u>\$ (178,647)</u>
Less amount paid by state		(19,546)	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 38,565</u>	
<u>July 1, 1998, through June 30, 1999</u>			
Direct costs:			
Salaries and benefits			
Evaluation activities	\$ 167,088	\$ 56,190	\$ (110,898)
Training	—	—	—
Total direct costs	167,088	56,190	(110,898)
Indirect costs	7,235	2,433	(4,802)
Total program costs	<u>\$ 174,323</u>	58,623	<u>\$ (115,700)</u>
Less amount paid by state		—	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 58,623</u>	
<u>July 1, 1999, through June 30, 2000</u>			
Direct costs:			
Salaries and benefits			
Evaluation activities	\$ 326,643	\$ 57,779	\$ (268,864)
Training	—	—	—
Total direct costs	326,643	57,779	(268,864)
Indirect costs	9,995	1,768	(8,227)
Total program costs	<u>\$ 336,638</u>	59,547	<u>\$ (277,091)</u>
Less amount paid by state		—	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 59,547</u>	

Schedule 1 (continued)

Cost Elements	Actual Costs Claimed	Allowable per Audit	Audit Adjustment ¹
<u>July 1, 2000, through June 30, 2001</u>			
Direct costs:			
Salaries and benefits			
Evaluation activities	\$ 355,176	\$ 60,534	\$ (294,642)
Training	—	—	—
Total direct costs	355,176	60,534	(294,642)
Indirect costs	14,314	2,440	(11,874)
Total program costs	<u>\$ 369,490</u>	62,974	<u>\$ (306,516)</u>
Less amount paid by state		—	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 62,974</u>	
<u>July 1, 2001, through June 30, 2002</u>			
Direct costs:			
Salaries and benefits			
Evaluation activities	\$ 411,447	\$ 63,211	\$ (348,236)
Training	—	—	—
Total direct costs	411,447	63,211	(348,236)
Indirect costs	19,091	2,933	(16,158)
Total program costs	<u>\$ 430,538</u>	66,144	<u>\$ (364,394)</u>
Less amount paid by state		—	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 66,144</u>	
<u>July 1, 2002, through June 30, 2003</u>			
Direct costs:			
Salaries and benefits			
Evaluation activities	\$ 365,399	\$ 64,623	\$ (300,776)
Training	—	—	—
Total direct costs	365,399	64,623	(300,776)
Indirect costs	16,553	2,927	(13,626)
Total program costs	<u>\$ 381,952</u>	67,550	<u>\$ (314,402)</u>
Less amount paid by state		—	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 67,550</u>	

Schedule 1 (continued)

Cost Elements	Actual Costs Claimed	Allowable per Audit	Audit Adjustment ¹
<u>July 1, 2003, through June 30, 2004</u>			
Direct costs:			
Salaries and benefits			
Evaluation activities	\$ 306,838	\$ 66,573	\$ (240,265)
Training	—	—	—
Total direct costs	306,838	66,573	(240,265)
Indirect costs	15,342	3,329	(12,013)
Total program costs	<u>\$ 322,180</u>	69,902	<u>\$ (252,278)</u>
Less amount paid by state		—	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 69,902</u>	
<u>July 1, 2004, through June 30, 2005</u>			
Direct costs:			
Salaries and benefits			
Evaluation activities	\$ 360,085	\$ 69,034	\$ (291,051)
Training	—	—	—
Total direct costs	360,085	69,034	(291,051)
Indirect costs	18,617	3,569	(15,048)
Total program costs	<u>\$ 378,702</u>	72,603	<u>\$ (306,099)</u>
Less amount paid by state		—	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 72,603</u>	
<u>July 1, 2005, through June 30, 2006</u>			
Direct costs:			
Salaries and benefits			
Evaluation activities	\$ 326,394	\$ 73,158	\$ (253,236)
Training	—	—	—
Total direct costs	326,394	73,158	(253,236)
Indirect costs	16,940	3,797	(13,143)
Total program costs	<u>\$ 343,334</u>	76,955	<u>\$ (266,379)</u>
Less amount paid by state		—	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 76,955</u>	

Schedule 1 (continued)

Cost Elements	Actual Costs Claimed	Allowable per Audit	Audit Adjustment ¹
<u>July 1, 2006, through June 30, 2007</u>			
Direct costs:			
Salaries and benefits			
Evaluation activities	\$ 210,698	\$ 77,144	\$ (133,554)
Training	2,820	2,836	16
Total direct costs	213,518	79,980	(133,538)
Indirect costs	11,850	4,437	(7,413)
Total program costs	<u>\$ 225,368</u>	84,417	<u>\$ (140,951)</u>
Less amount paid by state		—	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 84,417</u>	
<u>July 1, 2007, through June 30, 2008</u>			
Direct costs:			
Salaries and benefits			
Evaluation activities	\$ 238,589	\$ 82,572	\$ (156,017)
Training	2,434	2,383	(51)
Total direct costs	241,023	84,955	(156,068)
Indirect costs	11,931	4,205	(7,726)
Total program costs	<u>\$ 252,954</u>	89,160	<u>\$ (163,794)</u>
Less amount paid by state		—	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 89,160</u>	
<u>July 1, 2008, through June 30, 2009</u>			
Direct costs:			
Salaries and benefits			
Evaluation activities	\$ 229,598	\$ 77,428	\$ (152,170)
Training	2,148	1,593	(555)
Total direct costs	231,746	79,021	(152,725)
Indirect costs	9,803	3,343	(6,460)
Total program costs	<u>\$ 241,549</u>	82,364	<u>\$ (159,185)</u>
Less amount paid by state		(211,391)	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ (129,027)</u>	

Schedule 1 (continued)

Cost Elements	Actual Costs Claimed	Allowable per Audit	Audit Adjustment ¹
<u>July 1, 2009, through June 30, 2010</u>			
Direct costs:			
Salaries and benefits			
Evaluation activities	\$ 175,637	\$ 58,631	\$ (117,006)
Training	314	185	(129)
Total direct costs	175,951	58,816	(117,135)
Indirect costs	8,235	2,753	(5,482)
Total program costs	<u>\$ 184,186</u>	61,569	<u>\$ (122,617)</u>
Less amount paid by state		(184,186)	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ (122,617)</u>	
<u>July 1, 2010, through June 30, 2011</u>			
Direct costs:			
Salaries and benefits			
Evaluation activities	\$ 272,262	\$ 31,772	\$ (240,490)
Training	183	126	(57)
Total direct costs	272,445	31,898	(240,547)
Indirect costs	11,361	1,330	(10,031)
Total program costs	<u>\$ 283,806</u>	33,228	<u>\$ (250,578)</u>
Less amount paid by state		—	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 33,228</u>	
<u>Summary: July 1, 1997, through June 30, 2011</u>			
Direct costs:			
Salaries and benefits			
Evaluation activities	\$ 3,970,375	\$ 893,757	\$ (3,076,618)
Training	7,899	7,123	(776)
Total direct costs	3,978,274	900,880	(3,077,394)
Indirect costs	183,504	42,267	(141,237)
Total program costs	<u>\$ 4,161,778</u>	943,147	<u>\$ (3,218,631)</u>
Less amount paid by state		(415,123)	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 528,024</u>	

¹ See the Finding and Recommendation section.

Finding and Recommendation

FINDING— Overstated salaries and benefits and related indirect costs

The district claimed \$3,978,274 in salaries and benefits and \$183,504 in related indirect costs for the audit period. We found that \$3,077,394 in salaries and benefits is unallowable. The costs are unallowable primarily because the district claimed reimbursement for non-mandated evaluation costs (\$3,076,618) and training costs (\$776). Related indirect costs totaled \$141,237.

The following table summarizes the unallowable salaries and benefits and related indirect costs by fiscal year:

Fiscal Year	Salaries and Benefits			(D)	Total
	(A) Claimed	(B) Allowable	(C) Adjustment [(B)-(A)]	Indirect Costs Adjustment	Audit Adjustment [(C)+(D)]
1997-98	\$ 224,521	\$ 55,108	\$ (169,413)	\$ (9,234)	\$ (178,647)
1998-99	167,088	56,190	(110,898)	(4,802)	(115,700)
1999-2000	326,643	57,779	(268,864)	(8,227)	(277,091)
2000-01	355,176	60,534	(294,642)	(11,874)	(306,516)
2001-02	411,447	63,211	(348,236)	(16,158)	(364,394)
2002-03	365,399	64,623	(300,776)	(13,626)	(314,402)
2003-04	306,838	66,573	(240,265)	(12,013)	(252,278)
2004-05	360,085	69,034	(291,051)	(15,048)	(306,099)
2005-06	326,394	73,158	(253,236)	(13,143)	(266,379)
2006-07	213,518	79,980	(133,538)	(7,413)	(140,951)
2007-08	241,023	84,955	(156,068)	(7,726)	(163,794)
2008-09	231,746	79,021	(152,725)	(6,460)	(159,185)
2009-10	175,951	58,816	(117,135)	(5,482)	(122,617)
2010-11	272,445	31,898	(240,547)	(10,031)	(250,578)
	<u>\$ 3,978,274</u>	<u>\$ 900,880</u>	<u>\$ (3,077,394)</u>	<u>\$ (141,237)</u>	<u>\$ (3,218,631)</u>

Time Log Activities

The time logs determined the time it took district evaluators to perform 11 activities within the teacher evaluation process. The district evaluated permanent, probationary, and temporary certificated instructional teachers. The time log results reported time for meetings, observation, report writing, and other activities within the evaluation process.

The time logs determined it takes district evaluators an average of 3 hours per permanent teacher to complete an evaluation, and an average of 5.42 hours per probationary/temporary teacher to complete an evaluation.

Six of the 11 activities the district identified in its time logs are not reimbursable under the mandate. The six non-reimbursable activities include:

- Conducting a certificated planning conference with the certificated staff member to review his or her goals and objectives;
- Conducting a pre-observation conference with the certificated staff member;
- Conducting a post-observation conference with the certificated staff member;
- Conducting a mid-year evaluation conference with the temporary or probationary certificated staff member;
- Conducting a final evaluation conference with certificated staff member; and
- Discussing STAR results and how to improve instructional abilities with the certificated staff member.

The program's parameters and guidelines do not allow conferences (pre-, post-, and final observation conferences) between the evaluators and teachers, as conferences were required before the enactment of the test claim legislation. Therefore, these activities do not impose a new program or higher level of service.

The parameters and guidelines do not allow reimbursement for discussing STAR results, as this activity is not listed as a reimbursable activity in the parameters and guidelines.

The district's time logs identified an activity described as "Receiving training, inside or outside the district on evaluating certificated staff." We reviewed this information, along with district's additional training documentation, in our Calculation of Allowable Training Costs section.

We determined that the time spent on the following four activities is reimbursable:

- Classroom observations;
- Completing certificated observation form;
- Writing the mid-year evaluation report (temporary or probationary staff member only); and
- Writing the final evaluation report.

The time logs found that it takes the district evaluators an average of 1.52 hours per permanent teacher evaluation and 3.57 hours per probationary/temporary teacher (non-permanent) evaluation to complete allowable activities within the evaluation process. In addition, the time logs supported that it takes the district evaluators an average of 12.93 hours per unsatisfactory teacher evaluation to complete allowable activities within the evaluation process.

Completed Evaluations

The district did not keep track of completed evaluations during the audit period. To support claimed evaluations, we used the data the district gathered from its time logs as a completed teacher evaluations database. We crossed-checked the database with the district's employee listings to ensure that teachers were employed at the district each year and that their information was accurate. Once completed, we reviewed the completed teacher evaluations for each fiscal year to ensure that only eligible evaluations were counted for reimbursement. The parameters and guidelines allow reimbursement for those evaluations conducted for certificated instructional personnel who perform the requirements of education programs mandated by state or federal law during specific evaluation periods.

The following table shows evaluations identified that are not reimbursable under the mandated program:

Fiscal Year	Number of Completed Evaluations		
	District- Provided	Audited	Difference
2006-07	508	535	27
2007-08	539	555	16
2008-09	559	459	(100)
2009-10	552	426	(126)
2010-11	165	163	(2)
Totals	<u>2,323</u>	<u>2,138</u>	<u>(185)</u>

The non-reimbursable evaluations included the following:

- Assistant principals, directors, librarians, nurses, coordinators, program specialists, psychologists, speech therapists, staff developers, and Teacher on Special Assignment (TOSA) employees who are not certificated instructional employees;
- Adult education, hourly, and ROTC teachers who do not perform the requirements of the program that is mandated by state or federal law;
- Teachers claimed multiple times in one school year;
- Permanent biannual teachers claimed every year rather than every other year; and
- Permanent five-year teachers claimed multiple times in a five-year period rather than once every five years.

Calculation of Allowable Evaluation Costs

To arrive at allowable salaries and benefits for “evaluation activities” from fiscal year (FY) 2006-07 through FY 2010-11, we multiplied the number of allowable evaluations by allowable hours per evaluation and claimed productive hourly rates.

For the remaining years, we used the data for FY 2006-07 as the “base” year. We applied an implicit price deflator to total allowable evaluation activities costs in FY 2006-07 to determine allowable evaluation activities costs for FY 1997-98 through FY 2005-06.

The following table summarizes allowable evaluation costs by fiscal year.

Fiscal Year	Evaluation activities		
	Claimed	Allowable	Audit Adjustment
1997-98	\$ 224,521	\$ 55,108	\$ (169,413)
1998-99	167,088	56,190	(110,898)
1999-2000	326,643	57,779	(268,864)
2000-01	355,176	60,534	(294,642)
2001-02	411,447	63,211	(348,236)
2002-03	365,399	64,623	(300,776)
2003-04	306,838	66,573	(240,265)
2004-05	360,085	69,034	(291,051)
2005-06	326,394	73,158	(253,236)
2006-07	210,698	77,144	(133,554)
2007-08	238,589	82,572	(156,017)
2008-09	229,598	77,428	(152,170)
2009-10	175,637	58,631	(117,006)
2010-11	272,262	31,772	(240,490)
Total	<u>\$ 3,970,375</u>	<u>\$ 893,757</u>	<u>\$ (3,076,618)</u>

We then applied the applicable indirect cost rates to allowable evaluation activities to calculate allowable indirect costs of \$41,912 for this component.

Calculation of Allowable Training Costs

The district claimed training hours from FY 2006-07 through FY 2010-11, totaling \$7,899 for the audit period. We found that \$7,123 in training costs is reimbursable under the mandate and \$776 is not reimbursable. The primary reason for the non-reimbursable costs was insufficient supporting documentation. The district did not provide sufficient documentation to support the costs related to the one-time activity of training staff on the implementation of the reimbursable activities listed in the parameters and guidelines.

The following table summarizes claimed, allowable, and unallowable salaries and benefits related to training costs by fiscal year using the claimed PHRs:

Fiscal Year	Training		Audit
	Claimed	Allowable	Adjustment
2006-07	\$ 2,820	\$ 2,836	\$ 16
2007-08	2,434	2,383	(51)
2008-09	2,148	1,593	(555)
2009-10	314	185	(129)
2010-11	183	126	(57)
Total	<u>\$ 7,899</u>	<u>\$ 7,123</u>	<u>\$ (776)</u>

We applied the applicable indirect cost rates to allowable training costs to calculate allowable indirect costs of \$355 for this component.

The parameters and guidelines (section IV.A.1) state that the following is reimbursable:

Evaluate and assess the performance of certificated instructional employees that perform the requirements of educational programs mandated by state or federal law as it reasonably relates to the instructional techniques and strategies used by the employee and the employee's adherence to curricular objectives.

Reimbursement for this activity is limited to:

- a. Reviewing the employee's instructional techniques and strategies and adherence to curricular objectives, and
- b. Including in the written evaluation of the certificated instructional employees the assessment of these factors during the following evaluation periods:
 - o Once each year for probationary certificated employees;
 - o Every other year for permanent certificated employees; and
 - o Beginning January 1, 2004, every five years for certificated employees with permanent status who have been employed at least ten years with the school district, are highly qualified, and whose previous evaluation rated the employee as meeting or exceeding standards, if the evaluator and certificated employee being evaluated agree.

The parameters and guidelines (section IV.A.2) state that the following is reimbursable:

Evaluate and assess the performance of certificated instructional employees that teach reading, writing, mathematics, history/social science, and science in grades 2 to 11 as it reasonably relates to the progress of pupils towards the state adopted academic content standards as measured by state adopted assessment tests.

Reimbursement for this activity is limited to:

- a. Reviewing the results of the Standardized Testing and Reporting test as it reasonably relates to the performance of those certificated employees that teach reading, writing, mathematics, history/social science, and science in grades 2 to 11, and

- b. Including in the written evaluation of those certificated employees the assessment of the employee's performance based on the Standardized Testing and Reporting results for the pupils they teach during the evaluation periods specified in Education Code section 44664, and described below:
- Once each year for probationary certificated employees;
 - Every other year for permanent certificated employees; and
 - Beginning January 1, 2004, every five years for certificated employees with permanent status who have been employed at least ten years with the school district, are highly qualified, and whose previous evaluation rated the employee as meeting or exceeding standards, if the evaluator and certificated employee being evaluated agree.

The parameters and guidelines (section IV.C—Training) state that training staff on implementing the reimbursable activities listed in Section IV of the parameters and guidelines is reimbursable as a one-time activity for each employee.

The parameters and guidelines (section IV—Reimbursable Activities) also state:

To be eligible for mandated cost reimbursement for any fiscal year, only actual costs may be claimed. Actual costs are those costs actually incurred to implement the mandated activities. Actual costs must be traceable and supported by source documents that show the validity of such costs, when they were incurred, and their relationship to the reimbursable activities. A source document is a document created at or near the same time the actual cost was incurred for the event or activity in question. Source documents may include, but are not limited to, employee time records or time logs, sign-in sheets, invoices, and receipts.

Recommendation

Commencing in FY 2012-13, the district elected to participate in a block grant program, pursuant to Government Code section 17581.6, in lieu of filing annual mandated cost claims. If the district chooses to opt out of the block grant program, we recommend that the district ensure that claimed costs are based on actual costs, are for activities reimbursable under the program's parameters and guidelines, and are supported by contemporaneous source documentation.

District's Response

PART 1. TIME STUDY ACTIVITIES

Using time study forms prepared by our mandate consultant, District staff evaluators recorded the time spent over the course of the year-long process to evaluate certificated staff during FY 2006-07 through FY 2010-11. The annual cost of the evaluation process is based on the average time to implement eleven different components of the annual employee evaluation process, multiplied by the number of evaluations performed each year, and then multiplied by the average productive

hourly rates (salary and benefits) for the evaluators. For the eleven components, the total average time to complete the evaluation process based on the District time study documents and the audited allowable times are as follows:

<u>Evaluation Type</u>	<u>District Ave. Hours Time Study</u>	<u>Audited Ave. Hours Allowed</u>
Permanent	3.0	1.52
Probation/Temporary	5.42	3.57
Unsatisfactory	n/a	12.93

The reported average time for each of the eleven evaluation activities was calculated by the auditor. At this time, the District has no objection to the audited average District time for each of the activities. The District does disagree with the audited total time which excludes six activities.

The Six Non-Reimbursable Activities

The draft audit report states six of the eleven activities identified in the time study are not reimbursable:

1. Goals and objectives conference
2. Pre-observation conference
5. Post-observation conference
6. Mid-year evaluation conference
9. Final evaluation conference
10. Discussing STAR results

A seventh activity, training (11), was removed from the time study and separately adjusted.

The draft audit report states that conferences between the evaluators and evaluated person are not reimbursable because they were required before the enactment of the test claim legislation and thus do not impose a new program or higher level of service. The District disagrees with this disallowance. The mandate reimburses the new program requirement to “evaluate and assess” which necessarily involves a comprehensive process. The conferences are one part of a continuum of evaluation and assessment steps, none of which individually completes the mandate. The conferences and related tasks are effective and efficient methods to evaluate and assess employees and necessary to communicate the findings of the evaluation to the employee. Whether the conferences in general were required as a matter of law before the Stull Act is a statewide issue for the Commission on State Mandates.

The Four Allowed Activities

The draft audit report states that four of the eleven activities identified by the district are reimbursable:

3. Classroom observations (formal and informal);
4. Observation form preparation

7. Mid-year evaluation report preparation
8. Final evaluation report.

The District agrees that these activities are reimbursable.

SCO's Comments

Time Study Activities

Our finding and recommendation are unchanged. The conferences between the teachers and evaluators are non-reimbursable activities.

The district states in its response that “the mandate reimburses the new program requirement to ‘evaluate and assess’ which necessarily involves a comprehensive process.” We disagree. Not all activities from the evaluation process are reimbursable. The mandate reimburses only those activities that impose a new requirement or higher level of service for the agencies.

The program’s parameters and guidelines (sections IV.A.1, IV.A.2, and IV.B.1) specify that reimbursement is limited to only those activities outlined in each section. Section IV.B.1 identifies reimbursable evaluation conferences only for those instances in which an unsatisfactory evaluation took place for certificated instructional or non-instructional personnel in those years in which the employee would not have otherwise been evaluated.

The district claimed costs for the conferences resulting from evaluations completed under sections IV.A.1 and IV.A.2 of the parameters and guidelines. Sections IV.A.1 and IV.A.2 do not identify evaluation conferences or any other types of conferences as reimbursable activities.

Furthermore, the Commission found in its statement of decision that conferences between the evaluators and teachers are not reimbursable because they were required before the enactment of the test claim legislation.

Under prior law, the evaluation was to be prepared in writing and a copy of the evaluation was to be given to the employee. A meeting was to be held between the certificated employee and the evaluator to discuss the evaluation and assessment. The Commission indicated in its statement of decision document that:

...the 1975 test claim legislation did not amend the requirements in Former Education Code sections 13488 and 13489 to prepare written evaluations of certificated employees, receive responses to those evaluations, and conduct a meeting with the certificated employee to discuss the evaluation...

Furthermore, the 1983 test claim statute still requires school districts to prepare the evaluation in writing, to transmit a copy to the employee, and to conduct a meeting with the employee to discuss the evaluation and assessment. These activities are not new.

However, the 1983 test claim statute amended the evaluation requirements by adding two new evaluation factors relating to 1) the instructional techniques and strategies used by the employee, and 2) the employee's adherence to curricular objectives. The Commission found that Education Code section 44662, subdivision (b), as amended by Statutes of 1983, Chapter 498, imposed a new requirement on school districts to:

...evaluate and assess the performance of certificated instructional employees that perform the requirements of educational programs mandated by state or federal law as it reasonably relates to the instructional techniques and strategies used by the employee and the employee's adherence to curricular objectives.

Reimbursement is limited to the additional requirements imposed by the amendments. The additional requirements include the review of the employee's instructional techniques and strategies and adherence to curricular objectives, and to include in the written evaluation of the certificated instructional employees the assessment of only these factors. Conference activities do not impose a new program or higher level of service.

District's Response

PART 2. COMPLETED AND ALLOWABLE EVALUATIONS

A. Time Study (FY 2006-07 through FY 2010-11)

The District has no ongoing database of names and position information for the evaluations conducted each fiscal year retroactive to FY 1997-98 (none was required by the claiming instructions). This information is available from the time study form for each evaluation conducted from FY 2006-07 through FY 2010-11. The auditor sorted the time study information by fiscal year and teacher name, and removed "unallowable evaluations": non-instructional employees, unallowable job titles, duplicates, and evaluations not found during field work. "Unsatisfactory evaluations" were removed so a separate time average could be applied. The auditor provided the following table of modifications to the provided time study universe:

Evaluations form time logs	2,323
Add: Evaluations found during testing	<u>138</u>
Total evaluations	2,461
Less:	
Non-instructional employees	39
Unallowable job titles	8
Duplicates	243
No evaluation found during testing	14
Group evaluation	<u>19</u>
Total audited allowable evaluations (2,133) routine and 5 unsatisfactory)	<u>323</u> 2,138

The draft audit report disallows about 13% (323) of the 2,461 evaluations included in the time study. The draft audit report states these evaluations were disallowed for five reasons:

1. Assistant principals, directors, librarians, nurses, coordinators, program specialists, and Teachers on Special Assignment (TOSA) employees who are not certificated instructional employees.

This category of 39 disallowed evaluations comprises about 2% of the evaluations included in the time study. The parameters and guidelines states that the mandate is to evaluate the performance of “certificated instructional employees.” All certificated personnel are “instructional” personnel even if some are not classroom teachers. The audit report does not indicate how these other certificated personnel are not implementing the “curricular objectives.” The District does agree that the portion of the mandate relating to the evaluation of compliance with the testing assessment standards (the STAR component) is limited to classroom teachers because the parameters and guidelines specifically states “employees that teach” specified curriculum. A Commission on State Mandates decision will be needed since this is an issue of statewide significance relevant to all Stull Act audits.

2. Adult education, hourly, and ROTC teachers who do not perform the requirements of the program that is mandated by state or federal law.

This category of 8 disallowed evaluations comprises less than 1% of the evaluations included in the time study. For purposes of the Stull Act reimbursement, adult education teachers are properly excluded from the total allowed for reimbursement since they are not provided K-12 instruction. However, the draft audit report does not state a basis to exclude the other instructors from the time study.

3. Teacher evaluations claimed multiple times in one school year.

This category of 243 disallowed evaluations comprises about 10% of the evaluations included in the time study. Potential and legitimate “duplicate” evaluations generally occur as a result of an employee transferring to another school during the evaluation cycle, or a change in employment status of the employee. The District agrees that for purposes of the Stull Act reimbursement, only one complete evaluation should be counted for each employee within the annual cycle.

4. Permanent biannual teacher evaluations claimed every year rather than every other year.

This category was not separately identified by the audit. The District has particular reasons for performing an evaluation of some permanent teachers more often than biannually. However, for purposes of the Stull Act reimbursement, only one complete evaluation should be counted for each employee every other year after the employee attains permanent status.

5. Permanent five-year teachers claimed multiple times in a five-year period rather than once every five years.

This category was not separately identified by the audit. The District has particular reasons for performing an evaluation of some permanent teachers more often than every five years. However, for purposes of the Stull Act reimbursement, only one complete evaluation should be counted for each permanent employee every fifth year after the employee attains fifth-year permanent status.

There are two other adjustment reasons not addressed by the draft audit report:

6. No evaluation found during testing

This category of 14 disallowed evaluations comprises less than 1% of the evaluations included in the time study. These disallowances appear to result when a time study form from an employee exists but no evaluation form was found in the employee file. The District asserts that the time study form is sufficient documentation that the evaluation occurred.

7. Group evaluation

This category of 19 disallowed evaluations comprises less than 1% of the evaluations included in the time study. The draft audit report does not state a basis to exclude this type of evaluation from the time study.

SCO's Comments

Completed and Allowable Evaluations – Time Study (FY 2006-07 through FY 2010-11)

Our finding and recommendation are unchanged.

1. Assistant principals, directors, librarians, nurses, coordinators, program specialists, and Teachers on Special Assignment (TOSA) employees who are not certificated instructional employees.

The district states that “All certificated personnel are ‘instructional’ personnel even if some are not classroom teachers.” We disagree.

The language of the parameters and guidelines and the Commission statement of decision address the difference between certificated instructional employees and certificated non-instructional employees.

In its statement of decision, the Commission identifies instructional employees as teachers, and non-instructional employees as principals and various administrators. The Commission further states that the test claim legislation, as it relates to evaluation and assessment of certificated non-instructional employees, does not constitute a new program or higher level of service.

In addition, the parameters and guidelines clearly identify reimbursable components and activities as they relate to certificated instructional and certificated non-instructional personnel. Our draft report identifies a finding related to the component of evaluating instructional techniques and strategies and adherence to curricular objectives for the certificated instructional employees. The intent of this component is to evaluate the elements of classroom instruction. Assistant principals, directors, librarians, nurses, coordinators, program specialists, and TOSAs do not provide classroom instruction and are considered “non-instructional” certificated personnel.

2. *Adult education, hourly, and ROTC teachers who do not perform the requirements of the program that is mandated by state or federal law.*

Regarding the issue of adult education teachers, the district states that they are “properly excluded from the total allowed for reimbursement. . . .” However, the district also states that “the draft audit report does not state a basis to exclude the other instructors from the time study.” The hourly teacher was excluded because former Education Code section 13489 was amended (in 1973) to exclude hourly teachers from the requirement to evaluate and assess on a continuing basis. The ROTC teachers were excluded because, per Education Code 51750, the establishment of a school course in military science and tactics is optional, and not a required course of study for any student. Therefore, the ROTC course is not mandated.

3. *Teacher evaluations claimed multiple times in one school year.*

The district agrees that “only one complete evaluation should be counted for each employee within the annual cycle. . . .”

4. *Permanent biannual teacher evaluations claimed every year rather than every other year.*

The district agrees that “only one complete evaluation should be counted for each employee every other year after the employee attains permanent status.”

5. *Permanent five-year teachers claimed multiple times in a five-year period rather than once every five years.*

The district agrees that “only one complete evaluation should be counted for each permanent employee every fifth year after the employee attains fifth-year permanent status.”

6. *No evaluation found during testing*

The district asserts that the “time study form is sufficient documentation that the evaluation occurred.” We disagree.

During the fieldwork portion of the audit, we selected a sample of evaluations to test for compliance with the parameters and guidelines. Our review of the tested sample found fourteen evaluations that could not be located by the district. We excluded those fourteen evaluations from the total allowable population.

7. *Group evaluation*

During fieldwork, we found that an evaluator completed only one evaluation for twenty different employees. However, these employees were each listed separately in the total population of completed evaluations. Since we found evidence that these employees were part of a single evaluation, we only allowed one evaluation.

District's Response

PART 2. COMPLETED AND ALLOWABLE EVALUATIONS

B. Extrapolation of Prior Years (FY 1997-98 through FY 2005-06)

In the absence of the previously mentioned database of the number of evaluations conducted each fiscal year, the audit used the cost date for FY 2006-07 as a "base" year and applied an Implicit Price Deflator to total allowable evaluation costs for FY 2006-07 to determine allowable evaluation costs for each of FY 1997-98 through FY 2005-06.

The District believes that this extrapolation method overlooks the fact that the number of staff evaluated during these prior years would have been larger than those in later years. The audit uses averages for the years 1997-98 thru 2005-06 of 309 permanent, 115 probationary and temporary, and 1 unsatisfactory evaluation per year (425 total), based upon the time study results for the period 2006-07 thru 2010-11. This represents about 30% of the District teachers for those years. If the same percentage were applied to prior years, there would be a minimum of 413 permanent, 128 probationary and temporary evaluations for a total of 541 evaluations per year for the period 1997-98 thru 2005-06. The District is continuing its work on this comparative data and will present it in the incorrect reduction claim.

SCO's Comments

Completed and Allowable Evaluations – Extrapolation of Prior Years (FY 1997-98 through FY 2005-06)

Our finding and recommendation are unchanged.

The district asserts that the extrapolation method used for this audit "overlooks the fact that the number of staff evaluated during these prior years would have been larger than those in later years." The district has not provided evidence to support their assertion, but says it will provide this comparative data in the incorrect reduction claim.

District's Response

PART 3. TRAINING COSTS

The District claimed training time for staff during the time study period (FY 2006-07 through FY 2010-11) totaling \$7,899. The draft audit report determined that \$7,123 is reimbursable and \$776 is not because some of the same district employees were claimed for more than one fiscal year. The District disagrees with this disallowance. Meetings with the principals and other evaluators to commence the annual evaluation cycle are reasonable and necessary when the collective bargaining contract or the District evaluation process changes. As a separate issue, the audit should include training costs in the prior year extrapolation process.

SCO's Comments**Training Costs**

Our finding and recommendation are unchanged.

The district disagrees with the unallowable duplicate training hours claimed for the same employees. The district states that:

Meetings with the principals and other evaluators to commence the annual evaluation cycle are reasonable and necessary when the collective bargaining contract or the District evaluation process changes.

The parameters and guidelines state that the district may claim reimbursement to "train staff on implementing the reimbursable activities" and that training is reimbursable as a "one-time activity for each employee."

The district believes that the meetings with the principals and other evaluators are "reasonable and necessary" activities. However, the reimbursement is limited to only those activities outlined in the parameters and guidelines (section IV.C).

The district also believes that training costs should have been included in the prior year extrapolation process. We disagree. Training costs are a one-time activity, for which the district did not provide any supporting documentation to verify compliance with the parameters and guidelines in the years prior to FY 2006-07.

**OTHER ISSUE—
Public Records
Request**

The district's response included other comments related to the mandates cost claims. The district's comments and SCO's response are presented below.

District's Response

Pursuant to Government Code Section 6253, the District requests copies of all audit work papers in support of the audit findings. The District requests that the Controller provide the District any and all written audit instructions, memoranda, or other writings in effect and applicable during the claiming periods to the findings.

SCO's Comment

The SCO will respond to the district's request in a separate letter.

**Attachment—
District’s Response to
Draft Audit Report**



CERTIFIED MAIL - RETURN RECEIPT REQUESTED

July 25, 2014

Mr. Jim L. Spano, Chief
Mandated Costs Audits Bureau
Division of Audits
State Controller's Office
P.O. Box 942850
Sacramento, CA 94250-5874

Re: Poway Unified School District
Stull Act Mandate Audit
FY 1997-98 through FY 2010-11

Dear Mr. Spano:

This letter is the response of the Poway Unified School District to the draft audit report dated July 9, 2014, received by the District on July 16, 2014, for the above-referenced program and fiscal years, transmitted by the letter from Jeffrey V. Brownfield, Chief, Division of Audits, State Controller's Office.

The District appreciated the opportunity to utilize a time study of the mandate program activities to replace the original documentation for the historic claim years. The time study is a reasonable method to fulfill the Controller's expectations for cost accounting and documentation. However, the District will file an incorrect reduction claim due to the limited scope of activities approved for reimbursement. The District disagrees with the Controller's interpretation of the Stull Act legislation and the test claim findings. From the discussion at the audit entrance and exit conferences, as well as the results of previous audits at other districts, it is clear that this disagreement cannot be resolved at this point. A Commission on State Mandates decision will be needed since these are issues of statewide significance relevant to all Stull Act audits.

Findings: Overstated salaries and benefits and related indirect costs

The District claimed \$3,978,274 in salaries and benefits and \$183,504 in related indirect costs for the audit period. The audit determined that \$3,077,394 in salaries and benefits are unallowable evaluation costs (\$3,076,618) and training costs (\$776). Related unallowable indirect costs totaled \$141,237.

PART 1. TIME STUDY ACTIVITIES

Using time study forms prepared by our mandate consultant, District staff evaluators recorded the time spent over the course of the year-long process to evaluate certificated staff during FY 2006-07 through FY 2010-11. The annual cost of the evaluation process is based on the average time to implement eleven different components of the annual employee evaluation process, multiplied by the number of evaluations performed each year, and then multiplied by the average productive hourly rates (salary and benefits) for the evaluators. For the eleven components, the total average time to complete the evaluation process based on the District time study documents and the audited allowable times are as follows:

<u>Evaluation Type</u>	<u>District Ave. Hours Time Study</u>	<u>Audited Ave. Hours Allowed</u>
Permanent	3.0	1.52
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Unsatisfactory	n/a	12.93

The reported average time for each of the eleven evaluation activities was calculated by the auditor. At this time, the District has no objection to the audited average District time for each of the activities. The District does disagree with the audited total time which excludes six activities.

The Six Non-Reimbursable Activities

The draft audit report states six of the eleven activities identified in the time study are not reimbursable:

1. Goals and objectives conference
2. Pre-observation conference
5. Post-observation conference
6. Mid-year evaluation conference
9. Final evaluation conference
10. Discussing STAR results

A seventh activity, training (11), was removed from the time study and separately adjusted.

The draft audit report states that conferences between the evaluators and evaluated person are not reimbursable because they were required before the enactment of the test claim legislation and thus do not impose a new program or higher level of service. The District disagrees with this disallowance. The mandate reimburses the new program requirement to "evaluate and assess" which necessarily involves a comprehensive process. The conferences are one part of a continuum of evaluation and assessment steps, none of which individually completes the mandate. The conferences and related tasks are effective and efficient methods to evaluate and assess employees and necessary to communicate the findings of the evaluation to the employee. Whether the conferences in general were required as a matter of law before the Stull Act is a statewide issue for the Commission on State mandates.

The Four Allowed Activities

The draft audit report states that four of the eleven activities identified by the district are reimbursable:

3. Classroom observations (formal and informal);
4. Observation form preparation
7. Mid-year evaluation report preparation
8. Final evaluation report.

The District agrees that these activities are reimbursable.

PART 2. COMPLETED AND ALLOWABLE EVALUATIONS

A. Time Study (FY 2006-07 through FY 2010-11)

The District has no ongoing database of names and position information for the evaluations conducted each fiscal year retroactive to FY 1997-98 (none was required by the claiming instructions). This information is available from the time study form for each evaluation conducted from FY 2006-07 through FY 2010-11. The auditor sorted the time study information by fiscal year and teacher name, and removed "unallowable evaluations": non-instructional employees, unallowable job titles, duplicates, and evaluations not found during field work. "Unsatisfactory evaluations" were removed so a separate time average could be applied. The auditor provided the following table of modifications to the provided time study universe:

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Total evaluations		2,461
Less:		
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Duplicates	243	
No evaluation found during testing	14	
Group evaluation	<u>19</u>	<u>323</u>
Total audited allowable evaluations (2,133 routine and 5 unsatisfactory)		2,138

The draft audit report disallows about 13% (323) of the 2,461 evaluations included in the time study. The draft audit report states these evaluations were disallowed for five reasons:

1. Assistant principals, directors, librarians, nurses, coordinators, program specialists, and Teachers on Special Assignment (TOSA) employees who are not certificated instructional employees.

This category of 39 disallowed evaluations comprises about 2% of the evaluations included in the time study. The parameters and guidelines state that the mandate is to evaluate the performance of "certificated instructional employees." All certificated personnel are "instructional" personnel even if some are not classroom teachers. The audit report does not indicate how these other certificated personnel are not implementing the "curricular objectives." The District does agree that the portion of the mandate relating to the evaluation of compliance with the testing assessment standards (the STAR component) is limited to classroom teachers because the parameters and guidelines specifically state "employees that teach" specified curriculum. A Commission on State Mandates decision will be needed since this is an issue of statewide significance relevant to all Stull Act audits.

2. Adult education, hourly, and ROTC teachers who do not perform the requirements of the program that is mandated by state or federal law.

This category of 8 disallowed evaluations comprises less than 1% of the evaluations included in the time study. For purposes of the Stull Act reimbursement, adult education teachers are properly excluded from the total allowed for reimbursement since they are not providing K-12 instruction. However, the draft audit report does not state a basis to exclude the other instructors from the time study.

3. Teacher evaluations claimed multiple times in one school year.

This category of 243 disallowed evaluations comprises about 10% of the evaluations included in the time study. Potential and legitimate “duplicate” evaluations generally occur as a result of an employee transferring to another school during the evaluation cycle, or a change in employment status of the employee. The District agrees that for purposes of the Stull Act reimbursement, only one complete evaluation should be counted for each employee within the annual cycle.

4. Permanent biannual teacher evaluations claimed every year rather than every other year.

This category was not separately identified by the audit. The District has particular reasons for performing an evaluation of some permanent teachers more often than biannually. However, for purposes of the Stull Act reimbursement, only one complete evaluation should be counted for each employee every other year after the employee attains permanent status.

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This category was not separately identified by the audit. The District has particular reasons for performing an evaluation of some permanent teachers more often than every five years. However, for purposes of the Stull Act reimbursement, only one complete evaluation should be counted for each permanent employee every fifth year after the employee attains fifth-year permanent status.

There are two other adjustment reasons not addressed by the draft audit report:

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This category of 14 disallowed evaluations comprises less than 1% of the evaluations included in the time study. These disallowances appear to result when a time study form for an employee exists but no evaluation form was found in the employee file. The District asserts that the time study form is sufficient documentation that the evaluation occurred.

7. Group evaluation

This category of 19 disallowed evaluations comprises less than 1% of the evaluations included in the time study. The draft audit report does not state a basis to exclude this type of evaluation from the time study.

B. Extrapolation of Prior Years (FY 1997-98 through FY 2005-06)

In the absence of the previously mentioned database of the number of evaluations conducted each fiscal year, the audit used the cost data for FY 2006-07 as a "base" year and applied an Implicit Price Deflator to total allowable evaluation costs for FY 2006-07 to determine allowable evaluation costs for each of FY 1997-98 through FY 2005-06.

The District believes that this extrapolation method overlooks the fact that the number of staff evaluated during these prior years would have been larger than those in later years. The audit uses averages for the years 1997-98 thru 2005-06 of 309 permanent, 115 probationary and temporary, and 1 unsatisfactory evaluation per year (425 total), based upon the time study results for the period 2006-07 thru 2010-11. This represents about 30% of the District teachers for those years. If the same percentage were applied to the prior years, there would be a minimum of 413 permanent, 128 probationary and temporary evaluations for a total of 541 evaluations per year for the period 1997-98 thru 2005-06. The District is continuing its work on this comparative data and will present it in the incorrect reduction claim.

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Public Records Request

Pursuant to Government Code Section 6253, the District requests copies of all audit work papers in support of the audit findings. The District requests that the Controller provide the District any and all written audit instructions, memoranda, or other writings in effect and applicable during the claiming periods to the findings.

Sincerely,



Malliga Tholandi
Associate Superintendent, Business Support Services
Poway Unified School District

**State Controller's Office
Division of Audits
Post Office Box 942850
Sacramento, CA 94250-5874**

<http://www.sco.ca.gov>

NORWALK-LA MIRADA UNIFIED SCHOOL DISTRICT

Audit Report

STULL ACT PROGRAM

Chapter 498, Statutes of 1983,
and Chapter 4, Statutes of 1999

July 1, 1997, through June 30, 2011



JOHN CHIANG
California State Controller

May 2014



JOHN CHIANG
California State Controller

May 27, 2014

Margarita Rios, President
Board of Education
Norwalk-La Mirada Unified School District
12820 Pioneer Boulevard
Norwalk, CA 90650

Dear Ms. Rios:

The State Controller's Office audited the costs claimed by Norwalk-La Mirada Unified School District for the legislatively mandated Stull Act Program (Chapter 498, Statutes of 1983, and Chapter 4, Statutes of 1999) for the period of July 1, 1997, through June 30, 2011.

The district claimed \$4,366,931 for the mandated program. Our audit found that \$751,351 is allowable and \$3,615,580 is unallowable. The costs are unallowable primarily because the district claimed reimbursement for estimated costs and non-mandated activities, and misstated productive hourly rates. The State paid the district \$859,122. The amount paid exceeds allowable costs claimed by \$107,771.

If you disagree with the audit finding, you may file an Incorrect Reduction Claim (IRC) with the Commission on State Mandates (CSM). The IRC must be filed within three years following the date that we notify you of a claim reduction. You may obtain IRC information at the CSM's website at www.csm.ca.gov/docs/IRCForm.pdf.

If you have any questions, please contact Jim L. Spano, Chief, Mandated Cost Audits Bureau, by phone at (916) 323-5849.

Sincerely,

Original signed by

JEFFREY V. BROWNFIELD, CPA
Chief, Division of Audits

JVB/mh

cc: Ruth Pérez, Ed.D, Superintendent
Norwalk-La Mirada Unified School District
Estuardo Santillan, Assistant Superintendent
Business Services
Norwalk-La Mirada Unified School District
Manuel Cardoso, Director of Fiscal Services
Norwalk-La Mirada Unified School District
Wayne Shannon, Assistant Superintendent
Human Resources
Norwalk-La Mirada Unified School District
Steve Fericean, Administrative Assistant
Human Resources
Norwalk-La Mirada Unified School District
Marlene Dunn, Director
Business Advisory Services
Los Angeles County Office of Education
Peter Foggiato, Director
School Fiscal Services Division
California Department of Education
Carol Bingham, Senior Fiscal Policy Advisor
Government Affairs Division
California Department of Education
Thomas Todd, Assistant Program Budget Manager
Education Systems Unit
California Department of Finance
Jay Lal, Manager
Division of Accounting and Reporting
State Controller's Office

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Audit Report

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Audit Report

Summary

The State Controller's Office (SCO) audited the costs claimed by Norwalk-La Mirada Unified School District for the legislatively mandated Stull Act Program (Chapter 498, Statutes of 1983, and Chapter 4, Statutes of 1999) for the period of July 1, 1997, through June 30, 2011.

The district claimed \$4,366,931 for the mandated program. Our audit found that \$751,351 is allowable and \$3,615,580 is unallowable. The costs are unallowable primarily because the district claimed reimbursement for estimated costs and non-mandated activities, and misstated productive hourly rates. The State paid the district \$859,122. The amount paid exceeds allowable costs claimed by \$107,771.

Background

Chapter 498, Statutes of 1983, and Chapter 4, Statutes of 1999, added Education Code sections 44660-44665. The legislation provided reimbursement for specific activities related to evaluation and assessment of the performance of "certificated personnel" within each school district, except for those employed in local, discretionary educational programs.

On May 27, 2004, the Commission on State Mandates (CSM) determined that the legislation imposed a state mandate reimbursable under Government Code section 17514.

The program's parameters and guidelines establish the State mandate and define reimbursement criteria. The CSM adopted the parameters and guidelines on September 27, 2005. In compliance with Government Code section 17558, the SCO issues claiming instructions to assist local agencies and school districts in claiming mandated program reimbursable costs.

The Commission approved reimbursable activities as follows:

- Evaluate and assess the performance of certificated instructional employees who perform the requirements of educational programs mandated by state or federal laws as it reasonably relates to the instructional techniques and strategies used by the employee and the employee's adherence to curricular objectives (Education Code section 44662(b) as amended by Chapter 498, Statutes of 1983).
- Evaluate and assess the performance of certificated instructional employees who teach reading, writing, mathematics, history/social science, and science in grades 2 to 11 as it reasonably relates to the progress of pupils toward the state adopted academic content standards as measured by state adopted assessment tests (Education Code section 44662(b) as amended by Chapter 4, Statutes of 1999).

- Assess and evaluate permanent certificated, instructional, and non-instructional employees who perform the requirements of educational programs mandated by state or federal law and receive an unsatisfactory evaluation in the years in which the permanent certificated employee would not have otherwise been evaluated pursuant to Education Code section 44664. The additional evaluations shall last until the employee achieves a positive evaluation, or is separated from the school district (Education Code section 44664 as amended by Chapter 498, Statutes of 1983).

Objective, Scope, and Methodology

We conducted the audit to determine whether costs claimed represent increased costs resulting from the Stull Act Program for the period of July 1, 1997, through June 30, 2011.

Our audit scope included, but was not limited to, determining whether costs claimed were supported by appropriate source documents, were not funded by another source, and were not unreasonable and/or excessive.

We conducted this performance audit under the authority of Government Code sections 12410, 17558.5, and 17561. We did not audit the district's financial statements. We conducted the audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

We limited our review of the district's internal controls to gaining an understanding of the transaction flow and claim preparation process as necessary to develop appropriate auditing procedures.

We conducted this performance audit under the authority of Government Code sections 12410, 17558.5, and 17561. We did not audit the district's financial statements. Except for the issue noted below, we conducted the audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

We limited our review of the district's internal controls to gaining an understanding of the transaction flow and claim preparation process as necessary to develop appropriate auditing procedures.

Conclusion

Our audit found an instance of noncompliance with the requirements outlined above. This instance is described in the accompanying Summary of Program Costs (Schedule 1) and in the Finding and Recommendation section of this report.

For the audit period, Norwalk-La Mirada Unified School District claimed \$4,366,931 for costs of the Stull Act Program. Our audit found that \$751,351 is allowable and \$3,615,580 is unallowable.

For the fiscal year (FY) 1997-98 claim, the State paid the district \$9,297. Our audit found that \$35,091 is allowable. The State will pay the allowable costs claimed that exceed the amount paid, totaling \$25,794, contingent upon available appropriations.

For the FY 1998-99 through FY 2007-08 claims, the State made no payments to the district. Our audit found that \$541,689 is allowable. The State will pay allowable costs claimed, contingent upon available appropriations.

For the FY 2008-09 claim, the State paid the district \$566,879. Our audit found that \$55,894 is allowable. The State will offset \$510,985 from other mandated program payments due the district. Alternatively, the district may remit this amount to the State.

For the FY 2009-10 claim, the State paid the district \$281,946. Our audit found that \$56,036 is allowable. The State will offset \$225,910 from other mandated program payments due the district. Alternatively, the district may remit this amount to the State.

For the FY 2010-11 claim, the State paid the district \$1,000. Our audit found that \$62,641 is allowable. The State will pay allowable costs claimed that exceed the amount paid, totaling \$61,641, contingent upon available appropriations.

**Views of
Responsible
Official**

We issued a draft audit report on April 28, 2014. Estuardo Santillan, Assistant Superintendent, Business Services, responded by letter dated May 8, 2014 (Attachment), disagreeing with the audit results. This final audit report includes the district's response.

Restricted Use

This report is solely for the information and use of Norwalk-La Mirada Unified School District, the Los Angeles County Office of Education, the California Department of Education, the California Department of Finance, and the SCO; it is not intended to be and should not be used by anyone other than these specified parties. This restriction is not intended to limit distribution of this report, which is a matter of public record

Original signed by

JEFFREY V. BROWNFIELD, CPA
Chief, Division of Audits

May 27, 2014

**Schedule 1—
Summary of Program Costs
July 1, 1997, through June 30, 2011**

<u>Cost Elements</u>	<u>Actual Costs Claimed</u>	<u>Allowable per Audit</u>	<u>Audit Adjustment</u>
<u>July 1, 1997, through June 30, 1998</u>			
Direct costs:			
Salaries and benefits			
Evaluation activities	\$ 104,662	\$ 32,615	\$ (72,047)
Training	—	—	—
Total direct costs	104,662	32,615	(72,047)
Indirect costs	7,944	2,476	(5,468)
Total program costs	<u>\$ 112,606</u>	35,091	<u>\$ (77,515)</u>
Less amount paid by the State		(9,297)	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 25,794</u>	
<u>July 1, 1998, through June 30, 1999</u>			
Direct costs:			
Salaries and benefits			
Evaluation activities	\$ 112,463	\$ 37,372	\$ (75,091)
Training	—	—	—
Total direct costs	112,463	37,372	(75,091)
Indirect costs	8,626	2,866	(5,760)
Total program costs	<u>\$ 121,089</u>	40,238	<u>\$ (80,851)</u>
Less amount paid by the State		—	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 40,238</u>	
<u>July 1, 1999, through June 30, 2000</u>			
Direct costs:			
Salaries and benefits			
Evaluation activities	\$ 197,347	\$ 40,444	\$ (156,903)
Training	—	—	—
Total direct costs	197,347	40,444	(156,903)
Indirect costs	13,518	2,770	(10,748)
Total program costs	<u>\$ 210,865</u>	43,214	<u>\$ (167,651)</u>
Less amount paid by the State		—	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 43,214</u>	

Schedule 1 (continued)

Cost Elements	Actual Costs Claimed	Allowable per Audit	Audit Adjustment
<u>July 1, 2000, through June 30, 2001</u>			
Direct costs:			
Salaries and benefits			
Evaluation activities	\$ 232,354	\$ 54,316	\$ (178,038)
Training	—	—	—
Total direct costs	232,354	54,316	(178,038)
Indirect costs	15,684	3,666	(12,018)
Total program costs	<u>\$ 248,038</u>	57,982	<u>\$ (190,056)</u>
Less amount paid by the State		—	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 57,982</u>	
<u>July 1, 2001, through June 30, 2002</u>			
Direct costs:			
Salaries and benefits			
Evaluation activities	\$ 256,963	\$ 60,198	\$ (196,765)
Training	—	—	—
Total direct costs	256,963	60,198	(196,765)
Indirect costs	17,371	4,070	(13,301)
Total program costs	<u>\$ 274,334</u>	64,268	<u>\$ (210,066)</u>
Less amount paid by the State		—	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 64,268</u>	
<u>July 1, 2002, through June 30, 2003</u>			
Direct costs:			
Salaries and benefits			
Evaluation activities	\$ 289,883	\$ 51,056	\$ (238,827)
Training	—	—	—
Total direct costs	289,883	51,056	(238,827)
Indirect costs	21,509	3,788	(17,721)
Total program costs	<u>\$ 311,392</u>	54,844	<u>\$ (256,548)</u>
Less amount paid by the State		—	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 54,844</u>	

Schedule 1 (continued)

Cost Elements	Actual Costs Claimed	Allowable per Audit	Audit Adjustment
<u>July 1, 2003, through June 30, 2004</u>			
Direct costs:			
Salaries and benefits			
Evaluation activities	\$ 304,642	\$ 54,838	\$ (249,804)
Training	—	—	—
Total direct costs	304,642	54,838	(249,804)
Indirect costs	21,995	3,959	(18,036)
Total program costs	<u>\$ 326,637</u>	58,797	<u>\$ (267,840)</u>
Less amount paid by the State		—	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 58,797</u>	
<u>July 1, 2004, through June 30, 2005</u>			
Direct costs:			
Salaries and benefits			
Evaluation activities	\$ 339,664	\$ 55,295	\$ (284,369)
Training	—	—	—
Total direct costs	339,664	55,295	(284,369)
Indirect costs	12,839	2,090	(10,749)
Total program costs	<u>\$ 352,503</u>	57,385	<u>\$ (295,118)</u>
Less amount paid by the State		—	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 57,385</u>	
<u>July 1, 2005, through June 30, 2006</u>			
Direct costs:			
Salaries and benefits			
Evaluation activities	\$ 378,436	\$ 52,331	\$ (326,105)
Training	1,898	1,872	(26)
Total direct costs	380,334	54,203	(326,131)
Indirect costs	12,942	1,854	(11,088)
Total program costs	<u>\$ 393,276</u>	56,057	<u>\$ (337,219)</u>
Less amount paid by the State		—	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 56,057</u>	

Schedule 1 (continued)

Cost Elements	Actual Costs Claimed	Allowable per Audit	Audit Adjustment
<u>July 1, 2006, through June 30, 2007</u>			
Direct costs:			
Salaries and benefits			
Evaluation activities	\$ 421,281	\$ 52,503	\$ (368,778)
Training	—	—	—
Total direct costs	421,281	52,503	(368,778)
Indirect costs	23,002	2,867	(20,135)
Total program costs	<u>\$ 444,283</u>	55,370	<u>\$ (388,913)</u>
Less amount paid by the State		—	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 55,370</u>	
<u>July 1, 2007, through June 30, 2008</u>			
Direct costs:			
Salaries and benefits			
Evaluation activities	\$ 202,836	\$ 48,925	\$ (153,911)
Training	2,227	1,746	(481)
Total direct costs	205,063	50,671	(154,392)
Indirect costs	11,586	2,863	(8,723)
Total program costs	<u>\$ 216,649</u>	53,534	<u>\$ (163,115)</u>
Less amount paid by the State		—	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 53,534</u>	
<u>July 1, 2008, through June 30, 2009</u>			
Direct costs:			
Salaries and benefits			
Evaluation activities	\$ 617,697	\$ 52,952	\$ (564,745)
Training	1,274	459	(815)
Total direct costs	618,971	53,411	(565,560)
Indirect costs	28,782	2,483	(26,299)
Total program costs	<u>\$ 647,753</u>	55,894	<u>\$ (591,859)</u>
Less amount paid by the State		(566,879)	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ (510,985)</u>	

Schedule 1 (continued)

Cost Elements	Actual Costs Claimed	Allowable per Audit	Audit Adjustment
<u>July 1, 2009, through June 30, 2010</u>			
Direct costs:			
Salaries and benefits			
Evaluation activities	\$ 273,506	\$ 54,240	\$ (219,266)
Training	175	153	(22)
Total direct costs	273,681	54,393	(219,288)
Indirect costs	8,265	1,643	(6,622)
Total program costs	<u>\$ 281,946</u>	56,036	<u>\$ (225,910)</u>
Less amount paid by the State		(281,946)	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ (225,910)</u>	
<u>July 1, 2010, through June 30, 2011</u>			
Direct costs:			
Salaries and benefits			
Evaluation activities	\$ 406,534	\$ 59,840	\$ (346,694)
Training	—	—	—
Total direct costs	406,534	59,840	(346,694)
Indirect costs	19,026	2,801	(16,225)
Total program costs	<u>\$ 425,560</u>	62,641	<u>\$ (362,919)</u>
Less amount paid by the State		(1,000)	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ 61,641</u>	
<u>Summary: July 1, 1997, through June 30, 2011</u>			
Direct costs:			
Salaries and benefits			
Evaluation activities	\$ 4,138,268	\$ 706,925	\$ (3,431,343)
Training	5,574	4,230	(1,344)
Total direct costs	4,143,842	711,155	(3,432,687)
Indirect costs	223,089	40,196	(182,893)
Total program costs	<u>\$ 4,366,931</u>	751,351	<u>\$ (3,615,580)</u>
Less amount paid by the State		(859,122)	
Allowable costs claimed in excess of (less than) amount paid		<u>\$ (107,771)</u>	

Finding and Recommendation

**FINDING—
Overstated salaries
and benefits and
related indirect costs**

The district claimed \$4,143,842 in salaries and benefits and \$223,089 in related indirect costs for the audit period. We found that \$3,432,687 in salaries and benefits is unallowable. The costs are unallowable primarily because the district claimed reimbursement for non-mandated evaluation costs (\$3,431,343) and training costs (\$1,344). Related indirect costs totaled \$182,893.

The following table summarizes the unallowable salaries and benefits and related indirect costs by fiscal year:

Fiscal Year	Salaries and Benefits			(D)	Total
	(A) Claimed	(B) Allowable	(C) Adjustment	Indirect Costs Adjustment	Audit Adjustment [(C)+(D)]
1997-98	\$ 104,662	\$ 32,615	\$ (72,047)	\$ (5,468)	\$ (77,515)
1998-99	112,463	37,372	(75,091)	(5,760)	(80,851)
1999-2000	197,347	40,444	(156,903)	(10,748)	(167,651)
2000-01	232,354	54,316	(178,038)	(12,018)	(190,056)
2001-02	256,963	60,198	(196,765)	(13,301)	(210,066)
2002-03	289,883	51,056	(238,827)	(17,721)	(256,548)
2003-04	304,642	54,838	(249,804)	(18,036)	(267,840)
2004-05	339,664	55,295	(284,369)	(10,749)	(295,118)
2005-06	380,334	54,203	(326,131)	(11,088)	(337,219)
2006-07	421,281	52,503	(368,778)	(20,135)	(388,913)
2007-08	205,063	50,671	(154,392)	(8,723)	(163,115)
2008-09	618,971	53,411	(565,560)	(26,299)	(591,859)
2009-10	273,681	54,393	(219,288)	(6,622)	(225,910)
2010-11	406,534	59,840	(346,694)	(16,225)	(362,919)
	<u>\$ 4,143,842</u>	<u>\$ 711,155</u>	<u>\$ (3,432,687)</u>	<u>\$ (182,893)</u>	<u>\$ (3,615,580)</u>

Unsupported Costs

The majority of the costs claimed by the district were unsupported because they were based on time records identifying estimated average time increments, which were not completed contemporaneously.

At the entrance conference, the district acknowledged that the time documentation submitted with the claims represented estimated averages of the time spent completing teacher evaluations. The district requested to proceed with a full-year time study during FY 2012-13 as a substitute for records of actual time spent on teacher evaluations. We suspended the audit while the district performed the time study. The district applied the time study results to the audit period.

Time Study Activities

The time study determined the time it took district evaluators to perform eight activities within the teacher evaluation process. The district evaluated permanent, probationary, and temporary certificated instructional teachers. The time study results reported time for meetings, observation, report writing, and other activities within the evaluation process.

The time study determined that it takes district evaluators an average of 4.40 hours per permanent teacher to complete an evaluation, and an average of 5.07 hours per probationary/temporary teacher (non-permanent) to complete an evaluation.

Five of the eight activities the district identified in its time study are not reimbursable under the mandate. The five non-reimbursable activities include:

1. Conducting a goals and objectives conference with the certificated staff member to review their goals and objectives;
2. Conducting a pre-observation conference with the certificated staff member;
3. Conducting a post-observation conference with the certificated staff member;
4. Conducting a final evaluation conference with the certificated staff member; and
5. Discussing STAR results and how to improve instructional abilities with this certificated staff member outside of the activities identified.

The program's parameters and guidelines do not allow reimbursement for conferences (pre-, post-, and final observation conferences) between the evaluators and teachers, as this activity was required before the enactment of the test claim legislation. Therefore, these activities do not impose a new program or higher level of service.

The parameters and guidelines do not allow reimbursement for discussing STAR results, as this activity is not listed as a reimbursable activity in the parameters and guidelines. In addition, interviews with the district evaluators revealed that discussing STAR results entailed conducting group meetings of overall STAR performance and areas in need of improvement, rather than separately evaluating each individual teacher performance based on STAR results.

We determined that the time spent on the following three activities is reimbursable:

1. Classroom observations (formal and informal);
2. Writing a report regarding observations; and
3. Writing the final evaluation report.

The time study results found that it takes district evaluators an average of 1.89 hours per permanent teacher evaluation and 3.07 hours per probationary/temporary teacher (non-permanent) to complete allowable activities within the evaluation process. In addition, the time study supported that it takes the district evaluators an average of 12.99 hours per unsatisfactory teacher evaluation to complete allowable activities within the evaluation process.

Completed Evaluations

The district did not keep track of completed evaluations during the audit period. To support claimed evaluations, the district created a database of completed teacher evaluations by reviewing employee files. Once completed, we reviewed the completed teacher evaluations for each fiscal year to ensure that only eligible evaluations were counted for reimbursement. The parameters and guidelines allow reimbursement for those evaluations conducted for certificated instructional personnel who perform the requirements of education programs mandated by state or federal law during specific evaluation periods.

The following table shows evaluations identified that are not reimbursable under the mandated program:

<u>Fiscal Year</u>	<u>Number of Completed Evaluations</u>		
	<u>District- Provided</u>	<u>Audited</u>	<u>Difference</u>
1997-98	384	217	(167)
1998-99	412	237	(175)
1999-2000	439	240	(199)
2000-01	534	300	(234)
2001-02	558	330	(228)
2002-03	481	272	(209)
2003-04	493	298	(195)
2004-05	474	284	(190)
2005-06	421	251	(170)
2006-07	376	252	(124)
2007-08	361	234	(127)
2008-09	382	243	(139)
2009-10	373	259	(114)
2010-11	440	318	(122)
Totals	<u>6,128</u>	<u>3,735</u>	<u>(2,393)</u>

The non-reimbursable evaluations included the following:

- Counselors, literacy coaches, school nurses, disabilities service resource, paraeducators, Title I resource, and Teachers on Special Assignment (TOSAs) who are not certificated instructional employees;
- Non-special education preschool teachers and adult education teachers who do not perform the requirements of the program that are mandated by state or federal law;
- Duplicate teacher evaluations claimed multiple times in one school year; and
- Permanent biannual teacher evaluations claimed every year rather than every other year.

Average Productive Hourly Rate (PHR)

The district claimed an average productive hourly rate (PHR) for the district’s evaluators in each fiscal year. Using the completed teacher evaluations database, we obtained a list of all evaluators at the district. We recalculated each evaluator’s PHR, using the district-provided payroll data. We then calculated an average rate for FY 2005-06 through FY 2010-11. The older records were kept on an inactive system that the district was unable to reasonably access. However, based on our analysis of the recent five fiscal years and review of the rates for the older years, we accepted the rates for the prior years as claimed.

The following table shows the PHR audit adjustments by fiscal year:

<u>Average Productive Hourly Rate</u>			
<u>Fiscal Year</u>	<u>Claimed</u>	<u>Audited</u>	<u>Difference</u>
2006-07	73.39	73.46	0.07
2007-08	74.37	75.85	1.48
2008-09	80.31	76.54	(3.77)
2009-10	81.59	76.57	(5.02)
2010-11	98.69	75.51	(23.18)

The misstated average PHRs resulted in overstated costs of \$23,648. Of that amount, \$23,528 relates to allowable evaluation costs and \$120 relates to allowable training costs. The overstated costs are included in the evaluation and training cost adjustments.

Calculation of Allowable Evaluation Costs

To arrive at allowable salaries and benefits in each fiscal year, we multiplied the number of allowable evaluations by allowable hours per evaluation and average audited PHRs.

The following table summarizes allowable evaluation costs by fiscal year using the audited PHRs.

Fiscal Year	Evaluation activities		
	Claimed	Allowable	Audit Adjustment
1997-98	\$ 104,662	\$ 32,615	\$ (72,047)
1998-99	112,463	37,372	(75,091)
1999-2000	197,347	40,444	(156,903)
2000-01	232,354	54,316	(178,038)
2001-02	256,963	60,198	(196,765)
2002-03	289,883	51,056	(238,827)
2003-04	304,642	54,838	(249,804)
2004-05	339,664	55,295	(284,369)
2005-06	378,436	52,331	(326,105)
2006-07	421,281	52,503	(368,778)
2007-08	202,836	48,925	(153,911)
2008-09	617,697	52,952	(564,745)
2009-10	273,506	54,240	(219,266)
2010-11	406,534	59,840	(346,694)
Total	<u>\$ 4,138,268</u>	<u>\$ 706,925</u>	<u>\$ (3,431,343)</u>

We then applied the applicable indirect cost rates to allowable evaluation activities to calculate allowable indirect costs of \$40,007 for this component.

Calculation of Allowable Training Costs

The district claimed training hours in several fiscal years, totaling \$5,574 for the audit period. We found that \$4,230 in training costs is reimbursable under the mandate and \$1,344 is not reimbursable. The primary reason for the unsupported training costs was district employees exceeding one-time training. The district did not support that the additional training hours related to one-time training on other reimbursable activities listed in the parameters and guidelines.

The following table summarizes claimed, allowable, and unallowable salaries and benefits related to training costs by fiscal year using the audited PHRs:

Fiscal Year	Training		
	Claimed	Allowable	Audit Adjustment
2005-06	\$ 1,898	\$ 1,872	\$ (26)
2007-08	2,227	1,746	(481)
2008-09	1,274	459	(815)
2009-10	175	153	(22)
Total	<u>\$ 5,574</u>	<u>\$ 4,230</u>	<u>\$ (1,344)</u>

For FY 2005-06, the district incorrectly claimed costs related to training as travel and training rather than salaries and benefits. We reclassified the district's training costs to salaries and benefits. We then applied the applicable indirect cost rates to allowable training costs to calculate allowable indirect costs of \$189 for this component.

The parameters and guidelines (section IV.A.1) state that the following is reimbursable:

Evaluate and assess the performance of certificated instructional employees that perform the requirements of educational programs mandated by state or federal law as it reasonably relates to the instructional techniques and strategies used by the employee and the employee's adherence to curricular objectives.

Reimbursement for this activity is limited to:

- a. Reviewing the employee's instructional techniques and strategies and adherence to curricular objectives, and
- b. Including in the written evaluation of the certificated instructional employees the assessment of these factors during the following evaluation periods:
 - o Once each year for probationary certificated employees;
 - o Every other year for permanent certificated employees; and
 - o Beginning January 1, 2004, every five years for certificated employees with permanent status who have been employed at least ten years with the school district, are highly qualified, and whose previous evaluation rated the employee as meeting or exceeding standards, if the evaluator and certificated employee being evaluated agree.

The parameters and guidelines (section IV.A.2) state that the following is reimbursable:

Evaluate and assess the performance of certificated instructional employees that teach reading, writing, mathematics, history/social science, and science in grades 2 to 11 as it reasonably relates to the progress of pupils towards the state adopted academic content standards as measured by state adopted assessment tests.

Reimbursement for this activity is limited to:

- a. Reviewing the results of the Standardized Testing and Reporting test as it reasonably relates to the performance of those certificated employees that teach reading, writing, mathematics, history/social science, and science in grades 2 to 11, and
- b. Including in the written evaluation of those certificated employees the assessment of the employee's performance based on the Standardized Testing and Reporting results for the pupils they teach during the evaluation periods specified in Education Code section 44664, and described below:
 - o Once each year for probationary certificated employees;
 - o Every other year for permanent certificated employees; and

- Beginning January 1, 2004, every five years for certificated employees with permanent status who have been employed at least ten years with the school district, are highly qualified, and whose previous evaluation rated the employee as meeting or exceeding standards, if the evaluator and certificated employee being evaluated agree.

The parameters and guidelines (section IV.C—Training) state that the district may train staff on implementing the reimbursable activities listed in Section IV of the parameters and guidelines (one-time activity for each employee).

The parameters and guidelines (section IV—Reimbursable Activities) also state:

To be eligible for mandated cost reimbursement for any fiscal year, only actual costs may be claimed. Actual costs are those costs actually incurred to implement the mandated activities. Actual costs must be traceable and supported by source documents that show the validity of such costs, when they were incurred, and their relationship to the reimbursable activities. A source document is a document created at or near the same time the actual cost was incurred for the event or activity in question. Source documents may include, but are not limited to, employee time records or time logs, sign-in sheets, invoices, and receipts.

Recommendation

Commencing in FY 2013-14, the district elected to participate in a block grant program, pursuant to Government Code section 17581.6, in lieu of filing annual mandated cost claims. If the district chooses to opt out of the block grant program, we recommend that the district ensure that claimed costs are based on actual costs, are for activities reimbursable under the program's parameters and guidelines, and are supported by contemporaneous source documentation.

District's Response

A. TIME STUDY

The District's claims were based on our consultant's forms which are declarations of estimated average time to implement the mandated activities by the staff who implemented the mandate. The auditor would not accept these forms because they were not "contemporaneous" documents. At the entrance conference the District requested to proceed with a full-year time study during FY 2012-13 since this method has been accepted by the Controller for audits of other districts.

This time study was conducted using forms prepared by our consultant and acceptable to the auditor. The annual cost of evaluations is calculated based on the average time from the time study to implement eight different components of the annual employee evaluation process, multiplied by the number of evaluations performed each year, and then multiplied by the average productive hourly rates (salary and benefits) for the evaluators. For the eight time study components, the total average time to complete the evaluation process based on the District documentation and the audited allowable times are as follows:

<u>Eval Type</u>	<u>Audited Avg. Hours Time Study</u>	<u>Audited Avg. Hours Allowed</u>	<u>Percentage Allowed</u>
Permanent	4.40	1.89	43%
Non-Permanent	5.07	3.07	61%
Unsatisfactory	14.20	12.99	91%

At this time, the District has no objection to the auditor's calculation of the reported time study hours. However, the District does disagree with the scope of activities allowed for reimbursement.

Five Non-Reimbursable Activities

The draft audit report states five of the eight activities identified in the time study are not reimbursable:

1. Conducting a goals and objectives conference with the certificated staff member to review their goals and objectives;
2. Conducting a pre-observation conference with the certificated staff member;
3. Conducting a post-observation conference with the certificated staff member;
4. Conducting a final evaluation conference with the certificated staff member; and
5. Discussing STAR results and how to improve instructional abilities with this certificated staff member outside of the activities identified.

The draft audit report states that conferences between the evaluators and teachers are not reimbursable because they were required before the enactment of the test claim legislation and thus are not imposing a new program or higher level of service. The District disagrees with this disallowance. The mandate reimburses the new program requirement to "evaluate and assess" which necessarily involves a comprehensive process. The conferences are one part of a continuum of evaluation and assessment steps, none of which individually completes the mandate. The conferences and related tasks are effective and efficient methods to evaluate and assess employees and necessary to communicate the findings of the evaluation to the employee. Whether the conferences in general were required as a matter of law before the Stull Act is a decision for the Commission pursuant to a future incorrect reduction claim.

Three Allowed Activities

The draft audit report states that three of the eight activities identified by the district are reimbursable:

6. Classroom observations (formal and informal);
7. Writing a report regarding observations; and
8. Writing the final evaluation report.

The District agrees that these activities are reimbursable.

B. COMPLETED/ALLOWABLE EVALUATIONS

The draft audit report states that the program's parameters and guidelines allow reimbursement for those evaluations conducted for *certificated instructional personnel who perform the requirements of education programs mandated by state or federal law*. The draft audit report disallows about 40% of about 6,128 evaluations included in the District database of completed evaluations prepared for the audit. The evaluations were disallowed for five reasons:

1. Counselors, literacy coaches, school nurses, disabilities service resource, paraeducators, Title 1 resource, and TOSAs [Teachers on Special Assignments] who are not certificated instructional employees.

This category comprises about 5% of the evaluations included in the time study. The parameters and guidelines state that the mandate is to evaluate the performance of "certificated instructional employees." All certificated personnel are "instructional" personnel even if some are not classroom teachers. The audit report does not indicate how these other certificated personnel are not implementing the "curricular objectives." The District does agree that the portion of the mandate relating to the evaluation of compliance with the testing assessment standards (the STAR component) is limited to classroom teachers because the parameters and guidelines specifically state "employees that teach" specified curriculum. A Commission on State Mandates decision will be needed since this is an issue of statewide significance relevant to all Stull Act audits,

2. Non-special education preschool teachers and adult education teachers who do not perform the requirements of the program that is mandated by state or federal law.

This category comprises about 2% of the evaluations included in the time study. Federal law requires preschool instruction for special education pupils as part of the pupil's Individual Education Program. If the teacher is providing instruction to special education preschool pupils, the teacher is implementing the federal mandate. This is also a statewide audit appeal issue. However, for purposes of the Stull Act reimbursement, adult education teachers are properly excluded from the total allowed for reimbursement.

3. Duplicate teacher evaluations claimed multiple times in one school year.

This category comprises about 32% of the evaluations included in the time study. Potential and legitimate "duplicate" evaluations generally occur as a result of an employee transferring to another school during the evaluation cycle, or a change in employment status of the employee. However, the majority of these disallowed evaluations result from the District procedure of treating the probationary annual evaluation cycle as two complete evaluations, with about half the time reported for each. However, for purposes of the Stull Act reimbursement, only one complete evaluation should be counted for each employee within the annual cycle, but with the staff time for the entire annual evaluation cycle.

4. Permanent biannual teacher evaluations claimed every year rather than every other year.

This category comprises less than 1% of the evaluations included in the time study. The District has particular reasons for performing an evaluation of some permanent teachers more often than biannually. However, for purposes of the Stull Act reimbursement, only one complete evaluation should be counted for each employee every other year after the employee attains permanent status.

C. AVERAGE PRODUCTIVE HOURLY RATES (PHR)

The draft audit report concludes that the claimed average productive hourly rates were misstated and resulted in overstated costs of \$23,648. This represents about 3% of the \$711,155 in audited salary and benefits claimed for the 14 years.

The auditor agreed with the average PHRs claimed for FY 1997-98 through 2005-06. However, the audited rates for FY 2006-07 through FY 2010-11 vary from 1/10 of 1% (FY 2006-07) to 23% (FY 2010-11). The significant source of the variance in FY 2010-11 results from the auditor using the names of the evaluators from the completed teacher evaluations database where the District used an average of the positions that typically perform the evaluations. The District has not completed its analysis of the variances and may respond to this issue in the incorrect reduction claim.

D. TRAINING COSTS

The District claimed training time for staff in four fiscal years, totaling \$5,574 for the audit period. The draft audit report determined that \$4,230 in training costs is reimbursable and \$1,344 is not because some of the same district employees were claimed for more than one fiscal year. The District disagrees with this disallowance. The mandate parameters and guidelines allow training costs as a one-time activity per employee. Annual meetings with the principals and other evaluators to commence the annual evaluation cycle are reasonable and necessary when the collective bargaining contract and District evaluation process changes.

SCO's Comment

Time Study

Our finding and recommendation is unchanged. Conferences between the teachers and evaluators are non-reimbursable activities.

The district states in its response that “the mandate reimburses the new program requirement to ‘evaluate and assess’ which necessarily involves a comprehensive process.” We disagree. Not all activities from the evaluation process are reimbursable. The mandate reimburses only those activities that impose a new requirement or higher level of service for the agencies.

The parameters and guidelines (sections IV.A.1, IV.A.2, and IV.B.1) specify that reimbursement is limited to only those activities outlined in each section. Section IV.B.1 identifies reimbursable evaluation conferences only for those instances when an unsatisfactory evaluation

took place for certificated instructional or non-instructional personnel in those years in which the employee would not have otherwise been evaluated.

The district claimed costs for the evaluation conferences resulting from evaluations completed under sections IV.A.1 and IV.A.2 of the parameters and guidelines. Sections IV.A.1 and IV.A.2 do not identify evaluation conferences or any other types of conferences as reimbursable activities.

Furthermore, the Commission on State Mandates (CSM) found in its statement of decision that evaluation conferences between the evaluators and teachers are not reimbursable because they were required before the enactment of the test claim legislation.

Under prior law, the evaluation was to be prepared in writing and a copy of the evaluation given to the employee. An evaluation meeting was to be held between the certificated employee and the evaluator to discuss the evaluation and assessment. The CSM indicated in its statement of decision document that:

...the 1975 test claim legislation did not amend the requirements in Former Education Code sections 13488 and 13489 to prepare written evaluations of certificated employees, receive responses to those evaluations, and conduct a meeting with the certificated employee to discuss the evaluation...

Furthermore, the 1983 test claim statute still requires school districts to prepare the evaluation in writing, to transmit a copy to the employee, and to conduct a meeting with the employee to discuss the evaluation and assessment. These activities are not new.

However, the 1983 test claim statute amended the evaluation requirements by adding two new evaluation factors relating to 1) the instructional techniques and strategies used by the employee; and 2) the employee's adherence to curricular objectives. The CSM found that Education Code section 44662, subdivision (b), as amended by Statutes of 1983, Chapter 498, imposed a new required act on school districts to:

...evaluate and assess the performance of certificated instructional employees that perform the requirements of educational programs mandated by state or federal law as it reasonably relates to the instructional techniques and strategies used by the employee and the employee's adherence to curricular objectives.

Reimbursement is limited to the additional requirements imposed by the amendments. The additional requirements include the review of the employee's instructional techniques and strategies and adherence to curricular objectives, and to include in the written evaluation of the certificated instructional employees the assessment of only these factors. Conference activities do not impose a new program or higher level of service.

Completed/Allowable Evaluations

1. *Counselors, literacy coaches, school nurses, disabilities service resource, paraeducators, Title 1 resource, and Teachers on Special Assignment who are not certificated instructional employees.*

Our finding and recommendation is unchanged. The district states that “All certificated personnel are ‘instructional’ personnel even if they are not classroom teachers.” We disagree.

The language of the parameters and guidelines and the CSM statement of decision address the difference between certificated instructional employees and certificated non-instructional employees.

In its statement of decision, the CSM identifies instructional employees as teachers and non-instructional employees as principals and various administrators. The CSM further states that the test claim legislation determined that evaluation and assessment of certificated non-instructional employees, do not constitute a new program or higher level of service.

In addition, the parameters and guidelines clearly identify reimbursable components and activities as they relate to certificated instructional and certificated non-instructional personnel. Our draft report identifies a finding related to the component of evaluating instructional techniques and strategies and adherence to curricular objectives for the certificated instructional employees. The intent of this component is to evaluate the elements of classroom instruction. Counselors, literacy coaches, school nurses, disabilities service resource, paraeducators, Title 1 resource, and TOSAs do not provide classroom instruction and are considered “non-instructional” certificated personnel.

2. *Non-special education preschool teachers and adult education teachers who do not perform the requirements of the program that is mandated by state or federal law.*

Our finding and recommendation is unchanged. The district states the following in its response:

Federal law requires preschool instruction for special education pupils as part of the pupil’s Individual Education Program. If the teacher is providing instruction to special education preschool pupils, the teacher is implementing the federal mandate.

Our finding indicated that the evaluations of the special education preschool teachers were allowed for reimbursement. The district’s response asserts that special education preschool teacher evaluations should be allowable. We agree on this issue.

Regarding the issue of adult education teachers, the district states that they were “properly excluded from the total allowed for reimbursement.” We agree.

3. *Duplicate teacher evaluations claimed multiple times in one school*

year.

Our finding and recommendation is unchanged.

The district states that “only one complete evaluation should be counted for each employee within the annual cycle...” We agree.

4. *Permanent biannual teacher evaluations claimed every year rather than every other year.*

Our finding and recommendation is unchanged.

The district states that “only one complete evaluation should be counted for each employee every other year after the employee attains permanent status.” We agree.

Average Productive Hourly Rates (PHR)

Our finding and recommendation is unchanged.

The district states that it has not completed its analysis of the rate variances and may respond to this issue in the incorrect reduction claim.

Training Costs

Our finding and recommendation is unchanged.

The district disagrees with the unallowable “duplicate” training hours claimed for the same employees. The district states that:

Annual meetings with the principals and other evaluators to commence the annual evaluation cycle are reasonable and necessary when the collective bargaining contract and District evaluation process changes.

The parameters and guidelines state that the district may claim reimbursement to “train staff on implementing the reimbursable activities” and that training is reimbursable as a “one-time activity for each employee.”

The district believes that the meetings with the principals and other evaluators are “reasonable and necessary” activities. However, the reimbursement is limited to only those activities outlined in the parameters and guidelines (section IV.C).

OTHER ISSUE— Fraud risk questionnaire

The district’s response included other comments related to the mandated cost claims. The district’s comments and SCO’s response are presented below.

District’s Response

The draft audit report states that the auditor was unable to assess the fraud risk because the district ‘did not respond’ to inquiries regarding fraud assessment. More precisely, the District stated that it would not submit written responses to the auditor’s questionnaire, but the District

was at all times available to verbally respond.

SCO's Comment

We agree with the district's response and have removed this language from the final audit report.

**OTHER ISSUE—
Public records
request**

The district's response included other comments related to the mandated cost claims. The district's comments and SCO's response are presented below.

District's Response

The District requests copies of all audit work papers in support of the audit findings. The District requests that the Controller provide the District any and all written instructions, memoranda, or other writings in effect and applicable during the claiming periods to the findings. . . .

SCO's Comment

The SCO will responded to the district's request by letter separate from this audit report.

**Attachment—
District’s Response to
Draft Audit Report**



*Where EVERY Student is Given EVERY Opportunity to
Demonstrate EXCELLENCE*

12820 PIONEER BOULEVARD, NORWALK, CALIFORNIA 90650-2894
PHONE (562) 868-0431 • FAX (562) 868-7077

May 8, 2014

Mr. Jim L. Spano, Chief
Mandated Costs Audits Bureau
Division of Audits
State Controller's Office
P.O. Box 942850
Sacramento, CA 94250-5874

Re: Norwalk-La Mirada Unified School District
Stull Act Mandate Audit
FY 1997-98 through FY 2010-11

Dear Mr. Spano:

This letter is the response of the Norwalk-La Mirada Unified School District to the draft audit report dated April 28, 2014, received by e-mail on the same date, for the above-referenced program and fiscal years, transmitted by the letter from Jeffrey V. Brownfield, Chief, Division of Audits, State Controller's Office.

The District appreciated the opportunity to utilize a time study of the mandate program activities to replace the original documentation for the historic claim years. The time study is a reasonable method to fulfill the Controller's expectations for cost accounting and documentation. However, the District will file an incorrect reduction claim due to the limited scope of activities approved for reimbursement. The District disagrees with the Controller's interpretation of the Stull Act legislation and the test claim findings. From the discussion at the audit entrance and exit conferences, as well as the results of previous audits at other districts, it is clear that this disagreement cannot be resolved at this point. A Commission on State Mandates decision will be needed since this is an issue of statewide significance relevant to all Stull Act audits.

BOARD OF EDUCATION

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Superintendent

Findings: Overstated salaries and benefits and related indirect costs

The District claimed \$4,143,842 in salaries and benefits and \$223,089 in related indirect costs for the audit period. The audit determined that \$3,432,687 in salaries and benefits is unallowable as unallowable evaluation costs (\$3,431,343) and training costs (\$1,344). Related unallowable indirect costs totaled \$182,893.

A. TIME STUDY

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Fraud Risk Questionnaire

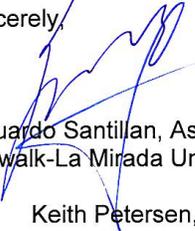
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Public Records Request

The District requests copies of all audit work papers in support of the audit findings. The District requests that the Controller provide the District any and all written audit instructions, memoranda, or other writings in effect and applicable during the claiming periods to the findings.

Government Code Section 6253, subdivision (c), requires the state agency that is the subject of the request, within ten days from receipt of a request for a copy of records, to determine whether the request, in whole or in part, seeks copies of disclosable public records in possession of the agency and promptly notify the requesting party of that determination and the reasons therefore. Also, as required, when so notifying the District, the agency must state the estimated date and time when the records will be made available.

Sincerely,



Estuardo Santillan, Assistant Superintendent, Business Services
Norwalk-La Mirada Unified School District

c: Keith Petersen, President, SixTen and Associates

**State Controller's Office
Division of Audits
Post Office Box 942850
Sacramento, CA 94250-5874**

<http://www.sco.ca.gov>

Oceanside USD - Permanent Certificated Instructional Employees (CIE) <10 yrs Tenure
Stull Act Program Hrs, FY 1997-98 through FY 2007-08 (Every Other Year Evaluation)

Fiscal Year	Lname	Fname	Tenure Status	Seniority Date	Job Title	Grade Level	Obs1	Obs2	Summative Eval	Assistance Plan	Work Location
1997-98	SHAW	HOLLY	T	1/1/1998	Teacher	4th			X		McAuliffe Elem
1997-98	WAGNER	DAVID	T	9/1/1999	Teacher	HS SS			X		Oceanside High
1997-98	CHAMBERS	ANNIE	Temp/Prob	9/1/1999		HS Eng			X		Libby Elem
1997-98	ANDERSON	WARREN	T	9/1/1997	Teacher	HS SS			X		El Camino High
1998-99	NEWSOM	CORINNE	Temp/Prob	10/1/1998	Teacher	4th			X		McAuliffe Elem
1998-99	SMITH	MATTHEW	Temp/Prob	9/2/1998	Teacher	8th			X		Jefferson Middle
1998-99	MEZA	CHRISTINE	Temp/Prob	9/2/1998	Teacher	MIDDLE			X		Jefferson Middle
1998-99	LISH	ANITA	Temp/Prob	9/2/1998	Resource Specialist	MS			X		Jefferson Middle
1998-99	CUSH	ARRON	Temp/Prob	9/8/1998	Teacher	MS			X		King Middle
1998-99	JENSEN	JENNIFER	Temp/Prob	9/28/1998	Teacher	SCIENCE			X		King Middle
1998-99	BRIGGS	JAMES	Temp/Prob	9/2/1998	Teacher	6th			X		Libby Elem
1998-99	MILLER	MICHAEL	Temp/Prob	9/2/1998	Teacher	7			X		Jefferson Middle
1998-99	SLASOR	JANELLE	Temp/Prob	9/2/1998	Resource Specialist	MS SpEd			X		Jefferson Middle
1998-99	MOHR	NANCY	Temp/Prob	9/2/1998	Teacher	4th			X		Santa Margarita Elem
1998-99	HUGHES	ERIN	Temp/Prob	9/2/1998	Teacher	Elem			X		Santa Margarita Elem
1998-99	FALK	TODD		9/2/1998	Teacher - APE	various			X		Pupil Services
1998-99	JARVIS	DANIEL	Temp/Prob	9/4/1998	Teacher	1st/2nd			X		Palmquist Elem
1998-99	CASILLAS	ALMA	Temp/Prob	9/2/1998	Teacher	HS Art			X		Palmquist Elem
1998-99	CLARK	SUSAN	Temp/Prob	9/2/1998	Teacher	5th			X		Mission Elem
1998-99	FARAH	LINDA	Temp/Prob	9/28/1998	Teacher	5th/6th			X		Mission Elem
1998-99	WEAVER (CONNOR)	CATHERINE	Temp/Prob	10/2/1998	Resource Specialist	Elem SpEd			X		Mission Elem
1998-99	ALVARADO	MARIA	Temp/Prob	9/2/1998	Teacher	K			X		Mission Elem
1998-99	COX	ERICA	Temp/Prob	9/2/1998	Teacher	2nd			X		Laurel Elem
1998-99	ONG	CARIN	Temp/Prob	9/2/1998	Teacher	3rd			X		Laurel Elem
1998-99	BEST	KENTON	Temp/Prob	9/2/1998	Teacher	5th			X		Laurel Elem
1998-99	ARSENAULT	JACQUELYN	T	9/4/1998	Teacher	MS			X		Santa Margarita Elem
1998-99	HARTZ	JESSE	T	9/16/1998	Teacher	MS			X		Clair W. Burgener Academy
1998-99	THOMPSON	ORLANDO	T	8/13/1998	Teacher	MS			X		Jefferson Middle
1998-99	DANIELS (Seemann)	ERIKA		8/13/1998	Teacher	MS Lang Arts			X		Jefferson Middle
1998-99	STEPHENS	DAVID	Temp/Prob	8/13/1998	Teacher	various			X		Clair W. Burgener Academy
1998-99	HAGEN	SUZANNE		9/2/1998	Teacher	4			X		South Oceanside Elem
1998-99	WALKER	ANDREA	Temp/Prob	9/2/1998	Teacher	3rd			X		South Oceanside Elem
1998-99	MIZOGUCHI	ROBYN	T	9/3/1998	Resource Specialist	HS			X		Oceanside High
1998-99	ADAMS	JENNIFER	T	9/2/1998	Teacher	1st			X		San Luis Rey Elem
1998-99	SALMON	BLAIR	Temp/Prob	1/26/1999	Teacher	1st			X		San Luis Rey Elem
1998-99	CORNISH	SUZANNE	Temp/Prob	9/2/1998	Teacher	3rd			X		San Luis Rey Elem
1998-99	ESCOBAR	MARIA	Temp/Prob	9/2/1998	Teacher	K			X		San Luis Rey Elem
1998-99	JOHNSON	HEIDI	Temp/Prob	9/2/1998	Teacher - LH SDC	SDC			X		San Luis Rey Elem
1998-99	MCCARTHY	ANNETTE	Temp/Prob	9/2/1998	Teacher	2			X		San Luis Rey Elem
1998-99	FURQUERON	SHERRI	Temp/Prob	9/18/1998	Teacher	5th			X		Lincoln Middle
1998-99	LAVELLE	SHELLEY	P	9/28/1998	Teacher	6th/7th			X		Lincoln Middle
1998-99	ZIVOTSKY	ANN	Temp/Prob	9/2/1998	Resource Teacher	7th Sci			X		Lincoln Middle
1998-99	GONZALEZ DE ARAIZA	ISELA	Temp/Prob	1/4/1999	Teacher	MS ELD			X		Lincoln Middle

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1998-99	Hajek-Schalge	ELLEN	Temp/Prob	10/26/1998	Teacher	1			X		Del Rio Elem
1998-99	CHAMBERS	ANNIE	Temp/Prob	9/2/1999		3rd			X		Del Rio Elem
1998-99	SOTO	JOSE	T	9/1/1998	Resource Specialist	Elem SpEd			X		Del Rio Elem
1998-99	JOOLINGEN	JEANNE	Temp/Prob	9/2/1998	Teacher	HS SpEd			X		Del Rio Elem
1998-99	ORTEGA	RENE	Temp/Prob	9/2/1998	Teacher	Kinder			X		Del Rio Elem
1998-99	NEWVILLE (Short)	TAMARA	Temp/Prob	9/2/1998	Teacher	1st			X		Reynolds Elem
1998-99	COHEN II	NELSON	Temp/Prob	9/2/1998	Teacher	MS Lang Arts			X		Reynolds Elem
1998-99	DeSanto (Swanberg)(Smith)	Christina	Temp/Prob	11/23/1998	Teacher	6th			X		King Middle
1998-99	MCKENNEY	SHELLEY	Temp/Prob	10/26/1998	Teacher	MIDDLE			X		King Middle
1998-99	MOORE	SCOTT	Temp/Prob	9/23/1998	Teacher	MIDDLE			X		King Middle
1998-99	HO	CHIA (ROBERT)		9/2/1998	Teacher	MS			X		King Middle
1998-99	CARLENO	DAVID	T	2/1/1999	Teacher	MS SpEd			X		El Camino High
1998-99	KELLY	PATRICIA	Temp/Prob	9/2/1998	Teacher	6			X		San Rafael Elem
1998-99	GOMMEL	WALTER	Temp/Prob	9/2/1998	Teacher	MS			X		San Rafael Elem
1998-99	HAYWAS	ASKOLD	T	2/1/1999	Teacher	HS			X		El Camino High
1998-99	SANCHEZ	SALVADOR	Temp/Prob	9/2/1998	Teacher	1st			X		San Luis Rey Elem
1999-00	HOGUE	LORRAH	Temp/Prob	9/1/1999	Teacher	Elem			X		Stuart Mesa Elem
1999-00	MESSERSCHMITT	DIANE	Temp/Prob	9/3/1999	Teacher	Elem			X		Stuart Mesa Elem
1999-00	STEPHENS	DAVID	Temp/Prob	8/13/1998	Teacher	Elem			X		Stuart Mesa Elem
1999-00	ROWAN II	MICHAEL	Temp/Prob	9/1/1999	Teacher	K			X		North Terrace Elem
1999-00	TRAUGH	STEVEN	Temp/Prob	9/1/1999	Teacher	Music			X		North Terrace Elem
1999-00	NEWSOM	CORINNE	Temp/Prob	10/1/1998	Teacher	3rd/4th			X		McAuliffe Elem
1999-00	GRIFFIN	LAURA	Temp/Prob	9/1/1999	Teacher - LH SDC	Elem SpEd			X		McAuliffe Elem
1999-00	BUNRASI	JOHN	Temp/Prob	8/23/1999	Teacher	HS Physics			X		Jefferson Middle
1999-00	MILLER	MICHAEL	Temp/Prob	9/2/1998	Teacher	MIDDLE			X		Jefferson Middle
1999-00	SMITH	MATTHEW	Temp/Prob	9/2/1998	Teacher	MS			X		Jefferson Middle
1999-00	HINDERLITER	JAMES	Temp/Prob	9/1/1999	Teacher - LH SDC	SDC			X		Jefferson Middle
1999-00	DEVRIES	HILARY	Temp/Prob	9/1/1999	Teacher	3rd/4th			X		Garrison Elem
1999-00	MARCON	RACHELLE	Temp/Prob	3/29/1999	Teacher	SDC/PRI			X		Garrison Elem
1999-00	COHEN	PATRICIA	Temp/Prob	9/1/1999	Teacher	HS Eng			X		King Middle
1999-00	MCKENNEY	SHELLEY	Temp/Prob	10/26/1998	Teacher	MIDDLE			X		King Middle
1999-00	MOORE	SCOTT	Temp/Prob	9/23/1998	Teacher	MIDDLE			X		King Middle
1999-00	SINCLAIR	SAMANTHA	T	8/13/1999	Teacher	MS			X		King Middle
1999-00	KELLERMAN	APRIL	Temp/Prob	9/1/1999	Teacher	4			X		Libby Elem
1999-00	WEST	SERINA	T	9/1/1999	Teacher	2nd			X		Libby Elem
1999-00	DOYLE (Dinh)	BECKY	Temp/Prob	9/1/1999	Teacher	4th			X		Libby Elem
1999-00	Obrite (Kaminski)	Lynn	Temp/Prob	10/11/1999	Teacher	5th			X		Libby Elem
1999-00	BRIGGS	JAMES	Temp/Prob	9/2/1998	Teacher	6th			X		Libby Elem
1999-00	FURQUERON	JEFFREY	Temp/Prob	9/1/1999	Teacher	Elem			X		Libby Elem
1999-00	LISH	ANITA	Temp/Prob	9/2/1998	Resource Specialist	MS			X		Jefferson Middle
1999-00	Vico (RUBEN)	IRENE	Temp/Prob	2/8/1999	Teacher	MS Lang Arts			X		Jefferson Middle
1999-00	SLASOR	JANELLE	Temp/Prob	9/2/1998	Resource Specialist	MS SpEd			X		Jefferson Middle
1999-00	MOHR	NANCY	Temp/Prob	9/2/1998	Teacher	4th			X		Santa Margarita Elem
1999-00	HUGHES	ERIN	Temp/Prob	9/2/1998	Teacher	5th/6th			X		Santa Margarita Elem
1999-00	TRELEASE	RENEE	Temp/Prob	9/1/1999	Teacher	1st			X		Palmquist Elem

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1999-00	CASILLAS	ALMA	Temp/Prob	9/2/1998	Teacher	Kinder			X		Palmquist Elem
1999-00	JARVIS	DANIEL	Temp/Prob	9/4/1998	Teacher	3			X		Palmquist Elem
1999-00	ROBINSON	KELLY	Temp/Prob	9/2/1999	Teacher	1st			X		Ivey Ranch Elem
1999-00	FORBERG	LAURA		9/1/1999	Teacher	2nd					Ivey Ranch Elem
1999-00	HAMME	KELLY	Temp/Prob	9/1/1999	Teacher	K			X		Ivey Ranch Elem
1999-00	MURRAY	LISA	Temp/Prob	9/1/1999	Teacher	3rd			X		South Oceanside Elem
1999-00	WALKER	ANDREA	Temp/Prob	9/2/1998	Teacher	3rd			X		South Oceanside Elem
1999-00	ZIVOTSKY	ANN	Temp/Prob	9/2/1998	Resource Teacher	MS			X		Lincoln Middle
1999-00	GONZALEZ DE ARAIZA	ISELA	Temp/Prob	1/4/1999	Teacher	MS ELD			X		Lincoln Middle
1999-00	ALBRIGHT	KRISTIN	Temp/Prob	2/1/2000	Teacher	3rd/4th			X		Palmquist Elem
1999-00	Maddox (BIGGS)	HEATHER	Temp/Prob	9/1/1999	Teacher	2			X		Laurel Elem
1999-00	HOLGUIN	JENNIFER	Temp/Prob	9/1/1999	Teacher	5			X		Laurel Elem
1999-00	COX	ERICA	Temp/Prob	9/2/1998	Teacher	2nd			X		Laurel Elem
1999-00	ONG	CARIN	Temp/Prob	9/2/1998	Teacher	3rd			X		Laurel Elem
1999-00	BEST	KENTON	Temp/Prob	9/2/1998	Teacher	5th			X		Laurel Elem
1999-00	CLARK	CAMERON		9/1/1999	Teacher	Kinder			X		Oceanside High
1999-00	AMIDON	C	T	2/5/1999	Teacher	MS Math			X		Clair W. Burgener Academy
1999-00	ROGERS	SCOTT	T	9/1/1999	Teacher	Elem			X		Del Rio Elem
1999-00	NEWVILLE (Short)	TAMARA	Temp/Prob	9/2/1998	Teacher	1st			X		Reynolds Elem
1999-00	COHEN II	NELSON	Temp/Prob	9/2/1998	Teacher	Elem			X		Reynolds Elem
1999-00	ESCOBAR	MARIA	Temp/Prob	9/2/1998	Teacher	3			X		San Luis Rey Elem
1999-00	SALMON	BLAIR	Temp/Prob	1/27/1999	Teacher	1st			X		San Luis Rey Elem
1999-00	SANCHEZ	SALVADOR	Temp/Prob	9/2/1998	Teacher	1st			X		San Luis Rey Elem
1999-00	CORNISH	SUZANNE	Temp/Prob	9/2/1998	Teacher	4th			X		San Luis Rey Elem
1999-00	JOHNSON	HEIDI	Temp/Prob	9/2/1998	Teacher - LH SDC	SDC			X		San Luis Rey Elem
1999-00	MCCARTHY	ANNETTE	Temp/Prob	9/2/1998	Teacher	2			X		San Luis Rey Elem
1999-00	FURQUERON	SHERRI	Temp/Prob	9/18/1998	Teacher	8th History			X		Lincoln Middle
1999-00	GROGAN	PATRICIA	Temp/Prob	4/17/2000	Teacher	MS			X		Lincoln Middle
1999-00	LAVELLE	SHELLEY	T	9/28/1998	Teacher	MS			X		Lincoln Middle
1999-00	FENNELL	DENISE	Temp/Prob	1/31/2000	Resource Specialist	MS SpEd			X		Lincoln Middle
1999-00	MATTHEWS	CHERYL	Temp/Prob	2/28/2000	Resource Specialist	MIDDLE			X		Lincoln Middle
1999-00	ANDERSON	WARREN	T	9/1/1999	Teacher	HS SS			X		Ocean Shores High
1999-00	COULTHARD	KAREN	Temp/Prob	9/1/1999	Teacher	HS Art			X		Ocean Shores High
1999-00	JOOLINGEN	JEANNE	Temp/Prob	9/2/1998	Teacher	2			X		Del Rio Elem
1999-00	JOOLINGEN	WILLIAM	Temp/Prob	9/1/1999	Teacher	5			X		Del Rio Elem
1999-00	ORTEGA	RENE	Temp/Prob	9/2/1998	Teacher	1st			X		Del Rio Elem
1999-00	THIELEN	KARYN	Temp/Prob	9/2/1999	Teacher	2nd			X		Del Rio Elem
1999-00	CAPABIANCO	JENNIFER	Temp/Prob	9/1/1999	Resource Specialist	3rd			X		Del Rio Elem
1999-00	FLYNN	LINDA	Temp/Prob	9/1/1999	Teacher	3rd			X		Del Rio Elem
1999-00	CHU-KRAMER	MAGGIE	Temp/Prob	9/1/1999	Teacher	4th			X		Del Rio Elem
1999-00	CHAMBERS	ANNIE		9/2/1999		K/1st			X		Del Rio Elem
1999-00	Hajek-Schalge	ELLEN	Temp/Prob	10/26/1998	Teacher	K-I			X		Del Rio Elem
1999-00	QUARRIE	M	Temp/Prob	9/1/1999	Teacher	1st			X		Pacifica Elem
1999-00	VAN DIEPEN	LEA	Temp/Prob	9/3/1999	Teacher	2nd			X		Pacifica Elem
1999-00	AMBROGIO	KRISTY	Temp/Prob	9/1/1999	Teacher	2nd			X		Del Rio Elem

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1999-00	AFZALI	FARNAK	Temp/Prob	9/1/1999	Teacher	Kinder			X		Pacifica Elem
1999-00	GUAYANTE	GREGORY	Temp/Prob	9/1/1999	Teacher	HS			X		El Camino High
1999-00	MCKINLEY	JENIFER	Temp/Prob	9/1/1999	Teacher	HS			X		El Camino High
1999-00	MEZA	CHRISTINE	Temp/Prob	9/2/1998	Teacher	HS			X		El Camino High
1999-00	DeSanto (Swanberg)(Smith)	Christina	Temp/Prob	11/23/1998	Teacher	6th			X		King Middle
1999-00	POWELL	KIMBERLEE	Temp/Prob	9/1/1999	Teacher	6th			X		King Middle
1999-00	JENSEN	JENNIFER	Temp/Prob	9/28/1998	Teacher	7 & 8 SCIENCE			X		King Middle
1999-00	CUSH	ARRON	Temp/Prob	9/8/1998	Teacher	MS			X		King Middle
1999-00	ANDERSON	THITHI	Temp/Prob	9/1/1999	Teacher	MS Math			X		King Middle
1999-00	WAGGETT, JR	DONALD	Temp/Prob	9/1/1999	Teacher	MS Math			X		King Middle
1999-00	CORDOVA	BERLINDA		9/1/1999	Teacher	1st			X		Mission Elem
1999-00	BOYSTER (Watson)	LISA	Temp/Prob	9/1/1999	Teacher	2nd			X		Mission Elem
1999-00	GOMMEL	WALTER	Temp/Prob	9/2/1998	Teacher	3rd/4th			X		Mission Elem
1999-00	FARAH	LINDA	Temp/Prob	9/28/1998	Teacher	5th/6th			X		Mission Elem
1999-00	CLARK	SUSAN	Temp/Prob	9/2/1998	Teacher	Elem			X		Mission Elem
1999-00	WEAVER (CONNOR)	CATHERINE	Temp/Prob	10/2/1998	Resource Specialist	Elem SpEd			X		Mission Elem
1999-00	ALVARADO	MARIA	Temp/Prob	9/2/1998	Teacher	K			X		Mission Elem
1999-00	KELLY	PATRICIA	Temp/Prob	9/2/1998	Teacher	6			X		San Rafael Elem
1999-00	OBER (Piazza)	ANGELA	Temp/Prob	9/1/1999	Teacher - SH	Elem SpEd			X		San Rafael Elem
1999-00	MOCNY	KELLI	Temp/Prob	9/1/1999	Teacher	3			X		Ditmar Elem
1999-00	MAGANA	ROSEMARY	T	10/22/1999	Teacher	K			X		Ditmar Elem
1999-00	OLSEN	JEFFREY	P	9/1/1999	Teacher	HS			X		El Camino High
2000-01	FRANSEN	ERIC	Temp/Prob	8/25/2000	Teacher	MS Math			X		King Middle
2000-01	NUANEZ	JOSEPH	T	8/28/2000	Teacher	HS			X		Oceanside High
2000-01	PALMER	DALE	T	8/25/2000	Teacher - APE	various			X		Pupil Services
2000-01	Burton (BUTTERIS)	JULIA	Temp/Prob	10/25/2000	Teacher	MS Math			X		Libby Elem
2000-01	HOGUE	LORRAH	Temp/Prob	9/1/1999	Teacher	Elem			X		Stuart Mesa Elem
2000-01	HUMPHRIES	RHONDA	Temp/Prob	8/25/2000	Teacher	Elem			X		Stuart Mesa Elem
2000-01	MESSERSCHMITT	DIANE	Temp/Prob	9/3/1999	Teacher	Elem			X		Stuart Mesa Elem
2000-01	WIELAND	PATRICIA	Temp/Prob	8/25/2000	Teacher	Elem			X		Stuart Mesa Elem
2000-01	CLARK	JULIANNE	Temp/Prob	8/25/2000	Teacher	HS Math			X		Stuart Mesa Elem
2000-01	FAIRCLOTH	ANGELA	Temp/Prob	8/25/2000	Teacher	K			X		Stuart Mesa Elem
2000-01	MCCONCHIE	BRIAR	Temp/Prob	8/25/2000	Teacher	2			X		North Terrace Elem
2000-01	ROWAN II	MICHAEL	Temp/Prob	9/1/1999	Teacher	K/1st			X		North Terrace Elem
2000-01	GRIFFIN	LAURA	Temp/Prob	9/1/1999	Teacher - LH SDC	Elem SpEd			X		McAuliffe Elem
2000-01	SHAW	HOLLY	T	9/14/2000	Teacher	Kinder			X		McAuliffe Elem
2000-01	Elliott (Sommerville)	MILANI	P	9/1/1999	Teacher	1			X		Pacifica Elem
2000-01	Morgan	Kathleen	Temp/Prob	8/25/2000	Teacher	1			X		Pacifica Elem
2000-01	MCNAUGHTON	PAULA	Temp/Prob	8/25/2000	Teacher	5			X		Pacifica Elem
2000-01	CHRISTOPHER	MARY	Temp/Prob	8/25/2000	Teacher	1st			X		Pacifica Elem
2000-01	QUARRIE	M	Temp/Prob	9/1/1999	Teacher	1st			X		Pacifica Elem
2000-01	ANDERSEN	TROY	Temp/Prob	8/25/2000	Teacher	2nd			X		Pacifica Elem
2000-01	PHILLIPS (Stenerodden)	STACY	Temp/Prob	8/30/2000	Teacher	2nd			X		Pacifica Elem
2000-01	VAN DIEPEN	LEA	Temp/Prob	9/3/1999	Teacher	2nd			X		Pacifica Elem
2000-01	STONE	JONATHAN	Temp/Prob	1/8/2001	Teacher	2nd/3rd			X		Pacifica Elem

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2000-01	ANDREWS	JENNIFER	Temp/Prob	8/25/2000	Teacher	4th			X		Pacifica Elem
2000-01	PHILLIPS	MICHAEL	Temp/Prob	1/2/2001	Teacher	5th			X		Pacifica Elem
2000-01	Sifuentes	Therese	Tenured	8/25/2000	Teacher	5th/6th			X		Pacifica Elem
2000-01	WEBB (Strom-Zigler)	MARK	T	9/28/2000	Teacher	6th			X		Pacifica Elem
2000-01	AFZALI	FARANAK	Temp/Prob	9/1/1999	Teacher	Kinder			X		Pacifica Elem
2000-01	MARTINELLI	NANCY	Temp/Prob	10/12/2000	Teacher	4			X		San Rafael Elem
2000-01	OBER (Piazza)	ANGELA	Temp/Prob	9/1/1999	Teacher - SH	Elem SpEd			X		San Rafael Elem
2000-01	DANIELS	BLAIR	Temp/Prob	8/25/2000	Teacher	MS			X		Jefferson Middle
2000-01	DOOSE	DANIEL	Temp/Prob	8/25/2000	Teacher	MS			X		Jefferson Middle
2000-01	KUCHINSKY	VICKIE	Temp/Prob	8/25/2000	Teacher	MS			X		Jefferson Middle
2000-01	PEDERSON	SHAWN	Temp/Prob	8/25/2000	Teacher	MS Lang Arts			X		Jefferson Middle
2000-01	BUNRASI	JOHN	Temp/Prob	8/23/1999	Teacher	MS Math			X		Jefferson Middle
2000-01	ROMERO	DAWN	Temp/Prob	8/25/2000	Teacher	MS PE			X		Jefferson Middle
2000-01	YAZEL	DENNIS	Temp/Prob	8/29/2000	Teacher	MS Science			X		Jefferson Middle
2000-01	BRIGGS (Janisch)	CHRISTINE	Temp/Prob	8/25/2000	Teacher	3rd			X		San Rafael Elem
2000-01	DREISBACH	JUDE	Temp/Prob	2/5/2001	Teacher - LH SDC	HS			X		El Camino High
2000-01	DEVRIES	HILARY	Temp/Prob	9/1/1999	Teacher	3rd			X		
2000-01	QUINLAN	ESTELLE	Temp/Prob	8/25/2000	Teacher - LH SDC	Elem SpEd			X		Garrison Elem
2000-01	MULLER	RANDOLPH	Temp/Prob	8/25/2000	Teacher - LH SDC	ELM/SDC			X		Garrison Elem
2000-01	MARCON	RACHELLE	Temp/Prob	3/29/1999	Teacher	K			X		Garrison Elem
2000-01	ZAVODNY	NICOLE	Temp/Prob	8/25/2000	Teacher SE (ECE)	Pre-K			X		Garrison Elem
2000-01	JOHNSON	CYNTHIA	T	8/25/2000	Teacher	LA/H			X		King Middle
2000-01	HO	CHIA (ROBERT)		9/2/1998	Teacher	MS			X		King Middle
2000-01	WAGGETT, JR	DONALD	Temp/Prob	9/1/1999	Teacher	MS Math			X		King Middle
2000-01	SWARTZ	CATHI	Temp/Prob	8/28/2000	Teacher	MS SpEd			X		King Middle
2000-01	MARBLE	ZSANNA	T	8/25/2000	Teacher	K			X		Ivey Ranch Elem
2000-01	LOPEZ	JULIO	Temp/Prob	8/25/2000	Teacher	2			X		Libby Elem
2000-01	Mena (Wiedle)	AMY	Temp/Prob	8/25/2000	Teacher	2			X		Libby Elem
2000-01	KELLERMAN	APRIL	Temp/Prob	9/1/1999	Teacher	3			X		Libby Elem
2000-01	MIRELES	EDUARDO	Temp/Prob	8/25/2000	Teacher	4			X		Libby Elem
2000-01	MOORE	LORI	Temp/Prob	8/25/2000	Teacher	5			X		Libby Elem
2000-01	STRATHMAN	SHARON	Temp/Prob	8/25/2000	Teacher	1st			X		Libby Elem
2000-01	BERNARD	LENORE	Tenured	8/25/2000	Teacher	4th/5th			X		Libby Elem
2000-01	Obrite (Kaminski)	Lynn	Temp/Prob	10/11/1999	Teacher	5th			X		Libby Elem
2000-01	MOSSA-MARIANI	VICTORIA	Temp/Prob	10/5/2000	Teacher	5th/6th			X		Libby Elem
2000-01	FURQUERON	JEFFREY	Temp/Prob	9/1/1999	Teacher	6th			X		Libby Elem
2000-01	NICHOLS	FRANK	Temp/Prob	1/23/2000	Teacher - LH SDC	Elem SpEd			X		Libby Elem
2000-01	REED	JULIE	Temp/Prob	8/25/2000	Teacher - LH SDC	Elem SpEd			X		Libby Elem
2000-01	CANTRALL	ELIZABETH	Temp/Prob	8/25/2000	Teacher	HS Eng			X		Libby Elem
2000-01	HOWARD	KEITH	Temp/Prob	8/25/2000	Teacher	K-6			X		Libby Elem
2000-01	COVARRUBIAS-KELLY	ANNA	Temp/Prob	8/25/2000	Teacher	Kinder			X		Libby Elem
2000-01	DOYLE (Dinh)	BECKY	Temp/Prob	9/1/1999	Teacher	Kinder			X		Libby Elem
2000-01	TRAUGH	STEVEN	Temp/Prob	9/1/1999	Teacher	Music			X		Libby Elem
2000-01	MCANEAR	DEANNA	Temp/Prob	8/25/2000	Teacher - LH SDC	HS			X		El Camino High
2000-01	YENDES	DAVID	Temp/Prob	1/31/2000	Teacher	HS			X		El Camino High

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2000-01	CARLENO	DAVID	T	2/1/1999	Teacher	HS Eng			X		El Camino High
2000-01	EASTERBROOK	Kathryn	Temp/Prob	9/1/1999	Teacher	HS Eng			X		El Camino High
2000-01	Esteban	Christine	Temp/Prob	1/31/2000	Teacher	HS Eng			X		El Camino High
2000-01	Sleiman-Stearman	Zein	Tenured	9/1/2000	Teacher	HS Eng			X		El Camino High
2000-01	GREENE	MICHELE	Temp/Prob	8/25/2000	Resource Specialist	HS SpEd			X		El Camino High
2000-01	THOMPSON	DAVID	T	9/1/1999	Teacher - LH SDC	HS SpEd			X		El Camino High
2000-01	VANHOOSER	MALINDA	T	9/1/1999	Resource Specialist	HS SpEd			X		El Camino High
2000-01	HINDERLITER	JAMES	Temp/Prob	9/1/1999	Teacher - LH SDC	SDC			X		Jefferson Middle
2000-01	CHAMBERS	RACHEL	Temp/Prob	8/25/2000	Teacher	3rd			X		Jefferson Middle
2000-01	RILEY	JACQUELINE	Temp/Prob	8/25/2000	Teacher	MS Lang Arts			X		Jefferson Middle
2000-01	HUTCHISON	TIMOTHY	Temp/Prob	8/25/2000	Teacher	MATH			X		Jefferson Middle
2000-01	Vico (RUBEN)	IRENE	Temp/Prob	2/8/1999	Teacher	MS Lang Arts			X		Jefferson Middle
2000-01	WEICKGENANT	MARY	Temp/Prob	8/25/2000	Teacher	MS Lang Arts			X		Jefferson Middle
2000-01	LEAVERTON	SHERI	P	8/25/2000	Teacher	RSP			X		Jefferson Middle
2000-01	SCHWARTZ	JONATHAN	Temp/Prob	8/25/2000	Teacher	1st			X		Santa Margarita Elem
2000-01	SAUNDERS, JR	R	Temp/Prob	8/25/2000	Teacher	4th/5th			X		Santa Margarita Elem
2000-01	KOENIGS, JR	JOSEPH	Temp/Prob	8/25/2000	Teacher	Elem			X		Santa Margarita Elem
2000-01	MCRAY	MONIKA	Temp/Prob	8/28/2000	Teacher	Elem			X		Santa Margarita Elem
2000-01	WILKINS	DONNA	Temp/Prob	8/25/2000	Teacher	Elem			X		Santa Margarita Elem
2000-01	WILLIAMS	CHERYL	Temp/Prob	1/18/2000	Teacher - SH	Elem			X		Santa Margarita Elem
2000-01	ARSENAULT	JACQUELYN	T	9/4/1998	Teacher	MS			X		Santa Margarita Elem
2000-01	FALK	TODD		9/2/1998	Teacher - APE	various			X		Pupil Services
2000-01	Berman (GREY)	EMILY	T	9/2/1999	Resource Specialist	Elem SpEd			X		Ivey Ranch Elem
2000-01	MACKENZIE	SUZANNE	T	9/18/2000	Teacher	1			X		Ivey Ranch Elem
2000-01	KROEPEL	HEATHER	Temp/Prob	8/25/2000	Teacher	2			X		Ivey Ranch Elem
2000-01	LEE	SABRINA	Temp/Prob	8/25/2000	Teacher	3			X		Ivey Ranch Elem
2000-01	ROBINSON	KELLY	Temp/Prob	9/2/1999	Teacher	1st			X		Ivey Ranch Elem
2000-01	Rockdale (SCOTT)	KRISTY	Temp/Prob	8/25/2000	Teacher	1st			X		Ivey Ranch Elem
2000-01	HAMME	KELLY	Temp/Prob	9/1/1999	Teacher	K			X		Ivey Ranch Elem
2000-01	VOGEL	JEFFREY	T	8/9/2000	Teacher	various			X		Clair W. Burgener Academy
2000-01	CARRILLO (ABEL)	LINDA	T	8/25/2000	Teacher	4th			X		Ivey Ranch Elem
2000-01	HOLGUIN	JENNIFER	Temp/Prob	9/1/1999	Teacher	2			X		Laurel Elem
2000-01	Maddox (BIGGS)	HEATHER	Temp/Prob	9/1/1999	Teacher	2			X		Laurel Elem
2000-01	MICHAEL	NICOLE	Temp/Prob	9/18/2000	Teacher	4			X		Laurel Elem
2000-01	CAMPBELL	PIKAKE	Temp/Prob	8/25/2000	Teacher - LH SDC	1st			X		Oceanside High
2000-01	Stone (Van der Molen)	MELANIE	Temp/Prob	2/4/2001	Teacher	1st			X		Laurel Elem
2000-01	RAMOS (Figaro)	ANNA	Temp/Prob	8/25/2000	Teacher	2nd			X		Laurel Elem
2000-01	Bell (Bahr)	Amanda	Temp/Prob	8/25/2000	Teacher	3rd			X		Laurel Elem
2000-01	Best (Cross)	Lisa	Temp/Prob	12/4/2000	Teacher	6th			X		Ivey Ranch Elem
2000-01	DOUGLAS	ERIK	P	8/25/2000	Teacher	MS			X		Oceanside High
2000-01	AMBROGIO	KRISTY	Temp/Prob	9/1/1999	Teacher	2nd			X		Del Rio Elem
2000-01	CHAMBERS	ANNIE		9/1/1999		3rd			X		Del Rio Elem
2000-01	FRUIN (Nitti)	JOHANNA	Temp/Prob	8/25/2000	Teacher	Elem			X		Del Rio Elem
2000-01	CAPABIANCO	JENNIFER	Temp/Prob	9/1/1999	Resource Specialist	Elem SpEd			X		Del Rio Elem
2000-01	CHU-KRAMER	MAGGIE	Temp/Prob	9/1/1999	Teacher	Kinder			X		Del Rio Elem

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2000-01	HARRIS	HOLLY	Temp/Prob	1/25/2001	Teacher	K - 3			X		Del Rio Elem
2000-01	MCCarthy (DEDGE)	ERIN	Temp/Prob	8/25/2000	Teacher	3			X		Reynolds Elem
2000-01	HAMBY	BRADLY	Temp/Prob	8/25/2000	Teacher	5			X		Reynolds Elem
2000-01	Bouret (METCALF)	TARA	Temp/Prob	8/25/2000	Teacher	Elem			X		Reynolds Elem
2000-01	MEZA-MAGALLANES	LYDIA	Temp/Prob	8/25/2000	Teacher	Elem			X		Reynolds Elem
2000-01	FLANAGAN	TERESA		8/25/2000	Teacher	Kinder			X		Reynolds Elem
2000-01	Henchy (Colony)	BRIDGET	Temp/Prob	8/25/2000	Teacher	Elem SEI			X		Del Rio Elem
2000-01	TURNER	JOHNNY	Temp/Prob	8/25/2000	Teacher	1st			X		Reynolds Elem
2000-01	FORD	COREY	Temp/Prob	9/27/2000	Teacher	2nd			X		McAuliffe Elem
2000-01	CARLSON	CATHERINE	Temp/Prob	8/25/2000	Teacher	Elem SpEd			X		McAuliffe Elem
2000-01	WAGNER	DAVID	T	9/1/1999	Teacher	HS SS			X		Oceanside High
2000-01	Fraser (Mitchell)	ERIN	Temp/Prob	8/25/2000	Teacher	HS Math			X		Oceanside High
2000-01	LANGAN-GRAVLIN	VICKI	P	8/25/2000	Teacher	3			X		San Luis Rey Elem
2000-01	ADAMS	JENNIFER	T	9/2/1998	Teacher	1st			X		San Luis Rey Elem
2000-01	NGUYEN	CONG-DUNG	Temp/Prob	8/25/2000	Teacher	1st			X		San Luis Rey Elem
2000-01	SALMON	BLAIR	T	1/27/1999	Teacher	1st			X		San Luis Rey Elem
2000-01	BOLES MUROYA	LISA	Temp/Prob	8/25/2000	Teacher	2nd			X		San Luis Rey Elem
2000-01	NAYLOR	JAMI	Temp/Prob	8/25/2000	Teacher	3rd			X		San Luis Rey Elem
2000-01	Stanford (Clark)	JANNA	Temp/Prob	8/25/2000	Teacher	3rd			X		San Luis Rey Elem
2000-01	STRUVE (Drane)	MARY	Temp/Prob	8/25/2000	Teacher	4th			X		San Luis Rey Elem
2000-01	FAIRCHILD	NICOLE		10/22/1999	Teacher	K			X		San Luis Rey Elem
2000-01	MCCARTHY	ANNETTE	T	9/2/1998	Teacher	2			X		San Luis Rey Elem
2000-01	MILLER, JR	JAY	Temp/Prob	9/11/2000	Teacher	5			X		San Luis Rey Elem
2000-01	HAMAND	MICHELLE	Temp/Prob	9/19/2000	Teacher	K			X		San Luis Rey Elem
2000-01	HO	FRANCINE	Temp/Prob	9/25/2000	Teacher	7			X		Lincoln Middle
2000-01	ZIMNY	H	Temp/Prob	8/25/2000	Teacher	6th Core			X		Lincoln Middle
2000-01	GEIERMAN	ANN	Temp/Prob	8/25/2000	Teacher	MS			X		Lincoln Middle
2000-01	GROGAN	PATRICIA	Temp/Prob	4/17/2000	Teacher	MS			X		Lincoln Middle
2000-01	Stein (PODOLSKY)	JESSICA	T	8/28/2000	Teacher	MS Math			X		Lincoln Middle
2000-01	GRAY	CHRISTOPHER	Temp/Prob	8/25/2000	Teacher	MS Math/Sci			X		Lincoln Middle
2000-01	FENNELL	DENISE	Temp/Prob	1/31/2000	Resource Specialist	MS SpEd			X		Lincoln Middle
2000-01	MATTHEWS	CHERYL	Temp/Prob	2/28/2000	Resource Specialist	MIDDLE			X		Lincoln Middle
2000-01	HAAS	MARY	Temp/Prob	1/3/2000	Teacher	HS			X		Ocean Shores High
2000-01	COULTHARD	KAREN	Temp/Prob	9/1/1999	Teacher	HS Art			X		Ocean Shores High
2000-01	COLE	VERNAL	Temp/Prob	8/25/2000	Teacher	HS Math			X		Ocean Shores High
2000-01	HINDMAN	RENEE	Temp/Prob	8/25/2000	Teacher	3			X		Del Rio Elem
2000-01	JOOLINGEN	WILLIAM	Temp/Prob	9/1/1999	Teacher	5			X		Del Rio Elem
2000-01	KASSIS-DIKIY	STEPHANI	Temp/Prob	8/25/2000	Teacher	5			X		Del Rio Elem
2000-01	CLARK	KRISTI	Temp/Prob	8/25/2000	Teacher	3rd			X		Del Rio Elem
2000-01	THIELEN	KARYN	Temp/Prob	9/2/1999	Teacher	3rd			X		Del Rio Elem
2000-01	WERTS	SHEREEN	Temp/Prob	8/25/2000	Teacher	3rd			X		Del Rio Elem
2000-01	SAAVEDRA	MARLENA	Temp/Prob	8/25/2000	Teacher	Elem			X		Del Rio Elem
2000-01	SOTO	JOSE	T	2/1/1999	Resource Specialist	Elem SpEd			X		Del Rio Elem
2000-01	FLYNN	LINDA	Temp/Prob	9/1/1999	Teacher	Literacy Coach			X		Del Rio Elem
2000-01	AHLES	MANNY	Temp/Prob	8/25/2000	Teacher	6th			X		Lincoln Middle

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2000-01	ALLEN	DEANN	Temp/Prob	8/25/2000	Teacher	Sci, Eng, SS			X		Lincoln Middle
2000-01	CARTER	JOHNNY	Temp/Prob	8/25/2000	Teacher	3rd			X		El Camino High
2000-01	MAYTORENA	BRIAN	Temp	9/26/2000	Teacher	HS			X		El Camino High
2000-01	MCKINLEY	JENIFER	Temp/Prob	9/1/1999	Teacher	HS			X		El Camino High
2000-01	MEZA	CHRISTINE	T	9/2/1998	Teacher	HS			X		El Camino High
2000-01	Roberts	Jacqueline	Tenure ROP GF	8/28/2000	ROP Teacher	HS			X		El Camino High
2000-01	COYLE	CHRISTOPHER	Temp/Prob	8/25/2000	Teacher	HS			X		El Camino High
2000-01	DeSanto (Swanberg)(Smith)	Christina		11/23/1998	Teacher	6th			X		King Middle
2000-01	POWELL	KIMBERLEE	Temp/Prob	9/1/1999	Teacher	6th			X		King Middle
2000-01	DOUGHERTY	SHANNON	Temp/Prob	8/25/2000	Teacher	MS			X		King Middle
2000-01	COHEN	PATRICIA	Temp/Prob	9/1/1999	Teacher	MS 7th Core			X		King Middle
2000-01	ANDERSON	THITHI	Temp/Prob	9/1/1999	Teacher	MS Math			X		King Middle
2000-01	DUNNING	FARZIN	P	9/1/1999	Teacher	MS Math			X		King Middle
2000-01	BILLING	SUSAN	Temp/Prob	8/25/2000	Resource Specialist	MS SpEd			X		King Middle
2000-01	COUILLARD	DEBORAH	Temp/Prob	9/12/2000	Teacher - LH SDC	MS SpEd			X		King Middle
2000-01	LUTHER	JULIE	Temp/Prob	8/25/2000	Teacher	1			X		Mission Elem
2000-01	MARQUARDT	MARTHA	Temp/Prob	8/25/2000	Teacher	1			X		Mission Elem
2000-01	MCGUIRE	PATRICIA	Temp/Prob	8/25/2000	Teacher	3			X		Mission Elem
2000-01	BOYSTER (Watson)	LISA	Temp/Prob	9/1/1999	Teacher	2nd			X		Mission Elem
2000-01	SPENCER	DANA	Temp/Prob	8/25/2000	Teacher	2nd			X		Mission Elem
2000-01	DEAN	MARIA	Temp/Prob	8/25/2000	Teacher	5th			X		Mission Elem
2000-01	POKLETAR	ROBERT	Temp/Prob	8/25/2000	Teacher - LH SDC	Elem SpEd			X		Mission Elem
2000-01	GUAYANTE	GREGORY	Temp/Prob	9/1/1999	Teacher	HS			X		El Camino High
2000-01	MULQUEEN	LYNN	Temp/Prob	8/25/2000	Teacher	1			X		Palmquist Elem
2000-01	NIELAND	MICHAEL	Temp/Prob	1/24/2001	Teacher	1st			X		Palmquist Elem
2000-01	ALBRIGHT	KRISTIN	Temp/Prob	2/1/2000	Teacher	3rd			X		Palmquist Elem
2000-01	TRELEASE	RENEE	Temp/Prob	9/1/1999	Teacher	K/1st			X		Palmquist Elem
2000-01	CHILCOTE	TEKOA	Temp/Prob	10/13/2000	Teacher	MS Pre_Alg			X		Palmquist Elem
2000-01	FLEMING	CINDY	Temp/Prob	8/25/2000	Teacher	1st			X		South Oceanside Elem
2000-01	MURRAY	LISA	Temp/Prob	9/1/1999	Teacher	3rd			X		South Oceanside Elem
2000-01	HILLHOUSE-SHOKES	VALERIE	Temp/Prob	8/25/2000	Teacher	2			X		Ditmar Elem
2000-01	MOCNY	KELLI	Temp/Prob	9/1/1999	Teacher	3			X		Ditmar Elem
2000-01	FANALE	LORA	Temp/Prob	8/25/2000	Teacher	2nd			X		North Terrace Elem
2000-01	DRAGO	DEREK	Temp/Prob	1/31/2000	Teacher	HS			X		El Camino High
2000-01	HAYWAS	ASKOLD	T	2/1/1999	Teacher	HS			X		El Camino High
2000-01	PETERSEN	MATTHEW	Temp/Prob	2/2/2000	Teacher	HS SS			X		El Camino High
2000-01	GIBBA	TRACY	Temp/Prob	8/25/2000	Teacher	HS SpEd			X		El Camino High
2000-01	JARRARD	JEFFREY		9/1/1999	Teacher	HS			X		El Camino High
2001-02	DRAGO	DARREN	P	8/25/2000	Teacher	HS			X		Oceanside High
2001-02	BOKOR	DAYLE	Temp/Prob	3/9/2001	Teacher	1			X		Garrison Elem
2001-02	LOPEZ	JULIO	Temp/Prob	8/25/2000	Teacher	2			X		Libby Elem
2001-02	Mena (Wiedle)	AMY	Temp/Prob	8/25/2000	Teacher	2			X		Libby Elem
2001-02	MIRELES	EDUARDO	Temp/Prob	8/25/2000	Teacher	4			X		Libby Elem
2001-02	HERNANDEZ	NICOLE	Temp/Prob	8/21/2001	Teacher	5			X		North Terrace Elem
2001-02	MOORE	LORI	Temp/Prob	8/25/2000	Teacher	5			X		Libby Elem

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2001-02	MOSSA-MARIANI	VICTORIA	Temp/Prob	10/5/2000	Teacher	6			X		Libby Elem
2001-02	STRATHMAN	SHARON	Temp/Prob	8/25/2000	Teacher	1st			X		Libby Elem
2001-02	Burton (BUTTERIS)	JULIA	Temp/Prob	10/25/2000	Teacher	4th			X		Libby Elem
2001-02	CANTRALL	ELIZABETH	Temp/Prob	8/25/2000	Teacher	4th			X		Libby Elem
2001-02	FARRELL (GONZALES)	LISA		10/19/2000	Teacher	4th			X		Libby Elem
2001-02	BRIGGS	JAMES	T	9/2/1998	Teacher	6th			X		Libby Elem
2001-02	NICHOLS	FRANK	Temp/Prob	1/22/2000	Teacher - LH SDC	Elem SpEd			X		Libby Elem
2001-02	REED	JULIE	Temp/Prob	8/25/2000	Teacher - LH SDC	Elem SpEd			X		Libby Elem
2001-02	COVARRUBIAS-KELLY	ANNA	Temp/Prob	8/25/2000	Teacher	Kinder			X		Libby Elem
2001-02	HOWARD	KEITH	Temp/Prob	8/25/2000	Teacher	PE			X		Libby Elem
2001-02	BLEHA (Thompson)	JENNIFER	Temp/Prob	8/21/2001	Teacher	6th			X		Lincoln Middle
2001-02	GRAY	CHRISTOPHER	Temp/Prob	8/25/2000	Teacher	MS			X		Lincoln Middle
2001-02	HAESLE	TRIENCE		8/21/2001	Teacher	MS			X		Lincoln Middle
2001-02	HO	FRANCINE	Temp/Prob	9/25/2000	Teacher	MS			X		Lincoln Middle
2001-02	Reed (Sherwood)	AMERET	Temp/Prob	8/21/2001	Teacher	MS			X		Lincoln Middle
2001-02	ROGERS	THOMAS	Temp/Prob	7/31/2001	Teacher	MS			X		Lincoln Middle
2001-02	RULE (Norris)	Denise	Tenured	8/21/2001	Teacher	MS			X		Lincoln Middle
2001-02	ZIVOTSKY	ANN	T	9/2/1998	Resource Teacher	MS			X		Lincoln Middle
2001-02	MCCONCHIE	BRIAR	Temp/Prob	8/25/2000	Teacher	2			X		North Terrace Elem
2001-02	COHEN	APRIL	Temp/Prob	9/28/2001	Teacher	3rd			X		North Terrace Elem
2001-02	Morgan	Kathleen	Temp/Prob	8/25/2000	Teacher	2			X		Pacifica Elem
2001-02	MCNAUGHTON	PAULA	Temp/Prob	8/25/2000	Teacher	5			X		Pacifica Elem
2001-02	CHRISTOPHER	MARY	Temp/Prob	8/25/2000	Teacher	1st			X		Pacifica Elem
2001-02	ANDERSEN	TROY	Temp/Prob	8/25/2000	Teacher	2nd			X		Pacifica Elem
2001-02	PHILLIPS (Stenerodden)	STACY	Temp/Prob	8/30/2000	Teacher	2nd			X		Pacifica Elem
2001-02	STONE	JONATHAN	Temp/Prob	1/8/2001	Teacher	3rd			X		Pacifica Elem
2001-02	ANDREWS	JENNIFER	Temp/Prob	8/25/2000	Teacher	4th			X		Pacifica Elem
2001-02	PHILLIPS	MICHAEL	Temp/Prob	1/2/2001	Teacher	5th			X		Pacifica Elem
2001-02	WEBB (Strom-Zigler)	DARCY	Temp/Prob	8/21/2001	Teacher	5th			X		Pacifica Elem
2001-02	MCGRAW	WENDY	T	8/25/2000	Teacher	K			X		Pacifica Elem
2001-02	RICHARDS	PATRICIA	Temp/Prob	9/13/2001	Teacher	Kinder			X		Pacifica Elem
2001-02	Broyles	Christian	Temp	9/12/2001	Teacher	MS SpEd			X		Pacifica Elem
2001-02	MARTINELLI	NANCY	Temp/Prob	10/12/2000	Teacher	5			X		San Rafael Elem
2001-02	CROUTHAMEL	KELLY		8/21/2001	Teacher	2nd			X		San Rafael Elem
2001-02	GIBBENS	ALISON	Temp/Prob	9/18/2001	Teacher	HS SS			X	X	San Rafael Elem
2001-02	KENT	MARY	T	10/3/2001	Teacher - LH SDC	SDC			X		San Rafael Elem
2001-02	ROMERO	DAWN	Temp/Prob	8/25/2000	Teacher	MS PE			X		Jefferson Middle
2001-02	SLASOR	JANELLE	T	9/2/1998	Resource Specialist	MS SpEd			X		Jefferson Middle
2001-02	HEMMEN	ROSANNE	Temp/Prob	8/21/2001	Teacher - LH SDC	SDC			X		Jefferson Middle
2001-02	SHIRLEY	COLLEEN	Temp/Prob	8/21/2001	Teacher	6th			X		King Middle
2001-02	CUSH	ARRON		9/8/1998	Teacher	MS			X		King Middle
2001-02	EVANS	TEANNA	Temp/Prob	8/21/2001	Teacher	MS			X		King Middle
2001-02	SKINNER	BEVERLY	Temp/Prob	8/21/2001	Teacher	MS			X		King Middle
2001-02	BILLING	SUSAN	Temp/Prob	8/25/2000	Resource Specialist	MS SpEd			X		King Middle
2001-02	BRIGGS (Janisch)	CHRISTINE	Temp/Prob	8/25/2000	Teacher	3rd			X		San Rafael Elem

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2001-02	REESE	MARA	Temp/Prob	8/21/2001	Teacher	6th			X		Jefferson Middle
2001-02	FLORIO	MICHAEL	Temp/Prob	8/21/2001	Teacher	5th			X		Garrison Elem
2001-02	QUINLAN	ESTELLE	Temp/Prob	8/25/2000	Teacher - LH SDC	Elem SpEd			X		Garrison Elem
2001-02	MULLER	RANDOLPH	Temp/Prob	8/25/2000	Teacher - LH SDC	ELM/SDC			X		Garrison Elem
2001-02	ZAVODNY	NICOLE	Temp/Prob	8/25/2000	Teacher SE (ECE)	Pre-K			X		Garrison Elem
2001-02	PEDERSON	SHAWN	Temp/Prob	8/25/2000	Teacher	7th			X		Jefferson Middle
2001-02	CHAMBERS	RACHEL	Temp/Prob	8/25/2000	Teacher	MS Math/Sci			X		Jefferson Middle
2001-02	RILEY	JACQUELINE	Temp/Prob	8/25/2000	Teacher	6th			X		Jefferson Middle
2001-02	SIMMONS	DOUGLAS	T	8/25/2000	Teacher	7th			X		Jefferson Middle
2001-02	WEICKGENANT	MARY	Temp/Prob	8/25/2000	Teacher	MS Lang Arts			X		Jefferson Middle
2001-02	BARETTE	VALLERI	Temp/Prob	1/2/2001	Teacher	7th			X		King Middle
2001-02	JENSEN	JENNIFER		9/28/1998	Teacher	8 SCIENCE			X		King Middle
2001-02	MCKENNEY	SHELLEY	T	10/26/1998	Teacher	MIDDLE			X		King Middle
2001-02	MOORE	SCOTT	T	9/23/1998	Teacher	MIDDLE			X		King Middle
2001-02	DOUGHERTY	SHANNON	Temp/Prob	8/25/2000	Teacher	MS			X		King Middle
2001-02	WILLIAMS (Pittroff)	ELISA	Temp/Prob	8/21/2001	Teacher	MS Arts			X		King Middle
2001-02	GLENN	LEE	Temp/Prob	8/21/2001	Teacher	HS			X		Jefferson Middle
2001-02	HUTCHISON	TIMOTHY	Temp/Prob	8/25/2000	Teacher	MATH			X		Jefferson Middle
2001-02	MATELJAN	ERIK	Temp/Prob	8/21/2001	Teacher	MIDDLE			X		Jefferson Middle
2001-02	DANIELS	BLAIR	Temp/Prob	8/25/2000	Teacher	MS			X		Jefferson Middle
2001-02	DOOSE	DANIEL	Temp/Prob	8/25/2000	Teacher	MS			X		Jefferson Middle
2001-02	LEAVERTON	SHERI	T	8/25/2000	Teacher	MS			X		Jefferson Middle
2001-02	SMITH	MATTHEW	T	9/2/1998	Teacher	MS Lang Arts			X		Jefferson Middle
2001-02	YAZEL	DENNIS	Temp/Prob	8/29/2000	Teacher	MS Science			X		Jefferson Middle
2001-02	MOHR	NANCY	T	9/2/1998	Teacher	2nd			X		Santa Margarita Elem
2001-02	HUGHES	ERIN		9/2/1998	Teacher	Elem			X		Santa Margarita Elem
2001-02	KOENIGS, JR	JOSEPH	Temp/Prob	8/25/2000	Teacher	Elem			X		Santa Margarita Elem
2001-02	MCRAY	MONIKA	Temp/Prob	8/28/2000	Teacher	Elem			X		Santa Margarita Elem
2001-02	SCHWARTZ	JONATHAN	Temp/Prob	8/25/2000	Teacher	Elem			X		Santa Margarita Elem
2001-02	SCOTT	MARLENE	Temp/Prob	8/21/2001	Teacher	Elem			X		Santa Margarita Elem
2001-02	WILKINS	DONNA	Temp/Prob	8/25/2000	Teacher	Elem			X		Santa Margarita Elem
2001-02	WILLIAMS	CHERYL	Temp/Prob	1/18/2000	Teacher - SH	Elem			X		Santa Margarita Elem
2001-02	SAUNDERS, JR	R	Temp/Prob	8/25/2000	Teacher	Elem SpEd			X		Santa Margarita Elem
2001-02	COHEN	CHARLES	Temp/Prob	8/21/2001	Teacher	6th			X		El Camino High
2001-02	YENDES	DAVID	Temp/Prob	1/31/2000	Teacher	HS			X		El Camino High
2001-02	EASTERBROOK	Kathryn	Temp/Prob	9/1/1999	Teacher	HS Eng			X		El Camino High
2001-02	Esteban	Christine	Temp/Prob	1/31/2000	Teacher	HS Eng			X		El Camino High
2001-02	SHANAHAN (Young)	LAURA	Temp/Prob	8/21/2001	Teacher	HS Eng			X		El Camino High
2001-02	SHORTMAN	LESLEY	Temp/Prob	8/21/2001	Teacher	HS Eng			X		El Camino High
2001-02	TARGHETTA	CARRIE	T	8/21/2001	Teacher	HS Eng			X		El Camino High
2001-02	KROEPEL	HEATHER	Temp/Prob	8/25/2000	Teacher	2			X		Ivey Ranch Elem
2001-02	LEE	SABRINA	Temp/Prob	8/25/2000	Teacher	3			X		Ivey Ranch Elem
2001-02	NEWVILLE (Short)	TAMARA	T	9/2/1998	Teacher	1st			X		Ivey Ranch Elem
2001-02	Rockdale (SCOTT)	KRISTY	Temp/Prob	8/25/2000	Teacher	1st			X		Ivey Ranch Elem
2001-02	GEIERMAN	ANN	Temp/Prob	8/25/2000	Teacher	6th Core			X		Lincoln Middle

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2001-02	FURQUERON	SHERRI		9/18/1998	Teacher	8th History			X		Lincoln Middle
2001-02	AHLES	MANNY	Temp/Prob	8/25/2000	Teacher	MS			X		Lincoln Middle
2001-02	ALLEN	DEANN	Temp/Prob	8/25/2000	Teacher	MS			X		Lincoln Middle
2001-02	GROGAN	PATRICIA		4/17/2000	Teacher	MS			X		Lincoln Middle
2001-02	KELLY	PATRICIA	T	9/2/1998	Teacher	MS			X		Lincoln Middle
2001-02	LAVELLE	SHELLEY	T	9/28/1998	Teacher	MS			X		Lincoln Middle
2001-02	GONZALEZ DE ARAIZA	ISELA		1/4/1999	Teacher	MS ELD			X		Lincoln Middle
2001-02	ZIMNY	H	Temp/Prob	8/25/2000	Teacher	MS			X		Lincoln Middle
2001-02	HARTZ	JESSE	T	9/16/1998	Teacher	MS			X		Clair W. Burgener Academy
2001-02	AMIDON	C	T	2/3/1999	Teacher	MS Math			X		Clair W. Burgener Academy
2001-02	GRAY	ANN	Temp/Prob	8/18/1999	Teacher	various			X		Clair W. Burgener Academy
2001-02	MURRAY	DANIEL	Temp/Prob	8/8/2001	Teacher	various			X		Clair W. Burgener Academy
2001-02	VORIS	THOMAS	T	8/14/2000	Teacher	various			X		Clair W. Burgener Academy
2001-02	ZACK	KATHRYN	T	8/13/1998	Teacher	various			X		Clair W. Burgener Academy
2001-02	LOPEZ-MCCLELLAND	LISA	P	8/21/2001	Teacher	10, 11			X		Oceanside High
2001-02	WILLSEY	FRANK	T	8/21/2001	Teacher	HS			X		Oceanside High
2001-02	GOOD II	RICHARD		8/28/2000	Teacher	HS Science			X		Oceanside High
2001-02	KEARNEY	SHERI	Temp/Prob	8/21/2001	Teacher	4th/5th			X		Santa Margarita Elem
2001-02	HILL-COLLIS	TERESA		10/15/2001	Resource Specialist	HS			X		Oceanside High
2001-02	MCCULLOUGH-LEAKE	DANA	T	8/25/2000	Teacher	HS			X		Oceanside High
2001-02	ROCCOFORTE	SHERYL	Temp/Prob	8/21/2001	Teacher	HS			X		Oceanside High
2001-02	FRASER	SCOTT	Temp/Prob	1/28/2002	Teacher	HS Math			X		Oceanside High
2001-02	Fraser (Mitchell)	ERIN	Temp/Prob	8/25/2000	Teacher	HS Math			X		Oceanside High
2001-02	WAGNER	CLAUDIA	T	9/2/1998	Teacher	HS Math			X		Oceanside High
2001-02	BENSON-CLARK	KRISTI	T	9/1/1999	Teacher	HS PE			X		Oceanside High
2001-02	CAMPBELL	PIKAKE	Temp/Prob	8/25/2000	Teacher - LH SDC	HS SpEd			X		Oceanside High
2001-02	FRUIN (Nitti)	JOHANNA	Temp/Prob	8/25/2000	Teacher	Elem			X		Del Rio Elem
2001-02	Hajek-Schalge	ELLEN		10/26/1998	Teacher	1			X		Del Rio Elem
2001-02	JOOLINGEN	JEANNE	T	9/2/1998	Teacher	2			X		Del Rio Elem
2001-02	MCCarthy (DEDGE)	ERIN	Temp/Prob	8/25/2000	Teacher	3			X		Reynolds Elem
2001-02	CARRASCO	ARTURO	Temp/Prob	8/21/2001	Teacher	1st			X		Reynolds Elem
2001-02	GASPARO	JACLYN	Temp/Prob	8/21/2001	Teacher	2nd			X		Reynolds Elem
2001-02	DUDLEY	LISA	P	8/25/2000	Teacher	Elem			X		Reynolds Elem
2001-02	MEZA-MAGALLANES	LYDIA	Temp/Prob	8/25/2000	Teacher	Elem			X		Reynolds Elem
2001-02	MICHAEL	NICOLE	Temp/Prob	9/18/2000	Teacher	2			X		Laurel Elem
2001-02	Stone (Van der Molen)	MELANIE	Temp/Prob	2/5/2001	Teacher	1st			X		Laurel Elem
2001-02	ONG	CARIN	T	9/2/1998	Teacher	3rd			X		Laurel Elem
2001-02	STICKLES	MARTHA	Temp/Prob	8/21/2001	Teacher	4th			X		Laurel Elem
2001-02	MARANDA	COLETTE	Temp/Prob	8/21/2001	Teacher	K			X		Laurel Elem
2001-02	Henchy (Colony)	BRIDGET	Temp/Prob	8/25/2000	Teacher	1st			X		Del Rio Elem
2001-02	COX	ERICA		9/2/1998	Teacher	2nd			X		Laurel Elem
2001-02	Bell (Bahr)	Amanda	Temp/Prob	8/25/2000	Teacher	3rd			X		Laurel Elem
2001-02	BRINKMAN	JOSEPHINE	T	8/25/2000	Teacher	3rd			X		Laurel Elem
2001-02	BEST	KENTON	T	9/2/1998	Teacher	5th			X		Laurel Elem
2001-02	SWEENEY	MOYA	Temp/Prob	8/21/2001	Teacher	6th			X		Laurel Elem

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2001-02	Best (Cross)	Lisa	Temp/Prob	12/4/2000	Teacher	Elem			X		Ivey Ranch Elem
2001-02	BOYD	KIMBERLY	Temp/Prob	8/21/2001	Resource Specialist	Elem SpEd			X		Laurel Elem
2001-02	RAMOS (Figaro)	ANNA	Temp/Prob	8/25/2000	Teacher	2nd			X		Laurel Elem
2001-02	CARLSON	CATHERINE	Temp/Prob	8/25/2000	Teacher	1st			X		McAuliffe Elem
2001-02	FORD	COREY	Temp/Prob	9/27/2000	Teacher	2nd			X		McAuliffe Elem
2001-02	NEWSOM	CORINNE	T	10/1/1998	Teacher	3rd			X		McAuliffe Elem
2001-02	ESCOBAR	MARIA		9/2/1998	Teacher	3			X		San Luis Rey Elem
2001-02	LANGAN-GRAVLIN	VICKI	T	8/25/2000	Teacher	3			X		San Luis Rey Elem
2001-02	NGUYEN	CONG-DUNG	Temp/Prob	8/25/2000	Teacher	1st			X		San Luis Rey Elem
2001-02	SANCHEZ	SALVADOR	T	9/2/1998	Teacher	1st			X		San Luis Rey Elem
2001-02	BOLES MUROYA	LISA	Temp/Prob	8/25/2000	Teacher	2nd			X		San Luis Rey Elem
2001-02	NAYLOR	JAMI	Temp/Prob	8/25/2000	Teacher	3rd			X		San Luis Rey Elem
2001-02	Stanford (Clark)	JANNA	Temp/Prob	8/25/2000	Teacher	3rd			X		San Luis Rey Elem
2001-02	CORNISH	SUZANNE		9/2/1998	Teacher	4th			X		San Luis Rey Elem
2001-02	STRUVE (Drane)	MARY	Temp/Prob	8/25/2000	Teacher	4th			X		San Luis Rey Elem
2001-02	WILLIAMS	BARBARA	T	8/25/2000	Resource Specialist	Elem SpEd			X		San Luis Rey Elem
2001-02	JOHNSON	HEIDI		9/2/1998	Teacher - LH SDC	SDC			X		San Luis Rey Elem
2001-02	MILLER, JR	JAY	Temp/Prob	9/11/2000	Teacher	5			X		San Luis Rey Elem
2001-02	HAMAND	MICHELLE	Temp/Prob	9/19/2000	Teacher	K			X		San Luis Rey Elem
2001-02	FENNELL	DENISE		1/31/2000	Resource Specialist	MS SpEd			X		Lincoln Middle
2001-02	HAAS	MARY	Temp/Prob	1/3/2000	Teacher	HS			X		Ocean Shores High
2001-02	ANDERSON	WARREN	T	9/1/1999	Teacher	HS SS			X		Ocean Shores High
2001-02	COULTHARD	KAREN		9/1/1999	Teacher	HS Art			X		Ocean Shores High
2001-02	WEST	DARLENE	T	10/1/2001	Teacher	HS Eng			X		Ocean Shores High
2001-02	COLE	VERNAL	Temp/Prob	8/25/2000	Teacher	HS Math			X		Ocean Shores High
2001-02	HINDMAN	RENEE	Temp/Prob	8/25/2000	Teacher	3			X		Del Rio Elem
2001-02	KASSIS-DIKIY	STEPHANI	Temp/Prob	8/25/2000	Teacher	5			X		Del Rio Elem
2001-02	ORTEGA	RENE	T	9/2/1998	Teacher	1st			X		Del Rio Elem
2001-02	SAAVEDRA	MARLENA	Temp/Prob	8/25/2000	Teacher	2nd			X		Del Rio Elem
2001-02	WERTS	SHEREEN	Temp/Prob	8/25/2000	Teacher	3rd			X		Del Rio Elem
2001-02	CLARK	KRISTI	Temp/Prob	8/25/2000	Teacher	5th			X		Del Rio Elem
2001-02	Bouret (METCALF)	TARA	Temp/Prob	8/25/2000	Teacher	1			X		Reynolds Elem
2001-02	HAMBY	BRADLY	Temp/Prob	8/25/2000	Teacher	5			X		Reynolds Elem
2001-02	COHEN II	NELSON		9/2/1998	Teacher	3rd			X		Reynolds Elem
2001-02	TURNER	JOHNNY	Temp/Prob	8/25/2000	Teacher	5th			X		Reynolds Elem
2001-02	MAYTORENA	BRIAN	Temp/Prob	9/26/2000	Teacher	HS			X		El Camino High
2001-02	MCKINLEY	JENIFER	T	9/1/1999	Teacher	HS			X		El Camino High
2001-02	RUIZ	SOCORRO	Temp/Prob	8/21/2001	Teacher	HS			X		El Camino High
2001-02	WILLIAMS	ALLEN	Temp/Prob	8/31/2001	Teacher	HS			X		El Camino High
2001-02	COYLE	CHRISTOPHER	Temp/Prob	8/25/2000	Teacher	HS			X		El Camino High
2001-02	BAYHAM	BONNIE	Temp/Prob	8/21/2001	Teacher	HS Math			X		El Camino High
2001-02	GEE	JEREMEY	Temp/Prob	8/21/2001	Teacher	HS Math			X		El Camino High
2001-02	NANK	SEAN	Temp/Prob	8/21/2001	Teacher	HS Math			X		El Camino High
2001-02	RICHMAN	WILLIAM	T	8/21/2001	Teacher	HS Math			X		El Camino High
2001-02	CARTER	JOHNNY	Temp/Prob	8/25/2000	Teacher	HS Physics			X		El Camino High

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2001-02	SINCLAIR (Stevens-Allen)	SAMANTHA	T	8/13/1999	Teacher	MS			X		King Middle
2001-02	FRANSEN	ERIC	Temp/Prob	8/25/2000	Teacher	MS Math			X		King Middle
2001-02	COUILLARD	DEBORAH	Temp/Prob	9/12/2000	Teacher - LH SDC	MS SpEd			X		King Middle
2001-02	MARQUARDT	MARTHA	Temp/Prob	8/25/2000	Teacher	1			X		Mission Elem
2001-02	HARRIS	HOLLY	Temp/Prob	1/25/2001	Teacher	3			X		Mission Elem
2001-02	MCGUIRE	PATRICIA	Temp/Prob	8/25/2000	Teacher	3			X		Mission Elem
2001-02	MOHUN	BRANDI	Temp/Prob	8/21/2001	Teacher	5			X		Mission Elem
2001-02	SPENCER	DANA	Temp/Prob	8/25/2000	Teacher	2nd			X		Mission Elem
2001-02	GOMMEL	WALTER		9/2/1998	Teacher	4th			X		Mission Elem
2001-02	DEAN	MARIA	Temp/Prob	8/25/2000	Teacher	5th			X		Mission Elem
2001-02	FARAH	LINDA	T	9/28/1998	Teacher	5th			X		Mission Elem
2001-02	GUILLEN	JESSE	Temp/Prob	9/18/2001	Teacher	Elem PE			X		Mission Elem
2001-02	BOYD	KEITH	Temp/Prob	8/21/2001	Teacher - SH	Elem SpEd			X		Laurel Elem
2001-02	POKLETAR	ROBERT	Temp/Prob	8/25/2000	Teacher - LH SDC	Elem SpEd			X		Mission Elem
2001-02	WEAVER (CONNOR)	CATHERINE		10/2/1998	Resource Specialist	Elem SpEd			X		Mission Elem
2001-02	ALVARADO	MARIA	T	9/2/1998	Teacher	K			X		Mission Elem
2001-02	LUTHER	JULIE	Temp/Prob	8/25/2000	Teacher	K			X		Mission Elem
2001-02	DRAIM	DAVID	Temp/Prob	8/21/2001	Teacher	HS			X		El Camino High
2001-02	DREISBACH	JUDE	Temp/Prob	2/5/2001	Teacher - LH SDC	HS			X		El Camino High
2001-02	MCANEAR	DEANNA	Temp/Prob	8/25/2000	Teacher - LH SDC	HS			X		El Camino High
2001-02	STRAUSE	HENRY	T	9/1/1999	Teacher	HS Art			X		El Camino High
2001-02	CASIAS	LEVI	Temp/Prob	8/21/2001	Teacher	HS Physics			X		El Camino High
2001-02	GREENE	MICHELE	Temp/Prob	8/25/2000	Resource Specialist	HS SpEd			X		El Camino High
2001-02	WILHOVSKY	ERIK	Temp/Prob	8/21/2001	Resource Specialist	HS SpEd			X		El Camino High
2001-02	RUIZ	ERIN	T	9/20/2001	Teacher	4th			X		North Terrace Elem
2001-02	LISH	ANITA	T	9/2/1998	Resource Specialist	7			X		Jefferson Middle
2001-02	KUCHINSKY	VICKIE	Temp/Prob	8/25/2000	Teacher	8			X		Jefferson Middle
2001-02	MILLER	MICHAEL	T	9/2/1998	Teacher	MIDDLE			X		Jefferson Middle
2001-02	MULQUEEN	LYNN	Temp/Prob	8/25/2000	Teacher	1			X		Palmquist Elem
2001-02	JARVIS	DANIEL		9/4/1998	Teacher	3			X		Palmquist Elem
2001-02	NIELAND	MICHAEL	Temp/Prob	1/24/2001	Teacher	1st/2nd			X		Palmquist Elem
2001-02	ALBRIGHT	KRISTIN	T	2/1/2000	Teacher	3rd			X		Palmquist Elem
2001-02	CHILCOTE	TEKOA	Temp/Prob	10/13/2000	Teacher	3rd			X		Palmquist Elem
2001-02	GRUBER	ALLEN	Temp/Prob	8/23/2001	Teacher - LH SDC	Elem SpEd			X		Palmquist Elem
2001-02	ROCHE	JANICE	T	9/13/2001	Teacher	K			X		Palmquist Elem
2001-02	CASILLAS	ALMA	T	9/2/1998	Teacher	Kinder			X		Palmquist Elem
2001-02	HAGEN	SUZANNE		9/2/1998	Teacher	4			X		South Oceanside Elem
2001-02	FLEMING	CINDY	Temp/Prob	8/25/2000	Teacher	1st			X		South Oceanside Elem
2001-02	FANALE	LORA	Temp/Prob	8/25/2000	Teacher	2nd/3rd			X		North Terrace Elem
2001-02	WALKER	ANDREA	T	9/2/1998	Teacher	3rd			X		South Oceanside Elem
2001-02	ASHCRAFT	REGINA	Temp/Prob	8/21/2001	Teacher - LH SDC	Elem SpEd			X		South Oceanside Elem
2001-02	KNEPPER	SHELLEY	P	8/21/2001	Resource Specialist	RSP			X		South Oceanside Elem
2001-02	CLARK	JULIANNE	Temp/Prob	8/25/2000	Teacher	Elem			X		Stuart Mesa Elem
2001-02	HUMPHRIES	RHONDA	Temp/Prob	8/25/2000	Teacher	Elem			X		Stuart Mesa Elem
2001-02	STEPHENS	DAVID	T	8/13/1998	Teacher	Elem			X		Stuart Mesa Elem

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2001-02	SWARTZ	CATHI	Temp/Prob	8/28/2000	Teacher	Elem			X		Stuart Mesa Elem
2001-02	WIELAND	PATRICIA	Temp/Prob	8/25/2000	Teacher	Elem			X		Stuart Mesa Elem
2001-02	FAIRCLOTH	ANGELA	Temp/Prob	8/25/2000	Teacher	K			X		Stuart Mesa Elem
2001-02	Christian (Crooks)	KRIS	Temp/Prob	8/21/2001	Teacher	HS Spanish			X		Nichols Elem
2001-02	Scott (Hoover)	Mary	Temp/Prob	2/13/2001	Teacher	4			X		Ditmar Elem
2001-02	HILLHOUSE-SHOKES	VALERIE	Temp/Prob	8/25/2000	Teacher	2nd/3rd			X		Ditmar Elem
2001-02	NUNEZ	LEANDRA	Temp/Prob	8/21/2001	Teacher	4th			X		Ditmar Elem
2001-02	POTTS	MICHAEL	Temp/Prob	5/3/2001	Teacher	4th			X		Ditmar Elem
2001-02	DRAGO	DEREK	Temp/Prob	1/31/2000	Teacher	HS			X		El Camino High
2001-02	HAUGEN	JESSICA	Temp/Prob	8/21/2001	Teacher	HS			X		El Camino High
2001-02	OLSEN	JEFFREY	T	9/1/1999	Teacher	HS			X		El Camino High
2001-02	PALAFOX	RENE	T	8/25/2000	Teacher	HS			X		El Camino High
2001-02	Whalen (WALTON)	CASEY	Temp/Prob	8/21/2001	Teacher	HS			X		El Camino High
2001-02	ESQUIVEL	LISA	Temp/Prob	8/21/2001	Teacher	HS SS			X		El Camino High
2001-02	GIBBA	TRACY	Temp/Prob	8/25/2000	Teacher	HS SS			X		El Camino High
2001-02	PETERSEN	MATTHEW	Temp/Prob	2/2/2000	Teacher	HS SS			X		El Camino High
2001-02	Winters(Rasmussen) Holly	HOLLY	Temp/Prob	8/21/2001	Teacher	HS Spanish			X		El Camino High
2002-03	MOCNY	KELLI	T	9/1/1999	Teacher	2nd/3rd			X		Ditmar Elem
2002-03	KELLERMAN	APRIL	T	9/1/1999	Teacher	3			X		Libby Elem
2002-03	WEST	SERINA	T	9/1/1999	Teacher	2nd			X		Libby Elem
2002-03	Obrite (Kaminski)	Lynn	Tenured	10/11/1999	Teacher	5th			X		Libby Elem
2002-03	BOKOR	DAYLE	Temp/Prob	3/9/2001	Teacher	5th/6th			X		Garrison Elem
2002-03	FURQUERON	JEFFREY		9/1/1999	Teacher	6th			X		Libby Elem
2002-03	NICHOLS	FRANK	T	1/21/2000	Teacher - LH SDC	Elem SpEd			X		Libby Elem
2002-03	DOYLE (Dinh)	BECKY	T	9/1/1999	Teacher	Kinder			X		Libby Elem
2002-03	TRAUGH	STEVEN	T	9/1/1999	Teacher	Music			X		Libby Elem
2002-03	BLEHA (Thompson)	JENNIFER	Temp/Prob	8/21/2001	Teacher	6th			X		Lincoln Middle
2002-03	MCCONCHIE	BRIAR	T	8/25/2000	Teacher	2			X		North Terrace Elem
2002-03	HERNANDEZ	NICOLE	Temp/Prob	8/21/2001	Teacher	4			X		North Terrace Elem
2002-03	AYALA	BETTINA	Temp/Prob	8/20/2002	Teacher - SH	Elem SpEd			X		North Terrace Elem
2002-03	ROWAN II	MICHAEL	T	9/1/1999	Teacher	K/1st			X		North Terrace Elem
2002-03	Elliott (Sommerville)	MILANI	T	9/1/1999	Teacher	1			X		Pacifica Elem
2002-03	AFZALI	FARANAK	T	9/1/1999	Teacher	1st/2nd			X		Pacifica Elem
2002-03	VAN DIEPEN	LEA	T	9/3/1999	Teacher	2nd			X		Pacifica Elem
2002-03	QUARRIE	M	T	9/1/1999	Teacher	3rd			X		Pacifica Elem
2002-03	PHILLIPS	MICHAEL	T	1/2/2001	Teacher	5th/6th			X		Pacifica Elem
2002-03	ZELEDON	ANA	Temp/Prob	8/20/2002	Teacher - SH	Pre-K			X		Pacifica Elem
2002-03	MATELJAN	ERIK	Temp/Prob	8/21/2001	Teacher	MIDDLE			X		Jefferson Middle
2002-03	Vico (RUBEN)	IRENE	T	2/8/1999	Teacher	MS Lang Arts			X		Jefferson Middle
2002-03	BUNRASI	JOHN	T	8/23/1999	Teacher	MS Math			X		Jefferson Middle
2002-03	Taliana	Michael	Tenured	8/20/2002	Teacher	MS Math			X		Jefferson Middle
2002-03	DeSanto (Swanberg)(Smith)	Christina		11/23/1998	Teacher	6th			X		King Middle
2002-03	EVANS	TEANNA	Temp/Prob	8/21/2001	Teacher	MS			X		King Middle
2002-03	SKINNER	BEVERLY	Temp/Prob	8/21/2001	Teacher	MS			X		King Middle
2002-03	COHEN	PATRICIA		9/1/1999	Teacher	MS 7th Core			X		King Middle

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2002-03	HO	CHIA (ROBERT)		9/2/1998	Teacher	MS			X		King Middle
2002-03	REESE	MARA	Temp/Prob	8/21/2001	Teacher	6th			X		Jefferson Middle
2002-03	BROWN	MARIANNE	T	8/20/2002	Resource Specialist	English			X		Jefferson Middle
2002-03	DANIELS	BLAIR		8/25/2000	Teacher	MS			X		Jefferson Middle
2002-03	DISCHNER	JUDITH	Temp/Prob	8/20/2002	Teacher - SH	MS SpEd			X		Jefferson HS
2002-03	POWELL	KIMBERLEE	T	9/1/1999	Teacher	6th			X		King Middle
2002-03	SHIRLEY	COLLEEN	Temp/Prob	8/21/2001	Teacher	6th			X		King Middle
2002-03	POWELL JR	ROBERT	T	12/3/2001	Teacher	7th			X		King Middle
2002-03	BARETTE	VALLERI	Temp/Prob	1/2/2001	Teacher	MS			X		King Middle
2002-03	WILLIAMS (Pittroff)	ELISA	Temp/Prob	8/21/2001	Teacher	MS Arts			X		King Middle
2002-03	ANDERSON	THITHI	T	9/1/1999	Teacher	MS Math			X		King Middle
2002-03	DUNNING	FARZIN	T	9/1/1999	Teacher	MS Math			X		King Middle
2002-03	COUILLARD	DEBORAH		9/12/2000	Teacher - LH SDC	MS SpEd			X		King Middle
2002-03	LEAVERTON	SHERI	T	8/25/2000	Teacher	6			X		Jefferson Middle
2002-03	SWEENEY	MOYA	Temp/Prob	8/21/2001	Teacher	ELD			X		Jefferson Middle
2002-03	GLENN	LEE	Temp/Prob	8/21/2001	Teacher	MS Band			X		Jefferson Middle
2002-03	SWARTZ	CATHI	T	8/28/2000	Teacher	2nd			X		Santa Margarita Elem
2002-03	KEARNEY	SHERI	Temp/Prob	8/21/2001	Teacher	4th/5th			X		Santa Margarita Elem
2002-03	ARSENAULT	JACQUELYN	T	9/4/1998	Teacher	MS			X		Santa Margarita Elem
2002-03	FORBERG	LAURA		9/1/1999	Teacher	2nd					Ivey Ranch Elem
2002-03	PAOGOFIE (Mendez)	RASELA	Temp/Prob	8/20/2002	Teacher	2nd/3rd			X		Ivey Ranch Elem
2002-03	STONE	JONATHAN	T	1/8/2001	Teacher	4th/5th			X		Ivey Ranch Elem
2002-03	Berman (GREY)	EMILY	T	9/2/1999	Resource Specialist	Elem SpEd			X		Ivey Ranch Elem
2002-03	HAMME	KELLY	T	9/1/1999	Teacher	K			X		Ivey Ranch Elem
2002-03	ROBINSON	KELLY	T	9/2/1999	Teacher	Kinder			X		Ivey Ranch Elem
2002-03	COHEN	CHARLES	Temp/Prob	8/21/2001	Teacher	HS Eng			X		El Camino High
2002-03	SHANAHAN (Young)	LAURA	Temp/Prob	8/21/2001	Teacher	HS Eng			X		El Camino High
2002-03	SHORTMAN	LESLEY	Temp/Prob	8/21/2001	Teacher	HS Eng			X		El Camino High
2002-03	KOVACEVICH	DILLIE	Tenured	8/21/2001	Teacher	HS			X		El Camino High
2002-03	GALVEZ	SUZANNE	Temp/Prob	8/20/2002	Teacher	1st			X		Nichols Elem
2002-03	RICHARDS	PATRICIA	Temp/Prob	9/13/2001	Teacher	1st			X		Nichols Elem
2002-03	SCOTT	MARLENE	Temp/Prob	8/21/2001	Teacher	1st			X		Nichols Elem
2002-03	Broyles	Christian	Prob	9/12/2001	Teacher	2nd/3rd			X		Nichols Elem
2002-03	Flaherty	Robert	Temp/Prob	8/20/2002	Teacher - LH SDC	3rd			X		Nichols Elem
2002-03	FLEMING	CINDY		8/25/2000	Teacher	3rd			X		Nichols Elem
2002-03	VOGEL	REBECCA	T	8/13/1999	Teacher	4th			X		Nichols Elem
2002-03	Christian (Crooks)	KRIS	Temp/Prob	8/21/2001	Teacher	5th			X		Nichols Elem
2002-03	PENNINGTON	SHANNON	Temp/Prob	8/20/2002	Teacher - SH	Elem SpEd			X		Nichols Elem
2002-03	WALSH	MICHAEL	Temp/Prob	8/20/2002	Resource Specialist	Elem SpEd			X		Nichols Elem
2002-03	MARANDA	COLETTE	Temp/Prob	8/21/2001	Teacher	K			X		Nichols Elem
2002-03	Reed (Sherwood)	AMERET	Temp/Prob	8/21/2001	Teacher	MS			X		Lincoln Middle
2002-03	ZIMNY	H	T	8/25/2000	Teacher	MS			X		Lincoln Middle
2002-03	THOMPSON	ORLANDO	T	8/13/1998	Teacher	TOSA			X		Clair W. Burgener Academy
2002-03	GRAY	ANN	Temp/Prob	8/18/1999	Teacher	various			X		Clair W. Burgener Academy
2002-03	MURRAY	DANIEL	Temp/Prob	8/8/2001	Teacher	various			X		Clair W. Burgener Academy

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2002-03	Villalpando (Robertson)	JENNIFER	T	8/14/2000	Teacher	various			X		Clair W. Burgener Academy
2002-03	VOGEL	JEFFREY	T	8/9/2000	Teacher	various			X		Clair W. Burgener Academy
2002-03	BRUCKNER	SCOTT	P	8/20/2002	Teacher	2nd			X		Oceanside High
2002-03	KERN	CARA	Temp/Prob	8/20/2002	Teacher	GEOMETRY			X		Oceanside High
2002-03	FARQUHAR	STEPHANIE		8/21/2001	Teacher	HS			X		Oceanside High
2002-03	ROCCOFORTE	SHERYL	Temp/Prob	8/21/2001	Teacher	HS			X		Oceanside High
2002-03	FIERZ	GEORGIANN		8/20/2002	Teacher	HS Eng			X		Oceanside High
2002-03	FRASER	SCOTT	Temp/Prob	1/28/2002	Teacher	HS Math			X		Oceanside High
2002-03	THIBODEAUX	JOSHUA	Temp/Prob	8/21/2001	Teacher	HS Math			X		Oceanside High
2002-03	THORNBURY	TERESA	Temp/Prob	8/20/2002	Teacher	HS Math			X		Oceanside High
2002-03	GASPARO	JACLYN	Temp/Prob	8/21/2001	Teacher	2nd			X		Reynolds Elem
2002-03	CARRASCO	ARTURO	Temp/Prob	8/21/2001	Teacher	Elem			X		Reynolds Elem
2002-03	DUDLEY	LISA	T	8/25/2000	Teacher	Elem			X		Reynolds Elem
2002-03	FLANAGAN	TERESA		8/25/2000	Teacher	Kinder			X		Reynolds Elem
2002-03	HOLGUIN	JENNIFER		9/1/1999	Teacher	5			X		Laurel Elem
2002-03	Stone (Van der Molen)	MELANIE	T	2/5/2001	Teacher	1st			X		Laurel Elem
2002-03	DEVRIES	HILARY	T	9/1/1999	Teacher	2nd			X		Laurel Elem
2002-03	Best (Cross)	Lisa	Tenured	12/4/2000	Teacher	4th			X		Ivey Ranch Elem
2002-03	BOYD	KIMBERLY	Temp/Prob	8/21/2001	Resource Specialist	Elem SpEd			X		Laurel Elem
2002-03	CARLSON	CATHERINE	T	8/25/2000	Teacher	1st			X		McAuliffe Elem
2002-03	GRIFFIN	LAURA		9/1/1999	Teacher - LH SDC	Elem SpEd			X		McAuliffe Elem
2002-03	WEBB (Strom-Zigler)	DARCY	Temp/Prob	8/21/2001	Teacher	6th			X		King Middle
2002-03	Yan (Norlander)	Joanne	Temp/Prob	8/20/2002	Teacher	7th Sci			X		King Middle
2002-03	Allender	Julie	Temp/Prob	8/20/2002	Teacher	8th Sci			X		King Middle
2002-03	GRABLE	GINA	Temp/Prob	8/20/2002	Teacher	MS Eng			X		King Middle
2002-03	WAGGETT, JR	DONALD	T	9/1/1999	Teacher	MS Math			X		King Middle
2002-03	GRIFFITH	DANA	Temp/Prob	8/20/2002	Resource Specialist	MS SpEd			X		King Middle
2002-03	HERNANDEZ	CASEY	Temp/Prob	8/20/2002	Teacher	4			X		Garrison Elem
2002-03	NOURANI	MELODY	T	8/21/2001	Teacher	3rd			X		Garrison Elem
2002-03	FLORIO	MICHAEL	Temp/Prob	8/21/2001	Teacher	5th			X		Garrison Elem
2002-03	SIMMONS	BRENDA	Temp/Prob	8/21/2002	Teacher - SH	Elem SpEd			X		Garrison Elem
2002-03	MULLER	RANDOLPH	T	8/25/2000	Teacher - LH SDC	ELM/SDC			X		Garrison Elem
2002-03	MARCON	RACHELLE	T	3/29/1999	Teacher	K			X		Garrison Elem
2002-03	COLE	VERNAL		8/25/2000	Teacher	HS Math			X		Ocean Shores High
2002-03	JOOLINGEN	WILLIAM	T	9/1/1999	Teacher	5			X		Del Rio Elem
2002-03	COHEN	APRIL	Temp/Prob	9/28/2001	Teacher	1st/2nd			X		Del Rio Elem
2002-03	AMBROGIO	KRISTY	T	9/1/1999	Teacher	2nd			X		Del Rio Elem
2002-03	FLYNN	LINDA	T	9/1/1999	Teacher	3rd			X		Del Rio Elem
2002-03	THIELEN	KARYN	T	9/2/1999	Teacher	3rd			X		Del Rio Elem
2002-03	ROGERS	SCOTT	T	9/1/1999	Teacher	5th			X		Del Rio Elem
2002-03	CHAMBERS	ANNIE		9/1/1999		Elem			X		Del Rio Elem
2002-03	SOTO	JOSE	T	2/1/1999	Resource Specialist	Elem SpEd			X		Del Rio Elem
2002-03	CHU-KRAMER	MAGGIE		9/1/1999	Teacher	Kinder			X		Del Rio Elem
2002-03	MCCARTHY	ANNETTE	T	9/2/1998	Teacher	2			X		San Luis Rey Elem
2002-03	NUNEZ	LEANDRA	Temp/Prob	8/21/2001	Teacher	1st			X		San Luis Rey Elem

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2002-03	SALMON	BLAIR	T	1/27/1999	Teacher	1st			X		San Luis Rey Elem
2002-03	GIBBENS	ALISON	Temp/Prob	9/18/2001	Teacher	1st/2nd			X		San Luis Rey Elem
2002-03	NAYLOR	JAMI	T	8/25/2000	Teacher	3rd			X		San Luis Rey Elem
2002-03	FAIRCHILD	NICOLE		10/22/1999	Teacher	K			X		San Luis Rey Elem
2002-03	GUAYANTE	GREGORY		9/1/1999	Teacher	HS			X		El Camino High
2002-03	MEZA	CHRISTINE	T	9/2/1998	Teacher	HS			X		El Camino High
2002-03	RUIZ	SOCORRO	Temp/Prob	8/21/2001	Teacher	HS			X		El Camino High
2002-03	BAYHAM	BONNIE	Temp/Prob	8/21/2001	Teacher	HS Math			X		El Camino High
2002-03	GEE	JEREMEY	Temp/Prob	8/21/2001	Teacher	HS Math			X		El Camino High
2002-03	NANK	SEAN	Temp/Prob	8/21/2001	Teacher	HS Math			X		El Camino High
2002-03	ROERIG	TODD	Temp/Prob	8/20/2002	Teacher	HS Science			X		El Camino High
2002-03	HARRIS	HOLLY	T	1/25/2001	Teacher	3			X		Mission Elem
2002-03	MOHUN	BRANDI	Temp/Prob	8/21/2001	Teacher	5			X		Mission Elem
2002-03	STICKLES	MARTHA	Temp/Prob	8/21/2001	Teacher	3rd			X		Mission Elem
2002-03	GUILLEN	JESSE	Temp/Prob	9/18/2001	Teacher	Elem PE			X		Mission Elem
2002-03	BOYD	KEITH	Temp/Prob	8/21/2001	Teacher - SH	Elem SpEd			X		Laurel Elem
2002-03	POKLETAR	ROBERT	T	8/25/2000	Teacher - LH SDC	Elem SpEd			X		Mission Elem
2002-03	ROGERS	THOMAS	Temp/Prob	7/31/2001	Teacher	MS Math			X		Lincoln Middle
2002-03	DRAIM	DAVID	Temp/Prob	8/21/2001	Teacher	HS			X		El Camino High
2002-03	DREISBACH	JUDE	T	2/5/2001	Teacher - LH SDC	HS			X		El Camino High
2002-03	MCANEAR	DEANNA	T	8/25/2000	Teacher - LH SDC	HS			X		El Camino High
2002-03	CASIAS	LEVI	Temp/Prob	8/21/2001	Teacher	HS Art			X		El Camino High
2002-03	CARLENO	DAVID	Tenured	2/1/1999	Teacher	HS Eng			X		El Camino High
2002-03	THOMPSON	DAVID	T	9/1/1999	Teacher - LH SDC	HS SpEd			X		El Camino High
2002-03	VANHOOSER	MALINDA	T	9/1/1999	Resource Specialist	HS SpEd			X		El Camino High
2002-03	WILHOVSKY	ERIK	Temp/Prob	8/21/2001	Resource Specialist	HS SpEd			X		El Camino High
2002-03	HEMMEN	ROSANNE	Temp/Prob	8/21/2001	Teacher - LH SDC	SDC			X		Jefferson Middle
2002-03	HINDERLITER	JAMES		9/1/1999	Teacher - LH SDC	SDC			X		Jefferson Middle
2002-03	MARSHALL	GAIL	T	8/20/2002	Teacher - LH SDC	SDC/MIDDLE			X		Jefferson Middle
2002-03	NIELAND	MICHAEL	T	1/24/2001	Teacher	1st/2nd			X		Palmquist Elem
2002-03	GRUBER	ALLEN	Temp/Prob	8/23/2001	Teacher - LH SDC	Elem SpEd			X		Palmquist Elem
2002-03	MURRAY	LISA	T	9/1/1999	Teacher	Elem			X		South Oceanside Elem
2002-03	ASHCRAFT	REGINA	Temp/Prob	8/21/2001	Teacher - LH SDC	Elem SpEd			X		South Oceanside Elem
2002-03	KNEPPER	SHELLEY	T	8/21/2001	Resource Specialist	RSP			X		South Oceanside Elem
2002-03	HOGUE	LORRAH		9/1/1999	Teacher	K			X		Stuart Mesa Elem
2002-03	MAGANA	ROSEMARY	T	10/22/1999	Teacher	3			X		Ditmar Elem
2002-03	Scott (Hoover)	Mary	Temp/Prob	2/13/2001	Teacher	4			X		Ditmar Elem
2002-03	POTTS	MICHAEL	Temp/Prob	5/3/2001	Teacher	4th			X		Ditmar Elem
2002-03	DANNECKER	CHADRICK	Temp/Prob	8/20/2002	Teacher	HS			X		El Camino High
2002-03	HAUGEN	JESSICA	Temp/Prob	8/21/2001	Teacher	HS			X		El Camino High
2002-03	Whalen (WALTON)	CASEY	Temp/Prob	8/21/2001	Teacher	HS			X		El Camino High
2002-03	WILLIAMS	ALLEN	Temp/Prob	8/31/2001	Teacher	HS			X		El Camino High
2002-03	ESQUIVEL	LISA	Temp/Prob	8/21/2001	Teacher	HS SS			X		El Camino High
2002-03	Winters(Rasmussen) Holly	HOLLY	Temp/Prob	8/21/2001	Teacher	HS Spanish			X		El Camino High
2002-03	JARRARD	JEFFREY		9/1/1999	Teacher	HS			X		El Camino High

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2002-03	KLOOS	THOMAS	Temp/Prob	8/20/2002	Teacher	HS			X		El Camino High
2003-04	LOPEZ	JULIO	T	8/25/2000	Teacher	2			X		Libby Elem
2003-04	MIRELES	EDUARDO	T	8/25/2000	Teacher	4			X		Libby Elem
2003-04	MOORE	LORI	T	8/25/2000	Teacher	5			X		Libby Elem
2003-04	MOSSA-MARIANI	VICTORIA	T	10/5/2000	Teacher	6			X		Libby Elem
2003-04	Burton (BUTTERIS)	JULIA	T	10/25/2000	Teacher	3rd			X		Libby Elem
2003-04	BERNARD	LENORE	T	8/25/2000	Teacher	4th			X		Libby Elem
2003-04	CANTRALL	ELIZABETH	T	8/25/2000	Teacher	4th			X		Libby Elem
2003-04	FARRELL (GONZALES)	LISA	T	10/19/2000	Teacher	4th			X		Libby Elem
2003-04	STRATHMAN	SHARON	T	8/25/2000	Teacher	5th			X		Libby Elem
2003-04	BRIGGS	JAMES	T	9/2/1998	Teacher	6th			X		Libby Elem
2003-04	REED	JULIE	T	8/25/2000	Teacher - LH SDC	Elem SpEd			X		Libby Elem
2003-04	MARBLE	ZSANNA	T	8/25/2000	Teacher	K			X		Libby Elem
2003-04	Mena (Wiedle)	AMY	T	8/25/2000	Teacher	K			X		Libby Elem
2003-04	COVARRUBIAS-KELLY	ANNA	T	8/25/2000	Teacher	Kinder			X		Libby Elem
2003-04	HOWARD	KEITH	T	8/25/2000	Teacher	PE			X		Libby Elem
2003-04	Lindgren	Roberta	Temp/Prob	10/21/2003	Teacher	READ 180			X		Libby Elem
2003-04	MATTHEWS	CHERYL	T	2/28/2000	Resource Specialist	MIDDLE			X		Lincoln Middle
2003-04	ZIVOTSKY	ANN	T	9/2/1998	Resource Teacher	MS			X		Lincoln Middle
2003-04	ROMERO	DAWN	T	8/25/2000	Teacher	MS PE			X		Lincoln Middle
2003-04	George	Tamara	Temp/Prob	8/19/2003	Resource Specialist	MS SpEd			X		Lincoln Middle
2003-04	HERNANDEZ	NICOLE	T	8/21/2001	Teacher	4			X		North Terrace Elem
2003-04	FANALE	LORA	T	8/25/2000	Teacher	1st			X		North Terrace Elem
2003-04	PAOGOFIE (Mendez)	RASELA	Temp/Prob	8/20/2002	Teacher	5th			X		North Terrace Elem
2003-04	AYALA	BETTINA	Temp/Prob	8/20/2002	Teacher - SH	Elem SpEd			X		North Terrace Elem
2003-04	CHRIST	SHANE	Tenured	8/25/2000	Teacher	3rd			X		Oceanside High
2003-04	MCCULLOUGH-LEAKE	DANA	T	8/25/2000	Teacher	9, 10			X		Oceanside High
2003-04	DRAGO	DARREN	T	8/25/2000	Teacher	HS			X		Oceanside High
2003-04	LEYVA	ISABEL	T	8/21/2001	Teacher	HS			X		Oceanside High
2003-04	NUANEZ	JOSEPH	T	8/28/2000	Teacher	HS			X		Oceanside High
2003-04	ROCCOFORTE	SHERYL	T	8/21/2001	Teacher	HS			X		Oceanside High
2003-04	FIERZ	GEORGIANN		8/20/2002	Teacher	HS Eng			X		Oceanside High
2003-04	CLARK	CAMERON	T	9/1/1999	Teacher	HS Math			X		Oceanside High
2003-04	CHRISTOPHER	MARY	T	8/25/2000	Teacher	1st			X		Pacifica Elem
2003-04	ANDERSEN	TROY	T	8/25/2000	Teacher	2nd			X		Pacifica Elem
2003-04	PHILLIPS (Stenerodden)	STACY	T	8/30/2000	Teacher	3rd			X		Pacifica Elem
2003-04	WEBB (Strom-Zigler)	MARK	T	9/28/2000	Teacher	3rd			X		Pacifica Elem
2003-04	ANDREWS	JENNIFER	T	8/25/2000	Teacher	4th			X		Pacifica Elem
2003-04	Stone	Dulce	Tenured	8/19/2003	Resource Specialist	Elem SpEd			X		Pacifica Elem
2003-04	Sifuentes	Therese	T	8/25/2000	Teacher	Kinder			X		Pacifica Elem
2003-04	Chavarrria	Freddie	P	9/2/2003	Teacher	6th Math			X		Jefferson Middle
2003-04	HUTCHISON	TIMOTHY	T	8/25/2000	Teacher	MATH			X		Jefferson Middle
2003-04	Meyers	Heather	Temp/Prob	8/26/2003	Teacher	MIDDLE			X		Jefferson Middle
2003-04	DEAN	MARIA	T	8/25/2000	Teacher	MS			X		Jefferson Middle
2003-04	Kern	Justin	P	9/29/2003	Teacher	MS			X		Jefferson Middle

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2003-04	KUCHINSKY	VICKIE	T	8/25/2000	Teacher	MS			X		Jefferson Middle
2003-04	GLENN	LEE	T	8/21/2001	Teacher	MS Band			X		Jefferson Middle
2003-04	PEDERSON	SHAWN	T	8/25/2000	Teacher	MS Lang Arts			X		Jefferson Middle
2003-04	CHAMBERS	RACHEL	T	8/25/2000	Teacher	MS Math/Sci			X		Jefferson Middle
2003-04	Reyes	Raymond	Tenured	8/21/2003	Teacher - LH SDC	MS SpEd			X		Jefferson Middle
2003-04	DREISBACH	JUDE	T	2/5/2001	Teacher - LH SDC	HS			X		El Camino High
2003-04	Miller	Tara	Temp/Prob	10/1/2003	Teacher - ARC	HS			X		El Camino High
2003-04	EASTERBROOK	Kathryn	T	9/1/1999	Teacher	HS Eng			X		El Camino High
2003-04	Esteban	Christine	Tenured	1/31/2000	Teacher	HS Eng			X		El Camino High
2003-04	BENNETT	DAVID	T	9/2/1998	Teacher	HS Math			X		El Camino High
2003-04	DANIELS	BLAIR	T	8/25/2000	Teacher	MS			X		Jefferson Middle
2003-04	DANNECKER	CHADRICK	Temp/Prob	8/20/2002	Teacher	HS Spanish			X		El Camino High
2003-04	WEBB (Strom-Zigler)	DARCY	T	8/21/2001	Teacher	6th			X		King Middle
2003-04	JOHNSON	CYNTHIA	T	8/25/2000	Teacher	8 HISTORY			X		King Middle
2003-04	MCKENNEY	SHELLEY	T	10/26/1998	Teacher	MIDDLE			X		King Middle
2003-04	WILLIAMS (Pittroff)	ELISA	T	8/21/2001	Teacher	MS Arts			X		King Middle
2003-04	BILLING	SUSAN	T	8/25/2000	Resource Specialist	MS SpEd			X		King Middle
2003-04	COUILLARD	DEBORAH	T	9/12/2000	Teacher - LH SDC	MS SpEd			X		King Middle
2003-04	GRIFFITH	DANA	Temp/Prob	8/20/2002	Resource Specialist	MS SpEd			X		King Middle
2003-04	SLASOR	JANELLE	T	9/2/1998	Resource Specialist	MS SpEd			X		King Middle
2003-04	Franklin	Michael	Temp/Prob	8/26/2003	Teacher	HS Eng			X		El Camino High
2003-04	OLSEN	JEFFREY	T	9/1/1999	Teacher	HS			X		El Camino High
2003-04	PETERSEN	MATTHEW	T	2/2/2000	Teacher	HS SS			X		El Camino High
2003-04	DRAGO	DEREK	T	1/31/2000	Teacher	HS			X		El Camino High
2003-04	MATELIAN	ERIK	T	8/21/2001	Teacher	8			X		King Middle
2003-04	MOORE	SCOTT	T	9/23/1998	Teacher	MIDDLE			X		King Middle
2003-04	CUSH	ARRON	T	9/8/1998	Teacher	MS			X		King Middle
2003-04	DOUGHERTY	SHANNON	T	8/25/2000	Teacher	MS			X		King Middle
2003-04	FRANSEN	ERIC	T	8/25/2000	Teacher	MS Math			X		King Middle
2003-04	Francis	Joy		10/28/2002	Teacher	HS			X		El Camino High
2003-04	CARTER	JOHNNY	T	8/25/2000	Teacher	HS Physics			X		El Camino High
2003-04	COYLE	CHRISTOPHER	T	8/25/2000	Teacher	HS			X		El Camino High
2003-04	MAYTORENA	BRIAN	Temp/Prob	9/26/2000	Teacher	HS			X		El Camino High
2003-04	PALAFOX	RENE	T	8/25/2000	Teacher	HS			X		El Camino High
2003-04	Roberts	Jacqueline	Tenure ROP GF	8/28/2000	ROP Teacher	HS			X		El Camino High
2003-04	Musgrove	Douglas	Temp/Prob	8/26/2003	Teacher	HS PE			X		El Camino High
2003-04	ROERIG	TODD	Temp/Prob	8/20/2002	Teacher	HS Science			X		El Camino High
2003-04	MOHR	NANCY	T	9/2/1998	Teacher	2nd			X		Santa Margarita Elem
2003-04	HUGHES	ERIN	T	9/2/1998	Teacher	Elem			X		Santa Margarita Elem
2003-04	KOENIGS, JR	JOSEPH	T	8/25/2000	Teacher	Elem			X		Santa Margarita Elem
2003-04	MCRAE	MONIKA	T	8/28/2000	Teacher	Elem			X		Santa Margarita Elem
2003-04	SCHWARTZ	JONATHAN	T	8/25/2000	Teacher	Elem			X		Santa Margarita Elem
2003-04	WILKINS	DONNA	T	8/25/2000	Teacher	Elem			X		Santa Margarita Elem
2003-04	SAUNDERS, JR	R	T	8/25/2000	Teacher	Elem			X		Santa Margarita Elem
2003-04	Calvert	Lisa	Temp/Prob	10/16/2003	Teacher	MS SpEd			X		Santa Margarita Elem

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2003-04	MACKENZIE	SUZANNE	T	9/18/2000	Teacher	1			X		Ivey Ranch Elem
2003-04	MCNAUGHTON	PAULA	T	8/25/2000	Teacher	2			X		Ivey Ranch Elem
2003-04	NEWVILLE (Short)	TAMARA	T	9/2/1998	Teacher	1st			X		Ivey Ranch Elem
2003-04	Rockdale (SCOTT)	KRISTY	T	8/25/2000	Teacher	1st			X		Ivey Ranch Elem
2003-04	BRIGGS (Janisch)	CHRISTINE	T	8/25/2000	Teacher	2nd			X		Ivey Ranch Elem
2003-04	DREDGE	CHRISTINE	T	9/2/1998	Teacher - LH SDC	MS			X		Lincoln Middle
2003-04	HAMAND	MICHELLE	T	9/19/2000	Teacher	1			X		Nichols Elem
2003-04	KROEPEL	HEATHER	T	8/25/2000	Teacher	2			X		Nichols Elem
2003-04	Maddox (BIGGS)	HEATHER	T	9/1/1999	Teacher	2			X		Nichols Elem
2003-04	MARTINELLI	NANCY	T	10/12/2000	Teacher	3			X		Nichols Elem
2003-04	LEE	SABRINA	T	8/25/2000	Teacher	4			X		Nichols Elem
2003-04	MULQUEEN	LYNN	T	8/25/2000	Teacher	4			X		Nichols Elem
2003-04	Christian (Crooks)	KRIS	T	8/21/2001	Teacher	1st			X		Nichols Elem
2003-04	GALVEZ	SUZANNE	Temp/Prob	8/20/2002	Teacher	1st			X		Nichols Elem
2003-04	SCOTT	MARLENE	T	8/21/2001	Teacher	1st			X		Nichols Elem
2003-04	Broyles	Christian	T	9/12/2001	Teacher	3rd			X		Nichols Elem
2003-04	Flaherty	Robert	Temp/Prob	8/20/2002	Teacher - LH SDC	3rd			X		Nichols Elem
2003-04	PENNINGTON	SHANNON	Temp/Prob	8/20/2002	Teacher - SH	Elem SpEd			X		Nichols Elem
2003-04	WALSH	MICHAEL	Temp/Prob	8/20/2002	Resource Specialist	Elem SpEd			X		Nichols Elem
2003-04	HAGEN	SUZANNE	T	9/2/1998	Teacher	4			X		South Oceanside Elem
2003-04	WALKER	ANDREA	T	9/2/1998	Teacher	3rd			X		South Oceanside Elem
2003-04	ASHCRAFT	REGINA	T	8/21/2001	Teacher - LH SDC	Elem SpEd			X		South Oceanside Elem
2003-04	OBER (Piazza)	ANGELA	T	9/1/1999	Teacher - SH	Elem SpEd			X		South Oceanside Elem
2003-04	KENT	MARY	T	10/3/2001	Teacher - LH SDC	SDC K-3			X		South Oceanside Elem
2003-04	FURQUERON	SHERRI	T	9/18/1998	Teacher	8th History			X		Lincoln Middle
2003-04	AHLES	MANNY	T	8/25/2000	Teacher	MS			X		Lincoln Middle
2003-04	ALLEN	DEANN	T	8/25/2000	Teacher	MS			X		Lincoln Middle
2003-04	GEIERMAN	ANN	T	8/25/2000	Teacher	MS			X		Lincoln Middle
2003-04	GRAY	CHRISTOPHER	T	8/25/2000	Teacher	MS			X		Lincoln Middle
2003-04	GROGAN	PATRICIA	T	4/17/2000	Teacher	MS			X		Lincoln Middle
2003-04	KELLY	PATRICIA	T	9/2/1998	Teacher	MS			X		Lincoln Middle
2003-04	LAVELLE	SHELLEY	T	9/28/1998	Teacher	MS			X		Lincoln Middle
2003-04	Stein (PODOLSKY)	JESSICA	T	8/28/2000	Teacher	MS			X		Lincoln Middle
2003-04	FENNELL	DENISE	T	1/31/2000	Resource Specialist	MS SpEd			X		Lincoln Middle
2003-04	SWANSON	SHERRY	T	8/25/2000	Teacher	9th Eng			X		Oceanside High
2003-04	LOPEZ-MCCLELLAND	LISA	T	8/21/2001	Teacher	10, 11			X		Oceanside High
2003-04	KERN	CARA	Temp/Prob	8/20/2002	Teacher	GEOMETRY			X		Oceanside High
2003-04	GUILLEN	JESSE	T	9/18/2001	Teacher	HS			X		Oceanside High
2003-04	HILL-COLLIS	TERESA	T	10/15/2001	Resource Specialist	HS			X		Oceanside High
2003-04	FRASER	SCOTT		1/28/2002	Teacher	HS Math			X		Oceanside High
2003-04	Fraser (Mitchell)	ERIN	T	8/25/2000	Teacher	HS Math			X		Oceanside High
2003-04	THIBODEAUX	JOSHUA	Temp/Prob	8/21/2001	Teacher	HS Math			X		Oceanside High
2003-04	THORNBURY	TERESA	Temp/Prob	8/20/2002	Teacher	HS Math			X		Oceanside High
2003-04	Bruckner (Chase)	AMANDA	T	9/17/2001	Teacher	HS Eng			X		Oceanside High
2003-04	CAMPBELL	PIKAKE	Tenured	8/25/2000	Teacher - LH SDC	HS SpEd			X		Oceanside High

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2003-04	Faumuina	Merideth	Temp/Prob	8/19/2003	Teacher - LH SDC	HS SpEd			X		Oceanside High
2003-04	Poumele	Pululipano	Tenured	1/28/2002	Teacher - LH SDC	HS SpEd			X		Oceanside High
2003-04	MIZOGUCHI	ROBYN	T	9/3/1998	Resource Specialist	HS			X		Oceanside High
2003-04	Bouret (METCALF)	TARA	T	8/25/2000	Teacher	1			X		Reynolds Elem
2003-04	COHEN II	NELSON	T	9/2/1998	Teacher	3rd			X		Reynolds Elem
2003-04	TURNER	JOHNNY	T	8/25/2000	Teacher	5th			X		Reynolds Elem
2003-04	VORIS	REBECCA	T	8/25/2000	Teacher	K			X		Reynolds Elem
2003-04	ORTEGA	RENE	T	9/2/1998	Teacher	Kinder			X		Reynolds Elem
2003-04	MEZA-MAGALLANES	LYDIA	T	8/25/2000	Teacher	2			X		Reynolds Elem
2003-04	MCCarthy (DEDGE)	ERIN	T	8/25/2000	Teacher	3			X		Reynolds Elem
2003-04	HAMBY	BRADLY	T	8/25/2000	Teacher	4			X		Reynolds Elem
2003-04	RAMOS (Figaro)	ANNA	T	8/25/2000	Teacher	1st			X		Laurel Elem
2003-04	Bell (Bahr)	Amanda	T	8/25/2000	Teacher	2nd			X		Laurel Elem
2003-04	COX	ERICA	T	9/2/1998	Teacher	2nd			X		Laurel Elem
2003-04	ONG	CARIN	T	9/2/1998	Teacher	3rd			X		Laurel Elem
2003-04	BRINKMAN	JOSEPHINE	T	8/25/2000	Teacher	4th			X		Laurel Elem
2003-04	BEST	KENTON	T	9/2/1998	Teacher	5th			X		Laurel Elem
2003-04	SHAW	HOLLY	T	9/14/2000	Teacher	1st			X		McAuliffe Elem
2003-04	NEWSOM	CORINNE	T	10/1/1998	Teacher	3rd			X		McAuliffe Elem
2003-04	QUINLAN	ESTELLE	T	8/25/2000	Teacher - LH SDC	Elem SpEd			X		McAuliffe Elem
2003-04	EVANS	TEANNA	T	8/21/2001	Teacher	7th			X		King Middle
2003-04	SHIRLEY	COLLEEN	T	8/21/2001	Teacher	7th			X		King Middle
2003-04	Stone (Tuft)	Catrina	Temp/Prob	10/16/2003	Teacher	8th Lang Arts			X		King Middle
2003-04	Allender	Julie	Temp/Prob	8/20/2002	Teacher	8th Sci			X		King Middle
2003-04	Yan (Norlander)	Joanne	Temp/Prob	8/20/2002	Teacher	8th Sci			X		King Middle
2003-04	BARETTE	VALLERI	Temp/Prob	1/2/2001	Teacher	MS			X		King Middle
2003-04	SKINNER	BEVERLY	T	8/21/2001	Teacher	MS			X		King Middle
2003-04	HERNANDEZ	CASEY	Temp/Prob	8/20/2002	Teacher	4			X		Garrison Elem
2003-04	HAAS	MARY	T	1/3/2000	Teacher	HS			X		Ocean Shores High
2003-04	COULTHARD	KAREN	T	9/1/1999	Teacher	HS Art			X		Ocean Shores High
2003-04	JOOLINGEN	JEANNE	T	9/2/1998	Teacher	2			X		Del Rio Elem
2003-04	COHEN	APRIL	T	9/28/2001	Teacher	3rd			X		Del Rio Elem
2003-04	Femia	Suzanne	Temp	1/23/2004	Teacher	4th			X		Del Rio Elem
2003-04	GRABLE	GINA	Temp/Prob	8/20/2002	Teacher	4th			X		Del Rio Elem
2003-04	ZELEDON	ANA	Temp/Prob	8/20/2002	Teacher - SH	Pre-K			X		Del Rio Elem
2003-04	ESCOBAR	MARIA	T	9/2/1998	Teacher	3			X		San Luis Rey Elem
2003-04	LANGAN-GRAVLIN	VICKI	T	8/25/2000	Teacher	4			X		San Luis Rey Elem
2003-04	MILLER, JR	JAY	T	9/11/2000	Teacher	5			X		San Luis Rey Elem
2003-04	ADAMS	JENNIFER	T	9/2/1998	Teacher	1st			X		San Luis Rey Elem
2003-04	NUNEZ	LEANDRA	T	8/21/2001	Teacher	1st			X		San Luis Rey Elem
2003-04	BOLES MUROYA	LISA	T	8/25/2000	Teacher	2nd			X		San Luis Rey Elem
2003-04	GASPARO	JACLYN	T	8/21/2001	Teacher	2nd			X		San Luis Rey Elem
2003-04	REINER	LAURIE	T	9/2/1998	Teacher	3rd			X		San Luis Rey Elem
2003-04	Stanford (Clark)	JANNA	T	8/25/2000	Teacher	3rd			X		San Luis Rey Elem
2003-04	CORNISH	SUZANNE	T	9/2/1998	Teacher	4th			X		San Luis Rey Elem

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2003-04	STRUVE (Drane)	MARY	T	8/25/2000	Teacher	4th			X		San Luis Rey Elem
2003-04	WILLIAMS	BARBARA	T	8/25/2000	Resource Specialist	Elem SpEd			X		San Luis Rey Elem
2003-04	GIBBENS	ALISON	T	9/18/2001	Teacher	Kinder			X		San Luis Rey Elem
2003-04	SANCHEZ	SALVADOR	T	9/2/1998	Teacher	Kinder			X		San Luis Rey Elem
2003-04	JOHNSON	HEIDI	T	9/2/1998	Teacher - LH SDC	SDC			X		San Luis Rey Elem
2003-04	MARQUARDT	MARTHA	T	8/25/2000	Teacher	2			X		Mission Elem
2003-04	MCGUIRE	PATRICIA	T	8/25/2000	Teacher	3			X		Mission Elem
2003-04	CORDOVA	BERLINDA	T	9/1/1999	Teacher	1st			X		Mission Elem
2003-04	CROUTHAMEL	KELLY	T	8/21/2001	Teacher	3rd			X		Mission Elem
2003-04	CLARK	SUSAN	T	9/2/1998	Teacher	4th			X		Mission Elem
2003-04	GOMMEL	WALTER	T	9/2/1998	Teacher	4th			X		Mission Elem
2003-04	SWEENEY	MOYA	T	8/21/2001	Teacher	4th			X		Mission Elem
2003-04	FARAH	LINDA	T	9/28/1998	Teacher	5th			X		Mission Elem
2003-04	SPENCER	DANA	T	8/25/2000	Teacher	5th			X		Mission Elem
2003-04	WEAVER (CONNOR)	CATHERINE	T	10/2/1998	Resource Specialist	Elem SpEd			X		Mission Elem
2003-04	ALVARADO	MARIA	T	9/2/1998	Teacher	K			X		Mission Elem
2003-04	LUTHER	JULIE	T	8/25/2000	Teacher	K			X		Mission Elem
2003-04	YENDES	DAVID	T	1/31/2000	Teacher	HS			X		El Camino High
2003-04	STRAUSE	HENRY	T	9/1/1999	Teacher	HS Art			X		El Camino High
2003-04	GREENE	MICHELE	T	8/25/2000	Resource Specialist	HS SpEd			X		El Camino High
2003-04	HAYWAS	ASKOLD	T	2/1/1999	Teacher	HS			X		El Camino High
2003-04	KLOOS	THOMAS	Temp/Prob	8/20/2002	Teacher	HS			X		El Camino High
2003-04	JARVIS	DANIEL	T	9/4/1998	Teacher	2			X		Palmquist Elem
2003-04	Eacott	Christopher	Temp/Prob	8/20/2003	Teacher	1st			X		Palmquist Elem
2003-04	CHILCOTE	TEKOA	T	10/13/2000	Teacher	3rd			X		Palmquist Elem
2003-04	ALBRIGHT	KRISTIN	T	2/1/2000	Teacher	4th			X		Palmquist Elem
2003-04	STEPHENS	DAVID	T	8/13/1998	Teacher	5th			X		Stuart Mesa Elem
2003-04	CLARK	JULIANNE	T	8/25/2000	Teacher	Elem			X		Stuart Mesa Elem
2003-04	HUMPHRIES	RHONDA	T	8/25/2000	Teacher	Elem			X		Stuart Mesa Elem
2003-04	WILLIAMS	CHERYL	T	1/18/2000	Teacher - SH	Elem SpEd			X		Stuart Mesa Elem
2003-04	FAIRCLOTH	ANGELA	T	8/25/2000	Teacher	K			X		Stuart Mesa Elem
2003-04	HILLHOUSE-SHOKES	VALERIE	T	8/25/2000	Teacher	1			X		Ditmar Elem
2003-04	MICHAEL	NICOLE	T	9/18/2000	Teacher	1			X		Ditmar Elem
2003-04	Sisson (Sporl)	Ellie	Tenured	10/20/2003	Teacher	3rd			X		Ditmar Elem
2003-04	YAZEL	DENNIS	T	8/29/2000	Teacher	MS Science			X		Jefferson Middle
2003-04	RILEY	JACQUELINE	T	8/25/2000	Teacher	6th			X		Jefferson Middle
2003-04	DOOSE	DANIEL	T	8/25/2000	Teacher	MS			X		Jefferson Middle
2003-04	WEICKGENANT	MARY	T	8/25/2000	Teacher	MS			X		Jefferson Middle
2003-04	SMITH	MATTHEW	T	9/2/1998	Teacher	MS Lang Arts			X		Jefferson Middle
2003-04	SIMMONS	DOUGLAS	T	8/25/2000	Teacher	MS Math			X		Jefferson Middle
2003-04	DISCHNER	JUDITH	Temp/Prob	8/20/2002	Teacher - SH	MS SpEd			X		Jefferson HS
2004-05	WEST	SERINA	T	9/1/1999	Teacher	2nd			X		Libby Elem
2004-05	Obrite (Kaminski)	Lynn	Tenured	10/11/1999	Teacher	5th			X		Libby Elem
2004-05	Lindgren	Roberta	Temp/Prob	10/21/2003	Teacher	5th/6th			X		Libby Elem
2004-05	FURQUERON	JEFFREY	T	9/1/1999	Teacher	6th			X		Libby Elem

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2004-05	CAPABIANCO	JENNIFER	T	9/1/1999	Resource Specialist	Elem SpEd			X		Lincoln Middle
2004-05	Reed (Sherwood)	AMERET	T	8/21/2001	Teacher	MS			X		Lincoln Middle
2004-05	Armstrong	Christian	Temp/Prob	4/19/2004	Teacher	MS PE			X		Lincoln Middle
2004-05	MCCONCHIE	BRIAR	T	8/25/2000	Teacher	2			X		North Terrace Elem
2004-05	AYALA	BETTINA	T	8/20/2002	Teacher - SH	Elem SpEd			X		North Terrace Elem
2004-05	KASSIS-DIKIY	STEPHANI	T	8/25/2000	Teacher	K			X		North Terrace Elem
2004-05	ROWAN II	MICHAEL	T	9/1/1999	Teacher	K/1st			X		North Terrace Elem
2004-05	FARQUHAR	STEPHANIE	T	8/21/2001	Teacher	HS			X		Oceanside High
2004-05	Nelms	Devin	Temp/Prob	8/25/2004	Teacher	HS			X		Oceanside High
2004-05	WAGNER	DAVID	T	9/1/1999	Teacher	HS SS			X		Oceanside High
2004-05	THIBODEAUX	JOSHUA	T	8/21/2001	Teacher	HS Math			X		Oceanside High
2004-05	BENSON-CLARK	KRISTI	T	9/1/1999	Teacher	HS PE			X		Oceanside High
2004-05	GOOD II	RICHARD	T	8/28/2000	Teacher	HS Science			X		Oceanside High
2004-05	Elliott (Sommerville)	MILANI	T	9/1/1999	Teacher	1			X		Pacifica Elem
2004-05	AFZALI	FARANAK	T	9/1/1999	Teacher	2nd			X		Pacifica Elem
2004-05	VAN DIEPEN	LEA	T	9/3/1999	Teacher	2nd			X		Pacifica Elem
2004-05	QUARRIE	M	Tenured	9/1/1999	Teacher	3rd			X		Pacifica Elem
2004-05	DISCHNER	JUDITH	T	8/20/2002	Teacher - SH	Elem SpEd			X		Pacifica Elem
2004-05	Bush	Jolyn	P	8/25/2005	Teacher - ED	1st	X		X		Jefferson Middle
2004-05	Meyers	Heather	Temp/Prob	8/26/2003	Teacher	MIDDLE			X		Jefferson Middle
2004-05	Hill	Keith	Temp/Prob	11/14/2003	Teacher	MS			X		Jefferson Middle
2004-05	Kern	Justin	T	9/29/2003	Teacher	MS			X		Jefferson Middle
2004-05	LEAVERTON	SHERI	T	8/25/2000	Teacher	MS	X		X		Jefferson Middle
2004-05	Vico (RUBEN)	IRENE	T	2/8/1999	Teacher	MS	X		X		Jefferson Middle
2004-05	MARSHALL	GAIL	T	8/20/2002	Teacher - LH SDC	SDC/MIDDLE			X		Jefferson Middle
2004-05	Hueth	Dave	Temp/Prob	2/10/2004	Teacher	English			X		Oceanside High
2004-05	FISHER (Potter)	ANN	T	8/13/1999	Teacher	HS			X		El Camino High
2004-05	GUAYANTE	GREGORY	T	9/1/1999	Teacher	HS			X		El Camino High
2004-05	COHEN	CHARLES	T	8/21/2001	Teacher	HS Eng			X		El Camino High
2004-05	SHANAHAN (Young)	LAURA	T	8/21/2001	Teacher	HS Eng			X		El Camino High
2004-05	SHORTMAN	LESLEY	T	8/21/2001	Teacher	HS Eng			X		El Camino High
2004-05	TARGHETTA	CARRIE	T	8/21/2001	Teacher	HS Eng			X		El Camino High
2004-05	NANK	SEAN	T	8/21/2001	Teacher	HS Math			X		El Camino High
2004-05	Roeder	Stephen	Tenured	8/1/2004	Teacher	HS Math			X		El Camino High
2004-05	Sellers	Peggy	Tenured	8/25/2005	Teacher	HS Math			X		El Camino High
2004-05	TRAUGH	STEVEN	T	9/1/1999	Teacher	Music	X		X		Jefferson Middle
2004-05	Gisbert	Cynthia		8/25/2005	Teacher - LH SDC	Kinder			X		King Middle
2004-05	DeSanto (Swanberg)(Smith)	Christina		11/23/1998	Teacher	6th			X		King Middle
2004-05	GRABLE	GINA	T	8/20/2002	Teacher	7th Science			X		King Middle
2004-05	JENSEN	JENNIFER	T	9/28/1998	Teacher	8 SCIENCE			X		King Middle
2004-05	HO	CHIA (ROBERT)	T	9/2/1998	Teacher	MS			X		King Middle
2004-05	COHEN	PATRICIA	T	9/1/1999	Teacher	MS 7th Core			X		King Middle
2004-05	ANDERSON	THITHI	T	9/1/1999	Teacher	MS Math			X		King Middle
2004-05	DUNNING	FARZIN	T	9/1/1999	Teacher	MS Math			X		King Middle
2004-05	Sanders	Xylena	Tenured	8/25/2005	Resource Specialist	MS SpEd			X		King Middle

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2004-05	BUNRASI	JOHN	T	8/23/1999	Teacher	MS Math	X		X	Jefferson Middle
2004-05	Franklin	Michael	Temp/Prob	8/26/2003	Teacher	HS Eng			X	El Camino High
2004-05	Winters(Rasmussen) Holly	HOLLY	T	8/21/2001	Teacher	HS Spanish			X	El Camino High
2004-05	JARRARD	JEFFREY	T	9/1/1999	Teacher	SS/ASB			X	El Camino High
2004-05	GRAY	ANN	T	8/18/1999	Teacher	ELD	X		X	Clair W. Burgener Academy
2004-05	GIBBA	TRACY	T	8/25/2000	Teacher	HS SS			X	El Camino High
2004-05	VORIS	THOMAS	T	8/14/2000	Teacher	HS SS			X	El Camino High
2004-05	GEE	JEREMEY	T	8/21/2001	Teacher	HS Math			X	El Camino High
2004-05	THOMPSON	ORLANDO	T	8/13/1998	Teacher	MATH	X		X	Clair W. Burgener Academy
2004-05	HARTZ	JESSE	T	9/16/1998	Teacher	MS			X	Clair W. Burgener Academy
2004-05	AMIDON	C	T	2/1/1999	Teacher	MS Math			X	Clair W. Burgener Academy
2004-05	Taliana	Michael	Tenured	8/20/2002	Teacher	Alg			X	Clair W. Burgener Academy
2004-05	RUIZ	SOCORRO	T	8/21/2001	Teacher	HS			X	El Camino High
2004-05	Whalen (WALTON)	CASEY	T	8/21/2001	Teacher	HS			X	El Camino High
2004-05	WILLIAMS	ALLEN	T	8/31/2001	Teacher	HS ARC			X	El Camino High
2004-05	BAYHAM	BONNIE	T	8/21/2001	Teacher	HS Math			X	El Camino High
2004-05	Musgrove	Douglas	Temp/Prob	8/26/2003	Teacher	HS PE			X	El Camino High
2004-05	Spooner	Marguerite	Tenured	2/1/1999	Teacher	various			X	Clair W. Burgener Academy
2004-05	Calvert	Lisa	Temp/Prob	10/16/2003	Teacher	1st			X	Santa Margarita Elem
2004-05	SWARTZ	CATHI	T	8/28/2000	Teacher	4th			X	Santa Margarita Elem
2004-05	KEARNEY	SHERI	T	8/21/2001	Teacher	4th/5th			X	Santa Margarita Elem
2004-05	ARSENAULT	JACQUELYN	T	9/4/1998	Teacher	MS			X	Santa Margarita Elem
2004-05	STONE	JONATHAN	T	1/8/2001	Teacher	4th/5th			X	Ivey Ranch Elem
2004-05	Berman (GREY)	EMILY	T	9/2/1999	Resource Specialist	Elem SpEd			X	Ivey Ranch Elem
2004-05	HAMME	KELLY	T	9/1/1999	Teacher	K			X	Ivey Ranch Elem
2004-05	ZELUFF	KAREN	T	8/21/2001	Teacher	Kinder			X	Ivey Ranch Elem
2004-05	VOGEL	REBECCA	T	8/13/1999	Teacher	4th			X	Nichols Elem
2004-05	MARANDA	COLETTE	T	8/21/2001	Teacher	K			X	Nichols Elem
2004-05	BLEHA (Thompson)	JENNIFER	T	8/21/2001	Teacher	6th			X	Lincoln Middle
2004-05	MILLER	MICHAEL	T	9/2/1998	Teacher	7,8			X	Lincoln Middle
2004-05	RULE (Norris)	Denise	Tenured	8/21/2001	Teacher	MS			X	Lincoln Middle
2004-05	ROGERS	THOMAS	T	7/31/2001	Teacher	MS Math			X	Lincoln Middle
2004-05	CARLSON	CATHERINE	T	8/25/2000	Teacher	1st			X	Nichols Elem
2004-05	DAVIS	CRAIG	T	8/21/2001	Teacher	HS	X		X	Oceanside High
2004-05	Miller	Tara	Temp/Prob	10/1/2003	Teacher - ARC	HS			X	Oceanside High
2004-05	Stafford	Kortni	Tenured	8/25/2005	Teacher	HS Biology			X	Oceanside High
2004-05	Redmond	Brad	Tenured	8/25/2004	Teacher	HS Math			X	Oceanside High
2004-05	RICHMAN	WILLIAM	T	8/21/2001	Teacher	HS Math	X		X	Oceanside High
2004-05	JONES	ANETA	T	8/20/2002	Teacher - SH	SDC	**		X	Oceanside High
2004-05	Howard	Mervi		8/25/2005	Teacher	HISTORY			X	Oceanside High
2004-05	Stone (Van der Molen)	MELANIE	T	2/5/2001	Teacher	1st/2nd			X	Laurel Elem
2004-05	VOGEL	JEFFREY	T	8/9/2000	Teacher	HS Eng			X	Oceanside High
2004-05	Faumuina	Merideth	Temp/Prob	8/19/2003	Teacher - LH SDC	HS SpEd			X	Oceanside High
2004-05	George	Tamara	Temp/Prob	8/19/2003	Resource Specialist	MS SpEd			X	El Camino High
2004-05	FLANAGAN	TERESA	T	8/25/2000	Teacher	Kinder			X	Reynolds Elem

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2004-05	HOLGUIN	JENNIFER	T	9/1/1999	Teacher	1			X		Laurel Elem
2004-05	CARRASCO	ARTURO	T	8/21/2001	TOSA	Elem			X		Reynolds Elem
2004-05	Best (Cross)	Lisa	T	12/4/2000	Teacher	1st			X		Laurel Elem
2004-05	BOYD	KEITH	T	8/21/2001	Teacher - SH	Elem SpEd			X		Laurel Elem
2004-05	BOYD	KIMBERLY	T	8/21/2001	Resource Specialist	Elem SpEd			X		Laurel Elem
2004-05	MURRAY	LISA	T	9/1/1999	Teacher	1st/2nd	X**		X		McAuliffe Elem
2004-05	POWELL	KIMBERLEE	T	9/1/1999	Teacher	6th	X		X		King Middle
2004-05	Allender	Julie	Tenured	8/20/2002	Teacher	7th Sci			X		King Middle
2004-05	Stone (Tuft)	Catrina	Temp/Prob	10/16/2003	Teacher	8th Lang Arts			X		King Middle
2004-05	PHILLIPS	MICHAEL	T	1/2/2001	Teacher	Elem			X		King Middle
2004-05	Post	Jenny	Tenured	8/24/2004	Teacher	Elem Music			X		Pupil Services
2004-05	Casselberry	Nadedja	P	8/25/2005	Teacher	Kinder			X		King Middle
2004-05	Coscuna	Cynthia	Temp/Prob	1/25/2005	Teacher	MS			X		King Middle
2004-05	NOURANI	MELODY	T	8/21/2001	Teacher	3rd			X		Garrison Elem
2004-05	FLORIO	MICHAEL	T	8/21/2001	Teacher	5th			X		Garrison Elem
2004-05	SIMMONS	BRENDA	Temp/Prob	8/21/2002	Teacher - SH	Elem SpEd			X		Garrison Elem
2004-05	MULLER	RANDOLPH	T	8/25/2000	Teacher - LH SDC	ELM/SDC			X		Garrison Elem
2004-05	BOKOR	DAYLE	T	3/9/2001	Teacher	K			X		Garrison Elem
2004-05	MARCON	RACHELLE	T	3/29/1999	Teacher	K			X		Garrison Elem
2004-05	ZAVODNY	NICOLE	T	8/25/2000	Teacher SE (ECE)	Pre-K			X		Garrison Elem
2004-05	ANDERSON	WARREN	T	9/1/1999	Teacher	HS SS			X		Ocean Shores High
2004-05	COLE	VERNAL	T ROP	8/25/2000	Teacher	HS Math			X		Ocean Shores High
2004-05	Engen	Michael	P	8/26/2004	Resource Specialist	HS SpEd			X		Ocean Shores High
2004-05	JOOLINGEN	WILLIAM	T	9/1/1999	Teacher	4			X		Del Rio Elem
2004-05	Hajek-Schalge	ELLEN	T	10/26/1998	Teacher	1st/2nd			X		Del Rio Elem
2004-05	HINDMAN	RENEE	T	8/25/2000	Teacher	1st/2nd			X		Del Rio Elem
2004-05	FLYNN	LINDA	T	9/1/1999	Teacher	2nd			X		Del Rio Elem
2004-05	SAAVEDRA	MARLENA	T	8/25/2000	Teacher	3rd			X		Del Rio Elem
2004-05	THIELEN	KARYN	T	9/2/1999	Teacher	4th			X		Del Rio Elem
2004-05	CHAMBERS	ANNIE	T	9/1/1999	Teacher	5th			X		Del Rio Elem
2004-05	Femia	Suzanne	Temp/Prob	1/23/2004	Teacher	5th			X		Del Rio Elem
2004-05	ROGERS	SCOTT	T	9/1/1999	Teacher	5th			X		Del Rio Elem
2004-05	SOTO	JOSE	T	2/1/1999	Resource Specialist	Elem SpEd			X		Del Rio Elem
2004-05	CHU-KRAMER	MAGGIE	T	9/1/1999	Teacher	Kinder			X		Del Rio Elem
2004-05	ZELEDON	ANA	T	8/20/2002	Teacher - SH	Pre-K			X		Del Rio Elem
2004-05	MCCARTHY	ANNETTE	T	9/2/1998	Teacher	1			X		San Luis Rey Elem
2004-05	SALMON	BLAIR	T	1/27/1999	Teacher	1st			X		San Luis Rey Elem
2004-05	BOYSTER (Watson)	LISA	T	9/1/1999	Teacher	2nd			X		San Luis Rey Elem
2004-05	Carlisle	Erin	Temp/Prob	8/24/2004	Teacher - LH SDC	HS Eng			X		San Luis Rey Elem
2004-05	STICKLES	MARTHA	T	8/21/2001	Teacher	4th			X		Mission Elem
2004-05	POKLETAR	ROBERT	T	8/25/2000	Teacher - LH SDC	Elem SpEd			X		Mission Elem
2004-05	HARRIS	HOLLY	T	1/25/2001	Teacher	K			X		Mission Elem
2004-05	Faist (Prather)	Chandra	Temp/Prob	8/25/2004	Teacher	HS			X		Oceanside High
2004-05	WAGGETT, JR	DONALD	T	9/1/1999	Teacher	HS Math			X		Oceanside High
2004-05	DRAIM	DAVID	T	8/21/2001	Teacher	HS			X		El Camino High

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2004-05	DREISBACH	JUDE	T	2/5/2001	Teacher - LH SDC	HS			X		El Camino High
2004-05	LISH	ANITA	T	9/2/1998	Resource Specialist	HS	X**		X		El Camino High
2004-05	MCANEAR	DEANNA	T	8/25/2000	Teacher - LH SDC	HS			X		El Camino High
2004-05	MCKINLEY	JENIFER	T	9/1/1999	Teacher	HS			X		El Camino High
2004-05	Zendejas	Kristin	Tenured	8/24/2004	Teacher	HS			X		El Camino High
2004-05	CASIAS	LEVI	T	8/21/2001	Teacher	HS Art			X		El Camino High
2004-05	THOMPSON	DAVID	T	9/1/1999	Teacher - LH SDC	HS SpEd			X		El Camino High
2004-05	VANHOOSER	MALINDA	T	9/1/1999	Resource Specialist	HS SpEd			X		El Camino High
2004-05	WILHOVSKY	ERIK	T	8/21/2001	Resource Specialist	HS SpEd			X		El Camino High
2004-05	Langen	Mandy	P	8/24/2004	Teacher	HS			X		El Camino High
2004-05	MEZA	CHRISTINE	T	9/2/1998	Teacher	HS			X		El Camino High
2004-05	ROCHE	JANICE	Tenured	9/13/2001	Teacher	1st			X		Palmquist Elem
2004-05	TRELEASE	RENEE	T	9/1/1999	Teacher	1st			X		Palmquist Elem
2004-05	NIELAND	MICHAEL	T	1/24/2001	Teacher	2nd			X		Palmquist Elem
2004-05	REESE	MARA	T	8/21/2001	Teacher	2nd			X		Palmquist Elem
2004-05	Eacott	Christopher	Temp/Prob	8/20/2003	Teacher	5th			X		Palmquist Elem
2004-05	GRUBER	ALLEN	T	8/23/2001	Teacher - LH SDC	Elem SpEd			X		Palmquist Elem
2004-05	HOGUE	LORRAH	T	9/1/1999	Teacher	K			X		Stuart Mesa Elem
2004-05	Scott (Hoover)	Mary		2/13/2001	Teacher	2			X		Ditmar Elem
2004-05	MAGANA	ROSEMARY	T	10/22/1999	Teacher	3			X		Ditmar Elem
2004-05	MOCNY	KELLI	T	9/1/1999	Teacher	3			X		Ditmar Elem
2004-05	POTTS	MICHAEL	T	5/3/2001	Teacher	4th			X		Ditmar Elem
2004-05	Chavarria	Freddie	Tenured	9/2/2003	Teacher	MS			X		Jefferson Middle
2004-05	Villalpando (Robertson)	JENNIFER	T	8/14/2000	Teacher	MS Lang Arts	X		X		Jefferson Middle
2004-05	HUERTERO (Dellar)	Amy	Temp/Prob	8/24/2004	Resource Specialist	MS SpEd			X		Jefferson Middle
2004-05	HINDERLITER	JAMES	T	9/1/1999	Teacher - LH SDC	SDC	X		X		Jefferson Middle

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Evaluator	Satisfactory / Unsatisfactory	
C. Motes	S	
D. Daris	S	
E. Szielenski	S	
S. Avila-Molina	S	
C. Motes	S	
D. Daris	S	
D. DARIS	S	
D. DARIS	S	
E. Galvan	S	
E. GALVAN	S	
E. Szielenski	S	
F. DELGADO	S	
F. Delgado	S	
F. Gomez	S	
F. GOMEZ	S	
G. Serna	S	
J. ASSMAN	S	
J. Assman	S	
J. Farley	S	
K. Marquardt	S	
K. Marquardt	S	
K. Marquardt	S	
L. Goldstein	S	
L. Hess	S	
L. Hess	S	
M. GLEISBERG	S	
M. Munden	S	
M. MUNDON	S	
P. Barnes	S	

Oceanside USD - Permanent Certificated Instructional Employees (CIE) <10 yrs Tenure
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P. Morgan	S	
R. Briggs	S	
R. Briggs	S	
R. Clendening	S	
S. Molina	S	
T. KEANE	S	
T. Keane	S	
V. Esquibel	S	
	S	
B. KOLB	S	
B. KOLB	S	
B. Kolb	S	
B. Rowe	S	
B. Rowe	S	
C. Motes	S	
C. Motes	S	
D. Daris	S	
E. Council	S	
E. COUNCIL	S	
E. Galvan	S	
E. SZIELENSKI	S	
F. DELGADO	S	
F. Delgado	S	
F. Delgado	S	
F. Gomez	S	
F. GOMEZ	S	
J. Assman	S	

Oceanside USD - Permanent Certificated Instructional Employees (CIE) <10 yrs Tenure
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P.Trayrn	S	
R. Briggs	S	
R. BRIGGS	S	
R. BRIGGS	S	
R. Clendening	S	
R. Gibson	S	
T. KEANE	S	
T. Keane	S	
T. TURNER	S	
T. TURNER	S	
V. Esquibel	S	
E.Galvan	S	
A. Diaz	S	
A. Gamble	S	
B. Johnson	S	
B. KOLB	S	
B. ROWE	S	
B. Rowe	S	
C. Motes	S	
C. Motes	S	
C. Sanders	S	

Oceanside USD - Permanent Certificated Instructional Employees (CIE) <10 yrs Tenure
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C. Sanders	S	
D. ALCORN	S	
D. Alcorn	S	
D. Daris	S	
D.D. Alcorn	S	
E. WALTERS	X	
E. Council	S	
E. GALVAN	S	
E. SYELENSKI	S	
E. SZIELENSKI	Req Improvement	
E. Szielenski	S	
E. WALTERS	S	
E. Walters	S	

Oceanside USD - Permanent Certificated Instructional Employees (CIE) <10 yrs Tenure
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E. Walters	S	
F. CHERVEIA	S	
F. Degado	S	
F. Degado	S	
F. DELGADO	S	
F. Gomez	S	
G. Serna	S	
J. Assman	S	
J. IMAN	S	
J. Shirley	S	
J.Iman	S	
K. Marquardt		
K. Marquardt	S	
L. Graziola	S	

Oceanside USD - Permanent Certificated Instructional Employees (CIE) <10 yrs Tenure
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P.Barnes	S	
R. Briggs	REQUIRES IMPROVEMENT	
R. Briggs	S	
R. Briggs	S	
R. Clendening	S	
R. GIBSON	S	
Ron Briggs	S	
S. MORR	S	
T. Keane	S	
T. Keane	S	
T. TURNER	S	
T. TURNER	S	
T. Turner	S	
V. Esquibel	S	
V. ESQUIVEL	S	
A. Diaz	S	
B. Johnson	S	

Oceanside USD - Permanent Certificated Instructional Employees (CIE) <10 yrs Tenure
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B. Johnson	S	
B. Kolb	S	
B. ROWE	S	
B. Rowe	S	
C. SANDERS	S	
D. ALCORN	S	
D. Alcorn	S	
D. Alcorn	Assistance Plan	
D. ALCORN	S	
D. Daris	S	
D. Daris	S	
D. Daris	S	
D. Shreves	S	
D.D. Alcorn	S	

Oceanside USD - Permanent Certificated Instructional Employees (CIE) <10 yrs Tenure
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D.Daris	S	
E. Council	S	
E. S. Bessant	S	
E. S. Bessant	S	
E.S. Bessant	S	
E.S. Bessant	S	
E.S. Bessant	S	
F. Balanon	S	
F. Delgado	S	
F. Gomez	S	
G. Thornton	Req. Improvement	
G. Thornton	S	
J. IMAN	S	
J. Schmidt	S	

Oceanside USD - Permanent Certificated Instructional Employees (CIE) <10 yrs Tenure
 Stull Act Program Hrs, FY 1997-98 through FY 2007-08 (Every Other Year Evaluation)

J. Schmidt	S	
J. SHIRLEY	S	
J. Walters	S	
J. Walters	S	
J. Walters	S	
K. Marquardt	S	
L. Graziola	S	
L. GRAZIOLI	S	
L. GRAZIOLI	S	
L. HESS	S	
L. IBARRA	S	
L.Graziola	S	
L.Ibarra	S	

Oceanside USD - Permanent Certificated Instructional Employees (CIE) <10 yrs Tenure
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L.Ibarra	S	
L.Ibarra	S	
Luis Ibarra	S	
M. Gleisberg	S	
M. Gleisberg	S	
M. Gleisberg	S	
M. Munden	S	
M. MUNDON	S	
M. MUNDON	S	
P. Barnes	S	
P. Cowman	S	
P. MORGAN	S	
P. Thompson	S	
R. BRIGGS	S	

Oceanside USD - Permanent Certificated Instructional Employees (CIE) <10 yrs Tenure
 Stull Act Program Hrs, FY 1997-98 through FY 2007-08 (Every Other Year Evaluation)

R. Clendening	S	
R. Clendening	S	
R. Clendening	S	
R. GIBSON	S	
R. Nelson	S	
R. NELSON	X	
R. NELSON	S	
R. Rowe	S	
S. BESSANT	S	
S. Bessant	S	
S. Bessant	S	
S. MORR	S	
T. Keane	S	
T. McAteer	S	
T. MCATEER	S	
T. McAteer	S	

Oceanside USD - Permanent Certificated Instructional Employees (CIE) <10 yrs Tenure
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T. McAteer	S	
T. McAteer	S	
T. McAteer	S	
T. Tanner	S	
T. TURNER	S	
V. Esquibel	Req Improvement	
V. Esquibel	S	
T. TURNER	S	
B. Johnson	S	
B. Kolb	S	
B. ROWE	S	
C. Sanders	S	
D. DARIS	S	
D. Shreves	S	

Oceanside USD - Permanent Certificated Instructional Employees (CIE) <10 yrs Tenure
 Stull Act Program Hrs, FY 1997-98 through FY 2007-08 (Every Other Year Evaluation)

D. SHRIEVES	S	
D.Daris	S	
E. S. Bessant	S	
E.S. Bessant	S	
E.S. Bessant	S	
F. Balanon	S	
F. DELGADO	S	
F. Delgado	S	
F. Delgado	S	
F. Gomez	S	
F. GOMEZ	S	
F. Gomez	S	
F. Wilson	S	
G. Thornton	S	
G. Thornton	S	
G. Thornton	S	
G. THORTON	S	
J. Iman	S	
J. Schmidt	S	
J. Schmidt	S	
J. Shirley	S	
J. Shirley	S	
J. Shirley	S	

Oceanside USD - Permanent Certificated Instructional Employees (CIE) <10 yrs Tenure
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J. Shirley	S	
J. Shirley	S	
K. Marquardt	S	
L. Hess	S	
L. IBARRA	S	
L. Ibarra	S	
L.Ibarra	S	
L.Ibarra	S	
L.Ibarra	S	
M. Gleisberg	S	
M. Gleisberg	S	
M. Munden	S	
M. Oliver	S	
P. Cowman	S	
P. MORGAN	S	
P. THOMPSON	S	
P. Thompson	S	

Oceanside USD - Permanent Certificated Instructional Employees (CIE) <10 yrs Tenure
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P. Thompson	S	
R. Briggs	S	
R. GIBSON	S	
R. Mueller	S	
R. Nelson	S	
R. NELSON	X	
R. NELSON	S	
S. Bessant	S	
S. Bessant	S	
S. Bessant	S	
S. Morr	S	
S. Morr	S	
T. Keane	S	
T. Keane	S	
T. KEANE	S	
T. MC ATEER	S	
T. TURNER	S	
T. TURNER	S	
T. Turner	S	
V. Esquibel	S	
V. ESQUIVEL	S	

Oceanside USD - Permanent Certificated Instructional Employees (CIE) <10 yrs Tenure
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D. COLEMAN	S	
D. Coleman	Assistance Plan	
D. Coleman	S	
D. Coleman	S	
D. Coleman	S	
D. DARIS	X	T in FY 2002-03
D. DARIS	S	
D. Legg	S	
D. Shreves	S	
D. Daris	S	
E. S. Bessant	S	
E. S. Bessant	S	
E.S. Bessant	S	
F. BALANON	S	
F. Degado	S	
F. Degado	S	
F. Delgado	S	
F. Gomez	S	

Oceanside USD - Permanent Certificated Instructional Employees (CIE) <10 yrs Tenure
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F. WILSON	S	
J. SCHMIDT	S	
J. IMAN	S	
J. Reimer	S	
J. Schmidt	S	
J. Walters	S	
K. Marquardt	S	
K. Obrzut	S	
K. Obrzut	S	

Oceanside USD - Permanent Certificated Instructional Employees (CIE) <10 yrs Tenure
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K. Obrzut	S	
K. Obrzut	S	
K. ORBITZ	S	
L. Graziola	S	
L. GRAZIOLI	S	
L. GRAZIOLI	S	
L. GRAZOLI	S	
L.Ibarra	S	
M. Gleisberg	S	
M. Gleisberg	S	
M. Gleisberg	S	
M. Munden	S	
M. Oliver	S	
P. Cowman	S	
P. Cowman	S	
P. Morgan	S	
P. Thompson	S	

Oceanside USD - Permanent Certificated Instructional Employees (CIE) <10 yrs Tenure
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P. Thompson	S	
R. GIBSON	S	
R. Nelson	S	
R. Nelson	S	
R. Nelson	S	
S. BESSANT	S	
S. Bessant	S	
S. MORR	S	
T. McAteer	S	
T. TURNER	S	
T. TURNER	S	
Tim Turner	S	
W Cocita	S	
W. Cocita	S	
W. Cocita	S	
W. Cocita	S	
W. Cocita	S	
W. Cocita	S	
W. Cocita	S	
B. Johnson	S	

Oceanside USD - Permanent Certificated Instructional Employees (CIE) <10 yrs Tenure
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B. Kolb	S	
B. Kolb	S	
B. Kolb	S	
B. ROWE	S	
C. Mora	S	
C. Sanders	S	
D. Coleman	S	
D. DARIS	S	
D. Schreves	S	
D. Shreves	S	

Oceanside USD - Permanent Certificated Instructional Employees (CIE) <10 yrs Tenure
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D.Coleman	S	
D.Daris	S	
E S. Bessant	S	
E. BESSENT	S	
E. S. Bessant	S	
E.S. Bessant	S	
E.S. Bessant	S	
E.S. Bessant	S	
E.S. Bessant	S	
E.S. Bessant	S	
E.S. Bessant	S	
E.S. Bessant	S	
F. Gomez	S	
F. Wilson	S	
J. Iman	S	
J. IMAN	S	
J. Schmidt	S	
J.Iman	S	
K. Marquardt	S	
K. OBRIZT	S	
K. Obrzut	S	
K. Obrzut	S	
K. Obrzut	S	
K. Obrzut/J. Schmidt	S	
L. Graziola	S	

Oceanside USD - Permanent Certificated Instructional Employees (CIE) <10 yrs Tenure
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L. IBARRA	S	
L.Graziola	S	
L.Ibarra	S	
L.Ibarra	S	
L.Ibarra	S	
M. Gleisberg	S	
M. Munden	S	
M. Oliver	S	
P. Cowman	S	
P. Cowman	S	
P. Cowman	S	
P. Morgan	S	
P. THOMPSON	S	
R. Gibson	S	
R. Gibson	S	
R. GIBSON	S	
R. Mueller	S	
R. Mueller	S	
R. Nelson	S	

Oceanside USD - Permanent Certificated Instructional Employees (CIE) <10 yrs Tenure
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R. NELSON	X	
R. NELSON	S	
S. Bessant	S	
S. Bessant	S	
S. Morr	S	
T. MCATEER	S	
T. TURNER	S	
W. Cocita	S	
W. Cocita	S	
W. Cocita	S	
W. COCITAS	S	