

## COMMISSION ON STATE MANDATES

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June 19, 2015

Mr. Thomas Todd  
Department of Finance  
915 L Street  
Sacramento, CA 95814

*And Parties, Interested Parties, and Interested Persons (See Mailing List)*

Re: **Denial of Request for Extension of Time and Postponement of Hearing**  
*California Assessment of Student Performance and Progress (CAASPP)*, 14-TC-01  
Education Code Sections 60602 et al.

California Code of Regulations, Title 5, Section 850 through 864, inclusive;  
(Register 2014, No. 30; Effective Date: July 23, 2014)

Santa Ana Unified School District, Porterville Unified School District, Plumas County  
Office of Education, Plumas Unified School District, Claimants

Dear Mr. Todd:

On June 16, 2015, the Commission on State Mandates (Commission) received the Department of Finance's (Finance's) request for an extension of time to file comments on the draft proposed decision and request for postponement of the July 24, 2015 hearing on the above-named matter.

Pursuant to section 1187.9(a) and (b) of the Commission's regulations, a request to postpone *may* be approved for good cause.<sup>1</sup> Continuances and postponements are disfavored and pursuant to Government Code section 17530, the executive director has a duty to expedite all matters before the Commission. Moreover, based on the statutory requirement that the Commission adopt procedures to ensure that a statewide cost estimate be adopted within 12-18 months of the filing of a test claim (Gov. Code 17553(a)(2)), this item has been expedited. The amendment of this test claim has resulted in a delay of two months in hearing this item and the postponement requested here would result in an additional two month delay.

Section 1187.9(b) of the Commission's regulations provides that each request for postponement will be considered on its own merits and must fully explain the reasons for the request. The executive director may only postpone the matter if there is an affirmative showing of good cause. (Cal. Code. Regs., tit. 2 § 1187.9.) Examples of good cause include unavailability of a party because of death, illness or other excusable circumstance, substitution of a party representative (in specified circumstances), a party's inability to obtain essential evidence in spite of diligent efforts, and the number and complexity of the issues in the draft proposed decision or in comments on the draft. None of those apply here.

Your request states that since the draft proposed decision was released on June 1, 2015, your workload has focused on finalizing the 2015-2016 budget, which includes testifying before the

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<sup>1</sup> The Commission's regulations may be found at: [http://www.csm.ca.gov/documents/CSMRegs\\_Effective\\_7-1-14.pdf](http://www.csm.ca.gov/documents/CSMRegs_Effective_7-1-14.pdf).

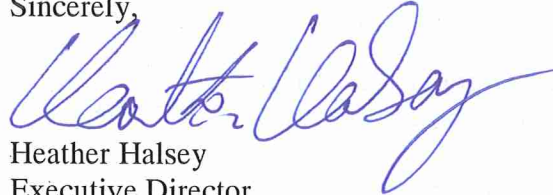
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budget conference committee, negotiating with legislative staff, and drafting legislation. However, your work associated with the budget is not unforeseen or new.

Additionally, the claimant has not requested or stipulated to postponement pursuant to Section 1187.9(b)(3)(A) or (B) of the Commission's regulations.

Therefore, your request for extension of time and postponement of hearing is denied. This matter remains set for hearing on **July 24, 2015**, at 10:00 a.m. in Room 447 of the State Capitol, Sacramento, California and comments are due June 22, 2015.

Sincerely,



Heather Halsey  
Executive Director

**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 June 19, 2015, I served the:

**Denial of Request for Extension of Time and Postponement of Hearing**  
*California Assessment of Student Performance and Progress (CAASPP)*, 14-TC-01  
Education Code Sections 60602 et al.  
California Code of Regulations, Title 5, Section 850 through 864, inclusive;  
(Register 2014, No. 30; Effective Date: July 23, 2014)  
Santa Ana Unified School District, Porterville Unified School District, Plumas County  
Office of Education, Plumas Unified School District, Claimants

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 19, 2015 at Sacramento, California.



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Heidi J. Palchik  
Commission on State Mandates  
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# COMMISSION ON STATE MANDATES

## Mailing List

**Last Updated:** 6/4/15

**Claim Number:** 14-TC-01

**Matter:** California Assessment of Student Performance and Progress (CAASPP)

**Claimants:** Plumas County Office of Education  
Plumas Unified School District  
Porterville Unified School District  
Santa Ana Unified School District  
Vallejo City 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.)

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