



Fairfield-Suisun Unified School District

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"Fairfield-Suisun Unified School District is a premier learning community that empowers each student to thrive in an ever changing world."

August 3, 2020

RECEIVED

August 10, 2020

**Commission on
State Mandates**

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Please consider this letter the official response from Fairfield-Suisun Unified School District (FSUSD) regarding comments filed July 10, 2020 by the State Controller's Office (SCO) for the FSUSD Incorrect Reduction claim for the Stull Act Program Audit.

In their comments the State Controller's Office responded that it:

"[the SCO] makes no assessment to the relevancy of one activity versus another in the collective bargaining agreements".

However, in plain language in the audit findings the SCO does exactly that. If the Collective Bargaining Agreements (CBAs) for each year is the basis for the allowance of a mandated activity, specifically observations by administrators, then the SCO should be allowing at least some time for the final write-up by administrators, as the two activities are required [for] the same employees within the same section of all the CBAs discussed in the audit.

One of two other issues brought up in the SCO's comments:

The SCO referenced an email sent to a site administrator during the audit. In the email the SCO in a footnote raised additional questions about the time tracking spreadsheet, including the lack of a signed declaration for each administrator, how the spreadsheet was created, who had access to the spreadsheet, and what controls were placed over the data to ensure accurate reporting (Tab 3 – page 9). The SCO in the IRC comments noted for the first time "We did not receive responses to those questions."

The District respectfully replies that after close examination the problem with the State Controllers Statement is that these "additional questions" were posed as an afterthought at the very bottom of an email to a HS principal who would probably not have been involved in the generation of the spreadsheet, and did not have any idea if each site administrator put their data into a Google Doc.

As the State Controller is more than likely aware Google sheets (which was the data gathering tool used by the District) is 100% able to track all of the information requested by the State Controller. If the question had been posed to the appropriate personnel assigned to the audit instead of in a footnote of

the email sent to the HS Principal (specifically it should have been sent directly to the Audit Manager and the HR Director), the District would have made every effort to answer the questions. Unfortunately, the questions were posed to a site administrator who would have no way of ascertaining the answers. However, the State Controller's reasoning for choosing the employee least likely able to answer the question is in the District's opinion nothing but inexplicable. If answers were actually wanted the State Controller was fully aware that any all questions would be answered timely and fully when asked to appropriate District Administration involved in the audit.

Lastly, the SCO commented that:

"The District contradicts itself by first requesting 1.55 hours of reimbursement for each documented final write-up, then asking that "some reasonable amount of time" be allowed for the same activity."

In response the District would like to emphasize we have always been and are still very willing to negotiate any reasonable time increment for the final write-up, as having the entire activity 100% disallowed is unacceptable. The District is just hoping for some middle ground to be found between itself and the SCO. The District proposed 1.55 hours as the appropriate amount of allowable time, however in a desire to see some sort of resolution to the issue the District was only trying to convince the SCO to be reasonable and asking for some form of negotiation or compromise. In the end the SCO was unwilling to engage in any dialogue at all regarding this matter, and instead in its comments on July 10th, 2020 seems to be making light of the proposed compromise.

Please let me know if you have any questions.

Thank you very much,



Michelle Henson
Assistant Superintendent, Business Services
Fairfield-Suisun Unified School District

"In a safe, welcoming, and supportive learning environment, we provide innovative educational opportunities to develop resilient students who are inspired to succeed"

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 August 11, 2020, I served the:

- **Claimant's Rebuttal Comments filed August 10, 2020**

The Stull Act, 19-9825-I-03

Education Code Sections 44660-44665;

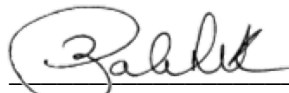
Statutes 1983, Chapter 498; Statutes 1999, Chapter 4

Fiscal Years: 2005-2006, 2006-2007, 2007-2008, 2010-2011, 2011-2012, 2012-2013

Fairfield-Suisun 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 August 11, 2020 at Sacramento, California.



Heidi Palchik

Commission on State Mandates

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COMMISSION ON STATE MANDATES

Mailing List

Last Updated: 8/4/20

Claim Number: 19-9825-I-03

Matter: The Stull Act

Claimant: Fairfield-Suisun 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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