

Appendix A: Recommendations from the Assembly Special Committee on Mandates

Ch/Yr	Title	Description	2004-05 Gov Budget	Estimated Annual Costs	Com. Action
ADMINISTRATIVE					
Ch. 98/94	Caregiver Affidavits	This mandate requires LEAs to (a) enroll a pupil living in the home of a caregiving adult living within the district, and (b) annually monitor a specified caregiver affidavit form. The highest reimbursable costs are for administrative tasks related to receiving and approving submitted affidavits and processing enrollment paperwork.	Defer	912	Make optional the annual renewal of affidavits
Ch.650 /94 et al.	Employee Benefits Disclosure	Requires that districts (1) receive an actuarial estimate of the accrued, but unfunded portion of the health and welfare benefits of retired employees, (2) calculate and present at a public meeting the amount of accrued health and welfare benefits, (3) demonstrate that the budget contains sufficient funding to meet the current value, and (4) annually certify to the SPI the amount of reserve for the health and welfare benefits of current and retired employees. The largest cost component results from annually calculating the amount of accrued health and welfare benefits and determining that the budget contains sufficient funding to meet the liability. Secondary costs result from presenting that information at a public hearing and providing annual conformation to the SPI.	Defer	452	Make law inoperative. LAO to report back if GASB amendment does not take place in July.
Ch. 100/81 et al.	School District Fiscal Accountability Reporting	This mandate requires school districts to (a) provide specified financial information and certifications to the county superintendent; (b) adopt a revised budget one week earlier than was previously required; (c) to make available for public review an updated district budget after adoption of the State budget; (d) for districts with a negative or qualified budget certification, provide specified information to the SPI, SCO, and county superintendent. The mandate also requires county offices of education to review, verify, and forward to the SPI specified information related to district budgets. The greatest reimbursable costs are likely related to updating district budgets and providing specified information to the SPI, SCO, and county schools superintendent.	Defer	2,525	DOF was asked to ask CSM to review its statement of decision to clarify the extent to which costs can be offset by Budget Act appropriations.

Ch. 1463/89	School Accountability Report Cards	Section 8.5 of Article XVI of the State Constitution requires school districts maintaining an elementary or secondary school, to develop a SARC for each school. Ch. 1463/89 established the School Accountability Report Card (SARC), which requires schools to provide a report card including various non-constitutionally required information such as the average salary of principals in the district and the school's expulsion rate. Major activities include compiling, analyzing and reporting the required data and annually posting the SARC on the Internet.	Defer	4,598	DOF was asked to ask CSM to review prior Decision in light of federal law and recent SARC II & III decisions.
Ch. 828/97	Standardized Testing and Reporting (STAR)	Ch. 828/97 established the Standardized Testing and Reporting Program, which requires schools to test pupils in grades 2 through 11 using a nationally normed exam and a series of tests aligned with State-adopted content standards. Major activities include acquiring test materials, supplies and equipment, training staff on State policies, developing internal policies, and coordinating pretest and posttest activities. Most costs should be recovered from budget appropriations.	Not in budget	Unknown	DOF was asked to ask CSM to review prior Decision in light of federal law.
Ch. 309/95	Pupil Residency Verification and Appeals	This mandate requires LEAs adjacent to the international border to make reasonable efforts to determine a pupil's residency if a district employee has reason to believe false or unreliable documentation of residency has been provided and also requires district to establish an appeals process. The greatest reimbursable costs are related to residency verification efforts and complying with the established appeals process.	Defer	190	Do not change
Ch. 36/77 et al.	Financial and Compliance Audits	This mandate requires county offices of education to undertake additional activities related to financial and compliance audits of school districts, including (a) adding specified boilerplate language to audit contracts, (b) paying auditors with multiple instead of lump-sum payments, (c) upon request from SDE or SCO, consulting with State agencies and assisting districts to resolve audit exceptions, and (d) publicly reviewing annual audits. The greatest reimbursable costs will likely result from assisting districts to resolve audit exceptions and publicly reviewing annual audits.	Defer	1,133	Pending additional information, after review, make permissive: 1) respond to inquiries, 2) corrective action plans, and 3) report to the governing board
Pupil Discipline, Suspension, and Expulsion					
Ch. 965/77 & 498/83	Pupil Classroom Suspension: Counselin	Requires that school counselors or school psychologists attend post-classroom suspension parent-teacher conferences whenever practicable. Of the reimbursable activities associated with this mandate, the highest costs result from providing counseling services at parent-teacher conferences.	Defer	2,627	Repeal, make permissive

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Ch. 1284/88 & 213/89	Pupil Suspensions: Parent Classroom Visits	Requires (a) school district governing boards to adopt a policy authorizing teachers to require the parent or guardian of a pupil who has been classroom-suspended by a teacher, to attend a portion of a school day in his or her child's or ward's classroom on the day in which the pupil is scheduled to return to class, or within a reasonable period of time thereafter; (b) parents or guardians be notified of this policy prior to its implementation; (c) the principal to send a written notice to the parent or guardian stating that attendance is pursuant to law; (d) school staff to contact parents or guardians who do not respond to the request; and (e) the school administrator to meet with the parent after the classroom visitation and before leaving the school site. This applies only to a parent or guardian who is actually living with the pupil. Of the reimbursable activities associated with this mandate, the highest costs result from parental notices, follow up contacts, and meetings.	Defer	800	Repeal, make permissive
Ch. 498/83	Notification of Truancy	Requires school districts, upon a pupil's initial classification as a truant, to notify the pupil's parent or guardian by 1st class mail or other reasonable means of (1) the pupil's truancy; (2) that the parent or guardian is obligated to compel the attendance of the pupil at school; and (3) that parents or guardians who fail to meet this obligation may be guilty of an infraction and subject to prosecution pursuant to Art. 6 (commencing with §48290) of Ch 2 of Part 27. Additionally, the district must inform parents and guardians of (1) alternative educational programs available in the district; and (2) the right to meet with appropriate school personnel to discuss solutions to the pupil's truancy. Of the reimbursable activities associated with this mandate, the highest costs result from notification of parent or guardian and recordkeeping.	Defer	10,616	Repeal, make permissive
Ch. 1184/75	Habitual Truants	Defines habitual truant and states that no pupil shall be deemed a habitual truant, unless school districts make a "conscientious effort" to hold at least one conference with the pupil's parent or guardian and the pupil. Ch 1023/94 requires school districts to classify a pupil as a habitual truant as defined in EC §48262 upon the pupil's fourth truancy within the same school year. Of the reimbursable activities associated with this mandate, the highest costs result from reviewing school records and scheduling and holding parent conferences.	Defer	8,871	Repeal, make permissive

Ch. 1253/75	Expulsion Transcripts	Provides that school districts must not charge the parents or guardians of pupils for the cost of the transcript of the initial expulsion hearing when the parents or guardians have limited income, and to refund the cost of the transcript to the parents or guardians when the county board reverses the local board's decision to expel the pupil pursuant to EC §48921, as renumbered by Ch 498/83. Of the reimbursable components associated with this mandate, the highest costs result from salaries and benefits of employees who perform the duties associated with providing a written transcript.	Defer	14	No Action
Ch. 1306/89 & 1257/93	Notification to Teachers of Pupil Expulsion	Requires that school districts report to each teacher the name of any student who has caused, or attempted to cause, serious bodily injury or injury to another person. The notification is based on written records the district maintains or receives from a law enforcement agency. Districts are not liable for failure to comply as long as a good faith effort is made to notify teachers. School personnel are immune from civil or criminal liability unless the information they provide is knowingly false. Of the reimbursable activities associated with this mandate, the highest costs result from information maintenance and notifying teachers.	Defer	6,154 Leg Counsel suggests we do not try to combine.	Accept LAO Recco: Ask SCO to 1) review claims and ID high cost components and, 2) recommend unit cost. Unit cost difficult at this time, ask SCO to prioritize this mandate for audits
Ch. 498/83 et al.	Pupil Suspensions, Expulsions, and Expulsion Appeals	This consolidated mandate covers activities relating to mandatory pupil suspensions and expulsions, required expulsion appeals procedures, pre-suspension conferences, etc. Of the reimbursable activities associated with this mandate, the highest costs result from salaries and wages of employees required to prepare reports and attend hearings for suspended and expelled students (due process activities). (Consolidated with Pupil Suspensions: District Employee Reports mandate per COSM amended parameters and guidelines.)	Defer	4,380	Leave alone for now, but may be part of the "federal" discussion
SAFETY					

Ch. 1107/8 4	Removal of Chemicals	Requires districts to comply with guidelines for the removal and disposal and chemicals whose shelf life has elapsed. Eligible claimants are reimbursed for ongoing costs of maintaining a program for the regular removal and disposal of identified chemicals. Eligible costs include school district staff costs associated with the removal or inventorying of chemicals, and consultant and contractor fees or charges. Potential high costs include: initial inventory development, maintaining the inventory, and removal and disposal of chemicals. We note that there has been relatively low funding claimed by all districts for this mandate.	Defer	2,091	DOF was asked to ask CSM to review P&Gs to reflect changes in this mandate
Ch. 736/97 et al.	Comprehensive School Safety (pending claim)	Requires school sites to write, develop, and adopt comprehensive school safety plans and submit them to the school district or COE for approval. Reimbursable activities associated with this mandate include consulting with law enforcement in the development of the plan; assessing the current status of school crime committed on school campuses and school related functions; annual review and update of the plan.	Not in Budget	No Estimate Available (Pending Claim)	Look into consolidating this with "Emergency Procedures". The "other funding source will be part of the April discussion. Repeal annual update requirement
Ch. 1659/8 4	Emergency Procedures; Earthquake and Disasters	Requires LEAs to have earthquake emergency procedures for all school buildings. Eligible claimants are reimbursed for increased costs incurred to prepare an emergency procedure system and providing specified mass care and welfare shelters. Of the reimbursable activities associated with this mandate, the highest costs result from the ensuring that students and staff are aware of and properly trained in the emergency plans and performance of a quarterly drop procedure practiced by every student and staff member.	Defer	19,799	Leave earthquake plan alone. Make implementation permissive. Combine with "Comprehensive" above.

Ch. 1423/84 et al.	Juvenile Court Notices II	Requires school district superintendents to distribute to relevant school-site personnel written notices provided by the juvenile court system regarding pupils enrolled in their districts who have been convicted of certain felonies or misdemeanors, and to maintain these files until the student graduates from high school, is released from juvenile court jurisdiction, or reaches the age of 18, whichever comes first. Of the reimbursable activities associated with this mandate, the highest costs result from record retention and destruction.	Defer	811	Ask Leg Counsel to look into combining with "Notification of Teachers..." Pick least costly methodology Leg Counsel suggests we do not try to combine.
Ch. 1117/89	Law Enforcement Agency Notifications	Requires that school authorities notify the appropriate law enforcement agency of any acts of a pupil that may involve the possession or sale of a controlled substance or a violation of PC §626.9 and 626.10. Of the reimbursable activities associated with this mandate, the highest costs result from preparation and filing of reports and record maintenance.	Defer	2,082	No Action
HEALTH					
Ch. 668/78	Pupil Health Exclusions	Requires school districts to: (a) send a notice to a pupil's parent/guardian, (b) grant the parent/guardian the right to meet with the governing board, (c) conduct the meeting in accordance with certain procedural rules, and (d) provide periodic review of the exclusion. HSC§120230 specifies that no pupil who resides where any contagious, infectious, or communicable disease exists/existed, and that is subject to strict isolation/quarantine, shall be permitted to attend school except by written permission of a county health officer. EC§49451 states that when a pupil's parent/guardian has refused to consent to a physical examination of his or her child, and there is good reason to believe that he pupil is suffering from a recognized contagious or infectious disease, the pupil shall be excluded from school until school authorities are satisfied that no contagious or infectious disease exists. Of the reimbursable activities associated with this mandate, the highest costs result from producing written reports and	Defer	1,469	Repeal, but keep "due process" part of the mandate

Ch.120 8/76 et al.	Pupil Health Screening s	Requires (a) the governing body of every school district which has kindergarten children enrolled to provide Child Health & Disability Prevention (CHDP) information to parents; (b) districts to report to the county and DHS the number of pupils enrolled in first grade and number of health screening certificates (and waivers) received; (c) counties to reimburse districts for the information collection process; (d) districts to exclude pupils who do not have a health screening (or waiver) from school under specified circumstances; and (e) districts to make specified family contacts before excluding a pupil from attendance. Of the reimbursable activities associated with this mandate, the highest costs result from parental notification, obtaining parental compliance, exclusion of pupils, and statistical reporting.	Defer	4,884	Eliminate reporting requirement to DHS, unless DOF finds out this information is used by DHS
Ch.640 /97	Physical Education Compliance Reports	Adds a new reporting and compliance requirement to determine whether districts are actually providing their students with the statutory minimum minutes of physical education. Of the reimbursable activities associated with this mandate, the highest costs will result from staff training and record keeping.	Defer	14	Repeal, pending DOF report as to whether or not CCR is sufficient
Ch. 1176/7 7	Immunizat ion Records - Including Hepatitis B	Provides uniform requirements for immunization of students prior to entering private or public elementary, secondary school or other specific institutions. In addition, the governing authority of the school or specified institution is required to maintain immunization records on each student and file a written report on the immunization status of new entrants to the school or institution with the State Department of Health Services at times and on forms prescribed by the department. Of the reimbursable activities associated with this mandate, the highest costs result from record maintenance and periodic reporting. Hepatitis B: Ch 291/95 required documentation of Hepatitis B immunization for all children entering the Kindergarten level or below. Ch. 882/97 further required Hep B immunization for all students entering 7th grade.	Defer	3,650	Leave alone
CURRICULUM					
Ch. 778/96	American Governme nt Course Document	Requires school districts to teach students to read the Declaration of Independence, U.S. Constitution, Federalist Papers, Emancipation Proclamation, Gettysburg Address, and George Washington's Farewell Address, as part of American Government and Civics courses required for graduation. The highest cost resulting from this mandate is the cost of training teachers how to teach American Government or Civics courses to the students. This cost may include the salary/fee of the trainer and related travel expenses. Other costs may include travel expenses to and from seminars for teachers. Other high costs include the adoption of new textbooks or instructional materials.	Defer	194	Repeal mandate statute; mandate subject matter in state assessments and content sdts.- LAO suggestion

Ch. 498/83	Graduation Requirements	Requires districts to provide two science classes to pupils before their graduation from Grade 12. Previously, only one science class was required for graduation. This mandate is for the incremental cost associated with requiring one additional science course as a prerequisite for graduation. Costs include staffing, facilities, and equipment that are unique to science courses.	Defer	11,349	Defer action - Add language to require that State or Local bond money must be used to offset reimbursable state mandate. DOF to report back
Conforming to other Non Proposition 98 issues					
Ch. 783/95 et al.	Investment Reports	This mandate requires LEAs to submit an annual statement of investment policy as well as quarterly report of investments. The greatest reimbursable costs are related to compiling data to prepare quarterly investment reports for submission to the district CEO, internal auditor, and governing board and preparing annual investment policy for submission to the district governing board and county board of supervisors.	Suspend to conform to 2003 Budget Act suspension of non-98 mandate	318	Conforming
Ch. 784/95 & 156/96	County Treasury Oversight Committees	This mandate requires the establishment of a county treasury oversight committee for any county that is investing surplus funds and allows for reimbursement of costs incurred by committee members, including county superintendents of schools or designees, to prepare for and attend committee meetings. Education-related costs result if a county superintendent of schools is reimbursed for time served on the oversight committee.	Suspend to conform to 2003 Budget Act suspension of non-98 mandate	57	Conforming
Ch. 126/93	Law Enforcement: Sexual Harassment Training	Requires peace officers who are victims of sexual harassment in the workplace to follow complaint guidelines developed by the Commission on Peace Officer Standards and Training, and requires peace officers who completed basic training before January 1, 1995 to attend supplementary training on sexual harassment in the workplace. Of the reimbursable activities associated with this mandate, the highest costs will result from salaries and benefits of the trainees required to take the training class.	Repeal	20	Conforming