

Ask SSC . . . CDE Clarifies Mandate Claims and the Mandate Block Grant

Q. I'm hearing that if a school district files a reimbursement claim for any state-mandated service provided in 2012-13 then they forfeit eligibility to participate in the new Mandate Block Grant (MBG), even if the mandated service is not listed within the Block Grant. Can we still claim separately for second-year science graduation requirement and behavioral intervention plan mandates if we receive MBG funds?

A. I'm glad you asked as we are hearing that there is quite a bit of confusion in the field over this question. You do not give up your right to participate in the MBG if you claim reimbursement for mandates not included in the Block Grant. The following excerpt from an email recently distributed by the California Department of Education (CDE) clarifies this point:

"The CDE, School Fiscal Services Division, recently released the Letters of Intent to participate in the MBG program for fiscal year 2012-13.

"We have received questions regarding the ability to file mandate reimbursement claims for programs not listed in Government Code (G.C.) Section 17581.6(d). The State Controller's Office has confirmed that it will accept reimbursement claims for active 2012-13 mandated programs that are not included in G.C. Section 17581.6(d); however, a sufficient appropriation would be required before payments can be made . . ."

Senate Bill 1028 (Committee on Budget and Fiscal Review), enacted the last day of the legislative session as an education Budget clean-up bill, included an amendment to the MBG program that adds five of seven outstanding mandates that were not addressed in the original legislation. Two state-mandated local programs that are approved by the Commission on State Mandates—the second year science graduation requirement and behavioral intervention plans—are still neither included in the Block Grant nor suspended. We recommend that all local educational agencies that participate in the MBG continue to meet the documentation requirements of these mandates and file for reimbursement. Doing so will not jeopardize participation in the MBG.

Questions for the CDE about the new MBG should be sent to mandate@cde.ca.gov. The *Letter of Intent to Receive Mandate Block Grant Funding*, as well as other information about the MBG, is available from the CDE online [here](#). The Letter of Intent must be submitted by October 1, 2012.

—*Michael Ricketts and Robert Miyashiro*