

California Department of Education

Executive Office

SBE-003 (REV. 11/2017)

lacb-csd-may24item02

# California State Board of Education May 2024 Agenda Item #08

## Subject

Consideration of Requests for Determination of Funding with “Reasonable Basis”/Mitigating Circumstances as Required for Nonclassroom-Based Charter Schools Pursuant to California *Education Code* sections 47612.5 and 47634.2, and Associated *California Code of Regulations*, Title 5.

## Type of Action

Action, Information, Consent

## Summary of the Issue

California *Education Code* (*EC*)sections 47612.5 and 47634.2 established the eligibility requirements for apportionment funding for charter schools that offer nonclassroom-based (NCB) instruction. The statutes specify that a charter school that offers NCB instruction in excess of the amount authorized by *EC* Section 47612.5(e)(1) may receive apportionment funding for NCB instruction only if a determination of funding is made by the California State Board of Education (SBE).

The California Department of Education (CDE) reviews a charter school’s determination of funding request and presents it for consideration by the Advisory Commission on Charter Schools (ACCS), pursuant to relevant *California Code of Regulations*, Title 5 (5 *CCR*). The ACCS may include the consideration of mitigating circumstances in conjunction with a recommendation to the SBE, pursuant to 5 *CCR* Section 11963.4(e).

This item considers determination of funding requests with mitigating circumstances for 30 charter schools.

## Recommendation

The CDE recommends that the SBE approve the determination of funding requests for 30 schools as specified in Attachment 1.

## Advisory Commission on Charter Schools Recommendation

At its April 9, 2024, meeting, the ACCS voted to approve CDE’s recommendation that the SBE approve the determinations of funding and associated time periods for the NCB charter schools as specified in Attachment 1. The motion passed by a vote of five to one.

The notice for the April 9, 2024, ACCS meeting and the determination of funding requests for the schools presented in this item are located on the April 9, 2024, ACCS Meeting Agenda web page (Item 02) at <https://www.cde.ca.gov/be/cc/cs/accsnotice040924.asp>.

## Funding Determination Criteria

*EC* Section 47634.2(a)(1) provides the following:

Notwithstanding any other provision of law, the amount of funding to be allocated to a charter school on the basis of average daily attendance that is generated by pupils engaged in nonclassroom-based instruction…shall be adjusted by the State Board of Education. The State Board of Education shall adopt regulations setting forth criteria for the determination of funding for nonclassroom-based instruction, at a minimum the regulation shall specify that the nonclassroom-based instruction is conducted for the instructional benefit of the pupil and substantially dedicated to that function. In developing these criteria and determining the amount of funding to be allocated to a charter school pursuant to this section, the State Board of Education shall consider, among other factors it deems appropriate, the amount of the charter school’s total budget expended on certificated employee salaries and benefits and on schoolsites, as defined in paragraph (3) of subdivision (d) of Section 47612.5, and the teacher-to-pupil ratio in the school.

*EC* Section 47634.2(a)(4) further states:

For the 2003–04 fiscal year and each fiscal year thereafter, the amount of funding determined by the State Board of Education pursuant to this section shall not be more than 70 percent of the unadjusted amount to which a charter school would otherwise be entitled, unless the State Board of Education determines that a greater or lesser amount is appropriate based on the criteria specified in paragraph (1) of subdivision (a).

Pursuant to the *EC* Section 47634.2 and SBE-adopted regulations, a charter school may qualify for either 70 percent, 85 percent, or 100 percent funding, or may be denied funding (i.e., 0 percent) for its NCB instruction.

To qualify for a recommendation of 100 percent funding, a charter school must meet the following criteria as outlined in 5 *CCR* Section 11963.4(a)(3):

* Spend at least 40 percent of the school’s public revenues on salaries and benefits for all employees who possess a valid teaching certificate, permit, or other document equivalent to that which a teacher in other public schools would be required to hold issued by the Commission on Teacher Credentialing (and who work in the charter school in a position required to provide direct instruction or direct instructional support to students)
* Spend at least 80 percent of total revenues on instruction and related services
* Maintain a ratio of average daily attendance (ADA) for independent study pupils to full-time certificated employees responsible for independent study that does not exceed a pupil-teacher ratio (PTR) of 25:1 or the PTR of the largest unified school district in the county or counties in which the charter school operates

The expenditure and PTR criteria for all funding levels for which a charter school may qualify to receive for its NCB instruction are specified in 5 *CCR* Section 11963.4(a). A summary of the criteria is provided in the table below:

Table of Nonclassroom-Based Instruction Funding Levels

| **Funding Level** | **Percentage Spent on Certificated Salaries and Benefits** | **Percentage Spent on Instruction and Related Services** | **PTR[[1]](#footnote-1)** |
| --- | --- | --- | --- |
| **100%** | ≥ 40 | ≥ 80 | ≤ 25 to 1 |
| **85%** | ≥ 40 | ≥ 70 | Not Applicable |
| **70%** | ≥ 35 | ≥ 60 | Not Applicable |
| **0%** | < 35 | < 60 | Not Applicable |

A determination of funding may not exceed five years, pursuant to *EC* Section 47612.5(d)(2). For a new charter school in its first year of operation, a funding determination shall be for a period of two fiscal years, pursuant to 5 *CCR* Section 11963.6(a). For an existing charter school with an active funding determination, a funding determination shall be in increments of a minimum of two years and a maximum of five years in length, pursuant to 5 *CCR* Section 11963.6(c).

It is the CDE’s current practice to recommend a funding period of three or four years for an existing charter school with an active funding determination, based on the number of times the school has renewed its funding determination with the SBE. In the past, the CDE recommended five-year periods dependent on a charter school’s Academic Performance Index (API) rank, pursuant to *EC* Section 47612.5(d)(2); however, because API is no longer calculated, the CDE does not currently recommend five-year funding determination periods.

For charter schools requesting the consideration of mitigating circumstances, the CDE typically recommends a funding determination period of two years, regardless of the number of times the school has renewed its funding determination with the SBE. A period of two years allows the CDE to timely revisit a charter school’s funding determination, ensure that the school meets the appropriate expenditure requirements for its approved level of funding for its NCB instruction, and follow up on other matters reported by the school on its funding determination form.

### Mitigating Circumstances

The ACCS may find a “reasonable basis” (also referred to as mitigating circumstances) by which to make a recommendation other than what a charter school qualifies to receive for its NCB instruction based on the criteria specified in 5 *CCR* Section 11963.4(a). Specifically, 5 *CCR* Section 11963.4(e) allows the ACCS to consider “documented data regarding individual circumstances of the charter school” and provides examples of the types of mitigating circumstances that the ACCS might consider, which may include, but are not limited to, the following:

* Information provided by the charter school, pursuant to 5 *CCR* Section 11963.3(b)(2) through (8)
  + PTR, calculated pursuant to 5 *CCR* Section 11704
  + Listing of entities receiving $50,000 or 10 percent or more of total expenditures
  + Identification of governing board members
  + Explanation of outgo transfers; explanation of reserves, if over the allowable amount
  + Facility costs and square footage
  + Number of full-time equivalent (FTE) employees with a valid teaching certificate
* Documented data regarding individual circumstances of the charter school (e.g., one-time or unique or exceptional expenses for facilities, acquisition of a school bus, acquisition and installation of computer hardware not related to the instructional program, special education charges levied on the charter school by a local educational agency, restricted state, federal, or private grants of funds awarded to the charter school that cannot be expended for teacher salaries, or contracted instructional services other than those for special education)
* The size of the charter school
* The number of years the charter school has been in operation

Additionally, under 5 *CCR* Section 11963.4(e), the ACCS shall give charter schools with less than a total of 100 units of prior year second period ADA or that are in their first year of operation serious consideration of 100 percent funding for their NCB instruction.

When considering a charter school’s request for mitigating circumstances, the CDE also reviews other information provided on the school’s funding determination form. Additionally, the CDE considers a charter school’s previous requests to the ACCS and the SBE for the consideration of mitigating circumstances.

## Analysis of Funding Determination Request

All charter schools presented in this item fail to meet the regulatory requirements to qualify for 100 percent funding for their NCB instruction based on reported fiscal year (FY) 2022–23 data. However, these schools are requesting 100 percent funding with the consideration of mitigating circumstances. Details of each school’s mitigating circumstances request as well as the CDE’s analysis and recommendation to the SBE, are provided below.

If a school’s determination of funding request is approved, the school will be eligible to receive funding for its ADA generated through NCB instruction as approved by the SBE, pursuant to *EC* Section 47634.2(c).

For instances in which a school’s funding determination is approved at a lower level than requested, the school may submit a funding determination reconsideration request, pursuant to 5 *CCR* Section 11963.6(g).

## Summary of Previous California State Board of Education Discussion and Action

The SBE is responsible for approving determination of funding requests to establish eligibility for apportionment funding for charter schools that offer NCB instruction. The CDE notes that this type of request is a recurring action item for the SBE.

### Recommendations for Approval at a Higher Level of Funding – 100 Percent

The CDE finds a reasonable basis for the following schools to be approved for 100 percent funding despite not meeting the regulatory criteria outlined in 5 *CCR* Section 11963.4(a) and recommends that the SBE approve the mitigating circumstances requests and determination of funding requests of the schools listed in this section at 100 percent for two years.

Summaries of each school’s mitigating circumstances request as well as links to each school’s determination of funding request, are provided below.

#### Big Sur Charter (Charter #1000)

The following table compares the regulatory criteria for funding levels with the school’s expenditures percentage calculations and PTR.

Big Sur Charter Nonclassroom-Based Instruction Funding Qualification

| **Criteria** | **Percentage Spent on Certificated Salaries and Benefits** | **Percentage Spent on Instruction and Related Services** | **PTR** |
| --- | --- | --- | --- |
| **100 Percent** | ≥ 40 | ≥ 80 | ≤ 25 to 1 |
| **85 Percent** | ≥ 40 | ≥ 70 | N/A |
| **70 Percent** | ≥ 35 | ≥ 60 | N/A |
| **Charter School** | 45.52 | 70.88 | 16.11 to 1 |

Without the consideration of mitigating circumstances, the school qualifies for 85 percent funding for its NCB instruction.

The school’s complete determination of funding request with mitigating circumstances is provided on the April 2024 ACCS Meeting Agenda web page at <https://www.cde.ca.gov/be/cc/cs/documents/accs-apr24item02a2.docx>. The following bullets summarize the school’s reasoning for failing to meet the regulatory expenditure requirements:

* Receipt of one-time revenues, including the Arts, Music & Instructional Materials Block Grant, Learning Recovery Emergency Block Grant, Universal Prekindergarten Planning & Implementation Grant, and the Educator Effectiveness Block Grant
* Small school with less than 100 ADA
* ADA was lower than expected following the pandemic, combined with fixed operational costs
* Increased facility costs due to increasing the physical size of classrooms to accommodate social distancing
* Funds have been earmarked for improvements to its learning center.

Upon consideration of all information provided by the school, the CDE finds that the information supports its claim for mitigating circumstances and its request for 100 percent funding. The CDE notes that had these one-time revenues been excluded, the school’s expenditure calculations for percentages spent on certificated salaries and benefits and instruction and related services would have been 51.92 percent and 79.59 percent. Additionally, the CDE acknowledges that the school has less than 100 ADA, reporting a 2022–23 P-2 ADA of 84.26.

The CDE therefore recommends that the school receive 100 percent funding for its NCB instruction for two years.

#### Charter Home School Academy (Charter #0250)

The following table compares the regulatory criteria for funding levels with the school’s expenditures percentage calculations and PTR.

Charter Home School Academy Nonclassroom-Based Instruction Funding Qualification

| **Criteria** | **Percentage Spent on Certificated Salaries and Benefits** | **Percentage Spent on Instruction and Related Services** | **PTR** |
| --- | --- | --- | --- |
| **100 Percent** | ≥ 40 | ≥ 80 | ≤ 25 to 1 |
| **85 Percent** | ≥ 40 | ≥ 70 | N/A |
| **70 Percent** | ≥ 35 | ≥ 60 | N/A |
| **Charter School** | 61.95 | 73.38 | 19.23 to 1 |

Without the consideration of mitigating circumstances, the school qualifies for 85 percent funding for its NCB instruction.

The school’s complete determination of funding request with mitigating circumstances is provided on the April 2024 ACCS Meeting Agenda web page at <https://www.cde.ca.gov/be/cc/cs/documents/accs-apr24item02a3.docx>. The following bullet summarizes the school’s reasoning for failing to meet the regulatory expenditure requirements:

* Receipt of one-time revenues, including the Arts, Music & Instructional Materials Block Grant and Learning Recovery Emergency Block Grant

Upon consideration of all information provided by the school, the CDE finds that the information supports its claim for mitigating circumstances and its request for 100 percent funding. The CDE notes that had these one-time revenues been excluded, the school’s expenditure calculations for percentages spent on certificated salaries and benefits and instruction and related services would have been 72.50 percent and 85.88 percent, respectively, qualifying it for a recommendation for 100 percent funding.

The CDE therefore recommends that the school receive 100 percent funding for its NCB instruction for two years.

#### Clear Passage Educational Center (Charter #1682)

The following table compares the regulatory criteria for funding levels with the school’s expenditures percentage calculations and PTR.

Clear Passage Educational Center Nonclassroom-Based Instruction Funding Qualification

| **Criteria** | **Percentage Spent on Certificated Salaries and Benefits** | **Percentage Spent on Instruction and Related Services** | **PTR** |
| --- | --- | --- | --- |
| **100 Percent** | ≥ 40 | ≥ 80 | ≤ 25 to 1 |
| **85 Percent** | ≥ 40 | ≥ 70 | N/A |
| **70 Percent** | ≥ 35 | ≥ 60 | N/A |
| **Charter School** | 40.13 | 70.30 | 22.07 to 1 |

Without the consideration of mitigating circumstances, the school qualifies for 85 percent funding for its NCB instruction.

The school’s complete determination of funding request with mitigating circumstances is provided on the April 2024 ACCS Meeting Agenda web page at <https://www.cde.ca.gov/be/cc/cs/documents/accs-apr24item02a4.docx>. The following bullets summarize the school’s reasoning for failing to meet the regulatory expenditure requirements:

* Small school with less than 100 ADA
* The school is a Dashboard Alternative School Status designee that serves high-risk youth with fluctuating enrollment.

Upon consideration of all information provided by the school, the CDE finds that the information supports its claim for mitigating circumstances and its request for 100 percent funding. Additionally, the CDE acknowledges that the school has less than 100 ADA, reporting a 2022–23 P-2 ADA of 49.66.

The CDE therefore recommends that the school receive 100 percent funding for its NCB instruction for two years.

#### Come Back Butte Charter (Charter #1811)

The following table compares the regulatory criteria for funding levels with the school’s expenditures percentage calculations and PTR.

Come Back Butte Charter Nonclassroom-Based Instruction Funding Qualification

| **Criteria** | **Percentage Spent on Certificated Salaries and Benefits** | **Percentage Spent on Instruction and Related Services** | **PTR** |
| --- | --- | --- | --- |
| **100 Percent** | ≥ 40 | ≥ 80 | ≤ 25 to 1 |
| **85 Percent** | ≥ 40 | ≥ 70 | N/A |
| **70 Percent** | ≥ 35 | ≥ 60 | N/A |
| **Charter School** | 51.11 | 77.31 | 16.46 to 1 |

Without the consideration of mitigating circumstances, the school qualifies for 85 percent funding for its NCB instruction.

The school’s complete determination of funding request with mitigating circumstances is provided on the April 2024 ACCS Meeting Agenda web page at <https://www.cde.ca.gov/be/cc/cs/documents/accs-apr24item02a5.docx>. The following bullet summarizes the school’s reasoning for failing to meet the regulatory expenditure requirements:

* Receipt of one-time revenues, including the Arts, Music & Instructional Materials Block Grant and Learning Recovery Emergency Block Grant

Upon consideration of all information provided by the school, the CDE finds that the information supports its claim for mitigating circumstances and its request for 100 percent funding. The CDE notes that had these one-time revenues been excluded, the school’s expenditure calculations for percentages spent on certificated salaries and benefits and instruction and related services would have been 54.78 percent and 82.87 percent, respectively, qualifying it for a recommendation for 100 percent funding.

The CDE therefore recommends that the school receive 100 percent funding for its NCB instruction for two years.

#### Connecting Waters Charter School - Central Valley (Charter #1973)

The following table compares the regulatory criteria for funding levels with the school’s expenditures percentage calculations and PTR.

Connecting Waters Charter School - Central Valley Nonclassroom-Based Instruction Funding Qualification

| **Criteria** | **Percentage Spent on Certificated Salaries and Benefits** | **Percentage Spent on Instruction and Related Services** | **PTR** |
| --- | --- | --- | --- |
| **100 Percent** | ≥ 40 | ≥ 80 | ≤ 25 to 1 |
| **85 Percent** | ≥ 40 | ≥ 70 | N/A |
| **70 Percent** | ≥ 35 | ≥ 60 | N/A |
| **Charter School** | 44.18 | 75.68 | 21.88 to 1 |

Without the consideration of mitigating circumstances, the school qualifies for 85 percent funding for its NCB instruction.

The school’s complete determination of funding request with mitigating circumstances is provided on the April 2024 ACCS Meeting Agenda web page at <https://www.cde.ca.gov/be/cc/cs/documents/accs-apr24item02a6.docx>. The following bullets summarize the school’s reasoning for failing to meet the regulatory expenditure requirements:

* Receipt of one-time revenues, including the Arts, Music & Instructional Materials Block Grant and Learning Recovery Emergency Block Grant
* Funds have been reserved for facility improvements.

Upon consideration of all information provided by the school, the CDE finds that the information supports its claim for mitigating circumstances and its request for 100 percent funding. The CDE notes that had these one-time revenues been excluded, the school’s expenditure calculations for percentage spent on expenditure calculations for percentages spent on certificated salaries and benefits and instruction and related services would have been 50.08 percent and 85.77 percent, respectively, qualifying it for a recommendation for 100 percent funding.

The CDE therefore recommends that the school receive 100 percent funding for its NCB instruction for two years.

#### Da Vinci Connect (Charter #1597)

The following table compares the regulatory criteria for funding levels with the school’s expenditures percentage calculations and PTR.

Da Vinci Connect Nonclassroom-Based Instruction Funding Qualification

| **Criteria** | **Percentage Spent on Certificated Salaries and Benefits** | **Percentage Spent on Instruction and Related Services** | **PTR** |
| --- | --- | --- | --- |
| **100 Percent** | ≥ 40 | ≥ 80 | ≤ 25 to 1 |
| **85 Percent** | ≥ 40 | ≥ 70 | N/A |
| **70 Percent** | ≥ 35 | ≥ 60 | N/A |
| **Charter School** | 42.53 | 77.99 | 20.65 to 1 |

Without the consideration of mitigating circumstances, the school qualifies for 85 percent funding for its NCB instruction.

The school’s complete determination of funding request with mitigating circumstances is provided on the April 2024 ACCS Meeting Agenda web page at <https://www.cde.ca.gov/be/cc/cs/documents/accs-apr24item02a7.docx>. The following bullet summarizes the school’s reasoning for failing to meet the regulatory expenditure requirements:

* Receipt of the federal Employee Retention Credit revenues in January 2023 and June 2023

Upon consideration of all information provided by the school, the CDE finds that the information supports its claim for mitigating circumstances and its request for 100 percent funding. The CDE notes that had these one-time revenues been excluded, the school’s expenditure calculations for percentage spent on expenditure calculations for percentages spent on certificated salaries and benefits and instruction and related services would have been 45.56 percent and 83.49 percent, respectively, qualifying it for a recommendation for 100 percent funding.

The CDE therefore recommends that the school receive 100 percent funding for its NCB instruction for two years.

#### Delta Keys Charter (Charter #1878)

The following table compares the regulatory criteria for funding levels with the school’s expenditures percentage calculations and PTR.

Delta Keys Charter Nonclassroom-Based Instruction Funding Qualification

| **Criteria** | **Percentage Spent on Certificated Salaries and Benefits** | **Percentage Spent on Instruction and Related Services** | **PTR** |
| --- | --- | --- | --- |
| **100 Percent** | ≥ 40 | ≥ 80 | ≤ 25 to 1 |
| **85 Percent** | ≥ 40 | ≥ 70 | N/A |
| **70 Percent** | ≥ 35 | ≥ 60 | N/A |
| **Charter School** | 53.79 | 74.41 | 12.69 to 1 |

Without the consideration of mitigating circumstances, the school qualifies for 85 percent funding for its NCB instruction.

The school’s complete determination of funding request with mitigating circumstances is provided on the April 2024 ACCS Meeting Agenda web page at <https://www.cde.ca.gov/be/cc/cs/documents/accs-apr24item02a10.docx>. The following bullet summarizes the school’s reasoning for failing to meet the regulatory expenditure requirements:

* Receipt of one-time revenues, including the Arts, Music & Instructional Materials Block Grant and Learning Recovery Emergency Block Grant

Upon consideration of all information provided by the school, the CDE finds that the information supports its claim for mitigating circumstances and its request for 100 percent funding. The CDE notes that had these one-time revenues been excluded, the school’s expenditure calculations for percentage spent on expenditure calculations for percentages spent on certificated salaries and benefits and instruction and related services would have been 62.04 percent and 84.59 percent, respectively, qualifying it for a recommendation for 100 percent funding.

The CDE therefore recommends that the school receive 100 percent funding for its NCB instruction for two years.

#### Dimensions Collaborative (Charter #1946)

The following table compares the regulatory criteria for funding levels with the school’s expenditures percentage calculations and PTR.

Dimensions Collaborative Nonclassroom-Based Instruction Funding Qualification

| **Criteria** | **Percentage Spent on Certificated Salaries and Benefits** | **Percentage Spent on Instruction and Related Services** | **PTR** |
| --- | --- | --- | --- |
| **100 Percent** | ≥ 40 | ≥ 80 | ≤ 25 to 1 |
| **85 Percent** | ≥ 40 | ≥ 70 | N/A |
| **70 Percent** | ≥ 35 | ≥ 60 | N/A |
| **Charter School** | 45.74 | 68.61 | 15.30 to 1 |

Without the consideration of mitigating circumstances, the school qualifies for 70 percent funding for its NCB instruction.

The school’s complete determination of funding request with mitigating circumstances is provided on the April 2024 ACCS Meeting Agenda web page at <https://www.cde.ca.gov/be/cc/cs/documents/accs-apr24item02a11.docx>. The following bullets summarize the school’s reasoning for failing to meet the regulatory expenditure requirements:

* Receipt of one-time revenues, including the Arts, Music & Instructional Materials Block Grant, Learning Recovery Emergency Block Grant, Universal Prekindergarten Planning & Implementation Grant, and the Educator Effectiveness Block Grant
* A transfer of non-cash assets from a closed charter school

Upon consideration of all information provided by the school, the CDE finds that the information supports its claim for mitigating circumstances and its request for 100 percent funding. Had both the one-time revenues and the transfer of non-cash assets been excluded, the school’s expenditure calculations for percentage spent on expenditure calculations for percentages spent on certificated salaries and benefits and instruction and related services would have been 49.56 percent and 83.51 percent, respectively, qualifying it for a recommendation for 100 percent funding.

The CDE therefore recommends that the school receive 100 percent funding for its NCB instruction for two years.

#### Empire Springs Charter (Charter #1592)

The following table compares the regulatory criteria for funding levels with the school’s expenditures percentage calculations and PTR.

Empire Springs Charter Nonclassroom-Based Instruction Funding Qualification

| **Criteria** | **Percentage Spent on Certificated Salaries and Benefits** | **Percentage Spent on Instruction and Related Services** | **PTR** |
| --- | --- | --- | --- |
| **100 Percent** | ≥ 40 | ≥ 80 | ≤ 25 to 1 |
| **85 Percent** | ≥ 40 | ≥ 70 | N/A |
| **70 Percent** | ≥ 35 | ≥ 60 | N/A |
| **Charter School** | 42.75 | 75.84 | 20.36 to 1 |

Without the consideration of mitigating circumstances, the school qualifies for 85 percent funding for its NCB instruction.

The school’s complete determination of funding request with mitigating circumstances is provided on the April 2024 ACCS Meeting Agenda web page at <https://www.cde.ca.gov/be/cc/cs/documents/accs-apr24item02a12.docx>. The following bullets summarize the school’s reasoning for failing to meet the regulatory expenditure requirements:

* Receipt of one-time revenues, including the Arts, Music & Instructional Materials Block Grant and Learning Recovery Emergency Block Grant
* Funds have been reserved for an improvement and expansion of the school’s learning center.

Upon consideration of all information provided by the school, the CDE finds that the information supports its claim for mitigating circumstances and its request for 100 percent funding. The CDE notes that had these one-time revenues been excluded, the school’s expenditure calculations for percentages spent on certificated salaries and benefits and instruction and related services would have been 48.49 percent and 85.40 percent, respectively, qualifying it for a recommendation for 100 percent funding.

The CDE therefore recommends that the school receive 100 percent funding for its NCB instruction for two years.

#### Endeavor Charter (Charter #2099)

The following table compares the regulatory criteria for funding levels with the school’s expenditures percentage calculations and PTR.

Endeavor Charter Nonclassroom-Based Instruction Funding Qualification

| **Criteria** | **Percentage Spent on Certificated Salaries and Benefits** | **Percentage Spent on Instruction and Related Services** | **PTR** |
| --- | --- | --- | --- |
| **100 Percent** | ≥ 40 | ≥ 80 | ≤ 25 to 1 |
| **85 Percent** | ≥ 40 | ≥ 70 | N/A |
| **70 Percent** | ≥ 35 | ≥ 60 | N/A |
| **Charter School** | 46.89 | 71.89 | 20.17 to 1 |

Without the consideration of mitigating circumstances, the school qualifies for 85 percent funding for its NCB instruction.

The school’s complete determination of funding request with mitigating circumstances is provided on the April 2024 ACCS Meeting Agenda web page at <https://www.cde.ca.gov/be/cc/cs/documents/accs-apr24item02a13.docx>. The following bullets summarize the school’s reasoning for failing to meet the regulatory expenditure requirements:

* Receipt of one-time revenues, including the Arts, Music & Instructional Materials Block Grant and Learning Recovery Emergency Block Grant
* Inability to fill a certificated teaching position due to a teacher shortage
* Funds have been reserved to purchase or lease a new facility to address the school’s waitlist.

Upon consideration of all information provided by the school, the CDE finds that the information supports its claim for mitigating circumstances and its request for 100 percent funding. The CDE notes that had both the one-time revenues been excluded and the certificated teaching position been filled, the school’s expenditure calculations for percentages spent on certificated salaries and benefits and instruction and related services would have been 53.45 percent and 80.17 percent, respectively, qualifying it for a recommendation for 100 percent funding.

The CDE therefore recommends that the school receive 100 percent funding for its NCB instruction for two years.

#### Escalon Charter Academy (Charter #1416)

The following table compares the regulatory criteria for funding levels with the school’s expenditures percentage calculations and PTR.

Escalon Charter Nonclassroom-Based Instruction Funding Qualification

| **Criteria** | **Percentage Spent on Certificated Salaries and Benefits** | **Percentage Spent on Instruction and Related Services** | **PTR** |
| --- | --- | --- | --- |
| **100 Percent** | ≥ 40 | ≥ 80 | ≤ 25 to 1 |
| **85 Percent** | ≥ 40 | ≥ 70 | N/A |
| **70 Percent** | ≥ 35 | ≥ 60 | N/A |
| **Charter School** | 53.29 | 65.93 | 21.54 to 1 |

Without the consideration of mitigating circumstances, the school qualifies for 70 percent funding for its NCB instruction.

The school’s complete determination of funding request with mitigating circumstances is provided on the April 2024 ACCS Meeting Agenda web page at <https://www.cde.ca.gov/be/cc/cs/documents/accs-apr24item02a14.docx>. The following bullets summarize the school’s reasoning for failing to meet the regulatory expenditure requirements:

* Receipt of one-time revenues, including the Arts, Music & Instructional Materials Block Grant, Learning Recovery Emergency Block Grant, and Universal Prekindergarten Planning & Implementation Grant
* Receipt of Expanded Learning Opportunities Program funds
* Inability to fill a certificated teaching position
* Funds have been reserved to renovate existing classrooms; the school may also add a classroom, library area, and storage space.

Upon consideration of all information provided by the school, the CDE finds that the information supports its claim for mitigating circumstances and its request for 100 percent funding. The CDE notes that had both the one-time revenues been excluded and the certificated teaching position been filled, the school’s expenditure calculations for percentages spent on certificated salaries and benefits and instruction and related services would have been 64.38 percent and 78.77 percent, respectively, which would qualify it for a recommendation of 85 percent funding. However, in further communications with the CDE regarding the school’s request, the school stated that it has reserved $1.3 million for facility-related projects. Specifically, the school stated that it plans to renovate existing classrooms used by the NCB students and is looking into adding one additional classroom, a library area, and storage space. Pursuant to 5 *CCR* Section 11963.4(e), one-time or unique or exceptional expenses for facilities may provide a reasonable basis for a recommendation other than one that results from the regulatory criteria.

The CDE therefore recommends that the school receive 100 percent funding for its NCB instruction for two years.

#### Harbor Springs Charter (Charter #1589)

The following table compares the regulatory criteria for funding levels with the school’s expenditures percentage calculations and PTR.

Harbor Springs Charter Nonclassroom-Based Instruction Funding Qualification

| **Criteria** | **Percentage Spent on Certificated Salaries and Benefits** | **Percentage Spent on Instruction and Related Services** | **PTR** |
| --- | --- | --- | --- |
| **100 Percent** | ≥ 40 | ≥ 80 | ≤ 25 to 1 |
| **85 Percent** | ≥ 40 | ≥ 70 | N/A |
| **70 Percent** | ≥ 35 | ≥ 60 | N/A |
| **Charter School** | 42.00 | 61.17 | 20.28 to 1 |

Without the consideration of mitigating circumstances, the school qualifies for 70 percent funding for its NCB instruction.

The school’s complete determination of funding request with mitigating circumstances is provided on the April 2024 ACCS Meeting Agenda web page at <https://www.cde.ca.gov/be/cc/cs/documents/accs-apr24item02a15.docx>. The following bullets summarize the school’s reasoning for failing to meet the regulatory expenditure requirements:

* Receipt of one-time revenues, including the Arts, Music & Instructional Materials Block Grant and Learning Recovery Emergency Block Grant
* Funds have been reserved for resource center facility development and improvement.

Upon consideration of all information provided by the school, the CDE finds that the information supports its claim for mitigating circumstances and its request for 100 percent funding. The CDE notes that had these one-time revenues been excluded, the school’s expenditure calculations for percentages spent on certificated salaries and benefits and instruction and related services would have been 57.00 percent and 81.10 percent, respectively, qualifying it for a recommendation for 100 percent funding.

The CDE therefore recommends that the school receive 100 percent funding for its NCB instruction for two years.

#### HomeTech Charter (Charter #0067)

The following table compares the regulatory criteria for funding levels with the school’s expenditures percentage calculations and PTR.

HomeTech Charter Nonclassroom-Based Instruction Funding Qualification

| **Criteria** | **Percentage Spent on Certificated Salaries and Benefits** | **Percentage Spent on Instruction and Related Services** | **PTR** |
| --- | --- | --- | --- |
| **100 Percent** | ≥ 40 | ≥ 80 | ≤ 25 to 1 |
| **85 Percent** | ≥ 40 | ≥ 70 | N/A |
| **70 Percent** | ≥ 35 | ≥ 60 | N/A |
| **Charter School** | 52.71 | 71.80 | 12.06 to 1 |

Without the consideration of mitigating circumstances, the school qualifies for 85 percent funding for its NCB instruction.

The school’s complete determination of funding request with mitigating circumstances is provided on the April 2024 ACCS Meeting Agenda web page at <https://www.cde.ca.gov/be/cc/cs/documents/accs-apr24item02a16.docx>. The following bullets summarize the school’s reasoning for failing to meet the regulatory expenditure requirements:

* The effects of the 2018 Camp Fire, such as volatile enrollment
* Receipt of one-time revenues, including a “victim's settlement payment" for the 2018 Camp Fire

Upon consideration of all information provided by the school, the CDE finds that the information supports its claim for mitigating circumstances and its request for 100 percent funding. The CDE notes that had these one-time revenues been excluded, the school’s expenditure calculation for percentage spent on instruction and related services would have been 80.29 percent, qualifying it for a recommendation for 100 percent funding.

The CDE therefore recommends that the school receive 100 percent funding for its NCB instruction for two years.

#### Kairos Public (Charter #1635)

The following table compares the regulatory criteria for funding levels with the school’s expenditures percentage calculations and PTR.

Kairos Public Nonclassroom-Based Instruction Funding Qualification

| **Criteria** | **Percentage Spent on Certificated Salaries and Benefits** | **Percentage Spent on Instruction and Related Services** | **PTR** |
| --- | --- | --- | --- |
| **100 Percent** | ≥ 40 | ≥ 80 | ≤ 25 to 1 |
| **85 Percent** | ≥ 40 | ≥ 70 | N/A |
| **70 Percent** | ≥ 35 | ≥ 60 | N/A |
| **Charter School** | 48.72 | 75.24 | 19.83 to 1 |

Without the consideration of mitigating circumstances, the school qualifies for 85 percent funding for its NCB instruction.

The school’s complete determination of funding request with mitigating circumstances is provided on the April 2024 ACCS Meeting Agenda web page at <https://www.cde.ca.gov/be/cc/cs/documents/accs-apr24item02a17.docx>. The following bullets summarize the school’s reasoning for failing to meet the regulatory expenditure requirements:

* Receipt of Expanded Learning Opportunities Program funds and ambiguity regarding the official year for program implementation
* Receipt of one-time revenues, including the Arts, Music & Instructional Materials Block Grant and Learning Recovery Emergency Block Grant
* Funds have been reserved for facilities for its high school to address the school’s waitlist.

Upon consideration of all information provided by the school, the CDE finds that the information supports its claim for mitigating circumstances and its request for 100 percent funding. The CDE notes that had these one-time revenues been excluded, the school’s expenditure calculations for percentages spent on certificated salaries and benefits and instruction and related services would have been 51.97 percent and 80.16 percent, respectively, qualifying it for a recommendation for 100 percent funding.

The CDE therefore recommends that the school receive 100 percent funding for its NCB instruction for two years.

#### Merced Scholars Charter (Charter #0631)

The following table compares the regulatory criteria for funding levels with the school’s expenditures percentage calculations and PTR.

Merced Scholars Charter Nonclassroom-Based Instruction Funding Qualification

| **Criteria** | **Percentage Spent on Certificated Salaries and Benefits** | **Percentage Spent on Instruction and Related Services** | **PTR** |
| --- | --- | --- | --- |
| **100 Percent** | ≥ 40 | ≥ 80 | ≤ 25 to 1 |
| **85 Percent** | ≥ 40 | ≥ 70 | N/A |
| **70 Percent** | ≥ 35 | ≥ 60 | N/A |
| **Charter School** | 46.90 | 72.52 | 15.33 to 1 |

Without the consideration of mitigating circumstances, the school qualifies for 85 percent funding for its NCB instruction.

The school’s complete determination of funding request with mitigating circumstances is provided on the April 2024 ACCS Meeting Agenda web page at <https://www.cde.ca.gov/be/cc/cs/documents/accs-apr24item02a18.docx>. The following bullets summarize the school’s reasoning for failing to meet the regulatory expenditure requirements:

* Receipt of one-time revenues, including the Arts, Music & Instructional Materials Block Grant, Learning Recovery Emergency Block Grant, Educator Effectiveness Block Grant, Community Schools Partnership Program Planning Grant, A-G Completion and Improvement Grant, and Multi-Tiered System of Support Grant
* Two veteran teachers were on unpaid and differential pay extended illness leave.
* First year as a combination school with both classroom and NCB programs; the classroom-based program led to increased upfront expenditures in administrative classified salaries and benefits.
* Growth in enrollment and ADA in the NCB program
* Staffing shortages have persisted since the COVID pandemic.

Upon consideration of all information provided by the school, the CDE finds that the information supports its claim for mitigating circumstances and its request for 100 percent funding. The CDE notes that had these one-time revenues been excluded, the school’s expenditure calculations for percentages spent on certificated salaries and benefits and instruction and related services would have been 55.15 percent and 85.11 percent, respectively, qualifying it for a recommendation for 100 percent funding.

The CDE therefore recommends that the school receive 100 percent funding for its NCB instruction for two years.

#### Mountain Home Charter (Alternative) (Charter #0063)

The following table compares the regulatory criteria for funding levels with the school’s expenditures percentage calculations and PTR.

Mountain Home Charter (Alternative) Nonclassroom-Based Instruction Funding Qualification

| **Criteria** | **Percentage Spent on Certificated Salaries and Benefits** | **Percentage Spent on Instruction and Related Services** | **PTR** |
| --- | --- | --- | --- |
| **100 Percent** | ≥ 40 | ≥ 80 | ≤ 25 to 1 |
| **85 Percent** | ≥ 40 | ≥ 70 | N/A |
| **70 Percent** | ≥ 35 | ≥ 60 | N/A |
| **Charter School** | 46.24 | 70.15 | 20.68 to 1 |

Without the consideration of mitigating circumstances, the school qualifies for 85 percent funding for its NCB instruction.

The school’s complete determination of funding request with mitigating circumstances is provided on the April 2024 ACCS Meeting Agenda web page at <https://www.cde.ca.gov/be/cc/cs/documents/accs-apr24item02a19.docx>. The following bullets summarize the school’s reasoning for failing to meet the regulatory expenditure requirements:

* Receipt of one-time revenues, including the Arts, Music & Instructional Materials Block Grant and Learning Recovery Emergency Block Grant
* Funds have been reserved for facility additions, such as classrooms and bathrooms, and improvements to the interior main building, parking lots and grounds.

Upon consideration of all information provided by the school, the CDE finds that the information supports its claim for mitigating circumstances and its request for 100 percent funding. The CDE notes that had these one-time revenues been excluded, the school’s expenditure calculations for percentages spent on certificated salaries and benefits and instruction and related services would have been 53.45 percent and 80.41 percent, respectively, qualifying it for a recommendation for 100 percent funding.

The CDE therefore recommends that the school receive 100 percent funding for its NCB instruction for two years.

#### Pacific Springs Charter (Charter #1989)

The following table compares the regulatory criteria for funding levels with the school’s expenditures percentage calculations and PTR.

Pacific Springs Charter Nonclassroom-Based Instruction Funding Qualification

| **Criteria** | **Percentage Spent on Certificated Salaries and Benefits** | **Percentage Spent on Instruction and Related Services** | **PTR** |
| --- | --- | --- | --- |
| **100 Percent** | ≥ 40 | ≥ 80 | ≤ 25 to 1 |
| **85 Percent** | ≥ 40 | ≥ 70 | N/A |
| **70 Percent** | ≥ 35 | ≥ 60 | N/A |
| **Charter School** | 39.72 | 70.83 | 18.58 to 1 |

Without the consideration of mitigating circumstances, the school qualifies for 70 percent funding for its NCB instruction.

The school’s complete determination of funding request with mitigating circumstances is provided on the April 2024 ACCS Meeting Agenda web page at <https://www.cde.ca.gov/be/cc/cs/documents/accs-apr24item02a20.docx>. The following bullets summarize the school’s reasoning for failing to meet the regulatory expenditure requirements:

* Receipt of one-time revenues, including the Arts, Music & Instructional Materials Block Grant and Learning Recovery Emergency Block Grant
* Funds have been reserved for costs related to a change to the move of its Otay Ranch Academy for the Arts.

Upon consideration of all information provided by the school, the CDE finds that the information supports its claim for mitigating circumstances and its request for 100 percent funding. The CDE notes that had these one-time revenues been excluded, the school’s expenditure calculations for percentages spent on certificated salaries and benefits and instruction and related services would have been 45.69 percent and 80.26 percent, respectively, qualifying it for a recommendation for 100 percent funding.

The CDE therefore recommends that the school receive 100 percent funding for its NCB instruction for two years.

#### Pacific View Charter (Charter #0247)

The following table compares the regulatory criteria for funding levels with the school’s expenditures percentage calculations and PTR.

Pacific View Charter Nonclassroom-Based Instruction Funding Qualification

| **Criteria** | **Percentage Spent on Certificated Salaries and Benefits** | **Percentage Spent on Instruction and Related Services** | **PTR** |
| --- | --- | --- | --- |
| **100 Percent** | ≥ 40 | ≥ 80 | ≤ 25 to 1 |
| **85 Percent** | ≥ 40 | ≥ 70 | N/A |
| **70 Percent** | ≥ 35 | ≥ 60 | N/A |
| **Charter School** | 44.99 | 72.47 | 20.50 to 1 |

Without the consideration of mitigating circumstances, the school qualifies for 85 percent funding for its NCB instruction.

The school’s complete determination of funding request with mitigating circumstances is provided on the April 2024 ACCS Meeting Agenda web page at <https://www.cde.ca.gov/be/cc/cs/documents/accs-apr24item02a21.docx>. The following bullets summarize the school’s reasoning for failing to meet the regulatory expenditure requirements:

* Unrealized expenditures and corresponding issues, which includes the following:
  + Staffing challenges due to a teacher shortage; related to this, some professional development expenses were not incurred due to staffing shortages
  + Technology and other materials that were unable to be procured due to supply chain issues
  + Purchase of new textbooks were not made until the following year to align with the authorizing districts new math adoptions
  + Funds allocated for Special Education were not used due to a change in student eligibility
* The school is planning to purchase an additional property for its middle school program and improve its existing site.
* The school’s former Chief Business Official retired in the prior year, and the replacement Chief Business Official, who resigned mid-year, underestimated revenues caused by increased high school enrollment; the school has since hired a financial consultant with experience with charter schools and does not foresee this being a recurring issue.

Upon consideration of all information provided by the school, the CDE finds that the information supports its claim for mitigating circumstances and its request for 100 percent funding. The CDE notes that had these unrealized expenditures been made, the school’s expenditure calculations for percentages spent on certificated salaries and benefits and instruction and related services would have been 44.99 percent and 80.07 percent, respectively, qualifying it for a recommendation for 100 percent funding.

The CDE therefore recommends that the school receive 100 percent funding for its NCB instruction for two years.

#### Redding Collegiate Academy (Charter #1864)

The following table compares the regulatory criteria for funding levels with the school’s expenditures percentage calculations and PTR.

Redding Collegiate Academy Nonclassroom-Based Instruction Funding Qualification

| **Criteria** | **Percentage Spent on Certificated Salaries and Benefits** | **Percentage Spent on Instruction and Related Services** | **PTR** |
| --- | --- | --- | --- |
| **100 Percent** | ≥ 40 | ≥ 80 | ≤ 25 to 1 |
| **85 Percent** | ≥ 40 | ≥ 70 | N/A |
| **70 Percent** | ≥ 35 | ≥ 60 | N/A |
| **Charter School** | 57.22 | 71.73 | 19.94 to 1 |

Without the consideration of mitigating circumstances, the school qualifies for 85 percent funding for its NCB instruction.

The school’s complete determination of funding request with mitigating circumstances is provided on the April 2024 ACCS Meeting Agenda web page at <https://www.cde.ca.gov/be/cc/cs/documents/accs-apr24item02a22.docx>. The following bullets summarize the school’s reasoning for failing to meet the regulatory expenditure requirements:

* Receipt of one-time revenues, including the Arts, Music & Instructional Materials Block Grant and Learning Recovery Emergency Block Grant
* Restricted lottery funds are being saved for textbook adoption.

Upon consideration of all information provided by the school, the CDE finds that the information supports its claim for mitigating circumstances and its request for 100 percent funding. The CDE notes that had these one-time revenues been excluded, the school’s expenditure calculations for percentages spent on certificated salaries and benefits and instruction and related services would have been 64.84 percent and 81.29 percent, respectively, qualifying it for a recommendation for 100 percent funding.

The CDE therefore recommends that the school receive 100 percent funding for its NCB instruction for two years.

#### River Oaks Academy (Charter #1256)

The following table compares the regulatory criteria for funding levels with the school’s expenditures percentage calculations and PTR.

River Oaks Academy Nonclassroom-Based Instruction Funding Qualification

| **Criteria** | **Percentage Spent on Certificated Salaries and Benefits** | **Percentage Spent on Instruction and Related Services** | **PTR** |
| --- | --- | --- | --- |
| **100 Percent** | ≥ 40 | ≥ 80 | ≤ 25 to 1 |
| **85 Percent** | ≥ 40 | ≥ 70 | N/A |
| **70 Percent** | ≥ 35 | ≥ 60 | N/A |
| **Charter School** | 56.34 | 76.99 | 24.39 to 1 |

Without the consideration of mitigating circumstances, the school qualifies for 85 percent funding for its NCB instruction.

The school’s complete determination of funding request with mitigating circumstances is provided on the April 2024 ACCS Meeting Agenda web page at <https://www.cde.ca.gov/be/cc/cs/documents/accs-apr24item02a23.docx>. The following bullets summarize the school’s reasoning for failing to meet the regulatory expenditure requirements:

* Receipt of one-time revenues, including the Arts, Music & Instructional Materials Block Grant and Learning Recovery Emergency Block Grant
* Funds have been reserved for facility improvements and technology for students.

Upon consideration of all information provided by the school, the CDE finds that the information supports its claim for mitigating circumstances and its request for 100 percent funding. The CDE notes that had these one-time revenues been excluded, the school’s expenditure calculations for percentages spent on certificated salaries and benefits and instruction and related services would have been 62.39 percent and 84.70 percent, respectively, qualifying it for a recommendation for 100 percent funding.

The CDE therefore recommends that the school receive 100 percent funding for its NCB instruction for two years.

#### River Springs Charter (Charter #0753)

The following table compares the regulatory criteria for funding levels with the school’s expenditures percentage calculations and PTR.

River Springs Charter Nonclassroom-Based Instruction Funding Qualification

| **Criteria** | **Percentage Spent on Certificated Salaries and Benefits** | **Percentage Spent on Instruction and Related Services** | **PTR** |
| --- | --- | --- | --- |
| **100 Percent** | ≥ 40 | ≥ 80 | ≤ 25 to 1 |
| **85 Percent** | ≥ 40 | ≥ 70 | N/A |
| **70 Percent** | ≥ 35 | ≥ 60 | N/A |
| **Charter School** | 40.57 | 73.58 | 14.36 to 1 |

Without the consideration of mitigating circumstances, the school qualifies for 85 percent funding for its NCB instruction.

The school’s complete determination of funding request with mitigating circumstances and an additional attachment are provided on the April 2024 ACCS Meeting Agenda web page at <https://www.cde.ca.gov/be/cc/cs/documents/accs-apr24item02a24.docx> and <https://www.cde.ca.gov/be/cc/cs/documents/accs-apr24item02a25.pdf>. The following bullet summarizes the school’s reasoning for failing to meet the regulatory expenditure requirements:

* Receipt of one-time revenues, including the Arts, Music & Instructional Materials Block Grant and Learning Recovery Emergency Block Grant

Upon consideration of all information provided by the school, the CDE finds that the school supports its claim for mitigating circumstances and its request for 100 percent funding. The CDE notes that had these one-time revenues been excluded, the school’s expenditure calculations for percentages spent on certificated salaries and benefits and instruction and related services would have been 45.85 percent and 82.51 percent, respectively, qualifying it for a recommendation for 100 percent funding.

The CDE therefore recommends that the school receive 100 percent funding for its NCB instruction for two years.

#### SAVA - Sacramento Academic and Vocational Academy - EGUSD (Charter #1949)

The following table compares the regulatory criteria for funding levels with the school’s expenditures percentage calculations and PTR.

SAVA - Sacramento Academic and Vocational Academy - EGUSD Nonclassroom-Based Instruction Funding Qualification

| **Criteria** | **Percentage Spent on Certificated Salaries and Benefits** | **Percentage Spent on Instruction and Related Services** | **PTR** |
| --- | --- | --- | --- |
| **100 Percent** | ≥ 40 | ≥ 80 | ≤ 25 to 1 |
| **85 Percent** | ≥ 40 | ≥ 70 | N/A |
| **70 Percent** | ≥ 35 | ≥ 60 | N/A |
| **Charter School** | 44.04 | 76.53 | 9.35 to 1 |

Without the consideration of mitigating circumstances, the school qualifies for 85 percent funding for its NCB instruction.

The school’s complete determination of funding request with mitigating circumstances is provided on the April 2024 ACCS Meeting Agenda web page at <https://www.cde.ca.gov/be/cc/cs/documents/accs-apr24item02a26.docx>. The following bullets summarize the school’s reasoning for failing to meet the regulatory expenditure requirements:

* Receipt of one-time revenues, including the Arts, Music & Instructional Materials Block Grant and Learning Recovery Emergency Block Grant
* Funds have been reserved for potentially purchasing currently leased property and additional property adjacent to the current campus to meet enrollment needs and build additional CTE classrooms.

Upon consideration of all information provided by the school, the CDE finds that the information supports its claim for mitigating circumstances and its request for 100 percent funding. The CDE notes that had these one-time revenues been excluded, the school’s expenditure calculations for percentages spent on certificated salaries and benefits and instruction and related services would have been 48.08 percent and 83.25 percent, respectively, qualifying it for a recommendation for 100 percent funding.

The CDE therefore recommends that the school receive 100 percent funding for its NCB instruction for two years.

#### SAVA - Sacramento Academic and Vocational Academy - SCUSD (Charter #1948)

The following table compares the regulatory criteria for funding levels with the school’s expenditures percentage calculations and PTR.

SAVA - Sacramento Academic and Vocational Academy - SCUSD Nonclassroom-Based Instruction Funding Qualification

| **Criteria** | **Percentage Spent on Certificated Salaries and Benefits** | **Percentage Spent on Instruction and Related Services** | **PTR** |
| --- | --- | --- | --- |
| **100 Percent** | ≥ 40 | ≥ 80 | ≤ 25 to 1 |
| **85 Percent** | ≥ 40 | ≥ 70 | N/A |
| **70 Percent** | ≥ 35 | ≥ 60 | N/A |
| **Charter School** | 47.89 | 75.81 | 10.87 to 1 |

Without the consideration of mitigating circumstances, the school qualifies for 85 percent funding for its NCB instruction.

The school’s complete determination of funding request with mitigating circumstances is provided on the April 2024 ACCS Meeting Agenda web page at <https://www.cde.ca.gov/be/cc/cs/documents/accs-apr24item02a27.docx>. The following bullets summarize the school’s reasoning for failing to meet the regulatory expenditure requirements:

* Receipt of one-time revenues, including the Arts, Music & Instructional Materials Block Grant and Learning Recovery Emergency Block Grant
* Funds have been reserved for potentially purchasing currently leased property and for costs associated with plans to move one of its current campuses to a new location.

Upon consideration of all information provided by the school, the CDE finds that the information supports its claim for mitigating circumstances and its request for 100 percent funding. The CDE notes that had these one-time revenues been excluded, the school’s expenditure calculations for percentages spent on certificated salaries and benefits and instruction and related services would have been 53.58 percent and 84.48 percent, respectively, qualifying it for a recommendation for 100 percent funding.

The CDE therefore recommends that the school receive 100 percent funding for its NCB instruction for two years.

#### Sherman Thomas Charter High (Charter #1058)

The following table compares the regulatory criteria for funding levels with the school’s expenditures percentage calculations and PTR.

Sherman Thomas Charter High Nonclassroom-Based Instruction Funding Qualification

| **Criteria** | **Percentage Spent on Certificated Salaries and Benefits** | **Percentage Spent on Instruction and Related Services** | **PTR** |
| --- | --- | --- | --- |
| **100 Percent** | ≥ 40 | ≥ 80 | ≤ 25 to 1 |
| **85 Percent** | ≥ 40 | ≥ 70 | N/A |
| **70 Percent** | ≥ 35 | ≥ 60 | N/A |
| **Charter School** | 46.60 | 73.70 | 15.04 to 1 |

Without the consideration of mitigating circumstances, the school qualifies for 85 percent funding for its NCB instruction.

The school’s complete determination of funding request with mitigating circumstances is provided on the April 2024 ACCS Meeting Agenda web page at <https://www.cde.ca.gov/be/cc/cs/documents/accs-apr24item02a30.docx>. The following bullet summarizes the school’s reasoning for failing to meet the regulatory expenditure requirements:

* Receipt of one-time revenues, including the Arts, Music & Instructional Materials Block Grant, Learning Recovery Emergency Block Grant, A-G Completion Grant, Educator Effectiveness Block Grant, and Expanded Learning Opportunities Grant

Upon consideration of all information provided by the school, the CDE finds that the information supports its claim for mitigating circumstances and its request for 100 percent funding. The CDE notes that had these one-time revenues been excluded, the school’s expenditure calculations for percentages spent on certificated salaries and benefits and instruction and related services would have been 51.50 percent and 81.38 percent, respectively, qualifying it for a recommendation for 100 percent funding.

The CDE therefore recommends that the school receive 100 percent funding for its NCB instruction for two years.

#### SIATech Academy South (Charter #1700)

The following table compares the regulatory criteria for funding levels with the school’s expenditures percentage calculations and PTR.

SIATech Academy South Nonclassroom-Based Instruction Funding Qualification

| **Criteria** | **Percentage Spent on Certificated Salaries and Benefits** | **Percentage Spent on Instruction and Related Services** | **PTR** |
| --- | --- | --- | --- |
| **100 Percent** | ≥ 40 | ≥ 80 | ≤ 25 to 1 |
| **85 Percent** | ≥ 40 | ≥ 70 | N/A |
| **70 Percent** | ≥ 35 | ≥ 60 | N/A |
| **Charter School** | 40.91 | 76.82 | 12.01 to 1 |

Without the consideration of mitigating circumstances, the school qualifies for 85 percent funding for its NCB instruction.

The school’s complete determination of funding request with mitigating circumstances is provided on the April 2024 ACCS Meeting Agenda web page at <https://www.cde.ca.gov/be/cc/cs/documents/accs-apr24item02a31.docx>. The following bullets summarize the school’s reasoning for failing to meet the regulatory expenditure requirements:

* Inability to fill two certificated teaching positions and two classified instructional positions
* The recognition of STRS on behalf revenue increased its revenues and caused the school to fail to meet the expenditure requirements.

Upon consideration of all information provided by the school, the CDE finds that the information supports its claim for mitigating circumstances and its request for 100 percent funding. The CDE notes that had these positions been filled, the school’s expenditure calculations for percentages spent on certificated salaries and benefits and instruction and related services would have been 51.21 percent and 93.13 percent, respectively, qualifying it for a recommendation for 100 percent funding.

The CDE therefore recommends that the school receive 100 percent funding for its NCB instruction for two years.

#### Valley Oaks Charter (Charter #0332)

The following table compares the regulatory criteria for funding levels with the school’s expenditures percentage calculations and PTR.

Valley Oaks Charter Nonclassroom-Based Instruction Funding Qualification

| **Criteria** | **Percentage Spent on Certificated Salaries and Benefits** | **Percentage Spent on Instruction and Related Services** | **PTR** |
| --- | --- | --- | --- |
| **100 Percent** | ≥ 40 | ≥ 80 | ≤ 25 to 1 |
| **85 Percent** | ≥ 40 | ≥ 70 | N/A |
| **70 Percent** | ≥ 35 | ≥ 60 | N/A |
| **Charter School** | 51.62 | 72.43 | 23.24 to 1 |

Without the consideration of mitigating circumstances, the school qualifies for 85 percent funding for its NCB instruction.

The school’s complete determination of funding request with mitigating circumstances is provided on the April 2024 ACCS Meeting Agenda web page at <https://www.cde.ca.gov/be/cc/cs/documents/accs-apr24item02a32.docx>. The following bullets summarize the school’s reasoning for failing to meet the regulatory expenditure requirements:

* Receipt of one-time revenues, including the Arts, Music & Instructional Materials Block Grant and Learning Recovery Emergency Block Grant
* Funds have been reserved for facility projects as a result of the California high speed rail being planned to pass through the current school location.

Upon consideration of all information provided by the school, the CDE finds that the information supports its claim for mitigating circumstances and its request for 100 percent funding. The CDE notes that had these one-time revenues been excluded, the school’s expenditure calculations for percentages spent on certificated salaries and benefits and instruction and related services would have been 57.08 percent and 80.01 percent, respectively, qualifying it for a recommendation for 100 percent funding.

The CDE therefore recommends that the school receive 100 percent funding for its NCB instruction for two years.

#### Yosemite-Wawona Elementary Charter (Charter #1610)

The following table compares the regulatory criteria for funding levels with the school’s expenditures percentage calculations and PTR.

Yosemite-Wawona Elementary Charter - SCUSD Nonclassroom-Based Instruction Funding Qualification

| **Criteria** | **Percentage Spent on Certificated Salaries and Benefits** | **Percentage Spent on Instruction and Related Services** | **PTR** |
| --- | --- | --- | --- |
| **100 Percent** | ≥ 40 | ≥ 80 | ≤ 25 to 1 |
| **85 Percent** | ≥ 40 | ≥ 70 | N/A |
| **70 Percent** | ≥ 35 | ≥ 60 | N/A |
| **Charter School** | 38.15 | 73.55 | 4.56 to 1 |

Without the consideration of mitigating circumstances, the school qualifies for 70 percent funding for its NCB instruction.

The school’s complete determination of funding request with mitigating circumstances is provided on the April 2024 ACCS Meeting Agenda web page at <https://www.cde.ca.gov/be/cc/cs/documents/accs-apr24item02a33.docx>. The following bullets summarize the school’s reasoning for failing to meet the regulatory expenditure requirements:

* Small school with less than 100 ADA
* The school is in a remote location located inside the southern boundary of Yosemite National Park.
* Funds have been reserved for maintenance projects, such as resurfacing of the parking area and blacktop.

Upon consideration of all information provided by the school, the CDE finds that the information supports its claim for mitigating circumstances and its request for 100 percent funding. Additionally, the CDE acknowledges that the school has less than 100 ADA, reporting a 2022–23 P-2 ADA of 13.17.

The CDE therefore recommends that the school receive 100 percent funding for its NCB instruction for two years.

### Recommendation for Approval at a Higher Level of Funding – 85 Percent

The CDE finds a reasonable basis for the following school to be approved for 85 percent funding despite not meeting the regulatory criteria outlined in 5 *CCR* Section 11963.4(a) for this level of funding. The CDE recommends that the SBE approve the school’s mitigating circumstances request and determination of funding request at 85 percent, a higher level of funding than for which it qualifies, for two years.

A summary of the school’s mitigating circumstances request, as well as a link to the school’s determination of funding request, is provided below.

#### Delta Home Charter (Charter #1646)

The following table compares the regulatory criteria for funding levels with the school’s expenditures percentage calculations and PTR.

Delta Home Charter Nonclassroom-Based Instruction Funding Qualification

| **Criteria** | **Percentage Spent on Certificated Salaries and Benefits** | **Percentage Spent on Instruction and Related Services** | **PTR** |
| --- | --- | --- | --- |
| **100 Percent** | ≥ 40 | ≥ 80 | ≤ 25 to 1 |
| **85 Percent** | ≥ 40 | ≥ 70 | N/A |
| **70 Percent** | ≥ 35 | ≥ 60 | N/A |
| **Charter School** | 43.05 | 67.67 | 21.25 to 1 |

Without the consideration of mitigating circumstances, the school qualifies for 70 percent funding for its NCB instruction.

The school’s complete determination of funding request with mitigating circumstances is provided on the April 2024 ACCS Meeting Agenda web page at <https://www.cde.ca.gov/be/cc/cs/documents/accs-apr24item02a9.docx>. The following bullet summarizes the school’s reasoning for failing to meet the regulatory expenditure requirements:

* Receipt of one-time revenues, including the Arts, Music & Instructional Materials Block Grant and Learning Recovery Emergency Block Grant

Upon consideration of all information provided by the school, the CDE finds that the information supports its claim for mitigating circumstances but not its request for 100 percent funding. The CDE notes that had these one-time revenues been excluded, the school’s expenditure calculations for percentages spent on certificated salaries and benefits and instruction and related services would have been 49.71 percent and 77.19 percent, respectively, qualifying it for 85 percent funding for its NCB instruction. The school did not otherwise provide a reasonable basis to recommend a higher level of funding.

The CDE therefore recommends that the school receive 85 percent funding for its NCB instruction for two years.

### Recommendation for Approval at a Higher Level of Funding – 70 Percent

The CDE finds a reasonable basis for the following school to be approved for 70 percent funding despite not meeting the regulatory criteria outlined in 5 *CCR* Section 11963.4(a) for this level of funding. The CDE recommends that the SBE approve the school’s mitigating circumstances request and determination of funding request at 70 percent, a higher level of funding than for which it qualifies, for two years.

A summary of the school’s mitigating circumstances request, as well as a link to the school’s determination of funding request, is provided below.

#### Delta Charter Online (Charter #1879)

The following table compares the regulatory criteria for funding levels with the school’s expenditures percentage calculations and PTR.

Delta Charter Online Nonclassroom-Based Instruction Funding Qualification

| **Criteria** | **Percentage Spent on Certificated Salaries and Benefits** | **Percentage Spent on Instruction and Related Services** | **PTR** |
| --- | --- | --- | --- |
| **100 Percent** | ≥ 40 | ≥ 80 | ≤ 25 to 1 |
| **85 Percent** | ≥ 40 | ≥ 70 | N/A |
| **70 Percent** | ≥ 35 | ≥ 60 | N/A |
| **Charter School** | 31.61 | 46.71 | 22.78 to 1 |

Without the consideration of mitigating circumstances, the school fails to qualify for any funding for its NCB instruction.

The school’s complete determination of funding request with mitigating circumstances is provided on the April 2024 ACCS Meeting Agenda web page at <https://www.cde.ca.gov/be/cc/cs/documents/accs-apr24item02a8.docx>. The following bullets summarize the school’s reasoning for failing to meet the regulatory expenditure requirements:

* Receipt of one-time revenues, including the Arts, Music & Instructional Materials Block Grant and Learning Recovery Emergency Block Grant
* The school, which is authorized and operated by New Jerusalem Elementary School District, shares some teachers with other schools in the District; the schools are charged on a proportional basis. Due to changes in staff and miscommunication within the school, 3.2 FTE were mistakenly charged to another school in the District rather than to Delta Charter Online. To ensure that the error does not reoccur, the school states that it has implemented systems to review position control on a consistent basis.

Upon consideration of all information provided by the school, the CDE finds that the information supports its claim for mitigating circumstances but not its request for 100 percent funding. The CDE notes that had these one-time revenues been excluded and the 3.2 FTE properly charged to the school, the school’s expenditure calculations for percentages spent on certificated salaries and benefits and instruction and related services would have been 45.19 percent and 60.94 percent, respectively, qualifying it for 70 percent funding for its NCB instruction. The school did not otherwise provide a reasonable basis to recommend a higher level of funding.

The CDE therefore recommends that the school receive 70 percent funding for its NCB instruction for two years.

### Recommendation for Approval at the Funding Level for Which It Qualifies

The CDE does not find a reasonable basis for the following school to be funded at a higher level of funding than for which they qualify. As such, the CDE recommends that the SBE deny the school’s mitigating circumstances request and approve the school’s determination of funding request at 85 percent funding, the funding level for which it qualifies, for two years.

A summary of the school’s mitigating circumstances request, as well as a link to the school’s determination of funding request, is provided below.

#### School of Unlimited Learning (Charter #0149)

The following table compares the regulatory criteria for funding levels with the school’s expenditures percentage calculations and PTR.

School of Unlimited Learning Nonclassroom-Based Instruction Funding Qualification

| **Criteria** | **Percentage Spent on Certificated Salaries and Benefits** | **Percentage Spent on Instruction and Related Services** | **PTR** |
| --- | --- | --- | --- |
| **100 Percent** | ≥ 40 | ≥ 80 | ≤ 25 to 1 |
| **85 Percent** | ≥ 40 | ≥ 70 | N/A |
| **70 Percent** | ≥ 35 | ≥ 60 | N/A |
| **Charter School** | 42.65 | 72.95 | 11.59 to 1 |

Without the consideration of mitigating circumstances, the school qualifies for 85 percent funding for its NCB instruction.

The school’s complete determination of funding request with mitigating circumstances and an additional attachment are provided on the April 2024 ACCS Meeting Agenda web page at <https://www.cde.ca.gov/be/cc/cs/documents/accs-apr24item02a28.docx> and <https://www.cde.ca.gov/be/cc/cs/documents/accs-apr24item02a29.pdf>. The following bullets summarize the school’s reasoning for failing to meet the regulatory expenditure requirements:

* It plans to spend on roof repairs and HVAC expenses, quoted at $105,998
* It has gone through many changes since the pandemic including a change in administration and faculty and the transition proved to be difficult as the school navigated towards returning to a "normal" educational setting
* It is moving toward expanding its facility to increase the number of classes it can accommodate in the future and that it “may be in need of buying a new facility in the near future”
* The state budget, specifically providing, "The State of California budget has been met with some limitations in the past year. Educational funding is being monitored and restricted with cuts being seen in the future."

Upon consideration of all information provided by the school, the CDE finds that the information does not support its claim for mitigating circumstances and its request for 100 percent funding. The CDE notes that had the expenses toward roof repairs and HVAC expenses been spent on instruction and related services instead, the school’s expenditure calculations for percentages spent on certificated salaries and benefits and instruction and related services would have been 42.65 percent and 76.19 percent, respectively, which still qualifies it for 85 percent funding for its NCB instruction.

When asked for clarification of the other factors cited as a part of its mitigating circumstances request, the school did not provide information specific to how each factor contributed to the school’s failure to meet the regulatory criteria or why it would be a reasonable basis to recommend a higher level of funding than for which it qualifies. With specific regard to its plans for facility expansion, the school did not provide an estimated cost or timeframe. Additionally, the CDE notes that upon further communication with the school, the school no longer believes that it will purchase a new facility.

The CDE therefore recommends that the school’s mitigating circumstances request be denied and that the school’s determination of funding request be approved at the level of funding for which it qualifies pursuant to 5 *CCR* Section 11963.4(a)(2).

## Fiscal Analysis

If approved by the SBE, the 30 charter schools listed in Attachment 1 would receive apportionment funding for their NCB ADA under the Local Control Funding Formula model.

## California Department of Education Staff Review

Direct links to each charter school’s determination of funding request are provided within the summaries of each school’s mitigating circumstances request above. The requests are also available under Item 02 of the April 2024 ACCS Meeting Agenda web page at <https://www.cde.ca.gov/be/cc/cs/accsnotice040924.asp>.

## Attachment

* **Attachment 1:** Recommendations for Nonclassroom-Based Determination of Funding with Mitigating Circumstances

1. The PTR criteria outlined in this table pertain only to charter schools submitting funding determination requests for their NCB instruction. All charter schools offering independent study are required to comply with the ADA-to certificated-employee ratios outlined in *EC* Section 51745.6. [↑](#footnote-ref-1)