



**TOM TORLAKSON**  
State Superintendent of  
Public Instruction

# **Nonclassroom–Based Instruction**

## **Request For Funding Determination Webinar**

### **Fiscal Year 2016–17**

California Department of Education  
Charter Schools Division



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State Superintendent of  
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# Background



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Senate Bill (SB) 740 (Chapter 892, Statutes of 2001) strengthened the fiscal oversight of nonclassroom-based (NCB) charter schools. SB 740 also directed the State Board of Education (SBE) to adopt regulations defining and establishing the process for determining funding for NCB charter schools. SB 740 amended *Education Code (EC)* Section 47612.5 and added *EC* Section 47634.2.

A charter school whose total average daily attendance (ADA) population is less than 80 percent classroom-based and meets one of the following criteria must request a NCB determination of funding for fiscal year (FY) 2016-17 in order to be funded for its NCB ADA:

- Newly operational charter school opening in FY 2016-17,
- Continuing charter school with an existing funding determination that expires at the end of FY 2016-17, or
- Classroom-based charter school planning to convert to a NCB instructional setting in FY 2017-18

NCB funding determination requests are reviewed by the California Department of Education (CDE) and recommendations are presented to the Advisory Commission on Charter Schools (ACCS). The CDE and ACCS recommendations are then forwarded and presented to the SBE for final approval.



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# Classroom or Nonclassroom- Based Instruction?

As provided in regulations, classroom-based instruction occurs in a charter school only when the following conditions are met:

- Pupils are under the immediate supervision and control of a certificated credentialed teacher,
- At least 80 percent of the instructional time offered at the charter school is at a school site, used principally for classroom instruction, AND
- The charter school requires its pupils to be in attendance at the school site at least 80 percent of the minimum instructional time required to be offered by law.

ADA that does not meet the above definitions for classroom-based instruction is to be reported as NCB instructional ADA

# Requesting a Funding Determination

A request must be submitted to the CDE by completing the Nonclassroom-Based Funding Determination Form (FDF). Forms are available on the CDE Web site: <http://www.cde.ca.gov/sp/cs/as/nclrbifunddet.asp>.



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A screenshot of a web browser displaying the California Department of Education website. The page title is "Nonclassroom-Based Determination of Funding - Administration &amp; Support (CA Dept of Education) - Google Chrome". The URL is "www.cde.ca.gov/sp/cs/as/nclrbifunddet.asp". The page features the CDE logo, a search bar, and a navigation menu with categories like "Curriculum &amp; Instruction", "Testing &amp; Accountability", "Finance &amp; Grants", "Data &amp; Statistics", "Specialized Programs", and "Learning Support". The main content area is titled "Nonclassroom-Based Determination of Funding" and includes information about funding determinations for charter schools, a list of SBE approved funding determinations by fiscal year, and a section for forms and instructions for fiscal year 2015-16. A sidebar on the right contains social media sharing options and a "Recently Posted in Charter Schools" section.

## Nonclassroom-Based Determination of Funding

Information for nonclassroom-based instruction schools on how to apply for a funding determination.

Enacted by [Senate Bill 740](#) (PDF) (Chapter 892, Statutes of 2001, [Education Code \[EC\] Section 47612.5](#)) prohibiting charter schools from receiving any funding for nonclassroom-based instruction unless the State Board of Education (SBE) determines its eligibility for funding.

### SBE Approved Funding Determinations by Fiscal Year

[2015-16](#) | [2014-15](#) | [2013-14](#) | [2012-13](#) | [2011-12](#) | [2010-11](#)

[2001-02 through 2009-10](#)

### Forms and Instructions for Fiscal Year (FY) 2015-16

- [Determination of Funding Requests for Nonclassroom-Based Charter Schools Letter](#)
- [Reasonable Basis Mitigating Circumstances Request for Nonclassroom-Based Charter Schools Letter](#)
- [Instructions for Nonclassroom-based Funding Determination Form](#)
- [Nonclassroom-Based Funding Determination Form](#) (XLS)
- [Mitigating Circumstances Request Summary Sheet](#) (XLS)
- [Funding Determination Fiscal Year 2015-16 Webinar](#) (PDF)

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Recently Posted in Charter Schools

[2016-17 Charter Schools Annual Information Survey](#) (added 08-Jun-2016)

Links to the Annual Information Survey form and instructions for the 2016-17 fiscal year.

[2016-17 Annual Information Survey Instructions](#) (added 08-



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# Filing Deadlines

Newly Operational Charter Schools - **December 1, 2016**

Continuing Charter Schools - **February 1, 2017**

A request submitted after the deadline will not be accepted by the CDE and will require a waiver approved by the SBE. Waiver information can be found on CDE's web site: <http://www.cde.ca.gov/re/lr/wr>.

## Funding Impact

A **new** charter school that files a determination of funding request after the December 1<sup>st</sup> deadline must have a waiver OR determination of funding approved by the SBE's May 2017 meeting. If not met, the CDE may not disburse the charter school's LCFF funding allocated through the Principal Apportionment for the charter school's NCB ADA beginning with the 2016–17 P-2 Apportionment

A **continuing** charter school that misses the February 1<sup>st</sup> deadline must have a funding determination OR a waiver approved by the SBE's January 2018 meeting. If not met, the CDE may not disburse the charter school's LCFF funding allocated through the Principal Apportionment for the charter school's NCB ADA beginning with the 2017-18 P-1 Apportionment.

A **continuing** charter school that needs a FY 2016–17 determination of funding but did not file a timely request must have a waiver or determination of funding approved by the SBE's January 2017 meeting. If not met, the CDE may not disburse the charter school's LCFF funding allocated through the Principal Apportionment for the charter school's NCB ADA beginning with the FY 2016-17 P-1 Apportionment.



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# Funding Determinations

Regulations authorize the following NCB funding determinations:

100%

85%

70%

Or, denial of the funding determination

**5 CCR Section 11963.4**



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# 100% Funding Determination

To qualify for funding at 100 percent, the charter school must meet three conditions as follows:

1. Spend at least **40 percent of total public revenues** on Instructional Certificated Salaries and Benefits, *and*
2. Spend at least **80 percent of total revenues** on Instruction and Instruction-Related Services, *and*
3. Maintain a Pupil to Teacher Ratio (PTR) of:
  - a) 25 to 1; or
  - b) Equivalent PTR of the largest unified school district in county or counties in which the charter school operates

**5 CCR Section 11963.4 (a)(3) and (e)**



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# Funding Determination Criteria

Funding Level Percent	Certificated Salary & Benefits	Instruction & Instruction Related Services	Pupil to Teacher Ratio (PTR)
100	= or > 40% AND	= or > 80% AND	25:1
85	= or > 40% AND	= or > 70%	Not Applicable
70	= or > 35% AND	= or > 60%	Not Applicable
Denial	< 35% OR	< 60%	

**5 CCR Section 11963.4**



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# Funding Determination Form

- The Funding Determination Form (FDF) is a five-page Excel spreadsheet template available on CDE's Web site:  
<http://www.cde.ca.gov/sp/cs/as/nclrbifunddet.asp>.
  
- The FDF is comprised of six sections:
  - I. Charter Information (Slides 11 to 12)
  - II. Certification (Slide 13)
  - III. Financial Information (Slides 14 to 18)
    - Revenues (Federal, State, Local, Other)
    - Expenditures (Instructional, Facilities, Administration, Other)
    - Fund Balance and Reserves
  
  - IV. Supplemental Information (Slide 19)
    - 1. Pupil-Teacher Ratio
    - 2. List of Vendors
    - 3. List of Board Members
    - 4. Identification of Transfers and Other Outgo
    - 5. List of Reserves
    - 6. Number of FTE Certificated Employees
    - 7. Explanation of Excess Reserves
  
  - V. NCB Virtual or On-Line Charter Schools (Slide 20)
  
  - VI. Calculated Funding Determination Percentages (Slide 21)
    - Percent spent on Certificated Salaries & Benefits to Total Public Revenues
    - Percent spent on Instruction & Instruction-Related Services to Total Revenues



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# Funding Determination Form Charter Information

✓ Check applicable box

Form FDF201617 [Compatibility Mode] - Excel

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	A	B	C	D	E	F	G	H	I	J	K	L	M	N	
1	California Department of Education														
2	Charter Schools Division											Revised September 2016			
3	<b>California Department of Education</b> <b>Nonclassroom-Based Funding Determination Form (FDF)</b> <b>Fiscal Year 2016-17</b>														
4															
5															
6	CDE Nonclassroom-Based Determination of Funding Web Page:											<a href="http://www.cde.ca.gov/sp/cs/as/nclrbifunddet.asp">http://www.cde.ca.gov/sp/cs/as/nclrbifunddet.asp</a>			
7												<b>Due Date</b>		<b>Check One ( X )</b>	
8	<b>New Charter School in FY 2016-17</b> (Use: FY 2016-17 budget data)											12/1/2016*		( )	
9	<b>Existing Charter School</b> (FD expires FY 2016-17 / Use: FY 2015-16 audit financial data)											2/1/2017*		( )	
10	<b>New Charter School in FY 2015-16</b>											5 CCR 11963.6 (a)		9/30/2016**	
11	**Within 90 days after the end of a charter school's first year of operation, two reports must be filed with the CDE: (1) FDF, using FY 2016-17 budget data and (2) Unaudited Actual Report for the FY 2015-16.													( )	
12	<b>Other FDF</b> (Enter fiscal year source data):											Fiscal Year: ____/____		( )	
13	* Deadline Missed: A charter school missing the deadline will need to obtain a waiver from the SBE. Information on the waiver process is posted on the Waiver Process for the SBE at:														
14	<a href="http://www.cde.ca.gov/re/tr/wr">http://www.cde.ca.gov/re/tr/wr</a>														
15	The governing board of the charter school's authorizing local educational agency will need to request a waiver and conduct a public hearing. The SBE may approve such waivers under the general waiver authority, under <i>Education Code</i> sections 33050-33053.														
16	<b>Complete Sections I through V</b>														

Instructions FDF Data Input

READY 125%



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# Funding Determination Form Section I. Charter Information

Complete lines 1 through 17

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F26 X ✓ fx Yrs. Note: New charter schools are limited to two years 5 CCR 11963.6 (a)

Complete Sections I through V											
Section I. Charter Information						(Complete Lines 1 to 17)			5 CCR 11963.3 (a)(1) to (4)		
18	1. Charter School Name						2. Charter No.				
19	3. Charter Authorizer						4. CDS Code				
20	5. Street Address										
21	6. City				7. State	8. Zip Code					
22	9. Contact Name				10. Title						
23	11. Phone Number				12. E-Mail						
25	13. Funding Requested (Enter 100%, 85% or 70%):						%				
26	14. Years Requested (Enter 2, 3, 4, or 5)						Yrs. Note: New charter schools are limited to two years 5 CCR 11963.6 (a)				
27	15. Funding Determination Period Requested				16. Grade Levels Served						
28	FY ___ / ___ to ___ / ___				17. Date Charter Expires		mm/dd/yyyy				
Section II. Certification						(Review, sign, and date)			5 CCR 11963.3 (b)(1)		
I certify that:											
<ol style="list-style-type: none"> <li>The information provided is true and correct to the best of my ability and knowledge.</li> <li>This charter school's nonclassroom-based instruction is conducted for and substantially dedicated to the instructional benefit of the school's students.</li> </ol>											

Instructions FDF Data Input

READY 145%



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# Funding Determination Form

## Section II. Certification

Review, sign, and date Certification Section

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	A	B	C	D	E	F	G	H	I	J	K	L	M
31													
32	<b>Section II. Certification</b>					(Review, sign, and date)					5 CCR 11963.3 (b)(1)		
33	I certify that:												
34	1. The information provided is true and correct to the best of my ability and knowledge.												
35	2. This charter school's nonclassroom-based instruction is conducted for and substantially dedicated to the instructional benefit of the school's students.												
36	3. This charter school's governing board has adopted and implemented conflict of interest policies.												
37	4. All of the charter school's transactions, contracts, and agreements are in the best interest of the school and reflect a reasonable market rate for all goods, services, and considerations rendered for or supplied to the school.												
38													
39													
40	_____												
41	Print Name of Charter School's Director, Principal, or Governing Board Chairperson												
42	_____												
43	Signature of Charter School's Director, Principal, or Governing Board Chairperson												
44	_____												
45	Title of Authorized Individual												
46	_____												
47	Date Signed												
48													
49	<b>Section III. Financial Information</b>					(Complete sections A, B, D, and E)							
50													
51	<b>A. Resources</b>					(Complete lines A.1 a. to A.1 d.)					5 CCR 11963.3 (a)(5)(A) and (6)		

Instructions Data Input

READY

135%

# Funding Determination Form

## Section III. Financial Information – Revenues

Complete lines A.1.a. through A.1.d



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J56 : X ✓ fx =SUM(J50,J53,J54, J55)

46	<b>Section III. Financial Information</b>		(Complete sections A, B, D, and E)
48	<b>A. Total Resources</b>	(Complete lines A.1.a. to d.)	5 CCR 11963.3 (a)(5)(A) and (6)
49	1. Revenues and Other Resources		
50	a. Federal Revenues		\$ -
51	(i) Enter amount of Public Charter Schools Grant Program included under Federal Revenues (Line A1a).	\$ -	
53	b. State Revenues		\$ -
54	c. Local Revenues		\$ -
55	d. Other Financing Sources		\$ -
56	<b>e. Total Revenues</b> (Sum of lines A1a to A1d.)		\$ -

Instructions Data Input

READY 100%



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# Funding Determination Form

## Section III. Financial Information – Revenues

Place cursor over red triangle to display additional information

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43	Title of Authorized Individual		Date Signed
44			
45			
46			
47	<b>Section III. Financial Information</b> (Complete sections A, B, D, and E)		
48			
49	<b>A. Resources</b>	(Complete lines A.1.a. to A.1.d.)	5 CCR 11963.3 (a)(5)(A) and (6)
50	1. Revenues and Other Resources		
51	a. Federal Revenues		\$ -
52	(i) Enter amount of Public Charter Schools Grant Program included under Federal Revenues (Line A1a).		\$ -
53	b. State Revenues		\$ -
54	c. Local Revenues		\$ -
55	d. Other Financing Sources		\$ -
56	e. Total Revenues (Sum of lines A1a to A1d)		\$ -
57			
58			
59			
60			
61	<b>B. Expenditures</b>	(Complete lines	
62	1. Instruction and Related Services		5 CCR 11963.3 (a)(5)(B) and (6)
63	a. Salaries and Benefits		
64	(i) Certificated		\$ -

Includes LCFF funding sources (State Aid, Education Protection Account, In Lieu of Property Taxes), other LCFF Transfers (8010-8099), and Other State Revenues (8300-8599)

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Cell F54 commented by CDE

# Funding Determination Form

## Section III. Financial Information – Expenditures

### Complete lines B.1 through B.4



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H98										
60	<b>B.</b>	<b>Total Expenditures and Other Uses</b> (Complete lines B.1. to B.4.)								
61		<b>1. Instruction and Related Services</b>							5 CCR 11963.3 (a)(5)(B) and (6)	
62		<b>a. Salaries and Benefits</b>								
63		<b>(i) Certificated</b>							\$	-
64		<b>(ii) Classified</b>							\$	-
65		<b>b. Books, Supplies, and Equipment</b>							\$	-
66		<b>c. Services and Other Operating Costs</b>								
67		<b>(i) Contracts for Instructional Services</b>							\$	-
68		<b>(ii) Contracts for Instructional Support</b>							\$	-
69		<b>(iii) All other Instruction Related Operating Costs</b>							\$	-
70		<b>d. Total Instruction and Related Services</b>							\$	-
72		<b>2. Operations and Facilities</b>							5 CCR 11963.3 (a)(5)(C) and (6)	
87		<b>3. Administration and Other Activities</b>							5 CCR 11963.3 (a)(5)(D) and (6)	
98		<b>4. Other Outgo and Other Financing Uses</b>							5 CCR 11963.3 (a)(5)(E) and (6)	
104		<b>5. Total Expenditures</b>							\$	-
105		<small>(Sum of lines B1d, B2e, B3d, and B4d)</small>								
106	<b>C.</b>	<b>Revenues Over Expenditures- Surplus or (Deficit)</b>					<small>(Line A.1.e minus B.5)</small>		\$	-
107		5 CCR 11963.3 (a)(5)(F)								



# Funding Determination Form

## Section III. B. Allowable Facility Costs

Complete lines B.2.f. (i) through B.2.f.(iii)

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Enter the total Student Hours attended by NCB pupils at the school site

71	2. Operations and Facilities	5 CCR 11963.3 (a)(5)(C) and (6)
72	a. Salaries and Benefits	
73	(i) Certificated	
74	(ii) Classified	\$ 40,000
75	b. Books, Supplies, and Equipment	\$ 5,000
76	c. Services and Other Operating Costs	\$ 50,000
77	d. Facility Acquisition and Construction	\$ 5,000
78	e. Total Operations and Facilities	\$ 100,000
79	f. Allowable Facility Costs	5 CCR 11963.3 (b) (7)
80	(i) Enter the total facility square footage occupied by the charter school	2,500
81	(ii) Enter total Classroom-Based P-2 ADA reported in the prior FY. DO NOT INCLUDE NCB ADA.	-
82	(iii) Enter the total Student Hours attended by NCB pupils at the school site	43,400
83	(iv) Calculated Facilities Costs	\$ 50,000
84	Lesser of Line B2e or $[(B2fii+(B2fiii / 868)) * \$1,000]$	
85	Allowable (Lesser of Line B2e or B2fiv)	\$ 50,000

Instructions FDF Data Input

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# Funding Determination Form

## Section III. Financial Information – Fund Balance and Reserves

Complete lines D.a. and E.a. through E.e.



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	A	B	C	D	E	F	G	H	I	J	
109	<b>D.</b>	Fund Balance				(Complete line D.a.)					
110											
111			a. Beginning Fund Balance (July 1)			5 CCR 11963.3 (a)(5)(A)			\$	-	
112			b. Ending Fund Balance (June 30 / Line C plus Line D.a.)						\$	-	
114	<b>E.</b>	Reserves		(Complete lines E.a. to E.e.)							
115		If reserves listed in lines E.a. or E.b. are more than \$50,000 or over 5% of total expenditures, explain in Section IV.7. the purpose for reserves at such levels. 5 CCR Section 11963.3(a)(5)(F).									
116							% of Expenditures				
117			a. Designated for Economic Uncertainties			#DIV/0!			\$	-	
118			b. Facilities Acquisition or Capital Projects			#DIV/0!			\$	-	
119			c. Reserves required by Charter Authorizer						\$	-	
120			d. Other Reserves (identify in Section IV.5 below)						\$	-	
121			e. Unassigned/Unappropriated Fund Balance						\$	-	
122			f. Total (Sum of lines E.a to E.e.) <b>Note- Line E.f. must agree with Line D.b.</b>						\$	-	

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# Funding Determination Form

## Section IV. Supplemental Information

1. Enter the charter school's Pupil to Teacher Ratio (PTR). PTR cannot exceed 25:1.
2. List and explain cumulative payments of \$50,000 or more or at least 10 percent or more of total expenditures made to an entity in the current or subsequent FY.
3. List current board members and affiliations, if any, with entities listed in number 2.
4. List and explain Transfers or Other Outgo.
5. List and explain Other Reserves.
6. Explain reason for accumulating excess reserves designated for economic uncertainties, or facilities acquisition or capital projects
7. Indicate the number of FTE Certificated Employees employed for the current and subsequent FY.

# Funding Determination Form

## Section V. NCB Virtual or On-Line Charter Schools

Complete line V.1. and if applicable, line V.2



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A166 : Section V. Nonclassroom-Based Virtual or On-Line Charters

Section V. Nonclassroom-Based Virtual or On-Line Charters							(Complete lines 1 and 2. If applicable)			
167	1. Is this charter school a virtual or on-line charter school as defined pursuant to 5 CCR Section 11963.5? (A virtual or on-line charter school is one in which at least 80 percent of teaching and student interaction occurs via the Internet)									
168	Yes or No		5 CCR 11963.5							
170	2. If Yes to line V.1., can the charter school demonstrate compliance with 5 CCR Section 11963.5 (b) (2) to (8)?									
171	Yes or No		Regulations are available at:		<a href="http://www.cde.ca.gov/sp/cs/lr/csregsmar04.asp">http://www.cde.ca.gov/sp/cs/lr/csregsmar04.asp</a>					

Instructions Data Input

READY 100%



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# Funding Determination Form

## Section VI. Calculated FD Percentages

Check VI.1 and VI.2 Percentages

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Section VI. Calculated Funding Determination Percentage	
Ch.#	0
Charter:	0
	<b>1. Percent spent on Certificated Employee Salaries &amp; Benefits to Total Public Revenues</b> Source: 5 CCR 11963.3 (c) (1)
#DIV/0!	<b>Formula:</b> Certificated S&B costs Line B.1.a (1) / Federal Revenues Lines A.1.a - PCSGP A.1.a (j) + State Revenues A.1.b.
	<b>2. Percent spent on Instruction &amp; Instruction-Related Services to Total Revenues</b> Source: 5 CCR 11963.3 (c) (2)
#DIV/0!	<b>Formula:</b> Instructional & Related Services costs Line B.1.d. + Allowable Facilities costs 2.f.(iv) / Total Revenues Line A.1.e.
<b>Funding Determination Criteria</b>	
If the percentages from lines VI.1 OR VI.2 do not meet the minimum spending criteria required of the funding level requested, a Mitigating Circumstances Request Summary Sheet may be filed with the CDE along with the FDF for the request to be considered by the Advisory Commission on Charter Schools. Mitigating worksheet is available at: <a href="http://www.cde.ca.gov/sp/cs/as/nclrbfunddet.asp">http://www.cde.ca.gov/sp/cs/as/nclrbfunddet.asp</a>	
<b>100%</b>	1) Line VI.1. equals or exceeds 40 percent, 2) Line V1.2 equals or exceeds 80 percent, AND 3) Line IV.1.a., charter school's PTR cannot exceed of 25:1 OR the PTR on Line IV.1.c., largest unified school district in the county or counties in which the charter school operates, the ACCS shall recommend approval at 100%, unless there is a reasonable basis to recommend otherwise. [5 CCR 11963.4 (a) (3)]
<b>85%</b>	1) Line VI.1. equals or exceeds 40 percent, AND 2) Line V1.2 equals or exceeds 70 percent but less than 80 percent, the ACCS shall recommend approval at 85 percent, unless there is a reasonable basis to recommend otherwise. [5 CCR 11963.4 (a) (2)]
<b>70%</b>	1) Line VI.1. equals or exceeds 35 percent, AND 2) Line V1.2 equals or exceeds 60 percent but less than 70 percent, the ACCS shall recommend approval at 70%, unless there is a reasonable basis to recommend otherwise. [5 CCR 11963.4 (a) (1)]
<b>Denied</b>	1) Line VI.1. is less than 35 percent, OR 2) Line V1.2 is less than 60 percent, the ACCS shall recommend that the SBE deny the request, unless there is a reasonable basis to recommend otherwise. [5 CCR 11963.4 (a) (4)]

Instructions Data Input

READY 100%



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Public Instruction

## “Reasonable Basis”/Mitigating Circumstances

If a charter school’s request does not meet the spending criteria for the funding determination requested, regulations allow the charter school to provide a “reasonable basis” (referred to as mitigating circumstances) for consideration by the ACCS in making a recommendation other than one that results from the criteria specified in the regulations.

Regulations specify that Mitigating circumstances may include, but are not limited to, the following:

- One-time or unique or exceptional expenses
- Size of the charter school
- Number of years charter school has been in operation



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# Requesting Mitigating Circumstances

- Charter schools opting to request the consideration of mitigating circumstances must submit a request on the CDE Mitigating Circumstances Request Summary Sheet (MCRSS). The MCRSS and any supporting documentation must be filed at the same time as the FDF.
- The MCRSS is a two-page Excel spreadsheet template and is available on the CDE Nonclassroom-Based Instruction and Determination of Funding Web page at: <http://www.cde.ca.gov/sp/cs/as/nclrbifunddet.asp>.
- The CDE may request additional documentation or information in support of the charter school's mitigating circumstances request.
- Filing FDF and MCRSS after the applicable deadline will not be accepted by the CDE. The NCB charter school will be required to obtain approval of a waiver from the SBE. Information on the waiver process is available on the Waiver Process for the California State Board of Education page at <http://www.cde.ca.gov/re/lr/wr>.

# Mitigating Circumstances Request Summary Sheet



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FILE HOME INSERT PAGE LAYOUT FORMULAS DATA REVIEW VIEW Bill Fong

Paste Clipboard Font Alignment Number Styles Cells Editing

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15 Enter the reported Charter School's Ratios (source: Form FDF)			
16		Certificated Staff Costs to Total Public Revenues Ratio	Instruction and Instruction Related Services Costs to Total Revenues Ratio
17	Enter the charter school's calculated ratios from the FDF in Section VI. Line 1. and VI. Line 2 ----->	%	%
18	Pupil to Teacher Ratio : 1		
18 If the charter school does not meet the funding determination criteria for the funding level requested, review Section C, complete Section D1., D2., D3. and sign and certify in Section E. Any supporting documentation that provides further clarification should also be filed.			
22 Mitigating Circumstances (attach any supporting documentation)			
23	1. Explain why the charter school did not meet the criteria for the funding determination requested. Include specific measures or actions taken by the charter school to comply.		
25	2. List and explain the mitigating circumstance(s) to be considered by the CDE and Advisory Commission on Charter Schools (ACCS).		
27	3. Provide any other pertinent information that may assist the CDE and ACCS in conducting a detailed review or develop a reasonable basis for a recommendation.		
30 Certification			
31	I hereby certify to the best of my knowledge and belief, that the information is true and correct.		
32	_____		
34	Signature of Charter School's Director, Principal, or Governing Board Chairperson		
35	_____		
36	Print Name of Charter School's Director, Principal, or Governing Board Chairperson		
37	_____		
38	Title of Authorized Individual		Date
39	_____		_____
40	_____		

Instructions MitigatingForm

READY 100%



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# Due Dates

Charter Type	FDF Deadline	Form(s)	Media
New Charter Schools	December 1, 2016	<ul style="list-style-type: none"> <li>FDF</li> <li>Conflict of Interest Policy</li> <li>If needed, a Mitigating Circumstances Request Summary Sheet</li> </ul>	Both hardcopy and electronic files
Continuing Charter Schools	February 1, 2017	<ul style="list-style-type: none"> <li>FDF</li> <li>Conflict of Interest Policy</li> <li>If needed, a Mitigating Circumstances Request Summary Sheet</li> </ul>	Both hardcopy and electronic files



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# New Charter Schools

## Additional Reporting Requirement

Report	Due Date	Source Data
Unaudited Actual Report	Within 90 days after the charter school's first FY ends (September 30 <sup>th</sup> )	Unaudited Actuals Data from the 1 <sup>st</sup> FY of operation
Funding Determination Form (FDF)	Within 90 days after the charter school's first FY ends (September 30 <sup>th</sup> )	Budget Data from the 2 <sup>nd</sup> FY of operation

### Reporting for New Charter Schools:

- File FDF by December 1, 2016 (use first FY estimated budget data).
- File two reports within ninety days (September 30, 2017) after the charter school's first FY of operation: 1) FDF (use second FY budget data) and 2) Unaudited Actual Report for the first FY of operation.
- File renewal FDF by February 1, 2018 (use first FY audited financial data).



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# Where to File?

- Transmit E-mail files (FDF- Excel file format, Conflict of Interest Policy, and Mitigating Circumstances Request Summary Sheet, if needed) to the CDE at:

[Charter-SB740@cde.ca.gov](mailto:Charter-SB740@cde.ca.gov)

- Send signed hardcopies (FDF, Conflict of Interest Policy, and Mitigating Circumstances Request Summary Sheet, if needed) to the CDE at:

Attention: Nonclassroom-based Funding Determination  
Charter Schools Division  
California Department of Education  
1430 N Street, Suite 5401  
Sacramento, CA 95814-5901



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# Nonclassroom-Based Instruction Laws and Regulations

- California *Education Code* Section 47612.5  
[http://leginfo.legislature.ca.gov/faces/codes\\_displaySection.xhtml?lawCode=EDC&sectionNum=47612.5](http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=EDC&sectionNum=47612.5)
- California *Education Code* Section 47634.2  
[http://leginfo.legislature.ca.gov/faces/codes\\_displaySection.xhtml?lawCode=EDC&sectionNum=47634.2](http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=EDC&sectionNum=47634.2)
- California *Code of Regulations*, Title 5, sections 11963 to 11963.7 [www.cde.ca.gov/sp/cs/lr/csregsmar04.asp](http://www.cde.ca.gov/sp/cs/lr/csregsmar04.asp)

# Join Charter Schools Listserv



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The CDE charter schools listserv provides charter schools and other interested parties access to important and time sensitive information pertinent to charter school funding and other charter school issues from the CDE.

To join the listserv, send a blank e-mail message to the link below and simply reply to the confirmation message and your membership will be activated.

[www.cde.ca.gov/sp/cs/re/cscommmlists.asp](http://www.cde.ca.gov/sp/cs/re/cscommmlists.asp)