

**California Department of Education**  
**Fiscal Year 2015–16**  
**Nonclassroom-Based Funding Determination - Mitigating Circumstances Summary Sheet**

**A. Charter School Information** (complete lines 1 to 4)

1. Charter School:	<b>Merced Scholars Charter School</b>	2. Charter No.:	<b>0631</b>
3. Funding % Requested with mitigating circumstances	<b>100%</b>	4. CDS Code:	<b>24-10249-0106518</b>

**B. Nonclassroom-Based Funding Determination Criteria**

<b>Funding Determination Criteria</b>	<b>Certificated Staff to Total Public Revenues Ratio</b>	<b>Instruction and Instruction-Related Services to Total Revenues Ratio</b>	<b>Pupil toTeacher Ratio</b>
100% Funding [5 CCR, Sec. 11963.4 (a)(3)]	= or > 40%	= or > 80%	< 25 : 1
85% Funding [5 CCR, Sec. 11963.4 (a)(2)]	= or > 40%	= or > 70%	Not Applicable
70% Funding [5 CCR, Sec. 11963.4 (a)(1)]	= or > 35%	= or > 60%	Not Applicable

**C. Enter the reported Charter School's Ratios and PTR from the Form FDF**

	<b>Certificated Staff Costs to Total Public Revenues Ratio</b>	<b>Instruction and Instruction-Related Services Costs to Total Revenues Ratio</b>	<b>Pupil toTeacher Ratio (PTR)</b>
Enter the charter school's calculated ratios from the FDF in Section VI. Line 1. and VI. Line 2 ----->.	%	%	: 1

If the reported ratios / PTR do not meet the funding determination criteria for the funding level requested, review the regulations in Section D and complete Sections E and F. Sign and attach any documentation that provides further support or clarification.

**D. Regulations**

*California Code of Regulations*, Title 5 (5 CCR), Sec. 11963.4(e): A reasonable basis for the ACCS to make a recommendation other than one that results from the criteria specified in subdivision (a) may include, but not be limited to, the following: the information provided by the charter school (FDF) pursuant to paragraphs (2) through (8), inclusive, of subdivision (b) of section 11963.3, 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, and how many years the charter school has been in operation.

**E. Mitigating Circumstances (complete this section and attach any supporting documentation)**

**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.

Merced Scholars Charter School did not meet the criteria for 100% funding determination based on the following reasons.

The first reason has to do with the excess in special education funding. We receive special education funding through a local cohort. The funding is predetermined by the local SELPA. Our special education numbers have varied over the years, but in 2014-15, that MSCS had four special education students. For the 2015-16 year, that number jumped to eleven and a special education teacher was added. A portion of her salary and benefits is paid out of the special education money. The majority of this money will be spent in future years on salaries and services.

The second reason is that the lottery money has been held in reserves for the past few years. Beginning in 2016-17, the school will make a major purchase of textbooks to upgrade all texts to Common Core and the New Generation Science Standards. This will be in all core subjects (math, English, social science, and science) for grades six through twelve. A class set will be purchased for grades six through twelve and two sets of each course will be purchased for grades nine through twelve. This will equate to approximately 1,200 books being purchased. That will equate to over \$100,000 in purchases, well exceeding our reserves for lotto money and increasing funds from these and the general fund sources over the next three years.

Third, the school will undergo its first major expansion the next school year. The following personnel will be hired beginning in 2015-16 and into next year:

- A full time credentialed teacher
- A full time teacher assistant
- A .25 FTE will be hired to teach a mathematics course

Also, the school intends to occupy another three classrooms, equating to an additional \$36,000 per year. The increased size will provide the availability of more onsite support classes and tutoring, thereby, increasing the total number of hours of students at the facility.

Fourth, technology and book purchases in mathematics in the 2014-15 school year came from left-over money in Common Core Funds and Ed Tech Voucher money. Funds that would normally come from the general fund came from these one-time funds instead. The accumulation of all of these components for the upcoming school years will put us well above the 80% level for instructional services and supplies. Certificated salaries will increase to approximately 70% of the total budget in the upcoming years.

For these reasons, Merced Scholars Charter School is requesting a 100% funding determination.

**2.** List and explain the mitigating circumstance(s) to be considered by the CDE and Advisory Commission on Charter Schools (ACCS).

There are several mitigating circumstances to consider for Merced Scholars Charter School funding determination.

Over the past several years, MSCS has accumulated reserves in order to mitigate any future downturns in the economy. The reserves are also to provide a support base for at least two years should student enrollment numbers decrease for any reason. As part of this MSCS is bound by the Certificated and Classified Bargaining Units for employees. We must follow all Merced County Office of Education policies and CBA stipulations in regards to the hiring or dismissal of an MCOE employee. Because of this, decisions and actions regarding employees may take time and we want to ensure that the school, and specifically the students, are not affected.

Also in 2014-15, a school administrator left and that position was not filled, which dropped both the level of funding for certificated employees and instructional services. The site administrator became principal and took on additional duties. The loss of the administrator meant we could bring on another teacher, but the hiring of the new teacher did not take effect until 2015-16. The hiring of this teacher in 2014-15 would have change our funding levels significantly.

Because of the need for additional staff in 2016-17, our funding levels will increase dramatically to the appropriate levels. This is why we are requesting the 100% funding determination.

**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.

**F. Certification**

I hereby certify to the best of my knowledge and belief, that the information is true and correct.

\_\_\_\_\_  
Signature of Charter School's Director, Principal, or Governing Board Chairperson

**Mark J. Pintor**

\_\_\_\_\_  
Print Name of Charter School's Director, Principal, or Governing Board Chairperson

**Principal**

\_\_\_\_\_  
Title of Authorized Individual

\_\_\_\_\_  
Date