

SONOMA COUNTY OFFICE OF EDUCATION



Bulletin No. 16-04

October 2015

October 22, 2015

To: District/Charter Business Services
From: Judy Thomson, Director Fiscal Services

State of the State

State General Fund revenues for the month of September exceeded the budget forecast by \$217 million, the third consecutive month that revenues outpaced the forecast for this fiscal year. Year-to-date revenues are above the forecast level by \$744 million; however, of this amount, \$300 million is related to a legal settlement.

The Department of Finance *Finance Bulletin* noted that California's unemployment rate dropped 0.1% to 6.1% in August compared to the U.S. unemployment rate of 5.1%. In addition, sales of existing single family homes in August were up 9.3% from year-ago levels, while the statewide median home price was up 1% on a year-over-year basis to \$493,420.

AB 1200 ~Collective Bargaining Reminder

Statute requires that the **costs associated with a tentative collective bargaining agreement** in the current and subsequent fiscal year be **disclosed at a public meeting before the agreement becomes binding** on the district. The superintendent of the school district and chief business official shall certify in writing that the costs incurred by the school district under the agreement can be met by the district during the term of the agreement. A school district shall provide the county superintendent of schools, upon request, with all information relevant to provide the understanding of the financial impact of any final collective bargaining agreement.

SCOE requests: (1) AB 1200 Collective Bargaining Disclosure form and (2) collective bargaining agreement be submitted.

Government Code section 3547.5 states:

Before a public school employer enters into a written agreement with an exclusive representative covering matters within the scope of representation, the major provisions of the agreement, including, but not limited to, the costs that would be incurred by the public school employer under the agreement for the current and subsequent fiscal year, shall be disclosed at a public meeting of the public school employer in a format established for this purpose by the Superintendent of Public Instruction [G.C. 3547.5(a)].

Education Code section 42142 states:

Within 45 days of adopting a collective bargaining agreement, the superintendent of the school district shall forward to the county superintendent of schools any revisions to the school district's current year budget that are necessary to fulfill the terms of that agreement.

Pursuant to Education Code section 42131:

A school district with a qualified or negative certification must allow the county office of education at least 10 working days to review and comment on any proposed agreement between the exclusive representative and the public school employer before it is ratified.

New Developer Fee Increase

The State Allocation Board ("SAB") is scheduled to increase the Level I Developer Fee Rates in January 2016. The new rates will reflect the statutory maximum amounts school districts are able to collect in impact fees on new residential and commercial/industrial developments. Once the SAB approves the new rates in January, the earliest school districts will be able to levy the new fees will be April or May of 2016 (assuming Governing Board approval in February or March of 2016). Therefore, starting your Fee Studies now will enable your school district to maximize fee collections from the new developer fee rates. If applicable, check with your facility consultant for greater detail.

Annual Accounting for School Developer Fees

Government Code section 66006 requires public agencies that levy developer fees to make **an annual accounting of those fees available to the public by December 27, 2015**. Within 15 days *after* the annual accounting to the public, the governing board must review the annual accounting at its next regularly scheduled meeting.

A separate accounting should be provided for each type of fee (separate account or fund where fees are deposited). An annual accounting should include:

- Description of the type of fee in the account/fund
- Amount of the fee
- Beginning and ending balance of the account/fund
- The amount of expenditures on each new public improvement as well as their percentage to the cost
- The approximate date by which the construction will commence
- Details regarding interfund transfers and loans
- Details regarding refunds to developers and allocation of non-appropriate fees.

Additionally, Government Code section 66001 requires each district that collects developer fees to make further findings every five years about any fund in which those fees remained unexpended at the end of the a fiscal year.

For detail of the aforementioned Government Code, please go to:

<http://leginfo.legislature.ca.gov/faces/codes.xhtml> and click on "Government Code" ; and scroll to the Title containing charter "66001".

Charter School Nonclassroom Based Instruction Funding ~ SB 740

In accordance with [Senate Bill 740](#) (enacted in 2001) and [Education Code Section 47612.5](#), charter schools operating nonclassroom-based instruction will need to have a funding determination approved by the State Board of Education (SBE). Without an SBE-approved funding determination, a charter school may not be eligible for funding for its nonclassroom-based ADA. Determination of funding requests will not be processed if the *signed hardcopy and electronic files* are not received by the CDE on or before the applicable due date. These requests are due:

- ✚ **New** schools nonclassroom based instruction charter schools (those commencing instruction in 2015-2016) will need to submit their initial funding determination requests by December 1, 2015;
- ✚ **Newly opened in 2014-15** nonclassroom based instruction charter schools (those commencing instruction in 2014-2015) are required to will need to submit a revised funding determination form based on their second year budget (2015-16) along with their 2014-15 unaudited actuals to the CDE by September 30, 2015.
- ✚ **Pre-existing** nonclassroom based instruction charter schools whose current funding determination expires at the end of this year will need to submit by February 1, 2016.

Definitions:

Nonclassroom based instruction ~ A charter school that does not meet the requirements for classroom-based instruction are considered nonclassroom-based instruction.

Classroom-based instruction ~ Occurs only when charter school pupils are engaged in educational activities required of those pupils and are under the immediate supervision and control of an employee of the charter school who possesses a valid teaching certification. For purposes of calculating ADA for classroom-based instruction apportionments, *at least 80 percent of the instructional time offered by the charter school shall be at the school site*, and the charter school shall require the attendance of *all* pupils for whom a classroom-based apportionment is claimed at the school site for *at least 80 percent of the minimum instructional time* required to offered pursuant to EC Section 47612.5(a)(1). Classroom-based instruction is further defined in *California Code of Regulations, Title V (5 CCR), Section 11963*.

Educator Effectiveness Funding ~ Resource 6264

Resource 6264 has been added to Escape for all LEAs in Sonoma County. The CDE will apportion Educator Effectiveness funds to eligible LEAs will be released in two installments:

- ✚ 80 % in December 2015
- ✚ 20% in March 2016.

Although there is no requirement to submit additional information in order *to receive* Educator Effectiveness funding, **there are conditions of funding. LEAs will be required to develop a local plan and submit expenditure information in the future.** At a minimum, the law requires that the number of teachers, administrators, and paraprofessional educators that received professional development must be reported.

The 2015–16 calculated funding rate is approximately \$1,466 per 2014-15 certificated staff in CALPADS. LEAs have three years to spend the funds.

Suggestion: Begin keeping track of expenditures now. Create a file and include supporting documentation for all expenditures.

Educator Effectiveness details may be accessed on the Educator Effectiveness Web page at <http://www.cde.ca.gov/fg/aa/ca/educatoreffectiveness.asp>.

Pursuant to Assembly Bill (AB) 104 (Chapter 13, Statutes of 2015), Educator Effectiveness funds can only be used for the following purposes

- Beginning teacher and administrator support and mentoring, including, but not limited to, programs that support new teacher and administrator ability to teach or lead effectively and to meet induction requirements adopted by the Commission on Teacher Credentialing and pursuant to Section 44259 of the California *Education Code (EC)*.
- Professional development, coaching, and support services for teachers who have been identified as needing improvement or additional support by LEAs.
- Professional development for teachers and administrators that is aligned to the state content standards adopted pursuant to certain sections of education code as of specific dates. To promote educator quality and effectiveness, including, but not limited to, training on mentoring and coaching certificated staff and training certificated staff to support effective teaching and learning.
- To promote educator quality and effectiveness, including, but not limited to, training on mentoring and coaching certificated staff and training certificated staff to support effective teaching and learning.

Suspension of Requirement to pass CAHSEE ~ Senate Bill (SB) 172

Senate Bill (SB) 172, signed by Governor Brown on October 7, 2015, suspends the administration of the California High School Exit Examination (CAHSEE) and the requirement that students completing grade twelve successfully pass the high school exit examination as a condition of receiving a diploma of graduation from high school for the 2015–16, 2016–17, and 2017–18 school years. The law also requires local educational agencies (LEAs) to grant a diploma of graduation to any student who completed grade twelve in the 2003-04 school year, or a subsequent school year, and has met all applicable graduation requirements other than passing the high school exit examination. SB 172 will become effective on January 1, 2016 at which time LEAs shall be permitted to issue diplomas to eligible students.

For more detailed information, go to: <http://www.cde.ca.gov/ta/tg/hs/cahseesuspendfaq.asp>.

Public Charter School Grant Program (PCSGP) funding

The CDE is opening another round of PCSGP funding. An estimated \$35-\$45 million remains from California's prior federal charter schools grant. Since California lost in the latest competition for federal grants, the remaining funds may be the last federal grant funding for California for the foreseeable future. If funds remain from this upcoming round, CDE may open yet another window early next calendar year. These new rounds are very similar to recent ones, with specific eligibility standards and tight application windows.

The anticipated timetable for the first round of applications follows:

- Application and request for applications (RFA) available on or around October 16, 2015
- Webinar for potential applicants October 22, 2015
- Applications due to CDE mid-November 2015
- Application review and scoring in December 2016, with grant awards announced thereafter

Eligible applicants for the upcoming round of funding generally include all newly established charter schools that opened or whose charter was approved in 2014-2015 or 2015-16. This includes all charters approved and "numbered" no later than the State Board of Education's May 2016 meeting.

Dates to Remember:

10/27/2015	LCFF/LCAP workshop presented by FCMAT
11/11/2015	Holiday ~ Veterans Day
11/13/2015	Open Lab
11/20/2015	DBUG
11/26/2015	Holiday ~ Thanksgiving
11/27/2015	Holiday ~ Thanksgiving

Great Websites:

CDE'S LCFF webpage - <http://www.cde.ca.gov/fg/aa/lc/index.asp>.

2015-16 Advanced Apportionment Letter - <http://www.cde.ca.gov/fg/aa/pa/advappt1516ltr.asp>

Join Listserves:

If you would like to receive information and updates via e-mail notification, regarding various subjects, you may subscribe to:

- LCFF updates ~ send a "blank" message to join-LCFF-list@mlist.cde.ca.gov.

NOTE: Documents that are presented at DBUG may be found at dp.scoe.org website under the "DBUG/SCOE Bulletins" tab.