**ATTACHMENT 5**

**CHARTER SCHOOLS-- ADDITIONAL ELIGIBILITY REQUIREMENTS:**

Charter school applicants must meet the following requirements in addition to all other requirements described in the PON:

* The charter school must have a current, valid charter.
* If the charter school is organized as a nonprofit corporation, it must provide the following documentation from the Secretary of State with the application:

-- Copy of articles of incorporation; and

-- Certificate of good standing of non-profit corporation [or confirmation of approval by CA Secretary of State].

* The charter school’s authorizer must sign a certificate of good standing, which must confirm the following information: 1) the charter school is in compliance with terms of its charter agreement; 2) the charter school is in good standing with its authorizer; and 3) the start and end dates of the school’s charter. See attachment 7, for a copy of the form. The charter school must submit the certificate of good standing with its application.
* If an LEA borrower in a privately-owned leased facility wants to fund a project with a payback that goes beyond the charter term, and the LEA has not renewed its charter contract term at least once prior to applying, the borrower must provide one of the following:

--A loan guarantee signed by the landlord, in a form acceptable to the Energy Commission

or

--A letter of credit from a financial institution acceptable and in a form acceptable to the Energy Commission

* An LEA borrower in a publicly-owned leased facility that has been in business in good standing for five or more years may apply for a loan for a project with payback that goes beyond the charter term.

For Charters in Privately-owned leased facilities ONLY:

If the charter school leases a privately-owned facility or building that does not have a separate utility meter;

or

If the charter school leases a privately-owned facility or building, and the lease payment includes the utility cost,

 then

the charter school must submit with its application a Building Owner Certification to Transfer Energy Cost Savings. This written certification, signed and dated by the landlord/building owner, will confirm that the building owner has committed to transferring the cost savings of the energy improvements to the charter school tenant, either through a reduced lease payment, or other form of monetary reimbursement.