**Request For Allowance of Attendance Due to Emergency Conditions**

The Request for Allowance of Attendance Due to Emergency Conditions, Form J-13A is used to obtain approval of attendance and instructional time credit pursuant to Education Code (EC) sections **41422**, 46200, 46391, 46392, 46393 and California Code of Regulations (CCR), Title 5, Section 428. Approval of a Form J-13A request from the California Department of Education, combined with other attendance records, serve to document a local educational agency’s (LEA) compliance with instructional time laws and provide authority to maintain school for less than the required instructional days and minutes without incurring a fiscal penalty to the LEA’s Local Control Funding Formula (LCFF) funding. Note: Basic Aid districts may incur a reduction in Minimum State Aid funding if not meeting instructional time laws.

In the event of a closure due to emergency conditions there is not an immediate impact to LCFF funding and there is not a specific deadline to submit a Form J-13A, thus there is not an urgent need to file Form J-13A in the midst of the emergency event.

There is, however, a **requirement to offer Independent Study to any student impacted by the closure within ten days of the first day of a school closure** or material decrease in attendance.

Please utilized the attached step-by-step instructions and the fillable Form J-13A to make your request of allowance of attendance due to the emergency conditions.

Please also be aware of the following information:

1. If the request is submitted for school closure, the dates requested must be scheduled instructional days and any built-in days must be properly utilized prior to submitting the request. (Attach the school calendar(s) to the request as supporting documentation.)
2. Unused built-in days in the school calendar need to be used first.

Example: An LEA submits a Form J-13A request for a school closure for 5 days that meets all the requirements but has two unused built-in days, the CDE’s Form J-13A approval would be for 3 days.

1. All LEAs must submit both a Certification Form for Independent Study (IS) (attached) and an IS plan with any Form J-13A request submitted for a school closure due to a qualifying event (EC Section 46393).
2. The IS plan can be a board policy, written agreement, or any other relevant documentation as long as it adheres to the conditions pursuant to EC Section 46393.
3. An LEA’s IS plan must comply with the following:

IS offered to any student impacted by any of the conditions listed in EC sections 46392 and 41422 within ten days of the first day of a school closure or material decrease in attendance.

Students who are individuals with exceptional needs shall receive the services identified in their IEPs pursuant to EC Section 56345(a)(9) and may participate in an IS program.

Require reopening for in-person instruction as soon as possible unless prohibited under the direction of the local or state health officer.

Include information regarding establishing IS written agreements in a reasonable amount of time.

1. LEAs must certify to offering IS within ten days of the first day of a school closure for any emergency condition pursuant to EC sections 41422 and 46392.
2. Summary of Form J-13A Submission Process for 2022-23

Step 1: LEA Prepares Submittal

Complete all applicable sections of the Form J-13A (Sections A, B, and E for school closures and check, if appropriate, Not Applicable in Sections C and D)

Include LEAs IS Plan

Include Certification Form for IS Plan (attached)

Include supporting documentation to substantiate the request – For example, copy of Declaration of a State of Emergency

Copy of school calendar(s) – see instructions for details regarding calendars for multiple schools

Step 2: Affidavit (Section E of Form J-13A)

Write all board member names in in lefthand column and obtain “wet signatures” from at least a majority of the board in righthand column. Governing board signatures must be witnessed. Witness completes bottom of Section E, Part I.

LEA submits to oversight agency. (Districts submit competed form and attachments to SBCEO; Charter schools submit to the charter school authorizer’s superintendent who then completes Part II and submits to SBCEO.)

Oversight agency (SBCEO) completes Part III in affidavit section (Section E)

Step 3: COE Submits to CDE

SBCEO submits original hard copy Form J-13A with all required documentation to the School Fiscal Services Division by mail.

CDE will review the request and send an email and a hardcopy letter regarding approval or denial to all contacts listed on the form.

1. Form J-13A submissions should not be submitted until after the event concludes.