



February 2, 2023

**TO:** Business Administrators  
Los Angeles County School and Community College Districts

**FROM:** Jeff Young, Assistant Director  
Business Advisory Services

**SUBJECT:** Form J-13A, Request for Allowance of Attendance Due to Emergency Conditions

Form J-13A, Request for Allowance of Attendance Due to Emergency Conditions is used to obtain approval of attendance and instructional time credit pursuant to *Education Code (EC)* Sections 41422, 46200, 46391, 46392 and *California Code of Regulations (CCR)*, Title 5, Section 428. The forms, resources, and frequently asked questions are available on the California Department of Education's (CDE) website at:

<https://www.cde.ca.gov/fg/aa/pa/j13a.asp>

### **Purpose of the J-13A Form**

EC Section 41422 allows the State Superintendent of Public Instruction to grant normal apportionment credit to Local Educational Agencies (LEAs) when certain emergencies exist. When one or more schools are closed because of “extraordinary conditions,” an LEA may request authorization to maintain apportionments. If authorized, LEAs are not penalized for falling below the statutorily required annual number of instructional days and/or minutes.

EC Section 46392 also provides average daily attendance (ADA) credit when the ADA of any LEA has been materially decreased due to fire, flood, impassable roads, and other specified circumstances. The intention of both code sections is to hold LEAs harmless from ADA revenue loss or instructional time loss due to a calamity.

### **2022-23 Provisions**

LEAs have the ability to submit a Form J-13A request for a COVID-19 related closure and/or material decrease in attendance and all other emergency conditions provided by *EC* Sections 41422 and 46392. LEAs are encouraged to provide access to instruction and the opportunity to earn academic credit through independent study for students who are excluded from school (or absent) or school closure due to COVID-19.

If a J-13A request is submitted due to a school closure, the dates requested must be scheduled instructional days and built-in days must be properly utilized prior to submitting the request.

If the request submitted is due to material decrease, the attendance recorded on the date of emergency must be 90% or less than the normal attendance.

Frequently asked questions (FAQs) providing additional guidance with regard to Form J-13A requirements and all submissions for the 2022–23 fiscal year are available on the CDE website at:

<https://www.cde.ca.gov/fg/aa/pa/formj13afaq.asp>

### **Required Supporting Documentation**

Each submitted Form J-13A should describe the emergency conditions that caused the school closure or material decrease in attendance. **Any available supporting documentation verifying the emergency should be attached, including newspaper articles, invoices, purchase orders, state of emergency declarations, emails and letters from local government authorities or law enforcement agencies.**

LEAs must also submit both a Certification Form for Independent Study (IS) and an IS plan with any Form J-13A request submitted for a school closure and/or a material decrease in attendance due to a qualifying event (*EC Section 46393*). LEAs must certify to offering IS within ten days of the first day of a school closure or material decrease in attendance for any emergency condition pursuant to *EC* section 41422 and 46392. 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.

The Certification Form for Independent Study requires the signature of the district's superintendent, or charter school administrator prior to submission. Only wet ink signatures will be accepted.

### **Submission**

Form J-13A required signatures for districts include the signatures from the majority of members of their governing board and the signature and title of the individual witnessing, normally the district's superintendent.

The required signatures from Charter schools include the signatures from a majority of their governing board, the signature and title of the individual witnessing, **AND** the signature of the superintendent of the authorizing local educational agency.

**Do not send the form directly to the CDE.** The form requires the signature of the Los Angeles County Superintendent of Schools. The Los Angeles County Office of Education (LACOE) confirms that information provided is true and correct to the best of their knowledge and will forward the form and supporting documentation to CDE for processing.

Please send the completed J-13A form with all original signatures to:

Los Angeles County Office of Education  
Business Advisory Services  
Attention: Janelle de Leon  
9300 Imperial Highway  
Downey, CA 90242

### **Revised Attendance Reports**

Once the J-13A approval letter is received from CDE, the LEA should recalculate their ADA and submit a corrected attendance file to LACOE using the Principal Apportionment Data Collection web based application. Specific instructions on how to submit corrected attendance files are available in the PADC User Manual at:

<https://www.cde.ca.gov/fg/sf/pa/>

This bulletin is available on the Los Angeles County Office of Education (LACOE) website at:

<https://www.lacoe.edu/Bulletins.aspx>

Use the “Search” function to locate a specific bulletin by number or keyword.

If you have questions, please contact Janelle de Leon at (562) 940-1645, or by e-mail at [deleon\\_janelle@lacoe.edu](mailto:deleon_janelle@lacoe.edu).

Approved:  
Octavio Castelo, Director  
Business Advisory Services

JY/JD:lm  
Attachment

## **Certification Form for Independent Study Instructions**

The Independent Study Certification and independent study plan is an annual requirement that must be submitted with the local educational agency's (LEA's) first Form J-13A submission in a FY. To the extent that there are no changes to the LEA's certified plan for the FY, all subsequent Form J-13A submissions for the FY do not need to include the certification and certified plan.

### **How to file:**

The Certification Form for Independent Study is available at <https://www.cde.ca.gov/fg/aa/pa/j13aforms.asp>. All sections of the form must be completed. The executed certification form and certified independent study plan must be attached to the entire Form J-13A package and mailed to the California Department of Education.

### **Signature:**

The school district superintendent, charter school administrator, county superintendent, or a designee must sign the form. Only an original wet signature is acceptable for the Certification Form for Independent Study.

### **Where to file:**

Mail the entire Form J-13A package to:

School Fiscal Services Division  
California Department of Education  
1430 N Street, Suite 3800  
Sacramento, CA 95814

### **Questions:**

Please send questions about the completion and submittal of this form to [attendanceaccounting@cde.ca.gov](mailto:attendanceaccounting@cde.ca.gov)

## Certification Form for Independent Study Plan

<b>Local Educational Agency:</b>	<b>CDS Code:</b>
<b>Fiscal Year:</b>	<b>County:</b>

This form shall accompany Form J-13A submittals beginning with fiscal year 2022 23. Instructions on how to complete this form are provided on page 2.

### Independent Study Plan Certification

Pursuant to *Education Code (EC)* Section 46393, for Form J-13A submissions due to a school closure and/or material decrease in attendance occurring after September 1, 2021, a school district, county office of education, or charter school that provides a Form J-13A affidavit to the Superintendent, pursuant to *EC* Section 41422 (school closure) or *EC* Section 46392 (material decrease), shall certify that it has a plan for which independent study will be offered to students, pursuant to Article 5.5 (commencing with *EC* Section 51745) of Chapter 5 of Part 28 of Division 4. The independent study plan shall comply with all of the following:

- (1) Independent study is offered to any student impacted by any of the conditions listed in *EC* Section 46392 within 10 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 individualized education programs pursuant to paragraph (9) of subdivision (a) of *EC* Section 56345 and may participate in an independent study program.
- (2) Require reopening for in-person instruction as soon as possible unless prohibited under the direction of the local or state health officer.
- (3) Notwithstanding subdivision (c) of *EC* Section 51745 or subparagraph (F) of paragraph (9) of subdivision (g) of Section 51747, include information regarding establishing independent study master agreements in a reasonable amount of time.

A copy of the independent study plan, and if applicable, the state or local public health or public safety order that required school closure shall accompany the Form J-13A submitted to the California Department of Education.

☐ I hereby certify that the independent study plan accompanying this Form J-13A submission meets the requirements described above and is true and correct to the best of my knowledge and belief.

School District Superintendent, Charter School Administrator, or County Superintendent (or designee):

<b>Name:</b>	<b>Title:</b>
<b>Wet Signature:</b>	<b>Date:</b>