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Frequently Asked Questions - Form J-13A

Frequently asked questions (FAQs) about the submittal and approval process of Form J-13A.

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General Overview

1. [What is a Form J-13A? \(Revised 06-Sept-2022\)](#)

Three sections of the *Education Code (EC)* allow the State Superintendent of Public Instruction (SSPI) to grant normal apportionment credit to local educational agencies (LEAs) in emergencies. *EC* Section 41422 authorizes maintenance of apportionments in instances when one or more schools must be closed because of "extraordinary conditions." When the SSPI authorizes credit for days that school was closed, LEAs receive instructional time credit for the day(s) and minutes lost to the emergency closure and approval to reduce the divisor used for calculating average daily attendance (ADA). The instructional time credit satisfies state law regarding both the instructional day and minute requirements.

EC Section 46392 provides for the crediting of ADA when "[ADA] of a school district, county office of education, or charter school during a fiscal year has been materially decreased during a fiscal year" due to a qualifying event. Although the wording of the two *Code* sections differ in detail, the effect is the same. LEAs are to be held harmless from revenue loss that might otherwise result from the loss of ADA or instructional time in emergencies. LEAs obtain credit for days and minutes lost to emergency closures and material decreases in attendance due to emergency events by submitting a Request for Allowance of Attendance Due to Emergency Conditions (Form J-13A). A Form J-13A approval, combined with other LEA's records, serves to document the LEA's compliance with instructional time laws, shows why different divisors may be used in the computation of ADA, and documents approval for ADA credit.

Pursuant to *EC* Section 46393, all LEAs must submit a certified plan for which independent study will be offered to students

that accompanies **all** Form J-13A requests submitted for a school closure and/or a material decrease in attendance due to a qualifying event occurring after September 1, 2021. See our [Form-J-13A Submission Documents](#) web page for the Certification Form for Independent Study Plan.

2. Why does California have instructional time requirements? (Revised 10-Feb-2022)

California has a long history of valuing education and instructional time. Instructional time requirements date back to 1879 when Section 5 of Article 9 was adopted into the California Constitution ensuring a free public education for 6 months out of the year. Instructional time has continued to be a requirement of all public schools in California and the required offering has expanded over the years. Furthermore, it is widely believed that school is one of the safest places for children to be and a place where many children receive needed healthy meals. Student attendance and a full offering of instructional days and minutes is an equity issue, a health issue, and a fiscal issue in California.

For the instructional time requirements for school districts and charter schools, please see the [Instructional Time Requirements Time Table](#).

3. A local educational agency (LEA) is currently experiencing an emergency, should the LEA close school? (Revised 06-Sept-2022)

It is a local decision as to whether a school should close due to an emergency. If appropriate, the LEA should consult with local government agencies like local law enforcement or the local public health department to help make a determination. The California Department of Education's (CDE) website provides LEAs with factors to consider when making school closure decisions in the event of a Public Safety Power Shutoff (PSPS) or poor air quality due to wildfires.

- [PSPS School Closure Considerations](#)
- [Air Quality Guidance Tool](#) (PDF)

4. What are some events that are typically considered qualifying events and meet the conditions for Form J-13A approval? (Revised 24-Jan-2023)

While emergencies by their nature are unpredictable and varied, the most common extraordinary events that warranted a Form J-13A approval over the past several years were wildfires, threats of violence substantiated by local law enforcement, epidemics substantiated by local health departments, power outages, and unanticipated inclement weather.

LEAs may submit a Form J-13A request due to school closure and/or a material decrease in attendance due to COVID-19.

For requests submitted due to COVID-19, the [Governor's Declaration of Emergency](#) along with a detailed explanation of the nature of the emergency on the Form J-13A is sufficient for the Form J-13A submission until the Declaration expires. Please note the Declaration of Emergency ended on February 28, 2023. Any request submitted due to COVID-19 after the expiration of the Declaration of Emergency will require signed documentation from the local county health department to substantiate the request. In addition, if the request is submitted for a material decrease, the attendance recorded on the date(s) of emergency following the expiration of the Declaration of Emergency must be 90% or less than normal attendance.

The qualifying conditions for Form J-13A submissions for COVID-19 related emergencies varied in fiscal years 2020-21 and 2021-22.

- See the [2021–22 Form J-13A FAQs](#) web page for more information regarding the qualifying conditions for Form J-13A submissions due to COVID-19 related emergencies in the 2021–22 school year.
- See the Form J-13A section in our [2020–21 Instructional Time and Attendance Accounting Overview and FAQs](#) for more information regarding Form J-13A submissions and COVID-19 emergencies in the 2020–21 school year.

5. In the event of a school closure or material decrease due to COVID-19, can local educational agencies (LEAs) mitigate a loss of attendance by offering independent study to students? (Updated 16-Sept-2022)

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 *Education Code (EC)* sections 41422 and 46392. *EC* Section 46393 requires LEAs to certify to offering independent study within ten days of the first day of a school closure or material decrease in attendance.

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 is closed due to COVID-19.

As noted in the prior question, qualifying conditions varied in fiscal year 2021–22. Please see the [2021–22 Form J-13A FAQs](#) for more information.

6. If my local educational agency (LEA) closed school or had a loss of attendance due to a strike of LEA employees, would the LEA meet the conditions of a Form J-13A request? (Posted 14-Jun-2019)

No. A strike of employees of an LEA is not a qualifying event and does not meet the criteria for a Form J-13A approval.

7. If my local educational agency (LEA) experienced a student protest or walk out that resulted in a loss of attendance, would that event meet the conditions of a Form J-13A request? (Posted 14-Jun-2019)

No. Student protests and student walk-outs do not meet qualifying conditions for Form J-13A approval. To the extent students are scheduled for the minimum day, attend some portion of that day under the immediate supervision and control of a certificated employee while engaged in educational activities required of them, and then walk out of school, the LEA would still generate attendance for apportionment. If students do not attend any part of the day in protest, those students would not generate apportionable attendance.

8. If my local educational agency (LEA) closes school or experiences a loss of attendance due to students and or staff attending a memorial, would that event meet the conditions of a Form J-13A request? (Posted 14-Jun-2019)

No. A memorial service is not a qualifying event and does not meet the criteria for Form J-13A approval.

9. Will a local educational agency (LEA) experience an immediate loss in funding as a result of a school closure or material decrease in attendance due to an emergency? (Revised 10-Feb-2022)

For a school closure, in most cases a school district or charter school will not experience an immediate loss in funding. Operation of the statutory number of school days is captured through the LEA's annual audit, and for charter schools is also monitored through a year-end data report to the California Department of Education (CDE). The earliest an adjustment in funding would occur is February in the following fiscal year, if a Form J-13A has not yet been submitted and approved by CDE. Programs with average daily attendance (ADA) that is calculated using a fixed divisor, most commonly operated by county offices of education, may experience a loss in funding that would be restored in the future if a Form J-13A is approved.

For a material decrease, a loss in attendance typically will result in a loss of funding but it may not be immediate for a couple of reasons. For one, school districts are funded based on the greater of their current, prior, or average of the three most recent prior years ADA, and because most school districts are in declining enrollment, they are funded on either prior year or an average of the three most recent prior years ADA. Thus a reduction in current year ADA will not impact a school district until the subsequent fiscal year. Secondly, Local Control Funding Formula payments are paid through a set statutory schedule so it depends on what month the emergency occurs and where CDE is in the Principal Apportionment cycle. Regardless, the loss of funding would be restored in the future if a Form J-13A waiver is approved by CDE.

There is no specific deadline for submitting a Form J-13A and a Form J-13A should be submitted as soon as possible once an emergency is over. See FAQs #14 and #15 for more information.

10. How does a local educational agency (LEA) know if it is included in the Governor's Proclamation of a State of Emergency? (Posted 14-Jun-2019)

Each state of emergency is specific to the counties listed in the emergency proclamation issued by the Governor. If the LEA is located in the county that is included in the Governor's Proclamation of a State of Emergency, then the LEA should select the box in Section A, Part III of the Form J-13A to indicate that the request dates are associated with a State of Emergency.

11. How long does it take to receive an approval or denial letter for a Form J-13A request? (Posted 14-Jun-2019)

The California Department of Education (CDE) does not give time estimates for a Form J-13A approval or denial. The length of time it takes to receive an approval or denial letter for a Form J-13A request varies significantly depending on the total number of requests received each year as well as the complexity and completeness of the request once it reaches the CDE. The processing time for a Form J-13A request has taken longer in the past several years due to a significant increase in the number of qualifying events statewide which has increased the number of requests submitted.

12. Does the California Department of Education (CDE) have guidance regarding the Public Safety Power Shutoffs (PSPS)? (Posted 20-Dec-2019)

The CDE provides LEAs with PSPS guidance on the CDE website. This guidance includes but is not limited to FAQs regarding school closures and material decreases in attendance due to PSPS events.

Submittal Information

13. When is it necessary to submit a Form J-13A? (Revised 10-Feb-2022)

A Form J-13A is used to obtain approval of attendance and instructional time credit pursuant to *Education Code (EC)* sections 41422, 46391, 46392, 46393 and *California Code of Regulations (CCR)*, Title 5, Section 428.

The local educational agency (LEA) may file a Form J-13A school closure request if the LEA had to close school due to an emergency pursuant to *EC* Section 41422 and was not able to make up the instructional days and/or minutes. For more specific school closure questions, see the School Closure section below.

The LEA may file a Form J-13A material decrease request when a certain threshold of students who would normally attend a school do not attend on any given schoolday. The LEA will need to provide supporting documentation to substantiate that the loss of attendance was due to an emergency pursuant to *EC* Section 46392 and *CCR*, Title 5, Section 428. For more specific material decrease questions, see the [Material Decrease](#) section below.

Pursuant to *EC* Section 46393, all LEAs must submit a certified plan for which independent study will be offered to students that accompanies **all** Form J-13A requests submitted for a school closure and/or a material decrease in attendance due to a qualifying event occurring after September 1, 2021. See our [2021–22 Form J-13A FAQs](#) web page for more information.

14. Who may submit a Form J-13A?

Only local educational agencies (LEAs) that report Principal Apportionment average daily attendance (ADA) for the purpose of calculating a K–12 Local Control Funding Formula entitlement should submit a Form J-13A (adult education, regional occupational centers and programs, after school programs, and early education should not use the Form J-13A).

15. When an emergency occurs, does a Form J-13A need to be submitted immediately to the California Department of Education (CDE)?

No, a Form J-13A should be submitted as soon as possible once the emergency is over. This way the local educational agency (LEA) can determine the exact number of school closure days and/or material decrease in attendance for the request.

16. Is there a deadline for submitting a Form J-13A? (Revised 06-Sept-2022)

No. There is no specific deadline for submitting a Form J-13A. However, pursuant to *Education Code* Section 14002(a)(2), the local educational agency's (LEA's) Principal Apportionment is held constant as of the Second Principal Apportionment (P-2) of the fifth succeeding year, inclusive of the current year. Therefore, an LEA will not be able to submit corrections to the California Department of Education (CDE) due to a Form J-13A approval for a school year that is five or more years prior to the current fiscal year (FY). For example, in FY 2023–24, an LEA can still amend 2019–20 files, but can no longer amend 2018–19 files.

There are audit implications to filing Form J-13A closure requests for programs without a fixed divisor after the FY in which the closure occurred is audited. There are funding implications to filing Form J-13A closure requests for programs with a fixed

divisor and for all material decrease requests after the P-2 and Annual reporting periods in the fiscal year in which the closure or material decrease occurred. For more specific information regarding the implications of the timing of an LEA's Form J-13A request, contact the CDE via email at attendanceaccounting@cde.ca.gov.

17. Does a charter school need to file a separate Form J-13A?

Yes. A charter school must file separately from the authorizing school district or county office of education and must have the Form J-13A signed off by the charter school authorizer. Each charter school that has its own county-district-school (CDS) code and charter number will need to submit a separate Form J-13A.

18. How does a charter school file a Form J-13A for one of its sites? (Posted 14-Jun-2019)

Regardless of the number of sites, as long as the sites are all under the same county-district-school (CDS) code and charter number, the charter school is considered one entity. When one of the sites has to close, it is considered a closure day for the entire entity. The other sites that remained open would not be able to claim any attendance generated on that closure day and the charter school may file a Form J-13A for a school closure request as long as it is for a qualifying event and it meets the conditions of the waiver request. For a material decrease request, the charter school will need to include the attendance data from all sites for the material decrease calculation.

19. How does a county office of education (COE) file a Form J-13A school closure or material decrease request for a county program that operates at multiple site locations under the same county-district-school (CDS) code? (Posted 14-Jun-2019)

The COE should list the county school name where the students are enrolled and the school name of the location where the students are being served in Section B or C, Part II, Column A of the Form J-13A. For example, County Special Education @ School #1. Both school names should match in the [California School Directory](#). The COE should list the county school code in Section B or C, Part II, Column B of the Form J-13A. Enter each site location on a separate line.

20. What is the process for submitting a Form J-13A? (Posted 21-Jul-2023)

The impacted local educational agency (LEA) prepares the required documents, including a complete [Form J-13A](#), independent study plan, the [Certification Form for Independent Study](#), and all supporting documentation required to substantiate the request.

The Form J-13A must be signed with digital or "wet" signatures by a majority of the LEA's governing board members, the county superintendent, and witnesses for both the board members and county superintendent.

The completed Form J-13A package with digital or scanned "wet" signatures should be submitted electronically to the CDE by email at J13ASubmittals@cde.ca.gov or sent by mail to the School Fiscal Services Division at the address specified on the Form J-13A.

21. What constitutes a complete submittal? (Revised 06-Sept-2022)

All pages of the Form J-13A should be submitted, along with supporting documentation for the dates of the event (e.g. news articles, email, letters, state of emergency declarations).

Pursuant to California *Education Code (EC)* Section 46393, all local educational agencies (LEAs) must include a Certification Form for Independent Study along with a certified plan for which independent study will be offered to students that accompanies all Form J-13A requests submitted for a school closure and/or a material decrease in attendance due to a qualifying event occurring after September 1, 2021. The Certification Form for Independent Study must be included with the LEA's first Form J-13A request submitted for each fiscal year (FY). To the extent that there are no changes to the LEA's certified plan for independent study within the FY, all subsequent Form J-13A submissions for the FY do not need to include the certification or certified independent study plan.

22. What information is required to be included in the Certification Form for Independent Study? (Posted 06-Sept-2022)

Education Code (EC) Section 46393 provides that the certified plan to offer independent study must comply with the following:

- Independent study is offered to any student impacted by any of the conditions listed in *EC* Section 46392 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 individualized education programs (IEPs) pursuant to *EC* Section 56345(a)(9) and may participate in an independent study 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 independent study master agreements in a reasonable amount of time.

This plan can be a board policy, master agreement, or any other relevant documentation as long as it adheres to the conditions listed above.

To expedite your Form J-13A review, please highlight within your Independent Study Plan where the three conditions listed above are met.

23. Who must sign the Certification Form for the Independent Study Plan for a Form J-13A Submission? (Updated 21-Jul-2023)

The school district superintendent, charter school administrator, county superintendent, or a designee must sign the Certification Form.

Note that local educational agencies are no longer required to have original "wet" signatures on their Certification Form and can instead opt for digital signatures or scanned "wet" signatures.

24. How can local educational agencies (LEAs) submit a Form J-13A request to the California Department of Education (CDE)? (Posted 21-Jul-2023)

The Form J-13A PDF and all attachments can be emailed to the CDE at J13ASubmittals@cde.ca.gov. Files larger than 20 MB should be compressed by zipping the files and then attaching them to the email (see instructions on how to submit a Form J-13A request with zipped files [here](#)).

The Form J-13A PDF hardcopy can also be mailed to the CDE at the address listed within the Form J-13A Instructions. A Form J-13A submittal that is submitted to the CDE via email should not be mailed to the CDE.

25. How should a local educational agency (LEA) name their Form J-13A files for electronic submission? (Posted 21-Jul-2023)

For an electronic submission of a Form J-13A, title the PDF by LEA name, J13A, Fiscal Year (FY) that the emergency ended (example: XYZJ13A2023).

If an LEA submits multiple requests in a FY, please add a submission number at the end of the title (example: XYZJ13A2023_001 for an LEA's first Form J-13A submission, XYZJ13A2023_002 for an LEA's second submission, etc.)

26. How should a local educational agency (LEA) submit additional documentation after their initial electronic submission of the Form J-13A request? (Posted 21-Jul-2023)

For any additional documentation following the initial electronic submission of the Form J-13A request, please email the supplementary materials to J13ASubmittals@cde.ca.gov.

27. Will instructions for electronic submission be included on the Form J-13A PDF? (Posted 21-Jul-2023)

The Form J-13A PDF will continue to include instructions for mailing in the form. At this time, instructions for electronic submission will not be incorporated into the Form J-13A PDF.

28. Should a local educational agency (LEA) mail in their Form J-13A submittal after they have already submitted it via email? (Posted 21-Jul-2023)

No. If an LEA has already submitted their Form J-13A electronically via email, it is not necessary to send in a physical submission by mail.

29. After submitting a Form J-13A electronically, should a local educational agency (LEA) keep a hardcopy of their submittal? (Posted 21-Jul-2023)

Yes. The completed Form J-13A request and all attachments should be retained on file by the LEA for recordkeeping purposes.

30. How will a local educational agency (LEA) know if an electronic submission has been received by the California Department of Education (CDE)? (Posted 21-Jul-2023)

LEAs will receive an automated email from the CDE confirming the request was received.

31. Is a governor's Proclamation of a State of Emergency the same as a Declaration of a State of Emergency?

Yes, California *Education Code* Section 46392 uses the term "declaration" whereas the governor's office uses the term "proclamation".

32. If local educational agencies (LEAs) close schools or experience a material decrease in attendance after the Second Principal Apportionment (P-2), does the LEA still need to submit a Form J-13A? (Posted 14-Jun-2019)

Possibly. If an emergency event causes a school closure and as a result, an LEA does not offer the statutorily required annual number of instructional days or minutes, a Form J-13A approval would be needed in order to 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 funding. If an LEA experiences a material decrease in attendance due to an emergency event at any time during the school year, a Form J-13A approval would provide the authority to add the average daily attendance (ADA) up to what would be considered normal for the days that ADA was lost due to the event. To the extent the event occurs after the P-2 attendance period cutoff date for the LEA, the LEA would be able to increase their Annual ADA upon receipt of a Form J-13A approval letter from the California Department of Education.

School Closure

33. If school is offered but a site has to close early or start instruction late due to an emergency is it considered a closure day? (Posted 14-Jun-2019)

Possibly. In order for a day to count as a day of instruction towards meeting the annual instructional day requirement in a school district, school must be offered and provided for at least the minimum instructional day. If reducing the scheduled instructional day results in less than the minimum day being offered, the day would not be considered a day of instruction, and the district would need to submit a Form J-13A school closure request to avoid a fiscal penalty to the local educational agency's Local Control Funding Formula funding for offering fewer than the required instructional days.

34. Should a local educational agency (LEA) use its built-in emergency days for any school closure? (Posted 14-Jun-2019)

Yes, the LEA should use its built-in emergency days for any emergency closures when they arise. If additional closures occur after the built-in emergency days have been used, the LEA should submit a Form J-13A waiver request for approval.

35. Does the local educational agency (LEA) need to make up instructional time after a school closure? (Posted 14-Jun-2019)

LEAs are encouraged to add days and/or minutes of instruction to the school calendar when instructional days and minutes are lost. Please keep in mind that the instructional day and minute requirements are separate requirements. If the LEA is unable to make up the days and/or minutes, then the LEA may submit a Form J-13A for a school closure request as long as it is for a qualifying event and it meets the conditions of the waiver request.

36. How should a local educational agency (LEA) record the students' attendance for an emergency school closure day? (Posted 14-Jun-2019)

When a school is closed due to an emergency, that day is considered a non-instructional day and students should not be marked as present or absent. Instead, the LEA should use one of the non-instructional day codes available in their attendance software to note that it was a school closure day.

37. Does a nonpublic, nonsectarian school (NPS) need to submit a Form J-13A for a school closure due to an emergency event?

School closures at an NPS vary depending on the circumstances. Therefore, the local educational agency should email the California Department of Education (CDE) at attendanceaccounting@cde.ca.gov about the emergency closure at the NPS, and include the site address, date(s) of emergency, and the nature of the emergency event in the email. The CDE will provide

guidance on how to proceed.

38. For Part III, Closure History, does a school report only the school closures that had a Form J-13A approval? (Posted 14-Jun-2019)

No, the school must provide all school closures in the current and prior five fiscal years, regardless of whether a Form J-13A request had been submitted to the California Department of Education.

Material Decrease

39. How does a school determine if the decrease of attendance is material? (Posted 14-Jun-2019)

California Code of Regulations, Title 5, Section 428: A decrease in the average daily attendance (ADA) for purposes of *California Education Code (EC)* Section 46392 is material when at least 10 percent of the students who would normally attend a school do not attend on any one day.

To determine if the decrease of attendance is material, compare the attendance on the day of the event to October or May ADA. If attendance on the day of the event is less than 90 percent of October or May ADA, a Form J-13A may be submitted for attendance credit. Upon approval of the Form J-13A, the local educational agency (LEA) will use their October or May ADA in place of actual attendance on the day of the event when ADA is calculated.

When the Governor declares a State of Emergency, the 10 percent requirement does not apply. A Form J-13A may be submitted for any decrease in attendance compared to October or May ADA of the same school year. Include a copy of the declaration with the Form J-13A.

Pursuant to *EC* Section 46392, any decrease in attendance at a necessary small school, as defined in *EC* sections 42280 – 42286, is material.

40. If a school district has to start school late due to an emergency event and the minimum day requirement is met but a large number of students do not attend can a district submit a material decrease request? (Posted 14-Jun-2019)

Yes. If the district offers a day of instruction and an emergency event results in a loss of attendance of at least 10 percent below normal, the district can submit a Form J-13A material decrease request. In the event that the Governor declares a state of emergency for the event that caused school to start late, any loss of average daily attendance below normal attendance

levels is considered material and the 10 percent threshold does not need to be met in order to submit the Form J-13A material decrease request.

41. When an emergency event causes a loss of attendance to all school sites in the district, does the 10 percent decrease requirement apply to the district as a whole or at each individual site? (Posted 14-Jun-2019)

If the district as a whole meets the 10 percent decrease requirement, then the district has the option to submit a request for the district as a whole or for each individual school site, whichever option yields a larger net increase of apportionment days. If the district submits a request for each school individually, then each site must meet the 10 percent decrease requirement.

Calculating each school individually may yield a larger number of days of attendance requested. In either case, each site must be entered separately in Section C, Part II.

42. What dates should be used to determine “normal attendance”?

The date range of the school month for October or May should be used to determine normal attendance. The average daily attendance is reported for funding based on school months. Each school month consists of four weeks, five days each. All school months consist of 20 days, begin on a Monday, and end on a Friday.

43. Should the average daily attendance (ADA) for continuation high school sites be included in the October or May ADA calculation? (Posted 14-Jun-2019)

No. Continuation high school sites that experienced a material decrease must be listed separately in Part III of Section C of the Form J-13A, in hours (not ADA), and compared to the same day of the week prior or week following (example: compare a Tuesday to a Tuesday of the week prior or the week following the event date).

44. What if the October or May school month spans two calendar months?

October or May average daily attendance (ADA) is the ADA for the school month that has the most days in either October or May. It is not the calendar month of October or May. The month used might span the preceding or following month.

45. If an emergency occurs in October or May, what alternative school month should be used to determine “normal attendance”?

Contact the California Department of Education to discuss possible alternative school months that can be used instead of October or May. Send an e-mail to attendanceaccounting@cde.ca.gov.

Affidavit

46. Does the Form J-13A need to be signed during a regularly scheduled board meeting?

No. The Form J-13A can be signed by a majority of the board members any time. The signatures need to be witnessed by someone other than a signing board member.

47. Must all board members sign the affidavit?

No. A majority of board members are required to sign.

48. Does the affidavit need to be notarized?


No. The affidavit does not need to be notarized, but the signatures must be witnessed and the witness sections need to be completed in their entirety.

49. Who should witness the board members signatures?

Someone other than a signing board member, who witnessed the signatures of the board members, can witness the board signatures. This may be the district superintendent or another individual who witnessed the signatures.

50. Does the affidavit require original or copied signatures? (Updated 21-Jul-2023)

The affidavit can be electronically signed (e.g. a scanned copy of the original "wet" signature), digitally signed (e.g. an electronic identifier, created by computer) or signed with original "wet" signatures.

The California Department of Education recommends the use of scanned "wet" signatures to ensure the provisions outlined in [Government Code 16.5](#)  are met. Local educational agencies should also retain their affidavit and all applicable documents for recordkeeping purposes.

51. If the charter school is approved by the county office of education, does the County Superintendent of Schools have to sign both Part II and III of Section E of the affidavit? (Posted 11-Aug-2021)

No, if the County Superintendent of Schools also serves as the charter authorizer, then they can leave Part II blank and complete only Part III.

52. If a charter school is a direct funded charter school, can the charter submit the Form J-13A directly to the California Department of Education (CDE)?

No. The superintendent of the charter school authorizer must approve the Form J-13A for all charters, even a direct funded charter. If the charter authorizer is a school district, then the district superintendent will forward the approved request to the county office of education for the county superintendent to review. If the county superintendent approves the request, then the Form J-13A is submitted to the CDE.

53. Are there new certification forms or addendums that must accompany a Form J-13A waiver request for the 2021–22 school year? (Posted 10-Feb-2022)

Yes. The California Department of Education (CDE) has developed a certification form for local educational agencies (LEAs) to use for the independent study plan required of all Form J-13A submittals for **all** events occurring after September 1, 2021 as well as an addendum to the Form J-13A that LEAs will use to provide required staffing shortage information when submitting a Form J-13A for a material decrease or school closure due to a COVID-19 related staffing shortage. Both the certification form and the addendum are available on the CDE's website at: [Form J-13A Submission Documents](#) web page.

Reporting Approvals

54. When there is a school closure, should the local educational agency (LEA) adjust the divisor immediately or wait for the California Department of Education (CDE) Form J-13A approval letter? (Revised 06-Sept-2022)

An LEA applying for its schools that calculate ADA based on days taught (without a fixed divisor) should reduce their divisor (days taught) for any school closure, disregarding whether it was approved or not, because it was not a day of instruction.

An LEA applying for its schools that calculate ADA using a fixed divisor should reduce their divisor only when the State Superintendent of Public Instruction has approved their school closure. Once the Form J-13A approval letter has been received, the LEA should reduce their divisor (days taught) by the days approved for closure. After the ADA has been recalculated using the reduced divisor, the LEA should submit a corrected attendance file with the updated numbers to the CDE.

All LEAs should keep the Form J-13A approval letter to document the school's compliance with instructional time laws and authority to maintain school for less than the required annual instructional days and minutes without incurring a fiscal penalty to their Local Control Funding Formula funding.

For the 2020–21 fiscal year, pursuant to *Education Code* Section 43502(b), the CDE will use 2019–20 Second Principal

Apportionment (P-2) and Annual ADA to calculate apportionments for fiscal year (FY) 2020–21. Therefore, there is no need to reduce the divisor to calculate attendance due to a school closure occurring in FY 2020–21. Please note that this applies to FY 2020–21 only.

55. Does a local educational agency (LEA) have to wait for the California Department of Education (CDE) Form J-13A approval letter for a material decrease before submitting revised attendance data for the First Principal Apportionment, Second Principal Apportionment, or Annual reporting deadline? (Posted 14-Jun-2019)

Yes, the LEA will have to wait until the approved net increase of apportionment days is received from the CDE. Until the Form J-13A approval letter has been received, the LEA will submit the actual attendance on the day(s) of the emergency condition.

56. After receiving a Form J-13A approval letter from the California Department of Education (CDE) for a material decrease that occurred in the current year, does the local educational agency (LEA) need to submit a corrected attendance file to the CDE? (Revised 06-Sept-2022)

It depends on when the LEA receives the approval letter.

If the LEA receives the approval letter prior to the First Principal Apportionment (P-1) reporting deadline, the LEA will be able to report the revised attendance in the regular P-1 attendance data submission.

If the LEA receives the approval letter after P-1 but before the Second Principal Apportionment (P-2) reporting deadline, the LEA will be able to report the revised attendance in the regular P-2 attendance data submission. A P-2 corrected attendance file will not be necessary because P-2 data replaces P-1 data.

If the LEA receives the approval letter after P-2 but before the Annual reporting deadline, the LEA will need to submit a P-2 corrected file to report the revised attendance. When submitting data for the Annual reporting period, the LEA should report the revised attendance in the regular Annual attendance data submission.

If the LEA receives the approval letter after the Annual reporting period, the LEA will need to submit a corrected P-2 attendance file and a corrected Annual file to report the revised attendance.

Please note that if an LEA receives a Form J-13A approval letter from the CDE for a material decrease that occurred in a prior year, the LEA should submit corrected P-2 and Annual files for the year in which the emergency occurred to capture the revised attendance in that year. Pursuant to *Education Code* Section 14002(a)(2), the LEA's Principal Apportionment is held constant

as of P-2 of the fifth succeeding year, inclusive of the current year. Therefore, an LEA will not be able to submit corrections to the CDE due to a Form J-13A approval for a school year that is five or more years prior to the current fiscal year (FY). For example, in FY 2023–24, an LEA can still amend 2019–20 files, but can no longer amend 2018–19 files.

57. How does a local educational agency (LEA) apply the approved credit for a Form J-13A material decrease request to the attendance report? (Revised 06-Sept-2022)

When the LEA has received the approval, the approved net increase of apportionment days can be added to the total number of days of student attendance. Then the revised total number of days of student attendance will be divided by the number of calendar days school was taught. After the average daily attendance has been recalculated with the approved net increase amount, the LEA should submit a corrected attendance file with the updated numbers to the California Department of Education.

58. How are material decrease requests for continuation high schools calculated in comparison to regular material decrease requests?

Material decrease requests for continuation high schools use hours of attendance generated on the same day of the week prior to the emergency event or hours of attendance on the same day of the week subsequent to the emergency event to determine estimated normal attendance hours. Material decrease requests for all schools other than continuation schools use October or May school month average daily attendance to determine normal attendance.

59. Does it matter how much approved average daily attendance (ADA) goes to each grade span? (Posted 14-Jun-2019)

Yes. Each grade span should get an allotted amount based on the percentage that grade span has for total attendance (i.e. if grades Transitional Kindergarten/Kindergarten to third grade have 20 percent of total attendance, the ADA should be increased by 20 percent of the approved amount for that grade span).

60. If an emergency event requires closure of an AM or PM Transitional Kindergarten (TK)/Kindergarten class but not both AM and PM TK/Kindergarten classes, how would that affect the divisor used in calculating average daily attendance (ADA)? (Posted 14-Jun-2019)

On occasion an emergency event affects only a portion of the school day and as a result only the AM or PM TK/Kindergarten class(es) is closed for that day. If a district experiences an emergency event that requires partial day closure and, as a result, the AM or PM TK/Kindergarten class is not offered, the district should file a Form J-13A closure request for the affected

TK/Kindergarten class. Since that TK/Kindergarten class was not offered, the divisor should be reduced to reflect that instruction was not offered. When calculating ADA, the class that was closed will have a lower divisor than the class that was offered instruction on that day.

61. How does a local educational agency (LEA) submit a corrected attendance file to the California Department of Education (CDE)? (Revised 02-Jun-2022)

For fiscal year (FY) 2021–22 and forward, corrected attendance data are reported in the Principal Apportionment Data Collection (PADC) Web Application. For FY 2020–21 and prior, corrected attendance data must be reported in the PADC Software. Resources, including the link to the PADC Web Application, PADC User Manual and reporting instructions, are located on the [Principal Apportionment Data Collection](#) web page.

62. If the charter school received an approved Form J-13A school closure request, what should the charter school report in the days of operation field in the Principal Apportionment Data Collection (PADC) Web Application? (Revised 06-Sept-2022)

The charter school should always use the actual days of operation for calculating and reporting the average daily attendance. California Department of Education staff will take into account the approved closure days through the Principal Apportionment process to ensure the charter school attendance is not proportionally reduced. This also applies to charter schools that operate multi-tracks.

63. Does a local educational agency (LEA) need an auditor's letter of concurrence to submit revised average daily attendance as a result of a material decrease approval for a previous fiscal year (FY)? (Posted 14-Jun-2019)

The California Department of Education may ask for an auditor's letter of concurrence if the open correction period has passed for the specific FY.

Questions: Principal Apportionment Section | attendanceaccounting@cde.ca.gov | 916-324-4541

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