

# 2021-22 Form J-13A and Staffing Shortage Consultation Process



**CALIFORNIA DEPARTMENT OF EDUCATION**  
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# What is a Form J-13A Waiver?

- The Form J-13A waiver process prevents an LEA's LCFF funding from being penalized for the loss of attendance and inability to meet instructional time requirements when a school is closed or when school remains open but there is a material decrease in ADA due to an emergency event.
- CDE encourages LEAs to make up lost instructional time when possible in order to mitigate the loss of instructional time for students.
- The J-13A process protects a LEA from losing funding it would otherwise receive and credits an LEA for lost instructional time. It does not provide LEAs with a new source of funding.

# Summary of Changes to the Form J-13A for 2021-22

## School Closures

- An LEA cannot mitigate losses of average daily attendance (ADA) through the J-13A process for COVID-19 related school closure requests\*, with the following exceptions:
  1. Form J-13A school closure requests for COVID-19 related closure of community day schools may be submitted.
  2. Form J-13A school closure requests for closure of a school site or class that only serves students who are individuals with exceptional needs, as defined in *Education Code* Section 56026, whose individualized education program does not specifically provide for participation in independent study may be submitted.
  3. Form J-13A school closure requests due to COVID-19 related staffing shortages may be submitted **if additional conditions are met.**
    - Eligible Form J-13A requests that meet the exceptions above and receive approval from CDE are like any other Form J-13A approval (e.g. able to mitigate loss of ADA and receive credit for instructional time loss.)

\*Only applicable to school closures September 1, 2021 or after.

# Summary of Changes to the Form J-13A for 2021-22 (cont.)

## School Closures

- Additional documentation and certification is required with a Form J-13A submission this year (see CDE [FAQ #21](#) for assistance).
- LEAs that close due to COVID-19 and the circumstance for the closure does not meet the requirements to be eligible for an exception may serve impacted students through independent study and claim apportionment pursuant to independent study requirements.
  - Although Form J-13A requests for COVID-19 school closures cannot be submitted to mitigate losses of ADA, they can be submitted to receive instructional time credit to meet the annual day and minute requirements to avoid audit penalties, if LEAs certify to offering independent study to all eligible students during the school closure in Section B of the Certification Form for Independent Study.

# Summary of Changes to the Form J-13A for 2021-22 (cont.)

## **Material Decrease** (when attendance declines and school remains open)

- An LEA cannot receive credit for lost ADA through the J-13A process for material decreases in attendance\* resulting from students that have been quarantined and are unable to attend in-person instruction due to exposure to, or infection with, COVID-19 pursuant to local or state public health guidance, with the following exceptions:
  1. Students in community day schools that have been quarantined and are unable to attend in-person instruction due to exposure to, or infection with, COVID-19 pursuant to local or state public health guidance may be submitted.
  2. Students who are individuals with exceptional needs, whose individualized education program does not specifically provide for participation in independent study that have been quarantined and are unable to attend in-person instruction due to exposure to, or infection with, COVID-19 pursuant to local or state public health guidance may be submitted.
  3. Form J-13A requests for material decreases in attendance due to COVID-19 related staffing shortages may be submitted **if additional conditions are met.**

\*Only applicable to losses in attendance September 1, 2021 or after.

# Summary of Changes to the Form J-13A for 2021-22 (cont.)

## **Material Decrease** (when attendance declines and school remains open)

- In lieu of receiving attendance credit through the Form J-13A process, LEAs serve impacted students through independent study and claim apportionment pursuant to independent study requirements. More information regarding independent study requirements is located at [2021–22 Independent Study Attendance Accounting and Instructional Time Frequently Asked Questions \(FAQs\)](#).
- Additional documentation and certification is required with a Form J-13A submission this year (see CDE [FAQ #22](#) for assistance).

# Staffing Shortage Conditions

The additional conditions for a school closure or material decrease Form J-13A request for COVID-19 related staffing shortages are:

- The LEA is unable to provide in-person instruction to students due to staffing shortages as a result of staff quarantine due to exposure to, or infection with, COVID-19 pursuant to local or state public health guidance.
- For certificated staff shortages, the LEA has exhausted all options for obtaining staff coverage, including using all certificated staff and substitute teacher options, and has consulted with their county office of education and the California Department of Education (CDE) in determining that staffing needs cannot be met through any option.
- For classified staff shortages, the LEA has exhausted all options for obtaining staff coverage, including using all staff options, and has consulted with their county office of education and the CDE in determining that staffing needs cannot be met through any option.

# Timing for CDE Consultation for a COVID-19 Related Staffing Shortage

## SCHOOL CLOSURE

If faced with a potential school closure, the LEA is to consult with the county office of education and the CDE to discuss all options for obtaining staff coverage **prior** to closing.



The county office of education and CDE consultations should factor in to the LEA's final decision to close if it is determined that staffing needs cannot be met.



The LEA may submit a Form J-13A request to the CDE once the closure is over.

## MATERIAL DECREASE

The nature of the circumstances resulting in a material decrease due to a COVID-19 related staffing shortage will impact the timing of when the county office of education and CDE consultation should occur. Questions related to the timing of the consultation may be directed to

[ATTENDANCEACCOUNTING@cde.ca.gov](mailto:ATTENDANCEACCOUNTING@cde.ca.gov).




If it is determined that staffing needs cannot be met, the LEA may submit a Form J-13A request to the CDE once the material decrease is over.



# Form J-13A Submission Process for a COVID-19 Related Staffing Shortage

- All applicable pages of the Form J-13A should be completed with the following documents attached:
- Addendum for Staffing Shortages (for emergencies occurring September 1, 2021 - June 30, 2022)
- Certification Form for Independent Study (for emergencies occurring after September 1, 2021)
- Certified plan to offer independent study (for emergencies occurring after September 1, 2021)
- Supporting documentation (Governor's Declaration of Emergency \*Material Decrease only)

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- The Form J-13A affidavit must be signed with original “wet” signatures by a majority of the LEA's governing board members, the county superintendent, witnesses for the board members and county superintendent, and if applicable the charter school authorizer.
  - The Certification Form for Independent Study must be signed with an original “wet” signature by either the county superintendent, district superintendent, charter school administrator, or designee.



The completed original hard copy Form J-13A with all required documentation should be submitted by mail to the School Fiscal Services Division.

# Form J-13A Reminders

- Unused built in days in the school calendar need to be used first. *For example if the LEA submits a staffing shortage closure for 5 days that meets all the requirements (e.g. consultation occurred prior to closure and all appropriate documentation is submitted) but has two unused built-in days, the CDE's approval would be for 3 days.*
- Form J-13A submissions should not be submitted until after the event concludes.

# Form J-13A Reminders (cont.)

- An LEA may combine multiple events into one Form J-13A submittal.
- If combining requests, LEAs should clearly identify in the request the applicable dates for each event and if school closure or material decrease and if a portion of the request is solely for instructional time credit indicate applicable dates.
  - ☐ This indication can be made in Section B: Part I “Nature of Emergency” field.
  - ☐ Ensure all necessary supporting documentation accompanies the request. See 2021–22 Form J-13A Frequently Asked Questions for assistance.

# Resources

- 2021–22 Form J-13A Frequently Asked Questions
- Form J-13A Submission Documents
- 2021–22 AA & IT Independent Study FAQs
- Sign-up for a staffing shortage consultation at:  
<https://docs.google.com/forms/d/e/1FAIpQLSfT9RmbOCvdX6djRaSlkwa-lyBKcTqIBsWCce-C7PRpJLESSw/viewform>
- Form J-13A Submission Questions:
  - Email [attendanceaccounting@cde.ca.gov](mailto:attendanceaccounting@cde.ca.gov)