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State Superintendent
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Overview of Instructional Time and Attendance Accounting Requirements for 2020-21

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Instructional Time



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Annual Instructional Time Requirements

- Historically, instructional time requirements have included separate annual instructional day and annual instructional minute statutory requirements.
- Annual Instructional Day Requirements
 - School Districts & COE – Special Day Class: 180 days
 - Charter Schools: 175 days
- Annual Instructional Minute Requirements
 - Pursuant to *EC* Section 43502(d)(1), the annual instructional minute requirements are waived in FY 2020–21. However, LEAs must meet annual instructional day requirements.



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Scheduling Requirements

- For school districts, COEs, classroom-based charter schools, and all newly operational charter schools, in order for a day to count as a day of instruction towards meeting the annual instructional day requirement, students must be scheduled to attend for the school day established by the local governing board and the school day must be equivalent to at least a minimum day of instruction. The governing board may establish a school day in excess of 2020–21 minimum instructional day requirements noted in the next slide.
- A school day can be met through in-person instruction, distance learning, or a combination of in-person instruction and distance learning.



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Minimum Instructional Day

- For FY 2020–21 a minimum day of instruction for school districts, COEs, classroom-based charter schools, and all newly operational charter schools is as follows:
 - 180 instructional minutes in transitional kindergarten/kindergarten.
 - 230 instructional minutes in grades 1 to 3, inclusive.
 - 240 instructional minutes in grades 4 to 12, inclusive.
 - 180 instructional minutes for students in grades 11 and 12 that are also enrolled part time in classes of the California State University or the University of California for which academic credit will be provided upon satisfactory completion of enrolled courses.
 - 180 instructional minutes for any student who is also a special part-time student enrolled in a community college under Article 1 (commencing with Section 48800) of Chapter 5 or Part 27 of Division 4 and who will receive academic credit upon satisfactory completion of enrolled courses.
 - 180 instructional minutes for students enrolled in a continuation high school.



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In-Person Instruction

- Instructional time for in-person instruction is calculated based on time scheduled under the immediate physical supervision and control of a certificated employee of the LEA.
- LEAs would use their bell schedules, school calendars, and any other instructional time documentation as they have done in prior years to determine instructional time for in-person instruction.



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Distance Learning

- A mode of instruction in which the student and instructor are in different locations and students are under the general supervision of a certificated employee of the LEA.
 - Interaction, instruction, and check-ins between teachers and students through the use of a computer or communications technology.
 - Video or audio instruction in which the primary mode of communication between the student and certificated employee is online interaction, instructional television, video, telecourses, or other instruction that relies on computer or communications technology.
 - The use of print materials incorporating assignments that are the subject of written or oral feedback.



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Distance Learning

- Instructional time for distance learning is calculated based on the time value of synchronous and/or asynchronous instruction and assignments made by and certified by a certificated employee of the LEA.

Synchronous

- Synchronous learning takes place in real-time, with delivery of instruction and/or interaction with participants such as a live whole-class, small group, or individual meeting via an online platform or other communications technology.

Asynchronous

- Asynchronous learning occurs without direct, simultaneous interaction of participants such as videos featuring direct instruction of new content that students watch on their own time.



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Distance Learning

- Students may participate in independent study programs during the 2020–21 school year.
- When offering independent study programs, a school district, county office of education, classroom-based charter school, and all newly operational charter schools will need to ensure that all distance learning requirements are met, including those with a fiscal consequence listed below.
 - Instructional day offering and scheduling (*EC* Section 43504(c))
 - Document daily participation (*EC* Section 43504(d))
 - Complete a weekly engagement record (*EC* Section 43504(e))
 - Document absences (*EC* Section 43504(d)(1) and (f))
 - Develop written procedures for tiered reengagement strategies (*EC* Section 43504(f)(2))



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Charter Schools

- It is important to be aware that guidance may differ based on the type of LEA, specifically when it comes to classroom-based and nonclassroom-based charter schools.
- The distance learning requirements apply to all school districts, COEs, classroom-based charter schools, and all newly operational charter schools that will begin instruction in the 2020–21 school year by September 30, 2020, which includes newly operational charter schools approved locally by January 1, 2020, that indicated in their petition that they will offer a nonclassroom-based program.



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Charter Schools

- Charter schools that operated as nonclassroom-based in FY 2019–20 need to comply with all of the following requirements in FY 2020–21:
 - Continue to meet all the independent study statutory requirements in Article 5.5 (commencing with Section 51745) of Chapter 5 of Part 28 of Division 4 and the implementing regulations for that article (*EC* Section 43505) in lieu of the distance learning requirements.
 - Offer 175 days of instruction and continue to maintain daily engagement records.
- There are no minimum instructional day requirements for a charter school that operated as nonclassroom-based in FY 2019-20.



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Instructional Time

FAQs



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When does the instructional day requirement take effect?

The instructional day requirement is in effect for the full 2020–21 FY. However, pursuant to *EC* Section 43504(i)(3), school districts, COEs, classroom-based charter schools, and all newly operational charter schools that provides distance learning shall not be penalized for instruction provided before September 1, 2020, that does not meet instructional time requirements.



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Do LEAs have annual instructional minute requirements in FY 2020-21?

No. Pursuant to *EC* Section 43502(d)(1), the annual instructional minute requirements are waived in FY 2020–21. However, LEAs must meet annual instructional day requirements.



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Can LEAs meet the minimum instructional day requirements through averaging over a span of instructional days?

No. There is no instructional time averaging in FY 2020-21.



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Do community day schools have a 360-minute minimum instructional day requirement in FY 2020-21?

No. For FY 2020–21, the 360-minute minimum instructional day requirement for community day schools is not in effect. Community day schools must meet the same minimum instructional day requirements per grade span as traditional school sites.



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When does Senate Bill 98 become inoperative?

The statutes established in Senate Bill 98 will become inoperative on June 30, 2021. All of the instructional time and attendance accounting requirements in place prior to FY 2020–21 will be back in effect for FY 2021–22.



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Attendance Accounting



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Average Daily Attendance

- LEAs will not have to collect or report ADA for the purpose of apportionment in FY 2020–21.
- For FY 2020-21, most LEAs will be funded based on ADA reported in the 2019–20 P-2 and Annual apportionment periods.
- Newly operational charter schools in 2020–21 will be funded based on their enrollment as of Information Day (October 7, 2020) reported in CALPADS reduced by the [statewide average rate of absence](#) as calculated by the department for the prior FY.



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Recording and Tracking Attendance

- Although LEAs will not be reporting ADA in FY 2020–21, LEAs are required to record and track student attendance and participation for the purpose of compulsory education, chronic absenteeism reporting in CALPADS, and their annual audit.



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Daily Participation

- LEAs are required to maintain daily participation and weekly engagement records for each student receiving instruction through distance learning. These are auditable records that must be made available for the LEA's 2020–21 Annual External Audits. These requirements apply to school districts, COEs, classroom-based charter schools, and all newly operational charter schools.
- LEAs must document daily participation for each student on each instructional day, in whole or in part, for which distance learning is provided. Daily participation is used to track attendance, and may include, but is not limited to, any of the following:
 - evidence of participation in online activities
 - completion of regular assignments
 - completion of assessments
 - contacts between employees of the LEA and the student or parents/guardians
 - other methods of verification determined by LEAs



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Daily Participation

- A student who does not participate in distance learning for at least part of an instructional day is considered as absent for that instructional day.
- LEAs should categorize absences as either excused or not excused for the purpose of compulsory education. In compulsory education, only absences without a valid excuse are a violation.
- Additional information related to attendance for the purpose of compulsory education, including excused and unexcused absences, is available on the [Distance Learning Frequently Asked Questions](#) web page under the Attendance and Absences section.



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Weekly Engagement Records

- LEAs are also required to complete weekly engagement records, verify daily participation, and track assignments.
- These documents will be used to indicate whether students received synchronous or asynchronous instruction for each whole or partial day of distance learning.
- The weekly engagement record and daily participation tracking requirements are separate requirements, although daily participation records can be combined with weekly engagement records to meet both requirements.



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Combined Daily Participation and Weekly Engagement Template

- In response to the additional recordkeeping requirements for student engagement and participation, CDE has developed an approved combined daily participation and weekly engagement record template for use in FY 2020–21.
- The CDE template meets the statutory requirements for daily participation verification, weekly engagement recordkeeping, certifying attendance, and certifying instructional time
- LEAs can adapt the template for their use, or use as a reference when developing their own daily participation and weekly engagement forms and procedures.
- LEAs are not required to use the CDE approved template.



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Combined Daily Participation and Weekly Engagement Template

- The template is available on our Instructional Time Resources web page: <https://www.cde.ca.gov/fg/aa/pa/instructionaltime.asp>

California DEPARTMENT OF EDUCATION

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Instructional Time Resources

Information regarding instructional time requirements.

Instructional Time and Attendance Accounting

2020-21 School Year

Overview of Instructional Time and Attendance Accounting Requirements - Coming Soon

[FAQs](#)

FAQs about the Principal Apportionment, Instructional Time, Attendance Accounting, Attendance Reporting and the Form J-13A.

[Combined Daily Participation and Weekly Engagement Template \(PDF\)](#)

A combined daily and weekly engagement template that local educational agencies can adapt for their use, or use as a reference when developing their own daily participation and weekly engagement forms and procedures. For more information about using the template and other record keeping options, see FAQ #14 under the Attendance Accounting and Reporting header in the FAQs link listed above.

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Combined Daily Participation and Weekly Engagement Template

8/20/2020

California Department of Education

Combined Daily Participation and Weekly Engagement Template *Education Code (EC) Section 43504*

Section A – Local Educational Agency (LEA) and Class Information

LEA:		Month of:		Certificated Employee:	
School Site:		Week of:		Grade Level/Class Title:	

Section B – Weekly Assignments

Day of Week	Summary of Assignments/Assessments	Instructional/Assignment Delivery Method	Day of Week	Summary of Assignments/Assessments	Instructional/Assignment Delivery Method
Monday:		In-person Instruction <input type="checkbox"/> Full Day <input type="checkbox"/> Partial Day	Thursday:		In-person Instruction <input type="checkbox"/> Full Day <input type="checkbox"/> Partial Day
		Video or Online Synchronous Instruction/Assignment <input type="checkbox"/> Full Day <input type="checkbox"/> Partial Day			Video or Online Synchronous Instruction/Assignment <input type="checkbox"/> Full Day <input type="checkbox"/> Partial Day
Non-Instructional Day: <input type="checkbox"/>		Asynchronous Instruction <input type="checkbox"/> Full Day <input type="checkbox"/> Partial Day	Non-Instructional Day: <input type="checkbox"/>		Asynchronous Instruction <input type="checkbox"/> Full Day <input type="checkbox"/> Partial Day
Tuesday:		In-person Instruction <input type="checkbox"/> Full Day <input type="checkbox"/> Partial Day	Friday:		In-person Instruction <input type="checkbox"/> Full Day <input type="checkbox"/> Partial Day
		Video or Online Synchronous Instruction/Assignment <input type="checkbox"/> Full Day <input type="checkbox"/> Partial Day			Video or Online Synchronous Instruction/Assignment <input type="checkbox"/> Full Day <input type="checkbox"/> Partial Day
Non-Instructional Day: <input type="checkbox"/>		Asynchronous Instruction <input type="checkbox"/> Full Day <input type="checkbox"/> Partial Day	Non-Instructional Day: <input type="checkbox"/>		Asynchronous Instruction <input type="checkbox"/> Full Day <input type="checkbox"/> Partial Day
Wednesday:		In-person Instruction <input type="checkbox"/> Full Day <input type="checkbox"/> Partial Day			
		Video or Online Synchronous Instruction/Assignment <input type="checkbox"/> Full Day <input type="checkbox"/> Partial Day			
Non-Instructional Day: <input type="checkbox"/>	Asynchronous Instruction <input type="checkbox"/> Full Day <input type="checkbox"/> Partial Day				



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Combined Daily Participation and Weekly Engagement Template

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California Department of Education

Section C – Daily Participation

LEA:		Month of:		Certificated Employee:	
School Site:		Week of:		Grade/Class Title:	

Legend: 100 – No Participation/Absent; 200 – In-Person Instruction; 300 – Student or Parent/Guardian Contact; 400 – Assigned Work Submitted / Assessment Completed; 500 – Other

Student	Monday			Tuesday			Wednesday			Thursday			Friday		
	<input type="checkbox"/> 100	<input type="checkbox"/> 200	<input type="checkbox"/> 400	<input type="checkbox"/> 100	<input type="checkbox"/> 200	<input type="checkbox"/> 400	<input type="checkbox"/> 100	<input type="checkbox"/> 200	<input type="checkbox"/> 400	<input type="checkbox"/> 100	<input type="checkbox"/> 200	<input type="checkbox"/> 400	<input type="checkbox"/> 100	<input type="checkbox"/> 200	<input type="checkbox"/> 400
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Combined Daily Participation and Weekly Engagement Template

8/20/2020

California Department of Education

Section E – Instructions

For distance learning, the minimum instructional day consists of 180 instructional minutes for transitional kindergarten and kindergarten, 230 instructional minutes for grades one through three, 240 instructional minutes for all other grade levels, 180 minutes for students enrolled in continuation high school, and for students concurrently enrolled at least part time in a community college, University of California, or California State University, and shall be based on the time value of assignments as determined, and certified to, by a certificated employee (EC sections 43501 and 43502).

Each LEA shall ensure that a weekly engagement record is completed for each student documenting synchronous or asynchronous instruction for each whole or partial day of distance learning, verifying daily participation, and tracking assignments (EC Section 43504(e)).

Each LEA shall document daily participation for each student on each instructional day, in whole or in part, for which distance learning is provided. A student who does not participate in distance learning for at least part of an instructional day shall be documented as absent for that instructional day. Daily participation may include, but is not limited to, evidence of participation in online activities, completion of regular assignments, completion of assessments, and contacts between employees of the LEA and students or parents or guardians. (EC Section 43504(d)).

In Section A enter the following LEA and class information:

- **LEA:** Enter the LEA name.
- **Month of:** Enter the first date of the school month for which the Weekly Engagement Records are being generated.
- **Certificated Employee:** Enter the name of the certificated employee/teacher.
- **School Site:** Enter the school site name.
- **Week of:** Enter the weekly date range for which assignments are made and participation was verified.
- **Grade Level/Class:** Enter the grade level or class title.

In Section B enter the following weekly assignment information:

- **Day of Week:** Enter the date within the weekly date range. If no instruction was provided, select the box next to Non-Instructional Day.
- **Summary of Assignments/Assessments:** List student assignments/assessments for each instructional day.
- **Instructional/Assignment Delivery Method:** Indicate if the instruction or assignments were delivered in person, video or online synchronous, or asynchronous and if full or partial day. If full day is marked, only one instructional/assignment delivery method should be identified. If partial day is marked, more than one instructional/assignment delivery method may be selected.

In Section C enter the following student daily participation information:

- **Student:** List the names of each student in the class.
- **Daily Participation:** For each student for each instructional day, identify if the student participated or did not participate in the instruction/assignments. If the student participated, indicate how student participation was measured. More than one box may be checked. If no participation is verified, the student is absent for the day.

In Section D enter the following certification information:

- **Certification:** Add in the time value of assignments to those the teacher is certifying. If the teacher is certifying to a full instructional day then input "a full day" into the fillable section. If the teacher is certifying to a specific time value in hours or minutes then input the specific number of minutes or hours being certified to into the fillable section.
- **Teacher's Printed Name:** Print the name of the teacher certifying the record.
- **Teacher's Signature:** The teacher certifying the daily participation and weekly engagement records must sign this section. Certification should include a signature consistent with the approved attendance process in place. If the district or county office of education has received approval for the use of electronic signatures with their attendance system, they are able to sign the daily participation and weekly engagement records electronically as well.
- **Date:** Enter the date that the record is signed.



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Combined Daily Participation and Weekly Engagement Template

- While CDE has provided an approved template, school districts, classroom based charter schools, county offices of education, and all newly operational charter schools offering distance learning programs have many options for tracking daily participation and maintaining weekly engagement records.
- Whichever option is chosen, all of the elements for participation verification and tracking and weekly engagement recordkeeping in *EC* Section 43504 must be met in order to avoid a fiscal penalty.
- Additional information about some options available to LEAs are outlined in FAQ #14 under Attendance Accounting and Reporting in the FAQs posted to CDE's website at: <https://www.cde.ca.gov/fg/aa/pa/pafaqs.asp>.



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Attendance Codes

- LEAs should work with their student information system provider to develop separate attendance codes to use in FY 2020–21. These attendance codes should specifically record attendance for the purpose of compulsory education through in-person instruction, distance learning or a combination of in-person instruction and distance learning.
- These attendance codes should be separate from, or in addition to, the attendance codes used in FY 2019–20. This will allow LEAs to return to their existing attendance codes and record attendance for the purpose of apportionment in FY 2021–22.
- LEAs will map the attendance (and absence) codes that they create into the existing attendance and absence data fields in the Student Absence Summary file for reporting to CALPADS.



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Attendance Reports

- In order to meet contemporaneous records requirements, teachers are required to print and sign attendance reports.
 - For students participating in in-person instruction, attendance records should be signed weekly.
 - For students participating in distance learning, attendance reports must be signed weekly or bi-weekly.
- Teachers may submit their signed attendance reports by dropping them off or mailing them to their LEA when possible.
- School districts and COEs that have been approved for [digital signatures or other electronic certification processes](#) can sign and submit their weekly or bi-weekly attendance reports electronically. The attendance reports can be used to verify daily participation and if they are, they should be included as a component of the weekly engagement records.



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Attendance Accounting FAQs



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Will students be able to generate ADA for apportionment through distance learning in FY 2020-21?

No. LEAs will not be collecting or reporting any ADA in FY 2020-21.



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Does verification of participation in distance learning have to be done each day? Can a school employee use multiple days of student assignments combined and turn them in on one day, or contact with a student, parent or guardian on one day during the week to verify participation for multiple days?

Daily participation can be verified through a variety of methods. Participation may be verified through evidence of participation in online activities, completion of regular assignments, completion of assessments, and contact between employees of the LEA and students or parents or guardians, or by another means determined by an LEA. Verification can be done on a daily basis, on a weekly, or bi-weekly basis as long as an employee of the LEA makes a determination that the student participated. However, the ability to verify participation on a basis other than daily does not relieve an LEA of its responsibility to include daily live interaction as part of distance learning, or if daily interaction is not feasible to develop an alternative plan for frequent live interaction, pursuant to the requirements of *EC* Section 43503(b)(6).



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Is it possible for school districts to offer weekend classes through distance learning?

It is possible for school districts and COEs to offer weekend classes through distance learning in FY 2020–21 for the purpose of making up or enhancing instruction. LEAs cannot generate make-up attendance for the purpose of chronic absenteeism through weekend classes.



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How should LEAs record and maintain weekly engagement records?

LEAs may choose to maintain the weekly engagement records either as electronic or paper records. The weekly engagement records must be made available for an auditor to complete the LEA's 2020–21 Annual External Audit.



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Should an LEA submit a Form J-13A for a material decrease that occurs in FY 2020–21?

No. Pursuant to *EC* Section 43502(f), the Form J-13A material decrease request process by which an LEA receives attendance credit due to an emergency event that occurs during FY 2020–21 is suspended for all LEAs.

Pursuant to *EC* Section 43502(b), the CDE will use 2019–20 P-2 and Annual ADA to calculate apportionments for FY 2020–21. Therefore, a decrease in attendance that occurs in the 2020–21 FY will not affect an LEA's funding for the 2020–21 FY.



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Should an LEA submit a Form J-13A for a closure that occurs in FY 2020-21?

Yes. An LEA that closed due to a qualifying emergency in FY 2020–21 should submit a Form J-13A to avoid an instructional time penalty for not meeting the annual instructional day requirement. Please note that a Form J-13A approval letter for school closure in FY 2020–21 will have no effect on the LEA’s apportionment for FY 2020–21. Instead, an approval of a Form J-13A request from the CDE serves to document an LEA’s 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 2020–21 LCFF funding.

LEAs are expected to offer distance learning while closed due to a public health order for COVID-19. However, if during that closure, another qualifying event occurs, the LEA may submit a Form J-13A to the CDE to request credit for the day of instruction lost.



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Audit Guide

*Guide for Annual Audits of K-12 Local
Education Agencies and State Compliance
Reporting*



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Audit Guide

- [EC sections 14502.1 and 14503](#) establish the requirements of the Audit Guide and development process.

The Controller, in consultation with the Department of Finance, the State Department of Education, and representatives of the California School Boards Association, the California Association of School Business Officials, the California County Superintendents Educational Service Association, the California Teachers Association, the California Society of Certified Public Accountants, shall recommend the statements and other information to be included in the audit reports filed with the state, and shall propose the content of an audit guide...



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Audit Guide

- A supplement to the audit guide may be suggested in the audit year to address issues resulting from new legislation in that year that changes the conditions of apportionment and to address technical changes.
- The proposed content of the audit guide and any supplement to the audit guide shall be submitted by the Controller to the EAAP for review and possible amendment.

2020-21 Annual Audit



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***EC* Section 43504(i) assigns an audit penalty calculation for LEAs that do not meet the following:**

- Offer the required number of instructional days per *EC* Section 43504(c).
- Document daily participation for each pupil, for each school day, on which distance learning is provided as required by *EC* Section 43504(d).
- Each pupil has a completed weekly engagement record documenting synchronous or asynchronous instruction for each whole or partial day of distance learning that verifies participation and tracks assignments as required by *EC* Section 43504(e). To the extent synchronous or asynchronous instruction is assigned to a student in distance learning, that instruction should be included in the assignments listed.



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2020-21 Annual Audit

***EC* Section 43504(i) assigns an audit penalty calculation for LEAs that do not meet the following requirements (continued):**

- Document absences as required by *EC* Section 43504(d)(1) and (f) for the purposes of chronic absenteeism tracking.
- Develop written procedures for tiered reengagement strategies for students that are absent from distance learning for more than 3 schooldays or 60 percent of the instructional days in a school week as required by *EC* Section 43504(f)(2).

Pursuant to *EC* Section 43504(i)(3) an LEA that provides distance learning will not be penalized for instruction provided before September 1, 2020, that fails to meet these requirements. Noncompliance with these requirements beginning September 1, 2020 will result in an audit finding and financial penalty.



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Acronyms

- **ADA** = Average Daily Attendance
- **CALPADS** = California Longitudinal Pupil Achievement Data System
- **CDE** = California Department of Education
- **COE** = County Office of Education
- **EC** = *Education Code*
- **EAAP** = Education Audit Appeals Panel
- **FAQ** = Frequently Asked Question
- **FY** = Fiscal Year
- **LEA** = Local Educational Agency
- **SCO** = State Controller's Office



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Resources

- [Coronavirus Response and School Reopening Guidance](#)
 - Information and resources regarding CDE's COVID-19 response efforts, including the guidance document for safely reopening schools for the 20-21 school year.
- [2020–21 Funding and Instructional Time FAQs](#)
 - FAQs about the Principal Apportionment, Instructional Time, Attendance Accounting, Attendance Reporting and the Form J-13A for FY 2020–21.
- [Distance Learning Frequently Asked Questions](#)
 - FAQs about Distance Learning pursuant to *EC* sections 43500-43511.



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Resources

- PASE Listserv
 - To get email notifications on when new guidance and updates on instructional time and attendance accounting are released as well as information related to the Principal Apportionment, sign up for our PASE Listserv.
 - Instructions on how to subscribe to the PASE listserv are available at: <https://www.cde.ca.gov/fg/aa/pa/#listserv>.



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Contact Information

- Instructional Time and Attendance Accounting
 - attendanceaccounting@cde.ca.gov
- Principal Apportionment
 - pase@cde.ca.gov
- Audit Guide
 - LEAAudits@cde.ca.gov
- Compulsory Education
 - David Kopperud at dkopperud@cde.ca.gov
- Distance Learning
 - distancelearning@cde.ca.gov
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- Data Reporting Office
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- Analysis, Measurement & Accountability Reporting Division
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THANK YOU!

Questions?