

Fall 2026

Attendance Accounting and Instructional Time Requirements

Presented by: School Fiscal Services Division



CALIFORNIA DEPARTMENT OF EDUCATION

Tony Thurmond, State Superintendent of Public Instruction

Acronyms (1)

- **AB** = Assembly Bill
- **AR** = Attendance Recovery
- **ADA** = Average Daily Attendance
- **CBIS** = Course-Based Independent Study
- **CCAP** = College and Career Access Pathways
- **CCR** = *California Code of Regulations*
- **CDE** = California Department of Education
- **CDS** = County-District-School
- **COE** = County Office of Education
- **CSSP** = Comprehensive School Safety Plan
- **DE** = Dual Enrollment
- **EAAP** = Education Audit Appeals Panel
- **EC** = *Education Code*
- **ECHS** = Early College High School
- **ELO-P** = Expanded Learning Opportunities Program
- **ESY** = Extended School Year



Acronyms (2)

- **FTE** = Full Time Equivalent
- **FY** = Fiscal Year
- **GSA** = Grade Span Adjustment
- **HSC** = *Health and Safety Code*
- **ICP** = Instructional Continuity Plan
- **IEP** = Individualized Education Program
- **IS** = Independent Study
- **LCFF** = Local Control Funding Formula
- **LEA** = Local Educational Agency
- **MCHS** = Middle College High School
- **MOU** = Memorandum of Understanding
- **PA** = Principal Apportionment
- **PADC** = Principal Apportionment Data Collection
- **SB** = Senate Bill
- **SBE** = State Board of Education
- **SIS** = School Information System
- **TK** = Transitional Kindergarten
- **UPP** = Unduplicated Pupil Counts



Agenda (1)

Instructional Time

- Importance of Instructional Time
- Supervisory Requirements
- Annual Day and Minute Requirement
- Minimum Day Requirements
- Minimum Days vs. Annual Minutes
- Instructional Time Scenario
- Summer School Attendance
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- Instructional Time Offering: Best-Practice Checklist
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Agenda (2)

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- ADA Computation: Combined Time Value
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- Form J-13A, Request for Allowance of Attendance Due to Emergency Conditions
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- Form J-13A Submission Process: FY 2021–25 Events
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Resources



Disclaimer

This webinar is advisory in nature. It is not intended to cover in detail every statutory requirement and exception, nor should it be relied upon as the authority for instructional time and attendance accounting.

Additionally, the information provided in this webinar is based on laws and regulations in effect as of September 15, 2026. Certain 2026 legislation, including AB 133, may affect topics discussed in this webinar if enacted.

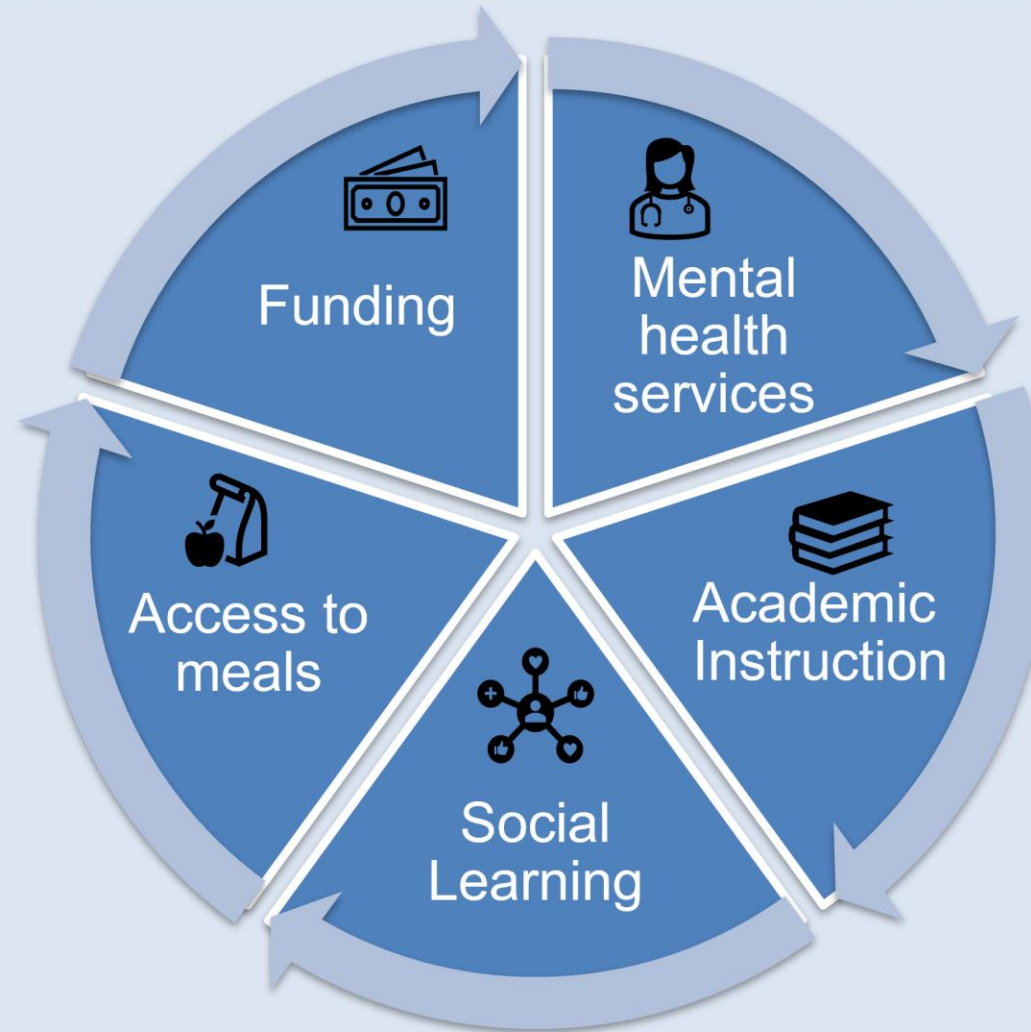
Any legislative changes made after September 15, 2026, will be updated separately in future communications provided to the field.



Instructional Time



Importance of Instructional Time



Supervisory Requirements

- For all LEAs, classroom based instructional time is counted when the student is:
 - in attendance under the immediate supervision and control of a certificated employee of the LEA,
 - engaged in educational activities required of them,
 - and attendance is taken.
- Supervisory requirements are included in the Annual Audit.



Annual Day and Minute Requirement

Annual Day & Minute Requirements for School Districts & Charter Schools

Type of LEA	Number of School Days	Number of Instructional Minutes
School District	180	TK/K 36,000 1–3 50,400 4–8 54,000 9–12 64,800
Charter School	175	Same as school district

- School year operates between July 1 – June 30.
- School districts have equity length of time and minimum length of school day requirements.
- Daily minute requirement is not applicable to charter schools.
- COE programs: requirements dependent on instructional setting.
- Compliance checked during annual audit and failure to comply will result in fiscal penalties.
- Fiscal penalty may be waived by the SBE.



Minimum Day Requirement (1)

A day of school shall only count towards the instructional time requirements and for ADA purposes if it has been scheduled for at least the minimum day (not applicable to charter schools).



Minimum Day Requirement (2)

Grade/Setting	Minimum Schoolday	<i>EC</i> Section
TK/Kindergarten	180 minutes	46117
Grades 1-3	230 minutes	46112
Grades 4-8	240 minutes	46113
Grades 9-12	240 minutes	46141
ECHS, MCHS, CCAP Partnership Agreement	180 minutes (Dual Enrollment)	46146.5
ECHS & MCHS, CCAP Partnership Agreement	240 minutes (Non-Dual Enrollment)	46146.5



Minimum Day Requirement (3)

Grade/Setting	Minimum Schoolday	<i>EC</i> Section
Community Day School	360 minutes	48663
Continuation High	180 minutes	46170
County Community School	240 minutes	1984 and 46141
Juvenile Court School	240 minutes (average over 10 days)	48645.3
Opportunity School	180 minutes	46180



Minimum Days vs. Annual Minutes

SCHOOL DISTRICTS & COES

School districts and COEs must meet both minimum daily instructional minute requirements and applicable annual instructional minute requirements.

KEY POINT

Minimum day requirements and annual instructional minute requirements are separate compliance standards. A schedule may satisfy the minimum instructional day requirement while still falling short of the required annual instructional minutes.

Note: Charter schools are not generally subject to minimum daily instructional minute requirements, but they must meet annual instructional day and minute requirements.



Instructional Time Scenario

SCENARIO

School District A schedules TK classes for 180 minutes a day across 180 instructional days.

QUESTION

Would this schedule meet all of the instructional time requirements?

ANSWER

No. The 180 days would count toward the annual day requirement, but 180 minutes a day totals 32,400 minutes. Without additional minutes added throughout the school year, the 36,000-minute annual requirement would not be met.

Note: Annual instructional time requirements cannot be waived by the State Board of Education.



Summer School Attendance

Attendance during summer months does not generate ADA for apportionment unless it is part of the regular school year or for ESY programs.

- To generate ADA during the summer months, the summer months would need to be part of a full school year.
- Temporary enrollment during the summer may indicate failure to meet the instructional time offering requirements and lead to ineligible ADA and data reporting errors in CALPADS.

Type of LEA	Number of School Days	Number of Instructional Minutes
School District	180	TK/K 36,000
		1–3 50,400
		4–8 54,000
		9–12 64,800
Charter School	175	Same as school district



Summer School Scenario

SCENARIO 1 - COMPLIANT

A charter school enrolls a student for the regular school year and:

- Offers at least **175 instructional days**
- Provides the required annual instructional minutes
- Includes summer attendance as part of the student's full instructional program

RESULT

ADA may be generated because the student has access to the charter school's full instructional program.

SCENARIO 2 - NONCOMPLIANT

A charter school:

- Enrolls a student only for a **20-day summer program**
- Does not provide access to the full instructional program for the school year
- Does not meet the annual instructional time offering requirements

RESULT

Summer attendance does not generate ADA for apportionment purposes.



Bell Schedule (1)

Authority to Set Length of Schoolday

- The governing board of the LEA determines the length of the schoolday (*EC* Section 46100).
- Calendars and bell schedules are both used to verify classroom-based instructional time compliance as part of the Annual Audit.



Bell Schedule (2)

Allowable Instructional Time



- **Recess:** May be included for TK/K if students are under the immediate supervision and control of a certificated employee of the LEA
- **Passing Time:** Used when students are changing instructors and/or courses
 - Is the actual time it takes to move from class to class
 - Does not include time for going to a locker or the bathroom



School Start Time Requirements



Applicability - School districts and charter schools subject to state law must begin the instructional day:

No earlier than 8:00 a.m. for middle schools

No earlier than 8:30 a.m. for high schools



Attendance & Instructional Time - Instructional time and ADA calculations do not include instruction provided before the applicable 8:00 a.m. or 8:30 a.m. start time, including optional periods.

LEAs should ensure bell schedules and attendance accounting practices are aligned.



Local Considerations

LEAs should review local schedules and programs for compliance.

LEAs should consult legal counsel regarding the application of start time requirements to specific programs and circumstances.



Recess



EC Section 49056 requires LEAs that offer recess to provide no fewer than 30 minutes on regular school days and 15 minutes on early release days.



This requirement only applies to elementary schools that currently offer recess to grades TK/K - 6.



Statute does not mandate recess.



Instructional Time Offering: Best-Practice Checklist (1 of 2)

Before the school year begins, LEAs should confirm the following:



Annual minutes

Confirm the calculation of annual instructional minutes for the school year.



Bell schedules

Review bell schedules for each school site.



Course offerings

Ensure that students are offered a full range of classes.

Do the math by site. Calculate annual minutes from each site's actual bell schedule and each track, not from a district-wide assumption.



Instructional Time Offering: Best-Practice Checklist (2 of 2)

Continue the review with these three checks:



Passing time

Verify that passing time counted reflects the actual time needed to move between different classrooms.



Exceptions

Ensure exceptions, such as dual enrollment, still meet the instructional time requirements.



Certificated staff

Verify that instructional time is provided by certificated employees of the LEA.

Common finding: a blanket passing-time allowance applied to every period, rather than the actual time needed to move between classrooms.



Instructional Time Compliance (1)

Instructional time requirements verified during the Annual Audit:

LEA Type	Annual Day	Annual Minutes	Daily Instructional Minutes	Optional Classes	Multi-track Calendar
School District	Yes	Yes	Yes	Yes	Yes
Charter School	Yes	Yes	No (in most cases)	Yes	Yes

In most cases, daily instructional minute requirements generally do not apply to charter schools. Every other requirement applies to all LEA types.



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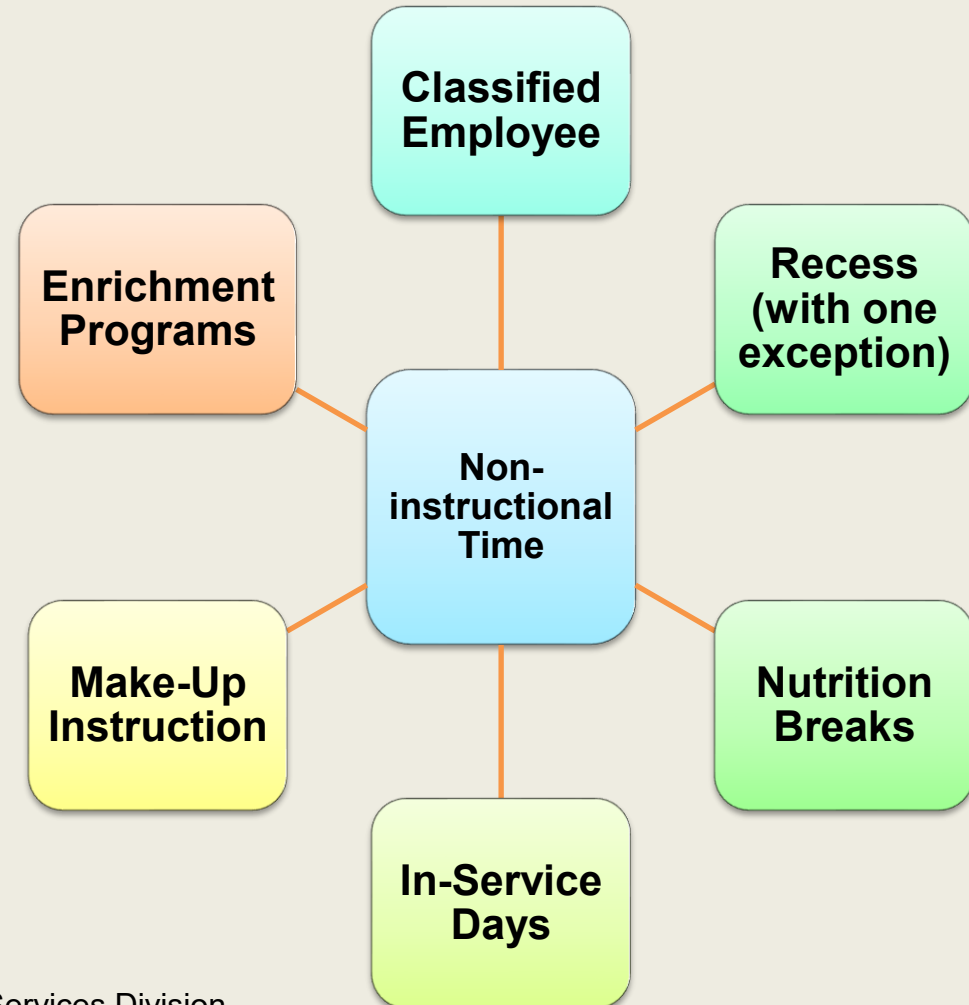
Failure to meet the annual day requirement and failure to meet the annual minute requirement result in separate fiscal penalties.



Instructional Time Compliance (2)



What does **not** count as instructional time?



Instructional Time Compliance (3)

Does anything else not count as Instructional Time?

- **Restricted Educational Offerings:**

- Optional Zero Periods that are not a true offering (e.g. only band or sports)
- Instruction offered during Lunch
- Instruction that conflicts with Transportation Schedule
- Instruction scheduled before the legally required school start time for middle and high schools

- **Passing Periods between programs**

- Ex: going from a high school class to a community college class



Attendance for Apportionment



What is ADA?

What ADA Means:

ADA represents the average daily attendance generated over a specified reporting period.

CONDITIONS MUST BE MET

ADA Generated

Students generate ADA in accordance with the attendance accounting rules that apply to their instructional program.

Offered

The LEA offers the required annual instructional minutes and days.

Scheduled

Students are scheduled for the instructional program and time requirements applicable to their setting.

How is ADA Calculated?

Step 1: Generate Attendance

- **For Classroom-Based Programs**
 - Student attendance.
- **For Independent Study**
 - Completed work products and assigned time value, as provided in statute.

Step 2: Calculate ADA

- $\text{Days of Attendance} \div \text{Days School Was Taught} = \text{ADA}$

ADA is reported at three apportionment reporting periods:

First Principal Apportionment (P-1)

Full school months from July 1 through December 31

Second Principal Apportionment (P-2)

Full school months from July 1 through April 15

Annual

Full school months from July 1 through June 30

How is ADA Used?

It is used to calculate:

- LCFF (primary source of unrestricted funding)
- Special Education (AB 602)
- ELO-P
- TK Add-on
- Other ADA-based programs

MAXIMUM OF ONE

A student may generate no more than one day of attendance per calendar day, regardless of how many programs, courses, or minutes the student participates in that day.

KEEP IN MIND

Apportionment is based on days of attendance, not days of enrollment.



Attendance must be supported by auditable source documents.

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Purpose of Attendance: Attendance for Funding vs Compulsory Attendance

Attendance for Funding (ADA)

ADA is a primary factor used to determine state funding for LEAs.

Attendance may generate ADA when it is properly documented and reported under California attendance accounting rules.

Answers the question: **"Can this attendance be claimed for funding?"**

Compulsory Attendance

Students ages 6-18 are generally required to attend school.

Focuses on student participation and compliance with attendance laws.

Answers the question: **"Is the student meeting school attendance requirements?"**



Attendance Requirements

- As stated, LEAs take attendance for two **purposes**:
 - Compulsory attendance
 - Attendance for apportionment (Reported to SFSD in aggregate)
- Attendance for apportionment must meet requirements in law. Examples:
 - Students are offered the required number of days and minutes.
 - Students are under the immediate supervision and control of a certificated employee of the LEA.
- LEAs can **only** earn ADA two ways:
 - In-person (classroom-based) instruction
 - Independent study (specific requirements)
- LEAs must keep records of student attendance to show compliance during their annual audit in order to avoid fiscal penalties.



Notable Funding Requirements (1)

Requirement	Description	Annual Audit
Instructional Time	- Full annual offering of minutes and days ➤ School Districts: daily scheduling requirements ➤ Charter Schools: do not have minimum day requirements	YES
Attendance	In-person: engaged in educational activities required of them Independent Study: work product and synchronous instruction (if applicable), or satisfactory educational progress in certified courses	YES
Supervision	In-person: immediate supervision and control of a certificated employee of the LEA Independent Study: general supervision and control of a certificated employee of the LEA	YES



Notable Funding Requirements (2)

Requirement	Description	Annual Audit
Age-Eligibility	• School Districts: no maximum age unless participating in IS or Special Education • Charter Schools: students over 19 must be continuously enrolled, making satisfactory educational progress towards a high school diploma, and shall not be over the age of 22 • Independent Study: Continuously enrolled in a School District/COE: not over 21 years; continuously enrolled in a charter: not over 22 years; not continuously enrolled: not over 19 years (all LEAs)	YES
Residency	• School Districts: must be a resident of the School District unless an exception is provided for in law • Charter Schools: must be a resident of California • Independent Study: must be a resident of the county or adjacent county	YES



Notable Funding Requirements (3)

Requirement	Description	Annual Audit
Immunization	- Students must receive appropriate immunizations to participate in in-person instruction. - Conditional admission permitted only if requirements of <i>CCR</i>, Title 17, Section 6035 are met. - Not applicable for students with IEPs and students participating in IS programs.	YES
ADA Limitations	- Each student cannot generate more than one day of attendance per day. - Some ADA is not fundable: ➤ Excess IS ADA ➤ Continuation and Opportunity schools and programs IS ADA over the 10% threshold	YES



Attendance Record Keeping

Key Requirements

Attendance records are maintained for apportionment and compulsory education purposes.

LEAs are required to maintain contemporaneous attendance records.

Teachers attest to attendance records through signatures on attendance registers or other LEA-approved attendance documentation.

Audit Considerations

Attendance records are reviewed during the annual audit to verify ADA claimed for apportionment.

Auditors use attendance records and supporting documentation to substantiate reported attendance and evaluate compliance with attendance accounting requirements.

Incomplete, inaccurate, or unsupported records may result in audit findings and associated fiscal penalties.



Attendance Calendar

School Year

Starts on July 1 and ends on June 30

- The governing board of the school district has the authority to create and approve the school calendar (*EC Section 37618*)

School Month

Consists of 20 days or four weeks of five days each, including legal holidays

- ADA is reported in full school months (*EC Section 41601*)
- Winter vacation may be included or excluded when establishing a school month for attendance-counting purposes (*EC Section 37201*)

School Week

Consists of five days, Monday to Friday (school district and COE)

- Authority to operate a four-day school week must be provided for in statute



How Attendance is Calculated

HOW A DAY IS EARNED

1. Method of instruction

The method a student is served under determines which requirements apply and what documentation supports the day

2. Instructional time requirements

The minimum instructional time for that method must be met before a day can be claimed

HOW IT BECOMES FUNDING

1. Days of attendance

Recorded per student, per day, according to the method of instruction for that day

2. Average daily attendance

Days of attendance divided by days of instruction, reported to CDE and funded through the Principal Apportionment

Note: A day of attendance is only claimable when the method of instruction, the instructional time requirement and the supporting documentation all line up.



How Attendance is Reported

REPORTING PERIODS

P-1, First Principal Apportionment

Full school months through the last one ending on or before December 31. CDE computes the apportionment on or before February 20.

P-2, Second Principal Apportionment

Through the last school month ending on or before April 15, computed on or before June 25. Most LCFF funding is based on P-2 ADA.

Annual

Full year count, used for programs funded on Annual ADA

REPORTING DEADLINES

P-1 Due Date

Attendance data due to CDE by January 15.

P-2 Due Date

Attendance data due to CDE by May 1.

Annual Due Date

Attendance data due to CDE by July 15.

Attendance reports are submitted through the Principal Apportionment Data Collection (PADC) Web Application.



Certificated Employees and ADA

REQUIREMENT

Generating ADA In-person:

Attendance may only be claimed when students are under the immediate supervision and control of a certificated employee of the LEA while participating in required educational activities.

Generating ADA through Independent Study:

Attendance may only be claimed when students are under the general supervision of a certificated employee of the LEA while participating in required educational activities.

CONNECTION TO APPORTIONMENT

- A student's attendance is only apportionment-eligible when all attendance-generating requirements are met, including applicable certificated employee requirements.
- Instructional time and ADA generated by individuals who do not meet applicable certificated employee requirements are not eligible for apportionment and may result in an instructional time and ADA penalty.

Before ADA can be reported:

- Appropriate method of instruction is provided
- Instructional time requirements are met
- Required documentation is maintained
- Instruction is provided by a certificated employee of the LEA when required



Attendance Compliance

Auditors review whether attendance claimed for apportionment complies with applicable statutes and regulations, including but not limited to:

**Attendance
Accounting
and ADA
calculations**

Attendance recordkeeping and source documentation

Instructional time and minimum day requirements

Calendar and scheduling requirements

Independent study requirements, where applicable

Teacher certification requirements, including *EC* Section 45037

Other attendance-related compliance requirements applicable to the LEA

Attendance reported for apportionment must be supported by auditable documentation and comply with applicable legal requirements.



Legislative Changes



2026 Trailer Bill Updates

Changes to Independent Study Ratios

New compliance options under *EC* Section 51745.6

Changes to Independent Study Work Product Requirements

New documentation and retention requirements

Changes to Dual Enrollment Minimum Day

Expanded eligibility for the 180-minute minimum day

Additional student populations eligible under *EC* Section 46146.5

Changes to Teacher Certification Penalties

Charter schools added to *EC* Section 45037 penalty provisions

Audit implications apply to these legislative updates.



Changes to Independent Study Ratios

What Changed?

Prior Law

Different independent study ratio requirements applied to school districts, county offices of education, and charter schools.

AB 126 Changes

EC Section 51745.6 was restructured and now applies a common framework for school districts, county offices of education, and charter schools.

Three Options to Demonstrate Compliance

1 Option 1

Independent study ADA-to-certificated-employee ratio does not exceed the LEA's ratio for its other educational programs.

2 Option 2

Ratio does not exceed the prior-year ratio of the largest high school or unified district in the county (or applicable bargained alternative ratio).

3 Option 3

Fixed ratio of **25:1** or less.

Audit Impact

- The ratio calculation must continue to be performed annually in connection with the P-2 attendance report.
- Only ADA supported by a compliant independent study ratio is eligible for apportionment.



Changes to Independent Study Work Product Requirements

What Changed?

AB 126 establishes specific work product retention requirements for independent study students.

Prior Law:

- Work products and other supporting documentation were reviewed during audits to substantiate ADA claimed for apportionment.

AB 126 Changes:

- EC Section 51747.5 now establishes specific statutory requirements for retaining completed work products based on subject area and reporting period.

New Work Product Retention Requirements

For each independent study student, retain one completed work product in each subject area:

- English Language Arts
- Mathematics
- History-Social Science
- Science

Maintain for each period:

- P-1
- After P-1 through P-2
- After P-2 through the end of the school year

Students Not Enrolled in One or More of These Subjects

Retain four completed work products representative of the student's course schedule for the applicable attendance period.

Audit Impact

Failure to maintain the required documentation may result in audit findings and ADA adjustments associated with the noncompliance.



Changes to Dual Enrollment Minimum Day

What Changed?

Prior to AB 126, only certain ECHS and MCHS students could generate a full day of attendance based on a 180-minute minimum day. AB 126 expanded those provisions to additional qualifying dual enrollment students, and AB 133 extended the 900-minute/5-day and 1,800-minute/10-day minimum instructional time provisions to CCAP dual enrollment programs.

Prior Law:

- A 180-minute minimum day generated one full ADA only for students participating in:
 - ECHS
 - MCHS
- Dual enrollment students who did not qualify under the statutory 180-minute provisions generally generated $\frac{3}{4}$ of an ADA based on 180 minutes of attendance.

AB 126 & 133 Changes

Qualifying students participating the following programs may generate one full ADA based on 180 minutes:

- **ECHS**

- **MCHS**

- **CCAP**

CCAP dual enrollment programs may also qualify for the 900-minute/5-day and 1,800-minute/10-day minimum instructional time provisions (*EC* Section 76004).

Key Considerations

- Qualifying students may generate a full day of attendance based on a 180-minute minimum day.
- Students who do not satisfy the statutory 180-minute provisions are generally subject to a 240-minute day of attendance.

Audit Impact

LEAs should maintain documentation supporting student eligibility, participation in the applicable dual enrollment program, and, when applicable, the CCAP Partnership Agreement.



Changes to Teacher Certification Penalties

What Changed?

- AB 126 amended **EC Section 45037** to include charter schools in the teacher certification penalty.
- If an LEA claims ADA or instructional time for instruction provided by a teacher who does not hold a valid certification, the LEA is subject to the teacher certification penalty per **EC Section 45037**.
- **Charter schools** will now be subject to audit review and assessed a fiscal penalty for noncertificated teachers.

Teacher Certification Requirements

LEAs, including

- **school districts**
- **county offices of education**
- **charter schools**

Must ensure that teachers providing instruction have a valid certification.

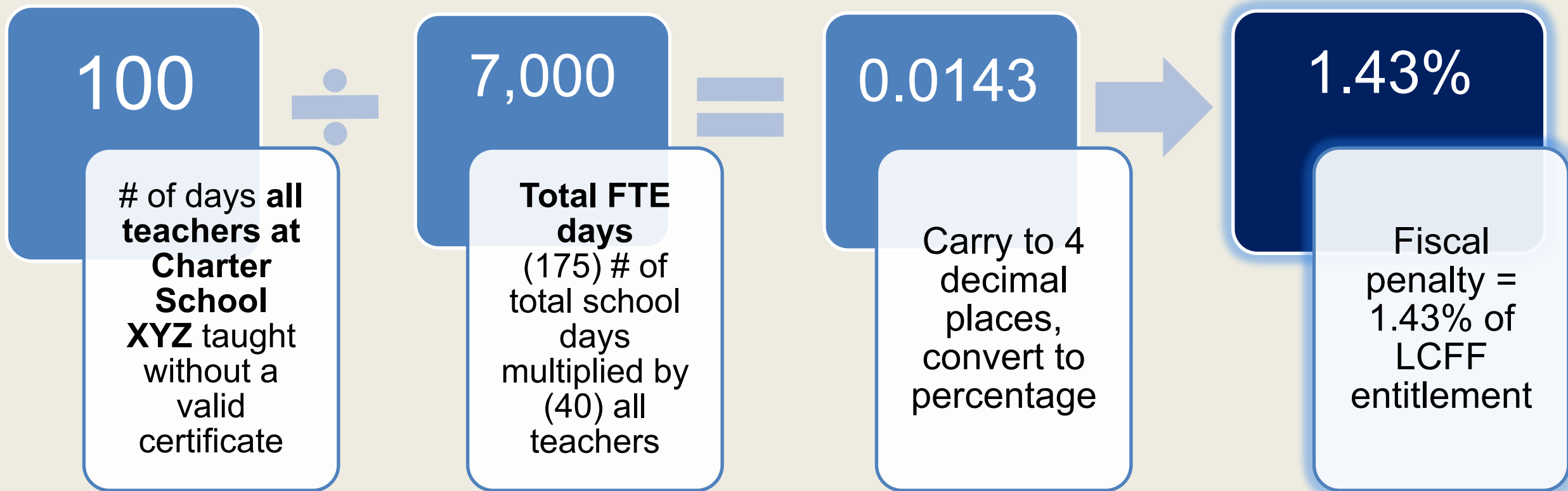
Impact on Instructional Time and ADA

- If an LEA is assessed a fiscal penalty under *EC* Section 45037 for instruction provided by a noncertificated teacher, the related ADA and instructional time remain allowable and are not disallowed (that is, no double penalty).
- State Board of Education (SBE) waivers are not available for this issue.



Teacher Certification Audit Penalty Example

- Charter School XYZ has 40 teachers
- 4 teachers taught without a certificate for a cumulative total of 100 days



Attendance Recovery



Overview

Purpose	Offering	Eligibility	Requirements	Limitations	Timeframe
• Help LEAs recoup instructional opportunities missed due to high absenteeism rates • Enable LEAs to recover funding lost due to absences • Increase student access to instruction	• Voluntary for ➢ LEAs to offer ➢ students to participate • If offered, LEAs decide locally when to provide access • ELO-P funds may be used to support AR when conditions are met	• School districts, COEs, and classroom-based charter schools may offer to TK/K-12 students • Classroom-based students only	• Immediate supervision and control of certificated LEA employee • Substantially equivalent instruction • Student : teacher ratios • Minimum daily minute requirements apply to all LEAs • Subject to annual audit	• ADA recovery capped at the fewer of: ➢ 10 days per student, or ➢ student's total absences • Absence must be recovered in same FY • Does not count toward regular instructional time	• Can operate before or after school, on weekends, or intersessional days • Participation time may accrue in increments of one hour • AR participation can occur before absence accrues



Eligibility

Student Eligibility

- TK/K-12 students
- Classroom-based students only
- Participation is voluntary and nonpunitive
- No fee may be charged

Eligible LEAs

The following LEAs may offer Attendance Recovery:

- **School Districts**
- **County offices of education**
- **Classroom based charter schools**

The following LEAs are not eligible to offer Attendance Recovery:

- Nonclassroom-based charter schools
- Special partnership charters

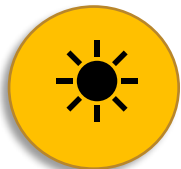
Independent Study Restrictions

- Attendance Recovery must be provided in person
- Students cannot participate remotely
- Students participating in long-term IS (16+ continuous school days) are not eligible
- Students returning to a classroom-based program may participate



Scheduling

When Can Attendance Recovery Occur?



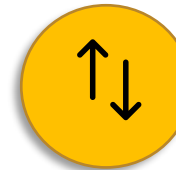
Outside the regular instructional day

- Outside the regular instructional day
 - Before or after school
 - Weekends
 - Intersession days
- Cannot be offered during recess
- May operate before school district "earliest" start times



Attendance Recovery Time

- Participation may be accrued before an absence occurs
 - Including between July 1 and the first day of school
- ADA may only be claimed for absences actually accrued during the same fiscal year

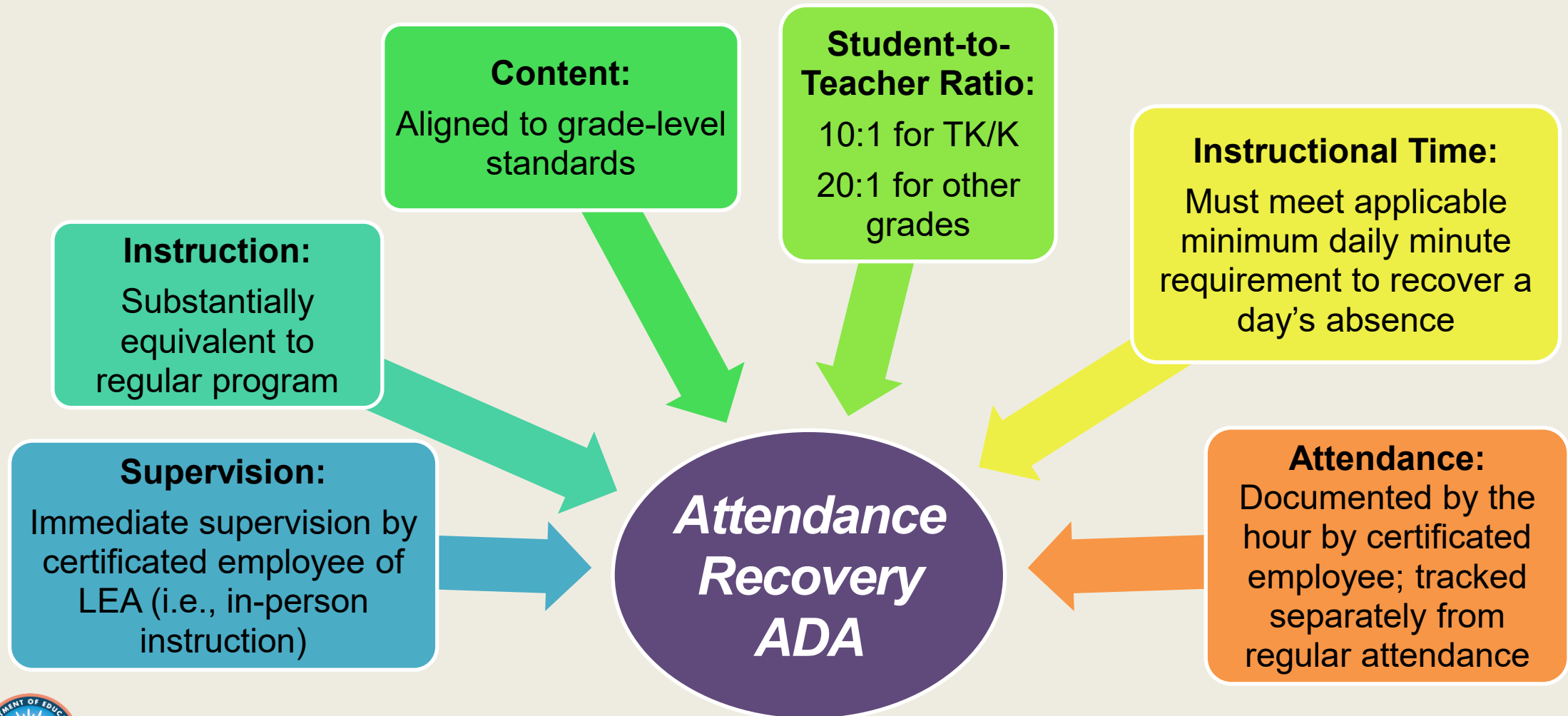


Local Implementation Decisions

- LEAs determine whether to offer Attendance Recovery
- LEAs determine which students will be offered Attendance Recovery
- Attendance Recovery does not need to be offered to all grade levels
- Legislative intent supports prioritizing high-needs and vulnerable student groups
- When the program is made available, the LEA must give students a chance to participate at least once during each school term (e.g., each semester or quarter).



Conditions of Apportionment



Supervision & Instructional Requirements

Supervision

- **Supervision**
 - Students must be under the immediate supervision and control of a certificated LEA employee
 - Third-party vendors may not supervise Attendance Recovery
 - Employees qualified to teach in a TK/K-12 classroom during the regular school day satisfy the supervision requirement
- **Student-to-Staff Ratios**
 - 10:1 for TK and Kindergarten
 - 20:1 for grades 1-12

Instructional Requirements

- **Instruction**
 - Activities must be substantially equivalent to regular instruction
 - Instruction must align with grade-level standards
 - May include:
 - One-on-one tutoring
 - Small-group tutoring
- **Students with IEPs**
 - May participate when consistent with IEP goals
 - If an IEP specifies an alternate minimum school day, that minimum day applies for Attendance Recovery purposes



Attendance Recovery Minimum Day

By Grade Span*

TK/K: 180 minutes

1-3: 230 minutes

4-8: 240 minutes

9-12: 240 minutes

By School Setting

Continuation High and
Opportunity: 180 minutes

County Community and
Juvenile Court: 240 minutes

Community Day: 360
minutes

On Individual Basis

For students with
exceptional needs, an
alternative minimum
day may be
established by their
IEP

** Minimum days under EC sections 46112, 46113, 46117 and 46141 apply to all LEAs, including charter schools, for the purpose of AR programs.*



Limitations & Recordkeeping

Limitations

- Credit limited to the lesser of:
 - 10 days, or
 - Student's total absences
- Absences due to legal exclusions (e.g., suspension, immunization requirements) cannot be recovered
- Maximum of one AR ADA per calendar day
- AR does not count toward annual day or instructional minute requirements

Recordkeeping

- Track AR attendance separately from regular attendance
- Participation may only accrue in 1-hour increments
- Attendance credited only when the minimum day requirement is met
- Partial hours do not carry forward

Audit Considerations

- Maintain documentation supporting participation hours
- Follow Audit Guide procedures
- Coordinate with auditor and SIS vendor



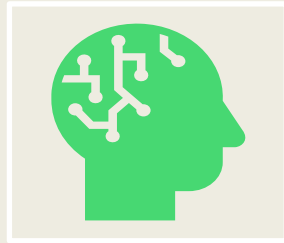
Receiving Average Daily Attendance Credit

Absence



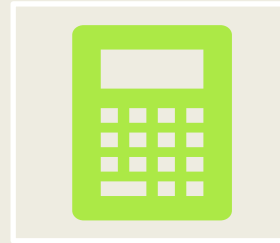
Student misses day of required attendance

Participation



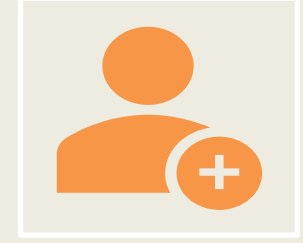
- Recorded by certificated employee of LEA
- May be logged by the day or hour
- LEA tracks cumulative time

Minimum Day



- Determined based on:
- School setting
 - Student's grade span
 - Or as defined by student's IEP

ADA Credit



- ADA earned this way must be tracked separately
- Credited in full days to the month of the absence
- Original absence code is not changed



Reporting Average Daily Attendance

- Attendance Recovery ADA is included in the LEA's regular ADA totals for apportionment purposes.
- Attendance Recovery ADA is also reported separately on designated informational lines in the Principal Apportionment Data Collection (PADC).
- Attendance Recovery ADA should be tracked separately from regular attendance to support reporting and audit requirements.
- Subject to audit review and documentation requirements.
- Detailed Attendance Recovery ADA reporting instructions are available in the PADC User Manual at www.cde.ca.gov/fg/aa/pa/



Audit Compliance

EC Section 46211(d)

- Student cap on recovered ADA
- ADA applied to a day of absence
- Separate tracking and reporting (to PADC and CALPADS)

EC Section 46211(e)

- Minimum day requirements, including minimum day for students with an IEP
- Documentation of participation hours and maintenance of attendance records

An LEA's annual audit will verify compliance with Attendance Recovery requirements:

EC Section 46211(f)

- Supervision by certificated employee
- Substantially equivalent instruction
- Standards-aligned instructional content
- Student-teacher ratios

EC Section 46211(g)

- Exclusion of nonclassroom-based students
- Exclusion of long-term independent study students



Expanded Learning Programs & Attendance Recovery

- When LEAs operate ELO and AR programs at the same time, the requirements for each program must be met separately.
 - AR hours do not count towards meeting the statutory requirement for the daily length of ELO-P.
- When provided, AR must be a voluntary option in addition to ELO-P offering.
- Students who participate in AR retain the ability to participate in ELO-P.
- ELO-P funds are allowed to be used to support AR if conditions are met:
 - Both programs are offered at the same time and at the same school site.
 - The AR program is operated by the LEA.



Independent Study



Independent Study Overview (1)



An optional educational program which LEAs may, but are not required to, offer



Must be voluntary; students must have a classroom option



Short-term IS: to maintain continuity of education (e.g., during vacation)



Long-term IS: an alternative to in-person instruction



Independent Study Overview (2)



All students in IS must be offered the annual instructional minutes and days required by grade level and setting.



All conditions of apportionment must be met to claim ADA for IS.



Compliance with statutory requirements will be checked during the annual audit.



May be offered via traditional IS or CBIS.



Traditional Independent Study

If all other apportionment significant requirements are met, ADA for traditional IS is generated based on either the time value of the student's work product, *or* the combined time value of the student's work product and their participation in synchronous instruction.

A certificated employee of the LEA must evaluate the work product of each student participating in traditional IS and determine a time value for that work product.

School districts and COEs

- Students must complete a work product that is at least the equivalent in time value to a minimum school day of attendance in a classroom setting.

Charter schools

- Students must complete a work product that equates to a full day of school that is determined by a certificated employee of the charter school.
- Charter schools are required to have a daily engagement record.



Course-Based Independent Study



If all other apportionment significant requirements are met, ADA for CBIS is based on enrollment and satisfactory educational progress in courses that are annually certified to by the LEA's local governing board.



A certificated employee of the LEA, or of an LEA that has an MOU, must provide general supervision of the student's CBIS program.



This certification shall, at a minimum, include the following:

Duration of the course(s).

Number of equivalent daily instructional minutes for each schoolday that a student is enrolled.

Number of equivalent total instructional minutes.

Number of course credits for each course.



This information shall be consistent with that of equivalent classroom-based courses.



Independent Study Eligibility (1)

IS Condition of Apportionment	School district or COE	Charter schools
Students must be enrolled in a school and identified by grade level and program placement.	YES	YES
IS participation must be voluntary, and all students must have a classroom option.	YES	YES
Expelled students are only eligible for IS when a return to in-person instruction is offered as well.	YES	YES
Students must be residents of the county or adjacent county.	YES	YES
Students with an IEP must have IS included in the IEP to participate in an IS program.	YES	YES
ADA is not generated for full-time IS if a student is enrolled based on parent/guardian work location.	YES	YES



Independent Study Eligibility (2)

IS Condition of Apportionment	School district or COE	Charter schools
Students over 21 cannot generate IS ADA. Students that have not been continuously enrolled since their 18 th birthday can only generate IS ADA until they are 19.	YES	NO
Students between 19 and 22 may participate in IS if they have been continuously enrolled since their 18 th birthday and are making satisfactory progress towards a high school diploma.	NO	YES
IS students enrolled in an exclusive partnership program are exempt from the age eligibility requirements.	N/A	YES
Continuation and Opportunity students may participate in IS; 10% limit on ADA generated in IS (<i>EC</i> Section 51745(b)).	YES	N/A



Independent Study Requirements (1)

Requirement Category	Traditional	CBIS
Statutorily compliant board-adopted and implemented policies required	Yes	Yes
A certificated employee of the LEA must provide general supervision.	Yes	Yes
Participation must be voluntary.	Yes	Yes
Students must have the alternative of classroom-based instruction.	Yes	Yes
The duration of an IS written agreement cannot exceed one school year.	Yes	Yes
All LEAs may offer IS for as short as one day.	Yes	Yes
Maximum of one day of attendance per student, per day.	Yes	Yes
ADA is generated when the time value of student work meets the applicable minimum day, as determined by a certificated employee.	Yes	No
LEAs must document hours or fraction of an hour for all IS instruction (EC Section 51747.5(b))	Yes	No
Time spent in synchronous/live instruction can augment the time value of student work products.	Yes	No



Independent Study Requirements (2)

Requirement Category	Traditional	CBIS
Courses certified annually by the governing board or body.	No	Yes
Long-term IS (16 or more cumulative days): written agreement must be signed by all applicable parties prior to commencement of IS.	Yes	Yes
Short-term IS (15 or fewer cumulative days): written agreement may be signed at the beginning of the school year and supplemented for each instance of short-term IS.	Yes	Yes
All IS requirements apply from the first day of participation, regardless of when the short-term IS agreement is signed.	Yes	Yes
Board policy must state that no prohibited fees are assessed.	Yes	Yes
Synchronous instruction alone does not generate ADA.	Yes	Yes
LEAs must maintain written or computer-based evidence of student engagement, such as a grade book or summary document listing all assignments, assessments, and grades.	Yes	No



Independent Study Requirements (3)

Requirement Category	Traditional	CBIS
ADA is generated when students are making satisfactory educational progress in courses, including the minimum instructional minute requirements.	No	Yes
Documentation of satisfactory educational progress in each course is through grades, assessments, assignment completion, and other academic indicators.	No	Yes
A plan for student-parent-educator conferences if a lack of satisfactory academic progress is noted.	Yes	Yes
Charter schools are required to maintain a daily engagement log to document student participation in educational activities.	Yes	Yes
IS cannot be used as a make-up attendance program.	Yes	Yes
Students participating in 16 or more cumulative days of IS are subject to tiered reengagement requirements.	Yes	Yes
Transition-to-in-person instruction requirements apply to students participating in 16 or more cumulative days of IS.	Yes	Yes
Tiered reengagement procedures addressing a lack of student participation or progress must be in place.	Yes	Yes
Statewide assessment results for students reported in accordance with applicable state requirements.	Yes	Yes



Independent Study Requirements (4)

Requirement Category	Traditional IS	CBIS
LEAs must retain required completed student work products for each attendance period pursuant to <i>EC</i> Section 51747.5. (AB 126)	Yes	No
Courses required for high school graduation or UC/CSU admission cannot be offered exclusively via IS.	Yes	Yes
Course content must align with grade-level standards.	Yes	Yes
Money or other items of value beyond those provided to regular students/guardians cannot be given for IS (except software/connectivity).	Yes	Yes
Residency within county or adjacent county where apportionment is claimed.	Yes	Yes



Make-Up Attendance (1)



LEAs must maintain contemporaneous attendance records by documenting each day a student is present and absent.

- An absence occurs when a student does not attend school or participate in IS.



School districts and COEs can recoup an absence for funding purposes by offering in-person Saturday School.

- All LEAs may offer Attendance Recovery programs.



LEAs cannot use IS as a method to make up attendance once an absence has occurred and been recorded.



Overview of Planning Considerations Independent Study (1)

Board Policies

- All LEAs must maintain board policies to include:
 - Written agreement requirements for short-term IS
- Short- and long-term IS duration
 - No minimum length of time requirement

Written Agreements

- Ensure all written agreements are:
 - Signed before commencement of long-term IS (16 or more days)
 - Collected during the school year for short-term (15 or fewer days)
- Include all required elements in the written agreement (*EC* sections 51747(g) and 51794.6)



Overview of Planning Considerations for Independent Study (2)

Instructional Time

- Meet minimum instructional time requirements for each student based on grade level
- Accurately document instructional time, including time value of student work products and synchronous instruction
- For students participating in online or computer-based programs, document the student time spent online or on the program

ADA Reporting

- All LEAs offering IS must:
 - Calculate and report their IS ratio annually at the time of the P-2 reporting period
 - Accurately report all ADA, including any excess ADA, in the PADCC system
- Charter Schools: If the ADA population is more than 20% NCB, must have a funding determination approved by SBE
- Continuation and Opportunity: Adhere to the 10% cap on IS ADA



Make-Up Attendance (2)

Example: Student A attends school on Monday but becomes ill and misses in-person instruction on Tuesday.

- The LEA records Tuesday as an absence in the attendance register.
- The LEA can recover the absence for funding purposes via Saturday School (School District/COE) or an AR program (all LEAs).

Monday	Tuesday	Wednesday	Thursday	Friday
ADA (In-person)	Absence	ADA (In-person)	ADA (In-person)	ADA (In-person)



Make-Up Attendance (3)

Example: Student B attends school on Monday but becomes ill and misses in-person instruction on Tuesday.

- The LEA offers and provides IS to Student B on Tuesday.
- If the student agrees to participate and all other conditions of apportionment are met, the LEA records Tuesday as a day of attendance in the attendance register.

Monday	Tuesday	Wednesday	Thursday	Friday
ADA (In-person)	ADA (IS)	ADA (In-person)	ADA (In-person)	ADA (In-person)



Make-Up Attendance (4)

Example: Student C attends school on Monday but becomes ill and misses in-person instruction on Tuesday.

- The LEA did not provide IS to Student C on Tuesday.
- Since the student did not attend in-person instruction or participate in IS, the LEA must record Tuesday as an absence in the attendance register.
- If the LEA provides IS to the student once they have returned to school, it is for the purposes of academic credit only. ADA cannot be earned as a student cannot generate more than one day of attendance in a schoolday. Please see Wednesday as an example.

Monday	Tuesday	Wednesday	Thursday	Friday
ADA (In-person)	Absent	ADA (In-person) IS (Academic credit)	ADA (In-person)	ADA (In-person)



Independent Study FAQs (1)

Is it permissible for a short-term IS agreement to be executed after an absence has already occurred, for example when a student returns from an unplanned absence and the parent elects to convert that absence into short-term IS?

No. IS cannot be used to make up ADA. A student may generate ADA only on days the student participates in either classroom-based instruction or IS, and never retroactively (*EC* sections 44809(b), 46000, 47612.5(a)(2); Title 5, *CCR* sections 400, 401, 11703, 11966).

- IS completed after a student returns may count for academic credit but cannot generate ADA because a student cannot earn more than one day of attendance per schoolday or more than five days per week (*EC* sections 46110, 46140, 47612(d)).
- Saturday School (School Districts and COEs) (*EC* Section 37223) or AR (All LEAs) (*EC* Section 46211) may be used to make up attendance.



Independent Study FAQs (2)

Can independent study be given after the date of the absence, as long as the assignment reflects the date of the absence?

No. IS cannot be assigned after an absence has already occurred, because IS cannot be used to make up ADA.

A student may generate ADA only on days the student participates in either classroom-based instruction or IS, and never retroactively (*EC* sections 44809(b), 46000, 47612.5(a)(2); Title 5, CCR sections 400, 401, 11703, 11966).



Independent Study FAQs (3)

Some LEAs have described issuing a universal IS agreement at the beginning of the school year (covering the full year) and then tracking the specific days a student participates, provided the total remains within the 15-day limit. Is this a good practice?

Each written agreement must include all statutory requirements and may be paired with dated supplemental agreements that include all required elements (including but not limited to beginning and ending dates of participation, due dates for assignments) for each instance of IS. Each written agreement for short-term IS must be signed by all applicable parties and collected within the same schoolyear that the IS took place.

Students may participate in short-term IS throughout the year, however, after the 15th cumulative day of participation, the requirements for tiered reengagement, a plan to return to in-person instruction, and live/synchronous instruction apply. There is also a one school year maximum for any agreement (*EC* Section 51747(g)).

This practice does not permit converting past absences into IS for ADA; the one-day-per-ADA rule and contemporaneous records rules still apply (*EC* sections 46110, 46140, 47612(d)).



Independent Study Pre-Absence

Pre-Absence

Student is scheduled for in-person instruction but cannot attend:

Before the absence occurs, the student agrees to participate in IS for that school day.

Post-Absence

After an absence is recorded, the LEA may recoup ADA through:

AR (*all LEAs*), or

SS (*school districts and COEs*).

Absence

The LEA records an absence when a student does not attend in-person instruction or participate in IS, per contemporaneous recordkeeping.

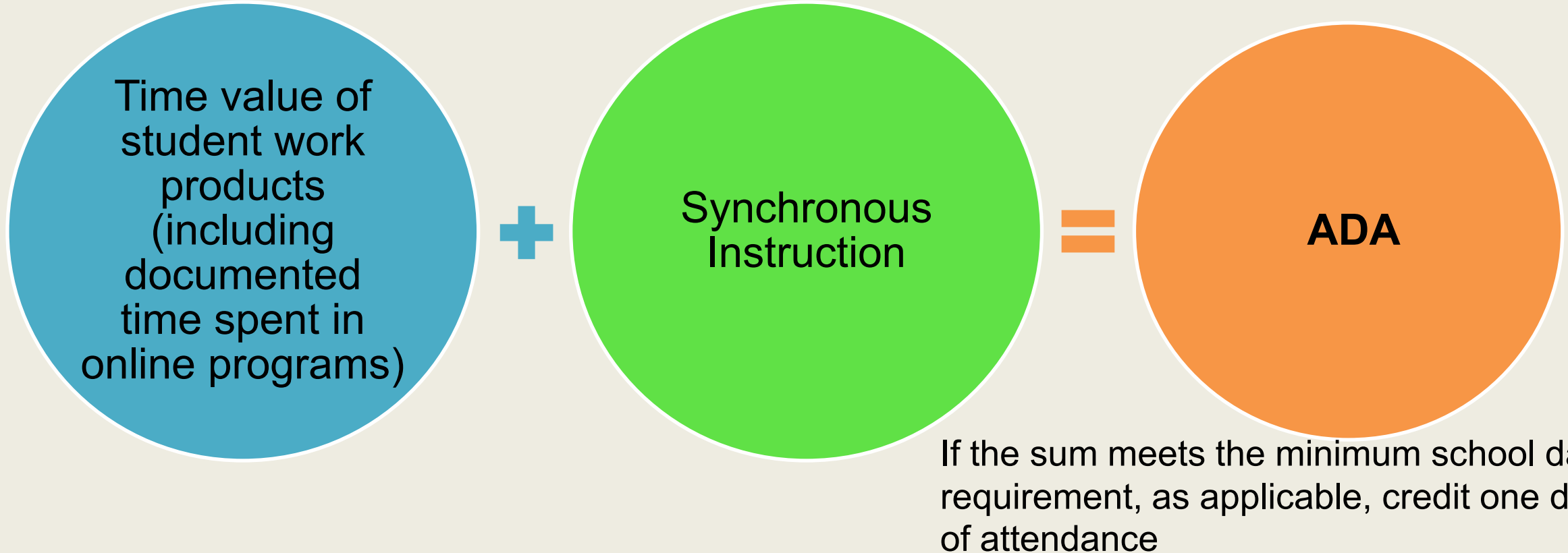
Post-Absence

If a qualifying emergency results in 10% or more of students recorded absent, the LEA may:

Submit a Form J-13A



ADA Computation: Combined Time Value



Note: LEAs may only claim ADA insofar as a student's participation in synchronous instruction augments the time value of student work product



ADA Computation Example: School District or COE

HOURS OF INSTRUCTION

Time value of student work products

- Documented online asynchronous instruction with no tangible work product, verified by a certificated teacher: 5 hours
- Tangible work products produced by the student: 25 hours

30 hours

+

Plus: Documented synchronous instruction

Must augment the asynchronous work

6 hours

=

Equals: Total traditional independent study

36 hours

DAYS OF ATTENDANCE

Total traditional independent study

Carried forward from the hours calculation

36 hours

÷

Divided by: Hours in a minimum day

Set by gradespan; this example uses grades 4 through 12

4 hours

=

Equals: Total days of attendance

Reported for apportionment purposes

9 days



ADA Computation Example: Charter Nonclassroom-Based Instruction

HOURS OF INSTRUCTION

The time value of student work products includes:

- Documented asynchronous instruction with no tangible work product, verified by a certificated teacher: 5 hours
- Tangible work products produced by the student: 10 hours

15 hours



Plus: Documented synchronous instruction

Must augment the asynchronous work

3 hours



Equals: Total hours of nonclassroom-based instruction

18 hours

DAYS OF ATTENDANCE

Charter schools are required to have a student engagement log

The log lists the days the student was engaged in educational activities

5 days

Teacher determination

Number of days the total instructional hours equate to

5 days



Equals: Total days of attendance

Reported for apportionment purposes

5 days



ADA Computation: Documentation

LEAs must document hours or fraction of an hour for all IS instruction
(*EC* Section 51747.5(b))



Time Value of Student Work Product



Work Product: Asynchronous instruction (time spent on computer-based or online programs)



Synchronous instruction

Failure to properly document IS instruction may result in a noncompliance finding in the annual audit and an associated loss of apportionment.



Transitional Kindergarten (TK)



Transitional Kindergarten Age-Eligibility in 2026–27

Now that TK has been fully implemented and there will be only
one type of TK student.



Age-Eligibility

A child who will have their 4th birthday by September 1 shall be admitted to a TK program maintained by a school district or charter school.

- TK students generate ADA from the first day of school.
- TK students enrolled by Census Day are included in UPP counts for the purposes of supplemental and concentration grants.



TK Age-Eligibility Scenario

Scenario:

TK student turns four after the first day of school but before September 1

Question: When can the LEA start claiming ADA for this TK student?

- **Answer:** Students that turn four by September 1 generate ADA for the purpose of funding beginning the first day of the school year.
- **Note:** In order to participate in public school, all TK students must meet the age-eligibility requirements provided for in *EC Section 48000(c)(1)(G)* .



Transitional Kindergarten Ratio Requirements

Adult-to-Student Ratio Requirement

Average Class Ratio: 1:10



EC Section

48000(g)(3)(A)



Transitional Kindergarten Ratio Requirements

Adult-to-Student Ratio Requirement

Average Class Ratio: 1:10



EC Section

48000(g)(3)(A)

Important!

LEAs must maintain documentation demonstrating compliance with the adult-to-student ratio, which is verified through the annual audit.

- Documentation alone does not satisfy the requirement.
- The second adult must be assigned to the TK classroom and available to all TK students throughout the instructional day.



Transitional Kindergarten Class Size Requirements

Class Size Requirement

Average Class Size: 24 students



EC Section

48000(g)(1)



Transitional Kindergarten Teacher Credential Requirements

Certificated teachers assigned to a TK classroom, including teachers providing independent study instruction to TK students, must have one of the following (*EC* sections 48000(g)(4) and 48000.1(b)(2)):

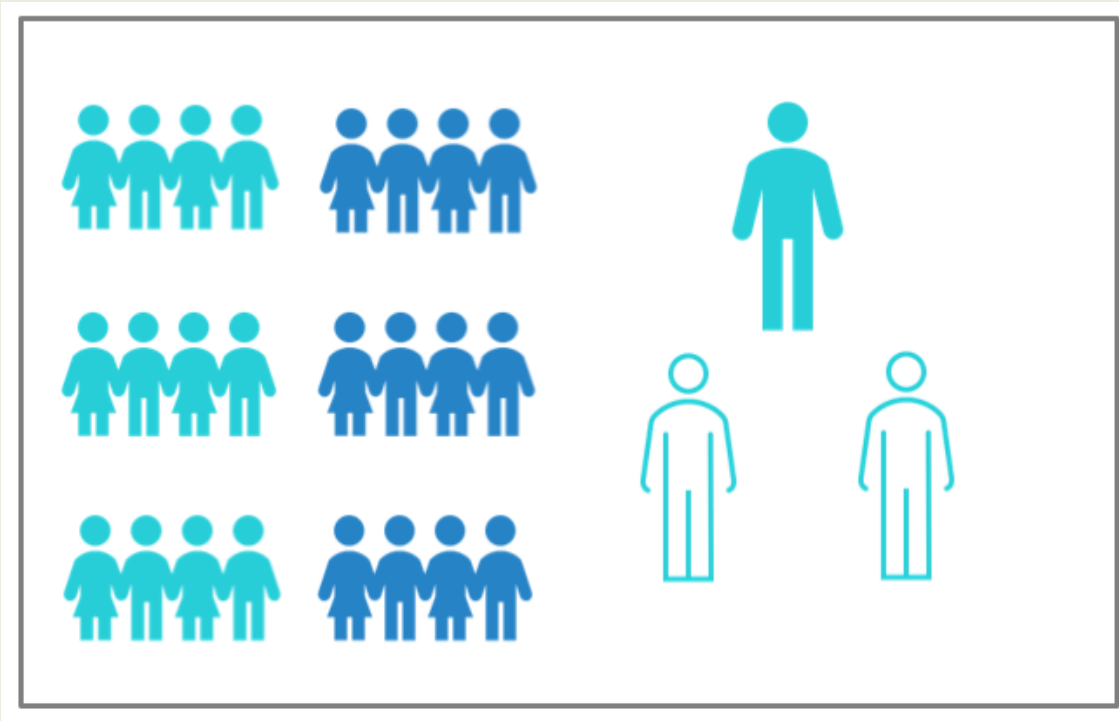
24 units in Early Childhood Education, Childhood Development, or both

Professional experience in a classroom setting with preschool age children that is comparable to the 24 units

A Child Development teacher permit, or an Early Childhood Education Specialist credential



Transitional Kindergarten Requirements Summary



- Class Size Average: maximum of 24 students
- Adult-to-Student Ratio: 1:10
- TK Classroom Staffing (option):
 - 1 Certificated Employee
- Example:
 - A classroom with 24 students:
 - The requirement is 1 certificated teacher and 2 assigned adults in the classroom.
 - The 2 adults must be employees of the LEA available to all TK students



Transitional Kindergarten Online Resources and Tools

- SFSD's Transitional Kindergarten FAQs are available for reference at:

www.cde.ca.gov/fg/it/tkfiscalfaq.asp

- SFSD's TK Compliance Calculator is located here:

www.cde.ca.gov/fg/au/ag/penaltycalc.asp



Form J-13A & Instructional Continuity



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

- Used to obtain approval of attendance and instructional time credit:
 - Emergency school closures
 - School is open but attendance declines because of an emergency
 - Lost or destroyed attendance records
- Emergency school closures-no loss in funding.
 - ADA is still calculated as
 - Days Attended/Days Taught
 - An approved Form J-13A provides LEAs with a waiver of instructional time requirements
- CDE Approval:
 - School Closure - prevents application of instructional time fiscal penalties during annual audit
 - Material Decrease - School open but ADA Declines – allows LEA to recoup funding by adjusting ADA

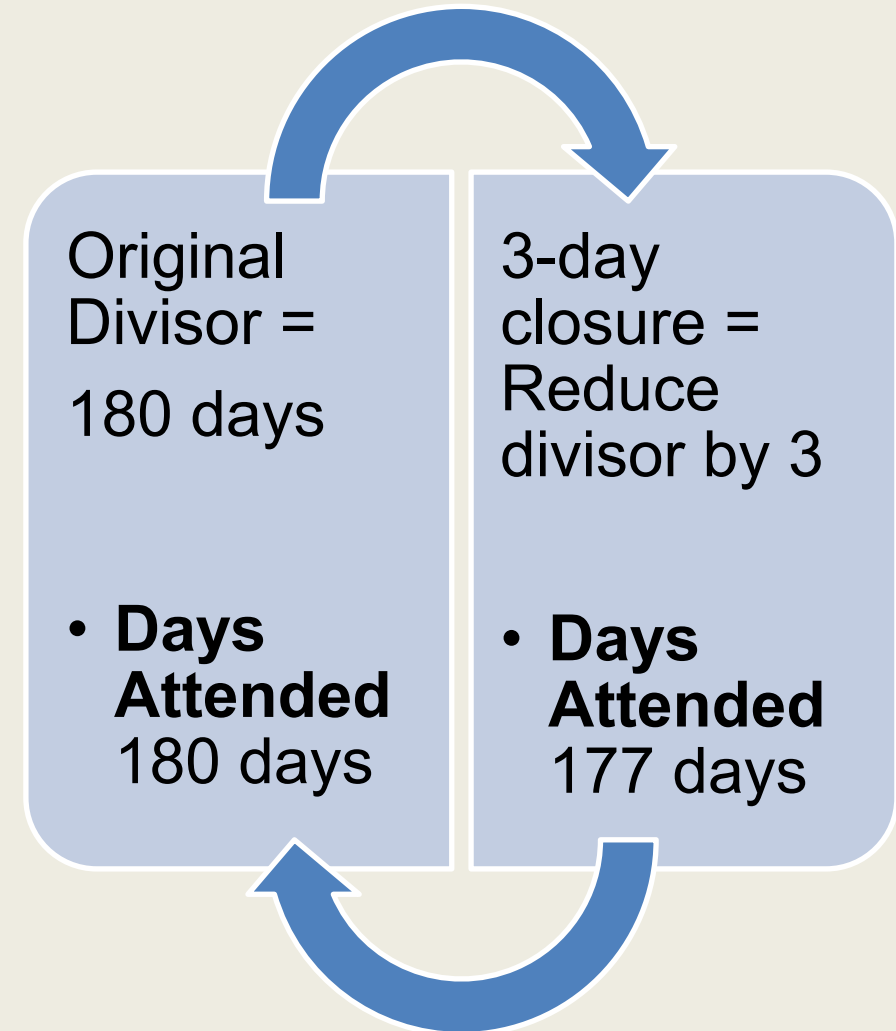
Approvable Events	Non-approvable Events
• Act of Nature (wildfire, floods, etc.) • Inclement weather • Pandemics • Threats of violence • Power loss • Etc.	• LEA Employee Strikes • Student Protests



Funding Impact (1)

School Closure – School District (no fixed divisor)

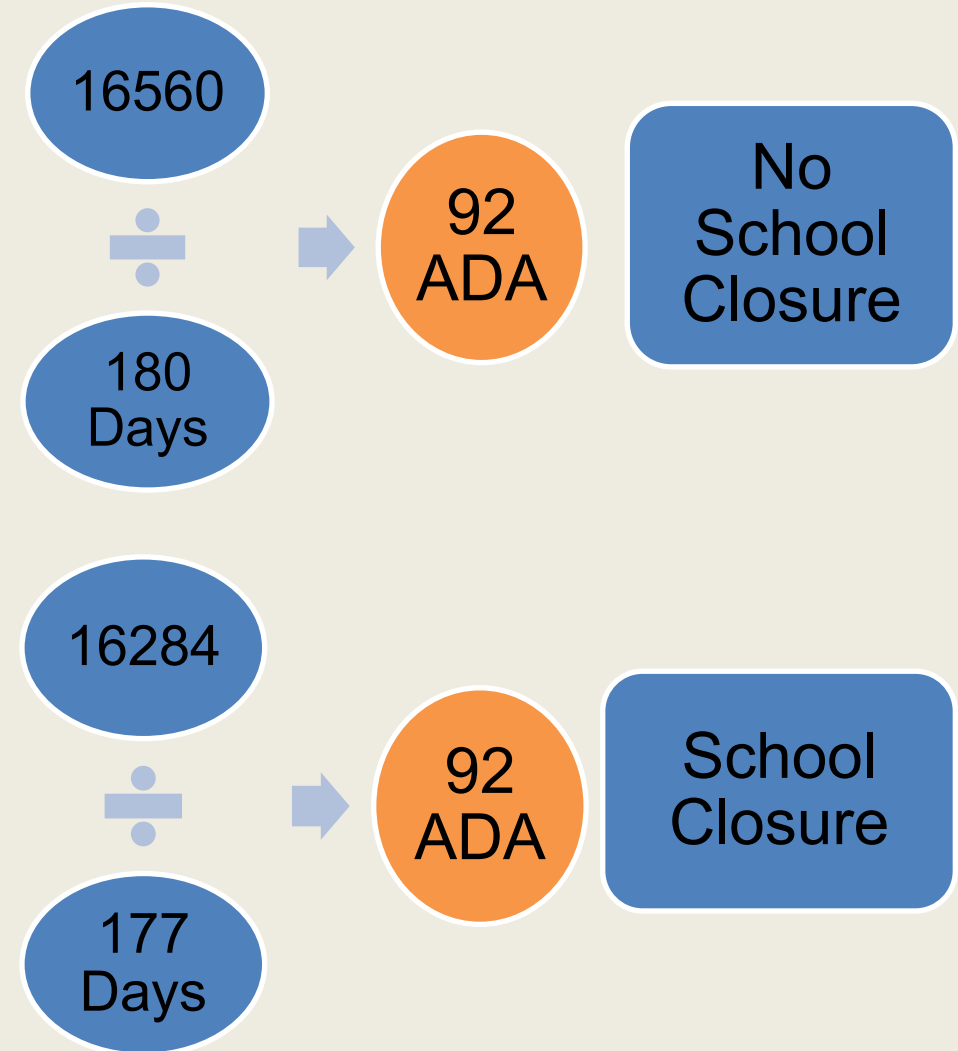
- For school districts without a fixed divisor that calculate ADA based on days taught, the LEA should reduce their divisor (days taught) for any school closure when reporting P-1, P-2, or Annual ADA to CDE, regardless of whether the Form J-13A closure request has been approved or not, because it was not a day of instruction.



Funding Impact (2)

XYZ School District

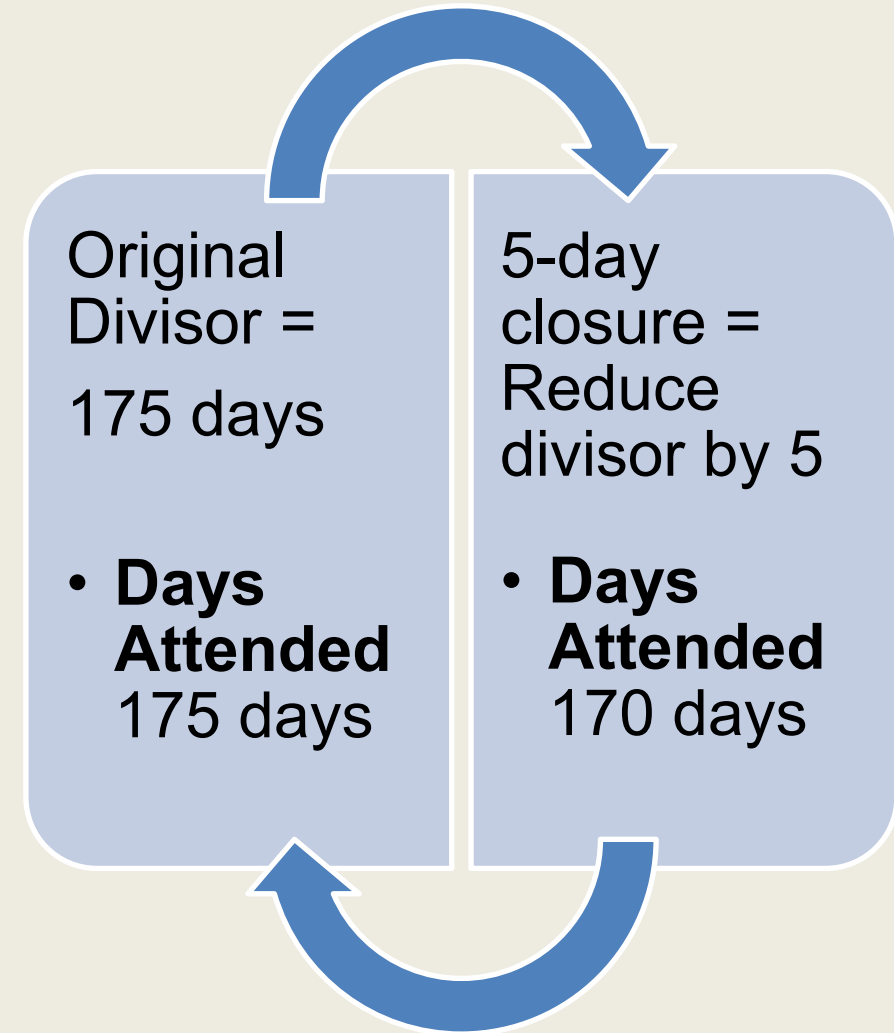
- Student population of 100
- Average absence rate of 8% (92 students attending each day)
- Experiences a 3-day closure due to snow
- Reduces the divisor (days taught) from 180 to 177
- ADA remains the same and maintains the same level of funding



Funding Impact (3)

School Closure – Charter School

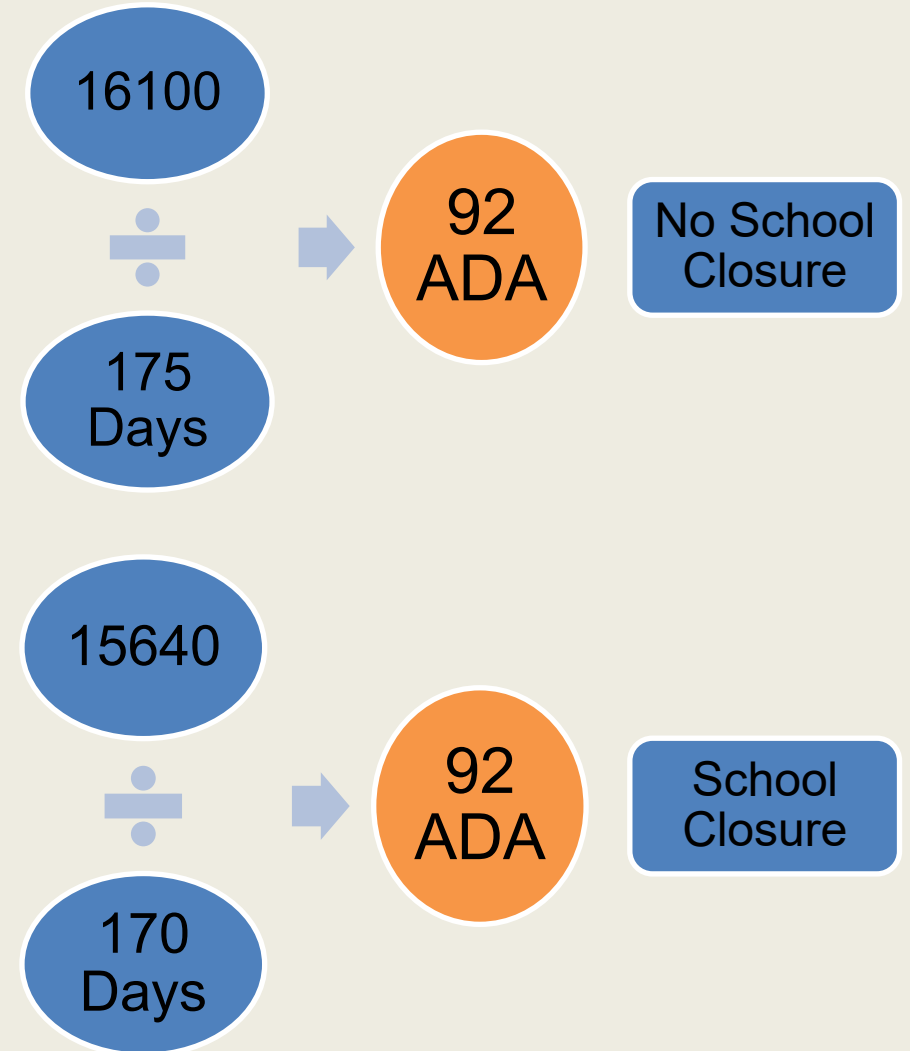
Charter schools should reduce their divisor (days taught) for any school closure when reporting P-1, P-2, or Annual ADA to CDE, regardless of whether the Form J-13A closure request has been approved or not, because it was not a day of instruction.



Funding Impact (4)

XYZ Charter School

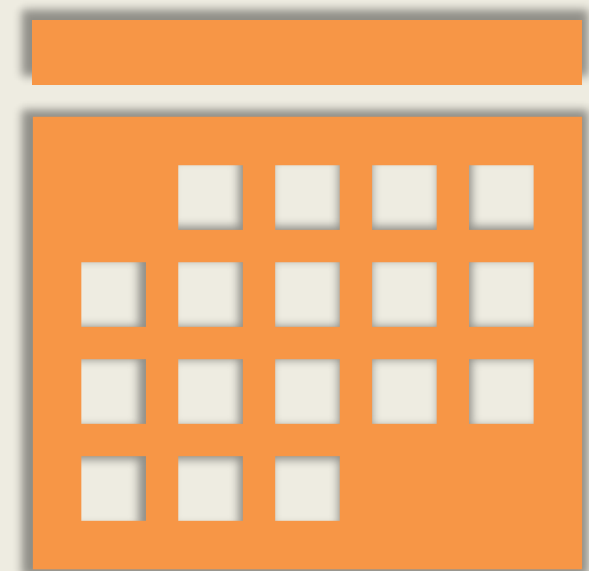
- Student population of 100
- Average absence rate of 8% (92 students attending each day)
- Experiences a 5-day closure due to a hurricane
- Reduces the divisor (days taught) from 175 to 170
- ADA remains the same and maintains the same level of funding



Funding Impact (5)

XYZ Charter School

- Charter schools report days of operation in the PADC web application at the Annual Reporting Period.
 - Days of operation exclude school closure days.
 - CDE proportionately reduces funded ADA if a charter school operates for less than the required 175 schooldays (5 CCR 11960(b)).
- Upon approval of a Form J-13A for school closure, CDE will include approved emergency closure days in the charter school's days of operation for purposes of funding.
 - This is done internally and does not require a corrected attendance file in the PADC web application.



Funding Impact (6)

School Closure (Schools using a Fixed Divisor)

An LEA applying for its schools that calculate ADA using a fixed divisor should reduce their divisor only when CDE has approved the 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 revised ADA to CDE through the PADC web application.

Material Decrease (All LEAs)

- For a material decrease, an LEA will submit the actual attendance on the day(s) of the emergency condition and should not make any adjustment to its ADA until the Form J-13A approval letter has been received.
- Once the approval letter is received, the LEA will need to report the revised ADA to the CDE PADC web application.



Form J-13A Submission Process: FY 2021–25 Events

- Submission of a Certification Form for Independent Study is required to certify that the Independent Study Plan submitted with the Form J-13A includes the requirements listed on the Certification Form for events from 2021 through June 30, 2026.
- Approval of a Form J-13A waiver is not conditioned upon implementation of the Independent Study Plan.

LEAs must submit a certified plan for which IS was to be offered to students with all Form J-13A requests for events from 2021 up to June 30, 2026.



The Independent Study Plan ensures LEAs have a method to provide continuity of academic instruction.



Offering IS mitigates the negative impact of lost learning time and supports mental health.



Form J-13A Submission Process: Events Occurring On or After July 1, 2026

LEA Prepares Submittal

- Complete all applicable sections of the Form J-13A
- Include a signed Certification Form for Instructional Continuity Plan and Implementation
- Supporting documentation to substantiate the request
- School calendar
- SOE if applicable

Affidavit

- Signed with digital or scanned “wet” signatures by LEA governing board majority
- LEA submits to oversight agency
- Oversight agency signs with digital or scanned “wet” signatures
- COE submits to the CDE

COE Submits to the CDE

- Submit completed Form J-13A with all required documentation to SFSD by email at J13ASubmittals@cde.ca.gov or mail to address on form

All Form J-13A requests should be sent to the CDE from the applicable COE. The ability to submit a request through email has not changed this part of the process.



Comprehensive School Safety Plan

- Every TK - 12 public school is required to develop and maintain a CSSP designed to address campus risks, prepare for emergencies, and create a safe, secure learning environment for students and school personnel (*EC* sections 32281(a) and 47605(c)(5)(F)).
 - School Districts with fewer than 2,501 units of ADA may have one CSSP for all schools within the district.
- Each school is required to update and adopt its CSSP by March 1 annually.
 - CSSPs are approved by the School District or COE.
- Statute does not specify a date by which the CSSP must be approved by the School District; however, the School District or COE must annually notify the CDE by October 15 of any school(s) that have not complied with requirements.
- Information on CSSPs can be found at www.cde.ca.gov/ls/ss/vp/cssp.asp.



ICPs: Events Occurring On or After July 1, 2026

Form J-13A submittals for events occurring in FY 2026–27 and beyond will require LEAs to certify that they have a CSSP which includes an ICP meeting the following requirements:

Within 5 calendar days:

Procedures to provide two-way communication with families and students

10 instructional days:

A plan to provide in-person or remote instruction (or enrollment in another LEA)

If the LEA did not meet these requirements, it must describe the circumstances that prevented it from doing so and explain what engagement and instruction, if any, it did provide.

The ICP certification process will replace the Independent Study Plan certification process for events occurring on or after July 1, 2026. The Certification Form for Instructional Continuity Plan and Implementation can be found on the Form J-13A web page under Submission Documents at <https://www.cde.ca.gov/fg/it/documents/instcontinuityplan.pdf>



ICPs: Required Prior to Emergency



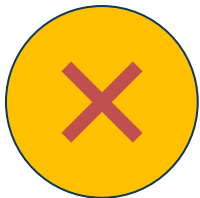
LEAs were required to include an Instructional Continuity Plan (ICP) in their Comprehensive School Safety Plan (CSSP) by **July 1, 2025**.



An LEA submitting a Form J-13A for an event occurring on or after July 1, 2026, must certify that it has a CSSP containing a compliant ICP.



An ICP **cannot be created after the emergency event** for the purpose of obtaining Form J-13A approval.



If an LEA cannot certify that it had a CSSP with an ICP in place, the Form J-13A request will be denied.



Failure to maintain a required ICP may also result in an audit finding.



ICP ensures student and family engagement and continuity of academic instruction



Return Incomplete

- If an LEA submits an incomplete Form J-13A request (e.g., missing IS Certification Form), the Attendance Accounting Office will return the request via email to the LEA and COE.
- The email will include a copy of the original submission and a Form J-13A Additional Items Checklist, which will mark the items needed to continue processing the request.
- Once the missing items have been compiled, the COE can resubmit the complete request to CDE.
 - This streamlined process will reduce correspondence and expedite the time it takes for an LEA to receive an outcome letter.



Quick Reference Guide

- In July 2023, CDE published a Quick Reference Guide for Form J-13A – School Closures.
- This guide has helpful information for LEAs prior to, during, and after an emergency.
- LEAs can find this reference guide in the Resources section at the end of this presentation under Form J-13A.
- This guide is applicable to all emergencies occurring up to June 30, 2026.





REFERENCE GUIDE FOR FORM J-13A – School Closures

OVERVIEW

WHAT IS A FORM J-13A?	SHOULD I CLOSE DURING AN EMERGENCY?
• The Request for Allowance of Attendance Due to Emergency Conditions (Form J-13A) is used to obtain approval of attendance and instructional time credit in the event of an emergency when one or more schools were closed, when schools were kept open but experienced a material decrease in attendance, or when attendance records have been lost or destroyed. • The California Department of Education's (CDE) approval of the Form J-13A, combined with other attendance records, serves to document the local educational agency's (LEA) compliance with instructional time laws and provide authority to maintain school for less than the required instructional days and minutes without incurring a fiscal penalty.	• It is a local decision whether a school should close due to an emergency. The LEA should consult with local government agencies to help make this determination. • CDE reminds LEAs to be mindful of lost instructional time while balancing the health and safety of students and staff. • Independent Study cannot be used to generate attendance for apportionment during an emergency school closure. However, LEAs are encouraged to provide the opportunity to earn academic credit through independent study. Please see the AA & IT Independent Study Frequently Asked Questions web page for more information, https://www.cde.ca.gov/fg/aa/it/instructionaltimefaq.asp.

PREPARATION IN THE EVENT OF AN EMERGENCY

WHEN AN EMERGENCY STRIKES:	BEFORE PROCEEDING WITH A FORM J-13A:	WHEN PREPARING TO FILE A FORM J-13A:
• Prioritize the health and safety of all students, staff, and families during an emergency. • In the majority of cases, there is no immediate impact on an LEA's funding so filing a Form J-13A waiver request is not urgent.	• Utilize all available built-in emergency days scheduled in the school calendar. • If possible, add instructional time to the school calendar. • Determine if a Form J-13A is needed for partial day closures.	• There is no timeline for a Form J-13A submission, so submit your Form J-13A request when it's right for your LEA. • Utilize Form J-13A resources (FAQs, Webinars, Submission Documents) on CDE website.

SUBMISSION REQUIREMENTS

HOW TO COMPLETE THE FORM:	INDEPENDENT STUDY PLAN REQUIREMENT:	KEY REMINDERS:
• Ensure all applicable pages of the form are completed. • Attach all necessary supporting documentation and a school calendar. • The Form J-13A affidavit must be signed by all applicable parties. • The Form J-13A must be approved by the LEA's county office of education before it is submitted to the CDE. • Email or mail the original hardcopy Form J-13A and supporting documentation to CDE.	• All LEAs must submit both a Certification Form for Independent Study (IS) and an IS plan with the first Form J-13A request submitted for a fiscal year. (Education Code Section 46393). • The IS plan can be a board policy, master agreement or any other relevant documentation as long as it adheres to the conditions in the IS Certification Form.	• Once an emergency is over, a Form J-13A request may be submitted as soon as possible once the LEA has determined the exact number of school closure days for the request. • For more information regarding the documentation for a Form J-13A submittal, please refer to FAQ #20 on the Frequently Asked Questions Form J-13A web page, https://www.cde.ca.gov/fg/aa/it/instructionaltimefaq.asp.

RESOURCES

FORM J-13A AND SUBMISSION DOCUMENTS	QUESTIONS
• The Form J-13A is located at: https://www.cde.ca.gov/fg/aa/it/aa13a.asp. • Form J-13A submission documents are located at: https://www.cde.ca.gov/fg/aa/it/aa13aforms.asp. • Form J-13A Submittal Inbox: J13ASubmittals@cde.ca.gov.	• Email questions regarding the Form J-13A to AttendanceAccounting@cde.ca.gov. • To reach CDE's Emergency Services Team, email EmergencyServices@cde.ca.gov.

School Fiscal Services Division
916.324.4541
July 2023

Quick Reference Guide

- In July 2026, CDE updated the Quick Reference Guide for Form J-13A – School Closures to include the ICP Requirement.
- This guide has helpful information for LEAs prior to, during, and after an emergency.
- LEAs can find this reference guide in the Resources section at the end of this presentation under Form J-13A.
- This guide is applicable to all emergencies occurring on or after June 30, 2026.





Reference Guide Form J-13A for School Closures

What is a Form J-13A?

The Request for Allowance of Attendance Due to Emergency Conditions (Form J-13A) is used to obtain approval of attendance and instructional time credit in the event of an emergency when one or more schools were closed, when schools were kept open but experienced a material decrease in attendance, or when attendance records have been lost or destroyed.

What does a Form J-13A approval do?

The California Department of Education's (CDE) approval of the Form J-13A, combined with other attendance records, serves to document the local educational agency's (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.

Should we close during an emergency?

- It is a local decision whether a school should close due to an emergency. The LEA should consult with local government agencies to help make this determination.
- CDE reminds LEAs to be mindful of lost instructional time while balancing the health and safety of students and staff.
- Independent Study cannot be used to generate attendance for apportionment during an emergency school closure. However, LEAs must offer independent study consistent with their Instructional Continuity Plan (ICP) (Education Code (EC) sections 32282(a)(3) & EC 46393). Any independent study provided during an emergency must meet the requirements in statute (EC sections 51747 and 51749.5).

Resources

Form J-13A submission documents:
<https://www.cde.ca.gov/qa/it/j13aforms.asp>

Form J-13A Frequently Asked Questions:
<https://www.cde.ca.gov/qa/it/formj13afaq.asp>

Instructional Continuity Plan Guidance:
<https://www.cde.ca.gov/re/di/or/icpguidance.asp>

Form J-13A Submittal Inbox:
j13ASubmittals@cde.ca.gov

SUBMISSION REQUIREMENTS

How to complete the form:

- If possible, utilize all available built-in days or add instructional time to the school calendar.
- There is no timeline for a Form J-13A submission.
- Ensure all applicable pages of the Form J-13A are completed.
- Attach all necessary supporting documentation, a school calendar & signed Certification Form for Instructional Continuity Plan & Implementation.
- The Form J-13A affidavit must be signed by all applicable parties.
- Send the Form J-13A to the LEA's county office of education (COE), who will sign the affidavit.
- The COE will email the Form J-13A package to j13ASubmittals@cde.ca.gov or send by mail to CDE.

Instructional Continuity Plan:

- For covered events occurring after June 30, 2026, LEAs must have a locally adopted Comprehensive School Safety Plan.
- The plan must include two-way communication within 5 days, instruction within 10 instructional days, and optional reassignment (EC sections 32282, 41422, 46392, 51747, 51749.5).
- LEAs must submit the Certification Form for Instructional Continuity Plan & Implementation with their submission to show the plan was implemented or explain why implementation was not possible.

Questions:

- Email questions regarding the Form J-13A to AttendanceAccounting@cde.ca.gov.
- For questions about managing emergencies, contact EmergencyServices@cde.ca.gov.

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Resources



CDE Web Resources

- Instructional Time & Attendance Accounting: www.cde.ca.gov/fg/it/index.asp
- AR Frequently Asked Questions: www.cde.ca.gov/fg/it/aarecovery.asp
- AR Program Guidance: www.cde.ca.gov/fg/it/aarecoveryguide.asp
- IS Frequently Asked Questions: www.cde.ca.gov/fg/it/instructionaltimfaq.asp
- IS Ratio Calculations: www.cde.ca.gov/sp/eo/is/calculations.asp
- CBIS ADA Adjustment: www.cde.ca.gov/fg/aa/pa/pa2425rates.asp
- Dual Enrollment Frequently Asked Questions: www.cde.ca.gov/fg/it/dualenrollment.asp
- TK Frequently Asked Questions: www.cde.ca.gov/ci/gs/em/kinderfaq.asp and www.cde.ca.gov/fg/it/tkfiscalfaq.asp
- Compulsory Education – Child Welfare & Attendance: www.cde.ca.gov/ls/ai/cw/
- SBE Waiver Frequently Asked Questions: www.cde.ca.gov/re/lr/wr/faq.asp



Form J-13A Resources

- Form J-13A: www.cde.ca.gov/fg/it/j13a.asp
- Form J-13A Frequently Asked Questions: www.cde.ca.gov/fg/it/formj13afaq.asp
- Form J-13A School Closure Quick Reference Guide for events occurring up to June 30, 2026: www.cde.ca.gov/fg/it/documents/j13aquickreference.pdf
- Form J-13A School Closure Quick Reference Guide for events on or after July 1, 2026: www.cde.ca.gov/fg/it/documents/J-13AQuickReference26.pdf
- Form J-13A Submission Documents: www.cde.ca.gov/fg/it/j13aforms.asp
- Form J-13A Submittals:
 - Email J13ASubmittals@cde.ca.gov
- Form J-13A Submission Questions:
 - Email ATTENDANCEACCOUNTING@cde.ca.gov
- Emergency Services Team:
 - Email EmergencyServices@cde.ca.gov



Teacher Certification Penalty Calculator

The CDE has developed a Teacher Certification Penalty Calculator to help LEAs estimate the potential fiscal impact of a teacher certification finding under *EC* Section 45037.

- www.cde.ca.gov/fg/au/ag/penaltycalc.asp



EC References Specific to School Districts and COEs

- Annual Instructional Minutes – *EC* Section 46201.5 and 46207
- Annual Instructional Days – *EC* sections 46200.5 and 46208
- Minimum School Day – *EC* sections 8973, 46100, 46112-46115, 46117, 46141-46142, 46146-46146.5, 46170, 46180, 46307, 48645.3, 48663
- Attendance Recordkeeping– *EC* Section 44809; *CCR*, Title 5, Section 401
- Attendance for the purpose of apportionment – *EC* sections 46010.3, 46300
- Transitional Kindergarten – *EC* sections 48000 and 48000.1
- Equity length of time – *EC* Section 37202
- Four-day School Week - *EC* sections 37700(a) and 37711



EC References Specific to Charter Schools

- Annual Instructional Minutes – *EC* Section 47612.5(a)(1)
- Annual Instructional Days – *EC* Section 47612
- Classroom-based ADA – *EC* Section 47612.5(e)(1)
- Nonclassroom-based ADA – *EC* Section 47612.5(e)(2)
- Transitional Kindergarten – *EC* sections 48000 and 48000.1
- Attendance for the purpose of apportionment – *EC* sections 47605(l), 47612.5(e)(1)
- Contemporaneous Attendance Records – *EC* Section 47612.5(a)(2)



EC References Specific to Independent Study

- IS ADA – *EC* sections 46300 - 46300.7
- Charter school IS:
 - *EC* Section 47612.5
 - *CCR*, Title 5, sections 11960, 11963 - 11963.7
- IS program requirements and restrictions on apportionment – *EC* sections 51744 – 51749.3
- CBIS program and requirements – *EC* sections 51749.5 - 51749.6
- General IS provisions, standards and charter school specific provisions – *CCR*, Title 5, sections 11700 – 11705



EC References Specific to Attendance Recovery

- *EC* Section 46111: TK/K students in AR may exceed four-hour limit to day
- *EC* Section 46120: Use of ELO-P funds to support AR
- *EC* Section 46210: Legislative intent
- *EC* Section 46211: AR programs and conditions of apportionment. Highlights:
 - Minimum days under *EC* sections 46112, 46113, 46117 and 46141 apply to all LEAs including charter schools
 - Nonclassroom-based schools and full-time independent study students are not eligible to participate in an AR program
 - AR programs will be audited beginning in FY 2025–26
- *EC* Section 41601: AR days on noninstructional days are not included in divisor (total number of days school was taught) in the computation of ADA.
- *EC* Section 60901: CDE will report on an alternative chronic absenteeism rate that includes AR days once data has been collected through CALPADS.



CDE Contact Information

- For questions related to attendance for apportionment, instructional time, and the Form J-13A, please contact:
ATTENDANCEACCOUNTING@cde.ca.gov
- For questions related to the Form J-13A submittal process, please contact:
J13ASubmittals@cde.ca.gov



Thank You!

