

## ATTENDANCE INFORMATION RELATED TO COVID-19 OUTBREAK #5

Due to the wide range of LEA attendance questions spurred by the COVID-19 OUTBREAK, SCOE has put together this document to provide guidance and information for CBOs and Attendance Personnel. This information is especially important and relevant as you begin the 2020-21 school year. This is a fluid document that we will continue to update as more information becomes available.

TOPIC	SUMMARY OF INFORMATION AVAILABLE AS OF 9/24/2020 – <u>Changes in GREEN Font</u> (follow links for details and/or contact information)	SCOE COMMENT
<p><b>2019-20 P-2 month end date as per SB117</b> <i>(SB 117 mitigates the effect of lost attendance due to COVID-19 that occurred after February 29, 2020. This bill is a companion to Governor Newsom’s Executive Order N-26-20.)</i></p>	<p>LEA’s complying with <a href="#">Executive Order N-26-20</a> calculated their 2019-20 P-2 ADA by the full months where school was in session on or before 2/29/2020.</p> <p>To calculate ADA using 2/29/2020, a superintendent of a School district or charter school administrator <b>must certify</b> in writing to the Superintendent that the school was closed for in class instruction due to COVID-19. (SB117/3-13-2020). The certification is located <a href="#">here</a>. For instructions, questions, or clarification regarding what constitutes a “Closure Day” go to <a href="#">CDE FAQ: Covid-19</a></p>	<p><b>Example</b> of adjustment to P-2 ending date changed to the month ending on or before 2/29/2020: <b>Prior to emergency</b>, Month 8 (ending 4/10/2020) would have been used for P-2 reporting. <b>After emergency</b>, Month 6 (ending 2/14/2020) would be used for P-2 reporting.</p>
<p><b>2019-20 P-2 &amp; ANNUAL Attendance CORRECTIONS</b></p>	<p><i>The next submission for Corrections to 2019-20 P-2 &amp; Annual Principal Apportionment reporting is due to SCOE by Friday, February 19, 2021.</i></p> <p><i>-Pursuant to Education Code 43502(b) added by <a href="#">Senate Bill 98</a> (Chapter 24, Statutes of 2020), corrected 2019–20 P-2 and Annual files submitted <b>after August 17, 2020 will require auditor’s substantiation.</b></i></p> <p><b>- Submission Requirements:</b> Revisions to the <b>19-20 P-2</b> should be made in the "<b>Correction Mode.</b>" Revisions to the <b>19-20 P-Annual</b> should be made in the "<b>Correction Mode.</b>"</p>	<p>Send corrections and auditor’s letters of concurrence to Vickie Holden: <a href="mailto:vholden@scoe.org">vholden@scoe.org</a> by <b>Friday, February 19, 2021.</b></p>
<p><b>2020-21 Principal Apportionment</b></p>	<p>Per <a href="#">CDE 2020-21 Funding and Instructional Time FAQs (Principal Apportionment #1-4)</a></p> <p>-<u>COLA</u>: Per Ed.Code Section 42238.021 no COLA for Principal Apportionment Programs in 2020-21</p> <p>-<u>Hold Harmless ADA</u>: 2019-20 reported ADA will be used to calculate 2020-21 funding. 2020-21 data will be used to calculate Calpads, UPC, class size penalties, &amp; local revenue.</p> <p><i>Note 1) For 2021-22 district LCFF apportionments, CDE will compare PY (ADA reported for 2019-20) to CY (ADA reported for 2021-22)</i></p> <p><i>Note 2) Exception for new 2020-21 charters. Their 2020-21 funding will be based on October 7, 2020 CALPADS enrollment reduced by the <a href="#">statewide average rate of absence</a> as calculated by the CDE for PY.</i></p>	<p><u>Hold Harmless Does Not Translate to Flat Funding</u> <i>See School Service Fiscal Report posted July 29, 2020</i></p>

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<b>2020-21 Principal Apportionment – SB820</b>	<p>NEW: Senate Bill 820, the K-12 “clean-up” trailer bill, was amended to include clarifications to portions of the 2020 budget package adopted in June. One key provision of SB 820 allows for increased funding based on enrollment or ADA growth in 2020-21 (<i>excludes nonclassroom-based charters</i>).</p> <p><i>Allows LEAs to receive increased apportionments if either the 20-21 budget adopted by the governing board on or before June 30, 2020 or the LEA’s adopted 2019-20 second interim report explicitly show projected growth in overall pupil enrollment or ADA from its actual 2019-20 level to that projected 2020-21 level. Details to follow as more information becomes available.</i></p>	<p><i>More details will be provided once the CDE posts the online application for LEAs seeking funding for growth (expected release date October 2, 2020). LEAs must apply by November 6, 2020.</i></p>
<b>2020-21 Instructional Time</b>	<p>Per <a href="#">CDE 2020-21 Funding and Instructional Time FAQs (Instructional Time #1-14)</a></p> <p><b>-Agency Instructional DAY requirements:</b> Effective fiscal year 2020-21, School districts &amp; COE Special Day Classes must offer 180 days of instruction. Charter schools, including nonclassroom-based, must offer 175 days of instruction.</p> <p><i>Note: An LEA that provides distance learning shall not be penalized for instruction provided before September 1, 2020, that does not meet instructional time requirements.</i></p> <p><b>-Meeting the Instructional DAY requirement:</b> For districts, COE, &amp; classroom &amp; non-classroom based charters, <b>for a day to count</b> as a day of instruction to meet the requirement, <b>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. A school day can be met through in-class instruction, distance learning, or a combination.</b></p> <p>For FY 2020-21 a minimum day of instruction is based on instructional minutes of; 180 in TK/Kindergarten, 230 in grades 1 to 3 inclusive, 240 in grades 4 to 12 inclusive, &amp; 180 for students enrolled in a continuation high school. See Item #4 in the link above for students who are also enrolled part-time, and will earn academic credits in university or community college courses.</p> <p><i>Note 1) Nonclassroom-based charter schools do not have a minimum day requirement. Charter schools that operated as nonclassroom-based in FY 2019-20 must continue to meet all the independent study statutory requirements.</i></p> <p><i>Note 2) There is no instructional time averaging option for FY 2020-21.</i></p> <p><i>Note 3) Community Day Schools: 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 day requirements per grade span as traditional school sites.</i></p>	

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<p><b>2020-21 Instructional Time continued.....</b></p>	<p><u>-Instructional Time Calculation:</u>  <b>*In-person Instruction:</b> Based on time scheduled under the immediate physical supervision &amp; control of a certificated employee of the LEA. Using the same instructional time documentation used in the past.  <b>*Distance Learning Instruction:</b> Based on time value of synchronous and/or asynchronous instruction and assignments made by and certified by a certificated employee of the LEA.                      Note: For distance learning defined see the above link under, Instructional Time, #14. Additional information can be found at <a href="#">Distance Learning</a>.  <b>*Combining In-person and Distance Learning Instruction:</b> Time scheduled under the immediate physical supervision of a certificated employee can be combined with assignments made under the general supervision of a certificated employee of an LEA to meet minimum day requirements.</p> <p><i>Note 1) The annual instructional minute requirements are waived in FY 2020–21. However, LEAs must meet annual instructional day requirements.</i></p> <p><i>Note 2) If a school district or charter school fails to meet the annual instructional day requirement in FY 2020–21, that school district or charter school will be subject to a fiscal penalty.</i></p> <p><b><i>Note 3) The statutes established in SB 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.</i></b></p>	
<p><b>2020-21 Attendance Accounting and Reporting</b></p>	<p>Per <a href="#">CDE 2020-21 Funding and Instructional Time FAQs (For Attendance Accounting &amp; Reporting)</a></p> <p><u>-ADA reporting for Apportionment:</u> LEAs will not have to collect or report ADA for the purpose of apportionment in FY 2020–21. LEAs will be funded based on ADA reported in the 2019–20 P-2 and Annual apportionment periods. LEAs will not be collecting or reporting any ADA in FY 2020–21.</p> <p><u>-Recording attendance:</u> 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, reporting student attendance in CALPADS for chronic absence reporting and avoiding audit penalties.</p> <p><u>-Special Education extended year reporting:</u> The ADA attributed to the Extended Year Special Education Program is reported in the FY that the program ends.</p> <p><b>Program ending BY June 30, 2020:</b> LEAs may claim Extended Year Special Education ADA offered through distance learning as long as the LEA met all of the requirements in Section 96 of SB 98. The divisor of 175 remains the same.</p>	<p><b>Regarding the teacher Attendance taking process:</b>  <i>We currently recommend that districts follow the state guidelines, but because there may be various interpretations of the requirements, we are not providing specific recommendations at this time. You may want to seek guidance from your auditor.</i></p>

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<p><b>2020-21 Attendance Accounting and Reporting continued....</b></p>	<p><b>Program ending AFTER June 30, 2020:</b> In FY 2020–21, LEAs will be funded based on ADA in the 2019–20 reported for both the P-2 and the Annual period apportionment. Therefore, LEAs would not be able to claim the ADA for the Extended Year Special Education Program that ends after June 30, 2020 or before June 30, 2021 because the ADA would be attributed to FY 2020–21.</p> <p><u>-Auditing of 2020-21 funding:</u> ADA will not be audited again for the 2020–21 audit process. However, the instructional day requirement and some of the distance learning requirements are subject to fiscal penalties. More specifically, <i>EC</i> Section 43504(i) assigns an audit penalty calculation for LEAs that do not meet <b>the following instructional time and distance learning requirements</b> as of September 1, 2020:</p> <p>-Offer the required number of instructional days per <i>EC</i> Section 43504(c).</p> <p>-Document daily participation for ea. pupil, for ea. school day, on which DL is provided as required by <i>EC</i> 43504(d).</p> <ul style="list-style-type: none"> <li>• Complete a weekly engagement record for each pupil documenting synchronous or asynchronous instruction for each whole or partial day of distance learning that verifies participation and tracks assignments as required by <i>EC</i> 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.</li> <li>• Document absences as required by <i>EC</i> Section 43504(d)(1) and (f) for the purposes of chronic absenteeism tracking.</li> <li>• 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 <i>EC</i> Section 43504(f)(2).</li> </ul> <p><i>Note: LEAs will incur fiscal penalties for not meeting specific audited requirements of distance learning provisions in EC Section 43504(d)(e) and (f).</i></p> <p><u>-Weekend Classes through distance learning:</u> It is possible for school districts and county offices of education 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.</p> <p><b>Important additional <a href="#">Attendance and Accounting Reporting FAQs (#10-17)</a> added addressing the following topics:</b></p> <p>10. <a href="#">Verification of Participation</a></p> <p>11. <a href="#">Software Setup</a></p> <p>12. &amp; 13. <a href="#">Daily Attendance Reporting Requirements</a></p>	<p><b><i>See the state template link on page 5.</i></b></p> <p><u>Final closing comment:</u> The information in this Attendance Update is provided as a summary of information gathered from the CDE at a particular point in time. Application may vary depending on the LEAs particular situation. We, therefore, recommend that you consult your external auditor or legal counsel to advise you on how the law applies to your specific situation.</p>

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<p><b>2020-21 Attendance Accounting and Reporting continued....</b></p>	<p>14. <u>Participation &amp; Engagement Records &amp; Documentation</u>                      15. <u>Weekly Engagement Records</u>                      16. <u>Independent Study</u>                      17. <u>Guidance regarding the use of <b>electronic signatures on attendance forms for 2020-21</b></u>  <b>State Template:</b>                      The School Fiscal Services Division has posted the following additional instructional time, attendance accounting, and attendance reporting guidance for distance learning for the 2020-21 fiscal year (FY):</p> <ul style="list-style-type: none"> <li>• A combined daily and weekly engagement template that local educational agencies may adapt for their use, or use as a reference when developing their own daily participation and weekly engagement forms at <a href="https://www.cde.ca.gov/fg/aa/pa/documents/template.pdf">https://www.cde.ca.gov/fg/aa/pa/documents/template.pdf</a>.</li> </ul> <p>For more details regarding Instructional Time and Attendance Accounting Requirements, see the following CDE Presentation (8/24 &amp; 27/2020) Power Point:                      Instructional Time and Attendance Accounting Requirements for 2020-21 Presentation (PDF):  <a href="https://www.cde.ca.gov/fg/aa/pa/documents/itaawebinar.pdf">https://www.cde.ca.gov/fg/aa/pa/documents/itaawebinar.pdf</a></p>	
<p><b>2020-21 J13-a Waivers</b></p>	<p>Per <a href="#">CDE 2020-21 Funding and Instructional Time FAQs (For J-13A #1-6)</a>                      -<u>Material Decrease</u>: 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 <b>is suspended for all LEAs.</b>                      -<u>Closure due to emergency</u>: An LEA that closed due to a qualifying emergency in FY 2020–21 should submit a Form J-13A <b>to avoid an instructional time penalty for not meeting the annual instructional day requirement.</b>  <i>*Note 1) 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. This also applies to programs using a fixed divisor.</i>  <i>*Note 2) 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 CDE to request credit for the day of instruction lost.</i></p>	

Sources: See for further details

\*[CDE 2020-21 Funding and Instructional Time FAQs](#)

\*[CDE Distance Learning FAQs](#)

\* [CDE FAQ: Covid-19](#)

\*[SB98](#) (Sections re: Distance Learning (DL) 43500, School Day 43501, Apportionments 43502 & 43505, DL requirements 43503, Compulsory Ed. 43504, Charter School DL, Grade Span Adj. & Class size Penalty 43507, & Enrollment 43508) \*[Form J-13A FAQs](#)