



Board Agenda Item #	V C: Action Item
Date:	February 10, 2022
To:	Magnolia Public Schools - Board of Directors
From:	Alfredo Rubalcava, CEO & Superintendent
Staff Lead:	David Yilmaz, Chief Accountability Officer
RE:	Approval of Changes to the School Calendars for MSA-2, 4, and 6

Proposed Board Recommendation

I move that the board approve the changes to the school calendars for Magnolia Science Academies-2, 4, and 6.

Background

Due to staffing shortages related to COVID-19, three of our schools, MSA-2, 4, and 6, were not able to operate on January 10, 2022. These three schools are co-located on LAUSD property and follow LAUSD’s COVID-19 guidelines which require a negative baseline PCR test result from staff in LAUSD’s daily pass system before returning to campus. To assess the staffing situation at MPS upon return from winter break, an emergency meeting was held with the school leadership teams and the Home Office on Sunday, January 9. Even though all resources were utilized, such as reaching out to substitute companies and assessing Home Office staff availability to sub classes, the three schools were still unable to secure enough support to be able to safely reopen school on Monday, January 10. Therefore, an emergency decision was made to postpone school reopening of MSA-2, 4, and 6 to Tuesday, January 11. We have consulted with the CDE and LACOE about the closure and our authorizers LAUSD and LACOE have been informed. MPS learned about the new J-13A requirements for 2021-22 due to staffing shortages related to COVID-19, which have additional requirements such as the CDE and County consultation before closure and a certification for providing independent study. We are not seeking a J-13A application at this time. MSA-4 and 6 have enough excess annual instructional minutes and school days to absorb the loss of instructional minutes from a day of school closure. However, MSA-2 went under the required annual minutes. Therefore, a change in the school calendar is necessary for MSA-2 to make up for the lost minutes. The school leadership team has decided to turn three of their minimum days into regular school days in order to meet the required annual minutes. LACOE attendance unit has been informed about this change to the calendar. The following table shows the current and revised instructional minutes.

School	# of School Days (Original)	# of School Days (Revised)	Annual Instructional Minutes (Original)	Annual Instructional Minutes (Required)	Annual Instructional Minutes (Revised)	Excess Annual Minutes (Revised)	Will J-13A be filed?	Changes to the Calendar
MSA-2	185	184	64,895	64,800	64,860	+60	No	1/10/22: No school day 3/22/22, 3/24/22, and 6/9/22: These three originally planned as minimum days will be turned into regular school days.
MSA-4	185	184	65,500	64,800	65,120	+320	No	1/10/22: No school day No other change to the calendar.
MSA-6	185	184	57,735	54,000	57,405	+3,405	No	1/10/22: No school day No other change to the calendar.

Note: The required annual instructional minutes is 54,000 for grades 4-8 and 64,800 for grades 9-12.

Consultation with the CDE and County:

Please find attached the Staffing Shortage Consultation Checklist that the CDE asks schools to complete and the LACOE Bulletin #5481 regarding the J-13A process. If any MPS school has to close in the future due to COVID-19 related staffing shortage and goes below required annual instructional minutes, we have the option of applying for J-13A to receive instructional time credit to meet the annual minute requirements. If that happens, we will need approval and signatures from a majority of our governing board members so that we can file a J-13A application.

Budget Implications

Approval of the request allows the schools to not be marked down for non-attendance, thereby maintain our ADA. A school may receive audit penalties if it does not meet the required annual instructional minutes.

How Does This Action Relate/Affect/Benefit All MSAs?

Approval of the request allows the schools to not be marked down for attendance for the emergency closure days. For MSA-2, the calendar change will allow the school to meet its required annual instructional minutes.

Name of Staff Originator:

David Yilmaz, Chief Accountability Officer

Exhibits (Attachments):

- CDE Staffing Shortage Consultation Checklist
- LACOE Bulletin 5481 - J-13A

CDE Staffing Shortage Consultation Checklist

LEA Name	Magnolia Science Academy 2	Contact Name	Jennifer Hook
Contact Email	jwade@magnoliapublicschools.org	Contact Title	Assistant Executive
Contact Phone	8182726696	County	Los Angeles
Consult Date	1-18-2022	Consultant Name	Sandi Ridge

Consultation Information:

Information Offered	Notes/LEA Response	Strategy Status
Did you know that the CTC has relaxed certain requirements to address the teacher shortage? Have these relaxed requirements allowed you to hire new teachers?		Strategy has been attempted: <input type="checkbox"/> Strategy cannot be attempted: <input type="checkbox"/> Strategy will be attempted: <input type="checkbox"/>
Did you know AB 86 allows LEAs to use funding to hire more classified staff and substitutes? Have you utilized these funds for substitutes? Why or Why not?		Strategy has been attempted: <input type="checkbox"/> Strategy cannot be attempted: <input type="checkbox"/> Strategy will be attempted: <input type="checkbox"/>
Did you know that the Governor's Executive Order relaxed rules for rehiring retired teachers? Have you been able to rehire retired teachers as substitutes? Why or why not?		Strategy has been attempted: <input type="checkbox"/> Strategy cannot be attempted: <input type="checkbox"/> Strategy will be attempted: <input type="checkbox"/>
Have you consulted with your district office and county office of education to see if administrators are available to staff classrooms? If so, what was the response?		Strategy has been attempted: <input type="checkbox"/> Strategy cannot be attempted: <input type="checkbox"/> Strategy will be attempted: <input type="checkbox"/>
Have you reached out to teacher preparation programs to see if candidates are available to		Strategy has been attempted: <input type="checkbox"/>

substitute teach? If so, what was the result of your inquiry?		Strategy cannot be attempted: <input type="checkbox"/> Strategy will be attempted: <input type="checkbox"/>
Have you utilized Teachers on Special Assignment (TOSAs) as substitute teachers? Has this been a successful effort? Why or Why not?		Strategy has been attempted: <input type="checkbox"/> Strategy cannot be attempted: <input type="checkbox"/> Strategy will be attempted: <input type="checkbox"/>



January 14, 2022

TO: Business Administrators
Los Angeles County School Districts and Charter Schools

FROM: Jeff Young, Assistant Director
Business Advisory Services

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

Form J-13A, Request for Allowance of Attendance Due to Emergency Conditions is used to obtain approval of attendance and instructional time credit pursuant to *Education Code (EC)* Sections 41422, 46200, 46391, 46392 and *California Code of Regulations (CCR)*, Title 5, Section 428. The form, resources, and frequently asked questions are available on the California Department of Education's (CDE) website at:

<https://www.cde.ca.gov/fg/aa/pa/j13a.asp>

Purpose of Form

EC Section 41422 allows the State Superintendent of Public Instruction to grant normal apportionment credit to Local Educational Agencies (LEAs) when certain emergencies exist. When one or more schools are closed because of "extraordinary conditions," an LEA may request authorization to maintain apportionments. If authorized, LEAs are not penalized for falling below the statutorily required annual number of instructional days and/or minutes.

EC Section 46392 also provides average daily attendance (ADA) credit when the ADA of any LEA has been materially decreased due to fire, flood, impassable roads, and other specified circumstances. The intention of both code sections is to hold LEAs harmless from ADA revenue loss or instructional time loss due to a calamity.

2021-22 Provisions

Per Assembly Bill (AB) 167, LEAs that experienced a COVID-19 related material decrease in attendance or school closure *prior* to September 1, 2021 can submit a Form J-13A to mitigate losses of ADA and receive instructional time credit for losses of attendance that occurred on dates prior to September 1, 2021.

For material decreases in attendance or school closures occurring between September 1, 2021, and June 30, 2022, as a result of AB 167, an LEA is not permitted to receive credit for lost attendance through the Form J-13A process for students that have been quarantined, and are unable to attend in-person instruction due to exposure to, or infection with, COVID-19 pursuant to local or state public health guidance, with the following exceptions:

- Requests for students in community day schools may be submitted.
- Requests for students who are individuals with exceptional needs, whose individualized education program does not specifically provide for participation in independent study may be submitted.
- Requests for COVID-19 related staffing shortages may be submitted if additional conditions are met.

In lieu of receiving attendance credit through the Form J-13A process, LEAs serve impacted students through independent study and claim apportionment pursuant to independent study requirements.

Under AB 167, school closures occurring on or after September 1, 2021, due to COVID-19 related staffing shortages are considered a qualifying event under the J-13A process when the following additional conditions are met:

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

Request for consultation from LACOE may be directed to: Castelo_Octavio@lacoed.edu
LACOE Consultation Guide and Form: [LACOE Business Services Documents and Forms](#)

Requests for consultation from CDE may be directed to: staffshortageconsultation@cde.ca.gov
and complete the CDE Request for Consultation Form

Pursuant to EC Section 46393, all Form J-13A requests submitted due to a qualifying event occurring after September 1, 2021, must include a certified plan for which independent study will be offered to students. Statute requires this year that independent study is offered to any student impacted by the closure within 10 days of the first day of a school closure.

If an LEA must close a school site or experiences a material loss of attendance due to a non-COVID related qualifying event, the LEA can submit a Form J-13A request.

Frequently asked questions (FAQs) providing additional guidance with regard to Form J-13A requirements and all submissions for the 2021–22 fiscal year are available on the CDE website at:

<https://www.cde.ca.gov/fg/aa/pa/formj13afaq2122.asp>

Required Supporting Documentation

Each submitted Form J-13A should describe the emergency conditions that caused the school closure or material decrease in attendance. **Any available supporting documentation verifying the emergency should be attached, including newspaper articles, invoices, purchase orders, state of emergency declarations, emails and letters from local government authorities or law enforcement agencies.**

Any Form J-13A submission that includes emergency dates occurring after September 1, 2021 must be submitted with a signed [Certification Form for Independent Study plan](#) (PDF) and a certified plan to offer independent study within ten days of the first day of a school closure or material decrease.

For school closures or material decreases due to COVID-19 related staffing shortages occurring from September 1, 2021 to June 30, 2022, the LEA must provide the [Addendum for staffing shortages](#) (PDF).

Submission

Form J-13A required signatures for districts include most members of their governing board and the signature and title of the individual witnessing, normally the district's superintendent.

Charter schools need the signatures of most members of their governing board, the signature and title of the individual witnessing, **AND** the signature of the superintendent of the authorizing local educational agency.

Do not send the form directly to the CDE. The form requires the signature of the Los Angeles County Superintendent of Schools. The Los Angeles County Office of Education (LACOE) confirms that information provided is true and correct to the best of their knowledge and will forward the form and supporting documentation to CDE for processing. Please send the completed J-13A form with all original signatures to:

Los Angeles County Office of Education
Business Advisory Services
Attention: Octavio Castelo

Revised Attendance Reports

Once the J-13A approval letter is received from CDE, the LEA should recalculate their ADA and submit a corrected attendance file to LACOE using the Principal Apportionment Data Collection

web based application. Specific instructions on how to submit corrected attendance files are available in the PADC User Manual, at:

<https://www.cde.ca.gov/fg/sf/pa/>

This bulletin and its attachments are posted on the LACOE website at:

<https://www.lacoe.edu/Bulletins.aspx>

Use the “Search” box in the Bulletins section to locate a specific bulletin by number or keyword.

If you have questions, please contact Octavio Castelo at (562) 922-6131, or by e-mail at Castelo_Octavio@lacoe.edu.

Approved:
Octavio Castelo, Director
Business Advisory Services

JY/JD:lm
Attachment

J-13A LACOE Consultation Guide Determination of COVID-19 Related Staffing Shortage

Under AB 167 (amendment to AB 130), school closures occurring on or after September 1, 2021, due to COVID-19 related staffing shortages are a qualifying event under the J-13A process.

School Closures (Before, During, and After)		
Before Closure	Consideration	Source
Assess Staff Shortage (Certificated/Classified)	Confirm that the school is unable to provide in-person instruction to pupils due to staffing shortages as a result of staff quarantine due to exposure to, or infection with, COVID-19 pursuant to local or state public health guidance. Exhaust all options for obtaining staff coverage, including using all certificated staff and substitute teacher options.	Ed Code 46392(c)(2)(B)(iii); Ed Code 46393(c)(3)
Consult with LACOE	Identify and document all actions taken to assess school closure determination. Email Octavio Castelo, LACOE Point of Contact, and request a consultation meeting. Complete and submit LACOE Consultation Form.	LACOE Point of Contact: Octavio Castelo (562) 922-6131 castelo_octavio@laoe.edu LACOE Business Services Documents and Forms
Consult with CDE	Consult with CDE via email provided and complete the CDE Request for Consultation via Google Form	Email: staffshortageconsultation@cde.ca.gov Form: CDE Request for Consultation
During Closure	Consideration	Resource Link
Develop an IS Model Plan	Implement IS Model Plan within 10 days of school closure	
Communicate IS Model Plan with school community <ul style="list-style-type: none">● Staff● Students● Families	Communication should be sent out in various forms <ul style="list-style-type: none"> ● Emails ● Automated messages ● Staff meetings ● Family Town Halls ● District/school letters ● Social Media 	IS Leader Toolkit
Implement IS Model Plan	IS Model Plan must be implemented within 10 days of school closure.	
Obtain signed written master agreements	For school closures, all signatures must be obtained within a reasonable amount of time. Electronic signatures are acceptable.	Sample IS Written Master Agreement Link
Monitor Staffing Shortage	Reopen for in-person instruction as soon as possible, unless prohibited by the state or local health officer.	

After Closure	Consideration	Resource Link
<p>File a J-13A Waiver and supporting documentation</p>	<p>The signed Form J-13A (with original signatures) must be mailed to the County Office of Education:</p> <p style="text-align: center;">Los Angeles County Office of Education Business Advisory Services 9300 Imperial Highway Downey, CA 90242</p> <p>LACOE confirms that information provided is true and correct to the best of their knowledge and forwards the waiver to CDE for consideration. CDE's response will be delivered directly to the LEA.</p> <p>Please note that there is no deadline to submit a J-13A; however, it should be submitted as soon as possible after reopening.</p>	<p>Form J-13A: www.cde.ca.gov/fg/aa/pa/j13a.asp</p> <p>Certification Form for Independent Study plan (PDF) AND a copy of the LEA's plan.</p> <p>Addendum for Staffing Shortages (PDF).</p>

Reference: <https://www.cde.ca.gov/fg/aa/pa/formj13afaq2122.asp#SchoolClosure>

1. Are local educational agencies (LEAs) able to file a Form J-13A request for a COVID-19 related closure due to LEA staffing shortages?

- Yes, school closures due to COVID-19 related staffing shortages occurring during the time period of September 1, 2021 to June 30, 2022, are qualifying events with additional conditions, for which Form J-13A requests may be submitted. The additional conditions that must be met when submitting Form J-13A requests for COVID-19 related staffing shortages are as follows:
- The LEA is unable to provide in-person instruction to students due to staffing shortages as a result of staff quarantine due to exposure to, or infection with, COVID-19 pursuant to local or state public health guidance.
- For certificated staff shortages, the LEA has exhausted all options for obtaining staff coverage, including using all certificated staff and substitute teacher options, and has consulted with their county office of education and the California Department of Education (CDE) in determining that staffing needs cannot be met through any option.
- For classified staff shortages, the LEA has exhausted all options for obtaining staff coverage, including using all staff options, and has consulted with their county office of education and the CDE in determining that staffing needs cannot be met through any option.
- Questions regarding the consultation process may be directed to: staffshortageconsultation@cde.ca.gov

2. How can LEAs make up instructional minutes if closed due to staffing shortages?

- Form J-13A requests for COVID-19 school closures can be submitted to receive instructional time credit to meet the annual day and minute requirements to avoid audit penalties, if LEAs certify to offering independent study to all eligible students during the school closure.

3. Does an LEA that is planning to close due to staffing shortages have to offer Independent Study to all students?

- Pursuant to *Education Code* (EC) Section 46393, all LEAs must submit a certified plan for which independent study will be offered to students that accompanies **all** Form J-13A requests submitted for a school closure and/or a material decrease in attendance due to a qualifying event occurring after September 1, 2021.
- Independent study is offered to any student impacted by any of the conditions listed in EC Section 46392 within ten days of the first day of a school closure or material decrease in attendance. Students who are individuals with exceptional needs shall receive the services identified in their individualized education programs pursuant to EC Section 56345(a)(9) and may participate in an independent study program.
- Require reopening for in-person instruction as soon as possible unless prohibited under the direction of the local or state health officer.
- Include information regarding establishing independent study master agreements in a reasonable amount of time.

4. What supporting documentation is required to substantiate Form J-13A school closure requests for events occurring on or after September 1, 2021?

School Closures Due to COVID-19 Related Staffing Shortages

For closures due to COVID-19 related staffing shortages occurring from September 1, 2021, to June 30, 2022, the LEA must provide:

- a. The [Certification Form for Independent Study plan](#) (PDF) AND a copy of the LEA's plan.
- b. The [Addendum for staffing shortages](#) (PDF).
- c. The completed Form J-13A request.

**J-13A
LACOE Consultation Form
Determination of COVID-19 Related Staffing Shortages**

Under AB 167 (amendment to AB 130), school closures due to COVID-19 related staffing shortages occurring on or after September 1, 2021, are qualifying events with additional conditions for which Form J-13A requests may be submitted. One condition is a consultation with the Los Angeles County Office of Education to determine that staffing needs cannot be met through any option. Complete and sign this Consultation Form to begin that process.

LEA NAME:	CDS Code:
Relevant Conditions to Consider Before Closure	LEA Response
What is the reason for the staffing shortage? (i.e., staff quarantine due to exposure to, or infection with, COVID-19 pursuant to local or state public health guidance)	
Indicate the category of staff involved in the staffing shortage	<input type="checkbox"/> Teaching Staff Shortage, Non-Special Education <input type="checkbox"/> Teaching Staff Shortage, Special Education <input type="checkbox"/> Classified Staff Shortage – Transportation <input type="checkbox"/> Classified Staff Shortage – Food Services
What are the anticipated dates of closure?	
What actions did your district take to exhaust Certificated / Classified Staff coverage?	
When will you be offering an Independent Study program to your students?	
When will you have signed Written Master Agreements in place for all eligible students?	
Certification	
I certify that the information and statements submitted on this form are true and correct to the best of my knowledge and belief.	
_____	_____
District Superintendent Name (Printed)	Signature of District Superintendent

	Date

Please send the completed LACOE Consultation Form to Octavio Castelo at castelo_octavio@lacoedu. LACOE staff will contact you to confirm the completion of the LACOE Consultation process.

Contact Octavio Castelo at (562) 922-6801 for questions regarding the submission of the LACOE Consultation Form.