

LAKE COUNTY OFFICE OF EDUCATION
Office of the Superintendent

**REQUEST FOR ALLOWANCE OF ATTENDANCE BECAUSE OF EMERGENCY
CONDITIONS**

ISSUE

The Clearlake Creativity School and the Hance School were closed for five days during the week of September 14, 2015, due to emergency conditions related to the Valley Fire.

BACKGROUND/PREVIOUS BOARD ACTIVITY

The Board approved a *Request for Allowance of Attendance Because of Emergency Conditions* for the December 11, 2014 school closure due to severe weather and flooding.

See the following code section:

ARTICLE 7. Conditions Disqualifying School Districts from Apportionments [41420 - 41455] (*Article 7 enacted by Stats. 1976, Ch. 1010.)*

41422.

A district that is prevented from maintaining its schools during a fiscal year for at least 175 days or is required to operate sessions of shorter length than otherwise prescribed by law because of fire, flood, earthquake, or epidemic, or because of any order of any military officer of the United States or of the state to meet an emergency created by war, or of any civil officer of the United States, of the state, or of any county, city and county, or city authorized to issue that order to meet an emergency created by war, or because of other extraordinary conditions, or because of inability to secure or hold a teacher, or because of the illness of the teacher, which fact shall be shown to the satisfaction of the Superintendent of Public Instruction by the affidavits of the members of the governing board of the school district and of the county superintendent of schools, shall receive the same apportionment from the State School Fund as it would have received had it not been so prevented from maintaining school for at least 175 full-length days.

DISCUSSION

For Lake County Office of Education (LCOE), this not only caused the closure of the Clearlake Creativity School and Hance Community School, but also prevented operation of preschool and afterschool programs that are located on various campuses throughout the county.

This waiver (Form J-13A) or a resolution reflecting the same must be submitted to the Superintendent of Public Instruction. Preschool and After School programs will submit waiver requests under separate cover

FISCAL, STAFFING, AND FACILITIES

If approved, there will be no fiscal impact.

SUPERINTENDENT'S RECOMMENDATION

Recommendation of Approval of (J-13A) REQUEST FOR ALLOWANCE OF ATTENDANCE BECAUSE OF EMERGENCY CONDITIONS, to avoid program funding reductions.

**REQUEST FOR ALLOWANCE OF ATTENDANCE
BECAUSE OF EMERGENCY CONDITIONS
Form J-13A (Rev. 01-05)**

School District (or Charter School) Name: **Lake County Office of Education**

School District (or Charter School) Address: **1152 South Main Street, Lakeport 95453**

County-District Code: **17-10173**

County Name: **Lake**

This form replaces the Form J-13A (Rev. 4-90) and should be used to obtain approval of attendance and instructional time credit under one or more of the following conditions:

- When one or more schools were closed because of conditions described in *Education Code* Section 41422
- When one or more schools were kept open but experienced a material decrease in attendance because of conditions described in *Education Code* Section 46392
- When attendance records have been lost or destroyed as described in *Education Code* Section 46391

Approved credit for instructional time may be used in conjunction with regular instructional days to satisfy the requirements of *Education Code* Section 37202 (equal length of instructional time among schools within a district).

A separate form should be submitted for each emergency event, but credit may be requested for more than one school and under one or more of the foregoing conditions on the same form. Each separate form must include the affidavit of the governing board members and the county superintendent before it can be approved by the State Superintendent of Public Instruction.

The original form (with the board members' affidavit) and two copies should be filed with the county superintendent of schools. If the county superintendent approves the request, he or she should execute the affidavit certifying that approval and forward all pages of the original and one copy of the form to:

Office of Principal Apportionment and Special Education
School Fiscal Services Division
California Department of Education
1430 N Street, Suite 3800
Sacramento, CA 95814

This form consists of five preprinted pages. Pages 1 and 5 (5C for charter schools) must accompany all submissions. Page 4 (Lost or Destroyed Attendance Records) will not need to be submitted by most districts. Multiple copies of Pages 2 and/or 3 may have to be submitted when claims are made on a school-by-school basis.

California Department of Education

Form J-13A

SCHOOL CLOSURE

Nature of Emergency (describe):

Schools under the auspices of Lake County Office of Education were closed for five days during the week of September 14, 2015 due to the emergency conditions related to the Valley Fire. Emergency conditions caused impassable roads and widespread evacuations throughout Lake County. See attached articles from *Lake County News*.

Name of School(s):

Hance Community School
Clearlake Creativity School

School Code(s):

Hance Community School: 17101731730167
Clearlake Creativity School: 17101730128231

We request that apportionments be maintained and instructional time credited for the above named school(s) without regard to the fact that the school(s) were closed on (dates):

Five days: September 14, 15, 16, 17, 18, 2015

because of the described emergency. Approval of this request authorizes the local educational agency to disregard these days in the computation of average daily attendance (ADA) (per Section 41422) and obtain credit for instructional time for the days and the instructional minutes that would have been regularly offered on those days pursuant to *Education Code* Section 46200, et seq.

If the school closure resulted from a power outage or impassable roads caused by inclement weather, state the number of school closure days for the same conditions in each of the last five years: NA

AFFIDAVIT OF GOVERNING BOARD MEMBERS

We, members constituting a majority of the governing board of the Lake County Office of Education, hereby swear (or affirm) that the foregoing statements are true and are based on official district records.

_____	_____
Patricia Hicks	
_____	_____
George Ryder	
_____	_____
David Browning	
_____	_____
Mark Cooper	
_____	_____
Madelene Lyon	
_____	_____
_____	_____
_____	_____
Printed Names	Signatures

At least a majority of the members of the governing board shall execute this affidavit.

Subscribed and sworn (or affirmed) before me, this 18th day of November, 2015

Signature, _____
President, Lake County Board of Education, California

Contact/Individual responsible for preparing this form:
Name: Brock Falkenberg Title: Superintendent of Schools
Phone: 707-262-4102 Fax : 707-263-0197 E-mail: bfalkenberg@lakecoe.org

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AFFIDAVIT OF COUNTY SUPERINTENDENT OF SCHOOLS

The information and statements contained in the foregoing request are true and correct to the best of my knowledge and belief.

Signature, County Superintendent of Schools _____
Date: _____

Subscribed and sworn (or affirmed) before me, this 21st day of October, 2015

Signature, Title _____
of Lake County, California

Contact/Individual responsible for preparing this form:
Name: Brock Falkenberg Title: Superintendent of Schools

Phone: 707-262-4102 Fax : 707-263-0197 E-mail: bfalkenberg@lakecoe.org