

LAKE COUNTY OFFICE OF EDUCATION
Office of the Superintendent

REQUEST FOR ALLOWANCE OF ATTENDANCE BECAUSE OF EMERGENCY CONDITIONS

ISSUE

The Clearlake Creativity School was closed for six days (August 15, 16, 17, 18, 19, 22, 2017) due to emergency conditions related to the Clayton Fire. The school was able to make up two days to offset the student attendance of August 15 & 16. A waiver (Form J-13A) must be submitted to the Department of Education for the remaining four days (August, 17, 18, 19, 22).

BACKGROUND/PREVIOUS BOARD ACTIVITY

The Board previously approved a *Request for Allowance of Attendance Because of Emergency Conditions* for five days (September 14-18, 2015) for Hance School and the Creativity School due to the Valley Fire; and for the December 11, 2014 closure of both school sites 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

This waiver (Form J-13A) or a resolution reflecting the same must be submitted to the Superintendent of Public Instruction.

FISCAL, STAFFING, AND FACILITIES

If approved, there will be no fiscal impact.

SUPERINTENDENT'S RECOMMENDATION

The County Superintendent of Schools recommends 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 S. Main Street, Lakeport, CA 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.

SCHOOL CLOSURE

Nature of Emergency (describe):

Clearlake Creativity School was closed for four (4) days (August 17, 18, 19 & 22, 2016) due to the emergency conditions related to the Clayton Fire. Emergency conditions caused power outages, smoke damage and evacuations in the Clearlake and Lower Lake areas of Lake County. See attached article.

Name of School(s):

Clearlake Creativity School

School Code(s):

17-10173-0128231

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):

Four days: August 17, 18, 19 & 22, 2016

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.

_____	_____
David Browning	_____
_____	_____
Mark Cooper	_____
_____	_____
Patricia Hicks	_____
_____	_____
Melissa Kinsel	_____
_____	_____
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 19th day of April, 2017.

Signature _____
David Browning, President, Lake County Board of Education

Contact/Individual responsible for preparing this form:
Name: Brock Falkenberg Title: Superintendent of Schools
Phone: 707-262-4100 Fax : 707-263-0197 E-mail: bfalkenberg@lakecoe.org

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 19th day of April, 2017
Signature, Title _____
of Lake County, California

Contact/Individual responsible for preparing this form:
Name: Brock Falkenberg Title: Superintendent of Schools
Phone: 707-262-4100 Fax : 707-263-0197 E-mail: bfalkenberg@lakecoe.org

Clayton fire leaves wake of destruction in once-charming Lake County town

DEREK MOORE

THE PRESS DEMOCRAT | August 16, 2016



LOWER LAKE — The downtown area of Lower Lake, like that of Middletown, is surrounded by forested hills, which adds both to their charm and the risks when tinder-dry vegetation is sparked by flame. A number of fire officials have remarked how stunned they were at how quickly flames from the Clayton fire appeared to supercharge and explode – similar to the Valley Fire farther south a year earlier — sending firefighters scrambling to try and save another community directly in harm’s way.

Tuesday, with the fire about 20 percent contained, firefighters recalled how they thought the blaze was corralled to the east of the town’s commercial district. But a few hours later, the wind suddenly shifted, sending a new spur of flames advancing west along the hillsides and valleys running south of Main Street.

Firefighters rushed to head off the advancing flames, while air tankers dropped retardant on homes and businesses. Despite those efforts, flames damaged or destroyed a number of businesses fronting Main Street between Highway 29 and Mill Street, including a Habitat for Humanity office, the Tuscany Village Winery, a deli, a bar, a firehouse and an auto repair shop.

Tuesday morning, Lower Lake’s downtown remained desolate. The fire’s capriciousness was evident. Both the Lower Lake Schoolhouse Museum — built in 1877 — and the Eel River Fuels petroleum plant appeared untouched, despite flames advancing all around the structures. A fire official said the museum likely was saved because it’s built of stucco with a composite roof, instead of wood.

Entire neighborhood blocks were leveled by the flames. Across a wide swath of the Lower Lake area, hundreds of hot spots continue to smolder, each capable of generating larger fires.

"My husband is thinking to move somewhere else," Alma Andrade said as she stood with her family outside their Lower Lake home, which was spared from the flames. A next door neighbor's home, however, was leveled.

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