

Addressing School Closures Due to COVID-19 Related Staffing Shortages

Under AB167 (amendment to AB130), 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)	Exhaust all options for obtaining staff coverage, including using all certificated staff and substitute teacher options.	Ed Code 46392 (2)(B) (iii)
Consult with SBCSS	Identify and document all actions taken to assess school closure determination Email Thomas Cassida, SBCSS Point of Contact, and request a consultation meeting.	SBCSS Point of Contact: Thomas Cassida (909) 386-9677 thomas.cassida@sbcss.net
Consult with CDE	Consult with CDE via email provided	staffshortageconsultation@cde.ca.gov
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 messaging 	
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
File a J-13A Waiver and supporting documentation	The signed Form J-13A (must include original signatures) must be mailed to the Superintendent of Schools: San Bernardino County Superintendent of Schools Business Advisory Services 760 East Brier Drive San Bernardino, CA 92408 SBCSS confirms that information provided is true and correct to the best of their knowledge and forwards the waiver to CDE for consideration. The CDE response will be delivered directly to the LEA. Please note that there is no deadline to submit a J-13A; however, it should be submitted as soon as possible after reopening.	The Form J-13A is available at www.cde.ca.gov/fq/aa/pa/j13a.asp The Certification Form for Independent Study plan (PDF) AND a copy of the LEA's plan. The Addendum for staffing shortages (PDF).

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* 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 *Education Code* (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?**

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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.