



# SACRAMENTO CITY UNIFIED SCHOOL DISTRICT BOARD OF EDUCATION

Agenda Item 10.1f

**Meeting Date:** October 15, 2015

**Subject:** Approve Waiver Request and Affidavit – Request for Allowance of Attendance Due to Emergency Conditions at Tahoe Elementary School on September 11, 2015

- Information Item Only
- Approval on Consent Agenda
- Conference (for discussion only)
- Conference/First Reading (Action Anticipated: \_\_\_\_\_)
- Conference/Action
- Action
- Public Hearing

**Division:** Business Services

**Recommendation:** Approve the submission of the Affidavit to the State Superintendent of Public Instruction.

**Background/Rationale:** In accordance with Education Code §41422, school districts that are prevented from maintaining school for the required number of days because of extraordinary conditions, “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 School, shall receive the same apportionment from the State School Fund as it would have received had it not been prevented from maintaining school.”

Due to a lack of water on September 11, 2015 because of a water main that broke prior to the start of the school day, and determination by city officials that water service would not be restored until the end of the school day, the district closed Tahoe Elementary School, thereby losing attendance for the day. Under the provisions of Education Code §41422, the district may request allowance for operation of fewer days of school than normally required because the school was closed due to emergency conditions.

**Financial Considerations:** Implications are as follows:

- Fiscal: Failure to file the Waiver request would cost the district approximately \$22,584 in lost Local Control Funding
- Personnel: None
- Program: None
- Legal: Education Code §41422

**LCAP Goal(s)**: Safe, Clean and Healthy Schools

**Documents Attached:**

1. Request for Allowance of Attendance Because of Emergency Conditions
2. Affidavit of Governing Board Members
3. Letter from City of Sacramento

**Estimated Time of Presentation:** N/A

**Submitted by:** Gerardo Castillo, CPA, Chief Business Officer

**Approved by:** José L. Banda, Superintendent

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

School District (or Charter School) Name: Sacramento City Unified School District

School District (or Charter School) Address: 5735 47<sup>th</sup> Avenue, Sacramento, CA 95824

County-District Code: 34-67439

County Name: Sacramento County

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):

Due to a lack of water on September 11, 2015 because of a water main that broke prior to the start of the school day, and determination by city officials that water service would not be restored until the end of the school day, the district closed Tahoe Elementary School, thereby losing attendance for the day. Under the provisions of Education Code 41422, the district may request an allowance for operation of fewer days of school than normally required due to emergency conditions.

Name of School(s): Tahoe Elementary School

School Code(s): 34-67439-6034284

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):

September 11, 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: N/A



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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 \_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_.

Signature, Title \_\_\_\_\_

of \_\_\_\_\_ County, California

Contact/Individual responsible for preparing this form:

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax : \_\_\_\_\_ E-mail: California \_\_\_\_\_

**Approval by Superintendent of Authorized Local Educational Agency (LEA)**

Signature, Title \_\_\_\_\_

of \_\_\_\_\_ (LEA).

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*City of*  
**SACRAMENTO**  
Department of Utilities

October 2, 2015

Ed Petralli  
Sac City Unified School District  
425 1<sup>st</sup> Avenue  
Sacramento, CA 95818

Dear Mr. Petralli,

On Friday, September 11, 2015, there was a main break on Broadway Street, which caused the water service to be turned off in the surrounding area. The Tahoe Elementary School located on 3110 60<sup>th</sup> Street was affected by this interruption of the water service. The City's Utilities was not able to bypass the affected area and maintain service to the school. In order to affect repairs it was necessary for school officials to close the school for the day for the safety of the students.

Regards,



Michael Malone  
Division Manager  
Operations & Maintenance