

The FISCAL REPORT an informational update

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Ask SSC . . . Follow-up Questions Related to H1N1 Flu Virus School Closures

Q1. We had to close a school due to the H1N1 Flu virus. This closure is affecting ADA in our other schools that are scheduled to remain open. ADA has decreased districtwide. My understanding is that, since the Governor declared a State of Emergency, we can get a waiver to recoup lost ADA. What is the process to report ADA under a State Emergency?

A1. The Governor declared a State of Emergency on April 28, 2009, which indicates that any ADA decrease due to the emergency is considered material [Education Code Section 43962(b)]. We provided information regarding the process for filing the Form J-13A in our *Fiscal Report* article titled "[Emergency Day Waivers for H1N1 Flu ADA Losses](#)." Further information on the Governor's declaration can be found at: <http://gov.ca.gov/proclamation/12148>

Q2. What happens if the school closes during Standardized Testing and Reporting (STAR) testing? Can we make-up the days, and if so what is the timeline?

A2. The timelines for STAR testing are very specific in law. According to Education Regulations (Title V, Chapter 2, Section 855), the testing window is "21 instructional days that includes 10 instructional days before and after completion of 85% of the school's, track's, or program's instructional days. Testing for all pupils, including makeup testing, is to be completed within this 21 instructional day window." For most school districts, that means the testing window falls around mid-April to early May.

A district must provide at least two makeup days for testing for students that are absent, which could include closure day(s). The administration of the makeup tests must occur within the 21 day period and within five days of the last day of testing.

There are no provisions in current law that extends the testing window due to a declared State of Emergency; however, Superintendent O'Connell has been in communication with the federal and state governments requesting that he be authorized to hold and release the dates for the STAR and California High School Exit Exam (CAHSEE) exams. Current guidance from Superintendent O'Connell and the California Department of Education (CDE) indicate that, if your district is scheduled to hold these exams, it should proceed as planned in all open schools.

--Michele Huntoon, CPA and Jannelle Kubinec

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