

Date of Hearing: July 1, 2026

ASSEMBLY COMMITTEE ON APPROPRIATIONS

Buffy Wicks, Chair

SB 959 (Grayson) – As Amended March 9, 2026

Policy Committee: Education

Vote: 8 - 0

Urgency: Yes

State Mandated Local Program: No

Reimbursable: No

**SUMMARY:**

This bill adds the determination by a local fire agency of an imminent major safety hazard to the list of events the Superintendent of Public Instruction (SPI) may consider when reviewing a request for allowance of attendance due to emergency conditions (Form J-13A) waiver.

**FISCAL EFFECT:**

- 1) No General Fund administrative costs to CDE. According to CDE, statute already empowers the SPI to consider threat of a major safety hazard as determined by a local fire agency when the SPI reviews a Form J-13A waiver request.
- 2) Minor and absorbable Proposition 98 General Fund costs to the extent more local educational agencies (LEAs) apply for a Form J-13A waiver as a result of making explicit in statute that the SPI may consider a major safety hazard determined by a local fire agency when reviewing such a waiver request. However, as noted above, existing law already authorizes the SPI to consider such an event when reviewing a waiver request.

**COMMENTS:**

- 1) **Purpose.** According to the author:

In response to recent devastating wildfires, the Legislature has acted to both rebuild affected communities and bolster mitigation efforts to lower future fire risk. However, more must be done to ensure that communities have every tool available to them to respond to fire danger appropriately. One area where there remains a gap in current law is in the Education Code section that governs the type of emergency situations that a school may cancel classes and not lose out on ADA funding. This update to the law will assure that school districts will not lose ADA funding if they err on the side of student and community safety in the face of an imminent wildfire. Including fire agencies in this vital decision-making process has the potential to save the lives of students, teachers, and school personnel by keeping them out of harm's way when their campuses are threatened by potential wildfires.

- 3) **Background.** Current law requires a school district or county office of education to provide 180 instructional days each school year and requires a charter school to provide 175 instructional days each school year. In the case of school closures related to emergencies, current law authorizes the SPI to grant instructional time credit for the days a school is closed, thereby satisfying state law's instructional time requirements and allowing the LEA to avoid a fiscal penalty.

Current law provides general purpose funding to an LEA based on the ADA of its students. Therefore, lower ADA equates to lower funding. Current law allows the SPI to provide an LEA with ADA credit if the LEA remains open but has experienced a material decrease in attendance, quantified as a loss of 10% or more in attendance relative to normal, during an emergency.

To receive the aforementioned waiver of instructional time requirements or ADA credit an LEA must submit, and the SPI must approve, a Form J-13A waiver. The form requires an LEA to provide certain information related to the LEA's emergency and school closure, among other records.

Current law lists various events the SPI may consider when reviewing an LEA's Form J-13A request. These events include fire, flood, earthquake, epidemic, snowstorms, and "other extraordinary conditions," among others.

This bill explicitly adds an imminent major safety hazard as determined by a local fire agency, as opposed to only listing the determination by a local law enforcement agency, to the statutory list of events that the SPI may consider when reviewing an LEA's Form-13A request. CDE asserts existing law already provides the SPI authority to consider such events when reviewing a Form J-13A request, while the author and the bill's proponents contend there is not sufficient flexibility in existing law.

**Analysis Prepared by:** Aaron Heredia / APPR. / (916) 319-2081