

EXECUTIVE DEPARTMENT STATE OF CALIFORNIA

EXECUTIVE ORDER N-6-25

WHEREAS on January 7, 2025, I proclaimed a State of Emergency to exist in Los Angeles and Ventura Counties due to fire and windstorm conditions that have now caused multiple fires, including the Palisades, Eaton, Hurst, Lidia, Sunset, and Woodley Fires; and

WHEREAS these fires and windstorm conditions have devastated communities across the Greater Los Angeles Area and destroyed or damaged more than 12,000 structures, including homes, businesses, schools, and childcare facilities, with initial estimates placing this disaster among the most destructive in California history; and

WHEREAS tens of thousands of individuals remain under evacuation orders, impacting the ability of students to attend school and school staff to get to work, and dozens of schools remain closed across the impacted area; and

WHEREAS I issued Executive Order N-2-25 on January 8, 2025, which included a provision authorizing the Director of the California Department of Social Services to waive statutes and accompanying regulations or directives related to the use, licensing, certification, registration or approval of care providers or facilities for childcare, providing flexibility for childcare providers to accommodate additional children who have been displaced or utilize temporary facilities if their facilities have been damaged, destroyed, or rendered inaccessible by this emergency; and

WHEREAS local educational agencies are obligated to immediately enroll students who are now unhoused as a result of the fires throughout the Greater Los Angeles Area pursuant to Education Code section 48850; and

WHEREAS local educational agencies are obligated to continue serving students who were enrolled, but lost their residence and may be temporarily living outside of district boundaries due to the fires throughout Greater Los Angeles Area pursuant to Education Code section 48852.7; and

WHEREAS given the extent of the impacts on schools, it is necessary to provide additional flexibility to accommodate students who have been displaced and utilize temporary facilities to support continuity of education.

NOW, THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, in accordance with the authority vested in me by the State Constitution and statutes, including the California Emergency Services Act, and in particular, Government Code sections 8567, 8571, and 8627, do hereby issue the following Order to become effective immediately.

IT IS HEREBY ORDERED THAT:

1. For purposes of this Order, Local Educational Agency (LEA) means school districts, county offices of education, and charter schools.
2. For those LEAs in Los Angeles County that initiate a school closure to address the impact of this emergency, the closure shall qualify as a condition that prevents the maintenance of the LEA's schools during a fiscal year for 180 days or 175 days as applicable pursuant to Education Code sections 41422 and 46392, and all implementing regulations.

Additionally, any requirement in Education Code sections 41422, 46392, or 46393, and any implementing regulations requiring said LEAs to submit affidavits of the members of the governing board of the school district, the governing board of the county office of education, or the governing board or body of the charter school and of the county superintendent of schools is hereby suspended on the condition that the superintendent of the school district, the county superintendent of schools, or the charter school leader certifies in writing to the Superintendent of Public Instruction that the closure occurred to address the impact of this emergency. This suspension does not extend to any requirements applicable to independent study plans, including but not limited to Education Code section 46393 and sections 51745 et seq.

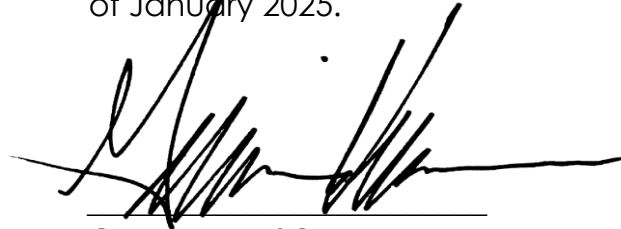
3. For the LEAs identified in Paragraph 2, the requirement that the State impose a penalty on the LEA's Local Control Funding Formula funding pursuant to Education Code sections 46207, 46208, and 47612.5, and Section 11960 of Title 5 of the California Code of Regulations, for failure to meet required instructional days and minutes is suspended. The suspension provided under this Paragraph shall be in effect only so long as necessary to address the direct impacts of this emergency.
4. The class-size requirements for transitional kindergarten through grade 8 provided in Education Code sections 48000, 48000.1, 48000.15, 41376, and 41378, and for transitional kindergarten through grade 3 provided in Education Code sections 48000, 48000.1, 48000.15, and 42238.02(d)(3), as well as all implementing regulations, are suspended for LEAs in Los Angeles County whose class sizes are affected by this emergency.
5. Residency requirements for those students who were attending schools in Los Angeles County impacted by this emergency, including those set forth in Education Code sections 48200 and 48204, are suspended for the remainder of the 2024-2025 school year.
6. All LEAs are urged to extend every effort to support and facilitate the enrollment of students displaced by the fires, including, but not limited to, facilitating completion and approval of interdistrict transfer requests.
7. If a valid collective bargaining agreement entered into between an LEA and an exclusive bargaining representative pursuant to Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code contains provisions regarding staffing ratios that impose requirements beyond the aforementioned statutes, the LEA and exclusive bargaining representative are encouraged to pursue temporary adjustments to those ratios, as necessary, to accommodate the enrollment of displaced students.
8. To the extent LEAs in Los Angeles County are required to use temporary facilities as a result of damage to or inaccessibility of school buildings due to this emergency, the requirements of Education Code sections 17280 et seq., 17365 et seq., and Government Code sections 4453 and 14963 are suspended with respect to those temporary facilities. The requirements of the California Building Code, Title 24 of the California Code of Regulations, as adopted and enforced by the local building and fire agencies with jurisdiction over the area, shall apply to these temporary facilities.

9. To the extent that LEAs in Los Angeles County are required to use temporary facilities outside of their district boundaries as a result of the damage to or inaccessibility of school buildings due to this emergency to continue to serve the students who resided in their district prior to this emergency, they may do so and continue to collect average daily attendance for those students. In addition, the requirements of Education Code sections 17387 et seq. and 17455 et seq., as well as all implementing regulations, are suspended at the discretion of those LEAs who seek to lease property to any impacted LEA in Los Angeles County for purposes of serving students impacted by this emergency.
10. A site-based charter school within Los Angeles County whose school site was damaged or is inaccessible due to this emergency shall be allowed to establish an alternative site anywhere within Los Angeles County for the 2024-25 school year and shall be deemed to be in compliance with Education Code sections 47605(a)(5) and 47605.1(d).
11. Municipalities are strongly encouraged to promptly process applications for or modifications to conditional use permits or other approvals necessary to allow a school to use temporary facilities as a result of damage to or inaccessibility of school buildings due to this emergency.
12. The requirement in Education Code section 49068(b) that a student's permanent record must be transferred by the former public or private school within 10 school days from the date a request is received is suspended to the extent the former school was located in Los Angeles County and is impacted by this emergency.
13. The deadline to present a report on the annual update to the local control and accountability plan and the local control funding formula budget overview for parents pursuant to Education Code sections 47606.5(e), 52062(a)(6), and 52068(a)(6), is extended to March 31, 2025, for all LEAs in Los Angeles County impacted by this emergency.
14. The time period for existing non-classroom based charter schools whose funding determination expires at the end of the 2024-25 school year to submit a funding determination request to the California Department of Education pursuant to California Code of Regulations, Title 5, section 11963.6(c) shall be extended until February 28, 2025, for such schools in Los Angeles County impacted by this emergency.
15. The Executive Director of the State Board of Education, the Department of General Services, and the Department of Finance shall, and the California Department of Education and the Fiscal Crisis and Management Assistance Team are requested to, engage LEAs with schoolsites that have been destroyed or damaged by fires during this emergency to support them in developing a plan for temporarily housing students displaced from the impacted schools and repairing and rebuilding the impacted schools, as appropriate.

I FURTHER DIRECT that as soon as hereafter possible, this Order be filed in the Office of the Secretary of State and that widespread publicity and notice be given of this Order.

This Order is not intended to, and does not, create any rights or benefits, substantive or procedural, enforceable at law or in equity, against the State of California, its agencies, departments, entities, officers, employees, or any other person.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 14th day of January 2025.

A handwritten signature in black ink, appearing to be 'Gavin Newsom', written over a horizontal line.

GAVIN NEWSOM
Governor of California

ATTEST:

SHIRLEY WEBER, PH. D
Secretary of State