



SENATOR TIM GRAYSON

SB 959

School Wildfire Safety

Summary:

SB 959 will modernize California law to reflect the frequency and severity of wildfires across the state by authorizing local fire agencies to determine when a school faces an imminent danger warranting the cancellation of classes. The bill would also clarify that schools would not lose average daily attendance (ADA) funding when classes are cancelled due to the imminence of a major safety hazard as determined by the local fire agency.

Background:

California has experienced an unprecedented rise in the frequency and severity of wildfires as the state faces the new reality of a year-round fire season. Recent tragedies like the Eaton and Palisades Fires in Southern California along with the Dixie and LNU Lightning Complex Fires in Northern California have led to action on several fronts to apply lessons learned from these tragic events.

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.

Problem:

The Office of the State Fire Marshal (OSFM) classifies lands within State Responsibility Areas into Fire Hazard Severity Zones (FHSZ). Out of 10,591 public schools, 1,459 (13.7%) are located in or near Fire Hazard Severity Zones, and approximately 70.7% of those fall within zones classified as High or Very High¹.

It is imperative that action is taken to protect the students, teachers, and staff of these schools.

While fire is listed as one of the emergencies during which school may be cancelled without affecting ADA funding, the statute is not clear on whether proactive action can be taken if it is determined that a

school faces extremely high fire danger and should be closed out of an abundance of caution.

Additionally, current law provides that a school may cancel classes and receive ADA funds if there is imminence of a major safety hazard as determined by the local law enforcement agency. However, conversations with local law enforcement, fire officials, and school administrators have highlighted that local fire agencies—who may be best suited to make these determinations—do not have the authority to do so.

If local fire agencies are not given the ability and authority to close schools without causing financial hardship, emergency evacuations have the unfortunate potential to become more complicated, costly, and inefficient.

Solution:

SB 959 will modernize Section 46392 of the Education Code to address the reality of heightened wildfire danger around the state and the new normal of a year-round fire season, by adding the local fire agency as an entity that may determine an imminent safety hazard for the purposes of cancelling school on days where a wildfire may endanger a campus.

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.

Support:

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¹ <https://edsources.org/2025/fire-hazard-schools-california/737663>