EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

EXECUTIVE ORDER N-66-20

WHEREAS on March 4, 2020, I proclaimed a State of Emergency to exist in California as a result of the threat of COVID-19; and

WHEREAS the COVID-19 pandemic and the physical distancing measures implemented to combat it have affected governmental agencies, private businesses, and members of the public, with associated impacts on adherence to certain statutory and regulatory deadlines and other requirements; and

WHEREAS as a result of COVID-19, individuals seeking to obtain teacher credentials have been unable to meet certain credentialing requirements, and it is necessary to provide flexibility to minimize the impacts to these individuals and the State's supply of qualified teachers, while maintaining high teacher-credentialing standards; and

WHEREAS many Californians are experiencing substantial losses of income as a result of business closures, the loss of hours or wages, or layoffs related to COVID-19, hindering their ability to keep up with their rent, leaving them vulnerable to eviction, and also impacting owners reliant on rent; and

WHEREAS on April 16, 2020, the Department of Housing and Community Development issued guidance on relief options available to developers and property owners of Department-funded developments experiencing cash flow shortages due to decreased rental revenue as a result of COVID-19; and

WHEREAS certain projects and programs funded or administered through the Department of Housing and Community Development will continue to experience longer-term cash flow shortages as a result of COVID-19 and accordingly require continued and expanded administrative relief; and

WHEREAS said projects and programs funded or administered by or through the Department of Housing and Community Development serve essential public purposes such as promoting and maintaining affordable housing for Californians and assisting Californians experiencing or at risk of homelessness; and

WHEREAS the Coronavirus Aid, Relief, and Economic Stimulus (CARES) Act (Public Law 116-136) provides supplemental funding through the U.S. Department of Housing and Urban Development to the Department of Housing and Community Development's Emergency Solutions Grant and Community Development Block Grant programs to help cover higher anticipated costs and support administrative expenses related to actions to prevent, prepare for and respond to COVID-19; and

WHEREAS Public Law 116-136 additionally provides Community Development Block Grant recipients with new flexibilities with respect to the use of funding to support COVID-19 response; and

WHEREAS there remains an increased need for child care for families who may not have previously needed child care, or who may now require additional hours of child care; and

WHEREAS in light of the COVID-19 pandemic and stay-at-home order (issued via Executive Order N-33-20 on March 19, 2020), there remains an ongoing need to promote housing security and stability, and local jurisdictions may need to continue to take additional measures to protect public health and safety; and

WHEREAS under the provisions of Government Code section 8571, I find that strict compliance with various statutes and regulations specified in this Order would prevent, hinder, or delay appropriate actions to prevent and mitigate the effects of the COVID-19 pandemic.

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 of the State of California, 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) The requirement in Education Code sections 44225(a) and 44259(b)(3) and any accompanying regulations for preliminary multiple credential candidates and preliminary single subject credential candidates to complete the Teaching Performance Assessment (TPA) is suspended for candidates whose teacher preparation program verifies that, during the 2019-20 academic year, the candidate satisfies all of the following conditions:

    (i) Was placed or employed in a local educational agency impacted by COVID-19 related school site closures;

    (ii) Was in the process of completing the TPA;

    (iii) Was unable to complete the TPA due solely to school closures; and

    (iv) Successfully completed all other preliminary teaching credential requirements.

    Candidates for whom the TPA requirement is suspended pursuant to this Paragraph 3 must complete and pass a Commission-approved teaching performance assessment prior to being recommended for a clear teaching credential.

2) The requirement in California Code of Regulations, Title 5, section 80054(a)(2)(A) and (B) for preliminary administrative services credential candidates to complete the California Administrator Performance

Assessment (CalAPA) is suspended for candidates whose administrator preparation program verifies that, during the 2019-20 academic year, the candidate:

(i) Was placed or employed in a local educational agency impacted by COVID-19 related school site closures;

(ii) Was in the process of completing the CalAPA;

(iii) Was unable to complete the CalAPA due solely to school closures; and

(iv) Successfully completed all other preliminary administrative services credential requirements.

Candidates for whom the CalAPA requirement is suspended pursuant to this Paragraph 4 must complete and pass a Commission-approved administrator performance assessment prior to being recommended for a clear administrative services credential.

3) The requirements in Education Code sections 44283 and 44283.2, and California Code of Regulations, Title 5, sections 80048.3(a)(5), 80048.8, 80071.5(a)(5), and 80413(a)(4) for preliminary multiple subject credential candidates and Level 1 or preliminary education specialist credential candidates to complete the Reading Instruction Competence Assessment (RICA) are suspended for candidates who, between March 19, 2020 and August 31, 2020, were or are unable to complete the RICA due to COVID-19 related testing center closures. Candidates for whom the RICA requirement is suspended pursuant to this Paragraph must complete and pass Commission-approved reading instruction competence assessment prior to being recommended for a clear credential.

4) The requirement in Education Code section 44252(f)(1) and any accompanying regulations for credential program applicants to complete the California Basic Educational Skills Test (CBEST) prior to admission to a Commission-approved credential program is suspended for applicants who, between March 19, 2020 and August 31, 2020, were or are unable to complete the CBEST due to COVID-19 related testing center closures. Applicants for whom the CBEST requirement is suspended pursuant to this Paragraph must complete the CBEST during their program prior to recommendation for a preliminary credential. Any use of these applicants' CBEST scores by teacher preparation programs shall be consistent with Education Code section 44252(f).

5) The requirement in Education Code section 44453(a) and any accompanying regulations for applicants for a university intern credential program to complete a subject matter examination (CSET) prior to admission to a university intern credential program; and the requirement in Education Code section 44325(c)(3) and any accompanying regulations for applicants for a university or district intern credential to complete a CSET are suspended for applicants who, between March 19, 2020 and August 31, 2020, were or are

unable to complete the CSET due to COVID-19 related testing center closures. Applicants for whom the CSET requirement is suspended pursuant to this Paragraph must complete the CSET prior to being recommended for a preliminary credential. Additionally, notwithstanding the requirement in Education Code section 44326 that district interns teach only in the subject area for which they have met the subject matter requirement, district interns for whom the CSET requirement is suspended pursuant to this Paragraph may teach in the subject area for which they have enrolled.

6) Notwithstanding California Code of Regulations, Title 25, sections 7312(f), 8303, and 8309, the Department of Housing and Community Development shall implement financial and regulatory accommodations for projects adversely affected by the COVID-19 pandemic, including modifications to the rules regarding project reserves, in order to help maintain the projects' feasibility. Any standards and procedures developed to govern such financial and regulatory accommodations shall be exempt from the Administrative Procedures Act (Chapter 3.5 of Part 1 of Title 2 of the Government Code).

7) The requirements specified in California Code of Regulations, Title 25, sections 8402, 8403(a), 8403(c), 8403(g), 8404, 8405, 8406, 8407, 8408, and 8410(a), governing the administration of the Emergency Solutions Grant Program, shall not apply to any funds allocated pursuant to Public Law 116-136. Within 10 days of this Order, the Department of Housing and Community Development shall develop and implement new streamlined procedures and conditions for the administration of such funds. The Department shall post such procedures and guidelines on its publicly accessible website. The development and implementation of such procedures and conditions shall be exempt from the Administrative Procedures Act (Chapter 3.5 of Part 1 of Title 2 of the Government Code.

8) Health and Safety Code sections 50827(a), 50828, 50833(a), and 50833(b), requiring set-asides for economic development and housing in the Community Development Block Grant Program, shall not apply to any funding allocated pursuant to Public Law 116-136 or to funding for the 2019 or 2020 federal fiscal years that is used to respond to the COVID-19 pandemic.

9) Paragraph 1 of Executive Order N-45-20 is withdrawn and superseded by the following text:

   In order to facilitate the continued provision of child care during the COVID-19 outbreak, any provision in Articles 1 through 11, 12, 15.5 through 18, 20, and 21 of Chapter 2 of Part 6 of Division 1 of the Education Code and implementing regulations in Chapter 19 and 19.5 of Division 1 of Title 5, California Code of Regulations, that restricts a child care and development program impacted by COVID-19 from serving children of essential critical infrastructure workers, as described in the document posted at https://covid19.ca.gov/img/EssentialCriticalInfrastructureWorkers.pdf is suspended through June 30, 2020 (or, for families enrolled in non-

CalWORKS early learning and care services, for 60 days following the date of the child's enrollment pursuant to Paragraphs 2 and 3 of Executive Order N-47-20, whichever is longer), on the condition that services are provided consistent with an informal directive or bulletin issued by the State Superintendent of Public Instruction pursuant to SB 117 (Chapter 3, Statutes of 2020) and that costs associated with all services provided pursuant to the informal directive or bulletin are within the budget authority of the California Department of Education.

10) Paragraph 5 of Executive Order N-45-20 is withdrawn and superseded by the following text:

    The requirements in Education Code section 8273 and any accompanying regulations or other written policies or procedures related to assessment of fees for families using preschool and child care and development services pursuant to Chapter 2 of Part 6 of Division 1 of the Education Code are suspended through June 30, 2020.

11) The timeframe set forth in Executive Order N-40-20, Paragraph 1, is extended for an additional 60 days from the date of this Order.

12) The timeframe set forth in Executive Order N-40-20, Paragraph 2, is extended for an additional 60 days from the date of this Order.

13) The timeframe set forth in Executive Order N-40-20, Paragraph 7, is extended for an additional 60 days from the date of this Order.

14) The timeframe set forth in Executive Order N-40-20, Paragraph 9, is extended for an additional 60 days from the date of this Order.

15) The timeframe set forth in Executive Order N-40-20, Paragraph 10, is extended for an additional 60 days from the date of this Order.

16) The timeframe set forth in Executive Order N-40-20, Paragraph 12, is extended for an additional 60 days from the date of this Order.

17) The timeframe set forth in Executive Order N-40-20, Paragraph 13, is extended for an additional 60 days from the date of this Order.

18) The timeframe set forth in Executive Order N-40-20, Paragraph 15, is extended for an additional 30 days from the date of this Order.

19) The timeframe set forth in Executive Order N-40-20, Paragraph 16, is extended for an additional 60 days from the date of this Order.

20) The timeframe for the protections set forth in Executive Order N-28-20, Paragraph 1, is extended for an additional 60 days from the date of this Order.

21) The timeframe for the protections set forth in Executive Order N-28-20, Paragraph 2 is extended for an additional 60 days from the date of this Order.

IT IS FURTHER ORDERED 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 29th day of May 2020.

GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State