STATE OF CONNECTICUT

BY HIS EXCELLENCY

NED LAMONT

EXECUTIVE ORDER NO. 9

PROTECTION OF PUBLIC HEALTH AND SAFETY DURING COVID-19 PANDEMIC – AUTHORITY TO ISSUE GUIDANCE AND RULES RELATED TO SCHOOL AND CHILDCARE SETTINGS AND EXTENSION OF RESTRICTIONS ON SALE OF ALCOHOL WITHOUT FOOD

WHEREAS, on March 10, 2020, I decalred public health and civil preparedness emergencies throughout the State of Connecticut as a result of the coronavirus disease 2019 (COVID-19) outbreak in the United States and Connecticut; and

WHEREAS, pursuant to such declaration, I have issued sixty-seven (67) executive orders to suspend or modify statutes and to take other actions necessary to protect public health and safety and to mitigate the effects of the COVID-19 pandemic; and

WHEREAS, on September 1, 2020, I renewed the March 10, 2020 declaration of public health and civil preparedness emergencies and also issued new declarations of public health and civil preparedness emergencies, which new and renewed emergencies shall remain in effect until February 9, 2021, unless earlier terminated; and

WHEREAS, COVID-19 is a respiratory disease that spreads easily from person to person and may result in serious illness or death; and

WHEREAS, the World Health Organization has declared the COVID-19 outbreak a pandemic; and

WHEREAS, to reduce the spread of COVID-19, the United States Centers for Disease Control and Prevention (CDC) and the Connecticut Department of Public Health (DPH) recommend implementation of community mitigation strategies to slow transmission of COVID-19, including cancellation of gatherings of ten people or more and social distancing in smaller gatherings; and

WHEREAS, public health experts have determined that it is possible to transmit COVID-19 even before a person shows symptoms and through aerosol transmission; and

WHEREAS, to provide for safe resumption of economic and social activity with a reduced threat of transmission of COVID-19, Executive Order No. 7MM, issued May 12, 2020, provided for the expansion and expedited approval of certain outdoor activities, including restaurant dining and retail sales; and

WHEREAS, the State of Connecticut has allowed businesses with on-premise food and liquor sales to open by following strict rules to protect public health; and

WHEREAS, the return of students to school and the return of more children to child care settings in the coming weeks require measures to adapt operations of those settings to provide for safety and promote learning while preventing the transmission of COVID-19 among students, children, staff, and those they will interact with; and

WHEREAS, the commissioners of Education and Early Childhood are best placed to assess and develop the specific operational rules required for settings subject to their authority and oversight related to the implementation of executive orders designed to reduce or limit the transmission of COVID-19; and

WHEREAS, in order to protect the public health by restricting activities that could increase the risk of transmission of COVID-19, Executive Order No. 7D, Section 2, among other things, prohibited the sale of alcohol by certain permittees without the sale of food; and

WHEREAS, upon a proclamation that a public health or civil preparedness emergency exists, Section 28-9(b) of the Connecticut General Statutes authorizes the modification or suspension in whole or in part by executive order of any statute or regulation or requirement or part thereof that conflicts with the efficient and expeditious execution of civil preparedness functions or the protection of public health; and

NOW, THEREFORE, I, NED LAMONT, Governor of the State of Connecticut, by virtue of the authority vested in me by the Constitution and the laws of the State of Connecticut, do hereby **ORDER AND DIRECT:**

1. **Commissioners of Early Childhood and Education May Issue Operational Rules.** To promote and secure the safety and protection of adults and children in public schools and childcare settings, including camps, related to the risks of COVID-19, the Commissioner of Education and the Commissioner of Early Childhood, in consultation with the Commissioner of Public Health, may issue binding guidance, rules, or orders for operation of schools or childcare settings that each deems necessary to respond to the COVID-19 pandemic or its effects or to implement any previous or future executive order issued in response to the COVID-19 pandemic. Such rules or binding guidance may include rules related to the required use of masks or face-coverings in school buildings and child care settings and may allow for medical, developmental, or disability-related exceptions; phase-in periods in early childhood settings to promote compliance and acclimation by young children; and mask breaks, as each commissioner deems necessary. Such guidance, rules, or orders are not included in the definition set forth in Section 4-166(16) of the Connecticut General Statutes. The operative school reopening document issued by the State Department of Education on June 29, 2020, entitled *Adapt, Advance, Achieve: Connecticut's Plan to Learn and Grow Together*, and related addendums, as amended from time to time, are deemed such binding guidance, rules or orders as authorized by this order. This authority to issue rules or binding guidance related to mask use in early childhood settings supersedes the exception for children in child care settings contained in Executive Order No. 7NNN, Section 1.

2. **Extension of Prohibition on Sale of Alcohol by Certain Permittees Without the Sale of Food.** The provisions of Executive Order No. 7D, Section 2 not previously repealed, and as amended by Executive Order Nos. 7G, 7T, and 7ZZ, which prohibit the sale of alcohol by certain permittees without the sale of food, shall remain in effect until September 26, 2020, unless earlier modified or terminated.

Unless otherwise specified herein, this order shall take effect immediately and remain in effect until February 9, 2021.

Dated at Hartford, Connecticut, this 4th day of September, 2020.

Ned Lamont
Governor

By His Excellency's Command

Denise W. Merrill
Secretary of the State