STATE OF CONNECTICUT

BY HIS EXCELLENCY

NED LAMONT

EXECUTIVE ORDER NO. 7R

PROTECTION OF PUBLIC HEALTH AND SAFETY DURING COVID-19 PANDEMIC AND RESPONSE – EDUCATION WORKFORCE SUSTAINABILITY, STATE PARKS CAPACITY CONTROL, AND CURBSIDE LIQUOR PICKUP

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

WHEREAS, pursuant to such declaration, I have issued seventeen (17) 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, 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, the risk of severe illness and death from COVID-19 appears to be higher for individuals who are 60 years of age or older and for those who have chronic health conditions; and

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

WHEREAS, Sec. 18006 of H.R. 748, the Coronavirus Aid, Relief, and Economic Security (CARES) Act, provides, in relevant part: "A local educational agency, State, institution of higher education, or other entity that receives funds under the 'Education Stabilization Fund', shall to the greatest extent practicable, continue to pay its employees and contractors during the period of any disruptions or closures related to coronavirus"; and

WHEREAS, local and regional boards of education have existing approved budgets for the duration of the 2019-2020 school year that are supported by state and municipal funding, and these school communities are instrumental to furthering the educational interests of our state; and

WHEREAS, the budgets of local and regional boards of education did not anticipate costs associated with their response to the COVID-19 pandemic and are further strained by lost revenue from cafeteria and other operations due to the cancellation of all public school classes; and

WHEREAS, during the COVID-19 pandemic, school districts and many school staff continue to be essential resources for students' needs, and both public schools and providers of special education and student transportation will need to promptly and with short notice resume services and classes when public health and safety restrictions allow it; and

WHEREAS, during this public health emergency, state parks and state forest recreation areas can provide opportunities for solitary recreation for individuals or members of the same household to enjoy together and experience both mental and physical health benefits, so long as the number of visitors is within an acceptable level that can enable social distancing, and

WHEREAS, the Department of Energy and Environmental Protection (DEEP) is closely monitoring park visitorship and closing parks when parking lots are full, or where necessary, at lower parking thresholds in order to maintain social distancing among park visitors, and DEEP has observed additional visitors in some locations parking outside the entrances to parks that have closed at capacity and walking in, which increases the numbers of visitors beyond a level that can ensure safe social distancing; and

WHEREAS, limiting the spread of COVID-19 requires effective distancing measures even among people enjoying the outdoors, including measures to ensure that state parks and other lands under the Commissioner's control do not become, even briefly, over capacity; and

WHEREAS, social distancing goals can be more readily achieved if retail businesses can bring products to consumers at the curbside rather than requiring consumers to enter the store;

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. **Continued Funding for Boards of Education.** The State Department of Education shall continue to process appropriated state grant funds intended to support boards of education through the fiscal year ending June 30, 2020, including, but not limited to, entitlement grants such as the Education Cost Sharing (ECS) grant pursuant to Section 10-262f, payments for special education excess costs pursuant to Sections 10-76d and 10-76g, and Choice programming pursuant to Sections 10-264i, 10-264l, 10-264o, and 10-266aa. Municipalities shall continue to provide funding to local boards of education as set forth in the approved annual school budgets for the fiscal year ending June 30, 2020.

2. **Continued Payment of Public School Staff.** In recognition of the fact that schools are required to provide a broad and constantly changing spectrum of services to students and families and will need to reengage students as quickly as possible upon resuming classes, school districts shall continue to employ or restore to employment if already laid off, and pay school staff who are directly employed by the local or regional board of education,

including but not limited to teachers, paraprofessionals and other support staff, cafeteria staff, clerical staff, and custodial workers, to the greatest extent practicable. Local and regional boards of education may require school staff to provide services during the period of closure to the extent consistent with state and federal laws, including any applicable Executive Orders, guidance, or public health recommendations, and shall not be required to continue such employment if the staff member secures other employment, or if the staff member would have been separated for reasons other than circumstances related to the COVID-19 pandemic. Nothing in this order shall affect the ability of the local or regional board of education to reduce the number of staff members prior to the start of the 2020-2021 school year due to budget reductions or as otherwise necessary outside of the circumstances of the COVID-19 pandemic, in compliance with current legal requirements.

3. **Preservation of Student Transportation Services and Special Education Providers.** To the extent that a board of education, or in cases where the municipality holds the contract, the municipality with agreement from the board of education, determines that a contract related to student transportation or the provision of special education services by a public special education provider or an approved private special education provider requires amendment to more accurately reflect the actual costs incurred during the duration of the public health and civil preparedness emergencies, all parties shall promptly negotiate amendments to such contracts with student transportation providers and/or special education providers with terms that are consistent with the goals of: (1) sustaining continuity of service when school resumes; (2) continuing (a) to make tuition payments to special education providers so that they may compensate their active employees and provide them health insurance and (b) to make payments to transportation providers so that they may compensate their active employees and provide them health insurance; and (3) requiring the contracted company to attest and provide reasonable documentation of the fact that it is charging only the actual and reasonable cost of sustaining wage and health insurance payments for active employees and/or fleet while also engaging best efforts to avoid unnecessary costs. Such continued compensation and health insurance for staff or others providing special education and transportation services and employees shall be continued to the greatest extent practicable – whether full-time or part-time – at rates commensurate to those paid and provided immediately prior to the declaration of these public health and civil preparedness emergencies, whether or not services are actually or immediately rendered. Nothing in this provision shall allow for contracted companies to be enriched beyond the actual and reasonable costs incurred for the purposes set forth above.

4. **Restrictions on Entrance to State Parks, Forests, and Other Lands.** Notwithstanding the provisions of Section 23-4 of the Connecticut General Statutes or any related regulations, rules, policies or procedures, in order to limit close person-to-person contact and the formation of crowds, and thereby reduce the risk of transmission of COVID-19, the Commissioner of Energy and Environmental Protection may issue any orders she

deems necessary to restrict or prohibit entrance into state parks and other lands under her control, and may prohibit for the duration of this public health and civil preparedness emergency the entrance to such parks or lands by anyone who violates any such an order.

5. **Curbside Pickup of Alcoholic Beverages Permitted.** Sections 30-20 and 30-74(c) of the Connecticut General Statutes and Section 30-6-B55(b) of the Regulations of Connecticut State Agencies are modified to allow the holders of package store liquor permits and grocery store beer permits to extend their permit premises to provide for sale for curbside pickup of all alcoholic beverages allowed by their permit type in any space adjacent to their permit premise. Such curbside sales are permitted during the days and hours allowed for legal sale pursuant to Section 30-91(d), unless a more restrictive municipal ordinance limits the hours of alcoholic beverage sales. The Commissioner of Consumer Protection may issue any implementing orders and guidance that she deems necessary to implement this order. Nothing in this order shall relieve any permit holder from the responsibility to comply with existing law requiring verification of identification.

Unless otherwise specified herein, this order shall take effect immediately and shall remain in effect for the duration of the public health and civil preparedness emergency, unless earlier modified or terminated by me.

Dated at Hartford, Connecticut, this 31st day of March, 2020.

Ned Lamont
Governor

By His Excellency's Command

Denise W. Merrill
Secretary of the State