STATE OF VERMONT

EXECUTIVE DEPARTMENT

GUBERNATORIAL DIRECTIVE TO ALL SCHOOL BOARDS AND SUPERINTENDENTS AND CHILD CARE PROVIDERS

CONTINUITY OF LEARNING PLANNING

PROVISION OF SERVICES TO CHILDREN OF ESSENTIAL PERSONS DURING CLOSURE PERIOD IN RESPONSE TO COVID-19

WHEREAS, on Friday, March 13, 2020, the Governor issued an Executive Order ("Executive Order"), declaring a State of Emergency for the State of Vermont in response to COVID-19; and

WHEREAS, since that time, the number of additional cases of COVID-19 has grown exponentially and sadly, but not surprisingly Vermont is experiencing its fatal impact; and

WHEREAS, on March 15, 2020, the Governor issued a Directive to all School Boards and Superintendents ("School Continuity Directive"), dismissing schools from March 18, 2020 through April 6, 2020 ("Closure Period") and directing Continuity of Education Planning; and

WHEREAS, the School Continuity Directive delegated authority to the Secretary of the Agency of Education ("Education Secretary") to oversee its implementation, including with respect to addressing the child care needs of healthcare workers and other Vermonters essential to the COVID-19 response ("Essential Persons"), during the Closure Period; and

WHEREAS, on March 17, 2020, the Governor issued a Directive to all School Boards, Superintendents and Child Care Providers ("Child Care Directive"), to close all routine child care operations and provide for the care of the infants, pre-k children and children through grade 8 of Essential Persons, during the Closure Period; and

WHEREAS, on March 24, 2020, the Governor issued Addendum 6 to the Executive Order ("Stay Home/Stay Safe"), which puts additional restrictive measures in place to minimize all unnecessary activities outside the home to slow the spread of COVID-19 and protect the public; and

WHEREAS, Stay Home/Stay Safe was implemented in consultation with the Commissioner of the Vermont Department of Health ("VDH") and directs Vermonters to stay at home, leaving only for essential reasons critical to health and safety; closes all businesses and not-for-profit entities; and provides exemptions for certain critical businesses employing Essential Persons; and

WHEREAS, the Governor has determined, in consultation with the Commissioner of VDH, the Secretary of the Agency of Human Services and the Secretary of Education, to dismiss schools in Vermont through the end of the year and provide clarity regarding child care for Essential Persons; and

WHEREAS, this decision is based on the best scientific evidence available to the experts at the Vermont Department of Health and is expected to help provide the necessary care and services to prevent and reduce the spread of COVID-19.

NOW THEREFORE, I, Philip B. Scott, by virtue of the authority vested in me as Governor of Vermont by the Constitution of the State of Vermont, the emergency powers set forth in 20 V.S.A. §§ 8, 9 and 11 and other laws, hereby direct the governing bodies of all public and independent schools as follows:

1. Schools for preK-12 students shall remain dismissed for in-person instruction for the remainder of the 2019-2020 school year, unless otherwise ordered by the Governor if the COVID-19 response should allow.

2. Schools are required to have continuity of learning plans for remote learning implemented on or before Monday, April 13, 2020.

3. The Secretary of the Agency of Education shall issue guidance on or before Friday, May 8, 2020 on end of school year gatherings and graduations.

4. School districts are encouraged to utilize facilities and staff to assist in child care for Essential Persons so long as they adhere to health guidance issued by VDH for operations of child care programs during the COVID-19 response.

5. "Essential Persons" are employees of businesses and entities providing services or functions deemed critical to public health and safety, as well as economic and national security as described in Stay Home/Stay Safe and supplemental guidance issued by the Agency of Commerce and Community Development; provided, however, child care being provided to Essential Persons during the State of Emergency shall only be utilized by Essential Persons (a) when there is no parent, guardian or other arranged care in the home to care for the child; or (b) in the event of exigent circumstances necessary for the health and safety of the child. Further, in the event of child care capacity constraints, the children of healthcare providers and other essential healthcare system employees, first responders and essential government employees with primary responsibility for execution of the COVID-19 response shall receive priority placement.

6. Pursuant to the powers granted to the Governor in 20 V.S.A. §§ 8, 9 and 11 and other provisions of law, I shall from time to time issue recommendations, directives and orders as circumstances may require.

Except as set forth in this Directive, the School Continuity Directive and the Child Care Directive shall remain in full force and effect. This Directive shall take effect upon signing and shall continue in full force and effect until such time as the Governor, in consultation with the Vermont Department of Health, the Department of Public Safety/Division of Emergency Management and the Agency of Education shall assess the emergency and determine whether to amend or terminate this Directive.

By the Governor:

Philip B. Scott
Governor

Brittney L. Wilson
Secretary of Civil and Military Affairs

Directive No. 5 (Pursuant to Executive Order 01-20)

Directive March 26, 2020