ANDY BESHEAR
GOVERNOR

EXECUTIVE ORDER

Secretary of State
Frankfort
Kentucky

2020-969
November 18, 2020

STATE OF EMERGENCY

The novel coronavirus (COVID-19) is a respiratory disease causing illness that can range from very mild to severe, including illness resulting in death, and many cases of COVID-19 have been confirmed in the Commonwealth.

The Kentucky Constitution and Kentucky Revised Statutes, including KRS Chapter 39A, empower me to exercise all powers necessary to promote and secure the safety and protection of the civilian population, including the power to command individuals to disperse from the scene of an emergency and to perform and exercise other functions, powers, and duties necessary to promote and secure the safety and protection of the civilian population. Under those powers, I declared by Executive Order 2020-215 on March 6, 2020, that a State of Emergency exists in the Commonwealth. The Centers for Disease Control and Prevention (CDC) has concluded that COVID-19 most commonly spreads during close contact between people, and can sometimes be spread through airborne transmission, particularly among individuals in enclosed spaces. As a result, scenes of emergency exist where people gather together, potentially spreading COVID-19.

Kentucky is now experiencing a potentially catastrophic surge in COVID-19 cases, which threatens to overwhelm our healthcare system and cause thousands of preventable deaths. Despite Red Zone Reduction Recommendations, Kentucky is faced with exponential growth of COVID-19 cases. Accordingly, Executive Order 2020-968, issued today, imposed new public health measures to slow the spread of COVID-19.

Additional public health measures concerning elementary, middle, and high schools are necessary to further slow the spread of COVID-19 now. These measures are intended to ensure that as many schools as possible may safely return to in-person instruction in the near future.

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Order

I, Andy Beshear, by virtue of authority vested in me pursuant to the Constitution of Kentucky and by KRS Chapter 39A, do hereby Order and Direct as follows:

1. All public and private elementary, middle, and high schools (kindergarten through grade 12) shall cease in-person instruction and transition to remote or virtual instruction beginning November 23, 2020.

2. All middle and high schools (grades 6 through 12) shall remain in remote or virtual instruction and not resume in-person instruction prior to January 4, 2021.

3. For the period from December 7, 2020 to January 4, 2020, all elementary schools (kindergarten through grade 5) may reopen for in-person instruction, provided:

    a. The school is not located in a Red Zone County, as provided by the Kentucky Department for Public Health on the COVID-19 website (available at https://govstatus.egov.com/kycovid19); ***and***

    b. The school follows all expectations in the KDE Healthy at School Guidance on Safety Expectations and Best Practices for Kentucky Schools (available at https://govstatus.egov.com/ky-healthy-at-school).

4. Nothing in this Order shall prohibit schools from providing small group in-person targeted services, as provided in KDE guidance.

5. This Order shall apply to all institutions of public and private elementary and secondary education, but does not apply to private schools conducted in a home solely for members of that household.

ANDY BESHEAR, Governor
Commonwealth of Kentucky

MICHAEL G. ADAMS
Secretary of State