STATE OF INDIANA

EXECUTIVE DEPARTMENT
INDIANAPOLIS

EXECUTIVE ORDER 20-16

FOR: **EDUCATION MATTERS AND COVID-19**

TO ALL WHOM THESE PRESENTS MAY COME, GREETINGS:

WHEREAS, on March 6, 2020, I issued Executive Order 20-02, which declared a public health emergency exists throughout the State of Indiana as result of the coronavirus disease 2019 ("COVID-19") outbreak in the United States and a confirmed report that the disease had spread to Indiana;

WHEREAS, since then, on March 11, 2020, the World Health Organization declared COVID-19 to be a global pandemic and, on March 13, 2020, the President of the United States declared a national emergency with respect to this dangerous virus;

WHEREAS, on March 12, 2020, all Indiana schools were provided a twenty (20) day waiver for school closure allowable for use effective immediately and, on March 19, 2020, I issued Executive Order 20-05 directing all K-12 schools to close through May 1, 2020;

WHEREAS, as of the date of this Executive Order, the virus has now spread to nearly every county throughout Indiana with more than 2,500 sickened and has caused 65 deaths, with these numbers increasing each day and expected to increase rapidly in the days ahead;

WHEREAS, despite significant steps being taken in our State, this virus remains a serious threat to the health, safety, and welfare of all residents of Indiana, and further efforts are needed to address, control, and reduce the evolving threat posed by COVID-19;

WHEREAS, the necessary actions taken to protect our citizens from the spread of COVID-19 have been disruptive to daily life, including the academic lives of Indiana students, and further action is required to ensure that our schools, educators, and students are not penalized for doing their part to inhibit the spread of this virus;

WHEREAS, Indiana schools will not be able to meet state requirements for attendance, graduation, licensing, and many standard operating procedures due to their compliance with the measures taken to address the current public health emergency;

WHEREAS, as Governor, I have broad authority and powers under Indiana law to declare and respond to public health emergencies on behalf of our State, including but not limited to: (a) making, amending, and rescinding the necessary orders, rules, and regulations to carry out Indiana's Emergency Management and Disaster Law, Ind. Code ch. 10-14-3; (b) suspending the provisions of any regulatory statute prescribing the procedures for conduct of state business, including the orders, rules, or regulations of any state agency if strict compliance with any of these provisions would in any way prevent, hinder, or delay necessary action in coping with the emergency; and (c) using the services and facilities of existing officers, agencies of the state, and of political subdivisions, who shall cooperate with and extend services and facilities to the governor as I may request; and

WHEREAS, in light of the above, it is necessary and proper to take further actions to protect the health, safety and welfare of all Hoosiers in connection with the continuing and evolving threat posed by COVID-19, as more particularly described herein;

NOW, THEREFORE, I, Eric J. Holcomb, by virtue of the authority vested in me as Governor by the Indiana Constitution and the laws of the State of Indiana, do hereby order the following:

1. **REMAINDER OF THE SCHOOL YEAR:**

   A. All K-12 schools in Indiana shall provide instruction via remote learning for the remainder of the 2019-2020 school year (School Year). Schools shall not conduct in-person instruction for the remainder of the School Year, and school buildings shall remain closed except for the purposes described in Executive Orders 20-04, 20-05, 20-08, and as may be described in any future Executive Orders.

   B. To comply with Ind. Code § 20-30-2-3 and complete the School Year, all schools previously received a waiver of twenty (20) days, reducing the number of required in-person or remote instruction days to one-hundred sixty (160). Schools must continue to provide instruction via remote learning until they complete either:

      (i) one-hundred sixty (160) instructional days, or

      (ii) at least twenty (20) additional days of remote learning between the date of this Executive Order and the end of the School Year. For schools choosing this option but that still fall short of the one-hundred sixty (160) instructional day requirement, I authorize the Indiana Department of Education (IDOE) to waive the additional days necessary to reach one-hundred sixty (160) instructional days.

   C. By April 17, 2020, all public K-12 schools, including charter K-12 schools and eligible K-12 schools as defined in Ind. Code § 20-51-1-4.7, shall submit for review and approval by the IDOE a plan detailing how the school will meet the requirements of this Executive Order to complete the School Year. The plan may include eLearning, extended learning, project-based or portfolio learning, competency-based learning, partnerships with higher education for increased student supports, and other similar methods.

   D. As specified in Ind. Code § 20-30-2-3, not later than June 15, 2020, the superintendent of each school corporation shall certify to the IDOE the number of student instructional days conducted during the School Year in order to show compliance with their approved plan.

2. **GRADUATION REQUIREMENTS:**

   A. The State Board of Education (SBOE) is responsible for the rules concerning graduation requirements. Accordingly, I hereby authorize and direct the executive director of the SBOE, in consultation with the Superintendent of Public Instruction, to waive, suspend, and/or modify graduation requirements as necessary and appropriate to ensure all seniors in the 2020 graduation cohort have the flexibility needed to earn an Indiana diploma with the designation for which they were on-track to graduate prior to the closure of Indiana's K-12 schools on March 19, 2020.

3. **TEACHER LICENSING REQUIREMENTS:**

   A. Teacher licenses expiring between March 1, 2020, and August 31, 2020, are hereby extended through September 1, 2020. To facilitate this extension, the requirements set forth in Ind. Code § 20-28-5-3(e) are hereby suspended to the extent these provisions require successful completion of cardiopulmonary resuscitation (CPR) training and certification in order to renew a teaching license; such training and certification shall be completed on or before September 1, 2020.

   B. For current emergency teaching permit holders, the requirements of 511 IAC 16-4-1(d) for renewal for the 2020-2021 school year are waived to the extent they require documentation of progress in pursuit of completion of an approved program for licensure and completion of testing requirements.

4. **DEADLINES & OTHER REQUIREMENTS:**

A. I authorize the Superintendent of Public Instruction to waive, suspend, and/or modify the rules regarding school bus passenger evacuation drills found in Title 575 of the Indiana Administrative Code as necessary and appropriate to implement this Executive Order for the current School Year.

B. The Superintendent of Public Instruction, the executive director of the SBOE, and relevant state agencies shall consult, finalize, and submit recommendations for my review on April 7, 2020, regarding all other deadlines and requirements for the current School Year set forth in statute and rule as are necessary and appropriate to address in order to implement this Executive Order.

This Executive Order is a supplement to, and deemed to be part of, Executive Orders 20-02 & 20-05.

IT IS SO ORDERED.

IN TESTIMONY WHEREOF, I, Eric J. Holcomb, have hereunto set my hand and caused to be affixed the Great Seal of the State of Indiana, on this 2nd day of April, 2020.

Eric J. Holcomb
Governor of Indiana

Connie Lawson

ATTEST: Connie Lawson
Secretary of State