NORTH Dakota | Governor Doug Burgum

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EXECUTIVE ORDER 2020-42

WHEREAS, a state of emergency was declared by Governor Doug Burgum on March 13, 2020, in response to the public health crisis resulting from COVID-19; Executive Order 2020-03 activated the State Emergency Operations Plan (SEOP), implementing appropriate response and recovery actions and future mitigation measures; and,

WHEREAS, with the guidance and assistance of the State Health Officer and the Director of Emergency Services, the State is actively responding to the COVID-19 crisis and working to gather, coordinate, and deploy goods, services, professionals and volunteers of all types and kinds; and,

WHEREAS, the education, health, and safety of our children are of critical importance as we continue to respond to this public health disaster; and

WHEREAS, regardless of the COVID-19 pandemic, schools will continue to be a safe environment for students, focusing on both social-emotional and physical health; and,

WHEREAS, our State, our Communities, our school districts, school administrators and teachers are committed to providing every student with the opportunity to experience a full year of learning throughout the 2020-2021 school year; and,

WHEREAS, depending upon local conditions as reported by the North Dakota Department of Health and local public health units, K-12 education may be provided in a face-to-face, virtual, or a hybrid format; each district will work in collaboration with local health professionals (including local public health units), faculty, students, staff, and families; and,

WHEREAS, to maintain the State's commitment to K-12 education during the COVID-19 pandemic, suspension of certain state administrative rules is necessary to increase the availability of licensed teaching professionals and maintain continuity of instruction for all students.

NOW THEREFORE, Doug Burgum, Governor of North Dakota, by virtue of the authority under Article V, Section 1 of the North Dakota Constitution and North Dakota Century Code 37-17.1 and in consultation with the Superintendent of Public Instruction

and the Education Standards and Practices Board, hereby suspends the "ten consecutive days" limitation under North Dakota Administrative Code § 67.1-02-04-02, to allow an Interim Licensed Substitute Teacher to remain in a classroom without limitation, where a shortage of regularly licensed substitute teachers exists.

This Executive Order is based upon the following authority and issued for the following reasons:

1. The Governor is vested with the executive authority pursuant to Article V, Section 1, of the North Dakota Constitution.
2. The Governor is vested with statutory authority to issue executive orders, to minimize or avert the effects of a disaster or emergency pursuant to Chapter 37-17.1 of the North Dakota Century Code.
3. A coordinated and effective effort of appropriate government departments is required to minimize the impact of emergencies and disasters in this state.

This Order will become effective immediately and shall remain in effect until rescinded.

Executed at the State Capitol in Bismarck, North Dakota, this 3rd day of September, 2020.

Doug Burgum
Governor

ATTEST:

Secretary of State