THE STATE OF GEORGIA

EXECUTIVE ORDER

BY THE GOVERNOR:

WHEREAS: On March 14, 2020, due to the impact of COVID-19 on the State of Georgia, I issued Executive Order No. 03.14.20.01, declaring a Public Health State of Emergency in Georgia; and

WHEREAS: The Georgia General Assembly concurred with Executive Order 03.14.20.01 by joint resolution on March 16, 2020; and

WHEREAS: Executive Order 03.16.20.01 closed all public elementary, secondary, and post-secondary schools in Georgia through Tuesday, March 31, 2020; and

WHEREAS: Executive Order 03.26.20.02 extended the closures of all public elementary and secondary schools for in-person instruction through April 24, 2020; and

WHEREAS: During a state of emergency, Georgia law vests the Governor with powers and duties as may be deemed necessary to promote and secure the safety and protection of the civilian population; and

WHEREAS: Code Section 38-3-51(d)(1) vests the Governor with the power to suspend any regulatory statute prescribing the procedures for conduct of state business, or the orders, rules, or regulations of any state agency, if strict compliance with any statute, order, rule, or regulation would in any way prevent, hinder, or delay necessary action in coping with the emergency or disaster; and

WHEREAS: In consultation with the State School Superintendent, State Board of Education, and local and state officials, I have determined that the following temporary actions are necessary and appropriate action to support Georgia's schools, students, and educators in coping with effects of the spread of COVID-19 throughout this state.

NOW, THEREFORE, PURSUANT TO CODE SECTION 38-3-51, AND THE AUTHORITY VESTED IN ME AS GOVERNOR OF THE STATE OF GEORGIA, IT IS HEREBY

ORDERED: That the State Board of Education is authorized to waive state rules, regulations, policies, and procedures, and provisions of Title 20, Chapter 2 of the Official Code of Georgia, *sua sponte,* without such waiver being first requested by a local board of education; all provisions of Code Section 20-2-244(a) in conflict with this Order shall be suspended through July 31, 2020.

IT IS FURTHER

ORDERED: That Code Section 20-2-244(d) setting minimum application requirements for a waiver of state rules, regulations, policies, and procedures, and provisions of Title 20, Chapter 2 of the Official Code of Georgia shall be suspended through July 31, 2020.

IT IS FURTHER

ORDERED: That Code Section 20-2-244(g) which limits the scope of waivers provided under Code Section 20-2-244 shall be suspended through July 31, 2020.

IT IS FURTHER

ORDERED: That the provisions of Code Section 20-2-210 relating to the Annual Performance Evaluation for Local Education Agencies shall be suspended through July 31, 2020.

IT IS FURTHER

ORDERED: That the provisions of Code Section 20-2-327(c) requiring development of individual graduation plans for eighth grade students prior to the end of the second semester of the school year shall be suspended through July 31, 2020.

IT IS FURTHER

ORDERED: That the provisions of Code Section 20-2-690(c)(7) requiring students in home study programs to be subject to an appropriate nationally standardized testing program at least every three years shall be suspended through July 31, 2020.

IT IS FURTHER

ORDERED: That any student in a home study program that has not satisfied the requirement to participate in an appropriate nationally standardized testing program in the past three years and who will forgo that requirement as stated in Code Section 20-2-690(c)(7) during the

2019-2020 school year due to the outbreak of COVID-19 and the suspension of that requirement in the paragraph above shall satisfy that requirement and participate in an appropriate nationally standardized testing program before the end of the 2020-2021 school year.

IT IS FURTHER

ORDERED: That if one or more of the provisions contained in this Order shall be held to be invalid, in violation of the Georgia Constitution, in violation of Georgia law, or unenforceable in any respect, such invalidity, violation, or unenforceability shall not affect any other provisions of this Order, but, in such case, this Order shall be construed as if such invalid, illegal, or unenforceable provision had never been contained within the Order.

IT IS FURTHER

ORDERED: All provisions of the Order shall become effective upon signature and shall expire at the conclusion of the Public Health State of Emergency declared in Executive Order No. 03.14.20.01. If the Public Health State of Emergency declared in Executive Order No. 03.14.20.01 is renewed, this Order shall carry forward with the Public Health State of Emergency until such state of emergency is terminated or ceases to be renewed by the Governor.

This 27th day of March 2020 at 5:14 P.M.

GOVERNOR