State of Iowa

Executive Department

IN THE NAME AND BY THE AUTHORITY OF THE STATE OF IOWA

PROCLAMATION OF DISASTER EMERGENCY

WHEREAS, the World Health Organization has reported an outbreak of thousands of cases of Novel Coronavirus 2019 (COVID-19) in multiple countries, causing illness and deaths; and

WHEREAS, on January 31, 2020, the United States Department of Health and Human Services declared a national public health emergency; and

WHEREAS, on March 9, 2020, a Proclamation of Disaster Emergency was issued to coordinate the State of Iowa's response to this outbreak and such disaster continues to exist; and

WHEREAS, on March 11, 2020 the World Health Organization declared the COVID-19 outbreak a global pandemic; and

WHEREAS, on March 13, 2020, President Donald J. Trump issued a proclamation declaring that the COVID-19 outbreak in the United States constitutes a national emergency; and

WHEREAS, on March 17, 2020, a Proclamation of Public Health Disaster Emergency was issued to provide additional needed resources and measures to respond to this disaster, and such public health disaster continues to exist; 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, 2020 Iowa Acts Chapter 1107 (Senate File 2310) provides that in-person instruction shall be the presumed method of instruction for the upcoming school year and prohibits a brick-and-mortar school district or accredited nonpublic school from providing instruction primarily through remote-learning opportunities without explicit authorization in a proclamation of public health disaster emergency; and

WHEREAS, strict compliance with the provisions of Iowa Admin. Code rule 282-22.2, limiting the number of consecutive days and the total number of days in a 30-day period that a person may serve as a substitute teacher during one job assignment, and of Iowa Admin. Code rule 282-13.16(2) limiting the number of days of teaching in one assignment during a school year would prevent, hinder, or delay necessary action in coping with this disaster in all counties of our state; and

WHEREAS, strict compliance with the provisions of Iowa Admin. Code rule 282-22.2(1)(a)(2), requiring a baccalaureate degree or higher from a regionally accredited institution to be issued a substitute authorization would prevent, hinder, or delay necessary action in coping with this disaster in all counties of our state; and

WHEREAS, strict compliance with the provisions of Iowa Code § 272.2(14)(b)(2) and Iowa Admin. Code rule 282-22.2(1)(a)(3), requiring the applicant to be at least twenty-one years of age would prevent, hinder, or delay necessary action in coping with this disaster in all counties of our state; and

WHEREAS, strict compliance with the provisions of Iowa Code § 272.12 and Iowa Admin. Code rule 282-22.2, limiting the holder of a paraeducator certificate with a substitute authorization appearing on the certificate to substituting only in the special education classroom in which the paraeducator is employed would prevent, hinder, or delay necessary action in coping with this disaster in all counties of our state; and

WHEREAS, strict compliance with the provisions of Iowa Admin. Code rules 282-13.16(3), 22.2, 22.9, and any other Iowa law that would prohibit the holder of a career and technical secondary authorization or an initial career and technical secondary authorization who has completed at least one year of teaching experience employed by a school district from serving as a substitute teacher in any classroom in grade pre-kindergarten through 12 would prevent, hinder, or delay necessary action in coping with this disaster in all counties of our state; and

WHEREAS, strict compliance with the provisions of Iowa Code § 260C.48(2) and Iowa Admin Code rule 281-24.5(2), providing a maximum teaching load for community college instructors would continue to prevent, hinder, or delay necessary action in coping with this disaster in all counties of our state.

NOW THEREFORE, I, KIMBERLY K. REYNOLDS, Governor of the State of Iowa, by the power and authority vested in me by the Iowa Constitution, Art. IV, §§ 1, 8 and Iowa Code §§ 29C.6(1), 135.140(6), and 135.144 do hereby proclaim a **STATE OF PUBLIC HEALTH DISASTER EMERGENCY** continues to exist throughout the entire state of Iowa and do hereby **ORDER** and **DIRECT** the following:

IN-PERSON INSTRUCTION

SECTION ONE. Under Iowa law, "in-person instruction is the presumed method of instruction" for all school districts and accredited nonpublic schools during the 2020-2021 school year. I direct that all state agencies, school districts, and other local governmental bodies and agencies shall take all efforts to prepare to safely welcome back students and teachers to school in-person this fall. These efforts shall also ensure that schools have the flexibility to continue providing education remotely if it becomes necessary and that parents have the option to select a learning model for their children that best meets the needs of their family. But the best interests of students and families requires that our schools are prepared to provide a structured, safe, and enriching academic environment.

AUTHORIZATION OF CERTAIN REMOTE LEARNING

SECTION TWO. Pursuant 2020 Iowa Acts Chapter 1107 (Senate File 2310), section 15, subsection 1, I hereby authorize a brick-and-mortar school district or accredited nonpublic school to provide instruction primarily through remote-learning opportunities only in the following circumstances:

A. **Parental consent:** If a parent or guardian voluntarily selects the remote learning opportunity from among multiple options provided by the school district or nonpublic school in accordance with its Return-to-Learn Plan; or

B. **Approved temporary school building or district closure:** If the Iowa Department of Education, in consultation with the Iowa Department of Public Health, approves of the temporary move to primarily remote learning for an entire school building or district because of public health conditions in the building or district.

C. **Temporary remote learning for individual students or classrooms:** If the school district or accredited nonpublic school determines, in consultation with state and local public health departments, that individual students or classrooms, but not all the students in a school building, must temporarily move to primarily remote learning because of public health conditions in the building.

D. **Temporary remote learning because of inclement weather:** If the school district or accredited nonpublic school determines that an entire school building or district must temporarily move to primarily remote learning because of inclement weather for a period not exceeding five consecutive school days unless the Iowa Department of Education approves of a longer period.

So long as any remote learning is provided in accordance with a compliant Return-to-Learn plan and is authorized in this section or is not the primary method of instruction (because at least half of the school district or accredited nonpublic school's instruction is provided in-person during any two-week period), any instructional time provided by remote learning shall count towards the hours and days requirements of Iowa law as provided for by 2020 Iowa Acts Chapter 1107 (Senate File 2310), section 9.

EDUCATION WORKFORCE LICENSURE RELIEF

SECTION THREE. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I temporarily suspend the regulatory provisions of Iowa Admin. Code rule 282-22.2, limiting the number of consecutive days and the total number of days in a 30-day period that a person may serve as a substitute teacher during one job assignment, and of Iowa Admin. Code rule 282-13.16(2) limiting the number of days of teaching in one assignment during a school year. For the duration of this disaster proclamation and any extension of this suspension, a substitute authorization or substitute license shall allow an individual to substitute in grades pre-kindergarten through 12, except in a driver's education classroom for any length of time.

SECTION FOUR. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I temporarily suspend the regulatory provisions of Iowa Admin. Code rule 282-22.2(1)(a)(2), requiring a baccalaureate degree or higher from a regionally accredited institution to be issued a substitute authorization, but only to the extent that the applicant instead has achieved an associate's degree or completed 60 semester hours of college coursework from a regionally accredited institution.

SECTION FIVE. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I temporarily suspend the regulatory provisions of Iowa Code § 272.2(14)(b)(2) and Iowa Admin. Code rule 282-22.2(1)(a)(3), requiring the applicant to be at least twenty-one years of age, but only to the extent that the applicant is at least twenty years of age.

SECTION SIX. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I temporarily suspend the regulatory provisions of Iowa Code § 272.12 and Iowa Admin. Code rule 282-22.2, limiting the holder of a paraeducator certificate with a substitute authorization appearing on the certificate to substituting only in the special education classroom in which the paraeducator is employed. For the duration of this disaster proclamation and any extension of this suspension, a paraeducator who holds or obtains a substitute authorization on a paraeducator certificate may substitute in any classroom in grades pre-kindergarten through 12, except in a driver's education classroom.

SECTION SEVEN. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I temporarily suspend the regulatory provisions of Iowa Admin. Code rules 282-13.16(3), 22.2, 22.9, and any other Iowa law that would prohibit the holder of a career and technical secondary authorization or an initial career and technical secondary authorization who has completed at least one year of teaching experience employed by a school district from serving as a substitute teacher in any classroom in grade pre-kindergarten through 12, except in a driver's education classroom. For the duration of this disaster proclamation and any extension of this suspension, the holder of a career and technical secondary authorization or an initial career and technical secondary authorization who has completed at least one year of teaching experience employed by a school district may substitute in any classroom in grades pre-kindergarten through 12, except in a driver's education classroom without any further authorization from the Board of Educational Examiners.

SECTION EIGHT. The Board of Educational Examiners shall provide guidance to school districts and individuals interested in serving as a substitute teacher about these expanded opportunities to assist in providing the necessary education workforce across Iowa.

COMMUNITY COLLEGE MAXIMUM TEACHING LOAD

SECTION NINE. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I temporarily suspend the regulatory provisions of Iowa Code § 260C.48(2) and Iowa Admin. Code rule 281-24.5(2), providing a maximum teaching load for community college instructors, but only to the extent that a community college administration assigning an instructor a teaching load above the maximum credit load maintains written documentation that the instructor and community college administration mutually consented to the additional assignments.

IMPLEMENTATION AND INTERPRETATION

SECTION TEN. The Iowa Department of Public Safety, Iowa Department of Public Health, Iowa Department of Education, Iowa Department of Homeland Security and Emergency Management, Iowa Department of Transportation, and other participating state agencies are hereby directed to monitor the operation and implementation of this proclamation to assure the public's health and safety.

SECTION ELEVEN. Nothing contained in this declaration shall be construed as an exemption from any other portion of the Iowa Code or Iowa Administrative Code not specifically identified in this proclamation.

SECTION TWELVE. The provisions of this proclamation shall be effective immediately, unless otherwise noted. This proclamation shall not be construed to otherwise modify the proclamation issued on June 25, 2020. This state of public health disaster emergency shall continue to expire on July 25, 2020, at 11:59 p.m., unless sooner terminated or extended in writing by me.

IN TESTIMONY WHEREOF, I HAVE HEREUNTO SUBSCRIBED MY NAME AND CAUSED THE GREAT SEAL OF THE STATE OF IOWA TO BE AFFIXED AT DES MOINES, IOWA THIS 17TH DAY OF JULY IN THE YEAR OF OUR LORD TWO THOUSAND TWENTY.

KIMBERLY K. REYNOLDS
GOVERNOR

ATTEST:

PAUL D. PATE
SECRETARY OF STATE