

GOVERNMENTAL UPDATES

STATE LEVEL – Governor Cuomo’s Executive Orders

April 7, 2020 – [Executive Order 202.14](#)

- Extends prior Executive Orders until May 7, 2020 (except for the limitations contained in this Order).
- School Closures - Modifies EO 202.4 and 202.11
 - Every school shall remain closed through April 29, 2020.
 - Districts must continue to abide by their plans for alternative instruction, child care and meal programs.
 - Continues to waive the 180 day in session requirement.
 - Must first use any vacation or snow days remaining.

March 30, 2020 – [Executive Order 202.13](#)

- Elections
 - Any school or library board election scheduled to take place in April or May of 2020 is postponed to at least June 1, 2020.
 - Further directives will be issued related to the timing, location or the manner of voting in the postponed election.
 - Postpones the circulation, filing and collection of nominating petitions for any office that would be circulated or filed pursuant to the Education Law.
- Child Care Services
 - Suspends Education Law § 414 , which provides that cost of child care “shall not be a school district chard.” School districts may now pay for the cost of child care services.
- Construction

- Modifies EO 202.6 to clarify that construction which is deemed an “essential service” is not subject to the 100% in-person work restriction. Guidance will be issued to specify which construction projects are deemed “essential.”

March 28, 2020 - [Executive Order 202.12](#)

- No provisions applicable to school districts/libraries.

March 27, 2020 - [Executive Order 202.11](#)

- School Closure - Modifies EO 202.4
 - Every school shall remain closed until April 15, 2020.
 - Districts must continue to abide by their plans for alternative instruction, child care and meal programs.
 - Continues to waive the 180 day in session requirement.
 - Must first use any vacation or snow days remaining.
- Bid Openings
 - Suspends General Municipal Law § 103(2) and allows for non-public bid openings. However, where practical, public entities must live stream bid opening so the public has an opportunity to view such bid opening.

March 23, 2020 - [Executive Order 202.10](#)

- No provisions applicable to school districts/libraries.

March 21, 2020 - [Executive Order 202.9](#)

- No provisions applicable to school districts/libraries.

March 20, 2020 - [Executive Order 202.8](#)

- Requires a 100% reduction in workforce for non-essential "businesses and not-for-profit entities." (See Q&A in Labor Issues Section)

March 20, 2020 - [Executive Order 202.7](#)

- Authorizes documents to be notarized through audio-video technology provided that certain conditions are met.

March 19, 2020 - [Executive Order 202.6](#)

- Requires a 75% reduction in workforce for non-essential "businesses and not-for-profit entities." (See Q&A in Labor Issues Section).

March 18, 2020 - [Executive Order 202.5](#)

- Child Care Requirements
 - Suspends Social Service Law §§ 390 and 390-b. A school or entity "with experience providing child care" is exempt from complying with the regulations of the Office of Children and Family Services. Also suspends the background check requirements for child care.

See Child Care Section for more information.

March 16, 2020 - [Executive Order 202.4](#)

- School Closure
 - Every school in state of New York shall be closed for a period of two weeks ending on April 1, 2020.
 - Required school districts in NYC, Nassau County, Suffolk County and Westchester County to submit written plans (by midnight on March 17, 2020) regarding alternative instructional options, distribution and availability of meals and child care. The child care plans must place an emphasis on serving children of parents who work in health care or are first responders.

NOTE: In its guidance document dated March 17, 2020, NYSED stated that county-wide plans were submitted in NYC, Nassau, Suffolk and Westchester Counties. Thus, school districts located in such counties were **not** required to submit the requisite plans. All other NY school districts were required to submit their plans by 5 p.m. on March 19, 2020.

- Reduction in Non-Essential Staff
 - Any "local government or political subdivision" must reduce its non-essential personnel by at least 50% of the total number employees across the entire workforce. Such non-essential personnel must be permitted to "work from home or take leave without charging accruals." More information regarding this requirement can be found in the Q&A in the Labor Issues Section.

March 16, 2020 - [Executive Order 202.3](#)

- Large gatherings in excess of 50 people must be cancelled or postponed.

March 14, 2020 - [Executive Order 202.2](#)

- Potential School Closure
 - Any school that is closed pursuant to a local state of emergency shall first consult with the local department of health and exhaust any available time including snow days and vacation days.
- NYSED Guidance
 - Requires NYSED to promulgate guidance to ensure the access to meals for students in need, critical educational supports for students and distance learning options.

March 13, 2020 - [Executive Order 202.1](#)

- Waiver of 180 day requirement
 - Suspends Education Law § 3604(7): Suspends the Commissioner's authority to make the final decision on the 180-day requirement under limited circumstances. The 180 day rule will not apply where the school is closed (a) "due to a properly executed declaration of a local state of emergency"; (b) "a school is directed to close by a state or local health official; or (c) the school is "following a properly executed declaration of a state of emergency."
 - Upon returning to school, school districts are required to make up missed instructional days in accordance with the statute.

March 7, 2020 - [Executive Order 202](#): Declaring a State Disaster Emergency

- Governor Cuomo declares a State disaster emergency which shall be in effect until September 7, 2020.
- Procurement of Cleaning/Maintenance Products
 - Waives competitive bidding requirements to procure cleaning and maintenance products for schools.

LOCAL ACTIONS

Please note that although the following local actions call for a shorter period of time for school closures, schools shall remain closed through April 1, 2020 pursuant to Executive Order No. 202.4

NASSAU COUNTY

- **March 15, 2020:** County Executive Laura Curran [orders](#) all schools* located in Nassau County to close for two weeks (March 16, 2020 through March 29, 2020).**
 - County Executive Curran's executive order provides that schools may remain open for administrative or staff functions.
 - *The order does not apply to residential placements approved or operated by NYSED or the Office for People with Developmental Disabilities.
 - **The written executive order provides that it shall be in effect for five days, but it may be extended by County Executive Curran.

ROCKLAND COUNTY

- **March 16, 2020:** County Executive Edwin Day [orders](#) all schools** located in Rockland County to close for five days (March 17, 2020 through March 21, 2020).**
 - County Executive Day's executive order provides that schools may remain open for administrative or staff functions.
 - *The order does not apply to residential placements approved or operated by NYSED or the Office for People with Developmental Disabilities.
 - **The executive order provides that it may be extended for additional five day periods.

SUFFOLK COUNTY

- **March 15, 2020:** County Executive Steve Ballone [orders](#) all schools located in Suffolk County to close for two weeks (March 16, 2020 through March 29, 2020).

WESTCHESTER COUNTY

- **March 16, 2020:** County Executive George Latimer [orders](#) all schools* located in Westchester County to close for five days (March 18, 2020 through March 22, 2020).**
 - County Executive Latimer's executive order provides that schools may remain open for administrative, instructional, professional and certified staff functions.
 - *The order does not apply to residential programs approved or operated by NYSED, the Office for People with Developmental Disabilities, Office of Children and Family Services, Office of Mental Health if they are "impacted" by the order.
 - **The executive order provides that it may be extended for additional five day periods.