



DANNIS WOLIVER KELLEY

Attorneys at Law

COVID-19 Advisory



COVID-19 Update & DWK Resources

March 16, 2020

Attorneys across all of Dannis Woliver Kelley's practice groups are working to stay on top of the most recent impacts of COVID-19 on districts, their employees, and students. You can find guidance on a variety of COVID-19-impacted areas from special education to employee leaves here [link to COVID-19 page]. This information will be updated regularly and includes information on the Governor's Executive Order N-26-20, which was issued recently.

Information on Executive Order N-26-20 and upcoming guidance can be found here:
www.gov.ca.gov/wp-content/uploads/2020/03/3.13.20-EO-N-26-20-Schools.pdf

On Friday, March 13, 2020, Governor Newsom signed Executive Order N-26-20. The Order focused exclusively on the impacts of COVID-19-related closures on local educational agencies (LEAs). The Order:

- Confirmed that LEAs which close their schools would continue to receive funding: (1) to provide educational opportunities, including "distance learning and/or independent study;" (2) to provide meals; (3) to arrange for "supervision for students during ordinary school hours;" and, (4) to pay employees.
- Clarified that LEAs are not prohibited from offering distance learning and/or independent study, notwithstanding other provisions of law.
- Explained that closures will not impact a LEA's compliance with the 175-day requirement, if the LEA's leader certifies that the closure occurred to address COVID-19.

Most importantly, the Order indicated that the State would be issuing additional guidance, no later than Tuesday, March 17, 2020, regarding:

- Distance learning strategies and addressing related equity and access issues.
- Providing a free and appropriate public education to students with disabilities.
- Providing meals in school and non-school sites.

We are optimistic that this additional guidance will address many of the operational questions that LEAs are facing with school closures and other COVID-19 impacts. We are also reviewing the Governor's announcement on Sunday afternoon calling for the home isolation of all seniors, anyone 65 years of age or older, and those with chronic conditions, and its impact on LEA employees in these groups.

DWK will publish its update on this recommendation and the anticipated guidance from CDE shortly after it is issued. For more information regarding the impact of COVID-19 to your district or agency, please visit our COVID-19 Resources page at www.dwkesq.com/covid-19-resources-page/.



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Dannis Woliver Kelley (DWK) is a full service education law firm focused on serving and providing legal representation for California public school districts, county offices of education, community colleges and other educational organizations. Established in 1976, DWK is one of the largest women-owned law firms in the country. The firm's areas of practice include: Board Ethics, Transparency and Accountability; Business and Property; Charter Schools; Construction; Labor, Employment and Personnel; Litigation; Public Finance; and Students and Special Education. DWK provides preventive, practical and cost effective legal counsel on key issues surrounding your core mission—the education of students.