



DECLARATION OF EMERGENCY

DIRECTIVE 015

WHEREAS, on March 12, 2020, I, Steve Sisolak, Governor of the State of Nevada issued a Declaration of Emergency to facilitate the State's response to the COVID-19 pandemic; and

WHEREAS, on March 13, 2020, Donald J. Trump, President of the United States declared a nationwide emergency pursuant to Sec. 501(b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121-5207 (the "Stafford Act"); and

WHEREAS, the World Health Organization and United States Centers for Disease Control and Prevention have advised that there is a correlation between density of persons gathered and the risk of transmission of COVID-19; and

WHEREAS, close proximity to other persons is currently contraindicated by public health and medical best practices to combat COVID-19; and

WHEREAS, Nevada Revised Statutes 385.175 states: "The Superintendent of Public Instruction is the educational leader for the system of K-12 public education in this State"; and

WHEREAS, on March 15, 2020, I directed that "...[a]ll kindergarten through 12th grade schools will close to students effective March 16, 2020. . ." and "...may reopen no earlier than April 6, 2020, and only upon the approval of the Chief Medical Officer of the State of Nevada after a review of the risk of transmissions within the geographic areas defined by the Chief Medical Officer"; and

WHEREAS, on March 16, 2020, the Nevada Department of Education issued guidance to County School Districts and Charter Schools to provide the technical assistance and flexibility needed to support students and educators through the duration of the school building closures, including through waivers of federal and State assessment requirements; and

WHEREAS, on March 20, 2020, I issued Declaration of Emergency Directive 005 directing the closure of all County School District school buildings, Charter School buildings and Private School buildings until April 16, 2020, requiring all County Districts and Charter Schools to submit a Request for an Emergency Program of Distance Education to the Superintendent of Public Instruction, and

enrolling each pupil then enrolled in the County School District or Charter School in the Emergency Programs upon approval of said Programs; and

WHEREAS, on April 4, 2020, the Superintendent of Public Instruction issued Graduation Rate Guidance for the class of 2020; and,

WHEREAS, on April 14, 2020, I issued Declaration of Emergency Directive 014 delegating powers to the Superintendent of Public Instruction to temporarily waive or suspend provisions of Nevada Revised Statutes and the Nevada Administrative Code that place an undue burden on students' ability to graduate from high school; and

WHEREAS, All County School Districts and Charter Schools in Nevada are currently educating children through Emergency Programs of Distance Education in partnership with the Nevada Department of Education; and

WHEREAS, Nevada Revised Statutes 414.060(3) states: "In performing his or her duties under this chapter and to effect its policy and purpose, the Governor may: (a) Make, amend and rescind the necessary orders and regulations to carry out the provisions of this chapter within the limits of the authority conferred upon the Governor in this chapter, with due consideration of the plans provided by the Federal Government"; and

WHEREAS, the Nevada Attorney General opined in Opinion Number 57-336 that "[t]here can be no question but that the Legislature intended to give to the Governor the broadest possible powers consistent with constitutional government in a time of dire emergency"; and

WHEREAS, Article 5, Section 1 of the Nevada Constitution provides: "The supreme executive power of this State, shall be vested in a Chief Magistrate who shall be Governor of the State of Nevada":

NOW THEREFORE, by the authority vested in me as Governor by the Constitution and the laws of the State of Nevada and the United States, and pursuant to the March 12, 2020 Emergency Declaration,

IT IS HEREBY ORDERED THAT:

SECTION 1: To any extent this Directive conflicts with earlier Directives or regulations promulgated pursuant to the March 12, 2020 Declaration of Emergency, the provisions of this Directive shall prevail.

SECTION 2: All kindergarten through 12th grade school buildings shall remain closed for onsite education for the remainder of the 2019-2020 school year.

SECTION 3: All County School District, Charter School, and the University School for Profoundly Gifted Students shall complete educating students for the remainder of the 2019-2020 school year through their Emergency Programs of Distance Education, so long as such programs are authorized by the Department of Education in accordance with Emergency Directive 005.

SECTION 4: County School Districts, Charter Schools, and the University School for Profoundly Gifted Students are directed to follow the Superintendent of Public Instruction's April 4, 2020 Class of 2020 Graduation Guidance to ensure that all eligible students receive the diploma they have earned.


SECTION 5: All provisions of prior Emergency Directives not in conflict with this Directive, including without limitation, calendar approval and graduation requirement waivers, shall remain in effect.



IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Nevada to be affixed at the State Capitol in Carson City, this 28th day of April, in the year two thousand twenty.



Governor of the State of Nevada



Secretary of State



Deputy Secretary of State