

**ORDER OF THE SAN JOAQUIN COUNTY PUBLIC HEALTH OFFICER
IMPLEMENTING THE DIRECTIVES OF THE GOVERNOR OF CALIFORNIA AND THE
CALIFORNIA STATE PUBLIC HEALTH OFFICER REGARDING PUBLIC AND
PRIVATE SCHOOLS**

DATE OF ORDER: JULY 29, 2020

UNDER THE AUTHORITY OF CALIFORNIA HEALTH AND SAFETY CODE SECTIONS 101040, 101470, 101475, 101085, 120175, 120200, 120210 AND 120215, THE HEALTH OFFICER OF THE COUNTY OF SAN JOAQUIN ("HEALTH OFFICER") ORDERS:

1. On July 17, 2020, the State issued industry guidance for Schools and School-Based Programs. The Guidance states that it is applicable to traditional and charter public schools, sectarian and non-sectarian private schools, school districts and county offices of education. The Guidance directs Schools to the directive issued by the State Public Health Officer titled *COVID-19 and Reopening Framework for K-12 Schools in California*. The directive states that schools and school districts located in counties on the monitoring list may not provide in-person instruction and must only conduct distance learning until the county has been off the monitoring list for at least 14 days. San Joaquin County is presently on the monitoring list.
2. The directive allows elementary schools to seek a waiver to allow in-person instruction. It states "A waiver may only be granted if one is requested by the superintendent (or equivalent for charter or private schools), in consultation with labor, parents and community organizations." The fact that the State requires both private and public schools to submit requests clearly indicates that the general rule prohibiting in-person instruction in counties on the monitoring watch list applies equally to public and private schools.
3. San Joaquin County has been advised that some private schools in the County planned to resume in-person instruction while the County remains on the Monitoring list and without obtaining a waiver.
4. **To maintain consistency with the California Department of Public Health and with the directives of the State, it is ordered that all educational institutions providing K-12 education in San Joaquin County, including school districts, public schools, private schools and charter schools must only conduct distant learning until the County has been off the Monitoring list for 14 days or the school has requested and been provided a waiver.**
5. There continue to be infections and death rates in San Joaquin County that necessitate a firm and carefully planned and managed response as the California economy is reopened. Notwithstanding prior efforts to slow the spread of COVID-19, the number of hospitalizations in San Joaquin County is escalating rapidly. San Joaquin County has experienced **10,923** cases with nearly **1,813** new cases in the past fourteen days, and 133 deaths since the appearance of the virus in San Joaquin County. There are 262 COVID positive hospitalizations which is a new high for San Joaquin County hospitals and intensive care units have operated over 100% capacity for the past 24 days.

Order of the San Joaquin Public Health Officer Implementing the Directives
of the State Public Health Officer Regarding Public and Private Schools

6. This Order is issued in accordance with the March 4, 2020 Proclamation of a State of Emergency issued by Governor Gavin Newsom and Executive Orders N-25-20, N- 33-20, and N-60-20; the Public Health Orders of the State Public Health Officer of March 19, 2020, May 7, 2020, and July 17, 2020; the Declaration of Local Health Emergency issued by the Health Officer on March 12, 2020, and the March 17, 2020 Resolution of the Board of Supervisors of the County of San Joaquin Ratifying the Declaration of Local Health Emergency.
7. Violation of the state or local public health order may result in legal action and the imposition of civil and criminal penalties.
8. This Order shall become effective immediately and will continue to be in effect until it is rescinded in writing by the Health Officer.
9. Copies of this Order shall promptly be: (1) made available at the County Administration Building at 44 N. San Joaquin, Stockton 95202, First Floor; (2) posted on the San Joaquin County Home page (sjgov.org); and (3) provided to any member of the public requesting a copy of this Order.
10. If any provision of this Order or the application thereof to any person or circumstance is held to be invalid, the remainder of the Order, including the application of such part or provision to other persons or circumstances, shall not be affected and shall continue in full force and effect. To this end, the provisions of this Order are severable.

IT IS SO ORDERED:

Maggie Park, M.D.
San Joaquin County
Public Health Officer

Dated: July 29, 2020

