



## **MEMBER ALERT**

### **Public Gatherings-COVID19**

As the state and local governments begin to lift restrictions, you as administrators may be feeling pressure to plan activities anticipating more relaxed social requirements. As discussed during at the May 7, 2020 Tuolumne JPA Board meeting, this memo serves as a reminder that districts are still required to follow current orders and should plan accordingly until there is an official revision to Public Health Orders.

On April 28<sup>th</sup> The California State Public Health Officer, in accordance with Govern Newsome's Executive Order N-33-20 from March 19<sup>th</sup>, notified residents that gatherings for non-essential activities should be postponed or canceled and a stay at home order was issued. Essential critical infrastructure workers need to practice social distancing of 6 feet apart and limit gathering to no more than 10 people. In addition, all JPA Member Counties are required to follow their local Public Health Officer Orders.

**You may not be aware of the legal ramifications when an entity elects not to follow the orders:**

- **California Health and Safety Code 120130 states: The Health Officer may require strict or modified isolation, or quarantine, for any case of contagious, infectious, or communicable disease when this action is necessary for the protection of the public health. If any person who violates section 120130 could be guilty of a misdemeanor, punishable by fine, imprisonment or both under California Health and Safety code 120295.**
- **Insurance: If a claim for damages arises in connection to the violation of the State and/or Local Orders, insurance coverage will be excluded under the SISC Liability Memorandum of Coverage section 6 (F)-violation of responsibilities and obligations imposed by law.**
- **California Insurance Code 533-Intentional act of negligence by a school board.**

Along with the Orders from State and Local Government, please keep in mind the equity of students. If a district sponsors a school event, all students must be able to participate. This would require ADA accessibility and IEP considerations as well as the welfare of the parents/guardians.

If the intention is to have a ceremony or meeting of any kind, then the recommendation is for it to be virtual as this would be the least public health risk.

Please let me know if you have any questions.

Thank you,  
Norma Wallace  
Executive Director