

It is the policy of the State of _____ to safeguard children’s education including academic, cognitive, and social development.

The State of _____ finds that children are developmentally vulnerable and experience critical periods of academic, cognitive, and social development that are finite in nature and limited in duration.

The State of _____ finds that in-person education is far superior to education by non-traditional means such as remote education on digital platforms, virtual classes at home, and e-learning.

The State of _____ finds that children’s academic, cognitive, and social development may be irreparably harmed when children are deprived of in-person education and that children who are less privileged socioeconomically face exacerbated risks to their development.

The State of _____ finds that the risks to children presented by the COVID-19 pandemic are outweighed by the risks to their academic, cognitive, and social development created by deprivation of in-person education.

WHEREFORE, the State of _____ hereby mandates that all public schools and universities open their facilities for in-person education for all students.

1. Applicability.

(a) The State of _____ and all public schools and universities that receive any state funding or disbursement of state taxpayer money must provide in-person education to all students notwithstanding the COVID-19 pandemic.

(b) Any public school or university that violates this section is subject to immediate revocation of government funding, support, accreditation, licensing, and all other authority to operate and must cease operations immediately.

2. Exemption. All schools and universities remain authorized to protect students, staff, and personnel from other students, staff, personnel, or any other person who poses a direct threat. “Direct threat” means a significant risk of substantial harm to the health or safety of the individual or others that cannot be eliminated or reduced by reasonable accommodation. The determination that an individual poses a direct threat shall be based on an individualized assessment of the individual’s present ability to safely perform the essential functions of the job. This assessment shall be based on a reasonable medical judgment that relies on the most current medical knowledge and/or on the best available objective evidence. In determining whether an individual would pose a direct threat, the factors to be considered include: (1) The duration of the risk; (2) The nature and severity of the potential harm; (3) The likelihood that the potential harm will occur; and (4) The imminence of the potential harm.

3. Construction and severability. The provisions of this section shall be construed liberally to accomplish the policies expressed herein. The provisions of this section are severable. If any provision of this section or the application thereof is held invalid, the

invalidity does not affect other provisions or applications of the section, which remain enforceable.

4. **Effective date.** This law is effective immediately upon its passage.