

## **A Summary of Pullman & Comley Advisories on Coronavirus (COVID-19)**

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Pullman & Comley attorneys have been closely monitoring the legal implications for businesses, municipalities and other organizations of the COVID-19 (coronavirus) pandemic, and have been responding to a broad range of client questions.

The Centers for Disease Control and Prevention (CDC) posts situational updates and guidance regularly, including specific guidance for businesses/employers available here. The CDC ([www.cdc.gov](http://www.cdc.gov)) and the World Health Organization ([www.who.int](http://www.who.int)) are primary sources of information for the latest developments, what is known from a medical standpoint, and the latest guidance on appropriate preventative practices. Our firm has implemented extensive measures to protect the health and well-being of our clients and colleagues, and our ability to provide uninterrupted service going forward.

For your reference, we have summarized recent publications and blog posts authored by our attorneys on issues related to COVID-19. Visit this page regularly for new information, as well as our blogs: Working Together, Connecticut Health Law Blog, and Education Law Notes and sign up **here** to receive alerts.

### **BUSINESS**

#### **BUSINESS LAW ALERT: Paycheck Protection Program Loans Explained: Some Frequently Asked Questions** – March 31, 2020

*The CARES Act is a \$2.2 trillion relief act that includes the “Paycheck Protection Program” (PPP). Here are answers to commonly asked questions about eligibility, how to apply, and the terms of the PPP loans.*

#### **WEBINAR: Responding to COVID-19 Webinar Series - Part III** – March 31, 2020

*Our third webinar in the series will cover what the CARES Act means for businesses and other key issues of concern for employers.*

#### **BUSINESS LAW ALERT: Summary of Terms for SBA Loans in Coronavirus Aid, Relief, and Economic Security Act (“CARES” Act)** – March 29, 2020

*The CARES Act went into effect on Friday, March 27, 2020. This outline summarizes the Paycheck Protection Program under Title I, Keeping American Workers Paid and Employed Act.*

#### **BANKRUPTCY ALERT: CARES Act Expands Debt Limitations to Allow More Businesses to Qualify for Relief Under the Small Business Reorganization Act** – March 28, 2020

*Among the wide-ranging and unprecedented relief the CARES Act provides for our struggling economy is a significant boon to “small businesses” that may be in need of relief under our bankruptcy laws.*

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**WEBINAR: Responding to COVID-19 Webinar Series - Part II** – March 27, 2020

*The second webinar in our series looks at relief available to small businesses in response to COVID-19; the expansion of telehealth and government assistance to health care providers, and planning for what comes next.*

**BUSINESS LAW ALERT: An Overview of the Connecticut Department of Economic Community Development's (DECD) Small Business Express Recovery Bridge Loan Program** – March 27, 2020

*The DECD has made funding available to support companies' ongoing business operations that have been significantly disrupted by the COVID-19 crisis.*

**WEBINAR: Responding to COVID-19 Webinar Series, Part I** – March 26, 2020

*As Connecticut responds to the COVID-19 pandemic, Pullman & Comley attorneys are providing a series of webinars to review key updates and answer questions that businesses, municipalities and individuals are facing.*

**TAX ALERT: Summary of Extensions of Time to File Connecticut Tax Returns and Pay Taxes** – March 24, 2020

**INSURANCE LAW ALERT: If COVID-19 Caused You to Stop or Curtail Operations, Check Your Policy for Crisis Management Coverage** – March 24, 2020

*If you are one of the many businesses that has been ordered to cease or significantly curtail your operations as a result of the COVID-19 pandemic, be sure to thoroughly review your insurance policies for Crisis Management Coverage.*

**BUSINESS LAW ALERT: Does the Novel Coronavirus (COVID-19) Allow Reliance on Your Contract's Force Majeure Provision? The Language Matters** – March 23, 2020

*Mandated government quarantines, temporary business closures and other restrictions are having a profound impact on the business community and are making performing contractual obligations exceedingly difficult. Force majeure clauses are language specific, and courts will typically look first to the "four-corners" of the contract when interpreting the applicability of the force majeure provision.*

**ALERT: DECD Guidance on Connecticut Governor's Executive Order 7H** - March 23, 2020

*On March 22, 2020, the Connecticut DECD issued legally binding guidance about which businesses are deemed essential in accordance with Governor Lamont's Executive Order 7H; here is a summary of its more salient provisions.*

**LAW ALERT: The Effect of a Government-Ordered Shutdown on Contractual Performance** – March 21, 2020

*Two possible legal avenues of relief are found in what are called "force majeure" clauses and the legal doctrine of impracticability of performance.*

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**TAX ALERT: IRS Extends Individual Tax Filing Deadline to July 15, 2020** – March 20, 2020

*This morning Treasury Secretary Steven Mnuchin tweeted notice that federal income tax return filing deadlines are also extended to July 15, 2020, so all taxpayers will have additional time to file and make payments without the imposition of interest or penalties.*

**BUSINESS LAW ALERT: SBA Offers Disaster Relief Loans in Face of COVID-19** – March 18, 2020

*The U.S. Small Business Administration has announced that Economic Injury Disaster Loans (“EIDL”s) are now available to small businesses in Connecticut and certain counties in New York, Massachusetts and Rhode Island, that have been hit hardest by the coronavirus outbreak.*

**TAX ALERT: Federal Income Tax Payment Date Extended** - March 18, 2020

*The U.S. Treasury Department announced this week that the deadline for payment of federal income tax by individuals has been extended for a 90-day period for balances up to \$1 million.*

**INSURANCE LAW ALERT: You've Been Ordered to Close Your Business to Prevent the Spread of the COVID-19 Virus. Could that be Covered by Your Insurance?** – March 18, 2020

*Could such directives possibly be covered by your business property insurance policy's various forms of business interruption coverage? The answer is it depends upon your policy language.*

### ENERGY LAW

**ENERGY LAW ALERT: PURA Issues Shut-Off Moratorium for Connecticut's Residential and Commercial Customers** – March 30, 2020

*In response to the global COVID-19 pandemic, the Public Utilities Regulatory Authority ordered Connecticut's utilities to temporarily cease service cutoffs in cases of customer nonpayment.*

### FAMILY LAW

**FAMILY LAW ALERT: The Impact of the Coronavirus Shutdown on Alimony and Child Support Orders** – March 30, 2020

*Alimony and child support modifications are not guaranteed—even where there has been a job loss or income disruption.*

**FAMILY LAW ALERT: Connecticut Rules Committee Suspends Time Requirements Concerning Custody and Visitation for Minor Children** – March 26, 2020

*At a meeting on March 24, 2020, the Rules Committee suspended various Practice Book rules in response to the current public health emergency.*

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### HEALTH CARE

#### **CT HEALTH LAW BLOG: UPDATE ON CONNECTICUT'S RESPONSE TO COVID-19 CRISIS: Governor Forms Health System Response Team; CMS Grants Connecticut a Waiver of Certain Medicaid Requirements –**

March 30, 2020

*Governor Ned Lamont announced a collaboration among three of the largest hospital systems in Connecticut to assist in the state's coordinated response to the COVID-19 pandemic. More on this and other updates.*

#### **CT HEALTH LAW BLOG: Connecticut DPH Issues Order Allowing Out-of-State Healthcare Providers –**

March 24, 2020

*In anticipation of a healthcare workforce shortage resulting from the COVID-19 pandemic, on March 23, the Connecticut Department of Public Health issued an Order allowing professionals licensed in other states to work in Connecticut for up to 60 days without obtaining a Connecticut license, certification, or registration.*

#### **CT HEALTH LAW BLOG: Determining Who is an Essential Health Care Employee in Connecticut Under Executive Order 7H –**

March 23, 2020

*Hospitals and other health care providers are, of course, among the businesses considered "essential." But must all employees of an essential business continue to work on-site?*

#### **HEALTH CARE ALERT: Connecticut Further Expands Coverage of Telehealth Services During the COVID-19 Public Health Emergency –**

March 20, 2020

*Yesterday Governor Lamont issued Executive Order 7G, which temporarily expands the statutory definition of "telehealth" to include services provided via telephone by Medicaid providers, as well as in-network providers for commercial fully insured health insurance providing services to patients with whom there is an existing provider-patient relationship.*

#### **HEALTH CARE ALERT: Novel Coronavirus Hastens the Expansion of Remote Care in Connecticut –**

March 18, 2020

*On March 17 the Trump Administration announced a sweeping expansion of Medicare coverage for telehealth services in response to the COVID-19 pandemic while separately the Connecticut Department of Social Services ("DSS") published a State Plan Amendment ("SPA") providing Medicaid coverage for telephone visits. This Alert outlines the impact on Medicare and Medicaid, as well as how Connecticut state laws affect these developments.*

#### **HEALTH CARE ALERT: Is Connecticut Prepared for the Coronavirus (COVID-19)? -**

March 4, 2020

*The steps that state and local health authorities could take regarding isolation and quarantine.*

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### LABOR AND EMPLOYMENT

**WORKING TOGETHER: The \$600 Question: Which Furloughed or Laid Off Employees Are Eligible for Enhanced Unemployment Benefits Under the CARES Act?** – March 31, 2020

*The CARES Act provides an additional \$600 in federally-funded dollars each week to the unemployment compensation benefit of each eligible worker.*

**WORKING TOGETHER: Remote Inspection of I-9 Documents Now Permitted in Limited Circumstances During Coronavirus Emergency** – March 31, 2020

*ICE has announced that effective immediately, “employers taking physical proximity precautions due to COVID-19” will be temporarily allowed to review new employees’ “section 2” documents remotely when completing I-9 forms.*

**WORKING TOGETHER: Mobilizing the National Guard Against COVID-19: A Primer on Employer Obligations Under the Uniformed Services Employment and Reemployment Act** – March 31, 2020

*Nearly 10,000 National Guardsmen have been called up across the United States to perform a variety of missions in support of efforts to combat COVID-19. What does this mean for employers who have employees activated by the National Guard or Reserve to take part in these response efforts?*

**WORKING TOGETHER: The CARES Act Impacts Qualified Retirement Plans and IRAs: Temporary Relief for Employees, Plan Participants and IRA Owners** – March 31, 2020

*A summary of key provisions of the Coronavirus Aid, Relief, and Economic Security Act that affect retirement plans.*

**EMPLOYEE BENEFITS ALERT: CARES Act Expands Participant Loan Provisions and Waives RMD for 2020 and Waives RMD for 2020** – March 30, 2020 *The CARES Act contains several provisions that impact the operation of tax-qualified retirement benefit plans and IRAs in 2020.*

**EMPLOYEE BENEFITS ALERT: CARES Act Coronavirus-Related Distributions: What Are They and Are They Mandatory?**- March 30, 2020

*The CARES Act creates favorable tax treatment for “Coronavirus-Related Distributions” from “eligible retirement plans.”*

**WORKING TOGETHER: No Coronavirus-Related Furloughs of H-1B Employees** – March 30, 2020

*Many employers financially strained by the coronavirus outbreak are considering employee furloughs rather than outright layoffs, especially given the hopefully short duration of the crisis. This is generally impossible in the case of H-1B employees, however, due to the Department of Labor’s “no-benching” rule.*

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**WORKING TOGETHER: Families First Coronavirus Relief Act Notice Must Be Posted by April 1, 2020 – DOL Poster Should Be Posted at Worksites AND Emailed or Mailed to Teleworking Employees** – March 29, 2020

*On March 26, 2020, the federal Department of Labor's Wage and Hour Division released a new model notice that employers must use to satisfy FFCRA's employee notice obligations.*

**ALERT: 401(k) Plan Mid-Year Reduction or Suspension of Safe Harbor Contributions - What Can Employers Do?** – March 27, 2020

*Employers anticipating or experiencing financial stress triggered by COVID-19 related business disruptions may now want to reduce or even suspend safe harbor contributions to their 401(k) retirement plan. Here is a summary of the procedures required, and the implications for both the employer and the plan.*

**ALERT: Public Sector Collective Bargaining in the Time of COVID-19** – March 27, 2020 Guidance for Connecticut municipal employers, including boards of education, that are now being asked by various unions to enter into mid-term negotiations to produce an MOU in response to workplace changes necessitated by state and federal government COVID-19 responses.

**WORKING TOGETHER: The CT DOL'S Shared Work Program Might Reduce Labor Costs Without Permanent Layoffs** – March 24, 2020

*With the impact of COVID-19, many employers are confronting a loss of demand for their goods and services and facing the prospect of laying off employees. Connecticut employers may have another option: the Shared Work Program.*

**WORKING TOGETHER: Small and Mid-Size Businesses Should be Able to Swiftly Recover the Cost of Providing Coronavirus Related Paid Leave Under the Families First Coronavirus Response Act** – March 24, 2020

*Eligible Employers have two ways in which the cost of paid leave related to the Families First Coronavirus Response Act may be recouped.*

**WORKING TOGETHER: The IRS has Changed the Tax-Filing Deadline. What is the Last Date to Make Your 2019 Contribution to Your IRA or Health Savings Account?** – March 23, 2020

*The simple and safe answer to the question posed is "April 15, 2020."*

**WORKING TOGETHER: Connecticut DECD Issues Guidance on Businesses Considered "Essential" for Purposes of Governor's Executive Order** – March 22, 2020

*The Office of the Governor worked with the Department of Economic and Community Development (DECD) to develop guidance for all businesses relating to the Governor's Executive Order suspending "Non-Essential In-Person Business Operations." The guidance, issued March 22, can be found [here](#).*

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### **WORKING TOGETHER: EEOC Clarifies That Employers May Temperature-Test Employees During COVID-19 Pandemic** - March 22, 2020

*The EEOC recently updated its guidance to allow more medical testing in the workplace, including clear guidance that checking employees' temperatures is allowed in light of the current pandemic.*

### **WORKING TOGETHER: Initial Guidance on The Governor's Executive Order on the Closure of "Non-Essential Businesses"** - March 21, 2020

*Governor Lamont's latest Executive Order calls for all non-essential businesses and not for profit entities to reduce their in-person workforces at any workplace by 100% by 8 p.m. on March 23, 2020.*

### **WORKING TOGETHER: A COVID-19 "WARN-ing" for Employers: The Worker Adjustment and Retraining Notification Act Still Applies to Certain Layoffs and Plant Closures** – March 20, 2020

*The COVID-19 crisis has already forced many companies to lay off employees, and others will be doing so in the days and weeks ahead. Those companies must consider whether compliance with the Worker Adjustment and Retraining Notification Act ("WARN") is necessary.*

### **WORKING TOGETHER: Potential Immigration Compliance Issues Raised by Coronavirus Travel Restrictions, Work-from-Home Policies, and Layoffs** – March 20, 2020

*As the spread of COVID-19 prompts increasing travel restrictions, and as layoffs become an unfortunate reality in many industries, both U.S. employers and employees holding temporary work visas in the United States need to be aware of potential immigration-law complications. Here are some initial considerations.*

### **UPDATE: What Will the "Families First Coronavirus Response Act" Mean for Employers?** – March 19, 2020

*On March 18 the Senate passed and the President signed the "Families First Coronavirus Response Act." Here is a brief summary of what two of its provisions – the Emergency Paid Sick Leave Act, and the Emergency Family and Medical Leave Expansion Act – will mean for employers.*

### **WORKING TOGETHER: How to Comply with the Americans with Disabilities Act During a Pandemic** – March 17, 2020

*Employers must make reasonable accommodations to employees with disabilities that would have increased risks from contracting COVID-19 - as long as what is being requested is a reasonable accommodation that would allow the employee to continue to perform their essential job functions without causing the employer undue hardship.*

### **WORKING TOGETHER: CMS FAQ re Essential Health Coverage and the Coronavirus (COVID-19)** – March 17, 2020

*On March 12, 2020, the Center for Medicare & Medicaid Services Center for Consumer Information & Insurance Oversight issued an FAQ regarding coverage for diagnosis and treatment of COVID-19 under the Affordable Care Act.*

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**WORKING TOGETHER: Guidance for Employers on Accommodating the Child Care Needs of Employees Amidst COVID-19 School Closures** – March 16, 2020

*With the closure of Connecticut schools, and potential closure of daycare facilities in the future, now is the time for employers to decide how they will accommodate employees in need of child care.*

**WORKING TOGETHER: What Will the “Families First Coronavirus Response Act” Mean for Employers?** - March 16, 2020

*At 12:53 a.m. on Saturday March 14, the U.S. House of Representatives passed the “Families First Coronavirus Response Act” with bipartisan support. Here is a brief summary of what it may mean for employers.*

**ALERT: Federal Family and Medical Leave Act and COVID-19** - March 13, 2020

*The United States Department of Labor has issued “COVID-19 or other Public Health Emergencies and the Family and Medical Leave Act Questions and Answers” providing clarifications regarding Federal FMLA coverage.*

**WORKING TOGETHER: IRS Guidance: High Deductible Health Plans May Waive Deductible for COVID-19 Testing** - March 13, 2020

*Employers and health plans that want to provide some relief for participants during the spread of COVID-19 may waive deductibles for COVID-19 testing without violating IRS high deductible health plan rules.*

**WORKING TOGETHER: Coronavirus and the Workplace - Employers Considering Taking Employees' Temperature at Work Should Proceed with Caution** - March 12, 2020

*Employers contemplating this measure should proceed with caution and consider a number of issues before temperature-testing their employees.*

**ALERT: COVID-19: Key Issues and Responses for Employers** - March 6, 2020

*Practical pointers for employers in addressing the legal issues facing them in the COVID-19 outbreak.*

## LITIGATION

**ADR in the Age of Zoom** – March 26, 2020

*Members of Pullman & Comley’s Alternative Dispute Resolution practice are providing online mediation and arbitration services.*

**LAW ALERT: Rules Committee Changes to Practice Book Deadlines** – March 25, 2020

*The Rules Committee of the Superior Court met in emergency session on March 24, 2020. Acting pursuant to Practice Book Section 1-9B (Emergency Power of Rules Committee), the Committee unanimously agreed to make certain changes to the rules of practice, summarized here.*



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**LAW ALERT: Governor Lamont Suspends Statutes of Limitations in Connecticut in Executive Order 7G – March 24, 2020**

*In Executive Order 7G, Connecticut Governor Lamont took the unprecedented step of suspending most of the state's statutes of limitations, effective March 19, 2020, thereby holding in abeyance the deadlines by which most civil lawsuits must be initiated.*

### MUNICIPAL LAW

**PUBLIC FINANCE ALERT: Governor Lamont's Executive Order 7S Contains Critical Information Relating to Collection of Property Taxes – April 3, 2020**

*On April 1, 2020, Connecticut Governor Lamont issued Executive Order No. 7S which directs municipalities to establish one or both of two new tax relief programs offered for eligible taxpayers, businesses, nonprofits, and residents who have been economically affected by the COVID-19 pandemic.*

**PUBLIC FINANCE ALERT: Economic Relief is on its Way Following COVID-19 Damage – March 30, 2020**

*The CARES Act provides emergency economic relief to individuals, businesses, hospitals and state and local governments, among other entities, in response to the distress caused by the COVID-19 pandemic. It establishes a \$150 billion "Coronavirus Relief Fund" for the benefit of state, local and tribal governments to fund certain costs.*

**ALERT: Governor Lamont's Executive Order No. 7I Offers Local Budget and Deadline Clarification Amidst COVID-19 – March 23, 2020**

*On March 21, 2020, Governor Ned Lamont issued Executive Order No. 7I (the "Order") to address municipal and school district concerns related to their budgets, deadlines and other related matters as a result of COVID-19.*

### PROFESSIONAL LIABILITY

**LAW FIRM RISK MANAGEMENT ALERT: Update on Executive Orders on Remote Notarization – April 1, 2020**

*Having previously issued emergency orders permitting remote notarization during the current public health and safety emergency, Governor Lamont has issued a new order that, among other things, amends the procedures governing remote notarization.*

**LAW FIRM RISK MANAGEMENT ALERT: Lawyer Obligations in the Time of COVID-19 – March 25, 2020**

*Here are some aspects of the current lockdown, recent Executive Orders, and Rules Committee actions that require particular attention from lawyers.*

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### PROPERTY TAX AND VALUATION

**ALERT: Massachusetts Appellate Tax Board and Supreme Judicial Court Updates in Response to the COVID-19 Public Health Emergency** – March 25, 2020

*In response to Governor Charlie Baker's ongoing efforts concerning the COVID-19 public health emergency, the Massachusetts Supreme Judicial Court and Appellate Tax Board have issued notices of changes to court and ATB operations.*

**ALERT: Connecticut's Governor Issues Executive Order Addressing Property Tax Deadlines and Procedures** – March 23, 2020

*As part of his ongoing response to the COVID-19 public health emergency, Connecticut Governor Lamont issued Executive Order (EO) No. 7I on Saturday, March 21, containing a number of provisions regarding property assessment and taxation matters.*

### REAL ESTATE AND ENVIRONMENTAL LAW

**ENVIRONMENTAL ALERT: EPA Announces Policy of Enforcement Discretion for Compliance with Pollution Control Requirements Affected by COVID-19 Outbreak** – April 3, 2020

*EPA explained that travel restrictions and social distancing guidelines prompted by COVID-19 may compromise a company's ability to comply with EPA rules and consent decrees, including those relating to "enforceable limitations on air emissions."*

**REAL ESTATE ALERT: Landlords and Tenants Under Stress: Negotiated Resolutions May Offer Relief** – April 1, 2020

*Given the likelihood that foreclosures and evictions resulting from the COVID-19 crisis will continue to be stayed by courts, legislatures and governors for the duration of this crisis, negotiated resolutions likely make more sense than litigation.*

**ENVIRONMENTAL ALERT: Company How To: Maintaining Environmental Enforcement Compliance** – March 30, 2020

*The myriad of responses to the COVID-19 pandemic—including, inter alia, forced business closings, stay-in-shelter orders, social distancing directives, and the like—present new challenges to entities with environmental compliance obligations.*

**ENVIRONMENTAL ALERT: U.S. Environmental Protection Agency Announces New Temporary Enforcement Policy During COVID-19 Outbreak** – March 30, 2020

*On March 26, 2020, the U.S. EPA issued a seven-page temporary policy regarding EPA treatment and/or discretionary enforcement of certain environmental obligations resulting from the COVID-19 pandemic.*

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### **REAL ESTATE ALERT: Steps Landlords and Property Owners Can Take to Respond to Challenges of COVID-19** – March 19, 2020

*What landlords and property owners can do to help meet the difficult and unique challenges facing the commercial real estate community with the COVID-19 pandemic.*

### **SCHOOL LAW**

### **EDUCATION LAW NOTES: U.S. Department of Education Clarifies That Video Recording Virtual Lessons and Making Them Available to Students Does Not Violate FERPA and Provides Other Advice on FERPA Compliance in the Age of Virtual Learning** – April 2, 2020

*The U.S. Department of Education Student Privacy Policy Office recently provided more in-depth information regarding FERPA and virtual education – here are some clarifying answers.*

### **EDUCATION LAW NOTES: Executive Order 7R: Its Impact and Obligations on Connecticut School Districts** – April 2, 2020

*On April 1, 2020, Governor Lamont issued Executive Order 7R which directs districts to maintain individuals' employment "to the greatest extent practicable" and to negotiate agreements with their providers that will look to cover certain actual costs incurred by their bus contractors and certain service providers.*

### **EDUCATION LAW NOTES: Must School Districts Pay for Bus Transportation and All Employee Salaries While Schools Are Closed? What the "CARES Act" May Mean to Connecticut School Districts** – March 29, 2020

*A brief summary of what the CARES Act means for public schools, including a possible mandate to continue to pay all employees and contractors, even if they may not be providing services.*

### **EDUCATION LAW NOTES: Dispelling the Myth: Yes Virginia, You Can Use Interactive Videoconferencing with Students as Part of Distance Learning** – March 27, 2020

*Despite the protestations of some teachers and their unions, there is nothing illegal about directly teaching students through videoconferencing. This neither violates the Family Educational Rights and Privacy Act (FERPA) nor state law regarding data privacy.*

### **EDUCATION LAW NOTES: Happy Talk! Connecticut's Bureau of Special Education Issues Guidance for the COVID-19 Era** – March 27, 2020

*On March 24, 2020, the Bureau of Special Education issued guidance on the provision of special education during the COVID-19 pandemic and provided districts with some wiggle room as they try to fit a school-based IEP into the virtual confines of distance learning.*

### **EDUCATION LAW NOTES: Teach On! Remote Group Instruction, Student Privacy, and FERPA in the Age of the Coronavirus** – March 24, 2020

*A particularly pressing concern has been determining how to handle student privacy rights in the course of*

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*providing remote instruction.*

### **EDUCATION LAW NOTES: “How About Never!?” – COVID-19, School Closures, and Planning and Placement Team Meetings** – March 19, 2020

*There has been some confusion as to whether school districts are currently permitted to unilaterally decline parent requests to PPT meetings or to otherwise indefinitely postpone them.*

### **EDUCATION LAW NOTES: Governor Lamont’s Executive Order Regarding the Municipal and Regional School District Budget Deadlines (and Waiver of Certain Educational Mandates)** – March 18, 2020

With “Executive Order 7C,” Governor Lamont has ordered that notwithstanding any contrary statutes, charters or local ordinances, all municipal budget deadlines occurring on or before May 15, 2020 that pertain to the preparation of a municipal budget for the 2020-2021 fiscal year are extended by 30 days.

### **EDUCATION LAW NOTES: OCR Issues Guidance on Nondiscrimination in the Age of Distance Learning** – March 18, 2020

*The U.S. Department of Education Office of Civil Rights (OCR) issued a fact sheet entitled “Addressing the Risk of COVID-19 in Schools While Protecting the Civil Rights of Students,” addressing various types of discrimination that must be avoided while providing education to students in these uncertain times.*

### **EDUCATION LAW NOTES: Complying with FERPA During COVID-19** – March 17, 2020

*A school district’s obligations under the Family Educational Rights and Privacy Act are not relaxed during these difficult times where school districts are trying to cope with COVID-19. However, schools should understand the “health or safety emergency” exception to FERPA’s general consent requirements.*

### **EDUCATION LAW NOTES: How to Implement Distance Learning and Still Comply with Existing State and Federal Laws** - March 17, 2020

*As a return to regular school seems less likely in the near future, schools need to devise creative ways to provide high quality education to their students. Yesterday, the Connecticut Commissioner of Education issued two letters aimed at making this easier for schools to accomplish.*

### **EDUCATION LAW NOTES: Governor Lamont’s Executive Order and the FOIA’s “Open Meetings” Requirements** – March 16, 2020

*The outbreak of COVID-19 has caused practical concerns regarding how public agencies can comply with Connecticut’s Freedom of Information Act (FOIA) and its posting and open meeting requirements when large gatherings have been prohibited.*

### **EDUCATION LAW NOTES: Special Education in the Age of the Coronavirus** – March 16, 2020

*Connecticut’s mandated closing of school districts up to March 31, 2020 in response to COVID-19 has left school districts struggling with how they can best continue to provide legally mandated specialized instruction and related services to special education students.*

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**EDUCATION LAW NOTES: Addressing Your Labor Matters While Closing Your District Due to COVID-19** - March 16, 2020

*Connecticut school districts have been directed to be closed until at least March 31, 2020. The CIAC has cancelled winter sports playoffs and schools have cancelled extracurricular activities. So, what happens next?*

**EDUCATION LAW NOTES: What If Your District Shuts Down and Cannot Meet the 180 School Day Minimum for Instruction?** - March 13, 2020

*Governor Lamont issued an Executive Order waiving the 180 days as long as certain conditions are met.*

**EDUCATION LAW NOTES: Guidance to Address COVID-19** - March 10, 2020

*What school districts in Connecticut should know.*

### Practice Areas

Bankruptcy, Creditors' Rights and Financial Restructuring

Biotechnology, Pharmaceutical and Life Science

Business and Finance

Colleges, Universities and Independent Schools

Education Law

Employee Benefits

Environmental

Health Care

Hospitals and Health Care Institutions

Immigration

Labor and Employment Counseling and Training

Labor and Employment Litigation

Labor, Employment Law & Employee Benefits

Municipal Law

Nonprofit Organizations

School Law

Town Governments, Departments and Authorities

### Industries

Automotive Dealerships

Cannabis

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Educational Institutions

Energy

Financial Services

Health Care

Manufacturing

Nonprofit Organizations

Professional Services

Public Sector

Real Estate

Technology

Utilities

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