



Temporary Waiver of Regulations that Prohibit or Limit Online, Electronic, or Distance Theoretical Instruction

Amended May 27, 2020

Effective March 13, 2020

On March 12, 2020, Governor Ralph Northam declared a state of emergency due to novel coronavirus (COVID-19). On May 26, 2020, the Governor proclaimed that the state of emergency continues to exist. In the Declaration of State of Emergency Due to Novel Coronavirus, [Amended Executive Order 51](#), the Governor directed state agencies to render appropriate assistance to prepare for and mitigate the effects of the outbreak. In doing so, he ordered authorization for the heads of executive branch agencies, on behalf of their regulatory boards as appropriate, and with the concurrence of their Cabinet Secretary, to waive any state requirement or regulation.

On March 5, 2020, the U.S. Department of Education (USDOE) issued [guidance](#) to institutions of higher education regarding how to respond to and mitigate the impact of the COVID-19 outbreak. The USDOE provided broad authorization for online instruction in order to reduce the spread of COVID-19 on school campuses. Additionally, the U.S. Center for Disease Control and Prevention (CDC) recommends private institutes of higher education take steps to help students avoid being exposed to the virus, including instruction through electronic means rather than in the classroom setting (<https://www.cdc.gov/coronavirus/2019-ncov/community/guidance-ihe-response.html>).

Pursuant to the authority granted to the agency head by Amended Executive Order 51 (2020), I hereby waive any regulations of regulatory boards under the Department of Professional and Occupational Regulation that prohibit or limit online, electronic, or distance theoretical instruction—in order to prevent and mitigate the spread of the coronavirus (COVID-19)—until the 30th day after the date by which the state of emergency is lifted.

This waiver does not waive statutory requirements or limitations, nor does it waive practical (hands-on) instruction required by a board's regulations. This waiver shall take effect on March 13, 2020, and shall remain in full force and in effect until amended or rescinded by further executive order.

Education providers should contact their licensing board to determine how this waiver impacts them.

A handwritten signature in black ink, appearing to read 'Mary Broz-Vaughan', written in a cursive style.

Mary Broz-Vaughan
DPOR Director