

## Question Themes

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## Questions and Answers by Theme

### Legal Authority for the Freeze

Questions in this theme relate to the authority under which governmental agencies, including the Governor's office; the executive branch agencies, including ODE and OHA; and local government, including schools and LPHAs, are able to require specific actions in response to COVID-19.

#### **For staff who travel out of state, how can districts ensure that their staff can successfully quarantine upon return?**

If a staff member has traveled out of state for non-essential travel during this freeze, under the Governor's recent advisory, individuals **should** quarantine for two weeks upon return to the state. If an employer wants to force an employee to quarantine when returning to Oregon, that is an employer decision based on your local bargaining agreement and, possibly in consultation with legal counsel. If your staff member would normally be required to come into a physical school location, you can direct them to work with their supervisor and human resources to identify alternatives such as working from home or taking leave time.

#### **Will the new restrictions (e.g., post-travel quarantine) be authorized by Executive Order?**

Governor Brown issued [Executive Order 20-65](#) following her statewide freeze announcement to stop the rapid community spread of COVID-19 in Oregon. The [Travel Advisory](#) is not included in [Executive Order 20-65](#). The Oregon Health Authority plans to issue specific guidance by sector in coming days.

**Help us reconcile the apparent inconsistency between a statewide freeze and schools being allowed to continue to operate in person.**

Schools operate under [Ready Schools, Safe Learners](#), the sector-specific guidance provided by ODE and OHA. Transmission of COVID-19 in schools can be limited significantly through following this guidance. This has been true in Oregon and in other states and countries with similar public health protocols in schools. Also note that the freeze allows other lower risk activities like hair salons to continue operations.

**How will the restrictions be monitored and enforced? How will law enforcement be involved?**  
Breaking a governor's emergency order is a class C misdemeanor in Oregon.

## **Non-Education Related Impact of the Freeze**

Questions in this theme relate to issues that were of interest to participants, but outside the jurisdiction of ODE to regulate.

**How will these changes impact athletics? Is the impact different for indoor vs. outdoor sports activities? Will teams still be allowed to travel to play? What is the timeframe for updated athletics guidance? Who will release the updated athletics guidance?**

Additional information on athletics will be released the week of November 16.

**How do the new requirements impact public parks?**

Outdoor parks have not been closed under this new order. Governor Brown noted in the press conference the continued importance of recreational opportunities, the limited spread in outdoor settings, and that state parks will continue to be open for now. However, restrictions are based on data and could change in the future based on the current health context.

**How does this order affect small groups using a school facility outside of school hours?**

The requirements of the freeze apply, if these groups are not associated with students and instruction under [Ready Schools, Safe Learners](#).

**How long can we expect the freeze to last in our most impacted counties?**

The freeze will be for at least 2 weeks statewide, in all counties. In the more impacted counties (e.g., Multnomah), the freeze will be for at least 4 weeks. The need to reduce, continue, or expand measures to mitigate COVID-19 will be reassessed based on current data as the duration date for the freeze approaches.

## **Impact of Freeze on Working/Operational Conditions (e.g., Work From Home)**

Questions in this theme relate to possible changes in how school districts and staff operate during the required freeze, with a focus on the expectation that people work from home to the extent possible.

### **Our district has made the decision that it is best for student learning when staff work on campus. Are schools required to have teachers working from home if possible?**

No, teachers are able to work on site consistent with the school's Operational Blueprint for Reentry and subject to all requirements in [Ready Schools, Safe Learners](#), companion, and supplemental guidance documents. However, districts should mandate work-from-home to the greatest extent possible, as is consistent with their selected instructional models. This is a district personnel decision.

### **Should our district office staff work on site at the office?**

Districts should mandate work-from-home to the greatest extent possible, as is consistent with their selected instructional models. If it is not essential to have staff on site and their work can be performed from home, they should be advised to work from home for the duration of the freeze period.

### **Should our main offices and district office be open to the public?**

Offices should be closed to the public and non-essential visitors. Districts should mandate work-from-home to the greatest extent possible, as is consistent with their selected instructional models.

### **Can school boards still meet in person as a public meeting? What is the guidance on local school board meetings during this time?**

School boards are encouraged to hold public meetings remotely. However, this is not a requirement under the freeze.

## **Quarantine/Isolation Due to Travel**

Questions in this theme relate to the requirement for individuals to self-quarantine following interstate travel.

### **Are schools subject to the travel self-quarantine requirement? If we have staff/students who travel out of Oregon, should we exclude them from being on site for 14 days?**

Everyone in Oregon is subject to the self-quarantine requirement. It is expected that all students, staff, and community members comply with these requirements. We have a duty of care to one another to do all we can to minimize the spread of COVID-19. Doing so will save lives.

However, it is important to note that the post-travel requirement is self-quarantine. Schools are not expected to police the practice of self-quarantine, but should strongly encourage all students, staff, and community members to follow requirements. Everyone has a responsibility to do their part.

### **What constitutes “travel”? Does it have to be overnight, and is there a specific mileage involved? Do the travel restrictions affect those coming into Oregon from Washington and California?**

The recent travel advisories issued by Washington, Oregon, and California urge against non-essential out-of-state travel, ask people to self-quarantine for 14 days after arriving from another state or country, and encourage residents to stay local. If you do not need to travel, you shouldn't. More details on the specifics of these travel requirements can be [found online](#).

All people living and working in Oregon are expected to follow the Governor's requirements related to limiting the spread of COVID-19. This expectation includes the 14 day self-quarantine following non-essential travel to other states or countries. Essential travel includes: work and study, critical infrastructure support, economic services and supply chains, health, immediate medical care, and safety and security.

### **How are staff who commute from another state impacted by the requirement to self-quarantine following interstate travel?**

Work and study are considered essential travel. Commuting to work across state lines does not require a self-quarantine. Staff who travel across state lines for work are still expected to avoid non-essential travel. Avoiding travel can reduce the risk of virus transmission.

## **Are we able to mandate staff exclusion due to travel?**

Everyone in Oregon is subject to the self-quarantine requirement. It is expected that all students, staff, and community members comply with these requirements. We have a duty of care to one another to do all we can to minimize the spread of COVID-19. Doing so will save lives.

However, it is important to note that the post-travel requirement is self-quarantine. Schools are not expected to police the practice of self-quarantine, but should strongly encourage all students, staff, and community members to follow requirements. Everyone has a responsibility to do their part. You should work with your legal counsel to determine protocols within your individual collective bargaining agreements.

## **Do staff who are required to self-quarantine have to take leave?**

You should work with your legal counsel to determine protocols within your individual collective bargaining agreements. Districts may support work from home opportunities to the extent practicable. Ideally, people who have to self-quarantine would be able to work from home for that period of time.

## **Do districts have to provide paid leave to staff who are required to self-quarantine due to travel?**

This is a local determination subject to collective bargaining requirements.

## **Can self-quarantine requirements for staff impact the instructional model for a school (e.g., if a significant number of staff are required to self-quarantine)?**

It is possible. Instructional models are a local determination based on both the general metrics and exceptions, and the district/school's ability to meet all applicable requirements. If staffing considerations, including those that result from the need for self-quarantine, cause a district to be unable to fully meet the requirements of RSSL in one instructional model, the district will need to shift to an instructional model where they can meet requirements.

## **Are there any exceptions to the need to self-quarantine following travel (e.g., if a staff member gets a negative COVID-19 test upon returning from travel)?**

People do not have to practice self-quarantine following essential travel. Essential travel includes: work and study, critical infrastructure support, economic services and supply chains, health, immediate medical care, and safety and security.

## **Is the 14 day quarantine for travel effective immediately or only during the specified freeze period?**

The Oregon Travel Advisory was announced and made effective on 11/13/2020.

## **Limited In-Person Instruction**

Questions in this theme relate to Limited In-Person Instruction (LIPI) within schools during the required freeze period.

### **How do these new requirements impact instruction within schools?**

Schools are subject to the requirements of the sector-specific guidance released by ODE and OHA, [Ready Schools, Safe Learners](#) and its companion and supplemental guidance.

### **Are schools still able to provide Limited In-Person Instruction (LIPI) during the required freeze period?**

Yes, schools may provide Limited In-Person Instruction (LIPI) subject to the requirements of [Ready Schools, Safe Learners](#), companion, and supplemental guidance and in coordination with the advice of their Local Public Health Authority (LPHA).

Schools should consider pausing Limited In-Person Instruction when county case rates climb over 200 cases per 100,000 in population in counties with populations >30,000 (or over >60 cases in counties with <30,000 residents). When considering closing to in-person instruction for schools that have opened under any one of the exceptions to the General Metrics (0b) for reopening schools for in-person instruction, including the LIPI exception, schools should work with LPHAs to consider the spread of COVID-19 within schools and the broader community in deciding to temporarily return to Comprehensive Distance Learning. If there are cases in two or more cohorts without an identified common exposure, school officials should discuss with LPHAs to determine if this represents unexplained spread within the school or broader community. It is encouraged that the school follow recommendations from their LPHA on whether a temporary transition away from any in-person instruction (for two weeks or longer) is recommended to protect the health and safety of the students, staff, families, and the broader community.

**Being aware of the dangerous situation we're in that has caused the need for a freeze period, we are concerned about asking parents to bring their students to school and asking teachers to come to school during that time. Should schools continue with LIPI or other forms of in-person instruction during the required freeze period?**

This determination will need to be made based on local context and in partnership with the school's local public health authority (LPHA). Schools should consider pausing Limited In-Person Instruction when county case rates climb over 200 cases per 100,000 in population in counties with populations >30,000 (or over >60 cases in counties with <30,000 residents). When considering closing to in-person instruction for schools that have opened under any one of the exceptions to the General Metrics (Ob) for reopening schools for in-person instruction, including the LIPI exception, schools should work with LPHAs to consider the spread of COVID-19 within schools and the broader community in deciding to temporarily return to Comprehensive Distance Learning. If there are cases in two or more cohorts without an identified common exposure, school officials should discuss with LPHAs to determine if this represents unexplained spread within the school or broader community. It is encouraged that the school follow recommendations from their LPHA on whether a temporary transition away from any in-person instruction (for two weeks or longer) is recommended to protect the health and safety of the students, staff, families, and the broader community.

**Should a school that planned to implement LIPI, but has not yet begun it, proceed with the plan to begin LIPI? What does ODE recommend?**

This determination will need to be made based on local context and in partnership with the school's local public health authority (LPHA).

**Are we required to have staff work from home and consequently cancel in-person instruction?**

Districts should support work from home opportunities to the extent practicable. However, schools do not need to cancel in-person instruction in order to accommodate working from home. It remains an option for schools to shift to Comprehensive Distance Learning to support staff's ability to work from home. Staff should be advised to work-from-home to the greatest extent possible, as is consistent with the school's selected instructional models. If it is not essential to have staff on site and their work can be performed from home, they should be advised to work from home for the duration of the freeze period.

**If schools are providing childcare, they must also provide LIPI. If we choose to stop LIPI during the required freeze period, will we be able to continue providing childcare?**

Childcare falls under the guidance provided by the Early Learning Division. Please [check their website](#) for more information.

## **Requirements vs. Recommendations**

Questions in this theme seek additional clarity around elements that are required versus those that are recommended.

**Will the self-quarantine following travel be required by RSSL?**

No. Individuals should practice self-quarantine based on Oregon's Travel Advisory. More information on this travel advisory is [available online](#).

**RSSL v4.0 guidance states that "schools should consider pausing Limited In-Person Instruction when county case rates climb over 200 cases per 100,000". Is this just a recommendation for a metric to restrict LIPI or is this a guideline?**

This metric is a recommendation for schools to use in partnership with their local public health authority (LPHA) in order to determine ongoing operational status. RSSL prioritizes partnership between school districts and LPHAs as they are the entities best positioned to make appropriate determinations given local context, resources, and needs.

**How long must schools be open before bringing back additional grade levels? There is some reference to 4 weeks in the guidance but is that a requirement? In other words, if we bring back K-3, do they need to be in school for 4 weeks without an increase in the metrics before we bring back 4-6 and then another 4 weeks before we bring back secondary?**

You do not need to wait before you bring back additional elementary school grades provided you are following [Ready Schools, Safe Learners](#) and working in partnership with your LPHA. The new metrics for schools are for implementation in partnership with their local public health authority (LPHA) in order to determine ongoing operational status. RSSL prioritizes partnership between school districts and LPHAs as they are the entities best positioned to make appropriate determinations given local context, resources, and needs.

## **Bargaining / Leave Issues**

Questions in this theme are related to local district decisions that may require collective bargaining or other work with the organization(s) that represent district employees.



**What kind of leave should staff take when they need to quarantine due to travel?**

This is a local determination subject to local collective bargaining agreements.

**If someone travels outside the state, are we supposed to pay them to work from home for 14 days?**

Districts should support work from home opportunities to the extent practicable. Ideally, people who have to self-quarantine would be able to work from home for that period of time. This is a local determination subject to local collective bargaining agreements.

**Liability protection has been an ongoing concern. What updates does ODE have around this area?**

Districts are encouraged to continue working with the Oregon School Boards Association (OSBA) and other relevant partners in regards to liability protection.

**Need for Further Technical Assistance from ODE**

Questions in this theme provide for further technical assistance from ODE for the field.

**Where and when can we have more time with ODE staff to process guidance, ask questions, and receive needed support?**

ODE holds regular Office Hours related to *Ready Schools, Safe Learners*. RSSL Office Hours are currently held every Monday from 3:00 – 4:00 p.m. Support is also available through ODE's COVID-19 inbox at [ODECOVID19@ode.state.or.us](mailto:ODECOVID19@ode.state.or.us).

**Can ODE help provide a sample message / communications template that school districts can use to share information with families and staff about the implications of the required self-quarantine following interstate travel?**

We will work with our Communications Team on this request and share more information as it becomes available. If you have specific communications needs, please reach out to ODE's COVID-19 inbox at [ODECOVID19@ode.state.or.us](mailto:ODECOVID19@ode.state.or.us). Where possible, we will try to provide communications support.

**What information do we have about summative state testing for the 2020-21 school year?**

Guidance for summative assessment is under development. Third-Party Standardized Assessment (SAT/ACT) Guidance is [available on the ODE website](#).

**Is Limited In-Person Instruction able to support SEL needs and opportunities for socialization (e.g., time to play on playgrounds)? If it's allowable, does ODE see value in it?**

Limited In-Person Instruction can be essential to supplementing instruction available through Comprehensive Distance Learning and supporting specific social emotional and/or other learning needs. Limited In-Person Instruction is to bring students on-site based on need, including to:

- Address connectivity issues, including a focus on students with limited or no internet access
- Provide academic support
- Access assessment
- Provide social, emotional, or mental health support
- Build educator-to-student relationships
- Support live peer-to-peer interaction
- Support ongoing engagement and attendance
- Build school community and culture
- Ensure culturally relevant and sustaining pedagogy
- Prepare for a return to in-person instruction
- Provide voluntary supplemental supports

**Can we ask for medical information for students not wearing face coverings consistently? We do not want to punish students, but have some very concerned staff members wanting to keep these students at home. Is that allowed?**

Students who abstain from wearing a face covering, or students whose families determine the student will not wear a face covering during On-Site instruction must be provided access to instruction. Comprehensive Distance Learning may be an option; however, additional provisions apply to students protected under ADA and IDEA. Please refer to the [Face Coverings and FAPE supplemental guidance](#) for additional information.

**Should classified staff remain employed by their districts?**

This is a local determination subject to local collective bargaining agreements.

**Should districts use volunteers to support their instructional models this year?**

No. Classroom volunteers are considered non-essential volunteers. Schools are required to restrict non-essential visitors/volunteers under [Ready Schools, Safe Learners](#) (section 1g).

**Can small cohorts complete CDL work on-site with an instructional assistant (IA) so that students are not left on their own?**

This is a local decision. This model could be possible under Limited In-Person Instruction (LIPI) in the [Ready Schools, Safe Learners](#) guidance.

**Can teachers use video conferencing to teach some students who are at home while other students are present on site receiving the same instruction?**

Most districts are using some form of video conferencing to support the distance learning components of their instructional models. Ultimately, this is a local decision and is allowed when your district meets the metrics outlined in [Ready Schools, Safe Learners](#) and companion/supplemental guidance requirements and protocols.

**What infrastructure changes can districts make to support instruction across models (e.g., two way audio video options) given ongoing changes to health data that may require multiple shifts between models this year?**

This is a decision that has to be informed by local context. The infrastructure changes needed in one district to support a sustainable hybrid model of instruction will necessarily be based on current district resources. ODE is happy to discuss individual district needs with local leaders as needed.

## **Supporting Ongoing Partnerships with Local Public Health Authorities**

Questions in this theme focus on local partnerships between schools, districts, and local public health authorities.

**If students/staff are asymptomatic, without widespread testing, how do we know where the outbreaks really are and where they are spreading?**

Your LPHA is going to be a critical partner in determining community spread. Your continued partnership with your LPHA will help you access that information.

**How can we get strong messages of support from our local public health authorities for our school's operations?**

ODE will continue to work with OHA and LPHAs to support ongoing partnership with districts and schools. However, each school and LPHA will need to establish their own collaborative relationship. ODE recommends that school staff continue to prioritize this partnership as an essential element for a successful 2020-21 school year.

**Does the 2 week freeze include stopping contact tracing and how are districts impacted even if doing limited in-person instruction? Will we not have the help of local health authorities during the 2 week freeze?**

LPHA Contact tracing remains essential throughout the freeze. Some LPHAs may not have capacity for the same levels of contract tracing based on local COVID-19 activity. Work with your specific LPHA to determine exactly how that will continue during this time period.

**What direction has OHA provided to LPHAs regarding sharing information with districts about close contacts and exposures among students/staff?**

OHA is in consultation with the Department of Justice on information sharing and that language will be shared in coming weeks.