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DEPARTMENT OF  
EDUCATION

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COALITION OF  
OREGON SCHOOL  
ADMINISTRATORS

# COSA - OASE Update

*August 2, 2021*

# Items for Today

- Discuss the shift to the statewide mask requirement (slides 3-22)
- Review some updates from the July 22 release of [Ready Schools, Safe Learners Resiliency Framework for the 2021-22 School Year](#) (slides 23-25)
- Update from our State Epidemiologist Dr. Dean Sidelinger (separate deck)
- Q & A

# Making space for all perspectives...

- We are working through polarized and challenging times. Many are done with COVID-19, even though it is clearly not done with us.
- On June 25 I made similar statements, noting that the tremendous shift to local decision-making would be very challenging for some superintendents.
- Since then we have experienced several newly elected school board members who aim for more local control.
- We have also seen one of our friends and colleagues lose her position, with several others at risk.
- Let's respect one another's challenges through this conversation and strive to understand the different perspectives.
- Let's also recognize how far we have come from last summer. We are not closing in-person school, and the vast majority of decisions remain local.

# Statewide mask requirement - **Why?**

- Our goal is to ensure that every student in Oregon is able to attend school in-person, every school day for the entire school year.
- Students are *required* to attend school, which is a congregate setting where COVID-19 can spread easily if precautions are not taken.
  - Other settings, like grocery stores are not required.
  - The Governor is making the same requirement of state employees in indoor settings, and urging other employers to do the same.
- Oregon has seen a steep increase in COVID-19 rates and hospitalizations driven by the Delta variant that now makes up 80% of cases in our state.
- Schools are mostly unvaccinated settings.
- Universal and correct use of face coverings can keep students learning in-person by reducing infections and quarantines, especially when paired with other layered mitigation efforts.

# Statewide mask requirement - Unexpected...

- We have shared since spring of 2020, Fauci: “You don't make the timeline, the virus makes the timeline”
- As COVID-19 impacts and conditions change, we must respond
- As we have new tools (testing and vaccine), we must respond
- As we learn more about the disease and its behavior and impacts, we must respond
- The Delta variant is substantially more impactful than the COVID-19 we have seen in the past:

“I think people need to understand that we’re not crying wolf here. This is serious,” Rochelle Walensky, the director of the CDC. “It’s one of the most transmissible viruses we know about. Measles, chickenpox, this – they’re all up there.”

# Statewide mask requirement - Children...

- It is more transmissible. The virus's ability to spread quickly is especially worrisome because "only half of the children who are eligible are vaccinated," said Jennifer Lighter, pediatric infectious-disease specialist at New York University Langone Health. "That's pitiful." Covid-19 and the flu in children have "the same kind of morbidity," she said, but added, "If it's preventable, I don't want any child getting it."
- Doctors say there isn't a good sense yet about whether the delta variant is more severe for children than the previous versions of the coronavirus, because of a lack of data, but we know for adults (including younger adults) we are seeing an increase in hospitalizations.
- If the Delta variant spreads through our schools it will also impact staff and student family members, some of whom may be at greater risk.

# Statewide mask requirement - **Shift from Local Control...**

- June 25 release presentation: I stated that the goal was local decision-making. I also gave the caveat that if conditions changed there could be a shift back to state control.
- Under E.O 21-15 we are still under a state of emergency related to COVID-19.
- Under ORS Chapter 431A, OHA has a responsibility/authority to protect public health
- In the RSSL Resiliency Framework it states,

*“Changes in the amount of community transmission of COVID-19, the severity of illness associated with new variants of the SARS-CoV-2 virus that causes COVID-19, or the availability of vaccination for children younger than 12 years old may warrant changes to the state’s recovery efforts during the school year. The Resiliency Framework will be updated to reflect any changes.”*

*“ODE and OHA will continue to monitor guidance updates from the CDC, and will continue to align this recommendation framework as needed.”*

# Statewide mask requirement - CDC Alignment

- [CDC](#): “Given new evidence on the B.1.617.2 (Delta) variant, CDC has updated the guidance for fully vaccinated people. CDC recommends universal indoor masking for all teachers, staff, students, and visitors to K-12 schools, regardless of vaccination status. Children should return to full-time in-person learning in the fall with layered prevention strategies in place.”
- With Oregon’s current uptick in Delta variant COVID-19 cases and hospitalisations, we implemented statewide *universal* masking in indoor k-12 settings. We are counting on local districts to add layered mitigation protocols.
- Our neighboring states in Washington and California are following the same guidelines.
- Oregon’s policy will be reviewed at least monthly for a shift back to local decision-making.



# Statewide mask requirement - OAR 333-019-1015

- The Oregon Health Authority has the authority to adopt rules to prescribe measures and methods for controlling reportable diseases, including COVID-19.
- Children are required to attend school, which is a congregate setting where COVID-19 can spread easily if precautions are not taken. Two of the most important tools the state has to control COVID-19 are vaccination and masking.
- Currently children under the age of 12 are not eligible to receive the COVID-19 vaccines authorized for emergency use.
- In order to protect students under age 12, individuals who are not vaccinated, and those with underlying health conditions that make them more susceptible to complications from COVID-19, as well as to minimize the disruption of student education in schools because of exposure to a confirmed or suspected case of COVID-19, requiring universal use of masks inside schools is necessary.

# Statewide mask requirement - **OAR 333-019-1015**

- Schools must ensure that all individuals, including but not limited to staff, students, contractors and visitors wear a mask, except as provided in sections (4) and (5) of this rule, when in an indoor setting:
  - At school during regular school hours;
  - Engaged in educational activities such as field trips or off-campus classes during regular school hours; and
  - At school engaged in educational activities outside of regular school hours.
- A face shield may be worn instead of a mask if an individual cannot wear a mask for medical reasons.
- Nothing in this rule is intended to prohibit a school from complying with the Americans with Disabilities Act (ADA), the Rehabilitation Act, or the Individuals with Disabilities Education Act (IDEA).

# Statewide mask requirement - **OAR 333-019-1015**

- An individual is not required to wear a mask under section (3) of this rule if the individual is:
  - Actively eating or drinking.
  - Sleeping.
  - Playing a musical instrument that requires using the mouth.
  - Engaged in a sport during physical education class such as swimming, other water sports, or a sport where wearing a mask could be a strangulation hazard such as gymnastics or wrestling.
  - Alone in a private office enclosed by walls on all sides with a door that is closed.
  - Is under the age of two (2).

# Statewide mask requirement - **OAR 333-019-1015**

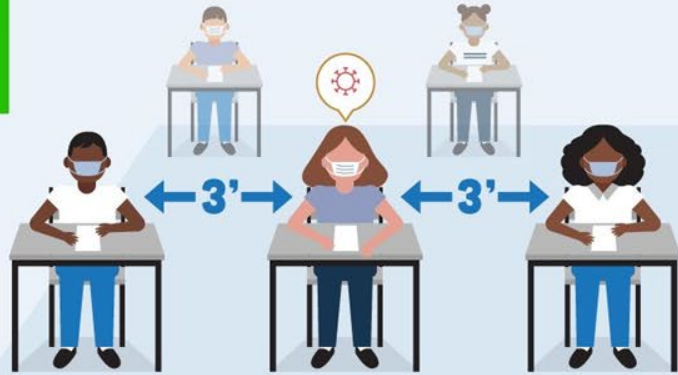
- This rule will likely become effective on August 2, 2021.
- This rule will likely be subject to enforcement beginning August 12, 2021.
- It should be applied to summer school and the beginning of the 2021-22 school year.



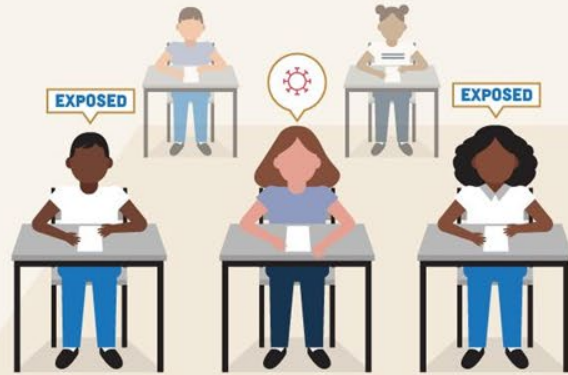
# UNIVERSAL AND CORRECT USE OF FACE COVERINGS KEEPS KIDS LEARNING IN-PERSON, WHICH WE ALL AGREE IS BEST FOR STUDENTS.



*Face coverings mean more days in school for students.*



When students are at least 3' apart and everyone is wearing a face covering, students who are in close contact with someone with COVID-19 **don't need to quarantine** unless they have symptoms.



Without face coverings and at least 3' of distance, students in close contact to someone with COVID-19 **will need to quarantine, and miss school days**. This could include all members of the stable small group (cohort).



If no face coverings are worn and students do not distance, it becomes more difficult to track close contacts. Exposure to a confirmed case can compound when students shift to new classrooms or visit other indoor spaces in the school, such as the library or gym. This could lead to **quarantining of full grades or full school closure**.

# Statewide mask requirement - Penalties

- A school that violates this rule is subject to a civil penalty of \$500 per day per violation.
- OHA has authority/responsibility under ORS 431A.010 for additional action
- Licensed educators who fail to obey this rule may face additional penalties. OAR 584-020-0035 (3) The ethical educator, in fulfilling obligations to the profession, will: (a) Maintain the dignity of the profession by respecting and obeying the law, exemplifying personal integrity and honesty. There would also be a possible violation of 584-020-0025 (3)(a), related to leadership skills. Deviation from these standards may subject the educator to discipline for gross neglect of duty, per OAR 584-020-0040 (4)(n) & (o).

# Statewide mask requirement - Resources

- 8-1-21 **Your Local Epidemiologist** - [Advocating for kids: Resources that can help](#)
- 7-22-21 **Washington Post** - [The delta variant and kids: Parents' questions answered](#)
- 7-27-21 **National Geographic** - [Here's why the CDC reversed course on masks indoors—and how it might affect you](#)
- 7-30-21 **Fast Company** - [How school leaders are dealing with ugly outrage over COVID-19 policies](#)
- 8-1-21 **Education Week** - [A View From the Hot Seat: How One District Leader Is Confronting COVID-19's Latest Twists](#)
- 7-30-21 **New York Times** - [C.D.C. Internal Report Calls Delta Variant as Contagious as Chickenpox](#)
- 7-29-21 **Washington Post** - ['The war has changed': Internal CDC document urges new messaging, warns delta infections likely more severe](#)
- 7-29-21 **Newsweek** - [Smithsonian, Disney World Now Requiring Masks Following CDC Guidelines](#)

# Statewide mask requirement - **FAQ**

- **Is this rule for the full 2021-22 school year?**
  - No. The goal is to go back to local decision-making. OHA will review the situation at least monthly. However, the virus sets the timeline. And, we all know that even when we shift back to local decision-making, masks will still be the strongest mitigation tool for the unvaccinated and will help secure the continuity of education.



# Statewide mask requirement - **FAQ**

- **Are face masks required for indoor sports?**
  - No. This is a local decision. Noneducational before and after school programs are voluntary, unlike school and some required educational programming before and after school.
  - Face masks are strongly recommended and, especially if they are not locally required, each school should strongly consider participation in the diagnostic screening program for voluntary extracurricular activities.

# Statewide mask requirement - **FAQ**

- **Are masks required at the district office and other non-school sites? What about Board meetings.**
  - No. This is a local decision. The statewide requirement applies to:
    - At school during regular school hours;
    - Engaged in educational activities such as field trips or off-campus classes during regular school hours; and
    - At school engaged in educational activities outside of regular school hours.

# Statewide mask requirement - **FAQ**

- **What about students who have challenges related to a disability?**
  - ODE will provide technical assistance for accommodations and modifications similar to those in place last year.
- **What about students and families that refuse based on personal values?**
  - This is a local decision. ODE does not recommend punitive measures. ODE does recommend instruction and information sharing. Ultimately, the student may need to be served in a remote setting.

# Statewide mask requirement - FAQ

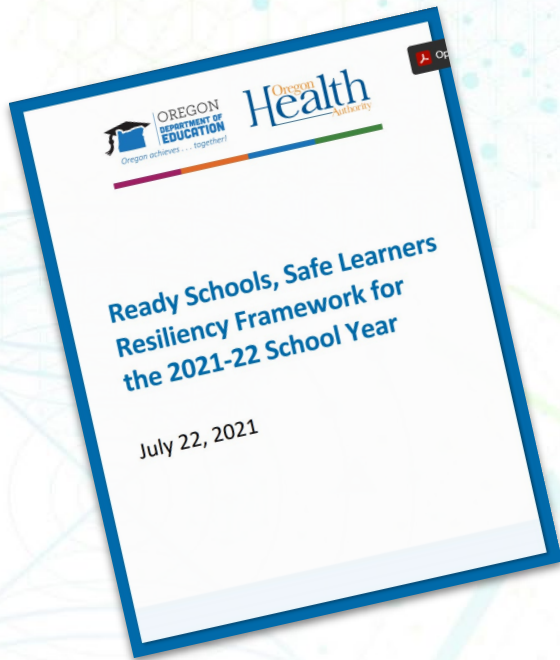
- **What is required and what is advisory?**
  - These protocols/procedures are required:
    - Locally published and submitted plan for operations, communicable disease plan\*, isolation space\*, recovery services process, quarantine/isolation protocols, exclusion for exposed individuals\*, indoor face masks, Division 22 rules\*.
  - All other decisions are local. ODE/OHA strongly recommend multiple, layered mitigation protocols to limit the spread, protect health, and maintain continuity of in-person instruction.

*\* Required prior to COVID-19.*

# Statewide mask requirement - FAQ

- **If this is so important, why is it only for schools and students?**
  - Students are required to be in school. People (young & old) have other options for other settings. Schools are indoors, with regular close contacts all day, throughout the day. Our goal is ensure continuity of instruction, allowing all students to attend in-person every school day. Masks will help us accomplish this goal and keep students, staff, and families safer in a required attendance space.
  - Governor Brown is also requiring masks for state employees when indoors and encouraging other employers to take the same action.

# RSSL Resiliency Framework - 7/22 Updates



## Key Updates

- Pages 3-4: Local data resources
- Page 7: Safe Return to In-Person Instruction and Continuity of Services Plan
- Pages 12, 15: Quarantine updates
- Pages 18-19: COVID-19 Testing Programs in schools
- Additional resources and links are included throughout

# Quarantine

- **Unchanged:** An exposure is defined as a susceptible individual who has close contact (less than 6 feet) for longer than 15 cumulative minutes in a day with a person who has COVID-19.
- **Unchanged:** If a student or staff member is diagnosed with COVID-19, then the LPHA should be consulted to review the situation.
- **Unchanged:** Fully vaccinated individuals do not need to quarantine.
- **Change:** If a school cannot confirm that 6 feet of distancing was consistently maintained during the school day, **or 3 feet of distancing with consistent mask use was maintained during the school day**, then each person the confirmed case was in contact with will need to quarantine – this could include all members of a stable cohort.
- **Change:** K-12 Quarantine Exception: Quarantine is not necessary for:
  - Students who were within 3 or more feet of an person with COVID-19;
  - Where both students were engaged in consistent and correct use of well-fitting face coverings; and
  - Other K–12 school prevention strategies were in place in the K–12 school setting.
  - This exception does not apply to teachers, staff, or other adults in the indoor classroom setting.

# COVID-19 Testing in Schools

## Diagnostic testing

- Test students or staff who develop symptoms at school or are exposed to COVID-19 at school.
- This [testing program](#) was rolled out in January 2021 and more than 90% of K-12 schools have registered.
- For some students, this COVID-19 testing in K-12 schools may represent their only access to a COVID-19 test and the importance of this access cannot be overstated.
- This testing may be used to shorten the length of quarantine for exposed individuals who test negative if this is recommended by the local public health authority.

## Screening testing

- Test students or staff who do not have symptoms of, or exposure to, COVID-19.
- Seeks to reach unvaccinated students and staff, but enrollment is open to anyone and vaccination status is not verified.
- OHA offers separate screening testing programs for students and staff.



# Dr. Dean Sidelinger

## State Health Officer and State Epidemiologist

Dean Sidelinger, MD, MEd, FAAP is the Health Officer and State Epidemiologist for the Oregon Public Health Division. In this role he supports public health practice, programs, and staff.

Prior to joining the Oregon Health Authority, Dr. Sidelinger served as the Child Health Medical Officer and Interim Deputy Public Health Officer for the County of San Diego Health and Human Services Agency (HHSA).

Dr. Sidelinger obtained his undergraduate degree in chemistry and medical degree from Georgetown University. He completed his pediatric internship and residency at the University of Tennessee Health Science Center in Memphis and a fellowship in Community Pediatrics at the University of California, San Diego. He also has a Master's in Education from the University of Southern California.



# Questions?

