



KATE BROWN
Governor

March 5, 2021

Patrick Allen
Director
Oregon Health Authority
Salem, OR 97301

Colt Gill
Director
Oregon Department of Education
Salem, OR 97310

Dear Director Allen and Director Gill,

Nearly a year has passed since I issued my first emergency order closing Oregon schools due to COVID-19 on March 16, 2020. Since I issued my directions to you in December to return more students to in-person instruction, more than 106,946 children have returned to classrooms, including many of our youngest learners. Today, this number stands at 160,105 students.

Throughout the pandemic, Oregonians have made smart choices to wear face coverings, practice good hygiene, maintain physical distance, and avoid gatherings. Since December, COVID-19 case rates and positivity rates have greatly improved across the state and Oregon continues to fare better than almost every state in the nation with regards to infection and mortality rates. Today, all but six Oregon counties meet or exceed Oregon's advisory metrics for in-person, hybrid instruction for all K-12 grade levels, and five of these counties meet the metrics for resuming in-person, hybrid instruction for students in elementary grades.

In addition to the work of Oregonians to drive down community COVID-19 rates, public schools continue to adhere to the strict health and safety protocols under Oregon's mandatory *Ready Schools, Safe Learners (RSSL)* guidance. We have established a statewide rapid testing program for schools, using our supply of Abbott BinaxNOW tests from the federal government. We have accelerated vaccinations for the educator workforce statewide. State and federal resources, including \$500 million in federal funding in the last federal relief package, can be used to purchase personal protective equipment for educators, students, and staff, upgrade ventilation systems, and implement health and safety measures.

Because of this progress and the great work done by Oregon's schools, parents, students, administrators, teachers, and staff, the time has come for our students to return to the learning environment we know serves them best: in-person instruction. In recognition of this incredible progress, and under my authority as Governor and as Superintendent of Public Instruction, I am taking the following executive actions to ensure all public schools provide universal access to in-person instruction for K-5 students on or before the week of March 29, 2021 and students

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grades 6-12 on or before the week of April 19, 2021. I am using this phased approach because, as we have seen from school districts that have returned to in-person instruction successfully, schools will return our youngest learners to school first, and apply the lessons learned from that implementation process to reopening middle and high school buildings.

Subject to ongoing health and safety guidance from your respective agencies under the ongoing COVID-19 emergency:

- All public schools will operate delivering in-person instruction through either a fully on-site or a hybrid instructional model, while continuing to follow the mandatory health and safety guidance from RSSL.
- Comprehensive distance learning (CDL) will be an option for public schools only in defined circumstances. For instance, CDL may be offered for individual students when accommodations are necessary for individual student health and safety (if a student or family member is in a high-risk category for COVID-19 infection, for example), or when community transmission rates warrant transition to CDL under OHA and ODE guidance and Oregon's advisory school metrics or at the direction of a local public health authority.

In addition, by no later than March 19, I am directing OHA and ODE to issue guidance to conform with the directives to public schools stated in this letter, and which will be further enumerated by my forthcoming executive order. I am also directing your agencies to review existing requirements and issue subsequent guidance, as necessary, to public and private schools. Because there is more research today than even a few months ago, this should include a review of requirements that can better facilitate the return of in-person instruction while also reducing the risk of transmission of COVID-19. OHA and ODE must also review Oregon's advisory metrics for schools, and revise those metrics to make clear that hybrid or in-person instruction is the primary instructional model for school districts, unless extreme rates of community transmission of COVID-19 make comprehensive distance learning necessary.

I also strongly support the right of employees to collectively bargain, especially when it comes to their own safe working conditions. Since I made my announcement in December, and even before, as they looked ahead to a return to in-person instruction, many local associations have worked with school districts to negotiate around the subject of safe working conditions and a return to in-person instruction. They have been aided in those efforts by having detailed, mandatory guidance from the State on clear health and safety protocols.

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Under this order, I'm so proud to say that by March 29 and April 19, kids all across Oregon will see the inside of their classrooms once again. Whether or not public schools should return kids to the classroom this spring is no longer up for discussion: the science and data is clear, schools can return to in-person instruction with a very low risk of COVID-19 transmission, particularly with a vaccinated workforce.

As conditions across the state merit a return to in-person instruction, I could not be more relieved that we have reached a point in this pandemic when Oregon's children can finally relinquish some of the immense burdens they have so bravely borne over this past year. I feel so much hope for Oregon's kids, their parents and their schools, as we continue to navigate this pandemic. My gratitude goes out to OHA and ODE and every district, administrator, teacher, staff member, and parent for their work this past year. Our kids are our future and we need to do everything we can to make up for the losses of 2020.

Sincerely,

A handwritten signature in cursive script that reads "Kate Brown". The signature is written in black ink and includes a horizontal flourish at the end.

Governor Kate Brown