

Senate Bill 862

Sponsored by Senator THOMSEN

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Requires each public school to resume in-person classroom instruction.
Declares emergency, effective on passage.

A BILL FOR AN ACT

1 Relating to school opening during COVID-19 declaration of emergency; and declaring an emergency.

2 Whereas there is sufficient scientific evidence that schools can safely reopen for in-person in-
3 struction when proper public health mitigation steps are taken; and
4

5 Whereas the Governor, who is also the Superintendent of Public Instruction, shut down in-
6 person instruction on March 12, 2020, which was confirmed by Executive Order 20-08; and

7 Whereas the Governor, who is also the Superintendent of Public Instruction, has the authority
8 to reopen schools for in-person instruction by executive order, but is failing to do so despite best
9 available evidence; and

10 Whereas other states, including Iowa, West Virginia, Arkansas, Texas and Florida, have gone
11 back to in-person instruction and have been following the science that shows that in-person in-
12 struction is not the leading source of transmission of the virus that causes COVID-19; and

13 Whereas Oregon students and families have suffered more than their fair share of loss during
14 this pandemic; and

15 Whereas no student, regardless of geography, race, economic status or sexual orientation, should
16 be denied access to a quality education; and

17 Whereas school closures are leading to women dropping out of the workforce at a dispro-
18 portionate rate; and

19 Whereas school closures have disproportionately impacted students and communities of color;
20 and

21 Whereas we, the Legislative Assembly, have evidence and data pointing to the long-term, dis-
22 proportionate economic and intangible consequences that lack of access to in-person instruction has
23 on Oregon students; and

24 Whereas a recent study from the University of Pennsylvania concluded that children in grades
25 1 through 12 lose up to \$15,000 in future wages for every month schools are closed for in-person
26 instruction; and

27 Whereas a lack of in-person instruction is causing decreased educational achievement and
28 jeopardizing Oregon students' futures; and

29 Whereas an increasing body of evidence suggests that a lack of in-person instruction has led to
30 child suicide and deteriorating mental health conditions; and

31 Whereas lack of access to in-person instruction is proven to cause stunted social skills in young

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.
New sections are in **boldfaced** type.

1 children; now, therefore,

2 **Be It Enacted by the People of the State of Oregon:**

3 **SECTION 1. (1) As used in this section:**

4 (a) **“COVID-19 declaration of emergency” means the declaration of a state of emergency**
5 **concerning the COVID-19 pandemic that was issued by the Governor on March 8, 2020, and**
6 **any extensions of that declaration.**

7 (b) **“COVID-19 emergency rule” means an executive order, order of the Superintendent**
8 **of Public Instruction, declaration, directive or other local, state or federal authorization,**
9 **policy, statement, guidance, rule or regulation that creates a standard or waives, suspends**
10 **or modifies otherwise applicable local, state or federal law, regulations or standards regard-**
11 **ing the rendering of education services during the COVID-19 declaration of emergency.**

12 (c) **“In-person classroom instruction” means classroom instruction that is provided by a**
13 **teacher to students in a common physical location.**

14 (d)(A) **“Public school” means a public school with any grade from kindergarten through**
15 **grade 12, including a public charter school.**

16 (B) **“Public school” does not include any specialized programs that were not provided as**
17 **in-person classroom instruction prior to the COVID-19 declaration of emergency or that will**
18 **not be provided as in-person classroom instruction following the expiration of the COVID-19**
19 **declaration of emergency, including instruction provided by a virtual public charter school.**

20 (2) **Notwithstanding any COVID-19 declaration of emergency or any provision of a**
21 **COVID-19 emergency rule, each public school shall resume in-person classroom instruction.**

22 **SECTION 2. This 2021 Act being necessary for the immediate preservation of the public**
23 **peace, health and safety, an emergency is declared to exist, and this 2021 Act takes effect**
24 **on its passage.**

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