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COALITION OF
OREGON SCHOOL
ADMINISTRATORS

EMBARGOED

COSA - OASE OTR Update

August 19, 2021

Before we begin...

This is a COSA/OASE Off-the-Record meeting. The Governor has given permission for me to share information with you prior to the public release. We want you to have as much information as possible to support your staff and community when this is announced. Please honor the embargo.

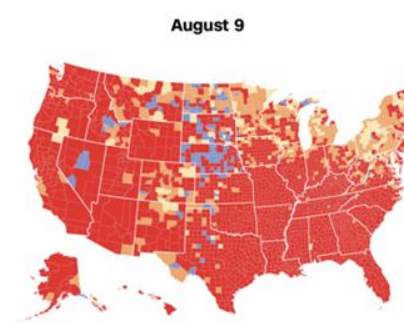
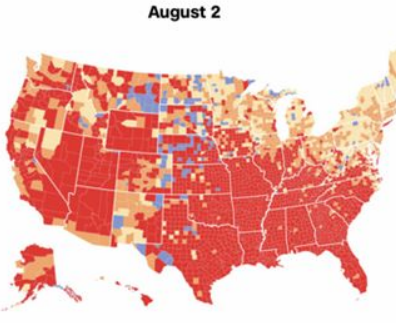
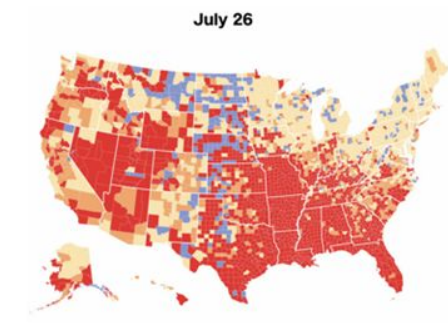
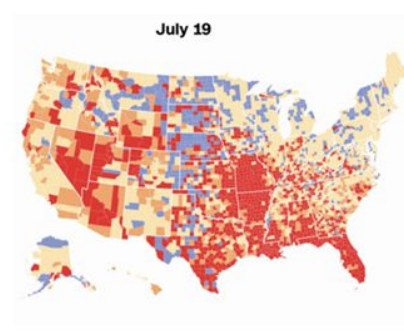
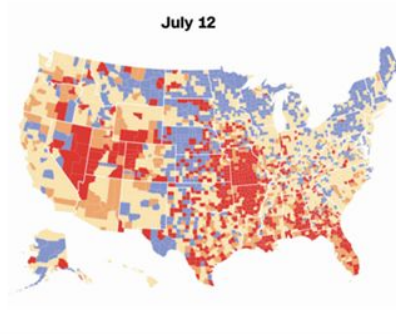
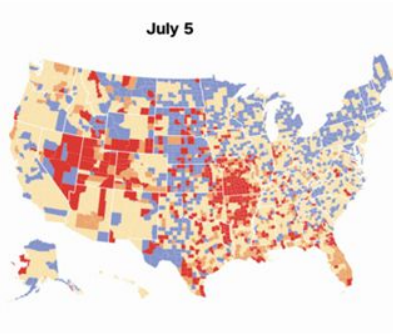
Please make this a respectful place for peers who hold different opinions and/or will be impacted differently by the news. Also recognize that some in our space have been deeply impacted by COVID-19.

Before we begin...

Application of the EMBARGO

- The announcement is embargoed until 11:00 AM, 8-19-21.
- The details of the proposed rule are for internal planning only and remain embargoed until the temporary rule is posted.
- Each slide will make the embargo period clear.

The Spread of Delta Across the United States

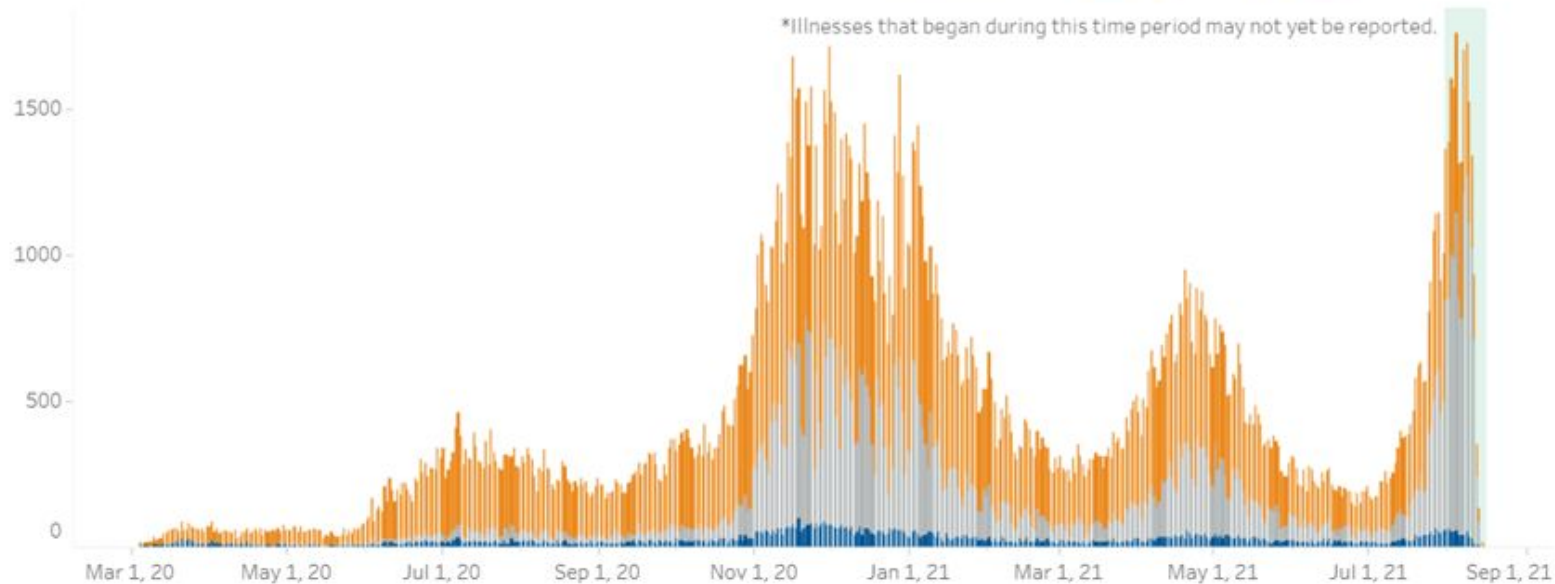


Source: Centers for Disease Control and Prevention, Graphics: Priya Krishnakumar, CNN

Oregon's Epi Curve: COVID-19 cases

This chart shows the number of Oregonians who have been identified as COVID-19 cases and whether they were ever hospitalized for their illness.‡

Total Cases	Hospitalized	Not Hospitalized	Hospitalization Status Unknown
242,843	13,270	156,677	72,896



<https://public.tableau.com/app/profile/oregon.health.authority.covid.19/viz/OregonHealthAuthorityCOVID-19DataDashboard/COVID-19EPICases>

Accessed 08.16.2021

Not Hospitalized
Hospitalized
Hospitalization Status Unknown



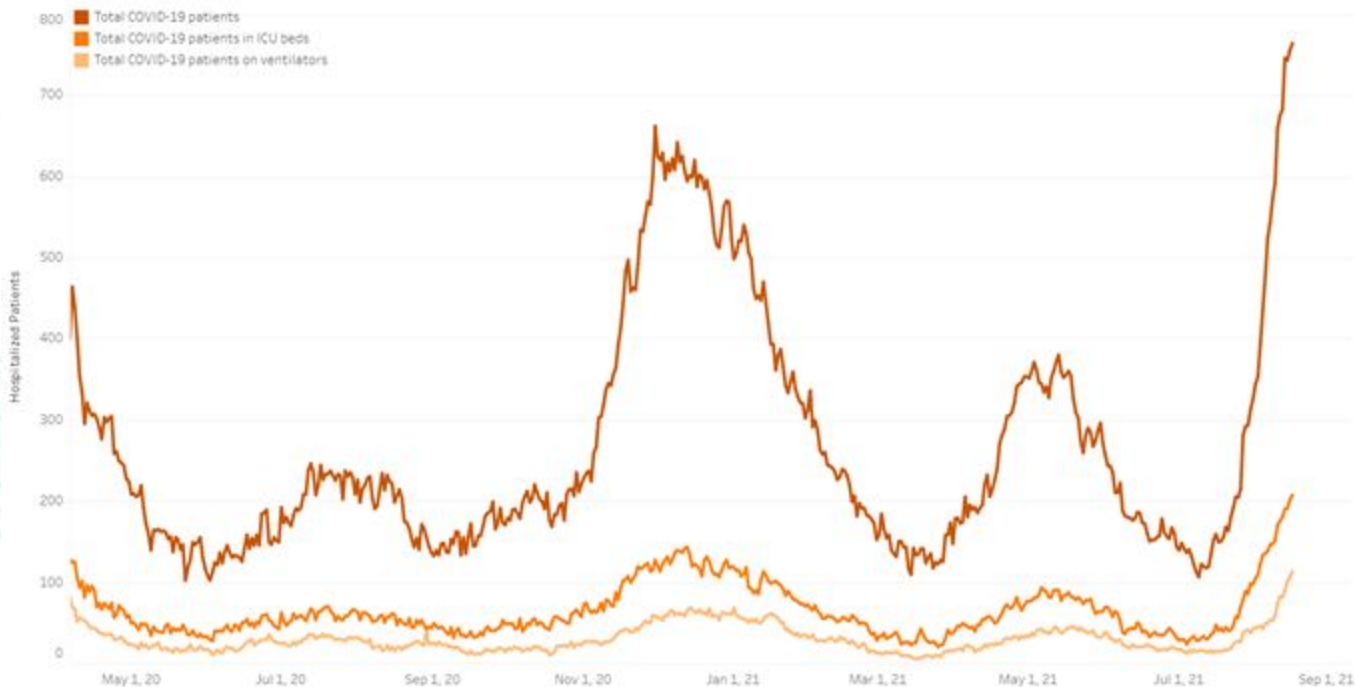
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Oregon's Hospitalization Trends by Severity

This chart shows daily COVID-19 hospitalizations and whether patients were in the ICU or on ventilators, as reported to Oregon's Hospital Capacity Web System (HOSCAP)¹. It initially displays only those who tested positive, but you can view all patients with suspected COVID-19 or positive COVID-19 tests² using the dropdown menu below. Click on a legend item to highlight it in the chart (ctrl+click to select multiple items).



<https://public.tableau.com/app/profile/oregon.health.authority.covid.19/viz/OregonCOVID-19HospitalCapacity/HospitalizationbySeverity>

Accessed 08.16.2021

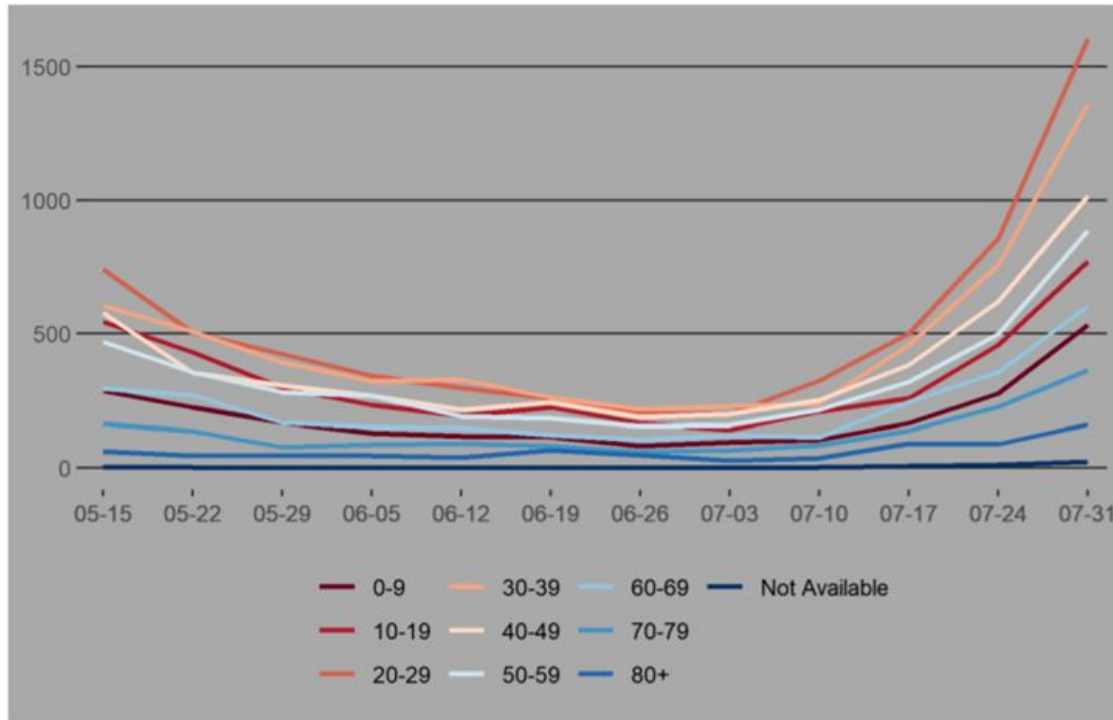


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Recent Cases by Age and Week of Onset



<https://www.oregon.gov/oha/covid19/Documents/DataReports/Weekly-Data-COVID-19-Report.pdf>

Accessed 08.11.2021



Vaccination Requirement - **Why?**

- Our priority is to implement the protocols needed to **reliably hold school in-person, every school day, for all students, all year long.**
- From what we know today, there are two keys to keeping our students in classrooms with minimal disruptions:
 - Most people in schools are unvaccinated (children under 12 are still not eligible), masks are a critical tool to prevent spread of COVID-19 in a school setting.
 - Just as important is ensuring all the adults around our students are fully vaccinated against COVID-19 so that they are safe and able to reliably provide in-person instruction.
- That's why today Governor Brown will direct the Oregon Health Authority to issue a rule requiring all teachers, educators, support staff, and volunteers in K-12 schools to be fully vaccinated against COVID-19 by October 18, or six weeks from FDA approval, whichever is later.

Creating Safe and Reliable Access to In-Person Learning

- There are those that will feel this action goes too far. Public health has become politically polarizing in our nation.
- The fact is that nearly every educator is already vaccinated against Diphtheria, Tetanus, Pertussis (whooping cough), Polio, Varicella (chickenpox), Measles, Mumps, Rubella, and Hepatitis A & B.
 - COVID-19 is a disease like all the others.
 - It does not care about anyone's personal values.
 - It spreads from one person to another without targeting or prejudice.
 - And, the Delta variant does this quickly and effectively to often significant harm to the unvaccinated.
 - Our hospitals are overcrowding due to severe COVID-19 cases (almost exclusively unvaccinated individuals). We are sending people out-of state for care. Our ambulances need to know they can take the injured and severely ill to a hospital for care.
- As with state employees and healthcare workers - religious and medical/disability related exemptions apply.

Vaccination Requirement - **Proposed Details**

- The rule will be promulgated by the Oregon Health Authority in the next few days.
- The following DRAFT details will change. **This information is EMBARGOED until the rule is posted.** When the rule is posted we will communicate with you so that you have up-to-date information:
 - The rule will apply to all teachers, educators, support staff, and volunteers in K-12 schools.
 - “K-12 School” means a public, private, parochial, charter or alternative educational program offering kindergarten through grade 12 or any part thereof.
 - “Fully vaccinated” means having received both doses of a two-dose COVID-19 vaccine or one dose of a single-dose COVID-19 vaccine and at least 14 days have passed since the individual’s final dose of COVID-19 vaccine.

Vaccination Requirement - Proposed Details

- The rule will be promulgated by the Oregon Health Authority in the next few days.
- The following DRAFT details will change. **This information is EMBARGOED until the rule is posted.** When the rule is posted we will communicate with you so that you have up-to-date information:
 - "Medical Exception" means that an individual has a physical or mental impairment that prevents the individual from receiving a COVID-19 vaccination.
 - A medical exception must be corroborated by a document signed by a medical provider, who is not the individual seeking the exception, certifying that the individual has a physical or mental impairment that limits the individual's ability to receive a COVID-19 vaccination based on a specified medical diagnosis.

Vaccination Requirement - Proposed Details

- The rule will be promulgated by the Oregon Health Authority in the next few days.
- The following DRAFT details will change. **This information is EMBARGOED until the rule is posted.** When the rule is posted we will communicate with you so that you have up-to-date information:
 - “Religious Exception” means that an individual has a sincerely held religious belief that prevents the individual from receiving a COVID-19 vaccination.
 - A religious exception must be corroborated by a document, on a form prescribed by the Oregon Health Authority, signed by the individual stating that the individual is requesting an exception from the COVID-19 vaccination requirement on the basis of a sincerely held religious belief and including a statement describing the way in which the vaccination requirement conflicts with the religious observance, practice, or belief of the individual.

Vaccination Requirement - **Proposed Details**

- The rule will be promulgated by the Oregon Health Authority in the next few days.
- The following DRAFT details will change. **This information is EMBARGOED until the rule is posted.** When the rule is posted we will communicate with you so that you have up-to-date information:
 - Employers or contractors of teachers or school staff who grant an exception to the vaccination requirement **must/may** take reasonable steps to ensure that unvaccinated teachers and healthcare staff are protected from contracting and spreading COVID-19.

Vaccination Requirement - Proposed Details

- The rule will be promulgated by the Oregon Health Authority in the next few days.
- The following DRAFT details will change. **This information is EMBARGOED until the rule is posted.** When the rule is posted we will communicate with you so that you have up-to-date information:
 - "Proof of vaccination" means documentation provided by a tribal, federal, state or local government, or a health care provider, that includes an individual's name, date of birth, type of COVID-19 vaccination given, date or dates given, depending on whether it is a one-dose or two-dose vaccine, and the name/location of the health care provider or site where the vaccine was administered. Documentation may include but is not limited to a COVID-19 vaccination record card or a copy or digital picture of the vaccination record card, or a print-out from the Oregon Health Authority's immunization registry.

Vaccination Requirement - Proposed Details

- The rule will be promulgated by the Oregon Health Authority in the next few days.
- The following DRAFT details will change. **This information is EMBARGOED until the rule is posted.** When the rule is posted we will communicate with you so that you have up-to-date information:
 - After October 18, 2021, or six weeks after the date that the United States Food and Drug Administration approves a vaccination against COVID-19, whichever is later:
 - Teachers and school staff may not teach, work, learn, study, assist, observe or volunteer in a school setting unless they are fully vaccinated or have provided documentation of a medical or nonmedical exemption.
 - An employer or contractor of teachers or school staff may not employ, contract with, or accept the volunteer services of teachers or school staff who are teaching, working, learning, studying, assisting, observing or volunteering at a school unless the teachers or school staff are fully vaccinated against COVID-19 or have a documented medical or nonmedical exemption.

Vaccination Requirement - Proposed Details

- The rule will be promulgated by the Oregon Health Authority in the next few days.
- The following DRAFT details will change. **This information is EMBARGOED until the rule is posted.** When the rule is posted we will communicate with you so that you have up-to-date information:
 - Nothing in this rule will be intended to prohibit employers of teachers or school staff from complying with the Americans with Disabilities Act and Title VII of the Civil Rights Act, and state law equivalents, for individuals unable to be vaccinated due to disability, qualifying medical condition, or a sincerely held religious belief.
 - The vaccination documentation and documentation of medical and nonmedical exemptions that are required to be maintained by an employer of teachers and school staff must be maintained in a confidential medical file separate from other employment records in accordance with applicable federal and state laws.

Vaccination Requirement - **Proposed Details**

- The rule will be promulgated by the Oregon Health Authority in the next few days.
- The following DRAFT details will change. **This information is EMBARGOED until the rule is posted.** When the rule is posted we will communicate with you so that you have up-to-date information:
 - The temporary rule is created under statutory authority: ORS 413.042, ORS 431A.010, ORS 431.110 & ORS 433.004
 - Other statutes may apply: ORS 431A.010, ORS 431.110 & ORS 433.004

Vaccination Requirement - Proposed Details

- The rule will be promulgated by the Oregon Health Authority in the next few days.
- The following DRAFT details will change. **This information is EMBARGOED until the rule is posted.** When the rule is posted we will communicate with you so that you have up-to-date information:
 - OHA: Employers and contractors of teachers or school staff who violate any provision of this rule are subject to civil penalties of \$500 per day per violation. No civil penalties under this section will be imposed by the Oregon Health Authority before December 10, 2021, or six weeks after the date that the United States Food and Drug Administration approves a vaccination against COVID-19, whichever is later.
 - It is not yet clear whether any OROSHA penalties will also apply.
 - TSPC OARs continue to apply to licensed educators.

Again, the state will take an education first approach.

our priority is to implement the protocols needed to reliably hold school in-person, every school day, for all students, all year long.

Vaccination 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.”

Vaccination Requirement - Questions/Issues

What questions or issues do you need our team to research?

Thank you!

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