Dear Superintendent and Association Leaders,

Oregon is facing an unprecedented challenge in our effort to respond to the COVID-19 outbreak. Governor Brown has called on our schools to fulfill essential tasks in communities across Oregon. This is the right call. Our schools are trusted community institutions. Our educators are compassionate professionals that deliver for children day-in and day-out. And, in most of our communities, schools are the largest employers and have the greatest capacity to serve our communities in while they are in need.

The response from school systems in most communities has been nothing short of incredible. Thousands of meals are being delivered, schools are ensuring the children of health care workers are safe and cared for, and many districts have gone beyond these efforts. Districts and associations have worked hand-in-hand to creatively coordinate and be extraordinarily responsive to our families.

We know you are in the best place to deliver for your local communities when they are need. This is why Governor Brown made it clear in her Executive Order 20-08 that districts, “shall continue to receive allocations from the State School Fund, as if they had been actually in session during the closure period." Our communities need your support.

In order to receive these allocations schools are required to deliver on certain requirements including the delivery of supplemental education supports, provision of meals, and supplemental emergency management services - including child care. Importantly, school districts are to, “...regularly pay all employees of public schools. A public school subject to this Executive Order may require school employees to report to work to assist with the provision of supplemental services and emergency management activities.”

This order and expectation does not include additional funds to compensate staff more than their regular pay. It also does not, “...require public school employees in at-risk categories, or public school employees who have an at-risk member of their household, to take action inconsistent with public health recommendations or the advice of the employee’s physician.” Finally, it assumes districts who do call in staff will operate under the state’s social distancing and group gathering restrictions.
This letter is intended to highlight priorities to be addressed as you identify local solutions for serving your communities in response to the Governor’s Executive Order. I implore you, as critical leaders in Oregon, to come together in close partnership to focus your efforts on the needs of our local communities. I know we are under circumstances that stress collective bargaining agreements across the state. I believe you all want to help your communities and I trust in the short-term you can come together to quickly develop provisions to serve community and keep staff safe (for example: Following current OHA/state guidelines on social distancing and group gatherings, providing any training for specialized tasks, ensuring any specialized equipment needed to perform tasks are supplied).

The Governor’s exercise of her powers under the state of emergency statutes may impact how existing collective bargaining agreements are administered. School districts may have to delay bargaining on modifications to their agreements given the need to immediately implement the directives of the Governor’s Executive Order. School district officials should work with their general counsel and Human Resources staff to evaluate timing considerations for bargaining where traditional bargaining models are infeasible and emergency exceptions to bargaining may apply.

The determination of which staff may be needed to work from home or onsite, with appropriate measures in place, sits with the school district leadership. They are receiving direction and requests from the state leadership and local sources. The districts need the support of state and local association leadership to fulfill the responsibilities of the Governor’s Executive Order so that they can maintain the flow of state school funding and continue to regularly pay all school district staff.

At this time we have asked school districts to focus on:

- Delivery of supplemental education and learning supports, including pathways to graduation for high school seniors in alignment with guidance from ODE (expected the week of March 23, 2020).
- Provision of school meals.
- Provision of supplemental services and emergency management services, including but not limited to, the provision of child care for first responders, emergency workers, health care professionals, and other individuals, consistent with any guidance and requirements provided by the Oregon Department of Education.
- Continue to regularly pay all employees.
Thank you for standing together in this time of need. Please strive for the flexibility, compassion, and partnership needed to come through for our children and families. This is all new, we are with you in this and stand ready to partner around any question you have.

Sincerely,

Colt Gill
Director of Oregon Department of Education and
Deputy Superintendent of Public Instruction