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Date: November 23, 2021
To: Interested Parties
From: Zintars Beldavs, Section Manager
Acute & Communicable Disease Prevention Section
Subject: Notice of Temporary Rulemaking – OAR 333-019-1015, Amending "Masking requirements in schools"

The Oregon Health Authority, Public Health Division is amending the previously temporarily adopted OAR 333-019-1015, which requires masks to be worn in schools by removing the requirement for outdoor-space mask use.

This temporary rule is effective November 23, 2021 through January 28, 2022 and replaces Temporary Administrative Order PH 44-2021 filed and effective September 3, 2021.

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. In order to protect students and others 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.

The previous version of this rule, filed and effective September 3, 2021 (Temporary Administrative Order PH 44-2021), required schools to ensure that individuals wear a mask, face covering or face shield when outdoors at a school and not able to consistently maintain at least six feet of distance from those outside of their household. Requiring wearing of masks outdoors at schools when physical distancing was not possible reduced the spread of the highly contagious Delta variant, particularly at crowded school event areas such as athletic competitions and school carnivals. With the decrease in COVID-19 cases since the end of summer, masking outdoors at schools likely will not reduce spread to the same extent. Unvaccinated individuals, those who are immunocompromised, individuals at higher risk for complications from COVID-19, or individuals who live with someone in one of these categories would still have increased protection from wearing a mask in these outdoor school settings.

For more details, please see the Temporary Administrative Order, including the Statement of Need and Justification and the full text of the temporary rules at the following website:
www.healthoregon.org/diseasereporting

If you have any questions, please send an email to COVID.19@dhsosha.state.or.us