



LYNN FINDLEY
SENATE DISTRICT 30

MARK OWENS
HOUSE DISTRICT 60

August 3, 2021

Honorable Governor Kate Brown
900 Court St. NE, Room 254
Salem, OR 97301

Governor Brown,

As legislators, we remain consistent in our positions that our local school districts in conjunction with local public health authorities continue to have the best pulse on their communities and should ultimately be the arbiters of mask policies and mandates.

With that, and in full support of our school districts, public health authorities, parents and ultimately and most importantly our students, we have the following requests.

First, scientific data specific to Oregon necessitating the statewide, schools-wide, grade-wide mask mandate needs to be made public and accessible immediately. Dr. Dean Sidelinger communicated to legislators during a conference call on Monday, August 2 that there is no scientific evidence that schools or children grades K-12 are responsible for community spread. If that is the case and yet the mask mandate is still being instituted, the data needs to be made available to the public - not just legislators or administrators - so we are all operating with transparency and understanding of the science and data.

Second, officials within the Governor's Office and Oregon Department of Education (ODE) hold a series of public, in-person town halls and listening sessions throughout our counties immediately over the course of the next several weeks. Our teachers, school employees and parents deserve the right to fully understand the rules and the very serious implications (*see addendum Exhibit A Slide 14 "Penalties" from an "un-official" meeting held by COSA-OASE on Monday, August 2*). These actions need to be made public and official, and these statewide entities have the responsibility to make these decisions known to our school districts. Behind virtual screens, behind closed doors and without enabled participation will not cut it for such significant policy-making determinations.

Third, we need clear and precise metrics for when the statewide mask policy may be lifted. We assume if there is enough data to trigger crossing a threat-threshold to implement these requirements, that there then must also be data showing when we would be under the threat. When will our schools know they've met the targets for safety? What are the markers for progress or regression? What's the viable off-ramp? What other factors will contribute to these determinations? When will your office share these metrics with the public?

We all agree our students cannot suffer another year without in-person instruction. We also agree the health and safety of Oregonians must be a top priority. We now need to agree that building public trust through transparency and providing information before regulation will be key to slowing and eventually stopping the spread of COVID-19 and its variants.

Thank you for your swift and thorough response.

Senator Lynn Findley
Senate District 30

Representative Mark Owens
House District 60

Statewide mask requirement - Penalties

- A school that violates this rule is subject to a civil penalty of \$500 per day per violation.
- OHA has authority/responsibility under ORS 431A.010 for additional action
- Licensed educators who fail to obey this rule may face additional penalties. OAR 584-020-0035 (3) The ethical educator, in fulfilling obligations to the profession, will: (a) Maintain the dignity of the profession by respecting and obeying the law, exemplifying personal integrity and honesty. There would also be a possible violation of 584-020-0025 (3)(a), related to leadership skills. Deviation from these standards may subject the educator to discipline for gross neglect of duty, per OAR 584-020-0040 (4)(n) & (o).