



Ready Schools, Safe Learners Update: Metrics for In-Person Instruction Transition to Advisory

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Beginning January 1, 2021 the Health Metrics for Returning to In-Person Instruction (RSSL, Section 0) will transition from mandatory requirements in the guidance to advisory recommendations.

Date: December 23, 2020

To: Superintendents, Principals, Charter School Leaders, Private School Leaders

From: Colt Gill, Director of the Oregon Department of Education

RE: RSSL Update: Metrics for In-Person Instruction Transition to Advisory

Linked: [Letter from Governor Kate Brown](#)

I sincerely hope you are all able to enjoy some well-earned relaxing time with family over this winter break. I am sorry to interrupt your break, but I have important information to share that could not wait until school staff return in January.

Earlier today, I received a [letter](#) from Governor Kate Brown. The [letter](#) expresses hope for schools to transition to in-person instruction by February 15 and outlines five key actions influencing our work together in 2021. I wanted to be sure you had access to this information first-hand. I also wanted to outline ODE's next steps to advance this direction. As fellow educators, I know we all share the goal of safely returning students to in-person instruction, so that we can give them the educational, social, and emotional support they need to learn, grow, and achieve. The process the Governor has established puts us on the path together to return more students to in-person instruction, prioritizing elementary schools across the state.

Importantly, this letter continues and expands a key shift in policy. In the beginning of the pandemic, the state necessarily took a leadership position by implementing a number of

statewide decisions. As we have progressed with our understanding of how to mitigate the threats of COVID-19, many decision points have transitioned to local processes over time (examples include safeguarding student opportunity, planning for distance learning, policies for grading and awarding credits, staffing decisions, etc.). **Beginning January 1, 2021 the Health Metrics for Returning to In-Person Instruction ([RSSL, Section 0](#)) will transition from mandatory requirements in the guidance to advisory recommendations.**

This change will mean that decisions about what instructional model to operate in will move through a local process, with guidance from ODE and OHA on how districts and schools should consider the county metrics and local conditions. It is critical that this shift is not confused with any release from other requirements of schools and districts in [Ready Schools, Safe Learners](#) (RSSL) guidance. The health and safety protocols, expectations for maintaining an operational blueprint, and all other guidance remains active and is required.

By January 1, ODE will update the Ready Schools Safe Learners (RSSL) Guidance, and associated documents, to reflect this change as well as:

- Updates to Safe Harbor noted in a December 16 communication to school leaders,
- Alignment to the CDC's new recommendations on quarantining, and
- A few other minor clarifications.

Governor Brown's letter calls for other additional actions including,

- A prioritization for school leaders and educators to work together to resume in-person instruction,
- Vaccine prioritization for educators and school staff,
- Additional access to COVID-19 testing for students and school staff,
- Alignment between OSHA and RSSL guidance, and
- Importantly, a review and possible update to the *advisory* Health Metrics for Returning to In-Person Instruction to be published on or before January 19, 2021.

I know many schools and districts in Oregon will be planning for a return to in-person instruction under these policy changes. I urge you to move thoughtfully in your planning. And as you locally co-construct your plans for a return to in-person instruction, I urge you to make sure your local decision-making process accounts for the fact that updated *advisory* Health Metrics for Returning to In-Person Instruction may be published later in January.

This is an important moment in our collective care of students, staff, and their families. This decision is made on the understanding that the health and safety protocols outlined in [RSSL](#) significantly mitigate transmission of COVID-19 when followed with fidelity. It is vital that schools moving to in-person instruction: 1) Comply with the health and safety requirements in [RSSL](#) with fidelity, 2) Can ensure adequate staffing capacity to serve students, 3) Stand ready to partner with OHA on COVID-19 testing and vaccination supports, and 4) Engage with staff and community in your decision-making while employing an equity [decision tool](#) to fully engage with and understand the impacts on each of the communities you serve.

Early in January, ODE will engage with school and community partners to inform and refine any updates to the *advisory* Health Metrics for Returning to In-Person Instruction and [RSSL](#) in general. We will use the input from these engagements to inform our update to the *advisory* Health Metrics for Returning to In-Person Instruction. My hope is that we can provide you with thoughtful health and equity considerations along with engagement

processes that can set you up for success as you consider moves to in-person instruction for your students and staff.

Additional Support in 2021

On Monday this week, the Legislature passed two important bills. The first is [HB 4402](#), which addresses liability for school districts, charter schools, community colleges, and private K-12 schools. It is important to note Section 2 (1) (b) states that this protection in place “*when the school is operating in compliance with COVID-19 emergency rules in effect at the time of the act or omission.*”

The second is [SB 5731](#), which appropriates funds to the Legislature’s Emergency Board. Governor Brown has requested that approximately \$50 million of these funds be distributed to public school districts to support implementation of in-person instruction this school year.

Additionally the new federal aid package that passed out of Congress this week includes additional funds for public schools through an expanded ESSER program as well as funding for public and private schools through the GEER fund. We will send more information about how to access these funds in January. These new federal resources can provide: Support to students academically and additional social-emotional and mental health supports; upgrades facilities, including airflow and ventilation; and resources to implement safety protocols with fidelity.

Thank you again for your thoughtful and courageous leadership over the last ten months. I do hope you get a few moments to detach and refresh over the next week and a half. If you have questions, do not hesitate to email ODECOVID19@ode.state.or.us. We may not be able to respond to every single email as quickly as we’d like but we will digest the questions and respond back to each email early in the new year along with the engagement efforts outlined in this letter.

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