

LC 3792
2021 Regular Session
PRIORITY
5/3/21 (HRL/ps)

D R A F T

SUMMARY

Requires each public school to provide full-time, in-person classroom instruction during 2021-2022 school year.

Declares emergency, effective July 1, 2021.

A BILL FOR AN ACT

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Relating to school opening during COVID-19 declaration of emergency; and declaring an emergency.

Whereas the COVID-19 pandemic struck Oregon last year, causing disruptions to in-person classroom instruction in public schools in this state and a shift to distance learning in March 2020; and

Whereas for over a year, an alarming percentage of Oregon’s children have been unable to effectively engage in distance learning because of lack of access, or lack of adequate access, to the Internet and to technology necessary to make online learning possible; and

Whereas distance learning can complement in-person classroom instruction but should not be considered an adequate substitute for in-person instruction; and

Whereas the inability to effectively engage in distance learning has heightened existing inequities between students, as students who lacked adequate resources could not benefit from available online learning opportunities; and

Whereas lack of social interaction is contributing to negative impacts on students, including poor and declining mental health and a 25 percent increase in suicide ideation rates in young adults; and

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 Whereas many students are missing a pivotal part of growing up by not
2 being able to participate in sports and other extracurricular activities; and

3 Whereas the State of Oregon recognizes the irreparable damage and im-
4 pact that distance learning has had on students' education; and

5 Whereas the State of Oregon is committed to providing quality, equitable
6 education and takes the lessons learned during the COVID-19 pandemic to
7 return to in-person classroom instruction; and

8 Whereas world and national health and education leaders affirm that in-
9 person classroom instruction is safe and imperative to the mental and phys-
10 ical well-being of students; now, therefore,

11 **Be It Enacted by the People of the State of Oregon:**

12 **SECTION 1. (1) As used in this section:**

13 (a) **“COVID-19 declaration of emergency” means any declaration of**
14 **a state of emergency related to the COVID-19 pandemic that is issued**
15 **by the Governor, and any extensions of any declarations.**

16 (b) **“COVID-19 emergency rule” means an executive order, order of**
17 **the Superintendent of Public Instruction, declaration, directive or**
18 **other local, state or federal authorization, policy, statement, guidance,**
19 **rule or regulation that creates a standard or waives, suspends or**
20 **modifies otherwise applicable local, state or federal law, regulations**
21 **or standards regarding the rendering of education services during a**
22 **COVID-19 declaration of emergency.**

23 (c) **“Full-time” means, at a minimum, the number of instructional**
24 **hours prescribed by the State Board of Education by rule, as in effect**
25 **on January 1, 2020.**

26 (d) **“In-person classroom instruction” means classroom instruction**
27 **that is provided by a teacher to students in a common physical lo-**
28 **cation.**

29 (e)(A) **“Public school” means a public school with any grade from**
30 **kindergarten through grade 12, including a public charter school.**

31 (B) **“Public school” does not include any specialized programs that**

1 were not provided as in-person classroom instruction prior to a
2 COVID-19 declaration of emergency or that will not be provided as
3 in-person classroom instruction following the expiration of a COVID-19
4 declaration of emergency, including instruction provided by a virtual
5 public charter school.

6 (f) "School year" means the period beginning July 1 and ending
7 June 30 next following, exclusive of any summer learning programs
8 provided by a public school.

9 (2) Notwithstanding any COVID-19 declaration of emergency or any
10 provisions of a COVID-19 emergency rule, each public school in this
11 state must provide full-time, in-person classroom instruction during
12 the 2021-2022 school year.

13 SECTION 2. This 2021 Act being necessary for the immediate pres-
14 ervation of the public peace, health and safety, an emergency is de-
15 clared to exist, and this 2021 Act takes effect July 1, 2021.

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