

RESOLUTION 2021-22-11

EUGENE SCHOOL DISTRICT 4J BOARD OF DIRECTORS

Masking and Other Protective Measures to Ensure Safe Public Meetings

WHEREAS:

1. On July 28, 2021, the Centers for Disease Control and Prevention (CDC) revised previous health guidance due to growing evidence of the greater transmissibility of the Delta variant of SARS-CoV-2, and called on individuals, regardless of vaccination status, to resume wearing face masks in indoor public places, maintain physical distancing and take other protective measures in areas of substantial or high COVID-19 transmission;
2. On August 2, 2021, the Oregon Health Authority issued a rule requiring students, staff, contractors and visitors, regardless of vaccination status, to wear masks when in an indoor school setting and when engaged in educational activities;
3. On August 10, 2021, the Lane County Board of Commissioners issued an emergency public health advisory calling for all individuals, businesses and employers to take immediate protective health measures against COVID-19, including the Delta variant SARS-CoV-2, in indoor shared spaces regardless of vaccination status;
4. On August 11, 2021, due to the high rate of transmission of the Delta variant and increasing cases and hospitalization rates, the Governor of the State of Oregon issued a statewide mask mandate for all people over the age of 5 to wear masks in public settings regardless of vaccination status;
5. COVID-19 mitigation measures now in effect statewide may later become a matter solely of local control;
6. The more transmissible Delta variant has become the predominant strain in Lane County, with case rates per 100,000 population exceeding twice the level the CDC established as a high transmission rate, the number of infectious individuals tracked by Lane County twice as high as during the previous peak in winter 2021, and the number of hospitalizations stressing local capacity;
7. Meetings of the school board are often attended by dozens of members of the public who remain in an indoor congregate setting for a sustained period of time;
8. Many staff members are required to attend board meetings, and student board representatives are encouraged to attend;
9. The board has a legal responsibility to furnish a safe place of employment;

10. The board has authority under ORS Chapter 332 to impose reasonable health and safety regulations intended to prevent the spread of COVID-19 on district properties; and
11. During periods of high community spread of COVID-19, in-person attendance at public meetings of the board presents risk to the health and safety of persons in attendance unless mitigating measures are taken.

NOW, THEREFORE, SO BE IT RESOLVED AND DIRECTED:

1. Individuals attending an in-person public meeting of the board or another district body, regardless of vaccination status, shall wear masks covering the mouth and nose. Individuals are exempt if they are under 5 years of age, or if exempted based on Oregon Health Authority (OHA) or Centers for Disease Control and Prevention (CDC) guidelines.
2. The board delegates to the board chair its authority to rescind or modify paragraph 1 of this order before its expiration when consistent with guidance from Lane County Public Health, OHA and the CDC. The board further delegates its authority to order additional health and safety measures for in-person public meetings to the board chair, who shall give due consideration to guidance from Lane County Public Health, OHA, and the CDC.
3. For purposes of this resolution, a public meeting includes any in-person meeting of the board of directors, subcommittee of the board, an advisory committee to the board or superintendent at which members of the public are in attendance in-person.
4. Notice of rules issued pursuant to this resolution will be posted with clearly visible signage at entry points near the board meeting room and on the district website.
5. This resolution and rules issued pursuant to this resolution shall be interpreted and applied consistent with any more restrictive rule order or guidance that applies. Should an applicable law impose a requirement or create a right inconsistent with this order, such law will prevail.
6. A state of emergency exists, and as such this resolution takes effect immediately. The resolution expires on June 30, 2022 unless rescinded or extended further.

Adopted this 22 day of September, 2021 by the Board of Directors for the Eugene School District 4J.



Judy Newman, Chair
Board of Directors, Eugene School District 4J