

Square Dancing again, what will it take?

March 25, 2021

The Oregon Federation of Square and Round Dance Clubs has been restricted from dancing since the end of February 2020 due to the state of emergency created by the COVID-19 Pandemic. We will eventually be able to dance again as the restrictions due to the emergency abate. We have outlined the current status and some considerations to use for planning when we are able to begin dancing again. Also included in this document is the current Risk Level Guidance Chart, the current Executive Order, and example waivers.

State of Oregon Information.

Definitions:

OHA Oregon Health Authority

Social-Gatherings, Indoor “Indoor social get-together” means a group of individuals meeting for a common social or recreational purpose indoors. Indoor social get-togethers include but are not limited to indoor dinner parties, birthday parties, graduation parties, celebrations of any kind, potlucks, book clubs, game nights, and other similar indoor gatherings. Indoor social get-togethers do not include gatherings.

Gatherings “Gathering” means a group of individuals meeting for a common purpose including faith-based, civic, cultural and other purposes, indoors or outdoors. A gathering does not include an indoor social get-together. **A square-dancing event would be considered a gathering.**

Restrictions in effect:

Newsroom site: <https://www.oregon.gov/newsroom/Pages/Newsroom.aspx?category=Safety>
Executive Orders: <https://coronavirus.oregon.gov/Pages/default.aspx> (bottom of page)

March 23, 2021 Governor Kate Brown Announces Updates to County Risk Levels. Effective March 26 through April 8, there will be two counties in the Extreme Risk level, six at High Risk, 14 at Moderate Risk, and 14 at Lower Risk.

https://drive.google.com/file/d/18VuGq2IaoymH2xNroPOKFe_palWgc-T/view

The Oregon Health Authority will examine and publish county data weekly. County risk levels will be reassigned every two weeks. The first week's data will provide a "warning week" to prepare counties for potential risk level changes. The next assignment of risk levels will be announced April 6 and take effect April 9.

<https://www.oregon.gov/newsroom/Pages/NewsDetail.aspx?newsid=54386>

March 04, 2021 Governor Kate Brown today announced a modification to the process for assigning county risk levels, specifically for counties facing moves back to Extreme Risk. With

case rates across Oregon largely declining, beginning next week and continuing until further notice, counties that improved from Extreme Risk to any other risk level in the latest two-week period, and that are facing a move back to Extreme Risk in the next two-week period, will be given a two-week extension at their current risk level. This will allow counties to re-focus efforts to drive back down creeping case numbers, and give local businesses additional certainty on their plans for operating. If, at the end of the two-week extension, case rate data still puts the county at Extreme Risk, the county will move to that level.

"Oregon continues to fare better than most states in the nation with regards to infection and mortality rates, thanks to the smart choices Oregonians continue to make," said Governor Brown. "Recognizing the challenges businesses encounter when facing a switch back and forth between Extreme Risk and other risk levels, this two-week extension will alleviate some of these challenges and give counties a bit more time to bring case rates down. As always, businesses and community members should continue to make smart choices and follow statewide and county-specific health and safety guidance. We all have a part to play in stopping the spread of COVID-19."

Counties who are given a two-week extension will be noted in the risk level list that is released when county risk levels are assigned. The next assignment of risk levels will be announced Tuesday, March 9, and take effect Friday, March 12.

February 09, 2021 Governor Kate Brown today announced that 12 counties improved in risk level, with 10 improving from Extreme Risk for the first time since November, effective February 12. County risk levels under the state's public health framework aim to reduce transmission and protect Oregonians from COVID-19. The framework uses four different risk levels for counties based on COVID-19 spread—Extreme Risk, High Risk, Moderate Risk, and Lower Risk—and assigns health and safety measures for each level.

November 17, 2020 Governor Kate Brown today issued Executive Order 20-65 following [last week's announcement](#) of a statewide freeze to stop the rapid community spread of COVID-19 in Oregon. In light of increasing COVID-19 cases and hospitalizations, the order outlines necessary risk reduction measures designed to limit gatherings and curb human contact.

October 19, 2020, An update to masks, face coverings or face shields Guidance. This guidance further specifies mask requirements and where it applies. It identifies Business & public responsibilities. Document OHA2288K **Page 16**.

Guidance documents :

<https://coronavirus.oregon.gov/Pages/default.aspx>

County Info: see 'What's open in my County'

Reopening Guidance: Please note that the guidance changes frequently; please use the links below for the most current information.

Risk Level : <https://sharedsystems.dhsoha.state.or.us/DHSForms/Served/le3461.pdf>

Statewide : <https://coronavirus.oregon.gov/Pages/guidance.aspx>

General : <https://sharedsystems.dhsoha.state.or.us/DHSForms/Served/le2342c.pdf>

Indoor : <https://sharedsystems.dhsoha.state.or.us/DHSForms/Served/le2351a.pdf>

Fitness: <https://sharedsystems.dhsoha.state.or.us/DHSForms/Served/le2352.pdf>

<https://sharedsystems.dhsoha.state.or.us/DHSForms/Served/le2390g.pdf>

Gatherings: <https://sharedsystems.dhsoha.state.or.us/DHSForms/Served/le2352.pdf>

<https://sharedsystems.dhsoha.state.or.us/DHSForms/Served/le2390r.pdf>

Face masks: <https://sharedsystems.dhsoha.state.or.us/DHSForms/Served/le2288K.pdf>

Oregon Federation Information.

Insurance:

USDA United Square Dancers of America

<http://www.usda.org/insuranc.htm>

Elizabeth Sanders, Insurance Coordinator

Markel Insurance Company Current insurer policy

Policies: General Liability # 3602HF059663 – 22

Accidental Medical # 4102HF059664 – 23

Statement: *From Elizabeth Sanders 8/25/2020, I presented the following question to the insurance company in June. "Is the insurance still good even if the state government has said no public gatherings?" Their answer was:*

"If people break the law then there is no coverage. So, if there are no public gatherings and people gather -- there is no coverage."

A side note, Neither the Caller or the Cuer of an event will be covered under the USDA policy (see policy # 3602HF059663 – 22 pg. 207). They will need to rely on their coverage from their respective organizations.

ROUNDALAB International Association of Round Dance teachers

Statement: We have recently had a conversation with our insurance underwriter. Please be aware that your insurance policy purchased through ROUNDALAB specifically excludes coverage for all viruses and communicable diseases. The underwriter also stated that it is best practice if the event is within all parameters of the law and government guidelines. Your insurance policy specifically excludes "criminal acts". However, there may be a large "grey area" between a best practice that meets all details of current government guidelines in your area and an event that is considered "criminal". He indicated that if a claim were to be filed and the event was in the "grey area" that the event would be evaluated on a case by case basis to determine if the insurance coverage was in effect for that event.

ROUNDALAB cannot and does not issue legal opinions. This includes opinions regarding when you can resume dancing or what you must do when resuming.

CALLERLAB International Association of Square Dance Callers

Statement: No response

Opinion: As I understand it, the insurance companies will probably not cover a COVID related incident. They do go on to say that if an event violates State laws or directives, then an incident, no matter what kind is not covered.

Waivers:

The intent of a waiver is to indemnify or hold harmless, the people who have responsibility for the venue, organization or are hosting the event. The participants by signing the waiver essentially agree to forgo their right to take legal action against the responsible parties for the identified activity should an incident defined in the waiver occur.

Creating a waiver needs to be done carefully as it will be considered a legal document. I recommend that someone with a background with legal documents and contracts be involved with preparation of a waiver. I have collected examples of waivers from several sources to be used as a reference.

Rules of Conduct:

Each club in our organization has rules of conduct that are followed while conducting an event. These may or may not be in writing, depending upon the club. Additional direction should be added to ensure that each club member knows what the restrictions currently in effect are. Education is one of the most powerful tools that we have to ensure everyone's safety while conducting our activity.

Respectfully submitted: Timothy Keck, 2nd Vice President 03/25/2021



Sector Risk Level Guidance Chart

Activities	Lower Risk	Moderate Risk	High Risk	Extreme Risk
Social and At-Home Gathering Size — Indoor	<ul style="list-style-type: none"> • Maximum 10 people • Recommended limit: 4 households 	<ul style="list-style-type: none"> • Maximum 8 people • Recommended limit: 2 households 	<ul style="list-style-type: none"> • Maximum 6 people • Recommended limit: 2 households 	<ul style="list-style-type: none"> • Maximum 6 people • Recommended limit: 2 households
Social and At-Home Gathering Size — Outdoor	Maximum 12 people	Maximum 10 people	Maximum 8 people	<ul style="list-style-type: none"> • Maximum 6 people • Recommended limit: 2 households
Eating and Drinking Establishments	<ul style="list-style-type: none"> • Indoor dining allowed • Indoor capacity: not to exceed 50% maximum occupancy • Outdoor dining allowed • Outdoor capacity: 300 people maximum, including individual dining pods. • Individual dining pods allowed outdoors subject to outdoor capacity limit. • Indoor and outdoor seating: 8 people per table maximum • 12:00 a.m. closing time 	<ul style="list-style-type: none"> • Indoor dining allowed • Indoor capacity: not to exceed 50% maximum occupancy or 100 people, whichever is smaller • Indoor seating: 6 people per table maximum • Outdoor dining allowed • Outdoor capacity: 150 people maximum, including individual dining pods. • Individual dining pods allowed outdoors subject to outdoor capacity limit. • Outdoor seating: 8 people per table maximum • 11:00 p.m. closing time 	<ul style="list-style-type: none"> • Indoor dining allowed • Takeout highly recommended • Indoor capacity: not to exceed 25% maximum occupancy or 50 people, whichever is smaller • Outdoor dining allowed • Outdoor capacity: 75 people maximum, including individual dining pods. • Individual dining pods allowed outdoors subject to outdoor capacity limit. • Indoor and outdoor seating: 6 people per party and per table maximum, limit 2 households • 11:00 p.m. closing time 	<ul style="list-style-type: none"> • Indoor dining prohibited • Takeout highly recommended • Outdoor dining allowed • Outdoor capacity: 50 people maximum, including individual dining pods. • Outdoor seating: 6 people per party and per table maximum, limit 2 households. • Individual dining pods allowed outdoors subject to outdoor capacity limit. • Dining Pod Seating: Limit 1 household, four (4) people maximum per pod. • For establishments that operate VLTs indoors: <ul style="list-style-type: none"> ▪ Customer capacity: Maximum six (6) people total (not including employees); limit one (1) individual per VLT. ▪ Indoor on-site consumption of food and drink is prohibited, including at VLTs. • 11:00 p.m. closing time
Indoor Recreation and Fitness Establishments (includes gyms, indoor K-12 Sports, fitness organizations, indoor recreational sports, indoor pools)	<ul style="list-style-type: none"> • Capacity: Maximum 50% occupancy • Indoor full-contact sports prohibited 	<ul style="list-style-type: none"> • Capacity: Maximum 50% occupancy or 100 people total, whichever is smaller • Indoor full-contact sports prohibited 	<ul style="list-style-type: none"> • Capacity: Maximum 25% occupancy or 50 people total whichever is smaller • Indoor full-contact sports prohibited 	<ul style="list-style-type: none"> • For establishments 500 sq. ft. or larger: <ul style="list-style-type: none"> ▪ Client capacity: Maximum six (6) people total (not including employees) ▪ Require minimum 25 feet physical distancing between households. ▪ Employee capacity: Limit to the minimum number of employees needed to operate a space. • For establishments smaller than 500 sq. ft: <ul style="list-style-type: none"> ▪ Client capacity: Maximum one (1) person total; ▪ Employee capacity: Maximum one (1) employee total. • Indoor on-site consumption of food and drink is prohibited except for individual water bottles. • Indoor full-contact sports prohibited
Indoor Entertainment Establishments (includes aquariums, indoor theaters/arenas/concert halls, indoor gardens, indoor museums)	<ul style="list-style-type: none"> • Capacity: Maximum 50% occupancy • 12:00 a.m. closing time 	<ul style="list-style-type: none"> • Capacity: Maximum 50% occupancy or 100 people total, whichever is smaller • 11:00 p.m. closing time 	<ul style="list-style-type: none"> • Capacity: Maximum 25% occupancy or 50 people total, whichever is smaller • 11:00 p.m. closing time 	<ul style="list-style-type: none"> • For establishments 500 sq. ft. or larger: <ul style="list-style-type: none"> ▪ Customer capacity: Maximum six (6) people total (not including employees) in shared indoor entertainment spaces. ▪ Require minimum six (6) feet physical distancing between households. ▪ Employee capacity: Limit to the minimum number of employees needed to operate the establishment. • For establishments smaller than 500 sq. ft: <ul style="list-style-type: none"> ▪ Customer capacity: Maximum one (1) person total; ▪ Employee capacity: Maximum one (1) employee total. • Indoor on-site consumption of food and drink is prohibited. • 11:00 p.m. closing time
Retail Stores (includes street fairs/markets, grocery stores, convenience stores and pharmacies)	<ul style="list-style-type: none"> • Capacity: Maximum 75% occupancy • Curbside pick-up encouraged 	<ul style="list-style-type: none"> • Capacity: Maximum 75% occupancy • Curbside pick-up encouraged 	<ul style="list-style-type: none"> • Capacity: Maximum 50% occupancy • Curbside pick-up encouraged 	<ul style="list-style-type: none"> • Capacity: Maximum 50% occupancy • Curbside pick-up encouraged
Indoor and Outdoor Shopping Centers/Malls	<ul style="list-style-type: none"> • Capacity: Maximum 75% occupancy • Curbside pick-up encouraged 	<ul style="list-style-type: none"> • Capacity: Maximum 75% occupancy • Curbside pick-up encouraged 	<ul style="list-style-type: none"> • Capacity: Maximum 50% occupancy • Curbside pick-up encouraged 	<ul style="list-style-type: none"> • Capacity: Maximum 50% occupancy • Curbside pick-up encouraged
Faith Institutions*, Funeral Homes, Mortuaries, Cemeteries	<ul style="list-style-type: none"> • Indoor Capacity: Maximum 75% occupancy • Outdoor Capacity: 300 people maximum 	<ul style="list-style-type: none"> • Indoor Capacity: Maximum 50% occupancy or 150 people total, whichever is smaller • Outdoor Capacity: 250 people maximum 	<ul style="list-style-type: none"> • Indoor Capacity: Maximum 25% occupancy or 150 people total, whichever is smaller • Outdoor Capacity: 200 people maximum 	<ul style="list-style-type: none"> • Indoor Capacity: Maximum 25% occupancy or 100 people total, whichever is smaller • Outdoor Capacity: 150 people maximum • Recommended: limit services to one hour
Offices	Limited office work available	Recommend remote work, if able	Recommend remote work, if able	<ul style="list-style-type: none"> • Require remote work, if able • Close offices to the public, if possible
Outdoor Recreation and Fitness Establishments (includes outdoor gyms, outdoor fitness organizations, outdoor K-12 sports, outdoor recreational sports, outdoor pools, outdoor parks and hiking trails**, outdoor campgrounds**)	<ul style="list-style-type: none"> • Maximum 50% occupancy • Outdoor full-contact sports allowed 	<ul style="list-style-type: none"> • Maximum 25% occupancy • Outdoor full-contact sports allowed 	<ul style="list-style-type: none"> • Maximum 15% occupancy • Outdoor full-contact sports allowed for adult/club/youth sports with guidance requirements • Outdoor full-contact sports allowed for K-12 with submitted plan 	<ul style="list-style-type: none"> • Maximum 50 people • Outdoor full-contact sports allowed for adult/club/youth sports with guidance requirements • Outdoor full-contact sports allowed for K-12 with submitted plan
Outdoor Entertainment Establishments (includes zoos, outdoor gardens, amphitheaters, outdoor aquariums, outdoor theaters/stadiums)	<ul style="list-style-type: none"> • Maximum 50% occupancy • 12:00 a.m. closing time 	<ul style="list-style-type: none"> • Maximum 25% occupancy • 11:00 p.m. closing time 	<ul style="list-style-type: none"> • Maximum 15% occupancy • 11:00 p.m. closing time 	<ul style="list-style-type: none"> Maximum 50 people • 11:00 p.m. closing time
Personal Services	Allowed	Allowed	Allowed	Allowed
Long-Term Care	Inside and outside visitation allowed	Inside and outside visitation allowed	Inside and outside visitation allowed	Outside visitation only

Effective Date: March 17, 2021

Authority: Executive Order No. 20-66, ORS 433.441, ORS 433.443, ORS 431A.010

Enforcement: To the extent this guidance requires compliance with certain provisions, it is enforceable as specified in Executive Order 20-66.

Definition:

- "Maximum Occupancy" means the maximum occupancy permitted by law. If the maximum occupancy is unknown, refer to the [Maximum Occupancy Resource for COVID-19](#).

NOTE: *Capacity limits for faith institutions are recommended only.

**Capacity limits do not apply to this activity.

Additional notes:

- All activities are subject to more detailed, sector-specific guidance.
- Subject to more detailed sector-specific guidance, all activities assume mask usage, minimum physical distancing, provisions for hand hygiene and enhanced cleaning protocols.
- Congregate homeless sheltering, Youth Programs, Childcare, K-12 Schools, Higher Education, Drive-In Operations and current Collegiate, Minor League, Semi-Professional and Professional Athletics exemptions operate under sector specific guidance for all risk levels.
- Hookah bars and senior centers are not allowed to operate regardless of risk level.



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ORDERING PUBLIC SCHOOLS TO OFFER FULLY ON-SITE OR HYBRID IN-PERSON INSTRUCTION, REQUIRING ALL SCHOOLS TO CONTINUE TO COMPLY WITH HEALTH AND SAFETY PROTOCOLS TO CONTROL COVID-19

Since January 2020, the State of Oregon has been engaged in responding to the public health threat posed by the novel infectious coronavirus (COVID-19). As the threat escalated, the State's response elevated to meet the threat. On March 8, 2020, I declared a state of emergency pursuant to ORS 401.165 et seq., and directed certain immediate response actions. Thereafter, the World Health Organization declared that the COVID-19 outbreak is a global pandemic, and the President of the United States declared the COVID-19 outbreak a national emergency. During March and April 2020, as the coronavirus continued to spread around the world, I took a series of actions aimed at slowing the spread of COVID-19 in Oregon, and to mitigate the public health and economic impacts of the pandemic. While those actions, and those in the months that followed, have been successful in keeping the State's case and mortality rates from COVID-19 among the lowest in the nation, the disease still has taken an immense toll, with at least 158,644 cases and 2,316 deaths in Oregon. Nationwide, more than 525,000 people have died of COVID-19.

The pandemic has had an immense and disruptive impact on Oregon's children. In the early days of the pandemic in Oregon, in order to control the spread and impact of COVID-19, I ordered a temporary, emergency shift to online instruction for K-12 students for the end of the 2019-2020 school year. For the first part of the 2020-21 school year, through my executive orders, the *Ready Schools, Safe Learners* guidance, and State Board of Education rules, there have been three allowable instructional models for public schools, depending on community spread of the disease, among other factors: On-Site, Hybrid, and Comprehensive Distance Learning. The vast majority of Oregon's students have been receiving their schooling through comprehensive distance learning.

During those uncertain early times last March, and in the fall of 2020, we did not know as much about how COVID-19 spreads, and how spread can be prevented. We did not have adequate supplies of personal protective equipment. We did not have adequate access to testing. We did not have an adequate contact tracing workforce. And a safe and effective vaccine was a distant hope.



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Comprehensive distance learning was a tool deployed to manage a crisis in a year no-one could have imagined. This emergency tool was never intended to be a permanent, or preferred, solution for educating the vast majority of Oregon's children. In-person instruction is the norm for education in Oregon and around the world. It is the model we know best serves the vast majority of students. In-person instruction serves not only students' needs for learning critical knowledge and skills, but also their needs for peer interaction, mental health supports, nutritional supports, and care and connection in supporting the well-being and resilience of students and their families. These needs cannot be met in a comparable way over a computer. There is no question that Oregon's educators have risen to the challenges presented by this pandemic, transitioning to a wholly new system of delivering educational services, and supporting students and families through one of the most difficult years that Oregon has ever experienced. However, there is also no question that during this past year, Oregon's children and families have been burdened by the educational, social, emotional, and mental health impacts of a worldwide pandemic and months of comprehensive distance learning.

Much has changed since the early days of the pandemic. First, we know much more about this disease now than we did last spring, and, in particular, we know more today about the spread of COVID-19 in schools than we did then. Second, we also have many more resources and supports in place to support a safe return to the classroom for Oregon's kids. These resources include, but are not limited to:

- Comprehensive health and safety protocols in the *Ready Schools, Safe Learners* guidance;
- Adequate face coverings and other personal protective equipment for staff and students;
- Substantial federal funding to prepare staff and facilities for return, including \$500 million from the federal relief package approved by Congress in December 2020, with more on the way in the package approved in March 2021;
- Ventilation upgrades in education facilities;
- Ready access to on-site testing, through a statewide rapid testing program for schools, using our supply of Abbott BinaxNOW tests from the federal government;

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- The experience of schools across the state successfully choosing to return to in-person instruction, and the opportunity to learn from their successes—including districts that have returned to hybrid or in-person instruction, and schools, including some in our largest districts, which have welcomed a subset of students through limited in person instruction; and
- The availability of a vaccine for our workforce.

In December of 2020, recognizing the progress that had been made in getting our state to a place where in-person instruction was possible on a larger scale, I directed that schools across the state begin the process of moving more students back to the environment we know serves them best: in-person instruction. I also prioritized educators for vaccines, acknowledging the critical role these individuals play in our children's lives and the lives of our communities, and the critical importance of resuming in-person instruction in a safe way. I am pleased that those actions were sufficient to enable many districts across Oregon to find ways to return to in-person instruction. In particular, over 120,000 Oregon students have returned to classrooms since December. As of March 9, 2021, just over half of all schools in Oregon were offering either hybrid or full in person instruction (819 schools), and over 80% of the schools in Oregon were offering at least limited in person instruction (1,312 schools). In total, 174,784 students in kindergarten through 12th grade were participating in in some form of in-person learning the week of March 1, 2021, or approximately one in every four Oregon students.

Since December, COVID-19 case rates and positivity rates have decreased across the state, and Oregon continues to fare better than almost every state in the nation with regards to infection and mortality rates. Throughout the pandemic, Oregonians have made smart choices to wear face coverings, practice good hygiene, maintain physical distance, and avoid gatherings. Thanks to these smart choices and sacrifices by Oregonians, today, all but three Oregon counties meet or exceed Oregon's advisory metrics for in-person, hybrid instruction for all K-12 grade levels, and two of these counties meet the metrics for resuming in-person, hybrid instruction for students in elementary grades. In addition to the work of Oregonians to drive down community COVID-19 rates, public schools continue to adhere to the strict health and safety protocols under Oregon's mandatory *Ready Schools, Safe Learners* guidance. Oregon is ready.



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On March 5, 2021, I announced my intention to take the next step along the path we started down in December: giving all Oregon children the opportunity to be in the classroom this school year. Today, I issue this Executive Order to memorialize that direction. Our kids are only kids once. The science and data are clear: schools can return to in-person instruction with a very low risk of COVID-19 transmission where, as here, strict health and safety guidelines are in place, and particularly with a vaccinated workforce.

As conditions across the state merit a return to in-person instruction, I could not be more relieved that we have reached a point in this pandemic where Oregon's children can finally relinquish some of the immense burdens they have so bravely borne over this past year. I feel so much hope for Oregon's children, their parents, and their schools, as we continue to navigate this pandemic. My gratitude goes out to the Oregon Health Authority, the Oregon Department of Education, and every school district, administrator, teacher, staff member, and parent for their work and sacrifices this past year, on behalf of our state and our people. Our children are our future, and we need to do everything we can to make up for the losses of 2020.

NOW THEREFORE, IT IS HEREBY DIRECTED AND ORDERED:

Pursuant to my powers as Superintendent of Public Instruction, and my emergency powers under ORS 401.035, ORS 401.168, ORS 401.175, ORS 401.188, ORS 401.192, and ORS 433.441, I am issuing the following directives:

1. Definitions.
 - a. "*Public schools*" means public school districts, educational service districts, and public charters, as defined in ORS 330.003(2), ORS 330.005(2), ORS 334.003(2), and ORS 338.005(2). "*Public schools*" also includes Juvenile Corrections Education Programs and Youth Detention Education Programs, as defined by ORS 326.695; the Oregon School for the Deaf, as defined by ORS 346.010; and Long Term Care and Treatment Programs, as defined by ORS 343.961.
 - b. "*Private schools*" includes private or parochial schools providing courses of study usually taught in kindergarten through grade 12 in the public schools and in attendance for a period equivalent to that required of children attending public schools, as defined in ORS 339.030(1)(a).



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- c. “Comprehensive Distance Learning instructional model” is an instructional model in which all students are engaged in learning via remote means, with limited in-person supports for students in some circumstances, in accordance with the requirements in guidance issued by the Oregon Department of Education and the Oregon Health Authority.
 - d. “*On-Site instructional model*” is an instructional model in which all students have access to in-person instruction in accordance with public health requirements. The on-site instructional model exclusively delivers educational services to students every day, all-day in ways that are similar to pre-COVID models of delivery while meeting instructional time requirements. If any instructional time (either teacher-facilitated learning or applied learning) is delivered remotely or off-site, it is a hybrid model.
 - e. “*Hybrid instructional model*” includes any instructional model that is not fully on-site and in-person (with all students attending on-site every day) or fully in comprehensive distance learning. An on-site instructional model becomes a hybrid instructional model when any portion of instructional time used to meet instructional hours requirements is delivered in a distance learning format.
2. Executive Order 20-29 rescinded and replaced. Executive Order 20-29 is rescinded, and replaced with the directives in this Executive Order, as of the effective date of this Executive Order. All ODE and OHA guidance issued pursuant to Executive Order 20-29 continues in effect under the authority of this Executive Order, unless and until it is amended by ODE or OHA, as provided in this Executive Order.
3. In-person classroom instruction.
- a. Not later than the week of March 29, 2021 for grades K-5, and the week of April 19, 2021 for grades 6-12, all public schools in Oregon shall be in operation to deliver educational services through either a hybrid instructional model or an on-site instructional model. After those dates, it will no longer be an option for public schools to exclusively offer a comprehensive distance learning instructional model.



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- b. Not later than March 19, 2021, ODE and OHA are directed to update the guidance described in paragraph 4 of this Executive Order, so the guidance conforms to the directives in this Executive Order.
 - c. Guidance issued pursuant to paragraph 4 of this Executive Order may establish exceptions to the requirements set forth in paragraph 3(a) of this Executive Order.
 - d. The requirements set forth in paragraph 3(a) of this Executive Order do not apply to a virtual charter school as defined in ORS 338.005 or a public school that has a permanent instructional model that is predominantly through online courses.
4. Guidance for K-12 schools. Pursuant to this Executive Order, OHA and ODE shall continue to, separately or jointly, publish guidance relating to the conduct of in-person instructional activities at public schools and private schools.
 - a. Such guidance may include, but is not limited to, requirements for face coverings, physical distancing, sanitization, on-site COVID-19 testing, monitoring, and isolation procedures, as well as standards for the continuity of high-quality education. The guidance may provide definitions, clarifications, or exceptions to the requirements set forth in this Executive Order. Such guidance may be supplemented or amended by OHA, or ODE, or both, from time to time.
 - b. In order to continue to control the spread and risk from COIVD-19 in Oregon, public schools and private schools in Oregon are directed to comply with applicable ODE and OHA guidance issued under or continuing under the authority of this Executive Order.
 5. Schools required to offer comprehensive distance learning instructional model option. Public and private schools must continue to offer families the option of continuing with the comprehensive distance learning instructional model for the remainder of the 2020-21 school year. The guidance referenced in paragraph 4 of this Executive Order may provide exceptions to this requirement.



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6. Effect of order on compensation. Nothing in this Executive Order requires public schools to pay employees who fail or refuse to report to work in-person, as assigned.
7. State school fund allocations.
 - a. Public schools shall continue to receive allocations from the State School Fund provided that they comply with the provisions of this Executive Order and guidance from OHA and ODE issued under the authority of this Executive Order, as well as other applicable laws, including but not limited to ORS 659.850.
 - b. Public schools may use transportation grant funds from the State School Fund for the purposes of providing student access to distance learning and educational materials, as may be necessary.
8. Rulemaking. The Oregon State Board of Education and the Teachers Standards and Practices Commission, in collaboration with ODE, shall promulgate rules necessary to facilitate the directives in this Executive Order, and the ability of public schools to respond to the ongoing emergency.
9. Use of school facilities for other activities. Other public school and private school functions beyond in-person instruction (including but not limited to childcare, youth camps, and athletics) must comply with the guidance described in paragraph 4 of this Executive Order, with other applicable Executive Orders and OHA guidance, and with directives and guidance regarding gathering sizes and physical distancing.
10. Force and effect. This Executive Order is issued under the authority conferred to the Governor as Superintendent of Public Instruction, and by ORS 401.165 to 401.236. This Order has the effect described in ORS 401.192(1); pursuant to ORS 401.192(1), the directives set forth in this Executive Order shall have the full force and effect of law.
11. Enforcement. The directives in this Executive Order and any guidance issued by OHA, ODE, or other state agency to implement this Executive Order are effective statewide, unless otherwise specified. Guidance issued by ODE and OHA under the authority of this Executive Order and ORS 401.035(2) is enforceable to the same extent this Executive Order is

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enforceable. This Executive Order and any guidance issued by OHA to implement this Executive Order are public health laws, as defined in ORS 431A.005, and may be enforced as permitted under ORS 431A.010, ORS 401.990, and any other penalty that may be imposed under applicable laws.

12. **Discretion; no right of action.** Any decision made by the Governor pursuant to this Executive Order is made at her sole discretion. This Executive Order is not intended to create, and does not create, any individual right, privilege, or benefit, whether substantive or procedural, enforceable at law or in equity by any party against the State of Oregon, its agencies, departments, or any officers, employees, or agents thereof.
13. **Severability.** If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this Executive Order is for any reason held to be invalid, such holding shall not affect the validity of the remaining portions of this Order.
14. **Effective date.** This Executive Order is effective March 12, 2021, and remains in effect until terminated by the Governor.

Done at Salem, Oregon, this 12th day of March, 2021.

Handwritten signature of Kate Brown.

Kate Brown
GOVERNOR

ATTEST:

Handwritten signature of Shemia Fagan.

Shemia Fagan
SECRETARY OF STATE



RECOGNITION OF RISK AND RELEASE OF LIABILITY FOR SQUARE, ROUND, AND LINE DANCING

Dancing and stretching can cause injury. You need to know your limitations before making the decision that you really want to participate in these activities. All participation in these activities is voluntary.

I am aware of the dangers involved and I accept the risk of such activities and I undertake them on my own responsibility. Some of these risks also now include the chance of illness due to, but not limited to, the COVID 19 virus. I do hereby for myself, my heirs and my personal representatives release and forever discharge the Dance instructors, and Assistants, Callers and Cuers, its owners, and its members and agents from any and all claims, demands, or actions on account of my illness, injury, or death which may occur during my participation in this activity.

I CERTIFY THAT I HAVE FULLY READ AND UNDERSTAND THE ABOVE.

If the applicant is under the age of 18, his or her parents or legal guardians have read the foregoing and by their signatures below consent thereto.

WAIVER and RELEASE OF LIABILITY

You understand that by participating in this activity during this time of pandemic, there are certain risks from exposure to others who might have the virus, even though efforts are being made to comply with state and federal guidelines for safety during the pandemic. By signing the registration form, you are agreeing to assume the risk in such participation, on behalf of yourself, your children and other heirs, and your personal representative, and release Dan and Sandi Finch and the owner of Mel's Dance Hall from liability. This release also applies to any accident that may occur while you are involved in this activity.

This waiver does not apply to any acts of gross negligence or intentional, willful or wanton misconduct by any party.

You further confirm that you are sufficiently physically fit to participate in this activity of dancing, and have not been advised to not participate by a qualified medical professional, and certify there are no health-related reasons that preclude participation in this instructor's dance activities.

By signing the registration, you acknowledge that you have read this waiver and understand its import and voluntarily agree to its terms.

RECOGNITION OF RISK AND RELEASE OF LIABILITY FOR ROUND DANCING

Dancing and stretching can cause injury. You need to know your limitations before making the decision that you really want to participate in these activities. All participation in these activities is voluntary.

I am aware of the dangers involved and I accept the risk of such activities and I undertake them on my own responsibility.

Some of these risks also now include the chance of illness due to, but not limited to, the COVID 19 virus. I do hereby for myself, my heirs, and my personal representatives release and forever discharge Club name, the dance instructors, assistants, the cuer, the cuer partner, Venue name here - its owners, members, and agents from any and all claims, demands, or actions on account of my illness, injury, or death which may occur during and/or because of my participation in this activity. I have been provided documentation regarding the potential health risks of participating during the Covid 19 virus pandemic and for contact tracing.

I CERTIFY THAT I HAVE FULLY READ AND UNDERSTAND THE ABOVE.

If the applicant is under the age of 18, his or her parents or legal guardians have read the foregoing and by their signatures below consent thereto.

WAIVER, RELEASE AND INDEMNITY AGREEMENT

I understand that participation in this activity involves certain risks, and I agree to assume all risk in such participation. I hereby waive and release, indemnify and hold harmless (instructor) from any and all claims, demands, causes of action, damages or liability that I may have arising from or in any way related to my participation in activities conducted by or on the premises of (instructor), whether or not foreseeable. This waiver does not apply to any acts of gross negligence or intentional, willful or wanton misconduct.

This waiver is made voluntarily by me on behalf of myself and my heirs, personal representatives, executor, or successors in interest.

We have recently been through a period of viral pandemic throughout the world. The virus has been declared extremely contagious and is believed to spread mainly from person-to-person contact. As a result, local, state and federal authorities recommend safe-distancing. I acknowledge that there exists some risk of infection in spite of safe-distancing. I further acknowledge that the instructor of this class is following the mandates of appropriate governmental agencies in being allowed to conduct this class and on that basis I assume that risk of participating in it.

I further confirm that I am sufficiently physically fit to participate in this activity of dancing, and have not been advised to not participate by a qualified medical professional. I certify there are no health-related reasons that preclude my participation in this instructor's dance activities.

In consideration of instructor permitting me to participate in this class/event/activity, I hereby certify:

- 1) I voluntarily agree to assume all risks of disability, injury, illness, or even death, property damage, claim or expense of any kind that I am experience in connection with participation;
- 2) I hereby waive release and discharge instructor of any and all liability incurred in such participation;
- 3) I indemnify, hold harmless and promise not to sue instructor from any and all liabilities or claims made as a result of such participation

By signing below, I acknowledge that I have read this waiver and understand its import and voluntarily agree to its terms. If any portion of this agreement is declared invalid by a court, the remainder shall continue in full force and effect. I declare under penalty of perjury under the laws of the State of California that I am eighteen (18) years of age or older and fully competent to sign this agreement.

Dated: _____