EXECUTIVE ORDER NO. 20-19

EXTENDING DIRECTIVES REGARDING CLOSURE OF LICENSED CHILDCARE FACILITIES, IN RESPONSE TO CORONAVIRUS (COVID-19) OUTBREAK

On February 28, 2020, I appointed the State of Oregon's Coronavirus Response Team.

On February 29, 2020, the Department of Human Services issued strict guidelines, restricting visitation at congregated care facilities, including nursing homes.

On March 2, 2020, the State of Oregon Emergency Coordination Center was activated.

On March 8, 2020, I declared an emergency under ORS 401.165 et seq. due to the public health threat posed by the novel infectious coronavirus (COVID-19).

On March 12, 2020, I prohibited gatherings of 250 or more people, and announced a statewide closure of Oregon K-12 schools from March 16, 2020, through March 31, 2020.

On March 13, 2020, the President of the United States declared the COVID-19 outbreak a national emergency.

On March 17, 2020, I prohibited gatherings of 25 or more people, banned on-site consumption of food and drink at food establishments statewide, and extended school closures until April 28, 2020. I also encouraged all businesses not subject to the prohibitions to implement social distancing protocols.

On March 18, 2020, I suspended in-person instructional activities at higher education institutions through April 28, 2020.

On March 22, 2020, I imposed a temporary moratorium on residential evictions for nonpayment, prohibiting law enforcement from serving, delivering, or acting on any notice, order or writ of termination of tenancy, relating to residential evictions for nonpayment.

On March 23, 2020, I issued Executive Order 20-12 ("Stay Home, Save Lives"), directing individuals to stay home to the greatest extent possible, ordering the closure of specified retail businesses, requiring social distancing measures for other public and private facilities, and imposing requirements for outdoor areas and licensed childcare facilities. That order directed childcare facilities to close until

Contains Recycled Materials

April 28, 2020, but allowed the Oregon Department of Education, Early Learning Division, to authorize childcare facilities to remain open if they provide childcare in stable groups of 10 or fewer children, and prioritize childcare needs of first responders, emergency workers, health care workers, and other essential personnel.

On April 1, 2020, I imposed a temporary moratorium on the termination of residential and nonresidential rental agreements and evictions for nonpayment, to ensure that individuals can stay at home to the greatest extent possible, and to ensure the provision of necessary goods and services during this emergency.

On April 8, 2020, I announced that school closures and the suspension of in-person instructional activities at higher education institutions would be extended through the end of the current academic term and school year.

COVID-19 may cause respiratory disease leading to serious illness or death. The World Health Organization considers COVID-19 to be a global pandemic. COVID-19 spreads person-to-person through coughing, sneezing, and close personal contact, including touching a surface with the virus on it and then touching your mouth, nose, or eyes.

State and local public health officials advise that the virus is circulating in the community and expect the number of cases to increase. The United States Centers for Disease Control and Prevention (CDC) reports that COVID-19 is most contagious when the individual is most symptomatic, but may also spread before symptoms appear. CDC has recommended measures to limit spread of the disease in the community, including limitations on events and gatherings.

The number of COVID-19 cases continues to rise in Oregon. On March 8, 2020, at the time I declared an emergency, there were 14 presumptive or confirmed cases in Oregon. As of today, there are at least 2,059 confirmed cases and 78 deaths.

Social distancing, the "Stay Home, Save Lives" order, and the other essential actions mentioned above have helped slow the spread of COVID-19 in Oregon. We must continue to protect the health and lives of Oregonians, particularly those at highest risk, as we plan to ease these restrictions over time.

Contains Recycled Materials

In order to slow the spread of the disease, to protect Oregonians at the highest risk of contracting the disease, and considering the ongoing needs of this public health emergency, I find that continued restrictions on the provision of childcare are necessary to preserve public health and safety. This Executive Order extends the restrictions on licensed childcare facilities set forth in Executive Order 20-12. It also extends and expands the Early Learning Division's authority to permit childcare facilities to provide emergency childcare services and other necessary services, in light of the needs of the ongoing public health emergency.

NOW THEREFORE, IT IS HEREBY DIRECTED AND ORDERED:

Pursuant to my emergency powers under ORS 433.441, ORS 401.168, ORS 401.175, ORS 401.188, and ORS 401.192, I am issuing the following directives:

1. Any childcare facility licensed or program recorded under ORS 329A.030 and ORS 329A.250 to ORS 329A.450 ("childcare facility") not approved by the Department of Education, Early Learning Division, Office of Child Care ("ELD") to operate as an emergency childcare facility must remain closed.

2. Notwithstanding paragraph 1, a childcare facility can be approved or remain approved to operate as an emergency childcare facility if it meets and complies with all requirements for emergency childcare as provided by the ELD, including any conditions imposed on a childcare facility's approval.

3. The ELD shall provide further guidance regarding the directives set forth in this Executive Order, as necessary.

4. Paragraphs 15 through 17 of Executive Order No. 20-12 ("Stay Home, Save Lives"), related to childcare facilities, are rescinded, and replaced by the directives in this Executive Order.

This Executive Order is issued under the authority conferred to the Governor by ORS 401.165 to 401.236. Pursuant to ORS 401.192(1), the directives set forth in this Executive Order shall have the full force and effect of law, and any existing laws, ordinances, rules and orders shall be inoperative to the extent they are inconsistent with this exercise of the Governor's emergency powers.

Contains Recycled Materials

EXECUTIVE ORDER NO. 20-19
PAGE FOUR

This Executive Order is effective immediately, and remains in effect until terminated by the Governor. The Governor will continue assessing the ongoing public health emergency, and will modify or rescind provisions of this Executive Order, as appropriate.

Done at Salem, Oregon, this 23rd day of April, 2020.

Kate Brown

Kate Brown
GOVERNOR

ATTEST:

Bev Clarno

Bev Clarno
SECRETARY OF STATE

Contains Recycled Materials