



Congress of the United States
Washington, DC 20515

July 9, 2020

The Honorable Betsy DeVos
Secretary
U.S. Department of Education
400 Maryland Avenue SW
Washington, DC 20202

The Honorable Alex Azar
Secretary
U.S. Department of Health and Human Services
200 Independence Avenue SW
Washington, DC 20201

Robert R. Redfield, M.D.
Director
Centers for Disease Control and Prevention
1600 Clifton Road NE
Atlanta, GA 30329

Secretary DeVos, Secretary Azar, and Director Redfield,

We write to you today deeply disappointed by the lack of guidance available for our school districts as they face uncertain reopenings this summer and fall. Thus far, both the Department of Health and Human Services and the Department of Education have failed to provide basic guidance to our schools to assist them in reopening safely. You have wasted months, without apparently joining forces to conduct science-based research on the best ways to re-open schools or continue educating students.

As such, schools nationwide are in limbo. By failing to lead, you are putting the lives of the nation's 56.6 million students and 3.7 million teachers, as well as other school professionals and staff, at risk.¹ We ask that you rapidly issue guidance, with the input of public health experts, epidemiologists, teachers, parents, and students, to help our schools safely reopen when they can do so.

As we watch this virus surge in areas across the country, it is abundantly clear that we will still be grappling with the coronavirus pandemic into the fall. Congress has held multiple hearings on the challenges our schools face in reopening. As we've heard from multiple Education Commissioners, superintendents, teachers, and one former Secretary of Education: many districts will struggle to develop and implement behavioral guidelines to protect students, teachers, and families from COVID-19.² These can include providing and requiring the use of masks, gloves and sanitizer on school properties; hiring more cleaning staff, nurses, and mental health providers; conducting testing and contact tracing; and

¹ Back to School Facts, National Center for Economic Statistics, Retrieved at: <https://nces.ed.gov/fastfacts/display.asp?id=372>

² Going Back to School Safely, Senate HELP Committee, Retrieved at: <https://www.help.senate.gov/hearings/covid-19-going-back-to-school-safely>

planning for socially distant classrooms and transportation.³ For many schools, especially those in underserved communities, this is a tall order, and it stands against a stark backdrop.

Widespread business closures—necessary to protect public health—have resulted in anemic state and local revenues. Our schools and states must meet these new challenges as their education budgets are slashed.⁴ Even worse, because of a lack of clear and thorough guidance from your agencies, school districts are not able to prioritize funding for contagion reduction methods that are proven most effective. Schools are poised to waste valuable dollars on ineffective initiatives, putting the health of their communities at risk in the process.

Thus far, the Centers for Disease Control and Prevention (CDC) has put out multiple short online guides for our schools— but nothing more. On March 12, 2020, the CDC published guidance intended for administrators of public and private childcare programs and K-12 schools, which has not since been updated.⁵ This guidance is now so outdated that it fails to adequately address what we are now aware is widespread community transmission.

Since this guidance was published, the CDC has provided “Considerations for Schools.”⁶ Published in early May, these “considerations” discuss some means of mitigating virus spread and maintaining healthy operations of schools, but they still fall short of clear and concise requirements for our schools. The Department of Education has failed to provide any standards or guidelines for our schools. We understand that there is wide variation in COVID-19’s spread throughout the United States, but some national baseline must be established immediately to keep our children and families safe.

In California, the State Department of Education has issued a guidebook for schools regarding reopening. While an admirable initiative, the guidebook is not exhaustive in its recommendations.⁷ In Orange County, parents of children who attend one of our school’s year round programs were told their children would be returning as scheduled on July 15,⁸ only to be told days later that they would not be back to school until late August. For parents who cannot work from home and who rely on their children being in school during standard working hours, this significantly decreases their ability to work or strains them financially and emotionally to locate alternative care arrangements. Forty percent of families have school-aged children and in more than 90 percent of these households at least one parent is employed outside the home.⁹

After-school programs also serve as a form of childcare and bridge the care gap for tens of thousands of working parents. Many school districts are working through the difficult decisions about after-school

³ Senate Panel Asks: When Can K-12 Schools Safely Reopen?, NPR, Retrieved at: <https://www.npr.org/sections/coronavirus-live-updates/2020/06/10/874049532/senate-panel-asks-when-can-k-12-schools-safely-reopen>

⁴ States Grappling with Hit to Tax Collections, Center on Budget and Policy Priorities, Retrieved at: <https://www.cbpp.org/research/state-budget-and-tax/states-grappling-with-hit-to-tax-collections>

⁵ Interim Guidance for Administrators of US K-12 Schools and Child Care Programs, CDC, Retrieved at: <https://www.cdc.gov/coronavirus/2019-ncov/community/schools-childcare/guidance-for-schools.html>

⁶ Considerations for Schools, CDC, Retrieved at: <https://www.cdc.gov/coronavirus/2019-ncov/community/schools-childcare/schools.html>

⁷ Seeking Guidance for Reopening Schools, Ed Source, Retrieved at: <https://edsources.org/2020/seeking-guidance-for-reopening-schools/633593>

⁸ How are Local School Districts Preparing for the Opening of a New School Year, Irvine Community News and Views, Retrieved at: <https://irvinecommunitynewsandviews.org/how-are-local-school-districts-preparing-for-the-opening-of-a-new-school-year/>

⁹ Caution urged for reopening schools to prevent spread of COVID-19 crisis, UCI News, <https://news.uci.edu/2020/06/15/caution-urged-for-reopening-schools-to-prevent-spread-of-covid-19-crisis/>

activities.¹⁰ For Title 1 schools, most of which are located in low-income and minority communities, additional challenges related to food security and health care create even more hurdles to a safe reopening.¹¹

As such, we ask you to provide guidance that addresses the following items which have been identified by public health experts as important to a safe reopening:

- Standards for virus reduction and transmission that a community must meet before considering reopening schools;
- Protocols for social distancing children in the classroom (such as desks spaced 6 feet apart) and in other school settings;
- Requirements for masking policies;
- Protocols for social distancing children in school transportation (such as on buses) and strategies for school districts to safely and effectively implement new bussing procedures;
- Strategies for keeping groups of children together and separate throughout the day to limit mixing, like staggering drop-offs and pick-ups or rotating use of common areas,
- School building admission standards for essential and nonessential visitors;
- Guidance for the canceling or maintaining of extracurricular activities;
- Supports for students with disabilities;
- Guidelines for the availability of testing and for regular randomized testing of teachers, faculty, and students; and
- Procedures for contact tracing and response in case of an infection.¹²

As some of our schools are due to open in early August, and schools that conduct year-round education were originally planning to reopen in early July, we ask that you issue these guidelines as quickly as possible. Thank you for your attention to this important issue, and we look forward to your response, which we hope to receive by July 16.

Very truly yours,



KATIE PORTER
Member of Congress

KAMALA HARRIS
United States Senator

¹⁰ Orange County schools re-opening in the fall during pandemic — but what’s the plan?, Orange County Register, Retrieved at: <https://www.ocregister.com/2020/05/21/orange-county-schools-re-opening-in-the-fall-during-pandemic-but-whats-the-plan/>

¹¹ UCI News, as cited.

¹² The Urgency and Challenge of Opening K-12 Schools in the Fall of 2020, Journal of American Medicine, Retrieved at: <https://jamanetwork.com/journals/jama/fullarticle/2766822>