



December 11, 2020

The Honorable Governor Tony Evers
Office of the Governor
115 East, State Capitol
Madison, WI 53702

Dear Governor Evers:

On behalf of WEAC and its members we write to convey disappointment with your decision not to issue mandatory statewide gating criteria for schools. The situation related to COVID-19 remains dire. Requiring schools to apply science-based, decision-making criteria when moving between instructional models would have gone a long way toward ensuring the safety of students, staff and the community at large during the pandemic.

WEAC's November 13, 2020 letter lays bare harmful inconsistencies in approaches by local health departments and school districts. Leaders at the state level, like you, must intervene. As such, while we recognize that you will not issue the mandatory criteria we have urged, we strongly encourage the following measures:

- **Establish *recommended* science-based gating criteria for schools.** When left to their own devices, many school districts are making decisions based on political pressure, not safety, and not science. DHS should, at a bare minimum, develop advisory gating criteria based on the model developed by the Harvard Global Health Institute, as explained in *The Path to Zero and Schools: Achieving Pandemic Resilient Teaching and Learning Spaces*^[1](Harvard Model). Under the Harvard Model, case incidence is the primary, threshold metric. If the case incidence rate suggests in-person instruction could be appropriate, then key performance indicators (including contact tracing and testing capabilities) are reviewed in identifying appropriate instructional models.^[2]

[1] Available at: https://globalepidemics.org/wp-content/uploads/2020/07/pandemic_resilient_schools_briefing_72020.pdf

[2] Harvard Global Health Institute. (2020, July 1). *Key Indicators for COVID Suppression*. Available at: https://globalepidemics.org/wp-content/uploads/2020/06/key_metrics_and_indicators_v4.pdf

Ron Martin, President
Bob Baxter, Executive Director

- **Provide assurances that DHS will intervene when presented with evidence of unsafe policies and practices related to COVID-19 in schools.** As explained in WEAC's November 13, 2020 letter, school districts are sending symptomatic students back to classrooms, failing to conduct contact tracing, failing to follow recommended quarantine and isolation protocols, failing to adequately sanitize facilities, failing to enforce mask requirements and failing to provide adequate PPE. Making matters worse, several school districts are refusing to process workplace safety grievances that bring these concerns to light, and local health departments respond inadequately when complaints are raised, many believing they are powerless to enforce safety standards. Our field staff have raised concerns directly with DHS. However, DHS has brushed them off, citing its mistaken belief that safety issues are being adequately addressed at the local level. They are not. DHS is obligated by statute to take charge when local health departments fail to adequately enforce the communicable disease statutes and rules. Wis. Stat. § 252.03(3). Intervention from DHS will become even more critical should the Wisconsin Supreme Court rule that local health departments do not have the authority to issue orders related to the closure of schools for in-person instruction.

In addition, should the mask mandate be overturned as a result of pending litigation, DHS must intervene to ensure masks are required in schools. In the absence of a mask requirement, which is universally recommended by health experts as a necessary measure to curb the spread of COVID-19, hundreds of students and staff will become ill and some may even die. In short, DHS must fulfill its statutory obligations and take a more assertive role in enforcing requirements related to the pandemic.

- **Prioritize the vaccination of educators who are required to provide in-person instruction.** In-person learning puts educators at risk. They come into close contact with numerous children and adults throughout the day. They spend hours in enclosed spaces with up to 30 other people. They encounter perhaps hundreds of people in hallways, in cafeterias and on playgrounds. We understand the vaccine will be distributed in phases. Due to the number of interactions educators have on a daily basis, we ask that educators be prioritized for vaccination after health care workers and nursing home residents.
- **Provide funding and support for rapid testing in schools.** Children are frequently asymptomatic carriers of COVID-19. As a result, a seemingly healthy child may be infected with the disease and capable of transmitting it. Although adults are more likely to experience symptoms, they can also spread the disease when asymptomatic or pre-symptomatic. Frequent rapid testing would greatly reduce asymptomatic and pre-symptomatic transmission by detecting COVID-19 cases early and allowing for swift isolation of positive cases. It would also give school districts and DHS the ability to gauge infection rates in any given district

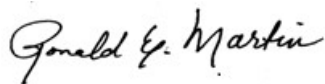
or school building. UW-Oshkosh has had success with its rapid testing program and has reduced the positivity rate on campus to 3%, significantly lower than the rate in the surrounding community. Dr. Fauci is a proponent of rapid testing as an important tool in combatting asymptomatic spread and the White House Coronavirus Task Force has urged Wisconsin to expand rapid antigen testing to control our outbreak. It's time to fund and implement rapid testing programs in Wisconsin schools.

- **Close schools for in-person instruction immediately following winter break through January 15, 2021.** Health experts throughout the country recognize the potential for an unprecedented surge in COVID-19 that will result from holiday gatherings. In apparent recognition of the fact that students and staff will inevitably participate in these gatherings, several local health departments have issued orders or recommendations to keep schools closed for in-person instruction immediately following the holidays to curb the spread. DHS has the authority to issue a binding, statewide directive to this effect which could go a long way in suppressing a holiday surge. WEAC urges DHS to exercise its authority under Wis. Stat. § 252.02(3) and order the closure of schools for in-person instruction on this very limited basis.

In conclusion, implementing these reasonable measures will demonstrate to educators that you are willing to do what is necessary to keep students, staff and their communities safe.

Thank you for your attention to the critical information contained in this correspondence. We welcome the opportunity to further discuss this matter with you or your designee.

Sincerely,



Ronald Duff Martin
WEAC President



Bob Baxter
WEAC Executive Director