



March 25, 2020

*The Solemnity of the Annunciation of the Lord*

**From:** Harrison Garlick,  
Chancellor & In-House Counsel

**To:** Priests, Deacons & Chancery Personnel

**Re:** New Executive Order from Governor Stitt

### MEMORANDUM

On the evening of March 24, 2020, Governor Stitt released an [Executive Order](#) accompanied by an [Executive Memorandum](#) announcing further measures against the spread COVID-19. The following are the provisions, in pertinent part, as applicable to entities of the Diocese of Tulsa.

#### **1. Will the Parishes, Diocesan Schools, or Childcare Facilities have to close?**

No. The Executive Order states, "Effective at 11:59 p.m. on March 25, 2020, all businesses not identified as being within a critical infrastructure sector [...] and located in a county experiencing community spread of COVID-19, as identified by [OSDH on its website](#), shall close" until April 16, 2020 (Executive Order n. 20).

The term "critical infrastructure sector" is defined in detail by the [Department of Homeland Security](#) (e.g., healthcare, law enforcement, energy, etc.). Per the Executive Memorandum, however, the Governor added, among other things, "faith-based services that are provided through streaming or other technology," and those workers in private schools or childcare for the purposes of distance learning, providing meals, or the "supervision of minors to support essential workforce across all sectors."

Therefore, given the definition of "critical infrastructure sector," the entities of the Diocese of Tulsa may remain "open." Here, "open" means parishes may continue to conduct activities pursuant to the mandates and guidelines set forth in the March 18, 2020 letter and accompanying decree promulgated by Bishop Konderla, e.g., churches open for private prayer, the Sacrament of Reconciliation with a 6-foot distance observed, etc. Schools are "open" for the purposes of providing distance learning. Childcare facilities may be "open" to provide children care to the "essential workforce across all sectors."

*Memorandum continues on next page.*



## **2. Is There a Prohibition Against Gatherings of 10 or More Persons?**

Yes. Per the Executive Order, "Social gatherings of more than ten people are prohibited." However, "the critical infrastructure sector" that is permitted to still function, which includes the Diocese of Tulsa, must "take all reasonable steps necessary to comply with this Order and protect their employees, workers, and patrons" (Executive Order n. 19).

As such, the entities of the Diocese of Tulsa must use "all reasonable steps" to ensure that in-person gatherings do not exceed more than ten (10) persons at any given time. This is applicable to employees, parishioners, or any persons.

Diocesan employees are encouraged to mitigate or completely cease face-to-face meetings, to utilize teleconferencing and other technology to communicate effectively, and to work remotely pursuant to the prudence of their pastor or principal.

## **3. Is There a "Shelter in Place" Provision?**

Yes, a "safer at home" provision for specified persons. "Adults over the age of sixty-five (65) and people of any age who have serious underlying medical conditions, collectively referred to as 'vulnerable individuals,' shall stay in their home or place of residence," unless these vulnerable individuals are (a) "working in a critical infrastructure sector" or (b) running an "essential errand," which are errands "critical to everyday life and includes obtaining medication, groceries gasoline, and visiting medical providers" (Executive Order n. 17).

Pastors should be cognizant of how this can affect the persons entrusted to them in their parishes. Addressing employees who would qualify as a "vulnerable individual" is addressed in the "HR Considerations re: COVID-19" memorandum dated 3-18-20 available on the "Legal Documents" page on the diocesan website.

End of Memorandum