

## Office of the Bishop

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## Diocese of Santa Rosa

P.O. Box 1297  
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September 8, 2020

Dear Members of the Cardinal Newman Community:

I understand that there is some concern about the continued restrictions on ‘in-person’ instruction. I share many of the concerns and am deeply distressed by the isolation experienced by so many of our youth, whether in private or public schools. I am not, however, able to enact any of the proposed solutions. The solutions range from, just open the School, defy the State and Local Health Officers, confront Dr. Sundari Mase, apply for waivers, file lawsuits, just to name a few.

The law, which I must abide by for the safety of the entire Church, has given great power to the County Health Officer. Direct opposition, an attempted act of power, is doomed to fail since all the legal authority rests with the County Health Officer. As has been noted frequently in press and websites, she relies solely on the science and while some doubt the accuracy of the science, the reality is that the decision about schools rests with her alone. That is not actually entirely correct, the decision rests with the Governor. The County Health Officer may enact stricter guidelines but not less restrictive guidelines than those proposed by the State. At present the guidelines for Sonoma and Napa County are the same as the guidelines for the State of California

I have not had many encounters with Dr. Mase, but if you recall in June I ‘threatened’ to open the Churches one week early and the reaction in the County and the Community is best described as outrage. At the time Sheriff Mark Essick said he would not enforce Church closures but was forced to retreat from that position. Had I attempted to open one of the Churches, I have it on good authority that the police would have been ordered to shut us down. The proposal that I simply allow the School to open is simply not viable. Again, the law and the vested authority rests with the State and the County Health Officer.

What about waivers? The letter cited from Dr. Mase do allow for waivers but only for Schools to operate in grades 1-6. There is no provision for waivers to allow in-person learning in any on the upper grades.

Plans for hybrid learning? Prior to August, when we hoped to be allowed to open all of our School campuses for in-person learning, the staff at Cardinal Newman worked very hard to put together a safe and State-acceptable learning plan. It allowed every student, who desired, to be on campus at least two days each week. While not perfect, it was a plan that maintained cohort connections and social distancing requirements. Unfortunately, the infection levels in Sonoma County and Napa County place them in Tier 1, highest risk, and so the plan could not be implemented. It is ready to go but we cannot act contrary to the law.

What about lawsuits? The California Catholic Conference has been in regular contact with the Governor’s Office and have exerted pressure for the re-opening of both Churches and schools. The lawsuits filed by San Diego and others are being monitored. The present opinion of legal experts is that, “Overwhelmingly, courts around the country have rejected challenges and upheld restrictions. Based on these rulings, I think the court is likely to uphold Governor

Newsom's actions. We are in the midst of a pandemic, and COVID-19 is easily spread." (Erwin Chemerinsky, dean of the UC Berkeley law school).

Dangers? There is reason to doubt the actual dangers to students who might be infected as a result of in-person learning for High School. There seems to be sufficient science regarding the low level of risk to elementary students and their families but it appears that there is no reliable science about High School students. So, in response to the danger, we must simply say, "We do not know." When we lack knowledge, we must take the safer position. If I do not know whether a gun is loaded or not, I treat it (as we always should) as if it was loaded. Thus, in the present, we must act as if COVID-19 is deadly for High School Students and/or their families (for we do not know). This 'abundance of caution' is the approach I have tried to take in regard to COVID-19 from the beginning.

Dangers? Teachers, as the public-school teachers have made clear, have rights as well. I have no authority or right to coerce any teacher to come to campus, contrary to the law, possibly expose themselves to COVID-19, and possibly expose their loved ones to risk of infection. Simply asking them to do this, again contrary to the law, is something I am not willing to do!

Dangers? There is danger to the reputation of the Church. Opening a School, contrary to the clear law and intent of the County Health Officer, would expose the school and the associated church to the charge of being science deniers. Individuals can do this but the Church, as an entity, cannot. The letters to the editor, when I threatened to re-open a church, were vicious and condemnatory. You must not care about children! You deny science! You are going to be responsible for death! I cannot even begin to imagine the moral outrage in the Community if I allowed Cardinal Newman High School to take the approach which has been encouraged by some.

I can assure you that I struggle with the present restrictions for schools, churches, restaurants, social gathering. For the past six months I have been in contact with many parishes, priests and people expressing various concerns and difficulties. I have received countless invitations to ignore the government and, as attractive as that scenario may be at first glance, I recognize that such action would be foolish and counterproductive.

Interestingly, I try to discern the Plan of God in all of this. I maintain that God's will is manifested in what He does and in what He permits. This present shut-down is permitted and in facing it, I must first confront myself. Why is this so painful and difficult for me? My world is small and yet, in that world, I do have some element of control. The present moment forces me to face the reality that I have no 'power' over COVID-19, I have no power over the Government and I have no power over public opinion. Opening the school, in opposition to clear State guidance, would be like pushing a very large rock to start it rolling down a very steep hill. All those encouraging such a move would remain in the background and would face no responsibility for the action.

Sincerely yours in Christ Jesus,

A handwritten signature in blue ink, appearing to read "Robert F. Vasa". The signature is stylized and includes a cross symbol at the beginning.

The Most Reverend Robert F. Vasa,  
Bishop of Santa Rosa in California