



## **SCHOOL DISTRICT OF THE CHATHAMS**

### **Office of the Superintendent**

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Dear Parent,

I am writing to clear up some confusion that has formed in the community in recent days. I attempted to address most of this in a letter I sent a week ago, but here are some additional clarifications regarding the mask requirement in public schools.

1. Governor Murphy's [Executive Order 251](#) is not optional and a Board of Education cannot ignore it or create policies to circumvent it without facing potentially serious consequences (see page 6). There are a few isolated school districts in New Jersey that are exploring ways to sidestep EO 251, but right now they represent about 1% of all districts in the state. The overwhelming majority of Board attorneys and Boards of Education will not risk losing state aid or incurring legal risks by failing to implement an order of the Governor or any other applicable law governing school districts.
2. Our Board of Education already has a mask requirement in place. The purpose of Board action this evening is to modify this policy and make it LESS restrictive by adopting the language in EO 251 that does NOT require masks be worn outdoors. Absent Board action tonight, the current policy would remain in place and masks would again be required on all school properties, including outdoors.
3. We have operated with a mask policy for more than a year now. The same exceptions to the policy that were in place all of last year will remain in place this year, in accordance with EO 251. The same processes will be used to administer these exceptions. As a particular point of note, over the past twelve months we have received a handful of requests for medical exemptions from mask wearing. Our school nurses pass these requests through the Board-appointed district physician for a determination. This is how we handle most student-specific medical issues and we will continue this process. We did not encounter a single problem with mask compliance last year for the thousands of students who attended school in-person.

4. Broadly speaking, there are three entities that could face consequences for failing to comply with an executive order. The first is the school district as a whole, with the most obvious penalties being the potential withholding or loss of state aid and legal liability. The second is an individual Board Member, who, in addition to a disorderly persons offense, could face a potential ethics violation and potential removal from the Board of Education. The final entity is the school district staff member, namely a superintendent or other school administrator responsible for the implementation of laws, regulations, and orders governing schools. A school district staff member could face a disorderly persons offense, but could also potentially face the suspension or revocation of their professional license. I will not place any of my staff members in a position that could potentially risk their license, and I will not place myself in that position, either. Bluntly put, if all nine of our Board Members were to threaten me with contract termination, I would sign up for that before jeopardizing the licenses that allow me to work in New Jersey public schools.
5. The DOE and DOH announced last week that when students are masked and at least three feet apart, quarantining is not required in the event of a positive case. Unlike last year, then, there is a distinct operational advantage to wearing masks.

There are many rules and regulations in New Jersey that I do not like. I think our high school graduation requirements are not flexible enough, I think our anti-bullying laws are well-intentioned but too prescriptive and not age-appropriate, and I think our teacher evaluation systems need serious revision, to name just a few. As a superintendent, however, I must uphold the laws and rules of the state. I have tried to work within those rules, alongside our Board Members, as best I can over the past 15 months to provide students with the best learning experience possible. I will continue to do that this year.

Sincerely,

Michael LaSusa