



## WESTPORT PUBLIC SCHOOLS

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To: Westport Board of Education Members  
From: Thomas Scarice, Superintendent of Schools  
Re: Recommendation to End Universal Masking Mandate in WPS on February 28, 2022  
Date: February 16, 2022

On February 7, 2022, Governor Lamont held a press conference, and with the support of the CT Department of Public Health, the Governor announced his recommendation that the statewide mask mandate in Connecticut schools, set to expire on February 15, be extended to February 28, 2022. Yesterday, the Governor's authority to issue emergency orders related to the COVID-19 pandemic expired, and the Governor signed into law House Bill 5047, which provides the legal framework for COVID-19-related rules going forward.

### **Legal Framework**

This amended law extends the authority of the Commissioners of Education and Early Childhood, in consultation with the Commissioner of Public Health, to issue binding guidance and rules for the operation of schools and childcare settings that respond to the pandemic through June 30, 2022. However, the new law prohibits the Commissioners from rescinding the statewide mask mandate in schools before February 28, 2022. The law also authorizes the Commissioners to continue - or to reinstitute - the mandate at any point from February 28, 2022 through June 30, 2022.

Although the Commissioners of Education and Early Childhood, in consultation with the Commissioner of Public Health, have yet to issue binding guidance and rules for the operation of schools and childcare settings through June 30, 2022, it should be expected that these binding rules and guidance will eliminate the mask mandate.

As such, I interpret the actions and recommendations above to indicate that universal masking is not a necessary public health intervention at this point in time.

Given that the final rules and guidance have yet to be released, it would be premature for the Board to take action on February 16. Yet, all signs indicate that this state universal masking requirement will sunset on February 28, and I recommend that the Board take formal action to repeal Board of Education Policies 4118.237 and 5141.8 (Use of Face Masks in School) at the regularly scheduled Board meeting on February 28.

### **Rationale for Recommendation to Repeal Board of Education Policies 4118.237 & 5141.8 (Use of Face Masks in School)**

The elimination of the universal mask mandate by the Governor, supported by the Commissioner of the Department of Public Health, indicates that universal masking is not a necessary public health intervention at this point in time. If this were a necessary public health intervention, the mandate would continue as it was renewed in the past by the Governor when necessitated.

The infection rates in the region, and in particular, the Westport community and Westport Public Schools, have dropped precipitously over the past month. Virus prevalence is a significant factor in determining the need for various mitigating measures, including masking. The prevalence rate is bottoming out, and possibly reaching a level that could be expected to be our new normal.

Westport is among the highest vaccinated communities in the state, providing strong support against health complications as a result of contracting the virus. In addition, the widespread infection rate of the Omicron variant also provided significant levels of natural immunity to our community. Furthermore, this most recent virus strain appears to be less virulent than earlier variants, such as Delta.

Fidelity to mask wearing is critical to the success of this intervention. Throughout the pandemic our students and staff were vigilant in properly wearing masks, and most importantly, time outside of school was largely reinforced by consistency in mask wearing as this was an expectation in all settings for our students (i.e. community places,

extracurricular activities, etc.).

However, for our students now, school is one of the few locations where masks are regularly worn and mandated. Additionally, the fidelity of proper mask wearing has waned significantly over the past few months according to faculty and building administrators, particularly at the secondary level. Mask quality has also been called into question during the Omicron surge. Maintaining a mandate when proper mask wearing is limited, and when most students do not wear masks outside of the school setting while interacting with each other, provides a false sense of security and a false impression of the efficacy of mandated universal masking in our schools.

### **Continued Measures**

As the pandemic continues to evolve, it will be necessary to maintain mitigating measures. Ventilation, social distancing, and hand hygiene, will continue to be implemented to the extent possible. The district will continue the weekly serial testing program through the end of March, and we will continue to provide daily reports of new cases for the two weeks that follow the February break. Serial testing and daily reports of new cases will be revisited at those respective points in time.

Further guidance related to quarantine procedures and contact tracing are expected to be announced by the Department of Public Health in the next week. These recommendations will be considered once received.

Students, their families, and anyone on our WPS team may choose to continue to wear a mask. One-way masking works and provides protection for an individual. Eliminating the universal mandate does not eliminate all measures of protection. As we continue to evolve through the stages of the pandemic, I suspect that a gradual lifting of individual choice in masking will unfold. Some will choose to no longer wear a mask and, perhaps over time, others will choose the same. In the interim, one-way masking will be honored and respected in our schools, and it will provide additional protection for individuals.

As we have done in the past, mitigating measures will be added or relaxed as the conditions warrant. The current metrics provided and that have been used (new daily cases per 100,000 people, positivity rate, vaccination rate, etc.) have many flaws. Daily case rates and positivity rates are less accurate due to the proliferation of home test kits that are not reported to local health districts, and vaccination rates are questionable as a result of increased breakthrough cases with Omicron and the lack of consideration for natural immunity due to infection. That said, our local and school community case rates are helpful in monitoring trends. We will continue to track these rates and trends and make decisions based on this information and the information we receive from the state level. There is always the likelihood that that universal masking will return. We will continue to monitor our local conditions and act accordingly.

### **Vaccination and Testing Requirements**

Since September 10, 2021, the Governor's Executive Order has required workers in schools to be fully vaccinated against COVID-19 or submit to weekly testing. The new law does not extend the vaccination and testing requirements for covered workers in schools beyond February 15, 2022. As such, effective February 16, 2022, school districts are no longer required by state law to collect and maintain weekly COVID-19 test results from covered workers who are not fully vaccinated against COVID-19. In addition, school districts will no longer need to require proof of vaccination or approval of a medical or religious exemption from vaccination for prospective employees.

As such, the district will no longer require vaccination, or proof of a negative test, for visitors.

### **Preschool Students**

My recommendation applies to all students and staff, PK-12. Commissioner of the Office of Early Childhood Education, Beth Bye, released a statement indicating that the Office of Early Childhood Education will no longer mandate mask wearing for children and staff effective, in alignment with the Governor's recommendation. It is true that this age group is not eligible for vaccination at this point in time. However, we currently have students across our schools who are not vaccinated. The action of the Governor and Department of Public Health applies to all of our students, PK-12, and the lack of a mandate for any level indicates that universal masking is not a necessary public health intervention at this point in time. Recommendations may continue, yet the lack of a mandate clearly stipulates that masking is not necessary from a public health point of view. Again, students and staff may continue to wear masks and we will provide the necessary support to those individuals and their choice.

### **Busing**

Public transportation, i.e. school buses, continues to be governed by federal requirements for universal masking and the actions of the Governor and legislature do not change federal requirements. Unless there is action at the federal level, masks will continue to be required on our buses. Regardless of the imminent elimination of the statewide mask mandate

for schools, a current order issued by the Centers for Disease Control and Prevention (“CDC Order”) requires that individuals traveling on school buses must continue to wear masks unless an exception applies, as defined in the CDC Order.

### **Vacation Week**

It has been pointed out that students return from the February break when the mask mandate is lifted. There have been concerns about a potential spike in infection rates upon return from vacation. I do not see the winter break as an appropriate comparison since that surge was driven by the Omicron variant. However, we did experience a number of families traveling during the Thanksgiving break and did not experience an increase in infection rates.

I agree that this line of thinking is logical and reasonable. Yet, given our high vaccination rates, the lack of an increase in infection rates after Thanksgiving, and the inconsistency in the fidelity of mask wearing, in and outside of our school environment, I do not believe that postponing the elimination of the mask mandate is necessary. That said, I understand the point of view of those who support delaying this decision a week or more, and consider their point of view reasonable.

### **Consideration for Others**

As I stated in my message to the community on Friday, many issues in the modern world have become polarizing, including universal masking. The district team is committed to supporting the personal choice of each individual student and staff member, and to protecting everyone in our school community from unwelcome comments and behaviors. To that end, resources and talking points will be provided to our staff and our parents as a support.

We will continue to carefully monitor case rates and attendance and evaluate any new guidance issued by the Connecticut Department of Public Health. Adjustments to our approach will be made as necessary.

Respectfully,  
Thomas Scarice  
Superintendent of Schools