

Miller Place Union Free School District

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January 28, 2022

Re: BOE Meeting – Amicus Brief

Dear Miller Place School District Community,

At a special meeting held last evening, the Board of Education voted to join school districts across Long Island to request permission to submit amicus curiae papers (amicus brief) in opposition to a motion to further stay the decision of Nassau County Supreme Court Judge Thomas Rademaker, which declared the state's mask mandate unconstitutional. If the request to lift the stay is granted, the Court would be allowing districts here on Long Island and across the state to make local decisions, with local input, on whether masks should be optional or mandatory, until such time as the appellate court issues a final ruling on the state's appeal.

It should be noted that the attorney working with our district to prepare any documents that might be needed for the amicus brief is doing so pro bono – there will be no cost to the district for its participation in this action.

While the Appellate Division began the process this morning of reviewing the arguments submitted by the parties both for and against the stay, it is likely that a decision on either maintaining or lifting the stay will not be issued today. Until such time as the stay is officially lifted and/or a final ruling is issued on the state's appeal, mask wearing in Miller Place schools and on buses remains mandatory.

We will continue to monitor this case closely, remain in contact with our legal counsel, and will inform the community once a decision on the stay is issued.

Sincerely,

Miller Place School District Board of Education