



## Statement on Mitigation Efforts Underway in CASD

December 14, 2021

I would like to take this opportunity to address the COVID mitigation efforts being undertaken by the Coatesville Area School District. The School District is acting to keep in-person learning in effect and, in doing so, to best protect students, staff, parents and others who come to our schools. In accordance with legal requirements, the School Board adopted a Health and Safety Plan on August 24, 2021 and will implement that Safety Plan until it is changed, or we are required by legal authority to change it.

One of the components of our Health and Safety Plan is to require the wearing of masks, subject to certain exceptions. That requirement remains in effect. Some have reached out to the board claiming that the masking mandate should be eliminated in light of the decision last week from the Pennsylvania Supreme Court. That decision has no effect on Health and Safety Plans adopted by School Districts.

The decision was a very limited decision holding only that the masking order imposed by the Interim Secretary of Health was invalid because the Interim Secretary of Health did not comply with certain procedural requirements imposed by law when issuing that Order.

The Supreme Court's decision had nothing to do with whether masking requirements are effective or whether school boards can impose masking requirements. As the Commonwealth Court (whose decision the Supreme Court affirmed) said:

Preliminarily, we note that we express herein no opinion regarding the science or efficacy of mask-wearing or the politics underlying the considerable controversy the subject continues to engender. See *Wolf v. Scarnati*, —

Pa. —, 233 A.3d 679, 684 (2020). Instead, we decide herein only the narrow legal question of whether the Acting Secretary acted properly in issuing the Masking Order in the absence of either legislative oversight or a declaration of disaster emergency by the Governor.

*Corman v. Acting Sec'y of Pennsylvania Dep't of Health*, 2021 WL 5227124, at \*2 (Pa.Cmwlt. Nov. 10, 2021), *aff'd*, 83 MAP 2021, 2021 WL 5860589 (Pa. Dec. 10, 2021).

Simply stated, mandating masks gives the School District the best chance of keeping schools open and of protecting students, staff, and other visitors to the schools.