

February 5, 2022

Highland CUSD No. 5 Parents and Staff,

The last 36 hours has seen a flurry of efforts to understand the rulings handed down by Judge Grischow late yesterday afternoon and early evening in the litigation regarding masks, quarantines, and vaccinations. We initially received the judge's denial of the class action request, which would have only impacted students and staff named specifically in the complaint. So, we started planning for such, then the ruling on both cases came after 5:00 p.m. last night and it created much confusion regarding who the ruling covered. School law firms across the state have been providing zoom meetings today with clients to clarify exactly what the judge's decision means. I have been included on varying opinions so the best I can do at this time is make the best decision and move forward.

It seems clear to me that legal analysis points to the fact that Highland CUSD No. 5 is clearly instructed to NOT enforce the executive orders requiring masks, enforcing quarantines when individuals do not have symptoms, and any vaccine/testing mandates (employees). There are several questions that cannot be answered at this time. We hope to provide more information as clarifications are made.

I am confident in saying that the district will not be enforcing the mask requirement and identifying close contacts for purposes of quarantine starting Monday morning per the judge's ruling. Masks will be encouraged, but not required! We have a few staff with specific health issues who may be in contact with their student's parents to request certain mitigations when students are around them. These conversations will not be requirements, only requests to consider such concerns. The most important issue moving forward is clear and consistent communication between teachers/administrators and students/parents. We will be working with these individuals to provide any additional mitigations possible to make sure our staff remain confident in their safety at work.

The same holds true for students with elevated risks. Please feel free to discuss with your child's administrator and/or teacher any mitigations that might be possible to ensure students feel safe in their school environment. This will not include requiring any specific student or staff to wear a mask. We cannot address every concern, but we will do our best to make this a workable situation for everyone.

I have several additional meetings that need to occur prior to creating any procedures or policies moving forward. For example, an individual who is COVID positive and returning on day 6 may or may not be required to wear a mask on day 6 through 10. I need some clarification before making this decision. We know that individuals who are identified as close contacts cannot be excluded/quarantined per the judge's ruling, but we may still attempt to contact students/parents in these situations simply to make them aware. **Students and staff who show any symptoms of *any* sickness should not be at school at any time. We will send them home immediately if symptoms are evident.**

This court decision does not in any way eliminate COVID, it only changes the way we deal with it. Many will be pleased and many will be disappointed in the result. Regardless, Highland CUSD No. 5 remains committed to educating students and creating the best learning environment for our teachers to teach and our students to learn. Please be patient as we continue to work through the challenges of this

decision. We will have school on Monday with a regular schedule. **Masks will be encouraged, but NOT required!**

Sincerely,

Michael S. Sutton, Superintendent