MASSACHUSETTS DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION

Extension of DESE Mask Requirement

September 27, 2021

At the special meeting of the Board of Elementary and Secondary Education (Board) on August 24, 2021, the Board voted to declare "exigent circumstances" pursuant to the Student Learning Time (SLT) regulations, 603 CMR 27.08 (1), and authorized the Commissioner of Elementary and Secondary Education to require masks for public school students (age 5 and above) and staff in all grades through at least October 1, 2021. The mask requirement is an important additional measure to keep students safe in school at this time.[1]

Consistent with the authority provided by the Board, and after consulting with medical experts and state health officials, the Commissioner is extending the mask requirement through at least November 1, 2021. The following requirements remain in effect:[2]

- Public school students (age 5 and above) and staff in all grades are required to wear masks indoors in schools, except as noted below. Masks are not required when outdoors. All visitors are also expected to wear a mask in school buildings.

- The mask requirement will be in place until at least November 1, 2021. The Commissioner will revisit the requirement in the near future to revise it as warranted by public health data.

- Masks should cover an individual's nose and mouth. For more information about appropriate mask use, please see: https://www.cdc.gov/coronavirus/2019-ncov/downloads/cloth-face-covering.pdf.

- It is strongly recommended that students younger than age 5 also wear a mask in school.

- Students and staff who cannot wear a mask for medical reasons, and students who cannot wear a mask for behavioral reasons, are exempted from the requirement. Face shields may be an option for students with medical or behavioral needs who are unable to wear masks or face coverings. Transparent masks may be the best option for both teachers and students in classes for deaf and hard of hearing students.

- The mask requirement applies when students and staff are indoors at school, except when eating, drinking, or during mask breaks.

- Mask breaks may occur throughout the day. If feasible, breaks should occur when the windows are open or students are outdoors. As a reminder, meals and outdoor recess provide built-in mask breaks for students and staff.

- Masks may also be removed indoors when necessary to participate in elective classes, such as the use of wind instruments in band. When traditional masks cannot be worn, districts should consider additional mitigations, such as the use of instrument masks (masks with a slit or hole cut for the mouthpiece) or bell covers, along with physical distancing or outdoor classes as feasible.

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[1] The mask requirement is an exercise of the Board's responsibility to ensure students attend classes in a safe environment. G.L. c. 69, § 1B. It is also an exercise of the Board's authority to set policies relative to children's education, including ensuring that students receive the required amount of structured learning time through in-person instruction. G.L. c. 69, §§ 1, 1B, 1G; G.L. c. 71, §§ 1 & 4A; 603 CMR 27.08

[2] This requirement applies to all public schools, including charter schools, vocational technical schools, and educational collaboratives. It also applies to approved private special education schools.

- Masks are required for any sports-related activity for student-athletes and coaches when indoors, in alignment with guidance provided by the Massachusetts Interscholastic Athletic Association (MIAA).

- Masks should be provided by the student/family, but disposable masks should be made available by the school for students who need them.

- By federal public health order, all students and staff are required to wear a mask on school buses.

- Whether and when a student should be disciplined for failure to wear a mask is a local decision, guided by the district's student discipline policy and the particular facts. Districts should consult with their legal counsel to address these matters. Districts should provide written notice to students and families about expectations and potential consequences, and are encouraged to use a progressive discipline approach. The mask requirement includes an exemption for students who cannot wear a mask due to medical conditions or behavioral needs. Further, some students with disabilities may need additional supports to wear masks and may need to be accommodated. Districts are encouraged to consider and implement alternatives before resorting to disciplinary exclusion. Keeping students connected with school is especially important this fall, as students return to school after a challenging school year.

As of October 15, 2021, if a school demonstrates a vaccination rate of 80 percent or more of all students and staff in the school through an attestation form submitted to the Department of Elementary and Secondary Education (DESE), then vaccinated individuals in that school would no longer be subject to the mask requirement.[3] In alignment with statewide guidance, unvaccinated students and staff would be required to continue wearing masks. Additional information about the Vaccination Rate Threshold is available here. DESE will continue to work with medical experts and state health officials to review and consider additional metrics to determine when individuals in schools would no longer be subject to the mask requirement.

[3] In the event that a school has already collected proof of vaccination and meet the 80 percent threshold, it may submit its attestation form before October 15 for consideration by the Department.