



Message from the West York Area School Board

Monday, September 6, 2021

Dear West York Community,

We need to come together in a spirit of peaceful cooperation.

On August 31, 2021, Acting Secretary of Health Alison Beam signed an [order](#) requiring masks to be worn inside K-12 school buildings. The Acting Secretary signed the order under her authority provided by the Disease Prevention and Control Law. The Order takes effect at 12:01 AM on Tuesday, September 7, 2021.

As you are probably aware, this order divided West York Area School District and created a spirited discussion within our community. The West York Area School Board is committed to balancing the interests of all our stakeholders. We will do what is best to fulfill the mission statement of Every Student Every Day, and we will do what is necessary to prioritize the health and safety of all students and staff.

The mask order is not about good or bad, right or wrong, effective or ineffective, civil liberties or civil constraints. The mask order is a health and safety control measure required by the Acting Secretary of Health to mitigate the spread of COVID-19.

The question becomes, must we follow the mask order? The simple answer is yes. Numerous attorneys across the commonwealth have reviewed the order and made it abundantly clear that it is a lawful requirement. Therefore, if you believe in law and the rule of law, you will follow it. Laws include statutes, rules, orders, and mandates, and they are all equally binding on the public and enforceable by the government. Laws protect our general safety and ensure our rights as citizens against abuses by other people, by organizations, and by the government itself. Therefore, regardless of the rhetoric against the order, and regardless of the lack of teeth for noncompliance, the order should be supported because it is indeed lawful.

This begs the second most debated point; my child, my choice or my child, my rules. Although the United States is a democratic society, and although there are many freedoms we enjoy, there are laws, policies, regulations, and rules which dictate and control our words and our actions every day. School is no different. The PA Code of Education entitles students to a free and full education, but that education comes with student responsibilities; a series of rules that students must follow.

This leads to the issue of local control by school boards. Yes, the governing board of a school has the authority to make reasonable and necessary rules governing the conduct of students in schools, however, it is not unlimited; school boards must operate within statutory and constitutional restraints. Like it or not, the order by the Acting Secretary of Health falls within the statutory restraints we must follow. School boards must follow lawful orders and school boards, like parents, should model the behavior we want to see in our students.

It is the role of the West York Area School Board to lead with professionalism and integrity. We took an oath to support, obey, and defend the Constitution of the United States and the Constitution of this Commonwealth and discharge the duties of our office with fidelity. We must act responsibly, focus on serving all children, and make sure we are representing the community and not a single constituency.

In closing, the West York Area School Board understands the complexity of feelings and concerns surrounding face coverings and COVID-19. For that reason, the Board has discussed a multifaceted approach to the order, but for now, we need to apply prudent judgment and follow the recommendation of our solicitor. The order is a lawful and reasonable directive issued by an authorized government official. The order seeks to protect and mitigate the spread of COVID-19. Failure to follow the order is derelict to our duty as school board members and would be derelict to the health and safety of all students and staff. We don't have to like the order or agree with it, but we should all stand behind it for the sake of the students, staff, and administration of our beloved Bulldog community.

More information about the District approach may be found on the [masking order page](#) of our website.

Sincerely,

**WEST YORK AREA SCHOOL DISTRICT
BOARD OF SCHOOL DIRECTORS**

Jeanne J. Herman
President