

**July 26, 2021**

Dr. Mark Ghaly  
Secretary, State of California Health and Human Services Agency

Dr. Naomi Bardach  
Safe Schools for All Team Lead  
California Department of Public Health

Dr. Tomás Aragón  
Director, California State Public Health Officer

California Department of Public Health  
PO Box 997377  
MS 0500  
Sacramento, CA 95899-7377

**RE: Face Coverings for Students**

Dear Drs. Ghaly, Bardach, and Aragón,

We write on behalf of the countless teachers, staff, administrators, students, parents, and community members of Modesto City Schools (“MCS”), urging you to grant local school districts the authority to develop and deploy COVID facial covering protocols in conjunction with county health officials. As California starts to get back to a semblance of normalcy, it is inappropriate for the state to issue a blanket mandate of facial coverings on campuses.

It is impossible for the state to account for the intricacies inherent in local government decisions, and it should not try. Although we recognize the difficult position the state is in regarding COVID regulations, by enacting broad guidelines and rules, the state is depriving local officials of the opportunity to execute reopening plans.

The Education Code provides school districts with broad discretion to act in the best interests of their students. (Ed. Code § 35160, 35160.1) Accordingly, the state should give districts the discretion to create and implement COVID plans tailored to their regions and local conditions. The state is abusing its authority in continuing to force local districts into following its rules, especially when those rules only operate under emergency executive orders and provisions of the Health and Safety Code. This is especially so where districts, like ours, are also seeking the guidance of county health officials in their planning.

While initially, we understood why a facial covering mandate may have been necessary, the situation has changed. As of this writing, more than sixty (60) percent of people are fully vaccinated in California, with another nine (9) percent partially vaccinated. The numbers are even higher for school staff and childcare workers.

We respectfully request that you lift the statewide K-12 mask mandate and allow us to work with our local public health officials to craft facial covering policies suitable for the communities and students we serve.

Best regards,

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Charlene G. West, Ph.D.  
President, Board of Education  
Modesto City Schools  
Stanislaus County

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Abel Maestas  
Member, Board of Education  
Modesto City Schools  
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Vice President, Board of Education  
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Sara Noguchi, Ed.D.  
Superintendent  
Modesto City Schools  
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