



TOWN OF WESTFORD
BOARD OF HEALTH
TOWN HALL (Second Floor)
55 Main Street
WESTFORD, MASSACHUSETTS 01886
(978) 692-5509 Fax (978) 399-2558

BOARD OF HEALTH MEETING

Wednesday September 22nd , 2021

*** meeting to be held remotely ***

6:00 PM

AGENDA

Notice: All meetings are subject to rebroadcast online or on cable.

- 6:00pm Call to order
- 6:01pm Open Forum
- 6:10pm COVID Updates: Discussion of Town-Wide Indoor Mask Mandate. Draft mandate to be reviewed.
- Adjourn

Login Info

You are invited to a Zoom meeting.

When: Sep 22, 2021 06:00 PM Eastern Time (US and Canada)

Topic: Board of Health Meeting September 22nd, 2021 at 6:00pm

Register in advance for this meeting:

https://westfordma-gov.zoom.us/webinar/register/WN_6VjO6P9WRQ6K58fVEGMNaw

After registering, you will receive a confirmation email containing information about joining the meeting.



TOWN OF WESTFORD
BOARD OF HEALTH
TOWN HALL (Second Floor)
55 Main Street
WESTFORD, MASSACHUSETTS 01886
(978) 692-5509 Fax (978) 399-2558

September 23rd, 2022
COVID-19 Public Health Emergency Regulation of the Westford Board of Health

COVID-19 Public Health Emergency Regulation of the Westford Board of Health is hereby given that on September 23rd, 2021 the Westford Board of Health adopted the following emergency regulation under the provisions of MGL Chapter 111, § 31: Based upon review of current COVID-19 caseload and testing positivity rates in Westford and Middlesex County the Westford Board of Health held a meeting on September 22nd, 2021 and pursuant to M.G.L. c. 111 §§ 31 and 104; The Board of Health voted to adopt as a public health mandate, the following indoor mask regulations in the Town of Westford.

1. Effective at 12:01am Thursday, September 23rd, 2021, face coverings that cover the nose and face are required for all individuals, regardless of vaccination status, aged two years and above in all indoor public spaces, houses of worship, or private spaces open to the public except where an individual is unable to wear a face covering due to a medical condition or disability.
2. Food service establishment customers may only remove face coverings when seated and consuming food and beverages.
3. Indoor performance venue customers may only remove face coverings in the actual act of eating and drinking, if permitted in the venue.
4. Lodging guests and workers are required to wear face coverings when inside hallways and common areas.
5. Residents and employees of multi-family dwelling units are required to wear face coverings inside hallways and other common areas. Notice of this requirement shall be posted at all entry doors to the building and common areas.
6. Fitness Center/Health Club workers, customers, and visitors are required to wear face coverings during fitness activity, including strenuous activity and group activity.
7. At Personal Services establishments, including, but not limited to, barber shops, hair and nail salons, massage, all customers and workers are required to wear face coverings, except for skin or beard care that occurs on the face, where the customer may temporarily remove the face covering but must immediately put the face covering back on for the remainder of the visit.
8. Masks remain mandatory for all individuals on public and private transportation systems (including rideshares, livery, taxi, ferries, and buses), in healthcare facilities and in other settings hosting vulnerable populations, such as congregate care settings, as directed by the Governor and the Massachusetts Department of Public Health.
9. Nothing in this regulation shall affect the state and federal orders already in effect in Massachusetts and mandates established by the Commissioner of the Department of Elementary and Secondary Education



TOWN OF WESTFORD
BOARD OF HEALTH

TOWN HALL (Second Floor)
55 Main Street
WESTFORD, MASSACHUSETTS 01886
(978) 692-5509 Fax (978) 399-2558

regarding the wearing of facial coverings in school.

10. All entry doors of businesses open to the public must post notice advising customers that face coverings must be worn inside the establishment. Establishment staff must supervise and enforce this requirement. If a customer refuses to wear a face covering for non-medical reasons, a business may decline entry to the individual.
11. The Westford Board of Health and authorized agents pursuant to MGL chapter 111, § 30, are authorized to enforce this regulation and if necessary, may do so with the assistance of the Westford Police Department and other designees appointed by the Town Manager. Violations of this regulation may be punished by a civil fine of up to \$300 per violation in the manner provided for non-criminal disposition of violations of Board Health Regulations by MGL Chapter 40, § 21D and Code of Bylaws of the Town of Westford.

This mandate will be reviewed by the Board of Health at each subsequent regular meeting. If no action is taken by the BOH to rescind it, this Regulation will remain in effect.

Signature of Board of Health Chair



Implementation of DESE Mask Requirement August 25, 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 implementing the following requirements:²

- **Effective immediately**, 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 October 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.

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.

- 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.
- 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 provided by the Student Learning Time regulations, each district must submit a plan confirming that their health and safety procedures are consistent with the mask requirement. The Department of Elementary and Secondary Education (DESE) will provide districts with a survey link on August 27, 2021, through which they can confirm they are implementing a mask requirement. Submission of the survey response will be required no later than Friday, September 3, 2021, and will satisfy the plan requirement.

After October 1, 2021, if a school demonstrates a vaccination rate of 80% or more of students and staff in the school, then vaccinated individuals in that school would no longer be subject to the DESE mask requirement. DESE will provide additional information to districts in the coming weeks in preparation for the October 1 date, including how to demonstrate the 80% vaccination rate threshold.