

Bob Davis

From: Bob Davis
Sent: Friday, September 25, 2020 2:56 PM
To: [REDACTED]
Subject: Libertas warning letter

Good morning Mr. Davis,

We spoke on the phone on September 4, 2020 regarding the first complaint that came to our office from a concerned community member. The nature of the complaint stated that students and staff were not wearing masks, not social distancing and that a morning worship assembly is held that also has students and staff from multiple classrooms in very close proximity without masks.

We reviewed your website at that time and you had two documents, the one-page Libertas Re-Opening Plan 2020.21 and the Libertas Enhanced Health Safety Plan. When we spoke on the phone, you confirmed the content of the re-opening plan that indicates that all education is in-class and of the safety plan that specifies staying home when sick, frequent handwashing, daily cleaning in the school but does not have a requirement for face coverings for staff or students. The safety plan states that "Libertas faculty, staff and administration are not required to enforce the wearing of masks" and you explained to me that you don't see any indication in the Governor's EOs or MI Safe Schools Roadmap ("Roadmap") that requires the school to be enforcers, even though we discussed that the Governor's Roadmap requires face coverings for all staff and students grade 6 and higher, except when outdoors or eating.

This email is to notify you that we received a second complaint from an anonymous community member on 9/21/20 with essentially the same charges, that they observed on 9/18/20. The Governor's Roadmap indicates certain safety protocols as "required" and states the following:

- "All preK-12 schools will be required to follow the safety protocols outlined in this Roadmap which are noted as "required." (page 8)
- "Safety protocols that are required must be implemented by all Michigan schools that serve students in grades preK-12. They are the most feasible protocols that will minimize risk of exposure to COVID-19." (page 8)
- "Tribal Education Agencies and non-public schools are exempt from many state regulations, but must adhere to the health and safety protocols outlined in the Roadmap in order to actively mitigate the spread of COVID-19 for all Michiganders." (page 9)

Some of the pertinent **requirements** in the Roadmap that you acknowledge are not enforced or required by Libertas are:

- Facial coverings must always be worn by staff except for meals [except when not medically tolerated or when incapacity limits ability to put on or removed]. (page 22)
- Facial coverings must always be worn in hallways and common areas by preK-12 students in the building except for during meals [except when not medically tolerated or when incapacity limits ability to put on or removed]. (page 22)
- Facial coverings must be worn in classrooms by all students grades 6-12 [except when not medically tolerated or when incapacity limits ability to put on or removed]. (page 22)
- All students in grades K-5 must wear facial coverings unless students remain with their classes throughout the school day and do not come into close contact with students in another class. (page 22)
- Prohibit indoor assemblies that bring together students from more than one classroom. (page 26)

These requirements and recommendations are not always easy, but they are necessary. We must all continue to put safety first, leverage science, data, and public health evidence to inform the decisions we make to serve each and every student in our community well. The Ottawa County Department of Public Health requests your cooperation and enforcement of these requirements. If complaints continue with evidence of continued neglect to follow the

requirements for all schools, this could result in enforcement from local or state officials. The identification of one or more positive cases of COVID-19 in the school building will necessitate that the school follows these requirements. As a respected partner, we hope you will encourage all families, staff and students to observe the widely recommended prevention steps to help prevent COVID-19 in others at school, in the community and possible restrictions to in-class learning during this pandemic.

Please feel free to call me if you have any questions or need assistance. We are here to help you be successful.

Respectfully,

Marcia Mansaray, M.Sc.

Deputy Health Administrator

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