



## In a Pickle

August 23, 2021

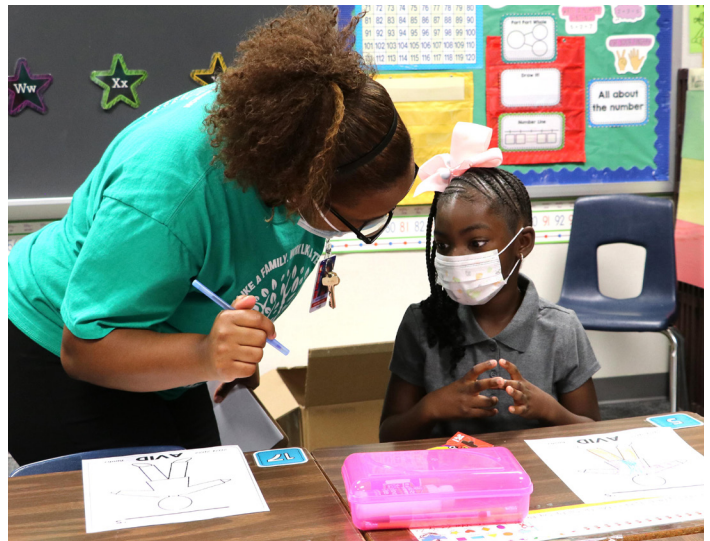
In the past, I have used these Monday Messages to share with you things that I hope are uplifting reminders of the significance of our work. As you read them, I hope they cause you to reflect on the opportunities we have and the responsibility we have been blessed with.

As we move forward in this uncertain environment, I challenge each one of you to hold on to the unchanging mission and calling that we share. In spite of the pandemic and all of the rhetoric around masking and vaccinations, please remember that **our most important obligation is to provide a high-quality educational experience for all of our children in a safe and secure environment.** As long as we remember our calling and treat every student as if they are a member of our family, as if they were our son or daughter, our cousin or nephew, or the youth at our church or from our neighborhood – our mission will be accomplished.

In prior notes, I have asked you to block out the noise, rhetoric and talking heads and encouraged you to focus on the work. Although I do believe this is the right approach, I also recognize it is impossible not to pay some attention to what is occurring in the media and in the courts relative to mask mandates, vaccines and the pandemic. As I have asked you to focus on education within the classroom, I want to assure you that our leadership team at the school board and central office are intimately engaged in advocating for what we believe will give our Crowley ISD team the best chance to carry out our educational mission.

You likely have heard many perspectives and opinions about Crowley ISD’s temporary mask mandate and our district’s response to Governor Abbott’s executive order restricting local officials’ authority to mandate masks. In this communication, my goal is to provide our side of the story.

As Superintendent of Schools and a lifelong educator, I recognize the importance of following the rules, laws and procedures. I pride myself in being a law-abiding citizen. However, I also recognize that not all rules, laws or procedures are applicable in every situation. I believe in a civilized democratic society where laws are made by a group of people, interpreted by others, and implemented by still a different group, there is a chance that a law may have been justly created and unjustly interpreted or implemented. In these cases, our democratic system allows for remedy or redress in the form of a hearing to clarify the lines of authority.



Crowley ISD is currently in litigation against the governor and attorney general because **we believe that the law provides local-elected school boards and superintendents authority to take actions to ensure that students receive a high-quality education in the safest environment possible.** I believe the governor’s current executive order is illegal and represents a misinterpretation of the authority of the governor. We respect the law, and that is why we are pursuing the legal path to address our concern.

As educators, we have a responsibility to be models. I hope the model we present is how to address laws, rules, procedures or regulations in a respectful and civil way when they are not consistently created, applied and/or interpreted.

The brutal facts are that the delta variant is much more contagious than the original COVID-19 virus. After seven days of face-to-face instruction, we have **137 students** and **38 staff** who have tested positive. To put that number in context, last year during the peak time of the pandemic we had only 37 students test positive and 34 staff test positive. These statistics confirm for me the need to take aggressive action to mitigate the spread of this virus.

The good news is that vaccines are now available, but what we all know is that students under 12 are not eligible. That means we have more than 8,300 students who have no chance of being vaccinated and who are most vulnerable to



infection. It is also this same group that is most in need of the close interactions that are necessary for academic, social and emotional development.

My grandma would call what we are in right now a pickle. I was never sure what she meant when she used the phrase, but now I understand. We are in a difficult place and there is no easy way out. This, my friends and colleagues, I will call a pickle.

We find ourselves between a rock and hard place. We defy the mandate and we are seen as rebels, but if we follow the mandate and cede the local authority granted to us by the legislative branch, we limit our ability to respond locally to the facts as they present themselves, and we may inadvertently increase the likelihood for transmission.

The decision to mandate masks in spite of the governor's executive order was made based on the recommendation of medical professionals and the review of our local transmission, infection and hospitalization data. We knew that it could be a challenge to enforce, we understood that wearing masks is uncomfortable, and we accept the reality that, in many households, the mandate is unpopular.

We also recognize though that educating students is our priority, and doing so in a safe and secure environment is our moral and ethical responsibility. What we know is that our students are school dependent and face-to-face learning is far superior to any alternative. We want to keep our students safe and our schools open.

After seven days of school where we have mandated masking, I am proud to report that our parents have trusted us enough to send their students to us. We currently have an enrollment of **16,004 students**. That's the most students ever enrolled in Crowley ISD to start a new school year.

These stats communicate to me that parents trust us enough with our current protocols to send their most prized possessions to us to educate. Furthermore, the recent survey shows that **45% of our parents/guardians** would have reservations about sending their students to our schools if we were required to follow the governor's executive order and make masks optional.

These numbers and other qualitative data prove to me that our current actions are as they should be based on our current fact pattern. We recognize that the local CISD mandate is temporary and we may eventually lose in court and have to relent on our position. However, I am more convinced today than I ever was that pursuing a legal injunction and interpretation of authority was and is the right path for us to take.

Thank you for being flexible and for remaining focused as things unfold. I want to assure you that we are advocating for each one of you and for the students we serve.

The quote below by the Reverend Dr. Martin Luther King, Jr. somewhat captures the sentiments I have as we work our way through this pickle.

Act like a family and work like a team,



Mike McFarland, Ed.D.  
Superintendent, Crowley ISD

***"One has not only a legal, but moral, responsibility to obey just laws. Conversely, one has a moral responsibility to disobey unjust laws. I would agree with St. Augustine that an unjust law is no law at all."***

REV. MARTIN LUTHER KING JR.

