



June 24, 2020

Dear Director Golden and Commissioner Irish:

I am writing regarding preparations for some Boston colleges to return students to campus in the fall. As you know, in concert with Mayor Martin J. Walsh and the Boston Board of Health, I issued a Declaration of Public Health Emergency (BPHC Declaration) on March 15, 2020, extended on April 24, 2020, and which remains in effect until rescinded at my discretion. The BPHC Declaration grants the BPHC Executive Director the authority to implement any and all measures and recommendations for the prevention and control of COVID-19 as circumstances may require. Throughout the public health emergency, City agencies, including your own, have worked collaboratively to assist in the implementation of state and local orders and advisories. I appreciate the ongoing work of your agencies in supporting Boston's COVID-19 response and recovery.

As you know, Boston's recovery planning efforts are informed by actions at the state level. On March 10, 2020, Governor Charles D. Baker, pursuant to the powers provided by Chapter 639 of the Acts of 1950 and Section 2A of Chapter 17 of the General Laws, declared a state of emergency in the Commonwealth, which remains in effect. Since the initial state emergency declaration, dozens of orders have been issued by Governor Baker establishing and modifying restrictions for businesses and other institutions, including higher education, to control the spread of COVID-19. Generally, guidance issued under gubernatorial orders carries the force of law, and municipalities are called upon to assist in ensuring compliance. In addition to actions at the state and local levels, the United States Centers for Disease Control and Prevention has published guidance for higher education institutions and congregate housing, including dormitories.

I am aware that institutions of higher education are working with the state to ensure a safe and gradual return to campus life, and guidance has been issued regarding limited activities in Phases 1 and 2. Higher education institutions are required to submit COVID-19 Control Plans at each phase of reopening, which include measures related to social distancing, hygiene protocols, staffing, and operations, as well as cleaning and disinfecting. It is expected that additional specific orders and guidance for higher education will be issued by Governor Baker, and will

likely include measures requiring social distancing on college campuses and the capacity to isolate and quarantine any students that may become diagnosed or exposed to COVID-19.

Generally, municipalities are advised to assist businesses and other institutions in achieving voluntary compliance with state reopening standards and are prohibited from adopting standards that are inconsistent with state orders. Since compliance with mandatory state-level standards will be required for Boston's institutions of higher education to safely fulfill their critical roles, temporary waivers of certain local approvals on a case-by-case basis will be critical to ensuring that institutions are able to meet health and life safety standards and to assist members of their community who may need to isolate or quarantine as a result of COVID-19 infection or exposure.

Ensuring that Boston's institutions of higher education will be able to meet or exceed existing and anticipated public health guidance will be essential to preventing further spread of COVID-19. In light of the unprecedented nature of the COVID-19 pandemic, businesses and institutions across the city will continue to need to take creative measures to operate safely. In that spirit, I encourage you to take any administrative measures necessary to enable institutions of higher education in Boston to implement responsible reopening plans, including the ability temporarily decongest their congregate living facilities and isolate or quarantine community members as needed.

Please do not hesitate to reach out if there is anything further me or my staff can do to be of assistance.

Thank you,



Rita Nieves

**INTERIM EXECUTIVE DIRECTOR
BOSTON PUBLIC HEALTH COMMISSION**