

Math and Science Academy

Adopted: September 21, 2020

Revised:

808 COVID-19 FACE COVERING POLICY

[Note: The Governor's Emergency Executive Order 20-81 generally requires Minnesotans to wear a face covering in certain settings and circumstances, including in various school settings. Emergency Executive Order 20-82 states that all Minnesota public schools must adhere to parameters determined by Minnesota Department of Health ("MDH") in implementing or shifting between in-person learning, hybrid learning and distance learning. MDH's Safe Learning Plan for 2020-21 and the 2020-2021 Planning Guide for Schools requires school district and charter schools to develop and implement a face covering policy that is clearly posted and communicated to students, staff, families, and potential visitors to the school building. The provisions of this policy substantially reflect the requirements of the 2020-2021 Planning Guide for Schools, Executive Order 20-81, and Executive Order 20-82.]

I. PURPOSE

The purpose of this policy is to establish requirements for employees, students, and other persons (including visitors, guests, contractors, etc.) present on Math and Science Academy (MSA) school property to wear face coverings in classrooms, child care settings and other indoor areas, as well as outdoor areas where a physical distance of 6 feet cannot be maintained between persons, in order to minimize exposure to COVID-19.

II. GENERAL STATEMENT OF POLICY

- A. The policy of the school district is to comply with Executive Order 20-81, Executive Order 20-82, and applicable face covering requirements from the Minnesota Department of Health and the Minnesota Department of Education.
- B. In accordance with Executive Order 20-81, Executive Order 20-82, state law, and public health guidance, the policy of MSA is that all students, staff, and other people present in schools, district offices, all buildings leased or owned by MSA, or riding on school transportation vehicles, are required to wear a face covering. As provided below, this policy provides for some exemptions and allows for temporary removal in limited circumstances.
- C. Face coverings protect others in case the wearer does not know he or she is infected with COVID-19. Face coverings are only one part of the state's Public Health Guidelines and MSA intends to use face coverings in combination with other infection control measures, including social distancing, personal hygiene, screening, and cleaning practices.

- D. Unless an exception described in Part IV below applies, all students, staff, and other people present indoors in school buildings and district offices or riding on school transportation vehicles are required to wear a face covering.
- E. A violation of this policy occurs when any student, staff, or other person present in a school building, in the school district office, or on a school transportation vehicle fails to wear a face covering, unless an enumerated exception applies.

III. DEFINITION OF FACE COVERING

- A. A face covering must be worn to cover the nose and mouth completely in accordance with CDC guidelines, should not be overly tight or restrictive, and should feel comfortable to wear. The following are included in the definition of face covering:
 - 1. Paper or disposable mask;
 - 2. Cloth face mask;
 - 3. Scarf;
 - 4. Neck gaiter;
 - 5. Bandana;
 - 6. Religious face covering; and
 - 7. Medical-grade masks and respirators
- B. A “face shield” is a clear plastic barrier that covers the face and allows visibility of facial expressions and lip movements for speech perception. A face shield should extend below the chin anteriorly, to the ears laterally, and there should be no exposed gap between the forehead and the shield’s headpiece.
- C. Masks that incorporate a valve designed to facilitate easy exhaling, mesh masks, or masks with openings, holes, visible gaps in the design or material, or vents are not sufficient face coverings because they allow exhaled droplets to be released into the air.

IV. EXEMPTIONS FROM FACE COVERING REQUIREMENTS

- A. Students or Staff with Health Conditions/Disabilities/Behavioral Needs

Individuals with health conditions, disabilities, or mental health, developmental, or behavioral needs may be exempt from wearing a face covering or a face shield if they have a need for an exemption from this policy. Face coverings should not be placed on anyone under age 2, anyone who has trouble breathing or is unconscious, anyone who is incapacitated or otherwise unable to remove the face covering without assistance.

B. Exemption requirements and procedures

- i. Students. If a parent claims that a student has a health condition, disability, or mental health, developmental, or behavioral need that exempts the student from this policy, that student's building office manager or administrator will ask the parent for documentation to support the student's need for an exemption, unless the need is obvious or MSA already possesses information that demonstrates the need. MSA will consider the parent or eligible student's request in light of the documentation presented and if an exemption is warranted, will follow applicable laws to determine what accommodations are appropriate. A student's individualized education program (IEP) team or Section 504 team may consider whether any amendments to the IEP or Section 504 plan are necessary related to the face covering requirement.
- ii. Staff. Staff who claim that they cannot wear a face covering because of a medical condition, mental health condition, or disability need to provide a note from a medical provider to his/her supervisor demonstrating a need to be exempt from the face covering requirement. MSA will consider the employee's request in light of the documentation presented and if an exemption is warranted, will follow applicable laws to determine what accommodations are appropriate.
- iii. Individuals Attending School Board Meetings. All individuals attending school board meetings are required to wear a face covering. This includes when school board members, members of the public, or other participants are speaking and presenting. Individuals who opt not to wear a face covering for any reason should ask at least one day in advance about options for participation in an alternative format. In some circumstances, permission to wear a face shield may be granted.
- iv. Visitors. If a visitor enters a school building without a face covering on, staff will communicate the face covering requirement, offer a face covering, and request that the visitor put it on. If the visitor refuses and claims that he/she is entitled to an exemption from the face covering requirement, staff will speak with an administrator to determine whether there is a need for the visitor to be granted permission to be in the building or whether the visitor will be asked to leave. MSA may, in its discretion, ask any visitor not wearing a face covering to leave the premises.

V. ALTERNATIVES TO FACE COVERINGS

A face shield may be worn as an alternative to a face covering under the following circumstances:

- Upon administrator approval, a student in grade 6 through grade 8, when wearing a face covering is problematic.

- By teachers, when wearing a face covering may impede the educational process of students.
- Upon administrator/supervisor approval, for staff, students, or visitors who cannot tolerate a face covering due to a developmental, medical, or behavioral health condition.
- For staff providing direct support student services, when a face covering impedes the service being provided.
- For staff who wear religious garb that a face covering would interfere with.
- Upon supervisor approval, for staff when wearing a face covering would create a job hazard for the individual or others, as determined by local, state or federal regulators or workplace safety and health standards and guidelines.

A. TEMPORARY REMOVAL OF FACE COVERINGS

Temporary removal of face coverings is permissible in the following situations as long as 6 feet of distance is maintained.

- i. With teacher permission, during indoor physical activity while the level of exertion makes wearing a face covering difficult. Social distancing of six feet must be maintained to the extent possible.
- ii. With teacher/adviser/coach permission, during classes or activities held outdoors when social distancing of six feet can be maintained.
- iii. While eating or drinking.
- iv. With teacher/adviser/coach permission, during indoor practices or performances involving acting, public speaking, or playing musical instruments where a face covering cannot be used while playing the instrument. Staff members must have building administrator permission to allow such activities without a face covering in the classroom.
- v. Upon a school administrator's request, when checking identification of individuals.
- vi. While staff are working alone in an office, classroom, vehicle, or other job location.
- vii. With a supervisor's permission, while staff are working in communal spaces that have barriers such as Plexiglas or cubicle walls between employees that are above face level.
- viii. When staff and/or students are communicating with a person who is deaf or hard of hearing or has a disability, medical condition, or mental health condition that makes communication with a face covering difficult.
- ix. While receiving a service, including nursing, medical, or personal care services, that cannot be performed or would be difficult to perform when the individual receiving the service is wearing a face covering.
- x. While showering or swimming or other activities where the mask will get wet.

V. IMPLEMENTATION

- A. This policy will be conspicuously posted in each school building and administrative office and communicated to students, staff, families, and potential visitors to the school building. These communication efforts will include a sign visible to all persons upon entering a school building instructing them to wear face coverings.
- B. MSA will provide face coverings and/or face shields to employees and students.
Employees and students may choose to wear their own face covering as long as it covers the nose and mouth. To the extent practicable, MSA will maintain an extra supply of face coverings for people who forget to bring their face covering.
- C. MSA will teach and reinforce the use of face coverings and/or face shields for students and staff throughout the school day. This support will include proper use of face coverings on transportation vehicles, inside school buildings, and generally when on school grounds. Staff will provide guidance and support to students who cannot wear face coverings due to legitimate health reasons and will facilitate understanding in the school community
- D. Individuals who cannot tolerate a face covering due to a medical condition or disability related condition may be permitted to utilize alternative options such as a face shield or other reasonable accommodation. The Director or building administrator shall have discretion to determine whether an employee, parent, or community member qualifies for a reasonable accommodation and the accommodation to be provided. For a student with a medical condition or disability, the student's education team (i.e. IEP team, Section 504 team, health plan team) will determine whether the student qualifies for a reasonable accommodation and the accommodation to be provided. As a condition to granting a reasonable accommodation, MSA may require an individual to provide a physician's note and/or other relevant information or with respect to the condition or circumstance.
Requests for reasonable accommodations from the face covering requirement shall be assessed on a case-by-case basis in accordance with applicable federal and state law.
- E. All face coverings shall meet the requirements of applicable dress code policies and/or codes of conduct. To the extent the face covering requirements of this policy conflict with MSA Policy 504 – Student Dress and Appearance, this Policy shall control.
- F. Students and staff may choose to wear their own face coverings as long as they meet the below requirements.
- Allowable types of face coverings include: (1) paper or disposable masks, (2) cloth face masks, (3) scarfs, (4) bandannas, and (5) religious face coverings.
 - Face coverings must cover the nose and mouth completely, and should not be too tight.

- In the interest of maintaining an orderly and safe learning environment and maintaining the focus on instruction, personal face coverings cannot include any graphics, imaging, or text that are a violation of Policy 504.

VI. ENFORCEMENT; CONSEQUENCES FOR NON-COMPLIANCE

- A. Student violations MSA will follow the general process set forth below when a non-exempt student shows up at school without a face covering or face shield:
 - MSA will supply the student with a disposable mask to wear while in school.
 - If a student refuses to wear the mask supplied, staff will remind the student of the face covering policy and contact the student's parents. The student will not be allowed to attend in-person school if they are not exempt from the face covering requirement. MSA may impose disciplinary action.
- B. Staff violations If a staff member violates this policy by not wearing a face covering and is not exempt from this policy, their building administrator will instruct the staff member that he or she must wear a mask and explain this policy's limited circumstances when face coverings may be removed. If the staff member continues to violate this policy and the staff member is not exempt from wearing a face covering and/or face shield, disciplinary action may be taken.
- C. Violations by others using school buildings If a visitor, vendor, or contractor is not wearing a face covering, MSA staff will communicate the face covering requirement, offer a face covering, and request that the individual put it on. If the individual claims an exemption, administration will then consider whether or not to grant the individual entry. If a visitor is denied access, administration will consider how to address the visitor's needs in an alternative format. If an individual refuses to wear a mask without claiming an exemption, the individual will be asked to leave, and if the individual refuses to do so, the administration may contact law enforcement.
- D. Referral to law enforcement MSA may, in its discretion, report a violator of this policy to law enforcement. With the exception of children younger than 14 years old and students 14 years old and older who are on the premises of the school for educational purposes, any individual who willfully violates Executive Order 20-81 or 20-82 is guilty of a petty misdemeanor and upon conviction must be punished by a fine not to exceed \$100.

Legal References: Emergency Executive Order 20-81
 Emergency Executive Order 20-82
 Minn. Stat. § 12.45 (Governor's Orders and Rules, Effect)
 Minn. Stat. § 12.45 (Violations; Penalties)

Cross References: MSBA/MASA Model Policy 807 (Health and Safety Policy)
MSBA/MASA Model Policy 504 (Student Dress and Appearance)