

Administration

COVID-19 Pandemic Response (Emergency Policy in Effect for One Year)

I. Purpose

This policy addresses the School District's process for protecting the health and safety of its students, staff, and community while in District facilities and programs during the current COVID-19 pandemic.

II. General Statement

The widespread outbreak of this pandemic may necessitate that the District quickly modify District operations, including but not limited to:

- Student and staff attendance at school/work and program participation;
- Learning framework;
- Facilities management;
- Health and hygiene protocols;
- Community access; and
- Any and all other aspects of the District's functioning.

III. Responsibility

The School Board hereby directs the Superintendent or their designee to develop and implement procedural requirements, plans, and/or standard protocols for student and staff participation and the overall management and functioning of the District during this pandemic. Prior to putting any such requirement, plan, or protocol in place, the Superintendent or their designee must notify the members of the School Board. The Superintendent or their designee must provide at least timely updates to the School Board regarding any such requirement, plan, or protocol, unless the School Board otherwise directs the Superintendent to provide fewer updates. If applicable, the School Board directs the Superintendent or their designee to incorporate and follow any Minnesota Department of Health ("MDH") or Centers for Disease Control and Prevention ("CDC") guidelines or plans that may be issued.

These requirements, plans, or protocols may be implemented by the Superintendent or their designee without the review and approval of the School Board, and will become immediately applicable to students, staff, and the community. The School Board recognizes the potential need for flexibility or to revise and adapt the requirements, plans, and protocols as additional information is gathered, and/or guidelines are provided by MDH. As such, the requirements,

plans, or protocols may be revised by the Superintendent or their designee, as needed.

Any such requirements, plans, or protocols shall be attached to this Policy as an Appendix. The School Board may later review and provide input, revisions, and/or direction on the requirements, plans, and protocols. The School Board has the ultimate authority to fully adopt, overturn, or revise any such requirements, plans, or protocols at any meeting. Until any such School Board action occurs, the requirements, plans, or protocols implemented by the Superintendent or their designee shall be fully enforceable.

Cross References:

Policy 810 (Safety and Security of Students, Employees, Visitors, Buildings and Grounds)

Policy 812 (Health and Safety Program)

Policy
adopted: 7/13/20

INDEPENDENT SCHOOL DISTRICT 273
Edina, Minnesota

Appendix I
FACE COVERINGS

I. GENERAL PRINCIPLES

- A. The district complies with the gubernatorial executive orders and applicable face covering requirements from the Minnesota Department of Health and the Minnesota Department of Education.
- B. Face coverings are meant to protect people.
- C. Unless an exception described in Section III below applies, each student, employee, or other person present inside a district building or using district transportation vehicles is required to wear a face covering.
- D. A violation of this policy occurs when a student, employee, or other person present in a district building or using district transportation vehicles fails to wear a face covering, unless an enumerated exception applies.

II. DEFINITIONS

- A. A face covering must be worn to cover the nose and mouth completely. 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. A face shield is not a face covering.
- 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.

- D. The definition of face covering is governed by gubernatorial orders and administrative guidance, as amended.

III. EXCEPTIONS; TEMPORARY REMOVAL OF FACE COVERING

- A. Face coverings should not be placed on (1) anyone under age 2, (2) anyone who has trouble breathing or is unconscious, (3) anyone who is incapacitated or otherwise unable to remove the face covering without assistance, or (4) anyone who cannot tolerate a face covering due to a developmental, medical, or behavioral health condition.
- B. A face shield may be used as an alternative to a face covering in the following limited situations:
 - 1. A student in grades kindergarten through eighth grade may wear a face shield when wearing a face covering is problematic, as determined by the district;
 - 2. A teacher may wear a face shield when wearing a face covering may impede the educational process;
 - 3. Employees, students, or visitors who cannot tolerate a face covering due to a developmental, medical, or behavioral health condition may wear a face shield instead of a face covering; and
 - 4. Employees providing direct support student services may wear a face shield instead of a face covering when a face covering would impede the service being provided.
- C. Employees, students, and other people on district property may temporarily remove their face covering in the following situations:
 - 1. When engaging in classes or activities conducted outdoors;
 - 2. During specific activities, as defined by the Minnesota State High School League, as exceptions to face covering requirements;
 - 3. During activities, such as swimming or showering, when participating in the activity involves soaking or submerging a face covering in water;
 - 4. While receiving a service, including nursing, medical, or personal care services, that cannot be performed or is difficult to perform when the individual receiving the service is wearing a face covering;
 - 5. Pre-kindergarten students ages 5 years and younger;
 - 6. When the wearer needs to remove the face covering to eat or drink;
 - 7. During indoor practices or performances involving singing, acting, public speaking, or playing musical instruments where a face covering cannot be used while playing the instrument or participating in the activity;

8. When required by district employees for the purposes of identification;
9. Employees working alone in their offices, classrooms, vehicles, or job locations while engaging in no person-to-person interaction;
10. Employees working in communal spaces that have barriers between employees that are above face level; and
11. When a face covering unreasonably impairs communication with a person who is deaf or hard of hearing or has a disability, medical condition, or mental health condition that unreasonably impairs communication.

IV. IMPLEMENTATION

- A. Each district building has a posted notice that states the face covering requirement.
- B. This policy is communicated to students, employees, families, and potential visitors to school district buildings through the district website.
- C. Although the district will provide face coverings 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, the school district will maintain an extra supply of face coverings for people who forget to bring their face covering.
- D. A person 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.
 1. The Superintendent or designee has discretion to determine whether an employee, parent, or other person qualifies for a reasonable accommodation and the accommodation to be provided.
 2. For a student with a medical condition or disability, the student's education team (e.g. IEP team, Section 504 team, health plan team) will determine whether the student qualifies for a reasonable accommodation and the accommodation to be provided.
 3. As a condition to granting a reasonable accommodation, the district 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 are assessed on a case-by-case basis in accordance with applicable federal and state law.

- E. All face coverings must comport with Policy 504 and any resulting district or building dress code expectations.
- F. The district has a distance learning option available to its enrolled students who may be medically vulnerable or otherwise unwilling to wear a face covering while in the district buildings.

V. ENFORCEMENT; CONSEQUENCES FOR NON-COMPLIANCE

- A. The school district will ask persons who fail to adhere to this policy to leave the district building.
- B. The district may, in its discretion, report violators of this policy to law enforcement.

Legal References:

Emergency Executive Order 20-81

Emergency Executive Order 20-82

Emergency Executive Order 20-103

Emergency Executive Order 20-104

Minn. Stat. § 12.45 (Governor's Orders and Rules, Effect)

Minn. Stat. § 12.45 (Violations; Penalties)

Appendix Created 8/20/20

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