

INDEPENDENT SCHOOL DISTRICT 196
Rosemount-Apple Valley-Eagan Public Schools
Educating our students to reach their full potential

Series Number 708.7AR Adopted August 2020 Revised September 2021

Title COVID-19 Masks

1. **Purpose** - The purpose of this regulation is to establish requirements for employees, students, and other persons (including visitors, guests, contractors, etc.) present on school property to wear masks in classrooms, preschool, child care settings and other indoor areas. This regulation also recommends masks in crowded outdoor areas where physical distancing cannot be maintained between persons, or during outdoor activities that involve sustained close contact with other people.
2. **GENERAL OF STATEMENT OF POLICY**
 - 2.1 The requirement of the school district is to comply with the school district's COVID-19 Operational Plan and applicable mask guidance from the Minnesota Department of Health, the Minnesota Department of Education and the Centers for Disease Control and Prevention (CDC).
 - 2.2 Use of face masks inside district buildings is "recommended" or "required" during the district's response to COVID-19 based on the seven-day case rate in Dakota County as measured by the CDC's transmission matrix. Masks are recommended inside district buildings when the spread of COVID-19 in Dakota County is "low" (up to 9.99 cases per 100,000 residents) or "moderate" (10 to 49.99 cases per 100,000 residents). Unless an exception described in section four applies, all students, staff, and visitors in district buildings are required to wear a mask inside during periods of "substantial" (50 to 99.99 cases per 100,000 residents) and "high" (100 or more cases per 100,000 residents) spread of COVID-19 in Dakota County. During these periods, masks are also required of individuals age 2 and older who are present where educational services are being provided inside student homes. When transmission is substantial or high, masks are recommended in crowded outdoor areas where physical distancing between persons cannot be maintained. Changes from recommended to required (or required to recommended) will be made after case rates remain at the higher (or lower) level for at least seven consecutive days.
 - 2.3 Masks are required while riding in District 196 school buses and other district vehicles as part of instructional programming and cocurricular activities, per CDC order.
 - 2.4 A violation of this regulation occurs when any student, staff, or other person present in any district building or on a school transportation vehicle fails to wear a mask, unless an exception described in section four applies.
3. **DEFINITION OF MASK**
 - 3.1 A mask must be worn to cover the nose and mouth completely, should not be overly tight or restrictive, and should feel comfortable to wear. The following are included in the definition of mask:
 - 3.1.1 Paper or disposable mask;
 - 3.1.2 Cloth face mask;
 - 3.1.3 Scarf;
 - 3.1.4 Neck gaiter;

- 3.1.5 Bandana;
- 3.1.6 Religious face covering, and
- 3.1.7 Medical-grade masks and respirators.

- 3.2 A face shield is not a mask, but 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.
- 3.3 Except for masks designed for instrument playing, 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 acceptable because they allow exhaled droplets to be released into the air.

4. **EXCEPTIONS AND ALTERNATIVES; TEMPORARY REMOVAL OF MASK**

- 4.1 Masks should not be placed on the following:
 - 4.1.1 Anyone under age 2;
 - 4.1.2 Anyone who is having trouble breathing or is unconscious;
 - 4.1.3 Anyone who is incapacitated or otherwise unable to remove the mask without assistance;
 - 4.1.4 Anyone who cannot wear a mask, or cannot safely wear a mask, because of a disability as defined by the Americans with Disabilities Act (ADA), or
 - 4.1.5 Any employee for whom wearing a mask would create a risk to workplace health, safety, or job duty as determined by the relevant workplace safety guidelines or federal regulations.
- 4.2 The district will discuss the possibility of reasonable accommodations with those who assert they are unable to wear or cannot safely wear masks because of a disability as described in 4.1.4. Individuals seeking a reasonable accommodation under this regulation due to a disability must complete 708.7.1P COVID-19 Mask Accommodation - Student, or a comparable form with the requested information, signed by a licensed health care provider (medical doctor, psychiatrist, clinical psychologist, physician assistant or nurse practitioner). Individualized Education Plan (IEP) teams and Section 504 teams may allow for an accommodation without an accommodation form when it is determined to be appropriate based on the student's identified disabling condition.
- 4.3 A face shield may be used as an alternative to a mask in the following situations:
 - 4.3.1 Staff, students, or visitors who cannot wear a mask due to a disability as described in 4.1.4 may wear a face shield instead of a mask if determined appropriate following the reasonable accommodation process identified in paragraph 4.2.
 - 4.3.2 Staff providing individualized student support services involving speech articulation or mouth visualization may temporarily remove their mask and wear a face shield when a mask would impede the service being provided.

- 4.4 Anyone in any district building may temporarily remove their mask in the following situations:
 - 4.4.1 As necessary and permitted by classroom teachers or school administrators to provide students with brief mask “breaks” provided that social distancing is maintained to the extent possible;
 - 4.4.2 When the wearer is eating or drinking, and is maintaining as much distance as possible between others and puts on the mask when finished eating or drinking;
 - 4.4.3 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 mask;
 - 4.4.4 During non-classroom, indoor cocurricular practices or performances involving singing, acting, or public speaking, with participants maintaining as much distance as possible;
 - 4.4.5 When required by school staff for the purposes of identification;
 - 4.4.6 Staff working alone in their offices, classrooms, vehicles, or job locations that have no person-to-person interaction;
 - 4.4.7 Staff working in communal spaces that have barriers such as Plexiglas or cubicle walls between employees that are above face level;
 - 4.4.8 When communicating with a person who is deaf or hard of hearing or has a disability that makes communication with a mask difficult, provided that social distancing is maintained to the extent possible;
 - 4.4.9 When an administrator allows the removal of masks for active participants of indoor, high-intensity activities when the activity cannot be conducted outside;
 - 4.4.10 During activities, such as swimming or showering, where the mask will get wet, or
 - 4.4.11 When students are participating in Minnesota State High School League (MSHSL) activities, as permitted by the guidelines set forth by MSHSL and the district.

5. **IMPLEMENTATION**

- 5.1 Notice of the district’s mask expectations will be visibly posted in each school building and administrative office and communicated to students, staff, families, and visitors to the school building.
- 5.2 Masks will be provided to students, staff and visitors as needed. Students, staff and visitors may choose to wear their own mask as long as it covers the nose and mouth.
- 5.3 The school district will teach and reinforce the use of masks for students and staff.

- 5.4 Individuals who are unable to wear a mask due to a disability as described in 4.1.4 may be permitted to utilize alternative options such as a face shield or other reasonable accommodation consistent with paragraph 4.2. The administrator or designee shall determine whether a staff member or visitor qualifies for a reasonable accommodation and the accommodation to be provided. For a student with a disability, the student's IEP team or Section 504 team may determine whether the student qualifies for a reasonable accommodation and the accommodation to be provided. As a condition to granting a reasonable accommodation to a student, staff member, or visitor, the school district may require the submission of 708.7.1P COVID-19 Mask Accommodation - Student, or a comparable form with the requested information, with respect to the disability and need for accommodation. Requests for reasonable accommodations regarding the mask requirement shall be assessed on a case-by-case basis in accordance with applicable federal and state law. Staff will work with families and health care providers to develop skill building and layered mitigation strategies when possible.
- 5.5 All masks shall meet the requirements of applicable dress code policies and/or codes of conduct. To the extent this regulation conflicts with the student discipline regulation, this regulation shall control.

6. ENFORCEMENT; CONSEQUENCES FOR NON-COMPLIANCE

- 6.1 Compliance with this regulation is necessary in order to promote the health and safety of students, staff and members of the community, and make available a safe environment that is conducive to learning.
- 6.2 Employees who fail or refuse to comply with this regulation may be subject to discipline, as appropriate, up to and including the termination of employment.
- 6.3 Every effort will be made to talk with students and their parent/guardian(s) who have objections to mask requirements to address their objections and avoid the imposition of student disciplinary consequences. Students will not be excused from the requirement of wearing a mask unless a valid disability-related accommodation is approved or as otherwise permitted by this regulation. Students who fail or refuse to comply with this regulation may be subject to discipline or removal from school property. Student discipline will be handled consistently with district student disciplinary regulations, with disciplinary responses starting at the star level and graduating to more significant disciplinary responses. To the extent the mask requirements of this regulation conflict with the student discipline regulation, this regulation shall control.