

Adopted: 8/4/2020

Revised: \_\_\_\_\_

## **NASHA SHKOLA POLICY No. 4.6.2 COVID-19 FACE COVERING POLICY**

### **I. PURPOSE**

The purpose of this policy is to establish requirements for employees, students, and other persons (including visitors, guests, contractors, etc.) present on school property to wear face coverings in classrooms 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 Nasha Shkola Charter School is to comply with the Executive Order 2081, Executive Order 20-82, and applicable face covering requirements from the Minnesota Department of Health and the Minnesota Department of Education.
- B. Face coverings are meant to protect other people in case the wearer does not know they are infected.
- C. Unless an exception described in Part IV below applies, all students, staff, and other people present indoors in school building or riding on school transportation vehicles are required to wear a face covering.
- D. 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 face covering 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 face covering:

- A. Disposable mask;
- B. Cloth face mask (made of two or more layer of washable breathable fabric);
- C. Scarf;
- D. Neck gaiter;
- E. Bandana;
- F. Religious face covering; and
- G. Medical-grade masks and respirators

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.

#### **IV. EXCEPTIONS AND ALTERNATIVES; TEMPORARY REMOVAL OF FACE COVERING**

- A. 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, or anyone who cannot tolerate a face covering due to a developmental, medical, or behavioral health condition.
- B. A face shield does not provide the same level of protection as a face covering, and may only be used as an alternative to a face covering in the following situations:
  - 1. Students in grades kindergarten through eighth grade may wear a face shield when wearing a face covering is problematic.
  - 2. A teacher of any grade level may wear a face shield when wearing a face covering may impede the educational process.
  - 3. Staff, 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.
  - 4. Staff 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. An individual may also choose to use a face shield simultaneously with a face covering to provide supplemental protection for their eyes, and added protection for their mouths and noses.
- D. Staff, students, and other people present in school building may temporarily remove their face covering or face shield in the following situations:
  - 1. When engaging in classes or activities conducted outdoors, though people participating in these activities should maintain six feet of distance to the extent possible;
  - 2. When engaging in indoor physical activity where the level of exertion makes wearing a face covering difficult, though people participating in these activities should maintain twelve feet of distance to the extent possible;
  - 3. When the wearer needs to remove their face covering to eat or drink, though care should be taken to maintain as much space as possible between people while doing so;
  - 4. 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, though people participating in these activities should maintain twelve feet of distance to the extent possible;

5. When required by school staff for the purposes of identification;
6. Staff working alone in their offices, classrooms, vehicles, or job locations that have no person-to-person interaction;
7. Staff working in communal spaces that have barriers such as Plexiglass or cubicle walls between employees that are above face level; or
8. When 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, provided that social distancing is maintained to the extent possible.

## **V. IMPLEMENTATION**

- A. This policy will be communicated to students, staff, families, and potential visitors to the school building.
- B. The school district 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, the school district will maintain an extra supply of face coverings for people who forget to bring their face covering.
- C. The school district will teach and reinforce the use of face coverings and/or face shields for students and staff throughout the school day, including on transportation vehicles, inside school building, and generally when on school grounds.
- 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. As a condition to granting a reasonable accommodation, the school 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. The school will make available distance learning to its enrolled students who may be medically vulnerable or otherwise unwilling to return to in-person or hybrid learning.
- F. This regulation will automatically expire following the expiration of Executive Order 20-81, Executive Order 20-82, and any applicable face covering requirements from the Minnesota Department of Health and the Minnesota Department of Education.

## **VI. ENFORCEMENT; CONSEQUENCES FOR NON-COMPLIANCE**

- A. In order to promote the health and safety of employees, students and members of the community, and make available a safe environment that is conducive to learning, compliance with this policy is necessary.
- B. 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.

- C. Students who fail or refuse to comply with this policy may be subject to discipline or removal from school property. Students unwilling to participate in in-person or hybrid learning in compliance with this policy will be offered distance learning.
- D. The school district may, in its discretion, report violators of this policy to law enforcement. Any individual who willfully violates Emergency 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. (NOTE: this does not apply to (1) children younger than 14 years old; or (2) students 14 years old and older who are enrolled in a school identified in Paragraph 12 of Emergency Executive Order 20-81, and who are on the premises of the school for education purposes).

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