

ASPEN ACADEMY

Adopted: September 15, 2020

504.5 FACE COVERING POLICY

I. GENERAL POLICY

In accordance with state law and public health guidance, the policy of Aspen Academy is that all students, staff, and other people present in the school, 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.

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 Aspen Academy intends to use face coverings in combination with other infection control measures, including social distancing, personal hygiene, screening, and cleaning practices.

II. DEFINITIONS

- 1. Face Covering.** A "face covering" means any paper or disposable mask, cloth face mask, medical-grade mask, scarf, bandanna, neck gaiter, or religious face covering that can be worn to cover the nose and mouth completely in accordance with CDC guidance. Masks with valves, mesh, openings, holes, vents, or visible gaps in the material are not sufficient face coverings.
- 2. Face Shield.** A "face shield" is a clear plastic barrier that covers the face, extends below the chin, and wraps around the sides of the face to the ears. An adequate face shield should have no exposed gap between the forehead and the shield's headpiece.

III. EXEMPTIONS FROM FACE COVERING REQUIREMENTS

A. Child Care Programs

Pre-kindergarten students age 5 years and younger participating in child care programming in a school building are not required to wear a face shield or face covering. Pre-kindergarten students who are at least 2 years old may wear face coverings if done in compliance with CDC guidance.

B. 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.

C. 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, staff will ask the parent for documentation to support the student's need for an exemption, unless the need is obvious or the School already possesses information that demonstrates the need. The School 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. The School 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. The School may, in its discretion, ask any visitor not wearing a face covering to leave the premises.

IV. 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 Kindergarten through grade 8, when wearing a face covering is problematic.
- By teachers, when wearing a face covering may impede the educational process.
- 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.

V. 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.

1. 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.
2. With teacher permission, during classes or activities held outdoors when social distancing of six feet can be maintained.
3. While eating or drinking.
4. With teacher 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 supervisor permission to allow such activities without a face covering in the classroom.
5. Upon a school administrator's request, when checking identification of individuals.
6. While staff are working alone in an office, classroom, vehicle, or other job location.
7. With a supervisor's permission, while staff are working in communal spaces that have barriers such as plexiglass or cubicle walls between employees that are above face level.
8. 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.
9. 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.

10. While showering or swimming or other activities where the mask will get wet.

VI. IMPLEMENTATION OF POLICY

A. Distribution of Policy

This policy will be conspicuously posted in the school and communicated to students, parents, staff, and any 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. Training and support

Aspen Academy will teach and reinforce the use of face coverings and shields for students and staff. 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.

C. Supply and distribution

One cloth face covering will be provided to each student and each staff member. To the extent practicable, Aspen Academy will have a backup supply of face coverings for students or staff members who forget to bring them.

D. Self-purchased face coverings

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 and shields 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 should be any solid color only.

VII. ENFORCEMENT

A. Student violations

Aspen Academy will follow the general process set forth below when a non-exempt student shows up at school without a face covering or face shield:

- Aspen Academy 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 he/she is not exempt from the face covering requirement. The School 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, a supervisor 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, 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

The school 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.

VIII. SOURCES

State of Minnesota, Executive Order 20-81, <https://www.leg.state.mn.us/archive/execorders/20-81.pdf>

State of Minnesota, Executive Order 20-82, <https://www.leg.state.mn.us/archive/execorders/20-82.pdf>

MDE, Safe Learning Plan for 2020-21, https://education.mn.gov/mdeprod/idcplg?IdcService=GET_FILE&dDocName=MDE033418&RevisionSelectionMethod=latestReleased&Rendition=primary

MDE, 2020-21 Planning Guidance for Minnesota Public Schools, https://education.mn.gov/mdeprod/idcplg?IdcService=GET_FILE&dDocName=MDE032934&RevisionSelectionMethod=latestReleased&Rendition=primary

MDH, Frequently Asked Questions About the Requirement to Wear Face Coverings, <https://www.health.state.mn.us/diseases/coronavirus/facecoverfaq.html>

MDH, 2020-21 Planning Guide for Schools,

<https://www.health.state.mn.us/diseases/coronavirus/schools/k12planguide.pdf>

MDH, Guidance for Delivering Direct Student Support Services: Staff Protective Equipment,

<https://www.health.state.mn.us/diseases/coronavirus/schools/directsupport.pdf>

MDH, Best Practices for Masks: Considerations for People with Disabilities and Special

Health Needs, <https://www.health.state.mn.us/diseases/coronavirus/guidemasks.pdf>