

2170 FACE COVERINGS

PURPOSE:

ARTICLE IX, SECTION 1(A) OF THE FLORIDA CONSTITUTION PROVIDES:

1. SECTION 1. PUBLIC EDUCATION.-

(A) THE EDUCATION OF CHILDREN IS A FUNDAMENTAL VALUE OF THE PEOPLE OF THE STATE OF FLORIDA. IT IS, THEREFORE, A PARAMOUNT DUTY OF THE STATE TO MAKE ADEQUATE PROVISION FOR THE EDUCATION OF ALL CHILDREN RESIDING WITHIN ITS BORDERS. ADEQUATE PROVISION SHALL BE MADE BY LAW FOR A UNIFORM, EFFICIENT, SAFE, SECURE, AND HIGH QUALITY SYSTEM OF FREE PUBLIC SCHOOLS THAT ALLOWS STUDENTS TO OBTAIN A HIGH QUALITY EDUCATION ...

(Emphasis added.)

THE SCHOOL BOARD'S HIGHEST PRIORITY IS TO ENSURE THE HEALTH AND SAFETY OF ITS COMMUNITY INCLUDING EMPLOYEES, STUDENTS AND THE PUBLIC. THE CENTERS FOR DISEASE CONTROL AND PREVENTION (CDC) AND THE FLORIDA DEPARTMENT OF HEALTH (FDOH) ADVISE THAT ALL PEOPLE PLAY AN IMPORTANT PART IN REDUCING COMMUNITY SPREAD. THE USE OF A FACE COVERING BY EVERYONE CAN LIMIT THE SPREAD OF THE VIRUS AND THE RELEASE OF INFECTED DROPLETS WHEN BREATHING, TALKING, COUGHING, AND/OR SNEEZING.

I. RULES:

- A. **Subject to the EXCEPTIONS set forth below**, each student, employee, visitor, vendor or other person must properly wear a face covering while at or inside a school campus, district facility, a vehicle owned, leased or operated by The School Board (unless traveling alone) or a school/district sponsored activity. **Proper wearing of an approved face covering, means the face covering should cover both the nose and mouth of the person and should fit snugly against the sides of the person's face with no gaps. This includes:**

Musical and Theatrical Performances: A face covering will be required for all individuals while playing a musical instrument (unless said instrument requires the use of the mouth) or rehearsing for a choral or theatrical performance. This includes the singing of the National Anthem, school alma maters, or other songs. Individuals will have the option of removing their face covering during actively performing only.

1. **EXCEPTIONS:** A face covering will not be required in the following instances:

- a. **For All (Students, Employees, Vendors and Visitors):**

- i. **Infants:** A face covering shall not be required for persons younger than two (2) years of age;

- ii. **Outdoors with Physical Distancing:** A face covering shall not be required for persons outside of any school district building or vehicle provided that such person maintains physical distancing (minimum of 3 feet when possible) from other persons. However, a face covering shall be worn during change of classes even if it involves use of outside areas; or,
- iii. **Identification:** Administrators, security staff and other appropriate employees may ask someone to *briefly* remove their face covering to verify their identity. Physical distance will be observed during these requests, whenever possible.

b. For Students:

- i. **Students with Approval:** A face covering shall not be required for a student if the student's IEP or 504 team, after receiving a certification from a health care provider that the student has a medical, physical or psychological contraindication that prevents the person from being able to safely wear an approved face covering, authorizes the student to remove her/his face covering during an activity provided that the student maintains physical distancing (minimum of 3 feet when possible) from other persons when not wearing a face covering. Face shields should be considered when granting an accommodation for not wearing an approved face covering;
- ii. **Regularly Scheduled Mealtimes:** A face covering shall not be required for any student inside or outside a school district facility or a school/district sponsored activity while student is eating during a planned mealtime provided that the student maintains physical distancing (minimum of 3 feet when possible) from other persons when not wearing a face covering;
- iii. **Strenuous Physical Activity:** A face covering shall not be required for any student outside of any school, district building, or at a school/district sponsored activity while the student is engaged in strenuous physical activity provided that the student maintains physical distancing (minimum of 3 feet when possible) from other persons when not wearing a face covering;
- iv. **Extracurricular Athletic Team Activities:** Students actively participating in indoor or outdoor practice or competition are not required to wear face coverings;

- v. **During Receipt of Health Care:** A face covering shall not be required for any student inside or outside any school district facility or building when removal of the face covering is necessary for the student to receive health care or to undergo a health care examination from authorized health care personnel; or,
- vi. **Demanding Circumstances:** A face covering will not be required if a student is experiencing acute trouble breathing, is unconscious or incapacitated. A staff member may remove the student's mask if the student is unable.

c. **For Employees:**

- i. **Employees with Approval:** An employee may request a reasonable accommodation under the Americans with Disabilities Act (ADA) and other statutes, through the Office of Equal Educational Opportunities, if the employee has a medical, physical or psychological contraindication that prevents the person from being able to wear an approved face covering. Face shields should be considered when granting an accommodation for not wearing an approved face covering. A face covering may not be required when the school district official supervising an employee authorizes the employee to remove her/his face covering when wearing a face covering would create a safety risk to the person as determined by local, state, or federal regulators or workplace safety guidelines. If this occurs, the employee must maintain physical distancing (minimum of 3 feet when possible) from other persons;
- ii. **Regularly Scheduled Mealtimes:** A face covering shall not be required for any employee inside or outside a school district facility or at a school/district sponsored activity while the employee is eating during a planned mealtime provided that the employee maintains physical distancing (minimum of 3 feet when possible) from other persons when not wearing a face covering;
- iii. **Strenuous Physical Activity:** A face covering shall not be required for any employee outside of any school, district building or school/district sponsored activity while such employee is engaged in strenuous physical activity provided that the employee maintains physical distancing (minimum of 3 feet when possible) from other persons when not wearing a face covering;
- iv. **Extracurricular Athletic Team Activities:** Employees participating in indoor or outdoor practice or competition (coaching)

are required to wear face coverings at all times, unless participating in strenuous physical activity as described in c.iii. above; or,

- v. **Demanding Circumstances:** A face covering will not be required if a person is experiencing acute trouble breathing, is unconscious or incapacitated. A staff member may remove the employee's mask if the employee is unable.

d. Visitors and Vendors:

- i. **Outdoors with Physical Distancing:** A face covering shall not be required for persons outside of any school district building or vehicle provided that such person maintains physical distancing (minimum of 3 feet when possible) from other persons;
- ii. **Regularly Scheduled Mealtimes:** A face covering shall not be required for any person inside or outside a school district facility while such person is eating during a planned mealtime;
- iii. **Strenuous Physical Activity:** A face covering shall not be required for any person outside of any school, district building or at a school/district sponsored activity while such person is engaged in strenuous physical activity. Visitors participating in indoor physical activities are required to wear a face covering; or,
- iv. **Extracurricular Athletic Team Activities:** Visitors participating in indoor or outdoor practice or competition are required to wear face coverings at all times; or,
- v. **Demanding Circumstances:** A face covering will not be required if a person is experiencing acute trouble breathing, is unconscious or incapacitated. A staff member may remove a visitor's mask if the visitor is unable.

2. FACE COVERING TYPES (Students, Vendors and Visitors): All students, visitors and vendors must supply and wear their own face coverings while at or inside a school district campus/facility or inside a school district vehicle. All students, visitors and vendors must properly maintain their face covering. The following face covering types are approved for compliance with this policy by persons other than school district employees:

- a. Commercially Produced Surgical Masks:
- b. Cloth Face Masks: That have two or more layers of washable, breathable fabric. The U.S. Center for Disease Control has issued instructions on how to make a cloth face covering at:

<https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/how-to-make-cloth-face-covering.html>

3. **FACE COVERING TYPES (Employees):** The School District will have face coverings available at all district facilities and in all vehicles, including school buses. All school district employees must wear face coverings while in a school district campus/facility or inside a school district vehicle, unless covered by 1.c. above.
4. **FACE COVERINGS NOT IN COMPLIANCE: (Students, Employees, Vendors and Visitors):** Students, employees, visitors or vendors who wear one of the following type of face coverings **will not** be in compliance with this policy:
 - a. Face masks that are made of fabric that makes it hard to breathe, for example vinyl;
 - b. Face masks that have inhale/exhalation valves or vents; or,
 - c. Gaiters.
5. **LIMITED FACE SHIELD USE:** Face shields are less effective than commercial and cloth face coverings and may not be used by any persons to comply with this policy except under the following limited circumstances:
 - a. **In Addition to a Face Covering:** When used in addition to an approved face covering to protect eyes, as well;
 - b. **Medical Certification:** A face shield may be worn in lieu of other approved face coverings by students and/or employees who are observing physical distancing (preferably 6 feet minimum)_and the need for such an accommodation is provided through the process described in paragraphs I. A. 1. b. i. or I. A. 1. c. i.; or,
 - c. **Instruction:** Face shields may be used by school district employees in situations where physical distancing (preferably 6 feet minimum)_is observed and it is important for students to see how the instructor pronounces words (e.g., English Learners, early childhood instruction, speech therapy, foreign language, etc.) and/or an instructor may wear a clear mask when it is important for a student to observe the instructors mouth.

B. LIMITATIONS/ENFORCEMENT:

1. **NO STUDENT or EMPLOYEE:** shall wear a face covering that has markings that are suggestive, revealing, indecent¹, associated with gangs or cults, encourage

¹ Indecent, suggestive, and revealing refer to exposure of private body parts and/or pictures or words with a sexual connotation.

the use of drugs, alcohol, or violence, or support discrimination on the basis of age, color, ethnicity, gender, gender identity, gender expression, linguistic differences, marital status, national origin, race, religion, socioeconomic background, sexual orientation, physical appearance, or any other basis while on a school campus district building or a school/district sponsored activity.

2. **EMPLOYEES:** All employees are expected to comply with the face covering requirements above for the health and safety of themselves, their colleagues, students and others. Employees who do not comply should be reminded of the policy. If they refuse to comply, after being reminded the employee may be disciplined according to their respective Collective Bargaining Agreement or other School Board Policies for insubordination. Additionally, face coverings shall not be worn that promote a political party, political ideas, and/or an individual seeking elected office.
3. **STUDENTS:** All students are expected to follow face covering requirements while in school or school sponsor activities/events for the health and safety of themselves, school staff, and others. Students who do not comply should be reminded of the policy and the student's parent will be called. If a student blatantly disregards the health and safety of others and/or refuses to comply with wearing a face covering, discipline will be in accordance with the Code of Student Conduct. Additionally, face coverings may be worn to promote an individual seeking elected office, to support political ideas, as long as they do not cause a substantial disruption to the educational environment.
4. **VISITORS:** Members of the public and visitors will be reminded that face coverings are required while at or inside a District school/facility. A visitor will not be admitted to a District school/facility without wearing a face covering. If a visitor blatantly disregards the health and safety of others and/or refuses to wear a face covering, they will be asked to leave the school facility.

II. DELEGATION OF AUTHORITY:

In consultation with and guidance from public health officials, the Superintendent has the authority to determine when the Face Covering Policy will be implemented and when it will no longer be required. Further, as new face coverings are developed and produced the Superintendent is authorized to change the types of face coverings that would be both in compliance and not in compliance with this policy.

SPECIFIC AUTHORITY: Section 1001.41(1), (2) and (3), Florida Statutes.

LAW IMPLEMENTED: Sections 1001.42(4) and (8), 1003.31, 1012.23 and 1012.27(1) and (7), Florida Statutes.

Policy Adopted as Emergency Policy: August 19, 2020

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