

DAVINCI ACADEMY OF ARTS AND SCIENCE

COVID-19 FACE COVERING PROCEDURE

Effective August 31, 2020

Pursuant to Executive Orders from the Governor of Minnesota and guidance from the Minnesota Department of Health (“MDH”), the Centers for Disease Control and Prevention (“CDC”), the Minnesota Department of Education (“MDE”) and the Minnesota Department of Labor (“DOL”) during the COVID-19 pandemic, the purpose of these procedures are to establish the requirements and guidelines governing the use of face coverings by employees, students, and other persons at DaVinci Academy of Arts and Science to decrease the likelihood of COVID-19 transmission. These procedures shall be effective until the peacetime emergency declared in Executive Order 20-01 and face covering obligations set forth in Executive Orders 20-81 and 20-82 are terminated or otherwise rescinded by proper authority. School Administrators shall have the authority to enforce, modify and interpret these provisions in accordance with subsequent Executive Orders, guidance or directives from MDE, the MDH, CDC, DOL, other administrative agencies, or as directed by court order.

1. Childcare settings, preschool and pre-kindergarten programs will follow the guidance established by the MDH. In general, children five years old and under are not required to wear a face covering or face shield and children under two should never wear a face covering. Children between the ages of five and two may wear a face covering, or alternatively a face shield, if they may reliably do so. Employees in these settings also must wear a face covering unless otherwise exempt as set forth in paragraph 5 below. A full list of requirements and procedures for childcare settings, preschools and pre-kindergarten programs may be found at .
2. Unless an exception described in paragraph 5 below applies, all other K-12 students and employees any other persons present indoors in school buildings and offices or riding on school transportation vehicles are required to wear a face covering when school building is used for childcare or PreK-12 education.
3. A face covering must be worn to cover the nose and mouth completely. The following are included in the definition of face covering:
 - a. Paper or disposable mask;
 - b. Cloth face mask;
 - c. Scarf;
 - d. Bandana;
 - e. Neck gaiter;
 - f. Religious face covering; and
 - g. Medical-grade masks and respirators (to preserve adequate supplies, use of medical grade masks and respirators should be used only in those

situations that require medical-grade protective equipment).

Masks that incorporate a valve 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.

4. A face shield may be used as an alternative to a face covering in the following situations:
 - a. For students who are unable to tolerate a face covering due to a developmental, behavioral, or medical condition;
 - b. For teachers of all grades when a face covering would impede the educational process;
 - c. For employees providing direct support student services when a face covering would interfere with the services provided;
 - d. For students in kindergarten through grade 8 when wearing a face covering is otherwise problematic for the student; and
 - e. When needed to increase visibility of facial expressions and lip movements to aid in speech perception and child development and learning.

A face shield (a clear plastic barrier that covers the face) is acceptable if it extends below the chin anteriorly, to the ears, laterally, and has no exposed gap between the forehead and the shield's headpiece.

5. The following individuals will be exempt from wearing a face covering:
 - a. Individuals with a medical or mental health condition or a disability that make it unreasonable to maintain a face covering. This exemption includes, but is not limited to, individuals who have a medical condition that compromise the ability to breath, are unconscious or incapacitated or cannot otherwise remove the face covering without assistance. These individuals should wear a face shield or employ other safety measure;
 - b. Children five years old and under; and
 - c. Employees who cannot wear a face covering as it would create a job hazard for the individual or others as determined by local, state or federal regulations or workplace safety and health standard and guidelines.
6. Employees may remove face coverings when working alone, including when alone in an office, classroom, vehicle, cubicle with walls at least face level when social distancing is maintained, or other enclosed work areas.
7. Employees, students and other persons present indoors in a school building or office, may temporarily remove a face covering in the following situations, provided that social distancing is maintained to the extent possible:

- a. When engaged in physical activity (i.e. during recess or physical education) or sporting events where the level of exertion makes wearing a face covering difficult or impracticable;
 - b. When eating or drinking;
 - c. During practices or performances involving singing, acting, public speaking, or playing musical instruments that make wearing a face covering difficult or impracticable;
 - d. When asked by a School District employee or for any other lawful purpose to verify identity;
 - e. When communicating with an individual who is deaf or hard of hearing or has a disability, medical condition, or mental health condition that makes communication with that individual while wearing a face covering difficult;
 - f. During activities such as swimming or showering, where the face covering will get wet; and
 - g. When receiving services, such as nursing, medical, or personal care services, that cannot be performed or would be difficult to perform when the individual receiving the services is wearing a face covering. Employees performing a service for an individual who is allowed to temporarily remove a face covering must comply with the industry guidance on face coverings.
8. Unless the individual is exempt as set forth in these procedures, face coverings (or where applicable face shields) should be worn outdoors when it is not possible or not likely to be possible to maintain social distancing.
 9. The School District will provide a minimum number of 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 and complies with the School District's dress code. To the extent practicable, the School District will maintain an extra supply of face coverings for students and when needed.
 10. Alternative arrangements or accommodations may be made for students, employees and other persons, including parents, who cannot tolerate a face covering due to a medical or mental health condition or a disability and may seek an exemption from the face covering requirements pursuant to the procedures set forth below.
 - a. For a student with a disability, a member of the student's Individualized Education Program ("IEP") Team, including the student or parent, may submit a request for an exemption to the student's IEP case manager. The student's IEP Team will meet and determine whether the student qualifies for a modification and exemption to the face covering requirement. The IEP Team will consider available medical documentation and parental

input and any other relevant information in making an individualized determination in accordance with applicable federal and state law.

- b. For a student eligible for services pursuant to a Section 504 Plan, a member of the student's 504 Team, including the student or parent, may submit a request for an exemption to the 504 Coordinator. The student's 504 Team will meet and determine whether the student qualifies for modification and exemption to the face covering requirement. The 504 Team will consider available medical documentation and parental input and any other relevant information in making an individualized determination. in accordance with applicable federal and state law.
- c. Employee's seeking an exemption from the face covering requirements should submit a request to the Superintendent. The Superintendent or designee shall have discretion to determine whether an employee qualifies for a reasonable accommodation and an exemption from the face covering requirements due to a disability in accordance with applicable state or federal law. Absent such qualification, the Superintendent or designee shall have the discretion to determine whether an exemption or modification should be made to the face covering requirement for the employee due to a medical or mental health condition. As a condition to granting any exemptions under this paragraph, the School District may require an employee to provide medical documentation that supports the request for an exemption.
- d. For those students who are not presently receiving accommodations or services as set forth in paragraphs 10.a. and 10.b., any student request for an exemption from the face covering requirements should be directed to the Superintendent. The Superintendent will consult with the Special Education Director and/or 504 Coordinator as to whether the request for an exemption should be reviewed pursuant to one of the processes set forth in paragraph 10.a. or 10.b. based on state and federal law. If a determination is made that the student's reason for an exemption does not fall within the parameters of paragraphs 10.a. or 10.b., the Superintendent or designee shall have the discretion to determine whether a modification or exemption should be made to the face covering requirement for the student due to a medical or mental health condition or disability. As a condition to granting a modification or exemption under this paragraph, the School District may require a student to provide medical documentation or other relevant information with respect to the condition or circumstance upon which the student is seeking an exemption.
- e. For parents or other visitors entering a school building or office on a regular or prolonged basis and seeking an exemption from the face covering requirements, a request should be submitted to the

Superintendent. When possible the Superintendent will provide an accommodation to parents or visitors who state they have a medical or mental health condition or disability that makes it unreasonable for that person to maintain a face covering. A reasonable accommodation may include service options that do not require the person to enter the school. The School District will not require these individuals to provide proof of a medical or mental health condition or disability or otherwise require an explanation as to the nature of the conditions or disability.

11. All face coverings shall meet the requirements of applicable student and employee dress code policies and/or codes of conduct. To the extent the face covering requirements of these procedures conflict School District policies, the policy shall control.
12. Employees who fail or refuse to comply with these procedures may be subject to discipline, as appropriate, up to and including the termination of employment.
13. Students who are unwilling to comply with these procedures when school is in session will be offered distance learning. Students and their parents who do not wish to have the student participate in distance learning in lieu of compliance with these procedures will be required to meet with the Superintendent or building administrator to address concerns and review whether additional alternatives to compliance with these procedures are available. Students who refuse to comply with a directive to comply with this procedure may be subject to the School District's discipline policy.
14. Visitors who are not wearing a face covering or face shield upon entering a school building or office and have not been granted an exemption pursuant to paragraph 10.e., will be asked to wear a face covering or face shield if they have one. If an individual does not have a face covering or face shield available, one will be provided to them, if available. Visitors who do not wish to wear a face covering or face shield for any reason, or where a face covering or face shield is not available, will be asked to leave the premises. In this situation, the visitor will be offered an alternative method for receiving services from the School District.
15. Instructional employees are responsible for monitoring the compliance of students under their care with these procedures and reporting concerns or questions as to compliance to their direct supervisor. Anyone else who is concerned as to an individual's compliance with these procedures should not confront that individual, including a student, but should report the concern immediately to the building supervisor.

Nothing in these procedures should be read to create any duty on the part of the School District or its employees. The School District relies upon the sound judgment of its

administrators to carry out the directives of the Governor and recommendations of MDE and the CDC, DOL and other administrative agencies.

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