

San Dieguito Union High School District

Student Mask and Face Covering

AR 5132.1

Students

The purpose of this regulation is to set forth the District's commitment to masking requirements and enforcement protocols when student masking is required by any applicable health and safety order, legally binding guidance, or through Board action. It is the intent of the Board that this regulation be consistent with and in compliance with all applicable laws, guidelines issued by the California Department of Public Health (CDPH), and applicable public health orders. The Board may elect to update this administrative regulation as needed, or by Board action delegate the posting of current Student Mask and Face Covering requirements to the District Safety Committee to include in a publicly posted District safety plan.

Nothing in this regulation shall be interpreted to preclude the Board from creating or enforcing health and safety protocols that exceed the minimum requirements set forth in any health and safety order. Changes to requirements for masks or face coverings in public schools by applicable health and safety orders, CDPH guidelines, or legally binding guidance, will be controlling, and incorporated into this regulation (or result in its elimination), subject to Board action that may create additional masking requirements and enforcement protocols that exceed those minimum standards.

The San Dieguito Union High School District will enforce student masking requirements when required under the law, unless an exemption or exception applies for an individual student. When masks are required, students are encouraged to wear their own masks from home that fit over their nose and mouth without gaps. The District will provide masks and face coverings to all students without cost in the event a student does not have one.

Notice

The District will provide all parents/guardians and students with a copy of this regulation. Parents/guardians will be asked to sign an acknowledgement form that they have received a copy of this regulation. An electronic signature may be accepted where permitted under the laws of the State of California.

Acceptable Masks and Face Coverings

Face coverings include:

- (1) Surgical masks, a medical procedure mask, a respirator worn voluntarily, or a highly woven fabric or non-woven material of at least two layers.
- (2) A face covering should not have visible holes or openings.
- (3) A face mask should cover the nose and mouth.

A mask or face covering does not include a scarf, ski mask, balaclava, bandana, turtleneck, collar, or single layer of fabric.

Exemptions

The District will comply with all applicable laws, guidelines issued by the California Department of Public Health (CDPH), and applicable public health orders regarding mask exemptions. Students may be exempt from wearing a mask under applicable laws, guidelines issued by the California Department of Public Health (CDPH), and applicable public health orders, but may be subject to other face covering requirements such as the wearing of a face shield or other protective measure. These exemptions will be included in the District's posted Safety Plan, when such a plan is required or requested by the Board.

Sample exemptions include but are not limited to the following:

- (1) Students with a medical condition, mental health condition, or disability that prevents wearing a face covering. This includes persons with a medical condition for whom wearing a face covering could obstruct breathing or who are unconscious, incapacitated, or otherwise unable to remove a face covering without assistance. Such conditions are rare. Exemptions will require proof from a medical doctor or physician.
- (2) Students who are hearing impaired, or communicating with a person who is hearing impaired, where the ability to see the mouth is essential for communication.
- (3) Any other exemption required by any applicable health and safety order, or legally binding guidance.

Determinations regarding whether a student qualifies for an exemption will be made consistent with applicable health and safety orders, or legally binding guidance, and subject to the laws governing individuals with disabilities or in need of medical accommodations. If permitted by applicable health and safety order, or legally binding guidance, a student's Section 504 team or IEP team can determine that a student is exempt from wearing a mask or face covering based on the exemptions identified above.

Students with Disabilities

Students with disabilities will not be excluded from instruction for removing a mask or face covering if the removal is in connection with a disability. A student's 504 team or IEP team will determine if the student's removal of a mask or face covering is in connection with the student's disability. In such situations, the school site's 504 coordinator or the student's special education case manager will consult with the student's parents/guardians, and other District staff members to determine whether one or more of the following is appropriate: (a) an alternative to a mask or face covering (e.g., face shield with or without a drape); (b) a plan to increase the student's ability to wear a mask or face covering; (c) a modified instructional environment which may include additional distance or in an outdoor setting; (d) additional plexiglass partitions; (e) training regarding holding a mask or face covering in front of the face; (f) other appropriate accommodations.

Exceptions

Unless otherwise prohibited by any applicable health and safety order, legally binding guidance,

or through Board action, students are not required to wear a mask or face covering when eating or drinking. Eating and drinking should be done outdoors when practicable. Students should maximize distancing as much as possible, especially indoors, whenever a mask is briefly removed for eating or drinking.

Emergency Situations

If a student is having trouble breathing or reports trouble breathing while wearing a mask or face covering, the student shall be immediately allowed to remove the mask or face covering. A staff member shall immediately direct the student to the front office. To the extent possible, the student should stay at least six feet away from other students or staff members when the student is not wearing a mask or face covering.

Enforcement Protocols When Masking Required

The purpose of these protocols is to provide for the enforcement of any masking requirements through a restorative approach. All instances of students failing to comply with mask requirements shall be resolved at the lowest step possible.

Step 1: Verbal Warnings

Teachers and school staff should provide verbal warnings to students who enter the classroom or school space without a mask, or who remove a mask or face covering while in the classroom or other school space where and when masks are required, and allow students an opportunity to put a mask or face covering back on before taking the steps identified below. If the student refuses to wear a mask or continues to remove a mask in violation of applicable laws, guidelines issued by the California Department of Public Health (CDPH), applicable public health orders, Board directives or resolutions, or teacher/school staff warnings, the teacher or school staff shall proceed to Step 2.

Staff should explain the mask or face covering requirement and determine whether there is any underlying safety reason for the student's removal of their mask or face covering.

Step 2: Conference with Principal or Designee

In the event a student refuses to wear a mask following Step 1, they should be referred to the site Principal or designee. Parent/guardian will be notified and invited to a collaborative meeting to determine if the student is experiencing any difficulty with wearing a mask or face covering and, as appropriate, address any difficulty the student is facing by wearing a mask. Independent study will be discussed as an option for the student. If Step 2 does not resolve the student's refusal to wear a mask or face covering, Step 3 should be initiated.

Step 3: Exclusion from Campus

Any student who refuses to wear a mask following Steps 1 and 2 will be excluded from campus pursuant to Education Code section 48213. The Governing Board hereby delegates to the Superintendent or the Superintendent's designee the authority to issue notice of the exclusion as soon as is reasonably possible after the exclusion.

Step 3 shall only be implemented when the student is required by any applicable health and safety order to be excluded from campus because they will not wear a face covering. A conference will be immediately scheduled to discuss and offer independent study consistent with AB 130 or other legislatively approved option.

Upon agreeing to comply with the requirements set forth in this regulation, the student will be allowed to return to in-person learning as soon as reasonably practicable, and in no event later than five school days.

Legal Reference:

3205(b)(7) California Code of Regulations: COVID-19 Prevention.

Board Adopted: December 15, 2020

Board Revised: September 30, 2021