

POLICY ON MASKS AND ACCEPTABLE FACE COVERINGS

The Albemarle County School Board ("School Board") is aware of the evolving need for mitigation measures to respond to the COVID-19 pandemic in a manner that allows schools to open and operate as safely as possible. In consideration of the recommendations issued by the Centers for Disease Control and Prevention, the Virginia Department of Health, the Virginia Department of Education, and the Thomas Jefferson Health District, the School Board adopts this emergency policy for all students, staff, visitors, and vendors, of Albemarle County Public Schools ("ACPS"). This policy also covers children and staff in ACPS child care programs.

Students and employees shall wear a mask or acceptable face covering at all times regardless of physical distancing, in an ACPS school building, in another ACPS facility, on a school property or campus, or in an ACPS vehicle or bus.

Students

Until further action by the School Board, all students in pre-kindergarten through the 12th grade shall be required to wear a mask or acceptable face covering: (a) while attending school or a school function in any school building, facility, or other area of a school campus, including at the time of school entry and exit; (b) on an approved trip at any location and, in the case of athletic events, at any home or away athletic site; and (c) when riding in school-provided transportation. All masks and acceptable face coverings must cover the nose and mouth of the student and may not contain holes, valves, or mesh material. Bandanas, neck gaiters, scarves, and face shields without an underlying mask or acceptable face covering described in this policy are not permitted. The ACPS will provide a mask or face covering to any student on school transportation and in the school building who does not have one. This policy applies to students waiting outside school buildings before and after school and to students waiting at bus stops. Students shall wear masks and acceptable face coverings at all times, regardless of physical distancing, except for the following:

- Students may remove masks and face coverings for eating or drinking while six (6') feet or other physical distancing measure as approved by the ACPS is maintained;
- Students participating in physical education, active recess, sporting events, and practices do not need to wear a mask or acceptable face covering if a physical distance of ten (10') feet can be maintained; however, masks or acceptable face coverings are required for participants not actively engaged in physical activity, a game, or practice, such as when standing on the sidelines, in a dugout, or off the field of play. Students may remove masks and face coverings on a case-by-case basis for specific instructional needs or activities, or as otherwise determined by a teacher, including to provide a brief respite from wearing a mask or face covering. In this event, six (6') feet of physical distancing or other physical distancing measure as approved by the ACPS must be maintained.; and
- Students may be exempted from this policy by the school principal due to a documented medical condition or developmental or other disability of the student;
- Students may also be exempted from this policy due to special behavioral or individualized needs as determined by the Superintendent/Designee or Director of Special Education.

For students who refuse to or, otherwise, do not wear a mask or acceptable face covering at school, on school transportation, or at a school function under this policy, every attempt will be made to ensure that the students and the students' parents understand the importance of wearing a mask or acceptable face

covering. The ACPS will, then, work with families to identify the more appropriate learning path, including virtual learning, if students fail to comply with the requirement to wear masks and acceptable face-coverings as detailed above. In addition, the measures specified for violations of School Board Policy JFC and Regulation JFC-R on student dress and displays and School Board Policy JFCC. Enforcement of this policy shall be subject to the anti-discrimination provisions of School Board Policy AC. Further, and to the extent practicable, staff should document violations of this policy by students' age, race, and gender and evaluate this information on a regular basis for bias enforcement disparities.

Staff

Until further action of the School Board, all employees of the ACPS shall be required to wear a mask or acceptable face covering while working or attending a school function in any school building, facility, or other area of a school campus and on school transportation. All masks and face coverings must cover the nose and mouth of the employee and may not contain holes, valves, or mesh material. Bandanas, neck gaiters, scarves, and face shields without an underlying mask or acceptable face covering described in this policy are unacceptable. Employees shall wear masks or acceptable face coverings at all times, regardless of physical distancing, except for the following:

- Employees may remove masks and face coverings for eating and drinking while six (6') feet of physical distancing or other physical distancing measure as approved by the ACPS is maintained
- Employees may be exempted from this policy by the school principal or the Superintendent/Designee due to a documented medical condition or disability of the employee; or
- Employees may remove masks and face coverings on a case-by-case basis for specific instructional needs and other activities, as determined by a teacher or school administrator. In this event, six (6') feet of physical distancing or other physical distancing measure approved by the ACPS must be maintained.

Employees who refuse to wear a mask or acceptable face covering at school, at a school function, or on school transportation under this policy shall be subject to discipline under School Board Policy JBC and Regulation GBC-R, School Board Policy GBCA and Regulation GBCA-R, and applicable state law regarding the violation of School Board policies and regulations.

Visitors and Vendors

Until further action of the School Board, all visitors and vendors to the ACPS shall be required to wear a mask or acceptable face covering while present in any school building, facility, or other area of a school campus.

Children and Staff in Child Care and Other Programs in ACPS Schools and Facilities

The requirement to wear a mask or acceptable face covering at all times in accordance with the terms of this policy shall also apply to all children age two (2) and above and staff providing child care or other services in ACPS schools, on an ACPS school campus, or in other facilities in which the ACPS is operating a child care program for the benefit of its employees.

Legal Ref.: Virginia Code Section 22.1-305

Virginia Code Section 22.1-307

Cross Ref.: GBC, Standards of Conduct

GBCA, Employee Discipline

JFC, Student Conduct

JFCC, Student Conduct on School Vehicles

JHCC, Communicable Diseases

FREQUENTLY ASKED QUESTIONS ON USE OF FACE COVERINGS

Will masks or acceptable face coverings be required in the ACPS?

Yes, masks or acceptable face coverings that cover the nose and mouth must be worn at all times regardless of physical distancing while on any ACPS property or school transportation. This is an evolving process and the ACPS will continue to monitor COVID-19 within our community for changes as necessary.

Why are face coverings required?

Masks or acceptable face coverings are being required based upon best available data and input from Virginia Department of Health, VDOE, local health authorities, CDC guidelines, and stakeholder groups, including teachers and parents. According to the CDC, face coverings have been shown to be an effective tool in stopping the spread of COVID-19, along with physical distancing, frequent handwashing, and cleaning and disinfecting frequently touched surfaces. Nothing regarding this requirement is intended to violate the ADA or HIPAA protections for our students and staff.

Who will be required to wear face coverings?

All students, staff, visitors, and vendors will be required to wear masks or acceptable face coverings at all times regardless of physical distancing unless an approved exemption applies.

Will students, staff, and visitors need to bring their own masks or face coverings or will they be provided by the ACPS?

Students, staff, and visitors can supply and wear their own mask or acceptable face coverings. ACPS will provide masks to those who do not have one of their own.

Will people have to wear face coverings all day?

Masks or acceptable face coverings will be required at all times regardless of physical distancing unless an approved exemption applies or for a case-specific instructional purpose or activity (i.e. eating). In the event an exemption to wearing a mask or acceptable face covering applies, physical distancing must be maintained i.e., six (6') feet apart or other physical distancing measure approved by the ACPS.

Will a student still be required to wear a mask or acceptable face covering at his/her desk even if six (6') feet of physical distance or other physical distancing measure approved by the ACPS is maintained?

Yes. Masks or acceptable face coverings must be worn at all times regardless of physical distancing.

Will there be exemptions?

Yes. The following approved exemptions apply: persons eating or drinking; persons for whom a mask or face covering would cause an impairment due to a medically documented existing health condition or developmental or other disabilities; students, on a case-by-case basis, for specific instructional needs determined by the teacher as long as appropriate physical distancing is maintained; and students actively participating in physical education, sporting events, and practices. However, masks or acceptable face coverings are required for participants not actively engaged in a game or practice, such as when standing on the sidelines, in a dugout, and off the field of play

What happens if a child forgets, loses, or damages their face covering?

If a student forgets, loses or damages their mask or face covering, the ACPS will provide a disposable face covering for the student's use that day.

What happens when a student refuses to wear a mask or acceptable face covering or continually fails or forgets to bring a mask or acceptable face covering to school, including school transportation?

Masks or acceptable face coverings will be required for all students, staff, and visitors at all times regardless of physical distancing unless an approved exemption applies. Every attempt will be made to ensure that the student and the student's parents understand the importance of wearing a mask or acceptable face covering. The ACPS will work with families to identify the more appropriate learning path, including virtual learning, if masks or acceptable face coverings will not be worn.

What happens when a visitor or vendor refuses to wear a face covering?

Visitors and vendors who refuse, or otherwise, fail to wear a mask or acceptable ace covering will not be permitted to enter the school building or will be directed to leave immediately if already within the school building.

Will face coverings be required everywhere on a school campus?

Masks or acceptable face coverings must be worn at all times regardless of physical distancing everywhere on a school campus, on school transportation, and at class trip or function venues and athletic sites unless an exemption under the policy applies.

Are there any rules regarding the face coverings that students may wear?

Yes. masks and acceptable face coverings must comply with the requirements of the policy and dress code found in the School Board Policy JFC, Student Conduct. Any masks or face coverings that disrupt the education environment because they contain language or images that: (1) are vulgar, discriminatory or obscene; (2) promote illegal or violent conduct, such as the unlawful use of weapons, drugs, alcohol, tobacco products, nicotine vapor products, or drug paraphernalia; (3) threaten, intimidate, or harass, including Confederate images and other symbols of hatred, such as the swastika and gang symbols; or (4) endanger the health or safety of themselves or others are prohibited.

Will face coverings be required on school buses and at bus stops?

Yes. It will be the student's responsibility to wear a mask or acceptable face covering while on ACPS transportation and at designated school bus stops. Disposable masks or face coverings will be available on the bus for students who forget their reusable mask or face covering.

How will this policy be enforced by the ACPS?

The School Nurse and Principal at each school will work with students and staff to encourage and ensure compliance. Students who continue to violate this policy will be provided virtual educational program in lieu of in-classroom learning. In addition, the measures specified for violations of the student dress code and code of student conduct while riding a bus may also be imposed.

How will the face covering requirement apply to students with special needs?

Appropriate accommodations will be made based on the individualized needs of the students.

Will this policy apply to children and staff in any child care program that the ACPS may operate for its employees in an ACPS school or other facility or other program in an ACPS school or facility?

Yes, the policy will be applicable in those circumstances.