

# READY SCHOOLS, SAFE LEARNERS

## GUIDANCE FOR SCHOOL YEAR 2020–21

### Face Coverings

Face coverings are now required for all students in grades kindergarten and above along with all staff. Certain accommodations are noted in the guidance below.

ODE, OHA, schools, families and community organizations have important new roles in preparing families and care takers to prepare younger children to wear face coverings safely and effectively. This includes instruction on how to properly wear a face covering, desensitization support (getting used to wearing face coverings), recommended materials for homemade face coverings, proper care and cleaning, and how to allow for “face covering breaks” during instruction. Lack of access to a face covering cannot be a barrier to instruction; each school has a responsibility to ensure that students have access to usable face coverings.

*Under ORS 339.155, school districts and public charter schools may not charge fees for the provision of face coverings to students.*

*In general, face coverings are preferred over face shields, as they may provide better containment of small aerosols that can be produced while talking.* Clear plastic face shields remain an acceptable alternative in some instances because they enable students to see whole faces. This avoids potential barriers to phonological instruction and reinforces social emotional cues.

### What is Required?

- ❑ Face coverings or face shields for all staff, contractors, other service providers, or visitors or volunteers following [CDC guidelines Face Coverings](#). *Individuals may remove their face coverings while working alone in private offices.*

- ❑ Face coverings or face shields for all students in grades Kindergarten and up following [CDC guidelines Face Coverings](#).
- ❑ If a student removes a face covering, or demonstrates a need to remove the face covering for a short-period of time, the school/team must:
  - Provide space away from peers while the face covering is removed. *In the classroom setting, an example could be a designated chair where a student can sit and take a 15 minute “sensory break;”*
    - *Students should not be left alone or unsupervised;*
    - *Designated area or chair should be appropriately distanced from other students and of a material that is easily wiped down for disinfection after each use;*
  - Provide additional instructional supports to effectively wear a face covering;
  - Provide students provided adequate support to re-engage in safely wearing a face covering;
  - Students cannot be discriminated against or disciplined for an inability to safely wear a face covering during the school day.

Do not exclude students from the classroom if they occasionally fail to wear a face covering, or if a few students in the classroom are consistently unable to wear a face covering, when required. The small increase in risk of disease transmission does not justify classroom exclusion, but students without face coverings should maintain physical distance to the extent feasible.

- ❑ Face masks<sup>1</sup> for school RNs or other medical personnel when providing direct contact care and monitoring of staff/students displaying symptoms. School nurses should also wear appropriate Personal Protective Equipment (PPE) for their role. *See Section 1h of Ready Schools, Safe Learners for additional guidance for nurses and health staff.*

**Students who abstain from wearing a face covering, or students whose families determine the student will not wear a face covering, during On-Site instruction must be provided access to instruction. Comprehensive Distance Learning may be an option, however additional provisions apply to students protected under ADA and IDEA.**

### **Protections under the ADA or IDEA:**

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<sup>1</sup> Face masks refer to medical-grade face masks in this document. RNs and other healthcare providers should refer to OHA for updated information.

**Staff:** Districts/schools should consult with legal counsel regarding ADA when considering restricting access for staff due to their inability to wear face coverings or face shields as required.

**Students:** Federal laws such as the Americans with Disabilities Act (ADA) and Individuals with Disabilities Education Act (IDEA) protect student access to instruction. The following guidelines must be considered and employed to ensure access for students protected under ADA and IDEA.

### **What is Required for face coverings as it relates to ADA or IDEA?**

- ❑ If any student requires an accommodation to meet the requirement for face coverings, districts and schools should work to limit the student's proximity to students and staff to the extent possible to minimize the possibility of exposure. Appropriate accommodations could include:
  - Offering different types of face coverings and face shields that may meet the needs of the student.
  - Spaces away from peers while the face covering is removed; students should not be left alone or unsupervised.
  - Short periods of the educational day that do not include wearing the face covering, while following the other health strategies to reduce the spread of disease;
  - Additional instructional supports to effectively wear a face covering;
- ❑ For students with existing medical conditions and a *physician's* orders to not wear face coverings, or other health related concerns, schools/districts **must not** deny access to On-Site instruction.

No disability category universally prescribes whether a student will be able to wear a face covering. However, students eligible for certain disability categories are more likely to have difficulty wearing face coverings. These include: Autism Spectrum Disorder, Other Health Impairment, Emotional Behavior Disability, Orthopedic Impairment. Schools must consider the unique needs that arise from a student's disability in determining how to appropriately support their access to FAPE.

- ❑ Schools and districts must comply with the established IEP/504 plan prior to the closure of in-person instruction in March of 2020.

- If a student eligible for, or receiving services under a 504/IEP, cannot wear a face covering due to the nature of the disability, the school or district must:
    1. Review the 504/IEP to ensure access to instruction in a manner comparable to what was originally established in the student’s plan including on-site instruction with accommodations or adjustments.
    2. Placement determinations cannot be made due solely to the inability to wear a face covering.
    3. Plans should include updates to accommodations and modifications to support students.
  - Students protected under ADA/IDEA, who abstain from wearing a face covering, or students whose families determine the student will not wear a face covering, the school or district must:
    1. Review the 504/IEP to ensure access to instruction in a manner comparable to what was originally established in the student’s plan.
    2. The team must determine that the disability is not prohibiting the student from meeting the requirement.
      - If the team determines that the disability is prohibiting the student from meeting the requirement, follow the requirements for students eligible for, or receiving services under, a 504/IEP who cannot wear a face covering due to the nature of the disability,
      - If a student’s 504/IEP plan included supports/goals/instruction for behavior or social emotional learning, the school team must evaluate the student’s plan prior to providing instruction through Comprehensive Distance Learning.
    3. Hold a 504/IEP meeting to determine equitable access to educational opportunities which may include limited in-person instruction, on-site instruction with accommodations, or Comprehensive Distance Learning.
- *For students not currently served under an IEP or 504, districts must consider whether or not student inability to consistently wear a face covering or face shield as required is due to a disability. Ongoing inability to meet this requirement may be evidence of the need for an evaluation to determine eligibility for support under IDEA or Section 504.*
  - If a staff member requires an accommodation for the face covering or face shield requirements, districts and schools should work to limit the staff member’s proximity to students and staff to the extent possible to minimize the possibility of exposure.

## What is Recommended?

- ⇒ If face coverings are worn, they should be washed daily or a new covering worn daily.
- ⇒ Children not yet in *grade Kindergarten or up* should not wear a face covering:
  - If they have a medical condition that makes it difficult for them to breathe with a face covering;
  - If they experience a disability that prevents them from wearing a face covering;
  - If they are unable to remove the face covering independently; or
  - While sleeping.
- ⇒ Plexiglass barriers have limited utility for schools and are not practical for classroom use. Examples of where barriers could be used include the library check-out station, cafeteria check-out, or front office. Recommendations for barriers in non-classroom settings are as follows:
  - Material: fixed, impermeable barrier
  - At least 3 feet wide and 4 feet tall, centered at the level of mouth/nose level (i.e. height will depend on whether people are to be seated or standing or both).