

Student Face Covering and/or COVID Safety Protocols Including Exemptions and Resistance/Refusal

For participation in school events, including in-person learning, athletics/activities, or school related events during the 2020-21 school year, the issue of safety is a priority for all who will be returning to school buildings. Wearing face coverings and socially distancing is required in all school buildings, as directed on school grounds or at school events, and on school busses.

The practice of social-distancing and wearing face coverings at school and for school-related events is a requirement for all students and employees, approved visitors and any individual entering a school building or riding a school bus. Face coverings and social distancing are critical for maintaining a safer environment. The understandable concern around how to respond when a student refuses to wear face covering or follow social distancing guidelines is addressed in the following procedure. Teachers and staff who are alone in their classroom or offices are allowed to remove their face covering only if they are in the room alone and the doors are closed (ISBE guidance 8.17.20). Face coverings are not required outside if social distance is maintained- individuals remain at least 6 feet apart from each other (ISBE guidance 6.25.20).

Illinois State Board of Education/Illinois Department of Public Health Requirements

As required by the Illinois Department of Public Health (IDPH), except while eating or drinking, face coverings must be worn at all times in school buildings, even when social distance is maintained with the exception of a staff member present alone in a room with the door closed. All individuals entering a school building or a school bus must wear a face covering unless they have a medical contraindication, are under 2 years of age, have trouble breathing, or are unconscious, incapacitated, or unable to remove the face covering without assistance.

Parent/Guardian acknowledgement of requirements for In-Person learning:

Parents/Guardians may access the SD 308 website to review the district's Safety Plan and the requirements for students whose parent(s)/guardian(s) have elected for them to participate in a learning environment at school (In-Person), participate in any school activity/event, and ride the school bus. The required Parent Acknowledgement of Self Certification form includes the following requirements regarding face coverings and social distancing:

- Wear a face covering at all times unless approved to remove it for/at appropriate activities/times as directed by staff, or in an emergency (this includes on a school bus)
- Practice social (physical) distancing of at least 6 feet when wearing a face covering and when wearing a face covering is not possible/required (eating/drinking)
- Follow all other school and school bus procedures for COVID-19 mitigation (e.g. daily health certification and/or symptom screening, hand-washing hygiene, directional hallways, procedures for before/during/after any scheduled meal/snack times, etc.)

Exemption or Accommodation Request Guidelines

The decision to grant an exemption or accommodation will be made on a case-by-case basis. Students whose request for an exemption or accommodation has been denied must wear a face covering in accordance with the requirements. The face exemption request form and procedure can be found on the district website under the Reopening Plan- Health and Safety Section. The procedure includes the requirement of a completed medical exemption form completed by a medical provider. Those students and staff members who have an approved medical exemption on file with the district will be issued a yellow EXEMPT silicone band for easy identification. The band is to be worn on the wrist as tolerated or clipped on clothing/belongings in a visible area.

When an exemption request is approved by the certified school nurse, administrator or health services, alternatives must be identified. This should be approached on a case-by-case basis considering: student age and developmental level/ability, severity of the issue and what is medically and/or behaviorally feasible for the student, and specific information known about the student in the educational setting. The determination of appropriate alternatives should be discussed and determined by the IEP team (including parents/guardians) for students in Special Education. For general education students, the alternatives should be discussed by the teacher(s), building administrator(s) and certified school nurse together with the parents/guardians.

Some example alternatives may include:

- Wearing a face shield
- Taking frequent breaks (e.g. removing the face covering during a break outside)
- Additional physical/social distance from other students/staff
- Placing plexiglass barriers, or other dividers/barriers, between the student and classmates/staff
- Providing the student video/Google access to the classroom from another appropriate and socially/physically distanced location within the school

Once alternatives have been determined for the student, they should be recorded by the certified school nurse in an individualized health plan and shared with all necessary staff. In addition,

frequent handwashing, use of hand sanitizer when soap and water is not available, and avoiding touching of the face is important to maintain.

This includes staff that may be involved in providing education and/or services to the student.

Case-by-Case and Student Behavior Considerations

Staff should be mindful of the fact that wearing face coverings is required and may also be stressful. Individuals may have unique differences regarding these requirements. Student maturity, developmental level and/or age, as well as the severity of health issues or conditions are factors should be considered. While everyone's safety is the highest priority, expectations and strategies must acknowledge and address the mandate of face coverings and physical/social distancing, but also the reasons for wearing face coverings, physical distancing, symptom checks, as well as hand hygiene and increased sanitization practices, etc.

Following expectations and working together supports a learning environment that is as safe as possible. Wearing face coverings and following required CDC and IDPH strategies for safe learning environments must be reinforced daily and consistent across each building and every classroom to promote student compliance and reduce the need to remove students from school.

Student Behavior:

Goals and objectives of Board Policy 7:190 are to provide effective discipline practices that:

- (1) ensure safety and dignity of students and staff;
- (2) maintain a positive, weapons-free, and drug-free learning environment;
- (3) keep school property and the property of others secure;
- (4) address causes of a student's misbehavior and provide opportunities for all individuals involved in an incident to participate in its resolution as appropriate; and
- (5) teach students positive behavioral skills to become independent, self-disciplined citizens in the community and society.

Student Expectations for Return to School under COVID-19:

- Follow all Rights and Responsibilities guidelines, which are in effect regardless of the learning environment (in-person or remote)
- Wear a face covering, follow physical/social distancing protocols and comply with all staff directives during in-person instruction and/or all district activities, events or programs
- Refusal to comply with expectations may result in discipline under insubordination:
 - (page 19)- Rights/Responsibilities Student Handbook
 - Section VIII. B. Gross Misconduct /Disobedience

- (Item 8.)- “Insubordination/Disobeying Rules”

Administrative Procedures for Student Discipline

General Guidelines:

- Determine if the student has an approved medical exemption with related safety plan
- Determine if the student has an IEP or 504 Plan
- Convene the appropriate professional staff with knowledge and background on the individual student to review their specific information if/when appropriate
- Prioritize student safety, health and well-being both consistently and immediately
- Follow communication and response protocols (e.g. when appropriate call 9-1-1 and/or notify Student Services, Law Enforcement, EMS, or DCFS to report serious threats of harm, criminal acts, mental health emergencies, etc.)
- Investigate on a case-by-case basis each report/incident of student behavior that includes resistance/refusal to comply with safety protocols including wearing a face covering and maintaining social distance
- Provide due process and respond to student behavior incidents on a case-by-case basis (per SB 100)
- Ensure disciplinary responses are appropriate and take into consideration the behavior context, the student’s age and developmental level, an IEP/504 and if behavior is a function of a disability, as well as the severity of known medical issues or conditions.
- Contact parent(s)/guardian(s) as soon as practicable and balance administrative responses to student behavior with appropriate interventions and support.
- If the student has an approved medical exemption, consider if modifications are adequate, being followed, need additional review, etc. Convene the appropriate team to address any concerns with a student’s behavior or safety plan and/or a medical exemption.

Procedures:

- Students not wearing a face covering create an unsafe environment (unless there is a medical exception with appropriate modifications in place and being followed)
- Behavior events that include resistance/refusal to comply with safety protocols must be entered into Tyler SIS by the staff member closest to the event, or per the building administration’s guidelines for school staff
- Parent/Guardian must be notified in each case, even when/if a warning is/was issued and handled by the staff member
- Staff members/guest teachers who require assistance should immediately contact the main office/building administration if an issue occurs
- Behavior events must have a resolution that is completed within 1 school day in Tyler SIS by the administrator

- Parent/Guardian notification must be noted in Tyler SIS to ensure escalation in student behavior is able to be referenced and addressed for students with recurring behavior concerns
- Students with a documented disability should have their behavior reviewed by the IEP/504 team when appropriate to determine whether the IEP/504 needs to be modified, additional modifications/accommodations need to be implemented, and/or an evaluation needs to be considered to address student behavior

The following applies to the specific act of student refusal to wear a face covering in an area where they are mandated by the Illinois Department of Public Health including participation in schools, on school property, or at school-related events/activities. If a student removes their face covering and refuses to put it back on, the following procedure must be followed:

1. Staff members (including bus drivers) will request that the student place their face covering back on immediately (per the Illinois Department of Public Health mandate face coverings must be worn inside of the school building and on the bus, and physical/social distancing must be implemented and followed):
 - a. Students who comply immediately may remain in their current setting if appropriate
 - b. Administration is notified of each occurrence for documentation purposes
2. If the student refuses to put their face covering back on in the school setting or on the school bus:
 - a. Staff member will implement appropriate strategies for students with disabilities (as documented in the IEP/504) and request administrative support immediately
 - b. Administrators, Dean's Assistant (DA), or other identified staff members will report to the classroom or school bus, and ask the student to put their face covering back on or assist in removing the student from the setting. *Note: involving an SRO would generally be inappropriate. SRO involvement is appropriate when/if similar student behavior (in a building without an SRO) would necessitate a call by school administration for police support.*
 - i. If the student complies, administration may determine if they may remain in their current setting (consider student's maturity, age/developmental level, severity of the issue/behavior, other/prior reports of non-compliance, etc.)
 - ii. If the student refuses to comply, the Administrator/DA will escort the student from the classroom.

- iii. If the student refuses to leave the classroom/area, the administration/teacher/staff will clear staff and students (similar to the procedure for an escalated student who poses a potential safety issue in the classroom)
 - iv. Students/Staff in the classroom will be moved to another location while complying with physical/social distancing protocols
 - v. Administrator/DA/Staff continues to monitor the student and support de-escalating the situation using NVC techniques (per training) and document per ISBE reporting requirements
 - vi. Contact a parent as soon as it is practicable/possible to do so
 - vii. Administrator/DA shall escort the student to a designated location that is not the same area used for housing ill/symptomatic students (defined by each school's administration) when it is safe to do so
 - viii. Class may re-enter the classroom and resume normal activity when appropriate (e.g. given necessary safety/sanitization requirements have been met).
- c. Students waiting for a parent/guardian to pick them up will be placed in an area designated for students who are non-compliant with safety protocols such as wearing a face covering, maintaining 6-foot social distance, or other behavioral concerns that rise to the level of removal (suspension). Students cannot be in the same area as the one designated to quarantine symptomatic students.
- d. Students must always be supervised by an adult, maintaining 6-foot social distance.
 - i. Removal of the student from the school environment is exclusionary discipline and must include appropriate notices and documentation per Out-of-School-Suspension procedures.
 - ii. A parent/guardian/student meeting with staff should be scheduled to discuss resolve the compliance issue, expectations and implement appropriate supports must be held for any student who is excluded from school. Prioritize the return of the student to the learning environment as soon as practicable.

3. If a student removes their face covering on a bus:

- a. On the way to school:
 - i. Bus drivers will notify Transportation Dispatch to have an administrator or identified staff member meet the bus at the school upon arrival.

- ii. Administration shall remove the student and initiate the discipline procedures for Student Discipline, including notifying the student's parent/guardian and documenting the incident in Tyler SIS.
 - b. On the way home:
 - i. Bus drivers will drop off the student and notify the Transportation Dispatch.
 - ii. The incident will be communicated to the school administration who will initiate the discipline protocol, including notifying the parent/guardian and documenting the incident in the Tyler SIS no later than the next school day.
4. (Age/Developmentally appropriate): Students who refuse to wear a face covering will/may be informed that their actions violate the Illinois Department of Public Health mandate, district policies and requirements for in-person learning to wear face coverings, and this can result in discipline per the Rights and Responsibilities Student Handbook guidelines.
- a. Students will be given an opportunity to respond to the administration's investigation into the alleged behavior concern via the "due process" procedures of the student handbook.
 - b. Parents/Guardians will be contacted to discuss the situation, and only appropriate interventions and support if available and applicable to the student.
 - i. For students with disabilities (IEP/504), appropriate accommodations and/or supports should be implemented to support compliance with the face covering mandate.
 - ii. If/When appropriate, parents/guardians will also be informed the student is being disciplined pursuant to the Rights and Responsibilities Student Handbook guidelines. Exclusion from school must follow all procedures associated with an out-of-school suspension and be documented as such in Tyler SIS.
 - c. If a student is suspended in accordance with both Senate Bill 100 and the Rights and Responsibilities Student Handbook guidelines, all suspension paperwork for either a short-term or long-term suspension will be completed (in its entirety) and reported/provided to the district's Student Services department. Any related absence will be recorded as excused and an out-of-school suspension.
 - i. Students receiving an In-School Intervention are not coded as absent, unless they do not come to school **or** do not receive required educational support
 - ii. Students with an IEP/504 must receive educational services during an in-school intervention, as well as during a long-term suspension (5-10 days)

- d. Continuous/Escalating refusal to wear a face covering may result in a conference with the parents/guardians, the student (age-appropriate), and the administration.
 - i. Administration should present the interventions, supports and strategies that have been implemented to resolve the concern with the unsafe behavior of the student.
 - ii. Parent/Guardian concerns and feedback should also be discussed
 - iii. Considerations may include a safety plan/behavior plan, and/or a change in the student's In-Person learning environment to a Remote by Choice learning environment.
 - iv. Administration should contact the Executive Director of Student Services for assistance with a student situation that cannot be resolved by agreement of the Administration and the parent/guardian in a way that mitigates the safety concern posed by the student's noncompliance.
- 5. All interventions and consequences should be applied in accordance with the Rights and Responsibilities Student Handbook and district policy and procedure. Current discipline notices have been placed on the Employee Intranet (Administrative Resources) and may be found under Student Services - Discipline.
- 6. If a student is excluded from school the appropriate Long or Short-Term Suspension notification and the suspension guidelines must be completed accurately and entirely, and placed in the student's temporary file. Each long-term or short-term suspension notice for an out-of-school suspension must be provided to the District's Student Services Department to the attention of the Administrative Assistant to the Executive Director, Tashana Walton. In-school intervention notices do not need to be reported to the district. Administration in Student Services.