



South St. Paul School Board - Committee-of-the-Whole
Monday, January 10, 2022 5:00 PM
Location: CITY HALL
125 THIRD AVENUE NORTH
South St Paul, Minnesota 55075

Agenda

I.	5:00 - 5:15 PM SCHOOL BOARD REORGANIZATION (Chair Diaz)	2
	A. 2022 Meeting Schedule	
	B. 2022 Officer, Committee and Liaison Assignments	
	C. Review of Annual Organizational Items	
II.	5:15 - 5:20 PM FINANCE (B. Hoffman)	
	A. Jefferson Property Update	
III.	5:20 - 5:30 PM POLICY (N. Tuescher)	7
	A. COVID-19 Vaccination, Testing, Quarantine and Face Coverings	
IV.	5:30 - 5:40 PM SECONDARY BUILDING UPDATE	
	A. New course proposal for the 2022-23 school year. (C. Schmidt/C. Ochocki)	36
V.	5:40 PM SCHOOL BOARD	
	A. Committee Updates (Board)	38
	• District 917	
	• AMSD	
	• Community Education	
	• Educational Foundation	
	• Equity Alliance	
	• Finance, Facilities and Long-Range Planning	
	• Policy	
	• Public Relations/Community Engagement	
	• SSP Open Foundation	
	• Superintendent Executive	
	B.	
	C. Other Items Deemed Necessary by the School Board	



SOUTH ST. PAUL PUBLIC SCHOOLS

School Board Agenda Item

Meeting Date: January 10, 2022

Place on Agenda: Committee-of-the-Whole and Regular Business Meeting

Action Requested: Approval

Attachment: 2022 Organizational Items

Topic: 2022 Organizational Items
Presenter(s): Chair Linda Diaz and Superintendent Dave Webb
Background: Per statute M.S. 123B.14, Subd. 1, the South St. Paul School Board is required to hold their yearly organizational meeting on the first Monday in January or as soon as practicable. The purpose of the reorganization meeting is to seat newly elected board members, select a chair, vice chair, clerk, and treasurer, sets dates, times and locations for regular business meetings, and conduct other business. Attached are the 2022 Organizational Items for the School Board's review, discussion and approval on Monday evening.
Recommendation: Approval of the 2022 Organizational Items
Alternatives: Do not approve and direct administration with next steps.



2022 School Board Meeting Schedule

The South St. Paul School Board typically holds their committee-of-the-whole and regular business meetings on the second and fourth Monday of each month, except for July and December, where these meetings are only held once during those months. Other meetings may be added throughout the year as needed.

2022 Board Committee and Liaison Assignments

The Committee and Liaison assignment are used to facilitate the mission and work of the School Board.

Official Newspaper

Minnesota Statute 123.33, Subd. 11 states: "The board shall cause its official proceedings to be published once in the official newspaper of the district. Such publication shall be made within 30 days of the meeting at which such proceedings occurred." In past years, legal notices and minutes have been published in the Pioneer Press, (which under M.S. 31.02 qualifies as the district's official newspaper because it is published within the district). In addition, the full minutes are available on the district's website www.sspps.org. The Pioneer Press has submitted a request to be designated as South St Paul Public School's official newspaper for 2022.

Signature Plate

The Superintendent of Schools recommends that the School Board approve the resolution to authorize the use of facsimile signatures (school district officers) and authorize for surety bond protection and use of the facsimile signature plate of the previous year's School Board Officers until such time a new plate can be purchased.

RESOLUTION RELATING TO THE AUTHORIZATION
AND USE OF FACSIMILE SIGNATURES BY SCHOOL DISTRICT OFFICERS AND
PROVIDING FOR SURETY BOND FOR PROTECTION

Designate Official Depositories

The Superintendent of Schools recommends the School Board approve the identified banks and investment institutions for 2022 and, further, that Director of Finance be authorized to conduct collateral transactions as may be required:

- *Demand Accounts Depositories*
 - US Bank
 - Bremer Bank

- *Investment Depositories*
 - MN School District Liquid Asset Fund Plus
 - TD Ameritrade
 - Wells Fargo

Authorization to Lease, Purchase and Contract for Goods and Services

The Superintendent of Schools recommends the School Board authorize, as permitted by Minnesota Statute 123B.52, the Superintendent of Schools or the Director of Finance to lease, purchase, and contract for goods and services, within the budget as approved by the School Board, provided that any transaction in an amount exceeding the minimum amount for which bids are required (per Minnesota Statute 471.345) must first be specifically authorized by the School Board and must fulfill all other applicable legal requirements for school district contracts.

Authorization to Make Payments in Advance of School Board Approval

The Superintendent of Schools recommends the School Board authorize the Superintendent of Schools or designee/Director of Finance to make payments between School Board meetings in advance of School Board approval under the following conditions and to include such payments in the next list of bills submitted to the School Board for approval:

- Payments of claims which cannot be deferred until the next School Board meeting without the loss to the district of a discount privilege, or because of contract terms, purchase order terms, or a vendor's standard terms which are part of a contract, in accordance with Minnesota Statute 123B.02, Subd. 18.
- Payments of claims within the standard payment period as defined in Minnesota Statute 471.425.

Authorization of Petty Cash Accounts

The Superintendent of Schools recommends the School Board authorize the use of imprest funds (petty cash accounts), that the Superintendent of Schools or designee/Director of Finance be appointed as custodian of such funds, and that their only uses be for the payment of proper claims against the district, excluding salaries and personal expenses, which it is impractical to pay in any other manner, and for travel expense advances, all as permitted by Minnesota Statute 123B.11.

Professional Services

The Superintendent of Schools recommends the School Board authorize the Superintendent of Schools, his designee/Director of Finance, and other designees, to utilize the following services for 2022 (Services are paid on a time and materials utilized basis):

- *Legal Counsel*
 - The firm of Rupp, Anderson, Squires & Waldspurger, P.A.
 - The firm of Ratwik, Roszak & Maloney
 - The firm of Knutson, Flynn & Deans
- *Architects*
 - Wold
- *District Auditor*
 - Malloy, Montague, Karnowski, Radosevich, and Co. (MMKR)
- *District Financial Advisors*
 - Elhers & Associates
 - PFM

SOUTH ST. PAUL PUBLIC SCHOOLS
School Board Meeting Schedule – 2022



January 10Board Reorganization	July 25Kids' Choice/ABE
January 24TriDistrict CAPS	
February 14Special Education	August 8District-Wide
February 28Kaposia	August 22Kaposia
March 14Lincoln	September 12Lincoln
March 28Technology	September 26Middle School
April 11Activities Department	October 10High School /CLC
April 25Middle School	October 24Early Learning
May 9High School/CLC	November 14Special Education
May 23Equity	November 28Learning Department
June 13Activities Department	December 12Activities Department
June 27District-wide	

The South St. Paul School Board typically holds their committee-of-the-whole and regular business meetings on the second and fourth Monday of each month, except for July and December, where these meetings are only held once during those months.

Committee-of-the-Whole

The committee-of-the-whole is intended to provide space for School Board members to hear and discuss district business. The committee-of-the-whole meeting is open to the public and begins at 5:00 PM at City Hall (125 – 3rd Avenue North)

Regular Business Meeting

The regular business meeting is for School Board members to review and approve staffing and other official business. The regular meeting is open to the public and begins at 6:00 PM at City Hall (125 – 3rd Avenue North)

**Schools/programs scheduled for Quality-in-Action at the regular business meetings are listed on their respective dates.*



SOUTH ST. PAUL BOARD OF EDUCATION 2022 Committees

Chair –
Vice Chair –
Treasurer –
Clerk –

Committees	Description	2022
Finance, Facilities, and Long Range Planning	Meets with the superintendent and Finance Director to discuss key finance items and budget planning. Meets to discuss various building and grounds items and/or planning projects for the District. No recurring schedule. Meet as needed	Chris Walker Wendy Felton Nikki Laliberte
Policy	Review district policies and recommend necessary policy changes to the Board. Typically meets once per month.	Bill Arend John Raasch Monica Weber
Public Relations/Community Engagement	Works with administration to engage community in various planning/projects for the District. No recurring schedule. Meet as needed	Nikki Laliberte Wendy Felton
Superintendent/Executive	This committee has traditionally been represented by the Chair, Vice Chair and Treasurer. Organizes and prepares Superintendent evaluation and other executive business. No recurring schedule. Meet as needed	Chris Walker Linda Diaz Wendy Felton

2022 Liaisons

Organizations	Description	2022
AMSD (Association of Metropolitan School Districts)	Meets monthly with area board representatives, superintendents, and local legislators to discuss and advocate for student and district needs. Typically meets the first Friday of each month @ 7:30 AM	Monica Weber
Community Education Advisory Committee	Works in part with the Community Education Director to assess community needs, programming, and evaluate program effectiveness. Typically meets the 3rd Tuesday of each month @ 4:30 PM	Bill Arend
Equity Alliance MN	A consortium of six school districts whose vision is to eliminate gaps in E-21 educational opportunity and achievement through collaborative learning and advocacy. *There is a small stipend for this position. Typically meets the third Wednesday of each month @ 5:30 PM	Linda Diaz John Raasch-Alternate
Intermediate School Dist. 917	District 917 is an intermediate district, comprised of nine member districts throughout Dakota County, that serves special education, secondary technical, and DCALS (Dakota County Alternative Learning School) students. *There is a small stipend for this position. Typically meets on the first Tuesday of each month at 5:00 PM.	Wendy Felton
MN State High School League	The School Board Chair attends official MSHSL meetings as needed.	Board Chair
SSP Educational Foundation	Raises funds to provide an innovative source of public-school funding to support enrichment initiatives, scholarships, research opportunities, training, intervention, and prevention strategies that extend beyond the normal classroom experience. Typically meets the 2nd Wednesday of every month @ 6:00 PM	Wendy Felton
SSP Open Foundation	Raises funds to support extra-curricular activities at SSP Secondary. Typically meets the 3rd Wednesday of every month @ 8:00 PM	John Raasch



SOUTH ST. PAUL PUBLIC SCHOOLS

School Board Agenda Item

Meeting Date: January 10, 2022

Place on Agenda: Committee-of-the-Whole and Regular Business Meeting

Action Requested: Approval

Attachment: Policy 808 – COVID-19 Vaccination, Testing, Quarantine and Face Covering

Topic: Policy 808 – COVID-19 Vaccination, Testing, Quarantine and Face Covering
Presenter(s): Superintendent Dave Webb and Human Resource Director Nikie Tuescher
<p>Background:</p> <p>On Monday evening, we will review our policy which incorporates our recommendations for Masking, Covid-Related Quarantines, and compliance for OSHA’s Emergency Temporary Standards. We will rescind current policies 808 and 809 on masking and quarantine due to their incorporation into this new policy and it provides us the opportunity for consistent definition throughout the policies. There are a couple of additional points to note:</p> <ol style="list-style-type: none"> 1. Section III – The Face Covering Mandate Section– simplifies 808 but is substantively similar 2. Section IV – The Covid-Related Quarantines Section – simplifies 809 but is substantively similar and continues to align with the MDH’s guidance to school districts 3. Section V - OSHA’s Emergency Temporary Standard Compliance: <ol style="list-style-type: none"> a. Allows for section to be nullified if ETS compliance is not legally required b. Must be in as a readable format as possible c. U.S. Supreme Court hears the case challenging the validity of the ETS on Friday, January 7, 2022. <p>Again, we will walk through these recommendations with the board on Monday evening, to ensure adherence to best practices and federal requirements, as we move forward. There is a chance that the Supreme Court could make decisions on Friday that could also impact our discussions on Monday evening, and we will know more about this in the days ahead.</p>
<p>Recommendation:</p> <p>Approval, pending Supreme Court hearing on January 7, 2022</p>
<p>Alternatives:</p> <p>N/A</p>



Adopted: August 17, 2021

Rescind: January 10, 2022

808 COVID-19 FACE COVERING POLICY

I. GENERAL OF STATEMENT OF POLICY

Given the ongoing public health threat caused by the COVID-19 pandemic and in accordance with public health guidance and federal law, all persons are required to wear a face covering when they are in any building that is owned, leased, or operated by or on behalf of Special School District No. 6 (South St. Paul Schools), regardless of vaccination status, unless an exemption or exception stated in this policy applies. Similarly, all persons are required to wear a face covering when they are in any vehicle that is owned, leased, or operated by or on behalf of the District, regardless of vaccination status, unless an exemption or exception stated in this policy applies. This policy will remain in effect for the 2021-2022 school year unless repealed by the School Board sooner.

School settings will continue to have both vaccinated and unvaccinated people congregated indoors and, at the time of this policy's adoption, there is no vaccine approved for children under the age of 12. For this reason, face coverings are an important preventative measure, even for those who are vaccinated, to limit the spread of COVID-19 and associated disruptions to the educational environment.

Face coverings are meant to help protect people from the spread of COVID-19, particularly when a person does not know they are infected.

II. DEFINITIONS

- A. **Disability.** The term “disability” means a mental or physical impairment that substantially or materially limits a major life activity.
- B. **Face Covering.** The term “face covering,” means any paper or disposable mask, cloth facemask, medical-grade mask, medical grade respirator, scarf, bandanna, neck gaiter, or religious face covering that covers the nose and mouth completely in accordance with CDC guidance. Masks with valves, mesh, openings, holes, vents, or visible gaps in the material do not qualify as face coverings.
- C. **Face Shield.** The term “face shield” means a clear plastic barrier that covers the face, extends below the chin, and wraps around the sides of the face to the ears. A face shield may not have an exposed gap between the forehead and the shield's headpiece.

- D. **Medical Authority.** For purposes of this policy, the term “medical authority” means a medical doctor, clinical psychologist, physician assistant, or nurse practitioner who has seen or treated the student or employee in question.
- E. **Medical Condition.** For purposes of this policy, the term “medical condition” means a disease, illness, injury, or physiologic, mental, or psychological disorder. A biological or psychological state that is within the range of normal human variation is not a medical condition.
- F. **Parent.** For purpose of this policy, the term “parent” means the legal parent, legal guardian, or conservator of a child who is under the age of eighteen. A student who is eighteen years of age or older is considered to be a “parent” for purposes of this policy, unless a court has found that the student is incompetent and has appointed a conservator for the student.
- G. **Visitor.** For purposes of this policy, the term “visitor” means any person other than a student or employee of the District. The term visitor includes, but is not limited to, parents, community members, vendors, and contractors.

III. EXEMPTIONS

A. Circumstances When a Face Covering Should Not Be Used

1. Children under the age of two. A face covering should not be placed on a child under the age of two.
2. **Incapacitated persons.** A face covering should not be placed on any person who is unconscious, incapacitated, or otherwise unable to remove the face covering without assistance.

B. Persons Who Are Exempt from Wearing a Face Covering

1. **Medical condition, mental health condition, or disability.** A person is not required to wear a face covering if the person cannot wear a face covering or cannot wear a face covering safely due to a medical condition, mental health condition, or disability. This includes a person who has a medical condition that compromises the person’s ability to breath.

IV. WHEN FACE COVERINGS MAY BE TEMPORARILY REMOVED

A. Students and Staff: Child Care and Prekindergarten

1. **Temporary removal permitted when a face covering or a face shield is impracticable.** Nonexempt workers and children who are required to wear a face covering or shield may remove the covering or shield temporarily to engage in certain activities that make wearing a covering or shield impracticable. These activities include:
 - a) Eating or drinking;
 - b) Communicating with an individual who is deaf or hard of hearing;
 - c) Communicating with an individual who has a disability, medical condition, or mental health condition that makes communication with that individual difficult while wearing a face covering;
 - d) Participating in activities where the face covering would get wet;
 - e) When engaging in indoor physical activity where the level of exertion makes wearing a face covering difficult or impracticable;
 - f) When singing; or
 - g) Receiving a service, such as a nursing or medical service, which would be difficult or impossible to perform with a face covering;

B. Students and Staff: Kindergarten through Grade 12 and all other District Sites

1. **Staff working alone.** Staff may temporarily remove face coverings when working alone (such that social distancing is maintained), including when alone in an office, classroom, school vehicle, cubicle with walls or barriers (including plexiglass) that are at least face level, or other enclosed work area.
2. **Temporary removal permitted when a face covering or a face shield is impracticable.** Any person who is in a school building or office may temporarily remove a face covering or face shield in the following situations, provided that social distancing of at least six feet (or more, if specified below) is maintained, to the extent possible:
 - a. When eating or drinking;
 - b. When playing musical instruments that make wearing a face covering difficult or impracticable, provided that six feet of social distancing is maintained, to the extent possible;
 - c. When asked to remove the covering for identification purposes, such as when a person enters a school building during the school day and a staff member asks the person to remove the face covering briefly for the purposes of verifying the person's identity;
 - d. When communicating with an individual who is deaf or hard of hearing or who has a disability, medical condition, or mental health condition that makes communication with a face covering difficult;

- e. When participating in activities, such as swimming or showering, that would cause the face covering to become wet; and
- f. When engaging in indoor physical activity where the level of exertion makes wearing a face covering difficult or impracticable.
- g. For practices or performances involving singing, acting or public speaking
- h. When receiving a service – including nursing, medical, or personal care services – that cannot be performed or would be difficult to perform when the individual receiving the service is wearing a face covering.

V. WHEN FACE SHIELDS ARE PERMITTED AS AN ALTERNATIVE TO FACE COVERINGS

- A. **Students.** A nonexempt student may use a face shield as an alternative to a face-covering if:
 - 1. The student is unable to tolerate a face covering due to a developmental, behavioral, or medical condition; or
 - 2. A face covering would interfere with religious attire that is worn as part of a sincerely held religious belief.
- B. **Employees.** A nonexempt employee may use a face shield as an alternative to a face covering with approval from an administrator if:
 - 1. The employee is a teacher and a face covering would impede the educational process;
 - 2. The employee is a staff member who is providing direct student support services and a face covering would interfere with the services that are being provided;
 - 3. The employee has a disability or medical condition that prevents the employee from wearing a face covering;
 - 4. A face covering would interfere with religious attire that is worn as part of a sincerely held religious belief; or
 - 5. A face covering would create a job hazard for the employee or others, if approved by an administrator based on local, state, or federal laws, requirements, or workplace safety and health standards and guidelines
- C. **Visitors.** A visitor may use a face shield as an alternative to a face-covering if:
 - 1. The visitor states that they cannot wear a face covering due to a medical condition, mental health condition, or disability; or

2. A face covering would interfere with religious attire that is worn by the visitor as part of a sincerely held religious belief.

Rescinding

VI. PROCEDURES FOR DETERMINING WHETHER AN EXEMPTION APPLIES OR WHETHER AN INDIVIDUAL MAY WEAR A FACE SHIELD INSTEAD OF A FACE COVERING

- A. **Students.** If a parent states that a student is exempt from wearing a face covering under this policy because the student cannot wear a face covering or cannot safely wear a face covering due to a medical condition, mental health condition, or disability, or if the parent states that a student is unable to tolerate a face covering because of a developmental, behavioral, or medical condition, the District will require the parent to submit documentation from a medical authority that the student has such a condition or disability and needs to be exempted from wearing a face covering. The documentation from the medical authority must also state whether the student can wear a face shield.
1. **Exception.** The District will not require a parent to submit documentation from a medical authority if the District already has reliable information showing that the student cannot wear a face covering or cannot safely wear a face covering due to a medical condition, mental health condition, or disability, or if the District already has reliable information showing that the student is unable to tolerate a face covering because of a developmental, behavioral, or medical condition.
 2. **Religious reasons.** The District will not require documentation if a parent or student over the age of fourteen states that a face covering would interfere with religious attire that is worn by the student as part of a sincerely held religious belief. The District may consider whether the student wore the same or similar religious attire before the COVID-19 pandemic began.
 3. **Determination.** In determining whether a student is exempt from wearing a face covering, the District will consider the parent's request, any documentation the District receives from a medical authority, and all reliable information in the student's educational records. The District may also consider and give weight to the knowledge of certified staff members who have taught or worked with the student.
 - a) If the District determines that the student is exempt from wearing a face covering or is unable to tolerate a face covering because of a developmental, behavioral, or medical condition, the District will determine whether the student can wear a face shield.
 - b) If the District determines that the student is unable to wear a face covering or a face shield because of a medical condition, mental health condition, or disability, the District will consider other options for reducing the potential spread of COVID-19. Such options may include, but are not limited to, using plexiglass barriers around the student's desk, maintaining more than six feet

of physical distance from the student, and providing PPE for staff members who work with the student.

- c) If the student has an IEP or Section 504 Plan, the IEP team or Section 504 team is responsible for determining the appropriate placement for the student and any accommodations or supports that may be necessary based on the student's disability. In determining the appropriate placement for the student, the IEP team or Section 504 team should consider the student's individual educational needs and all relevant information, including, but not limited to, whether the student's presence at school, without a face covering or face shield, would create a direct threat of harm to the student or others.

B. Employees. If an employee claims to be exempt from wearing a face covering under this policy, the District will require the employee to submit documentation from a medical authority stating that the employee cannot wear a face covering or cannot safely wear a face covering due to a medical condition, mental health condition, or disability.

1. **Exception.** The District will not require an employee to submit documentation from a medical authority if the District already has reliable information showing that the employee cannot wear a face covering or cannot safely wear a face covering due to a medical condition, mental health condition, or disability.
2. **Religious reasons.** The District will not require documentation if an employee states that a face covering would interfere with religious attire that is worn by the employee as part of a sincerely held religious belief. The District may consider whether the employee wore the same or similar religious attire before the COVID-19 pandemic began.
3. **Determination.** In determining whether an employee is exempt from wearing a face covering because of a medical condition, mental health condition, or disability, the District will consider the employee's request, any documentation the District receives from a medical authority, and all reliable information the District maintains about the employee.
 - a) If the District determines that the employee has or may have a disability, the District will engage in an interactive process with the employee.
 - b) If the District determines that the employee is unable to wear a face covering or a face shield because of a medical condition, mental health condition, or disability, the District will consider other options for reducing the potential spread of COVID-19. Such options may include, but are not limited to, using plexiglass

barriers around the employee's work area and maintaining more than six feet of physical distance from others.

- c) The District is not required to create a remote work assignment, to create a light duty position, or to excuse an employee from performing the essential functions of the job.

C. **Visitors.** If a visitor is not wearing a face covering while in a building that is owned, leased, or operated by the District, a staff member will inform the visitor of the face-covering requirement and, if available, offer a face covering and request that the visitor put it on. If the visitor refuses and claims that they are entitled to an exemption from the face-covering requirement, the staff member will contact an administrator to determine whether the visitor should be permitted in the building or should be required to leave. Visiting a building that is owned, leased, or operated by the District is a privilege, not a right. Based on the risk of harm that a visitor without a face covering or face shield creates when students and staff members are present for educational purposes, including the risk of a widespread outbreak that could close the schools, building administrators and other school officials may require a visitor to leave the premises if the visitor refuses to wear a face covering or face shield, or if the visitor refuses to maintain social distancing of at least six feet when students or staff are present for educational purposes. If the visitor refuses to leave, the school official, or a designee, should contact law enforcement.

D. **School Board Meetings.** Face coverings are generally required at school board meetings, regardless of where the meetings are held.

- 1. **Exception for medical condition or disability.** If a person asserts that they cannot wear a face covering or cannot safely wear a face covering due to a medical condition, mental health condition, or disability, the District will seek to accommodate the person by allowing the person to wear a face shield. If the person refuses to wear a face shield, the District may seek to accommodate the person by providing a streaming link for the regular business meeting or a link to a recorded version of the regular business meeting. Individuals are encouraged to contact the superintendent's office at least twenty-four hours in advance of a regular school board meeting if they want the District to establish a separate remote location for the person to view the meeting.

VII. POSTING, TRAINING, SUPPORT, AND ACCESS

- A. **Posting.** The requirement to wear a face covering will be conspicuously posted in the entryway of each building that is owned, leased, or operated by the District. Additionally, this policy will be posted in each building and posted on the District's website.

- B. **Training.** The District will provide training to staff and students on the requirements of this policy. The training will address the proper use of face coverings in District buildings and vehicles, and will reinforce the importance of using face coverings and face shields to prevent the spread of COVID-19. The training will also seek to facilitate understanding in the school community about the exemptions and exceptions stated in this policy, including the legitimate reasons why some staff members and some students cannot wear face coverings. Additionally, the training will seek to combat any stigma associated with wearing or not wearing face coverings and will emphasize to students and staff that bullying or harassment related to the wearing of a face covering is prohibited and may result in discipline up to and including suspension, expulsion, or discharge.
- C. **Support.** District staff members will provide support and guidance to a student who cannot wear a face covering due to a medical condition, mental health condition, or disability and to a student who cannot wear a face covering because the student qualifies to wear a face shield instead of a face covering (i.e. the student is unable to wear a face covering due to a medical condition, mental health condition, or disability or a face covering would interfere with religious attire that is worn is part of a sincerely held religious belief).
- D. **Access to Face Coverings.** To the extent practicable, the District will maintain an extra supply of face coverings for students and employees who forget to bring them.

VIII. COMPLIANCE

- A. **Compliance with Other Policies.**
 - 1. **Compliance with dress code.** All face coverings must comply with the District's dress code requirements for clothing. Face coverings may not promote or contain images of items that are illegal for minors or items that minors are prohibited from possessing on school property. Additionally, face coverings must not contain images or messages that are: (1) vulgar; (2) obscene; (3) threatening; (4) incite violence; or (5) reasonably likely to create a material and substantial disruption at school. The District's dress code policy may not be interpreted to prohibit the wearing of any face covering or shield required under this policy. To the extent that any conflict exists between the two policies, this policy controls.

2. **No bullying or harassment.** No student, employee, or visitor may wear a face covering that violates any District policy, including, but not limited to, the District's policy prohibiting bullying and the District's policies prohibiting harassment and other forms of discrimination based on protected class status. Additionally, no student, employee, or visitor may bully, unlawfully harass, or unlawfully discriminate against any student or employee because the student or employee is wearing a face covering or a face shield, or is exempt from wearing a face covering or a face shield.
- B. Discipline of Students.** This policy contains reasonable school board regulations. Any student who willfully violates this policy is subject to discipline. The District will administer such discipline in accordance with the Minnesota Pupil Fair Dismissal Act and special education laws.
1. **Exempt students.** District administrators may not dismiss an exempt student who does not wear a face covering.
 2. **Nonexempt students.** District administrators may dismiss nonexempt students who refuse to wear a face covering, but suspension is strongly discouraged as a first step. District administrators are encouraged to take the following steps in addressing a student's refusal to wear a face covering:
 - a) Offer the student a face covering, if available, and give the student an opportunity to explain why they are refusing to wear a face covering. In accordance with Section VI of this policy, determine whether an exemption applies or whether the student may wear a face shield instead of a face covering.
 - b) If the school administrator determines that the student is not exempt and that no other exception applies, the school administrator should direct the student to wear the face covering and inform the student that failure to comply with the directive will be considered to be insubordination, which is a ground for dismissal. If the student persists in refusing to wear a face covering, the school administrator may send the student home for the remainder of the school day and direct the student to wear a face covering upon returning to school, including entry on any District vehicles.
 - c) If the student returns to school the following day and persists in refusing to wear a mask, the school administrator may suspend the student for one school day by following the procedures stated in the Pupil Fair Dismissal Act. The school administrator should warn the student that another violation will result in a three-day suspension. The school administrator, or a designee, should also contact the student's parent to discuss the matter.

- d) If the student returns to school after the suspension and persists in refusing to wear a mask, the school administrator may suspend the student for three school days by following the procedures stated in the Pupil Fair Dismissal Act. The school administrator should warn the student that another violation will result in a suspension of at least ten school days along with the initiation of expulsion proceedings. The school administrator, or a designee, should also contact the student's parent to discuss the matter.
- e) If the student returns to school after the suspension and persists in refusing to wear a mask, the school administrator may suspend the student for ten school days, which may be extended to fifteen days for a general education student, while initiating expulsion proceedings. The school administrator, or a designee, should also contact the student's parent to discuss the matter. (Note: Special education students are entitled to receive a free appropriate public education beginning on the tenth cumulative day of suspension.)

C. **Discipline of Employees**

1. **Exempt employees.** District administrators may not discipline an exempt employee who does not wear a face covering.
2. **Nonexempt employees.** District administrators may discipline nonexempt employees who refuse to wear a face covering. Employees must understand the importance of complying with District policies because employees serve as a role model for students. District administrators are encouraged to take the following steps in addressing an employee's refusal to wear a face covering:
 - a) If available, offer the employee a face covering and give the employee an opportunity to explain why they are refusing to wear a face covering. In accordance with Section VI of this policy, determine whether an exemption applies or whether the employee may wear a face shield instead of a face covering.
 - b) If the school administrator determines that the employee is not exempt and that no other exception applies, the school administrator should direct the employee to wear a face covering and inform the employee that failure to comply with the directive will be deemed to be insubordination, which is a ground for discipline up to and including immediate discharge. If the employee persists in refusing to wear a face covering, the school administrator may suspend the employee without pay for one duty day and direct the employee, in writing, to wear a face covering upon returning to work for the District. In issuing the suspension, the school administrator must comply with any applicable

requirements set forth in any employment contract, Board policy, or labor contract.

- c) If the employee returns to work following the suspension and persists in refusing to wear a mask, the school administrator should consult with the superintendent about taking further disciplinary action up to and potentially including immediate discharge.

Legal References:

CRC January 29, 2021 Order: Requirement for Persons to Wear Masks While on Conveyances and at Transportation Hubs

Cross References:

Policy 504 (Student Dress and Appearance)

Other References

MDE Best Practice Recommendations for COVID-19 Prevention in Schools for the 2021-22 School Year
CDC Interim Public Health Recommendations for Fully Vaccinated People
CDC Your Guide to Masks
MDH Recommendations for Wearing Masks
MDH Masking Recommendations for Child Care: COVID-19



Adopted: August 17, 2021

Rescind: January 10, 2022

809 COVID-19 RELATED QUARANTINES

I. GENERAL POLICY

Given the ongoing public health threat caused by the COVID-19 pandemic, Special School District No. 6 (South St. Paul Schools) will follow public health guidance as it relates to quarantining students or staff. The District will follow the Recommended COVID-19 Decision Tree for People in Schools, Youth, and Child Care Programs and related guidance issued by the Minnesota Department of Health, as the Decision Tree and related guidance may be amended from time to time.

All students and staff will be required to comply with the District's quarantine procedures and shall remain out of any and all District buildings and offices, transportation, and activities, wherever located, as directed by District administration consistent with the Decision Tree and related guidance. If the Decision Tree and related guidance are unclear or there is uncertainty about how they apply to particular facts, District administration has the discretion to make necessary decisions. This policy will remain in effect for the 2021-2022 school year unless repealed by the School Board sooner.

Quarantines are meant to help prevent the spread of COVID-19 by those who are reasonably suspected to have contracted the virus, whether vaccinated or unvaccinated, and to be able to transmit it to others, particularly to those who are unvaccinated. At the time of this policy's adoption, there is no vaccine approved for children under the age of 12 and there are other students and staff in the District who are believed to be unvaccinated.

Further, available evidence indicates that those who are vaccinated can contract and spread COVID-19. Because the school setting brings many people together indoors, following quarantine procedures is an important measure in limiting the spread of COVID-19 and associated disruptions to the educational environment. In adopting this policy, the School Board considered and weighed the political, educational, social, health, and safety factors behind the CDC, MDE, and MDH guidance related to quarantines and the needs of the District's students, staff, and community.

II. MONITORING AND REPORTING

All students, staff, and other individuals entering any District building or office, transportation, or activities, wherever located, must self-monitor for symptoms of COVID-19 and are encouraged to stay home if not well. Parents/guardians are responsible for monitoring and reporting for their student(s), except that students who are 18 years of age or older are responsible for their own monitoring and reporting. Anyone who has a positive COVID-19 test, shall not enter any District building or office, transportation, or activities, wherever located, until making a proper report to District

administration and completing any quarantine period as directed by District administration consistent with the Decision Tree and related guidance.

III. VACCINATED STUDENTS AND STAFF

To the extent that the Decision Tree and related guidance provide less restrictive quarantine procedures for individuals who are vaccinated, only those individuals who provide proof of full vaccination will be entitled to the benefit of any such procedures. “Full vaccination” means that at the time of the incident giving rise to potential quarantine, at least two weeks have passed since the individual completed the full vaccine course, whether one dose or two doses. Proof of vaccination must be in the form of a valid vaccination card, medical record confirming vaccination, or other documentation reasonably confirming vaccination as deemed appropriate by District administration. To be sufficient, proof of vaccination must include the date(s) of vaccination and type of vaccine received. Data regarding a student’s or staff member’s vaccination status will be shared only with those District staff who have a need to access the data.

Absent timely proof of vaccination, individuals will be treated as unvaccinated for purposes of applying the quarantine procedures.

IV. CONSIDERATIONS FOR STAFF REQUIRED TO QUARANTINE

Employees may use any leave that is currently available to them for the days that they are required to quarantine and cannot work.

V. FAILURE TO COMPLY

Anyone who fails to comply with this policy or the direction of South St. Paul Schools’ administration to quarantine and remain away from all District buildings or offices, transportation, or activities, wherever located, for the full quarantine period, consistent with the Decision Tree and related public health guidance, may be subject to discipline and/or exclusion from all District property and activities. In the case of employees, such discipline shall be up to and including discharge in accordance with any applicable laws and/or collective bargaining agreement. To the extent allowed by law, students refusing to comply with the quarantine procedures will be suspended, which may extend for the length of the applicable quarantine period. A student’s subsequent refusal to comply with the District’s quarantine procedures could lead to additional discipline up to and including expulsion, consistent with the Pupil Fair Dismissal Act.

VI. NOTICE

The District will provide staff and students and/or their parents/guardians with notice of the current Decision Tree in effect by posting the Decision Tree or a link to the document in a conspicuous place on its website. To the extent practicable, the District will also provide a copy or link to the Decision Tree via a direct communication to staff and students and/or their parents/guardians. Without regard for whether actual notice of amendments to the Decision Tree has been given or received, the most recent iteration of

the Decision Tree and related guidance issued by the Minnesota Department of Health will control the District's quarantine procedures.

Legal References:

Pupil Fair Dismissal Act, Minnesota Statutes Sections 121A.40 to 121A.56

Cross References:

Board Policy 403 (Discipline, Suspension, and Dismissal of School Employees)
Board Policy 506 (Student Discipline)

Other References:

MDH Recommended COVID-19 Decision Tree for People in Schools, Youth, and Child Care Programs:

<https://www.health.state.mn.us/diseases/coronavirus/schools/exguide.pdf>

MDE Best Practice Recommendations for COVID-19 Prevention in Schools for the 2021-22 School Year

CDC Guidance for COVID-19 Prevention in K-12 Schools: Contact Tracing in Combination with Isolation and Quarantine

FACE COVERING/FACE SHIELD EXEMPTION

A student in grades K-12 may be exempt from the requirement to wear a “face covering” at school if a “medical authority” certifies that the student has a health condition, disability, or mental health, developmental, or behavioral need that makes a student unable to tolerate wearing a face covering. A student will then be expected to wear a face shield unless a medical authority certifies that the student is unable to tolerate a face shield because of a medical condition.

- “Face covering” means any paper or disposable mask, cloth facemask, medical-grade mask, scarf, bandanna, neck gaiter, or religious face covering that can be worn to cover the nose and mouth completely in accordance with CDC guidance. Masks with valves, mesh, openings, holes, vents, or visible gaps in the material are not sufficient face coverings.
- “Face shield” is a clear plastic barrier that covers the face, extends below the chin, and wraps around the sides of the face to the ears. An adequate face shield should have no exposed gap between the forehead and the shield’s headpiece.
- “Medical authority” means a medical doctor, clinical psychologist, physician assistant, or nurse practitioner who has seen or treated the student.

If you believe that your child is exempt from wearing a “face covering” and/or “face shield,” you must sign this form and have a “medical authority” sign and complete this form. An exception will be made if the need for an exemption is obvious or the School District already possesses information that demonstrates the need for an exemption.

This form must be given to the school principal. The District will make the final determination of whether the student qualifies for an exemption.

TO BE COMPLETED BY PARENT/GUARDIAN

Student Name: _____ Date of Birth: _____

Address _____ School of Attendance: _____

I certify that the information on this form is true and accurate to the best of my knowledge.

Parent signature: _____ Date: _____

TO BE COMPLETED BY MEDICAL AUTHORITY

Print Name: _____ Name of Clinic: _____

Clinic Address: _____ Clinic Phone: _____

Based on personal knowledge from examining, treating, or reviewing the medical records of the student who is identified above, I certify that the following is true and accurate (check those that apply and identify condition):

The student is unable to tolerate wearing a face covering at school because of the following health condition, disability, or mental health, developmental, or behavioral need:

_____.

The student is unable to tolerate a face shield at school because of the following medical condition:

_____.

Signature of Medical Authority _____

Date: _____

The Minnesota Chapter of the American Academy of Pediatrics (MNAAP) has expressed support for children wearing face coverings with limited exceptions. MNAAP recommends considering whether the child is capable of physically removing their face covering in the event of an emergency. If yes, MNAAP generally believes most children should wear a face covering. A child should be exempt from wearing a face covering if the child has a medical condition that prevents the child from removing the face covering in an emergency. Examples including children with severe cognitive issues, significant sensory challenges, significant respiratory impairments (e.g. tracheostomy or on oxygen), or an orthopedic or neurological issue (e.g. cerebral palsy) that prevents the child from removing the face covering in an emergency.



Adopted: August 17, 2021

Rescind: January 10, 2022

808 COVID-19 VACCINATION, TESTING, QUARANTINE AND FACE COVERINGS

I. PURPOSE

Given the ongoing public health threat caused by the COVID-19 pandemic and federal/state mandates, Special School District No. 6, South St. Paul Schools (“District”) has adopted this policy on vaccination, testing, quarantine, and face coverings.

In adopting Sections III and Section IV of this policy, the District considered and weighed the political, educational, social, health, and safety factors behind state and federal guidance related to face coverings and quarantines and the needs of District students, employees, and community.

Section V is in effect only if the Occupational Safety and Health Administration (“OSHA”) Emergency Temporary Standard on Vaccination and Testing (“ETS”)(29 C.F.R. Part 1910, Subpart U) or similarly adopted mandate by the Minnesota Occupational Safety and Health Administration (“MNOSHA”) is in effect.

II. DEFINITIONS

- A. Any legally applicable federal/state definitions govern this policy. See 29 C.F.R. Part 19010, Subpart U for additional definitions. For convenience of its constituents and compliance with the “readability” component of the ETS mandate, the District has included abbreviated definitions.
- B. **“COVID-19 test”** means a properly administered test for SARS-CoV-2 that is (1) FDA approved, including Emergency Use Authorization (“EUA”), to detect current infection; and (2) not both self-administered and self-read unless observed by the District or authorized telehealth proctor (e.g. tests processed in a laboratory, proctored over-the-counter tests by a telehealth authorized proctor, tests proctored by the district).
- C. **“Face covering”** means a covering that (1) fits snugly and completely covers a person’s nose, mouth, and chin with no large gaps on the outside of the face; (2) is made with two or more layers of a tightly woven, breathable fabric (i.e. fabrics that do not let light pass through when held up to a light source); (3) is a solid piece of material without slits, valves, visible holes, or other openings; and (4) secures to the head with ties, ear loops, or elastic bands that go behind the head.

If gaiters are worn, the gaiters must have two layers of fabric or be folded to make

two layers. This definition includes clear face coverings or cloth face coverings with a clear plastic panel that, despite the non-cloth material allowing light to pass through, otherwise meet this definition. These clear face coverings may be used to facilitate communication with people who are deaf or hard-of-hearing or others who need to see a speaker’s mouth or facial expressions.

- D. **“Face shield”** means a clear plastic barrier that covers the face, extends below the chin, and wraps around the sides of the face to the ears. A face shield may not have an exposed gap between the forehead and the shield’s headpiece.
- E. **“Fully vaccinated” person** means a person two weeks after properly receiving (1) the second of two doses of an FDA approved vaccination, or (2) one dose of a one dose FDA approved vaccine.

III. FACE COVERING MANDATE

All persons are required to wear a face covering when they are in any building that is owned, leased, used, or operated by or on behalf of the District, regardless of vaccination status, unless an exemption or exception stated in this section applies. Similarly, all persons are required to wear a face covering when they are in any District vehicle or operated on behalf of the District, regardless of vaccination status, unless an exemption or exception stated in this section applies.

A. Mandate Exceptions

1. Children under the age of two.
2. Persons who are incapacitated, unconscious, or otherwise unable to remove the face covering without assistance.
3. Other legally required exemptions or accommodations, including those required because of medical condition, disability or religious belief.

B. Temporary Removal of Face Coverings

A person may remove a face covering when participating in an impracticable activity or while an employee is working alone.

1. **Impracticable Activities.** Activities where a face covering is impracticable include but are not limited to: eating; drinking; communicating with a person who is deaf/hard of hearing or has a disability/medical condition requiring removal of face covering; activities where the face covering would get wet; while engaging in physical activities where exertion makes wearing a face covering difficult or impracticable; while singing; during practices or performances involving acting or public speaking; while playing musical instruments (must try to maintain social distancing of six feet); identification purposes; or receiving a service where the service would be impossible to perform with

the face covering worn. The District has full discretion to determine whether the activity is “impracticable.”

2. **Employees working alone.** Employees may remove face coverings when working alone, including alone in an office, district vehicle, or other workspace with walls or other barriers (e.g. plexiglass) that are at least face level.

C. **Face Shield Alternative to Face Covering**

1. **Students.** A student may use a face shield as an alternative to a face covering when the District determines that (1) the student is unable to tolerate a face covering due to a developmental, behavior, or medical condition; or (2) the face covering would interfere with the student’s sincerely held religious belief.
2. **Employees.** An employee may use a face shield as an alternative to a face covering when the District determines that (1) the employee is unable to tolerate a face covering due to a disability or medical condition; (2) the face covering would interfere with the employee’s sincerely held religious belief; (3) the face covering would impede the educational process for student(s); or (4) the face covering would create a job hazard for the employee or others.
3. **Visitors.** A visitor may use a face shield as an alternative to a face covering when the District determines that (1) the visitor is unable to tolerate a face covering due to a disability or medical condition; or (2) the face covering would interfere with the visitor’s sincerely held religious belief.

D. **Procedures for Requesting Exemption or Alternative**

A parent/guardian of a student, employee, or visitor may contact the building/program administrator or the Director of Human Resources to request an exemption or alternative to the face covering mandate.

E. **Implementation and Compliance**

1. **Posting.** The District policy is posted on its website. A notice of the face covering mandate will be posted in the entryway of each building. Lack of posted notice does not negate the face covering mandate.
2. To the extent practicable, the District will maintain an extra supply of face coverings for people who forget to bring their face covering. Employees, students, and visitors may choose to wear their own face covering.
3. **Visitors.** If a visitor is not wearing a face covering, an employee will inform the visitor of the face-covering requirement and, if available, offer a face covering and request that the visitor don it. If the visitor refuses to

wear a face covering or face shield, the employee will contact a building/program administrator. The building/program administrator may ask the visitor to leave District property. If the visitor refuses to leave, the building/program administrator should contact law enforcement.

4. **Other District policies.** All face coverings must comply with other District policies, including but not limited to meeting the requirements of applicable dress code policies.
5. **Compliance.** Anyone who fails to comply with this policy or the District administration's direction may be subject to discipline and/or exclusion from all District property and activities. In the case of employees, such discipline may be up to and including discharge in accordance with any applicable laws and/or collective bargaining agreement. To the extent allowed by law, students willfully refusing to comply with the face covering requirements may be suspended. A student's subsequent willful refusal to comply with the District face masking procedures could lead to additional discipline up to and including expulsion, consistent with the Pupil Fair Dismissal Act.

IV. COVID-RELATED QUARANTINES

The District follows the Minnesota Department of Health's public health guidelines as it relates to quarantining students or employees. Specifically, the District follows the Recommended COVID-19 Decision Tree for People in Schools, Youth, and Child Care Programs and related guidance issued by the Minnesota Department of Health ("MDH"), as the Decision Tree and related guidance may be amended.

All students and employees are required to comply with District quarantine procedures and must remain out of any and all District property and activities, wherever located, as directed by District administration consistent with the MDH Decision Tree and related guidance. If there is uncertainty on the application of the MDH Decision Tree and related guidance to particular facts, District administration has the discretion to make necessary decisions.

- A. **Monitoring and Reporting.** All persons entering District property or participating in District activities, wherever located, must self-monitor for symptoms of COVID-19 and are encouraged to stay home if not well. Any person who has tested positive for COVID-19 must report the positive test result to District administration and comply with the quarantine period as directed by District administration prior to entering District property or participating in District activities, wherever located. An employee may use any available leave time for the period of quarantine.
- B. **Vaccinated Student and Employees.** The District will follow the MDH's Decision Tree and related guidance that may provide for less restrictive quarantine procedures for fully vaccinated people. Proof of vaccination, as

deemed appropriate by District administration, will be required. Individuals will be treated as unvaccinated for purposes of applying the quarantine procedures unless proof of vaccination is provided.

C. Posting and Compliance.

1. **Posting.** The District policy and MDH Decision Tree is posted on the District website. Without regard for whether actual notice of amendments/revisions to the MDH Decision Tree has been given or received, the most recent iteration of the Decision Tree and related guidance informs the District administration's quarantine procedures.
2. **Compliance.** Anyone who fails to comply with this policy or the District administration's direction may be subject to discipline and/or exclusion from all District property and activities. In the case of employees, such discipline may be up to and including discharge in accordance with any applicable laws and/or collective bargaining agreement. To the extent allowed by law, students willfully refusing to comply with the quarantine/reporting requirements may be suspended. A student's subsequent willful refusal to comply with the District's quarantine/reporting requirements could lead to additional discipline up to and including expulsion, consistent with the Pupil Fair Dismissal Act.

V. OSHA'S EMERGENCY TEMPORARY STANDARDS ("ETS")

- A. **Only in Effect if Legally Required.** Section V is only in effect if OSHA or MNOSHA is enforcing the ETS and the District could be subject to sanctions for noncompliance with the ETS. This District will not enforce the provisions of Section V if the ETS is expired, subject to a court order staying its implementation, or otherwise not legally binding on the District.
- B. **Application to All Employees.** Section V applies to all District employees, except for employees who do not report to a workplace where other persons are present; employees while working from home; and employees who work exclusively outdoors.
- C. **Not Applicable to Independent Contractors and Volunteers.** Independent contractors and volunteers are not considered District employee for purposes of Section V.
- D. **Test Mandate with Fully Vaccinated Exemption**
 1. **Employee Choice.** Employees may choose to be vaccinated against COVID-19. The District is not imposing an employee vaccine mandate in order to comply with the requirements of the ETS. But any employee not fully vaccinated by February 9, 2022, is subject to the weekly COVID-19 testing and face covering requirements under Section III of this policy until they become fully vaccinated. Weekly testing requirements set forth

in Section V will begin on February 9, 2022, or when the testing requirements set forth in the ETS become legally enforceable against the District, whichever occurs later.

2. **Deadlines.** To be considered fully vaccinated by February 9, 2022, an employee must receive the final dose of an approved COVID-19 vaccination no later than January 26, 2022.
3. **Vaccine Availability.** Employees are responsible for scheduling their own vaccination appointments. Employees may schedule a vaccination appointment through their own medical provider, local pharmacies, mass-vaccination clinics, community vaccination sites, or any other place where COVID-19 vaccines are offered. Information about vaccination locations is available through the Minnesota COVID-19 Response webpage at: <https://mn.gov/covid19/vaccine/find-vaccine/locations/index.jsp>. The District is not responsible for any reimbursement of costs associated with the employee's choice to receive vaccination.
4. **Time to Receive Vaccination and Associated Expenses.** The District will provide a reasonable amount of time to each employee to receive a vaccination dose or doses to become fully vaccinated. An employee may take up to four hours of paid duty time, at the employee's regular rate of pay, per dose to travel to a vaccination site, receive a vaccination, and return to work (i.e. up to eight hours). When an employee spends less time getting the vaccine, only the amount of paid duty time needed for a primary vaccination appointment will be granted. An employee who needs longer than four hours will need to contact the Director of Human Resources to explain such need. The District is not responsible for any reimbursement of costs associated with employee's choice to receive vaccination.
5. **Time for Recovery – Doses to Become Fully Vaccinated.** The District provides reasonable time and paid sick leave to employees who are unable to work due to side effects experienced following a vaccination dose to become fully vaccinated. The District provides no more than two days of paid leave per vaccination dose for employees who are unable to work due to vaccination side effects. Any request for additional leave will be governed by the District's procedures for requesting a medical leave. Employees who have available accrued sick leave or other time off are required to use their available accrued leave for recovery time. Employees who have no sick leave may be granted up to two days of paid sick leave immediately following each dose when necessary for the employee to recover from side effects.

E. EMPLOYEE VACCINATION STATUS

1. **Obligation to report.** Employees will be required to report their vaccination status and if vaccinated provide proof of vaccination as set forth in this subsection E. Employees must provide truthful and accurate information about their COVID-19 vaccination status. Employees who do not follow this policy may be subject to discipline. Vaccination status information must be reported to the District by the deadline set forth by District administration. In order to comply with this reporting requirement, employees must provide proof of their vaccination status, including whether they are fully or partially vaccinated. Employees who are not vaccinated must also report their vaccination status.
2. **Reporting.** The superintendent, or designee, is responsible for developing a system through which employees will report their vaccination status.
3. **Proof of Vaccination Status.** All vaccinated employees are required to provide proof of vaccination status, regardless of where they received their vaccination. Proof of vaccination generally includes the employee's name, the type of vaccine administered, the date(s) of administration, and the name of the healthcare professional(s) or clinic site(s) that administered the vaccine.
 - a) Acceptable "proof of vaccination status" includes:
 - (1) *The record of immunization from a health care provider or pharmacy;*
 - (2) *A copy of a COVID-19 Vaccination Record Card;*
 - (3) *A copy of medical records documenting the vaccination;*
 - (4) *A copy of immunization records from a public health, state, or tribal immunization information system; or*
 - (5) *A copy of any other official documentation that contains the type of vaccine administered, date(s) of administration, and the name of the healthcare professional(s) or clinic site(s) administering the vaccine(s).*
 - b) An employee who does not possess a COVID-19 vaccination record card (e.g. because it was lost or stolen) should contact the vaccination provider to obtain a new copy or other acceptable documentation of vaccination status. If the employee is unable to produce acceptable proof of vaccination after contacting the vaccine provider, then they may attest to their vaccination status. Contact the Director of Human Resources if you need to make this attestation.
4. **Treated as Unvaccinated if No Proof or Attestation.** An employee who does not provide acceptable proof of vaccination status, or an attestation, is treated as not fully vaccinated for purposes of Section V.

5. **Penalty for Providing False Information.** Employees are prohibited from knowingly supplying false statements or documentation regarding their vaccination status under 18 U.S.C. § 1001 and section 17(g) of OSHA. Employees who violate those laws may be subject to criminal penalties.
6. **Recordkeeping.** The District will maintain employees' vaccination status and maintain records of acceptable proof of vaccination for each employee.

F. COVID-19 TESTING FOR THOSE WITHOUT THE VACCINE EXEMPTION

1. **Testing Requirement.** Beginning February 9, 2022, or the date on which the mandatory testing requirement in the ETS becomes legally enforceable against the District, whichever occurs later, an employee who is not fully vaccinated must participate in weekly COVID-19 testing. An employee who is not fully vaccinated and who reports to the workplace at least once every seven days:
 - a) Must be tested for COVID-19 at least once every seven days; and
 - b) Must provide documentation of the most recent COVID-19 test result to the District no later than the seventh day following the date on which the employee last provided a test result.

The superintendent, or designee, is responsible for developing a protocol for employees to report COVID-19 test results and will communicate the protocol to employees.

2. **Testing Following Longer Absences.** An employee who is not fully vaccinated and who does not report to the workplace during a period of seven or more days:
 - a) Must be tested for COVID-19 within seven days prior to returning to the workplace; and
 - b) Must provide documentation of that COVID-19 test result to the District in the manner to be determined by the superintendent upon return to the workplace.
3. **Failure to Provide Test Result.** If an employee who is not fully vaccinated does not provide documentation of a COVID-19 test result as required by this policy, the employee will be removed from the workplace until the test result is provided.
4. **Exemption for Recent Infection.** Employees who are not fully vaccinated and who have received a positive COVID-19 test or have been diagnosed with COVID-19 by a licensed healthcare provider are not required to

undergo COVID-19 testing for 90 days following the date of their positive test or diagnosis.

5. **Record of Testing.** The District will maintain a record of each test result provided by each employee under this section.
6. **Cost of Testing.** The District will not pay or reimburse employees for any costs associated with COVID-19 testing.
7. **Availability of Testing.** Employees may schedule their own testing appointments. Information about testing locations is available online at: <https://mn.gov/covid19/get-tested/testing-locations/index.jsp>.

G. MANDATORY REPORTING OF COVID-19 DIAGNOSIS OR POSITIVE TEST

1. **Reporting and Removal from Workplace Following Positive Test.** Nothing in Subsection V.G, negates the District’s quarantine procedures noted in Section IV of this policy. Regardless of an employee’s vaccination status:
 - a) The District requires all employees to promptly notify the COVID Health Coordinator, or designee, when they have tested positive for COVID-19 or have been diagnosed with COVID-19 by a licensed healthcare provider; and
 - b) The District will remove any employee from the workplace who receives a positive COVID-19 test or is diagnosed with COVID-19 by a licensed healthcare provider. The District will keep the employee removed until the employee:
 - (1) Receives a negative result on a COVID-19 nucleic acid amplification test (“NAAT”) following a positive result on a COVID-19 antigen test if the employee chooses to use a NAAT test for confirmatory testing;
 - (2) Meets the return-to-work criteria in CDC’s “Isolation Guidance” or as specified in Section IV of this policy, whichever is longer; or
 - (3) Receives a recommendation to return to work from a licensed healthcare provider.
2. **Status of Leave After Positive Test.** Employees may use accrued paid leave to receive pay for COVID-related absences. The District does not provide any additional paid time off to an employee who is removed from the workplace as a result of a positive COVID-19 test or diagnosis of COVID-19.

H. NEW EMPLOYEES

New employees are required to follow the vaccination, testing, and face covering requirements outlined in Section V as of the start date of their employment.

Candidates for employment will be notified of the requirements of this policy following a job offer and prior to the start of employment.

New employees must provide acceptable proof of vaccination prior to their start date of their employment. A new employee who cannot provide acceptable proof of vaccination must submit results from a COVID-19 test taken within the previous seven days prior to the employee's first day of work.

I. EXEMPTIONS

1. **Accommodations.** An employee may be entitled to a reasonable accommodation if the employee is unable to comply with the requirements of this section because of a medical condition, disability, or a sincerely held religious belief, practice or observance.
2. **Requests for Accommodation.** Requests for reasonable accommodations must be initiated by the individual employee and submitted in writing to the Director of Human Resources at ntuescher@sspps.org
3. **Determination of Reasonable Accommodation.** Requests for reasonable accommodations will be addressed on a case-by-case basis by District administration.

J. QUESTIONS

Questions regarding Section V of this policy should be directed to: Nicole Tuescher, Director of Human Resources, ntuescher@sspps.org.

K. DISSEMINATION OF THIS POLICY AND INFORMATION TO EMPLOYEES

1. **Dissemination of Policy.** The District will email this policy to employees following its adoption.
2. **Other Disclosures to Employees.** By sending this policy to its employees, the District has distributed the following information:
 - a) The full text of OSHA's ETS is available online at: <https://www.federalregister.gov/documents/2021/11/05/2021-23643/covid-19-vaccination-and-testing-emergency-temporary-standard>.
 - b) The CDC has published information about COVID-19 vaccine efficacy, safety, and the benefits of being vaccinated. This information can be accessed by visiting: <https://www.cdc.gov/coronavirus/2019-ncov/vaccines/keythingstoknow.html>.
 - c) Federal regulation, specifically 29 CFR § 1904.35(b)(1)(iv), prohibits the District from discharging or in any manner

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discriminating against an employee for reporting a work-related injury or illness.

- d) Section 11(c) of OSHA prohibits the District from discriminating against an employee for exercising rights under, or as a result of actions required by, the ETS. Section 11(c) also protects the employee from retaliation for filing an occupational safety or health complaint, reporting a work-related injury or illness, or otherwise exercising any rights under OSHA.
- e) Federal law, specifically 18 U.S.C. § 1001 and of section 17(g) of OSHA, prohibits employees from knowingly supplying false statements or documentation in accordance with this policy. Anyone who violates those provisions may be subject to criminal penalties.

Legal References:

CRC January 29, 2021 Order: Requirement for Persons to Wear Masks While on Conveyances and at Transportation Hubs
Pupil Fair Dismissal Act, Minnesota Statutes Sections 121A.40 to 121A.56

Cross References:

Board Policy 403 (Discipline, Suspension, and Dismissal of School Employees)
Board Policy 504 (Student Dress and Appearance)
Board Policy 506 (Student Discipline)

Other References:

CDC Guidance for COVID-19 Prevention in K-12 Schools: Contact Tracing in Combination with Isolation and Quarantine
CDC Public Health Recommendations for Fully Vaccinated People
CDC Guidance: Vaccination Efficacy <https://www.cdc.gov/coronavirus/2019-ncov/vaccines/keythingstoknow.html>
CDC Your Guide to Masks
MDE Best Practice Recommendations for COVID-19 Prevention in Schools for the 2021-22 School Year
MDH Recommendations for Wearing Masks
MDH Masking Recommendations for Child Care: COVID-19
MDH Recommended COVID-19 Decision Tree for People in Schools, Youth, and Child Care Programs: <https://www.health.state.mn.us/diseases/coronavirus/schools/exguide.pdf>
OSHA Emergency Temporary Standard <https://www.federalregister.gov/documents/2021/11/05/2021-23643/covid-19-vaccination-and-testing-emergency-temporary-standard>

Meeting Date: Monday, January 10, 2022
Place on Agenda: Committee-of-the-Whole & Regular Business Meeting
Action Requested: Approval
Attachment: N/A

Topic: 2022-23 SSP High School New Course Proposals
Presenter(s): Dr. Chad Schmidt, Learning Director; Chuck Ochocki, High School Principal
<p>Background:</p> <p>The following TriDistrict Center for Advanced Professional Studies (CAPS) course has been developed over the past 18 months. It expands the career and college readiness pathways already in operation and provided by the TriDistrict collaborative of Districts 197, 199, and South St. Paul Public Schools under the leadership of Ben Kusch, Lead Designer.</p>
<p>4021, 4022 - TriDistrict CAPS - Computer Science and Information Technologies Full Year: 3 credits (2 elective, 1 Math credit) - Grades 11 -12 Location: TBD Prerequisite: None. Application Required</p> <p>Course description: In this course, students will develop the professional skills and the technical knowledge required to forge forward in exploring multiple areas of information technology, computer science, and the affiliated fields that drive the IT/CS industry. Discover a vast array of specialty areas available in technology careers where professionals utilize technology to solve business problems and design products. Immerse yourself in a professional environment while you tackle and solve real-world problems. Explore the following areas as they relate to PCs and mobile devices: software engineering, web development, operating systems, hardware technologies, network design/technologies, management information systems and emerging technologies. Discrete and applied mathematics topics will be embedded in the course. Students who successfully complete this course will earn HS credits for AP Statistics and AP Computer Science Principles and have the opportunity to take the AP exams in both.</p> <p>Eligibility: Entrance to TriDistrict CAPS Computer Science & Information Technology is based on eligibility criteria, a completed application, and a recommendation. Limited space is available and placement will be determined by a review of all applications. Applications must be submitted online. The application process and additional information will be communicated during the registration process. See your counselor with any questions.</p>
<p>Recommendation:</p> <p>District administration is in support of these proposals and recommends that they be approved.</p>
<p>Alternatives:</p> <p>Don't approve the course proposals and provide administration next steps.</p>



SOUTH ST. PAUL PUBLIC SCHOOLS

School Board Agenda Item

Meeting Date: January 10, 2022

Place on Agenda: Committee-of-the-Whole

Action Requested: None. Discussion Only.

Attachment: None

Topic: Committee Updates
Presenter(s): School Board Members
Background: School Board members will provide an update for the following committees that they serve on: <ul style="list-style-type: none">• District 917• Association for Metropolitan School Districts (AMSD)• Community Education• SSP Educational Foundation• Equity Alliance MN• Finance, Facilities and Long-Range Planning• SSP Open Foundation• District Policy• District Community Engagement and Public Relations• District Superintendent/Executive
Recommendation: N/A
Alternatives: N/A