

Hastings Area Public Schools - ISD 200
School Board Meeting Agenda

Tuesday, August 18, 2020
Special Meeting of the Hastings School Board
Video Conference through Zoom

I. Call Meeting to Order

a. Attendance

II. Motion to approve the agenda/table file

III. Items for Discussion

a. First read through:

i. 808 - COVID-19 Face Covering Policy

IV. Action Items:

a. 710A - Co-curricular and Extracurricular Alternative Transportation Permission Form

b. Policy 530

V. Adjournment



808 COVID-19 FACE COVERING POLICY

I. PURPOSE

The purpose of this policy is to establish requirements for employees, students, and other persons (including visitors, guests, contractors, etc.) present on school property to wear face coverings in classrooms, preschool, child care settings and other indoor areas, as well as outdoor areas where a physical distance of 6 feet cannot be maintained between persons, in order to minimize exposure to COVID-19.

II. GENERAL OF STATEMENT OF POLICY

- A. The policy of the school district is to comply with Executive Order 20-81, Executive Order 20-82, and applicable face covering requirements from the Minnesota Department of Health and the Minnesota Department of Education.
- B. Face coverings are meant to protect other people in case the wearer does not know they are infected.
- C. Unless an exception described in Part IV below applies, all students, staff, and other people present indoors in school buildings and district offices or riding on school transportation vehicles are required to wear a face covering.
- D. A violation of this policy occurs when any student, staff, or other person present in a school building, in the school district office, or on a school transportation vehicle fails to wear a face covering, unless an enumerated exception applies.

III. DEFINITION OF FACE COVERING

A. A face covering must be worn to cover the nose and mouth completely, should not be overly tight or restrictive, and should feel comfortable to wear. The following are included in the definition of face covering:

1. Paper or disposable mask;
2. Cloth face mask;
3. Scarf;



4. Neck gaiter;
5. Bandana;
6. Religious face covering; and
7. Medical-grade masks and respirators

B. A face shield is a clear plastic barrier that covers the face and allows visibility of facial expressions and lip movements for speech perception. A face shield should extend below the chin anteriorly, to the ears laterally, and there should be no exposed gap between the forehead and the shield's headpiece.

C. Masks that incorporate a valve designed to facilitate easy exhaling, mesh masks, or masks with openings, holes, visible gaps in the design or material, or vents are not sufficient face coverings because they allow exhaled droplets to be released into the air.

IV. EXCEPTIONS AND ALTERNATIVES; TEMPORARY REMOVAL OF FACE COVERING

- A. Face coverings should not be placed on anyone under age 2, anyone who has trouble breathing or is unconscious, anyone who is incapacitated or otherwise unable to remove the face covering without assistance, or anyone who cannot tolerate a face covering due to a developmental, medical, or behavioral health condition.
- B. A face shield does not provide the same level of protection as a face covering, and may only be used as an alternative to a face covering in the following situations:
 1. A student in grades kindergarten through eighth grade may wear a face shield when wearing a face covering is problematic.
 2. A teacher of any grade level may wear a face shield when wearing a face covering may impede the educational process.
 3. Staff, students, or visitors who cannot tolerate a face covering due to a developmental, medical, or behavioral health condition may wear a face shield instead of a face covering.
 4. Staff providing direct support student services may wear a face shield instead of a face covering when a face covering would impede the service being provided.



- C. Staff, students, and other people present in school buildings or in district offices may temporarily remove their face covering or face shield in the following situations:
1. When engaging in classes or activities conducted outdoors, though people participating in these activities should maintain six feet of distance to the extent possible;
 2. When engaging in indoor physical activity where the level of exertion makes wearing a face covering difficult, though people participating in these activities should maintain six feet of distance to the extent possible;
 3. During activities, such as swimming or showering, where the face covering will get wet;
 4. While receiving a service, including nursing, medical, or personal care services, that cannot be performed or is difficult to perform when the individual receiving the service is wearing a face covering;
 5. Pre-kindergarten students age 5 years and younger participating in programming in a school building or district office;
 6. When the wearer needs to remove their face covering to eat or drink, though care should be taken to maintain as much space as possible between people while doing so;
 7. During indoor practices or performances involving singing, acting, public speaking, or playing musical instruments where a face covering cannot be used while playing the instrument, though people participating in these activities should maintain six feet of distance to the extent possible;
 8. When required by school staff for the purposes of identification;
 9. Staff working alone in their offices, classrooms, vehicles, or job locations that have no person-to-person interaction;
 10. Staff working in communal spaces that have barriers such as Plexiglas or cubicle walls between employees that are above face level; or
 11. When communicating with a person who is deaf or hard of hearing or has a disability, medical condition, or mental health condition that makes communication with a face covering difficult, provided that social distancing is maintained to the extent possible.



V. IMPLEMENTATION

A. This policy will be conspicuously posted in each school building and administrative office and communicated to students, staff, families, and potential visitors to the school building.

B. The school district will provide face coverings and/or face shields to employees and students. Employees and students may choose to wear their own face covering as long as it covers the nose and mouth. To the extent practicable, the school district will maintain an extra supply of face coverings for people who forget to bring their face covering.

C. The school district will teach and reinforce the use of face coverings and/or face shields for students and staff throughout the school day, including on transportation vehicles, inside school buildings, and generally when on school grounds.

D. Individuals who cannot tolerate a face covering due to a medical condition or disability related condition may be permitted to utilize alternative options such as a face shield or other reasonable accommodation. The Superintendent or designee shall have discretion to determine whether an employee, parent, or community member qualifies for a reasonable accommodation and the accommodation to be provided. For a student with a medical condition or disability, the student's education team (i.e. IEP team, Section 504 team, health plan team) will determine whether the student qualifies for a reasonable accommodation and the accommodation to be provided. As a condition to granting a reasonable accommodation, the school district may require an individual to provide a physician's note and/or other relevant information or with respect to the condition or circumstance. Requests for reasonable accommodations from the face covering requirement shall be assessed on a case-by-case basis in accordance with applicable federal and state law.

E. All face coverings shall meet the requirements of applicable dress code policies and/or codes of conduct.

F. The school district will make available distance learning to its enrolled students who may be medically vulnerable or otherwise unwilling to return to in-person or hybrid learning.

VI. ENFORCEMENT; CONSEQUENCES FOR NON-COMPLIANCE

A. In order to promote the health and safety of employees, students and members of the community, and make available a safe environment that is conducive to learning, compliance with this policy is necessary.

B. Employees who fail or refuse to comply with this policy may be subject to discipline, as appropriate, up to and including the termination of employment.



*Hastings Public School District
ISD #200*

C. Students who fail or refuse to comply with this policy may be subject to discipline or removal from school property. Students unwilling to participate in in-person or hybrid learning in compliance with this policy will be offered distance learning.

D. The school district may, in its discretion, report violators of this policy to law enforcement. Any individual who willfully violates Emergency Executive Order 20-81

or

20-82 is guilty of a petty misdemeanor and upon conviction must be punished by a fine not to exceed \$100. (NOTE: This does not apply to: (1) children younger than 14 years old; or (2) students 14 years old and older who are enrolled in a school identified in Paragraph 12 of Emergency Executive Order 20-81, and who are on the premises of the school for educational purposes).

Legal References: Emergency Executive Order 20-81
Emergency Executive Order 20-82
Minn. Stat. § 12.45 (Governor's Orders and Rules, Effect)
Minn. Stat. § 12.45 (Violations; Penalties)

Cross References: MSBA/MASA Model Policy 807 (Health and Safety Policy)
MSBA/MASA Model Policy 504 (Student Dress and Appearance)

Policy Reviewed:

Policy Adopted:

Policy Revised:



**CO-CURRICULAR AND EXTRACURRICULAR ALTERNATIVE TRANSPORTATION
PERMISSION FORM
PARENT/GUARDIAN PERMISSION FOR**

Student Name: _____

As the parent/guardian of the above-named student of Independent School District #200, Hastings (hereinafter "District"). My child is a member or participant in the co-curricular activity and/or extracurricular activity of the District set forth above, which engages in organized activities/practices/games at other off-campus locations.

ACKNOWLEDGMENT AND WAIVER: I understand that the District may provide transportation to co-curricular and/or extracurricular practices, games, and activities of which my child is a participant and for which transportation its employees supervise, control, and arrange. When provided, I understand that my child is expected to ride to and from their activity accordingly. If extenuating circumstances may prevent this, I will follow District protocol with regard to advance, written notice and permission.

I also understand that the District may not provide transportation to co-curricular and extracurricular practices, games or activities for which my child is a participant. In consideration for my child being allowed to use alternative transportation for his/her or our family's convenience or in order to participate in this co-curricular and/or extracurricular activity due to the lack of District transportation, I hereby acknowledge and agree to the following:

I understand that, while District employees will direct students in complying with the permissions provided herein, the District will not participate in arranging such alternative transportation or otherwise supervise or instruct student behavior while using the alternative transportation I have authorized below. Further, I understand that, with respect to the alternative transportation I have authorized herein, the District makes no representations or assurances regarding the safety or condition of any vehicles used, insurance coverage, the driving skill or licensure of any driver, the legalities of passengers riding with any driver, any driver's compliance with relevant traffic or other laws, or the availability of any insurance for the alternative transportation I have authorized. I represent that my child is capable of safely participating in the activities I have permitted. I understand that the District, despite not supervising or controlling the alternative transportation, may unilaterally revoke the permission granted below if it believes that it is in the best interests of the student(s), driver, passenger, or public. I further understand that this waiver and acknowledgment applies to all co-curricular activities and extracurricular activities in which my child chooses to participate, including any circumstance in which my child chooses to participate in activities of the team/activity for which no District-arranged transportation is provided, including practices, meets, matches, games, or other organized activities at other locations, in consideration for being permitted to participate in said activities, or for which I provide or authorize another family member or participant's parent to provide my child with transportation for purposes of our convenience.

I recognize and understand that these activities have inherent risks including the potential loss of personal property and the risk of physical injury or death. Knowing these inherent risks, I am voluntarily assuming such risks and granting permission for my child to participate in the activities identified below.

I, on behalf of myself, the above-named student of the District, and any personal representatives, heirs, executors, administrators, agents, and assigns of myself or the above-named student, hereby voluntarily and forever release, waive, discharge, and covenant not to sue the District, its board members, administrators, employees, agents, representatives, and volunteers ("the Released Parties"), jointly and/or severally, from any kind of liability, including any and all claims, demands, injuries, damages, causes of action (known or unknown), suits, or judgments of any and every kind (including attorneys' fees), arising from any injury, property damage, or death that any undersigned may suffer as a result of participating in the activity identified below, regardless of whether the injury, damage, or death is caused, in whole or in

part, by the Released Parties or the Released Parties' negligence, unless the injury, damage, or death arises from the Released Parties' gross negligence, willful misconduct, or claims that cannot be waived under Minnesota law.

I further agree to indemnify, and save and hold harmless the Released Parties, jointly and severally, from any and all claims, causes of action, liabilities, damages, costs, and expenses, including attorney's fees, arising from the above-named student's participation in the activity identified.

PERMISSION FOR ALTERNATIVE TRANSPORTATION: Acknowledging the foregoing, I give the above-named student permission to use all of the following alternative transportation options noted below when district transportation **IS NOT** provided. Please only check those items that you **DO NOT** give permission for. If you do not check any items, that means you give permission to all the options listed below.

I **DO NOT** give permission for my child to ride to or from (*check any that apply*):

- Practices, meets, matches, games, or other organized activities
- Inside or outside the Hastings city limits
- In a vehicle driven by their own parent/guardian
- In a vehicle driven by another authorized family member
- In a vehicle driven by another participant's parent/guardian
- In a vehicle driven by the student themselves
- In a vehicle driven by another student-athlete

RIDE AUTHORIZATION PROCESS

When District transportation **IS** provided, a student participating in an activity must travel to and from events via District transportation. Exceptions to this practice may be extended as noted below.

1. The parent/guardian must submit requests at least 24-hours in advance, via a written note or email sent directly to the coach. Requests must identify the full name of the authorized adult driver. The coach must confirm receipt prior to the team departing for the event.
2. The student will be released to the authorized driver by the coach/advisor when: (a) the authorized driver makes face-to-face contact with the coach/advisor and student following the event (b) the temporary authorized driver signs the check-out list provided by the coach.
3. Students will not be left unsupervised at the site if the driver is not present at the time of departure from the event. If the driver has not arrived by the time the team/group is ready to depart, the student will need to return from the event with the rest of the group on District transportation.
4. Transportation is limited and/or social distancing is in place by the Minnesota Department of Health, the Minnesota Department of Education, or the Governor's Executive Order guidance or regulation. Under this circumstance, the alternative transportation may only be provided by a parent/guardians or authorized family members.

I have read, acknowledge and agree to the Acknowledgement and Waiver set forth in this form.

(Signature of Parent/Guardian)

(Date)

(Printed Name of Parent/Guardian)

IMMUNIZATION REQUIREMENTS

I. PURPOSE

The purpose of this policy is to require that all students receive the proper immunizations as mandated by law to ensure the health and safety of all students.

II. GENERAL STATEMENT OF POLICY

All students are required to provide proof of immunization, or appropriate documentation exempting the student from such immunization, and such other data necessary to ensure that the student is free from any communicable diseases, as a condition of enrollment.

III. STUDENT IMMUNIZATION REQUIREMENTS

A. No student may be enrolled or remain enrolled, on a full-time, part-time, or shared-time basis, in any elementary or secondary school within the school district until the student or the student's parent or guardian has submitted to the designated school district administrator the required proof of immunization. Prior to the student's first date of attendance, the student or the student's parent or guardian shall provide to the designated school district administrator one of the following statements:

1. a statement, from a physician or a public clinic which provides immunizations, stating that the student received the immunizations required by law indicating the date (month/day/year) each immunization was administered, consistent with medically acceptable standards; or
2. a statement, from a physician or a public clinic which provides immunizations, stating that the student received the primary schedule of immunizations required by law and has commenced a schedule of the remaining required immunizations, indicating the the date (month/day/year) each immunization was administered, consistent with medically acceptable standards.

B. The statement of a parent or guardian of a student or an emancipated student may be substituted for the statement of a physician or public clinic which administers immunizations. If such a statement is substituted, this

statement must indicate the date (month/day/year) each immunization was administered. Upon request, the designated school district administrator will provide information to the parent or guardian of a student or an emancipated student of the dosages required for each vaccine according to the age of the student.

- C. The parent or guardian of persons receiving instruction in a home school shall submit one of the statements set forth in Section III.A. or III.B., above, or statement of immunization set forth in Section IV., below, to the designated school district administrator by October 1 of each school year.
- D. When there is evidence of the presence of a communicable disease, or when required by any state or federal agency and/or state or federal law, students and/or their parents or guardians may be required to submit such other health care data as is necessary to ensure that the student has received any necessary immunizations and/or is free of any communicable diseases. No student may be enrolled or remain enrolled in any elementary or secondary school within the school district until the student or the student's parent or guardian has submitted the required data.

IV. EXEMPTIONS FROM IMMUNIZATION REQUIREMENTS

Students will be exempt from the foregoing immunization requirements under the following circumstances:

- A. The parent or guardian of a minor student or an emancipated student submits a physician's signed statement stating that the immunization of the student is contraindicated for medical reasons or that laboratory confirmation of the presence of adequate immunity exists; or
- B. The parent or guardian of a minor student or an emancipated student submits his or her notarized statement stating the student has not been immunized because of the conscientiously held beliefs of the parent, guardian or student.

V. NOTICE OF IMMUNIZATION REQUIREMENTS

- A. The school district will develop and implement a procedure to:
 - 1. notify parents and students of the immunization requirements and the consequences for failure to provide the required documentation;
 - 2. review student health records to determine whether the required information has been provided; and

3. make reasonable arrangements to send a student home when the immunization requirements have not been met and advise the student and/or the student's parent or guardian of the conditions for re-enrollment.
- B. The notice provided shall contain written information describing the exemptions from immunization as permitted by law. The notice shall be in a font size at least equal to the font size and style as the immunization requirements and on the same page as the immunization requirements.

VI. IMMUNIZATION RECORDS

- A. The school district will maintain a file containing the immunization records for each student in attendance at the school district for at least five years after the student attains the age of majority.
- B. Upon request, the school district may exchange immunization data with persons or agencies providing services on behalf of the student. Immunization data is private student data and disclosure of such data shall be governed by Policy 515 Protection and Privacy of Pupil Records.
- C. The designated school district administrator will assist a student and/or the student's parent or guardian in the transfer of the student's immunization file to the student's new school within 30 days of the student's transfer.
- D. Upon request of a public or private post-secondary educational institution, the designated school district administrator will assist in the transfer of the student's immunization file to the post-secondary educational institution.

VII. OTHER

Within 60 days of the commencement of each new school term, the school district will file an Annual Immunization Statute Report with State Health Department stating the number of students attending each school in the school district, including the number of students receiving instruction in a home school, the number of students who have not been immunized, and the number of students who received an exemption.

Legal References: Minn. Stat. § 13.32 (Educational Data)
Minn. Stat. § 121A.15 (Health Standards; Immunizations; School Children)
Minn. Stat. § 121A.17 (School Board Responsibilities)
Minn. Stat. § 144.29 (Health Records; Children of School Age)
Minn. Stat. § 144.3351 (Immunization Data)

Minn. Stat. § 144.441 (Tuberculosis Screening in Schools)
Minn. Stat. § 144.442 (Testing in Schools)
McCarthy v. Ozark Sch. Dist., 359 F.3d 1029 (8th Cir. 2004)
Op. Atty. Gen. 169-W (Jan. 17, 1968)
Op. Atty. Gen. 169-W (July 23, 1980)

Cross References: MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)

Adopted: 11/15/06

Independent School District 200
Hastings, Minnesota