



Modesto City Schools Face Covering Considerations

The State of California authorizes school officials to prohibit any student who refuses to comply with the California Department of Public Health Face Covering Guidance from further attendance at the physical school site. (CA Health and Safety code 120375.) MCS school staff are encouraged to exercise discretion, good judgment, and common sense in all cases that arise from student failure to comply (either unintentional or willful) and that school site administration utilize all alternatives prior to removing the student from in-person learning.

Initial considerations if a student is not wearing a face covering:	
Situation	Action to Take
<p><i>Student unintentionally forgot their face covering or the face covering is inappropriately worn.</i></p>	<p>Staff member will provide student with access to a face covering and review the mask/face covering policy with the student. If the Student's mask is not worn appropriately, the staff member should prompt them to adjust the mask so that they are compliant with the mask/face covering policy. No student should be excluded if they forgot a face covering. The school shall provide a disposable face covering free of charge and once the student complies, they should return to their regular academic setting without delay.</p>
<p><i>Student is exempt from face covering requirement.</i></p>	<p>If a student asserts they are exempt from wearing a face covering and the staff member is unaware of the exemption, the staff member will communicate with an administrator. If the student has an existing exemption in place, the staff should follow the administration's direction regarding the exemption. If the student has not previously asserted an exemption, the student must be referred to the District's process to determine if they are eligible for an exemption.</p> <p>The District will analyze and review whether the student has an active IEP, 504 plan, or other form of exemption that needs consideration when addressing that student's compliance with mask/face covering policy.</p> <p>Confidentiality and Privacy: If a student is exempt from wearing a face covering, staff members should not answer questions from other students or parents about why the student is not wearing a face covering. Rather, the staff member should explain that there are some valid reasons why students, generally, could be exempted from wearing a face covering and that they cannot comment on the details of a particular student's situation. In addition, the staff member could add that the District does enforce the face covering requirements consistent with the law.</p>



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Steps to take for willful refusal to wear a face covering:	
Situation	Action to Take
Step 1. <i>Student willfully refuses to wear a face covering.</i>	<p>In this case, a student should be asked to wear a face covering and verbally reminded that it is required to participate in in-person instruction.</p> <p>If the student continues their refusal to comply with the mask/face covering policy, offer the student a short break outside the room. If they continue to refuse, proceed to step 2.</p>
Step 2a. <i>Student continues to refuse to wear a face covering.</i>	<p>Teacher enters a behavior referral in MOSIS. Student should be sent to the appropriate site administration office for a reminder about the face covering requirement. Administrator contacts the parent to pick up their student from school.</p> <ol style="list-style-type: none"> 1. Administrator should counsel/educate the parent about the mask/face covering policy and the importance of using a mask. Set expectations for future incidents. 2. A student who is sent home for failing to comply with public health directives should be handled in the same manner as a student who is sent home due to sickness or injury. The student's absence should be marked as an excused absence, and the student should receive tiered supports consistent with those rules. 3. A note MUST be made in MOSIS as follows: incident-Student refusal to comply with mask policy, sent home for student safety
Step 2b. <i>Parent meeting</i>	<p>When the parent picks up the student, the administrator will discuss two options:</p> <ol style="list-style-type: none"> 1. To continue accessing in-person learning, the student must comply with the face covering policy and wear a mask/face covering. 2. The student to enroll in Modesto Virtual Academy. <ul style="list-style-type: none"> • Parent says yes to Modesto Virtual Academy • Site contacts Craig Springer @ MVA.
Step 3. <i>The Student continues <u>willful</u> refusal to comply with mask policy and parent refuses MVA</i>	<p>If the parent refuses Modesto Virtual Academy, the administrator then sets up a Student Study Team (SST) meeting to discuss additional mitigation strategies.</p> <p>Schedule SST meeting to discuss mitigation strategies</p> <ol style="list-style-type: none"> 1. Place student on Short Term Independent Study (minimum of 5 maximum of 15) 2. Hold meeting within the 10 days



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<p>Step 4. SST Meeting</p>	<p>SST Meeting</p> <ol style="list-style-type: none"> 1. Doctor's note leads to 504 Plan 2. Offer mitigation strategies <ul style="list-style-type: none"> • Shield with drape 3. Refusal continues <ul style="list-style-type: none"> • Current guidance, student cannot attend school. • SARB process may be utilized.
<p>Step 5. Contentious Parent Script</p>	<ul style="list-style-type: none"> ❖ <i>For in-person instruction, the District is required by law to follow State and County Health guidance that all students and staff must wear face coverings/masks while indoors (including classrooms), but they do not have to wear them outside.</i> ❖ <i>MCS must follow the directives of the California Department of Public Health. There is a health order in effect, and we must adhere to it.</i> <p>Additional Information Regarding Exemptions from Wearing Face Coverings:</p> <p>The CDPH K–12 guidance is clear that face coverings must be used in accordance with CDPH guidelines and that students in all grade levels (K–12) are always required to wear face coverings, while at school, unless exempted.</p> <p>The CDPH guidance clearly outlines individuals always exempt from wearing face coverings, regardless of setting. Those exempt individuals include:</p> <ol style="list-style-type: none"> 1. Persons younger than two years old. These very young children must not wear a face covering because of the risk of suffocation. 2. Persons with a medical condition, mental health condition, or disability that prevents wearing a face covering. This includes persons with a medical condition for whom wearing a face covering could obstruct breathing or who are unconscious, incapacitated, or otherwise unable to remove a face covering without assistance. Such conditions are rare. 3. Persons who are hearing impaired, or communicating with a person who is hearing impaired, where the ability to see the mouth is essential for communication. <p>Persons for whom wearing a face covering would create a risk to the person related to their work, as determined by local, state, or federal regulators or workplace safety guidelines.</p>