

# **Bloomsburg Area School District**

## *Health and Safety Plan Update*

September 7, 2021

## *Key Point Summary from 08-02-2021*

- State mandates and regulations are a compliance priority and the foundation of the development of all of our systems and plans, including our Health and Safety Plan.
- Given the lack of a mandate from the Governor or DOH/PDE regarding mask mandates, we do not believe that requiring daily mask wearing in our buildings is feasibly enforceable for our faculty, staff and administration.
- When combined with the lack of a mandate as noted, we believe it is most appropriate to align with our regional peers.
- Should our local conditions change suddenly, without federal or state mandates, we would recommend returning to the core elements of our 2020-2021 Health and Safety Plan.
- Should there be significant outbreaks in Southern State Schools, we have to believe that our state leaders will provide direction for schools here in Pennsylvania.
- Faculty, staff and parents of students over 12 might want to pay attention to the national and state level conversation and the impact that vaccination status may have on your ability to access various venues and services.

# Key Point Summary from 08-16-2021

- All students and unvaccinated adults are encouraged to wear a mask while indoors. Required masking is not in effect at this time.
  - Close contact interactions between two students who are properly masked does not require quarantine.
- Vaccinated adults should remain 3-6 feet away from students when possible while indoors. If close contact for more than 15 minutes is necessary, vaccinated adults are encouraged to wear a mask.
- Families with students over the age of 12 are encouraged to talk with their health provider regarding the appropriateness of the vaccine.
  - Participation in extra-curricular activities may be adversely impacted without a vaccine.
- The District will track and report positive cases on our Covid Tracker and update positive cases daily. We do not plan to make daily one-call announcements, reserving the one-call option for priority updates.
  - *The Covid Tracker is available on our website at [www.bloomisd.org](http://www.bloomisd.org).*
- The superintendent will update the board at each meeting regarding the number of positive cases and the number of quarantines between each meeting.
- Barring mandate or directive from DOH/PDE or from the school board, **recommended modifications to our Health and Safety Plan will be provided based on our local data and our ability to operate our schools in-person, five days a week.**

# ***Our Local Experience: Quarantining: August 16, 2021***

The Pennsylvania Department of Health continues to have jurisdiction over quarantine requirements. Variations in quarantine requirements for students who are masked v. students who are not masked may influence our ability to remain open and ultimately influence our mask mandate requirements.

- **Unvaccinated Students *with* Masks**
  - Student to student contact between individuals who are correctly masked does not require quarantine and all students, even those within 3-6 feet of exposure can remain in school as long as they remain asymptotic.
- **Unvaccinated Students *without* Masks**
  - Return to school after a 10-day quarantine without testing or a 7 day quarantine with a negative test on or after day 5 of quarantine.
- **Vaccinated Students *with No* Symptoms and Close Contact**
  - Continue to attend school. Get tested 3-5 days after exposure. Wear a mask for 14 days after exposure or a negative test result is received.
- **Vaccinated Students *with* Symptoms and Close Contact**
  - Return to school after a 10-day quarantine without testing or a 7 day quarantine with a negative test on or after day 5 of quarantine.

**Our primary goal is for our schools to be in-person, five days a week. The most likely impact on our masking expectations will be the impact of quarantine guidance from the Department of Health in the contact tracing process.**

# ***What has changed since August 16, 2021***

- **Number of Students in Quarantine:** Actual experience with contact tracing within the standards and directives prior to the Department of Health (DOH) mask mandate, reflected that we would be significantly limited in our ability to operate in-person, five days a week without either student masking or fully vaccinated students and adults.
- **Bloomsburg Area School District Student Mask Mandate:** On August 26, 2021 we became the first CSIU regional district to implement a mask mandate for all students to slow the number of students in quarantine.
- **Department of Health Mask Mandate:** On August 31, 2021 Governor Wolf announced a mask mandate for all school buildings, effective September 7, 2021. This mandate is for an indefinite period.

# The DOH Order: August 31, 2021

**Section 1- Definitions:** Please see the order for definitions of face coverings, alternatives to a face covering, and the definition of a school entity.

- *Face covering” means covering of the nose and mouth with material that is secured to the head with ties, straps, or loops over the ears or is wrapped around the lower face.*
- *A “face covering” can be made of a variety of synthetic or natural fabrics, including cotton, silk, or linen.*
- *A “face covering” may be factory-made, sewn by hand, or be improvised from household items, including, but not limited to, scarfs, bandanas, t-shirts, sweatshirts, or towels.*
- *While procedural and surgical masks intended for health care providers and first responders, such as N95 respirators, meet those requirements, these specialized masks should be reserved for appropriate occupational and health care personnel.*

**Section 2: General Masking Requirement:** *Each teacher, child/student, staff, or visitor working, attending, or visiting a School Entity shall wear a face covering indoors, regardless of vaccination status, except as set forth in Section 3.*

**Section 3- Exceptions to Covering Requirement:** *The following are exceptions to the face covering requirements in Section 2. All alternatives to a face covering, including the use of a face shield, should be exhausted before an individual is exempted from this Order.*

## **Section 3: Exceptions to Covering Requirement**

- A. *If wearing a face covering while working would create an unsafe condition in which to operate equipment or execute a task as determined by local, state, or federal regulators or workplace safety guidelines.*
- B. *If wearing a face covering would either cause a medical condition, or exacerbate an existing one, including respiratory issues that impede breathing, a mental health condition or a disability.*
- C. *When necessary to confirm the individual's identity.*
- D. *When working alone and isolated from interaction with other people with little or no expectation of in-person interaction.*
- E. *If an individual is communicating or seeking to communicate with someone who is hearing-impaired or has another disability, where the ability to see the mouth is essential for communication.*
- F. *When the individual is under two (2) years of age.*
- G. *When an individual is:*
  - 1. *Engaged in an activity that cannot be performed while wearing a mask, such as eating and drinking, or playing an instrument that would be obstructed by the face covering; or*
  - 2. *Participating in high intensity aerobic or anerobic activities, including during a physical education class in a well-ventilated location and able to maintain a physical distance of six feet from all other individuals.*
- H. *When a child/student is participating in a sports practice activity or event, whether indoors or outdoors.*

# ***Section 4: School Entity Obligations***

## **A School Entity must:**

- 1. Require and enforce the requirement that all teachers, children/students, staff, and visitors (subject to the exceptions in Section 3) wear a face covering indoors, regardless of whether this Order is reflected in a school entity's Health and Safety Plan.*
- 2. Post prominent signs in conspicuous locations for teachers, children/students, staff, and visitors stating that face coverings are required by the Order of the Secretary of Health.*
- 3. Provide reasonable accommodations for individuals who state they have a medical condition, mental health condition, or disability that makes it unreasonable for the person to maintain a face covering.*

## **A School Entity should not:**

- a. Enforce face covering requirements when there is an exception under Section 3 or if it is unsafe to do so.*
- b. Restrain, use force, or physically remove, teachers, children/students, staff, or visitors who refuse to comply with this Order when it would not otherwise be legal to do so.*
- c. Violate other laws, including state and federal antidiscrimination laws.*

# The DOH Order: August 31, 2021

## **Section 5- Federal Requirements Relating to Transportation:**

*This Order shall not impact the obligation of any School Entity to comply with requirements issued by the CDC, including requirements for masking on public transportation conveyances, such as school district transportation.*

## **Section 6- Effective Date and Duration**

*This Order shall take effect at 12:01 a.m. on September 7, 2021, and shall remain in effect until otherwise terminated.*

# What's Next? *Developing Plans and Processes for Section 3*

- 1. How will exemptions from the face covering rule be verified?**
  - *Licensed Medical Professional Documentation Required?*
- 2. What are the implications of exemptions on the Quarantining directives from DOH.**
  - *Exposure of masked students to unmasked students with exemption?*
    - By current guidelines, both the mask exempt student and any unvaccinated masked students would need to quarantine.

# What's Next? *Developing Plans and Processes for Section 4 (1)*

**Masking Procedures:** The Bloomsburg Areas School District will enforce the masking mandate consistent with most similar to a dress code violation. Please find these procedures on our Community Connection Web page. Below please find the specific language for face coverings.

**Enforceability:** Prior to the start of the school year, in consultation with legal counsel, we did not believe mandating students masking was enforceable. Two items have changed since the school year started, allowing establishing two avenues for enforcement; one local, one statewide.

- *Local data and experience* with contact tracing reflected significant limitations to our ability to remain open 5 days a week, in-person. Based on our local data, our implementation of the mask mandate preceded the state mandate so that we could operate our schools as close to full capacity as possible.
- *State Mandate:* As a state sponsored and funded organization we are compelled and legally bound to enforce state laws and mandates. The August 31, 2021 mandate qualifies.

# What's Next? *Developing Plans and Processes for Section 4 (2)*

**Bloomsburg Blended:** Non-Compliance with our masking policies may result into student referral and assignment in our Bloomsburg Blended program. A student assignment to Bloomsburg Blended is a shift in the instructional delivery model. Based on legal counsel guidance, assignment to our Bloomsburg Blended program does not constitute removal from school and thus is not an issue of due process.

**Legal Challenges to the Mask Mandate:** We are aware of resident concerns with the legality of both a local and state-wide mask mandate. We, along with our regional partners are working with our legal counsel to address these concerns the best we can. As a matter of practice, we will refer all legal matters to legal counsel.