

NEW MILFORD BOARD OF EDUCATION
New Milford Public Schools
50 East Street
New Milford, Connecticut 06776

POLICY SUB-COMMITTEE
MEETING NOTICE

DATE: October 6, 2020
TIME: 6:45 P.M.
PLACE: New Milford High School Library Media Center

While this is an in-person meeting for Board of Education members and district staff, due to COVID-19 restrictions on capacity and social distancing requirements that make public attendance impossible, members of the public will be permitted to attend the meeting via the Zoom or YouTube Live links provided below.

There will be live public comment offered through the Zoom format for items on the agenda. Public comment may also be emailed to suptoffice@newmilfordps.org for distribution to Board members no later than 3 PM of the meeting date.

Join Zoom Meeting

<https://zoom.us/j/95421850523?pwd=UDFFdDJ3NWVhTmFTTWZFSIRhVGkzdz09>

Meeting ID: 954 2185 0523

Passcode: 684692

One tap mobile

+13126266799,,95421850523#,,,,,0#,,684692# US (Chicago)

+19292056099,,95421850523#,,,,,0#,,684692# US (New York)

Dial by your location

+1 312 626 6799 US (Chicago)

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+1 346 248 7799 US (Houston)

+1 669 900 6833 US (San Jose)

+1 253 215 8782 US (Tacoma)

Meeting ID: 954 2185 0523

Passcode: 684692

Find your local number: <https://zoom.us/u/aba2Dpfzce>

View on YouTube Live: <https://youtu.be/54SaQRsrtpY>

AGENDA

New Milford Public Schools Mission Statement

The mission of the New Milford Public Schools, a collaborative partnership of students, educators, family, and community, is to prepare each and every student to compete and excel in an ever-changing world, embrace challenges with vigor, respect and appreciate the worth of every human being, and contribute to society by providing effective instruction and dynamic curriculum, offering a wide range of valuable experiences, and inspiring students to pursue their dreams and aspirations.

1. Call to Order

RECEIVED
TOWN CLERK

2020 OCT -2 A 9:24 AM

NEW MILFORD, CT

2. Public Comment

An individual may address the Board concerning any item on the agenda for the meeting subject to the following provisions:

- A. A three-minute time limit may be allocated to each speaker with a maximum of twenty minutes being set aside per meeting. The Board may, by a majority vote, cancel or adjust these time limits.
- B. If a member of the public comments about the performance of an employee or a Board member, whether positive, negative, or neutral, and whether named or not, the Board shall not respond to such comments unless the topic is an explicit item on the agenda and the employee or the Board member has been provided with the requisite notice and due process required by law. Similarly, in accordance with federal law pertaining to student confidentiality, the Board shall not respond to or otherwise discuss any comments that might be made pertaining to students.

3. Discussion and Possible Action

A. Policies Recommended for Revision and Approval at Initial Board Presentation in accordance with Board Bylaw 9311:

- 1. 1900/4900/5900/6900 Wearing Masks and Face Coverings During the COVID-19 Pandemic
- 2. 6159 Special Education

B. Policy for Review:

- 1. 1900/4900/5900/6900 Operations of Schools During the COVID-19 Pandemic

4. Public Comment

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- B. If a member of the public comments about the performance of an employee or a Board member, whether positive, negative, or neutral, and whether named or not, the Board shall not respond to such comments unless the topic is an explicit item on the agenda and the employee or the Board member has been provided with the requisite notice and due process required by law. Similarly, in accordance with federal law pertaining to student confidentiality, the Board shall not respond to or otherwise discuss any comments that might be made pertaining to students.

5. Adjourn

**Sub-Committee Members: Angela C. Chastain, Chairperson
Wendy Faulenbach
Tammy McInerney
Cynthia Nabozny**

**Alternates: Joseph Failla
Brian McCauley**

**RECOMMENDED FOR APPROVAL
AT INITIAL BOARD PRESENTATION**

1900/4900/5900/6900(a)

Wearing Masks and Face Coverings During the COVID-19 Pandemic

COMMENTARY: Through its “Adapt, Advance, Achieve” reopening plan and subsequent guidance – particularly Addendum 11 regarding Interim Guidance for the Use of Face Coverings in Schools during COVID-19 – the State Department of Education (“SDE”) has mandated that all Connecticut school districts enact policies requiring that all students and staff wear face coverings/masks while inside school buildings. The SDE reopening plan and guidance builds upon Executive Order 7NNN which requires any person in a public place in Connecticut who cannot adequately maintain a safe social distance to wear a mask or cloth face covering with limited exceptions.

The SDE mandate that districts enact a mask/face covering policy is somewhat open-ended. Per the SDE guidance, mask/face covering policies must mandate mask-wearing while in school buildings and require the district to provide masks to staff/students who do not come to school with one or be prepared to deny entry to anyone who comes to school without a mask. Districts may also require students, staff, community members, etc. to wear masks in certain situations outside of school buildings such as during outdoor instruction, extracurricular activities, during the daily admission and dismissal process and while on buses. Beyond these requirements however the SDE guidance gives boards of education discretion to enact mask-wearing policy provisions as they see fit.

Notably, the SDE guidance is not in complete alignment with Executive Order 7NNN. The Executive Order appears to go farther than the SDE guidance since it requires any person in a public place – whether indoors or outdoors – to wear a mask if they cannot appropriately socially distance. The policy language below reflects the requirement of the Executive Order.

Both the SDE guidance and Executive Order allow for exceptions to the mask/face covering requirement. Pursuant to the Executive Order a medical exemption is available for adults and children for whom wearing a mask or face covering would be contrary to his or her health or safety. Claims of medical exemptions must be supported with written documentation from a licensed medical provider. The SDE guidance does not define what conditions would necessarily qualify for a medical exemption, but suggests that such exemptions would be extremely rare, specifically providing that: “Medical contraindications to the wearing of cloth or other similar loose fitting masks are generally limited to individuals suffering from severe chronic obstructive pulmonary disease (COPD) such as might be seen with cystic fibrosis, severe emphysema, heart failure, or significant facial burns that would cause extreme pain or interfere with the healing of a skin graft.” SDE guidance allows for non-medical exemptions in other situations as identified in the “Exemption” section below.

Finally, new guidance was recently issued by the SDE addressing mask-wearing requirements for pre-school students. The new guidance mandates that effective September 21, 2020 children three years of age and older are required to wear a mask. However, schools are permitted to

develop a phase-in plan extending up to October 19, 2020 the deadline by which all preschool students three and over will be required to wear masks or face coverings (absent an exemption).

This policy is numbered with 1900, 4900, 5900 and 6900 for ease of reference and to make clear that the policy applies to various subjects. Since this policy is mandated by law it should be enacted as soon as possible. However, at a later date, the Board may wish to include the substance of this policy into a broader policy on district operations during the COVID-19 pandemic. Since most of the policy provisions that would be included in a general COVID-19 pandemic policy would be discretionary – i.e. not required by law – the Board’s Policy Committee may wish to study and develop the other components of such a policy while this policy is formally in place.

1900/4900/5900/6900(b)

Wearing Masks and Face Coverings During the COVID-19 Pandemic

Mandated Wearing of Face Coverings

The Board of Education is committed to ensuring the safety of New Milford Public School students, staff and community members during the COVID-19 pandemic. Cloth face coverings (including masks) are meant to protect other people in case the wearer is unknowingly infected, as many people carry COVID-19 but do not have symptoms. Face coverings are essential in times when physical distancing is difficult. The Board recognizes that face coverings may be challenging for students (especially younger students) and staff members to wear in all-day settings such as a school. Nevertheless, unless meeting one of the exceptions listed below, all students and school personnel must always wear a face mask (or other cloth material covering both the mouth and nose) while on school property or a school bus. This requirement also applies to parents dropping off or picking up children or any other visitor to the school facilities. Information should be provided to staff and students on the proper use, removal, and washing (and/or disposal) of cloth face coverings, which is available from the Centers for Disease Control (“CDC”). <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/diy-cloth-face-coverings.html>.

District schools will provide 1) masks to students and staff members who do not have one, and 2) appropriate and safe receptacles for the disposal of masks, coverings and other personal protective equipment. All masks and face cloth coverings must cover both the mouth and nose and comply with state and federal guidance (and school policies) covering dress/attire.

Exemptions

The following individuals are exempt from mandated wearing of face coverings per CDC and state guidelines:

- 1) Anyone who has trouble breathing, or anyone who is unconscious, incapacitated, or otherwise unable to remove the mask without assistance;

Wearing Masks and Face Coverings During the COVID-19 Pandemic

- 2) Anyone who has a medical condition making it unsafe to wear a mask, in accordance with SDE guidance;
- 3) Children under the age of two;
- 4) To the extent that a student or an employee may be eating or drinking in places where such activity is permitted by the District, provided that appropriate social distancing can be maintained, and masks are removed for only as long as necessary to eat or drink;
- 5) As may be appropriate, and as permitted by law, students with disabilities and who cannot wear a mask safely or continuously, with the District considering alternatives (for example, extra distancing, extra protective equipment) to protect staff and students;
- 6) Continuous wearing of masks or face coverings is not required in outdoor spaces where employees or students are not within six feet of any other person; and/or
- 7) Educators while teaching may remove masks if properly distancing (beyond six feet) or remaining static behind a physical barrier at their desk (e.g., plexiglass), to the extent removal of the mask is necessary for the effective delivery of the specific instruction being given.

Mask Breaks

The District's schools shall provide for and schedule age appropriate and safe mask breaks consistent with health and safety guidelines, and only where appropriate social distancing can be maintained. Such mask breaks may include: 1) outdoor breaks, 2) breaks in large rooms, and 3) breaks in classrooms where appropriate social distancing can be maintained. With respect to indoor mask breaks, students and/or staff should always stay six feet or more apart in well-ventilated areas and everyone should face in the same direction. During these breaks, students may talk (where permitted by the teacher); however, students must avoid loud talking, yelling, or singing. Generally, such mask breaks should be no more than 15 minutes.

Medical Exemptions

Unlike the guidance in effect for the public at large, the exemption for wearing a mask in the schools due to a medical condition is limited. Current SDE guidance provides that medical contraindications to the wearing of masks are generally limited to individuals suffering from severe chronic obstructive pulmonary disease ("COPD") such as might be seen with cystic fibrosis, severe emphysema, heart failure, or significant facial burns that would cause extreme pain or interfere with the healing of a skin graft. Indeed, the SDE strongly recommends that anyone suffering from any of the above-mentioned underlying conditions should remain at home and that students suffering from such severe health conditions should engage in full virtual learning due to their risk of developing severe complications if they become infected with COVID-19.

Wearing Masks and Face Coverings During the COVID-19 Pandemic

In accordance with current guidance, mild or intermittent respiratory or other common conditions such as asthma, cardiovascular diseases, kidney disease, or other similar conditions are generally not considered contraindications to the wearing of face coverings and will not justify an exemption from the mask mandate. However, if the work of breathing through a mask creates a significant health risk for a student or if psychological responses to a mask, such as claustrophobia, cannot be accommodated by trying different mask types (for example, a different cloth or a bandana), then the mask could be considered contraindicated and the student may be excused from wearing a mask.

A parent/guardian of a student who believes that their child is unable to safely wear a mask or cloth face covering because of a medical condition as described above should notify the School Nurse. An employee who believes that they are unable to safely wear a mask or covering because of a medical condition should notify Human Resources. The District will require documentation supporting a request for an exemption from the mask/face covering requirement, in accordance with applicable state and federal guidelines¹. However, the District may rely upon supporting documentation in a student's existing school medical records. All medical information received by the District will be kept confidential as required by law and duly considered.

Special Education and Section 504 Students

The District understands that it is possible that students with disabilities may not be able to tolerate or comply well with directives to wear a mask or face covering at school. The District will assess, on an individualized basis, the appropriate accommodations for students with disabilities who are unable to wear a mask, especially recognizing that students and staff involved with certain special education activities (e.g., speech therapy or where lip reading is required) may need to be exempted from wearing a mask intermittently. In cases where an exception is requested based upon a disability, a Planning and Placement Team or Section 504 meeting may be held to consider possible programming revisions or appropriate accommodations.

Generally, the fact that a student with a disability may be unable to consistently wear a mask in school is not a basis for their exclusion from school. In cases where close contact between educators and students is highly likely (such as when interacting with students with disabilities who may not be able to wear mask and/or cannot adequately socially distance), the District will provide educators with masks and face shields, and, as may be necessary, medical grade masks and disposable gowns. In addition, the District may use other mitigation strategies such as maximizing distancing, moving activities outdoors or to a well-ventilated space, and/or the use of other physical barriers in order to protect students and staff.

¹ Currently, a person seeking to be excused from the mask or face covering requirement because of a medical condition must provide written documentation that the person is qualified for the exemption from a licensed medical provider, the Department of Developmental Services or other state agency that provides or supports services for people with emotional, intellectual or physical disabilities, or a person authorized by any such agency. *Executive Order 7NNN (8/14/20)*.

Wearing Masks and Face Coverings During the COVID-19 Pandemic

Students who do not wear a mask and who do not qualify for an exemption will be refused admission into District schools (and may instead be eligible for distance learning opportunities). In addition, the District reserves the right to take disciplinary action against those persons (whether students or staff) who violate the terms of this policy.

Preschool Students and Programs

In addition to the exceptions listed above, preschool students who are newly enrolled in the District's preschool program(s) within the past two months and who are working toward mask wearing are permitted to remove their masks or face coverings. Furthermore, children who have just turned three years old may have up to two months to acclimate to wearing a mask or face covering.

The District will work with such students and their parents, as may be appropriate, on developmental readiness and transitioning to wearing a mask or face covering, using age appropriate strategies (including training, social stories, positive reinforcements, and frequent/gentle reminders) and addressing tactile and sensory issues. Wherever possible, the District will seek to avoid excluding preschool students who do not wear masks as required by this policy, but the District will instead seek alternative strategies toward increasing compliance and in addressing the concerns of such students and their parents.

In addition to those exceptions listed above for all students (for example, during times when they are eating or drinking), preschool students are not required to wear a mask when resting or during outdoor activities. During times when a student is not wearing a mask, it is paramount that distance between students must be maximized, maintaining at least six feet of distance wherever possible. For preschool programs, the maximum group size in any one space is sixteen children.

Legal References:

Executive Order 7NNN – Protection of Public Health and Safety During COVID-19 Pandemic – Masks and Face Coverings, August 14, 2020.

Connecticut State Department of Education, Adapt, Advance, Achieve: Connecticut's Plan to Learn and Grow Together, September 4, 2020.

Connecticut State Department of Education, Addendum 11 to Connecticut State Department of Education Adapt, Advance, Achieve, Reopening Guidance "Interim Guidance for the Use of Face Coverings in Schools during COVID-19," August 31, 2020.

1900/4900/5900/6900(f)

Wearing Masks and Face Coverings During the COVID-19 Pandemic

Legal References continued:

Connecticut State Department of Education, Frequently Asked Questions Regarding Reopening K-12 Public Schools, Volume 3, September 2, 2020.

Letter from Dr. Miguel A. Cardona, Connecticut Commissioner of Education, to Superintendents of Schools with Preschool Classrooms, September 17, 2020.

Policy adopted:

NEW MILFORD PUBLIC SCHOOLS
New Milford, Connecticut

**RECOMMENDED FOR REVISION AND
APPROVAL AT INITIAL BOARD PRESENTATION**

Language in **RED** constitutes an addition

*COMMENTARY: In June the Federal District Court for the District of Connecticut issued a decision in *A.R. v. Connecticut State Bd. of Educ.* that ruled that special education students have a right to continued special education through their twenty-second birthday or upon graduation from high school – whichever comes first. This ruling invalidates a State Department of Education Ruling that had held that Connecticut school districts are permitted to exit special education students at the end of the school year during which the student turned twenty-one rather than when the student turns twenty-two. The effect of this ruling will be to extend eligibility for special education services for some students.*

The A.R. case is still being litigated so it is conceivable that the District Court’s decision may be reversed upon appeal. If and when that happens the Board should amend (or re-amend) this policy as appropriate.

6159(a)

Instruction

Special Education

Pursuant to Part B of the Individuals with Disabilities Education Act (IDEA), 20 U.S.C. 1411 et seq., the Board of Education provides a free appropriate public education to all children with disabilities residing in the school district ~~between the ages of 3 and 21, inclusive~~, including children with disabilities who have been suspended or expelled. **Such children have a right to a free appropriate education from the age of three through their twenty-second birthday or upon high school graduation – whichever comes first.**

The Board is committed to ensuring that, to the maximum extent appropriate, children with disabilities are educated with children who are not disabled. Special classes, separate schooling, or other removal of children with disabilities from the regular educational environment occurs only when the nature or severity of the disability of a child is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily in accordance with IDEA.

Parents are encouraged to bring specific concerns about their child’s potential need for special education and related services to the Director of Special Service – Office of Student Affairs and Special Services, 860-354-2654.

Administrative Regulations

In the provision of special education and related services, the Board complies with the requirements established by state and federal laws and regulations. The Superintendent of Schools in conjunction with the [Director of Special Services] shall establish and implement administrative regulations consistent with the mandates of federal and state law that address, at minimum, the following aspects of the District’s special education program:

Instruction

Special Education

- **Child Find and Identification**

A process to ensure that all children with disabilities residing in the District or enrolled by their parents in private schools located in the District who are in need of special education and related services are identified, located, and evaluated. This includes children with disabilities who are homeless or wards of the state and children with disabilities attending private schools, regardless of the severity of their disabilities. The district shall participate in transition planning conferences for children in early intervention programs entering preschool programs.

- **Individualized Education Programs**

Specific procedures for developing, implementing, reviewing, maintaining, evaluating and revising individualized education programs for children requiring special education and related services.

- **Procedural safeguards**

Practices to ensure that children with disabilities and their parents are given required notices including the procedural safeguards.

- **Confidentiality**

Procedures to maintain the confidentiality of records and personally identifiable information at the collection, storage, disclosure and destruction stages of handling.

- **Discipline**

Specific procedures for handling the discipline of students receiving special education and related services.

Legal References: Connecticut General Statutes:

10-76d Duties and powers of boards of education to provide special education programs and services.

R.C.S.A. 10-76d-1 et seq (State special education regulations)

20 U.S.C. 1411 et seq, Individuals with Disabilities Education Act (IDEA)

34 C.F.R. Part 300, (IDEA regulations)

A.R. v. Connecticut State Bd. of Educ., No. 3:16-CV-01197 (CSH), 2020 WL 3086032 (June 10, 2020)

Policy adopted: June 10, 2003

Policy revised: June 8, 2010

NEW MILFORD PUBLIC SCHOOLS

New Milford, Connecticut

FOR DISCUSSION AND POSSIBLE ACTION

1900/4900/5900/6900(a)

Operations of Schools During the COVID-19 Pandemic

COMMENTARY: This policy is designed to serve as a comprehensive Board policy addressing key issues concerning the Board's operations during the COVID-19 pandemic. While the portion of this policy that addresses masks/face coverings is mandated by law as set forth in the Connecticut State Department of Education's "Adapt, Advance, Achieve" reopening plan and subsequent guidance, the other sections of the policy are not mandated by law so the Board has wide discretion to adopt or not adopt such sections as it sees fit.

Adopting a comprehensive COVID-19 policy, in addition to the District's reopening plan, is recommended for several reasons. First, proscribing COVID-19 related expectations for students and staff in Board policy gives the administration greater authority to impose disciplinary consequences for students or staff for any failure to adhere to COVID-19 safety practices, such as failing to wear a mask, failure to adequately engage in social distancing, failure to engage in appropriate hygienic practices, etc. Second, policy language that authorizes the superintendent (or other administrators) to take certain actions without the need for Board approval can speed up the decision-making process and clarify any ambiguity as to whether certain actions need Board approval prior to being implemented. Third, committing the Board's COVID-19 practices to policy informs parents, students, staff and community members as to what the Board's COVID-19 practices are to the extent any practices are not addressed in the District's reopening plan. Finally, such a policy is useful for clearly indicating that all contrary provisions in existing Board policies are superseded while this policy remains in effect.

Before enacting this policy, the Board and administration should carefully review the provisions set out in the District's reopening plan to ensure consistency. This policy is designed to apply more broadly than the reopening plan, but it is important to make sure they align with one another. Legal has reviewed the reopening plan posted on the District's website (dated July 17, 2020) and it appears the policy language included here would generally align with the Plan, since the Plan is more specific and the policy language is more general, however, there appear to be at least some provisions in the Plan that should be revised because of new SDE guidance. For instance, the provision that teachers are permitted to remove masks while delivering instruction has been significantly limited in SDE guidance. The SDE now recommends that teachers should still wear a face covering/mask at all times in school "except for in the rare circumstances where face covering is detrimental to the specific instruction being given." This guidance appears to apply even when a teacher is standing behind a desk shield. The exceptions section of the mask portion of the policy below (exception # 7) makes reference to this.

The Board has discretion as to where to locate this policy since it has application to various policy series' subjects (students, personnel, community relations, etc.). Legal suggests assigning the policy with the policy # 1900, 4900, 5900 and 6900 for ease of reference and to make clear the policy applies to various subjects. If this policy (or a version of it) is enacted after the Board enacts a mask/face covering policy it is recommended to include the applicable mask/face covering policy language in this policy and eliminate the free-standing mask/face covering policy.

Operations of Schools During the COVID-19 Pandemic

Purpose

The Board of Education understands that it has numerous important obligations during the COVID-19 pandemic. While the Board wishes to return to the District's pre-COVID-19 operating practices as soon as practicable, the Board's highest priority is safeguarding the health of the District's students, staff and community members. Decisions regarding District operations during the COVID-19 pandemic will be made in consultation with local health officials and other State and local authorities who can help assess the current level of mitigation needed based on levels of COVID-19 community transmission and the capacities of the local public health and healthcare systems, among other relevant factors.

The Centers for Disease Control and Prevention ("CDC") is the primary source of reliable information for the latest medical developments and guidance on effective preventative practices. The CDC regularly posts updates and guidance on COVID-19 related matters. <https://www.cdc.gov/coronavirus/2019-ncov/> The District has consulted CDC guidance in developing the protocols set forth in this policy and will continue to do so in considering changes to it.

In addition, the District is complying to the greatest extent possible with guidance from the State of Connecticut (<https://portal.ct.gov/Coronavirus>), including the State Department of Education and its "Adapt, Advance, Achieve" guidelines. This includes implementing appropriate social distancing strategies in school settings, personal protection via requiring the wearing of masks/appropriate face covering, and the regular cleaning of District facilities. The Board expects all persons to follow basic hygienic precautions and is appropriately screening the health of students and staff (including but not limited to asking that all persons showing symptoms of COVID-19 not come to school). The Board will provide appropriate training and reminders on these protocols.

The provisions set forth in this policy are being adopted in order to 1) temporarily amend and supersede any inconsistent Board policies (and any provisions thereof) that are being temporarily suspended during the current pandemic, and to 2) supplement the District's "Path to Reopening" reopening plan which has been submitted to the State Department of Education (available here: <https://newmilford.schoolinsites.com/nmpspathtoreopening2020-21?version=20200727-08582041>).

In light of the rapidly evolving scientific understanding of COVID-19, the District must be flexible in order to respond to changing laws, regulations and guidance being issued at the federal, state, and local levels. In keeping with the need for such flexibility, the District may, in its sole discretion and as it deems necessary, modify its COVID-19 protocols in particular circumstances, consistent with this policy and the law. In the event of conflict between any official governmental requirements and this policy, the governmental requirement will control. Employees and students are expected to comply with this policy (along with other District policies and rules) and may be subject to discipline for any violations.

Operations of Schools During the COVID-19 Pandemic

In-Person Classes

After consultation with local and state health officials, the Superintendent may allow in-person classes (whether full time or part time) if the District's schools can be opened while complying with 1) the requirements set out in this policy, 2) CDC guidelines, as may be revised from time to time, and 3) those guidelines issued by the State Department of Education. The Superintendent is authorized to limit and suspend in-person classes at any time due to health and safety risks, and as may be directed by state and federal orders. The Superintendent will provide appropriate notice to parents and the community at large (and the State Department of Education) of these decisions and shall notify employees of their obligations with respect to performing their duties (whether in the schools/workplace, or remotely), consistent with any applicable collective bargaining agreements or contracts.

All decisions regarding the level of programming (and the extent of in-person programming) will be made based upon 1) consultation with state and local public health officials, 2) full consideration of applicable state and federal health and safety guidance, and 3) an assessment of the current medical health conditions and the levels of risk of spread of the virus (whether "low", "moderate" or "high"). The key is HEALTH AND SAFETY FIRST.

In exercising its lawful discretion, and based upon prevailing health conditions and governmental orders, the District reserves its rights to, among other things:

- a) require particular individuals or groups of students to return to school in phases, while others continue to participate in distance learning remotely until directed otherwise;
- b) assign students to a reduced or split schedule of classes, including splitting between attending school in person and remote learning (for example, by having students alternate between specified days in the class and other days learning remotely);
- c) revise school schedules so that the number of persons physically present in school at any particular time is sufficiently limited to permit requisite "social distancing," comply with applicable guidance for a safe school and safe workplace, minimize unnecessary congregation, and reduce the risk of exposure to COVID-19;
- d) create class and school day schedules that better provide for social distancing, including placing students in static groupings or "cohorts" to the extent possible and appropriate;
- e) use technology so that classroom learning taking place in the school may be transmitted to those who are not in school on a particular day;
- f) modify physical education, sports, arts, and music programs as may be necessary to control the spread of COVID-19;
- g) limit/cancel extracurricular activities, and limit use of such facilities, including fields, gyms, and locker rooms;
- h) limit access to the schools at times when classes are not in session;
- i) properly insure the District, its facilities, its programs and maintain appropriate policies and protocols to minimize liability, and/or
- j) take such other actions necessary to promote student and staff safety.

Operations of Schools During the COVID-19 Pandemic

Priority Access for Special Student Populations: The District may prioritize in-person learning opportunities and programs for students who require the most learning support. Students most in need of learning support include, but are not limited to:

- Students with special needs/disabilities;
- Students who are English Learners;
- Students who have had limited to no access to devices to engage in virtual distance learning, or;
- Students who otherwise did not access educational materials despite the District’s providing the opportunity during prior times of remote learning.

The District will conduct assessments and use available data to ensure that students are appropriately transitioned back into the schools.

Basic Hygiene

It cannot be over-emphasized that basic precautionary health measures (including cleaning, hygiene, sneezing/coughing etiquette, wearing mask/face covering and encouraging those who are sick to stay home) must be implemented by all employees and students. The District expects employees and students to use basic hygienic measures. The District will strictly enforce these important safety requirements, and those who violate these requirements may be disciplined.

The best strategy remains the most obvious. Whether at school or at home, everyone should follow the CDC guidelines for preventing transmission of COVID-19 including:

- staying at home when you are sick and when you have reason to believe you may have symptoms or may have been exposed to COVID-19
- frequent hand washing with warm, soapy water (for at least 20 seconds), especially after using the restroom, and/or using hand sanitizer frequently,
- avoiding touching mouth and nose,
- avoiding close contact with others (including maintaining six feet distance from other individuals wherever possible),
- wearing an appropriate face covering or mask at all times;
- enhanced cleaning and disinfecting of surfaces (especially high contact areas),
- using appropriate cough and sneeze etiquette (i.e., covering your mouth whenever you sneeze or cough - even if alone in an office, classroom or hallway), and
- discarding used tissues in wastebaskets.

The District shall maintain adequate supplies to support healthy hygiene behaviors, including soap, hand sanitizer with at least 60% ethyl alcohol or 70% isopropyl alcohol (for staff and children old enough to safely use hand sanitizer), paper towels, tissues, and no-touch/foot pedal trash cans (if no touch trash cans cannot be used, then the lids from trash cans may be removed). The District will make hand sanitizer and/or disposable wipes available at all school entrances, in all rooms, and at all high contact areas.

Operations of Schools During the COVID-19 Pandemic

The school administration shall communicate those cleaning and hygiene protocols recommended by the CDC. The District will place posters encouraging basic sanitary practices and how to “stop the spread” at entrances to the schools and in other areas where they are likely to be seen to help stop the spread of COVID-19 and shall continue to reinforce such practices, with appropriate training and signage.

Personal Protection (Including Masks and Face Coverings)

Cloth face coverings (including masks) are meant to protect other people in case the wearer is unknowingly infected, as many people carry COVID-19 but do not have symptoms. Face coverings are essential in times when physical distancing is difficult. The Board recognizes that face coverings may be challenging for students (especially younger students) and staff members to wear in all-day settings such as a school. Nevertheless, unless meeting one of the exceptions listed below, all students and school personnel must always wear a face mask (or other cloth material covering both the mouth and nose) while on school property or a school bus. This requirement also applies to parents dropping off or picking up children or any other visitor to the school facilities. Information should be provided to staff and students on the proper use, removal, and washing (and/or disposal) of cloth face coverings, which is available from the Centers for Disease Control (“CDC”). <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/diy-cloth-face-coverings.html>.

District schools will provide 1) masks to students and staff members who do not have one, and 2) appropriate and safe receptacles for the disposal of masks, coverings and other personal protective equipment. All masks and face cloth coverings must cover both the mouth and nose and comply with state and federal guidance (and school policies) covering dress/attire.

Exemptions

The following individuals are exempt from mandated wearing of face coverings per CDC and state guidelines:

- 1) Anyone who has trouble breathing, or anyone who is unconscious, incapacitated, or otherwise unable to remove the mask without assistance;
- 2) Anyone who has a medical condition making it unsafe to wear a mask, in accordance with SDE guidance;
- 3) Children under the age of two;
- 4) To the extent that a student or an employee may be eating or drinking in places where such activity is permitted by the District, provided that appropriate social distancing can be maintained, and masks are removed for only as long as necessary to eat or drink;
- 5) As may be appropriate, and as permitted by law, students with disabilities and who cannot wear a mask safely or continuously, with the District considering alternatives (for example, extra distancing, extra protective equipment) to protect staff and students;
- 6) Continuous wearing of masks or face coverings is not required in outdoor spaces where employees or students are not within six feet of any other person; and/or

Operations of Schools During the COVID-19 Pandemic

- 7) Educators while teaching may remove masks if properly distancing (beyond six feet) or remaining static behind a physical barrier at their desk (e.g., plexiglass), to the extent removal of the mask is necessary for the effective delivery of the specific instruction being given.

Mask Breaks

The District's schools shall provide for and schedule age appropriate and safe mask breaks consistent with health and safety guidelines, and only where appropriate social distancing can be maintained. Such mask breaks may include: 1) outdoor breaks, 2) breaks in large rooms, and 3) breaks in classrooms where appropriate social distancing can be maintained. With respect to indoor mask breaks, students and/or staff should always stay six feet or more apart or more in well-ventilated areas and everyone should face in the same direction. During these breaks, students may talk (where permitted by the teacher); however, students must avoid loud talking, yelling, or singing. Generally, such mask breaks should be no more than 15 minutes.

Medical Exemptions

Unlike the guidance in effect for the public at large, the exemption for wearing a mask in the schools due to a medical condition is limited. Current SDE guidance provides that medical contraindications to the wearing of masks are generally limited to individuals suffering from severe chronic obstructive pulmonary disease ("COPD") such as might be seen with cystic fibrosis, severe emphysema, heart failure, or significant facial burns that would cause extreme pain or interfere with the healing of a skin graft. Indeed, the SDE strongly recommends that anyone suffering from any of the above-mentioned underlying conditions should remain at home and that students suffering from such severe health conditions should engage in full virtual learning due to their risk of developing severe complications if they become infected with COVID-19.

In accordance with current guidance, mild or intermittent respiratory or other common conditions such as asthma, cardiovascular diseases, kidney disease, or other similar conditions are generally not considered contraindications to the wearing of face coverings and will not justify an exemption from the mask mandate. However, if the work of breathing through a mask creates a significant health risk for a student or if psychological responses to a mask, such as claustrophobia, cannot be accommodated by trying different mask types (for example, a different cloth or a bandana), then the mask could be considered contraindicated and the student may be excused from wearing a mask.

A parent/guardian of a student who believes that their child is unable to safely wear a mask or cloth face covering because of a medical condition as described above should notify the School Nurse. An employee who believes that they are unable to safely wear a mask or covering because of a medical condition should notify Human Resources. The District will require documentation supporting a request for an exemption from the mask/face covering requirement, in accordance

Operations of Schools During the COVID-19 Pandemic

with applicable state and federal guidelines¹. However, the District may rely upon supporting documentation in a student's existing school medical records. All medical information received by the District will be kept confidential as required by law and duly considered.

Special Education and Section 504 Students

The District understands that it is possible that students with disabilities may not be able to tolerate or comply well with directives to wear a mask or face covering at school. The District will assess, on an individualized basis, the appropriate accommodations for students with disabilities who are unable to wear a mask, especially recognizing that students and staff involved with certain special education activities (e.g., speech therapy or where lip reading is required) may need to be exempted from wearing a mask intermittently. In cases where an exception is requested based upon a disability, a Planning and Placement Team or Section 504 meeting may be held to consider possible programming revisions or appropriate accommodations.

Generally, the fact that a student with a disability may be unable to consistently wear a mask in school is not a basis for their exclusion from school. In cases where close contact between educators and students is highly likely (such as when interacting with students with disabilities who may not be able to wear mask and/or cannot adequately socially distance), the District will provide educators with masks and face shields, and, as may be necessary, medical grade masks and disposable gowns. In addition, the District may use other mitigation strategies such as maximizing distancing, moving activities outdoors or to a well-ventilated space, and/or the use of other physical barriers in order to protect students and staff.

Students who do not wear a mask and who do not qualify for an exemption will be refused admission into District schools (and may instead be eligible for distance learning opportunities). In addition, the District reserves the right to take disciplinary action against those persons (whether students or staff) who violate the terms of this policy.

Preschool Students and Programs

In addition to the exceptions listed above, preschool students who are newly enrolled in the District's preschool program(s) within the past two months and who are working toward mask wearing are permitted to remove their masks or face coverings. Furthermore, children who have just turned three years old may have up to two months to acclimate to wearing a mask or face covering.

The District will work with such students and their parents, as may be appropriate, on developmental readiness and transitioning to wearing a mask or face covering, using age

¹ Currently, a person seeking to be excused from the mask or face covering requirement because of a medical condition must provide written documentation that the person is qualified for the exemption from a licensed medical provider, the Department of Developmental Services or other state agency that provides or supports services for people with emotional, intellectual or physical disabilities, or a person authorized by any such agency. *Executive Order 7NNN (8/14/20)*.

Operations of Schools During the COVID-19 Pandemic

appropriate strategies (including training, social stories, positive reinforcements, and frequent/gentle reminders) and addressing tactile and sensory issues. Wherever possible, the District will seek to avoid excluding preschool students who do not wear masks as required by this policy, but the District will instead seek alternative strategies toward increasing compliance and in addressing the concerns of such students and their parents.

In addition to those exceptions listed above for all students (for example, during times when they are eating or drinking), preschool students are not required to wear a mask when resting or during outdoor activities. During times when a student is not wearing a mask, it is paramount that distance between students must be maximized, maintaining at least six feet of distance wherever possible. For preschool programs, the maximum group size in any one space is sixteen children.

Social Distancing and Physical Spacing/Setup

The District has implemented protocols for social distancing in its schools. Social distancing means avoiding large gatherings and maintaining distance (approximately six feet) from others. Wherever possible, such six-foot distancing must be maintained between persons, with heightened social distancing in situations where students cannot wear masks (e.g., during musical activities). It is especially important that appropriate face coverings be worn in the few cases where such distancing is not possible.

The only times when distancing may not be possible should be when staff members are:

- Accommodating students with special health care needs or disabilities who may require direct contact (e.g. assisting with toileting or ambulation).
- Conducting health assessments or screenings (e.g. taking temperature or listening to lung sounds by the school nurse).
- Where necessary to enforce discipline or order (to the extent permitted and/or required by law).
- Where unavoidable congregation or the school facility set up makes social distancing impossible.

The schools shall do whatever is possible to control congregation. Students should not be permitted to congregate in common areas, including those where they typically socialize (e.g., a playground for younger students, the hallways, near lockers). To discourage congregation near student lockers, the District encourages students to use backpacks.

To ensure appropriate social distancing, our schools will utilize strategies recommended by the CDC's Interim Guidance for Administrators of US K-12 Schools and Child Care Programs and state guidelines. These strategies may include the following measures, to the extent such measures are feasible:

Operations of Schools During the COVID-19 Pandemic

- Rearranging student desks to maximize the space between students. Space seating/desks shall be at least six feet apart where ever feasible or practicable, in light of our facilities and classroom design. If practicable, the District may explore the use of other (larger) spaces in the schools for classes (such as gymnasiums and auditoriums), along with available space in the community. The District may explore the use of barriers (including portable barriers) for additional social distancing, especially for students in Grades K-5. Students will be assigned to specific seats in all classes.
- Turning desks to face in the same direction (rather than facing each other), or having students sit on only one side of tables, spaced apart, to reduce transmission caused from virus-containing droplets (e.g., from talking, coughing, sneezing).
- Staggering class arrival and/or dismissal times so as to limit the amount of close contact between students in high-traffic situations and times.
- Limiting face to face contact by designating foot traffic patterns (such as one-way hallways and staircases with appropriate signage/floor markings and designating entrance-only and exit-only doors, as may be feasible).
- Adopting scheduling practices so as to ensure that student and staff groupings are as static as possible by having the same group of children stay with the same staff (all day if possible for Kindergarten through Grade Eight, where feasible for older students), with classes and students staying together and teachers instead rotating (and coming to the cohort) to provide specific academic content, with cohorts having their own assigned washing stations, restrooms, and building entrances/exits where possible.
- Restricting mixing between groups (especially during eating times, open periods, study halls).
- Staggering arrival and drop-off times or locations or putting in place other protocols to limit close contact with parents or caregivers as much as possible.
- Using touch free technologies where feasible. If touch free doors are not feasible, the District may consider keeping doors propped open and ensuring the frequent cleaning of door handles and similar high contact spots.

The District may limit events at school facilities (including outside usage), after school activities, and extracurricular activities to those that can maintain social distancing and support proper hygiene and may impose restrictions such as prohibiting or limiting attendance and participation. The District reserves the right to cancel all field trips, inter-group events, usage of school facilities by outside and community organizations, and extracurricular activities, upon consultation with medical advisors.

Limits on the Sharing of Equipment and Items

The schools will keep each child's belongings separated from others and in individually labeled containers, cubbies, or areas and encourage students to take such belongings home each day for cleaning.

Operations of Schools During the COVID-19 Pandemic

The schools will ensure adequate supplies to minimize sharing of high touch materials to the greatest extent possible. The schools will limit use of supplies and equipment by one group of children at a time and clean and disinfect between use. These materials include, but are not limited to: books, computers, calculators, other electronic devices, writing utensils, art supplies, toys, and other games or learning aids. The schools will restrict the sharing of such materials between individuals. No two individuals should use the same materials in a given school day. The schools shall appropriately clean, disinfect, or sanitize materials at the end of each school day.

Library books should be held out of circulation for at least 24 hours after their return before they may be used by another student.

Meetings

Employees must follow social distancing guidelines at all times (including on any elevators within our facilities). Until further notice, in-person staff (or other professional) meetings should be avoided as much as possible. Employees are encouraged to use telephone, video and online conferencing, and to use e-mail to conduct as much business as possible, even when participants are in the same building. Such remote meetings may also include PPT meetings and parent teacher conferences. When in-person meetings are absolutely necessary, they should be limited to a maximum number of persons in accordance with prevailing CDC and state guidelines. Each attendee must wear a mask (or face covering) covering his or her mouth and nose at all times, and a distance of six feet between persons must be maintained. Of course, employees should avoid all person-to-person contact such as shaking hands.

Meals and Cafeterias

The District shall will continue to follow (and provide meals in accordance with) federal and school nutrition requirements. However, the District may restrict or prohibit the use of close communal use spaces such as cafeterias, dining halls, and break rooms. The District's schools may stagger the use of such spaces, for example, by having limits on attendance at any one time in the cafeteria (including maintaining adequate separation between cohorts), by additional spacing/social distancing and additional lunch shifts, even if student usage of the cafeteria is just to pick up meals.

The schools may have meals consumed in classrooms, whether delivered to the classroom or served/distributed in the cafeteria. The District shall consult with health professionals in order to determine the minimum requirements for social distancing and other safety protocols that must be observed while students are eating in the classroom (including further staggering or reducing of the cohort/number of students present in the classroom during the lunch break and use of barriers). Basic hygienic measures (including prohibiting the sharing of foods and utensils) must be enforced.

Operations of Schools During the COVID-19 Pandemic

Student Transportation

Where bus transportation is provided during the pandemic, the District will assess current health conditions and consult with health officials and medical advisors. The District will survey parents to determine usage of transportation, provided that nothing in this policy will be deemed to prevent students who are entitled to transportation services from accessing such services.

During times when there is a low transmission risk in the community, and there are appropriate safety precautions in the schools, buses may be able to operate at full capacity, provided that:

- Face masks for all are required on bus rides, except among exempt individuals (with such individuals distanced from the remaining students where possible), with such masks provided to those who are not wearing them before boarding.
- Cleaning protocols must be utilized to properly clean and disinfect between use, but mindful of the need to include measures to prevent harmful human exposure to chemicals, with logs kept to track these efforts.
- Students may only board their assigned buses, and may be assigned seats.
- Drivers (and bus monitors, if any) must wear face masks at all times when children are in the bus.
- Boarding of the bus must take place to reduce the number of passengers walking by each other (for example, loading into the bus from the back row to the front row, and then unloading upon arrival at school from front to back by seat).
- Hand sanitizer will available for use by students as they board and exit the bus.

During times when there is a moderate transmission risk/spread of the virus, student seating on buses must allow for social distancing by adhering to the following additional restrictions:

- No more than one student seated per row, unless from the same household;
- Students seated no closer than every other row; and
- Students seated in a diagonal formation, where if one student is seated on the right side of the bus, the next student is seated on the left side of the bus.

The District will consult with public health officials in assessing the applicability of (and need for modifications to) these protocols for transportation. Students must comply with Board policies while receiving transportation services from the District.

Cleaning and Disinfecting

The District is doing all that it can to eliminate transmission points for COVID-19. The District has taken additional precautions to provide a clean learning environment and workplace, including increasing the frequency of regular cleanings and sanitization of objects and areas that are frequently used. The District shall ensure that a thorough cleaning and disinfecting of the schools take place at least once every school day (after school hours), and before the re-opening of schools after any closure. Consistent with CDC guidelines, and in addition to its normal cleaning of its

Operations of Schools During the COVID-19 Pandemic

facilities, the District shall clean and disinfect frequently touched surfaces within the school and on school buses at least daily (for example, desks, playground equipment, fitness/gym equipment and weight rooms, door handles and railings, sink handles, drinking fountains – if operating, and other high contact areas) as well as shared objects (for example, toys, games, art supplies, shop and lab equipment) between uses.

The District will encourage the washing of hands before and after the use of such items. The District expects its employees to engage in the safe and correct application of disinfectants and to keep such products away from children. The District will implement the use of cleaning logs to track cleaning frequency in all of its schools.

The District further expects the cooperation of its employees in the fight against COVID-19. Where possible employees are prohibited from using other employees' phones, desks, offices, or other work tools and equipment. If such items (or work stations) need to be shared, they must be cleaned before and after use.

The District shall seek to ensure that its ventilation systems operate properly (especially after any shutdowns), with any ceiling fans adjusted to draw air up to the ceilings as opposed to down at persons, and shall seek to increase the circulation of outdoor air as much as possible, such as by opening windows and doors. Windows and doors should not be opened if they pose a safety or health risk (e.g., allowing pollens in or exacerbating asthma symptoms) to children using the facility. The District may use outdoor instruction during temperate times where safety conditions and physical space so allow.

In addition, the District shall take measures to ensure that all water systems and features (for example, drinking and decorative fountains, if in use) are safe to use after a prolonged facility shutdown to minimize the risk of infections and diseases associated with water.

Restroom Protocols

Bathroom fixtures:

- Optimize ventilation –Should exhaust to outside, negative pressure. Optimize fresh air intake. Check ASHRAE guidelines.
- Do not use hand dryers. If they are present, tape them and indicate that they should not be used.
- Place a (preferably no touch) trash can and paper towel roll by the bathroom door to allow students and staff to prevent from touching the handle with their hands
- Consistent with safety and privacy, keep door to restroom propped open to otherwise prevent contact with door handles.
- Place signs indicating that toilet lids (if present) should be closed before flushing.
- Install touch-free or single-use paper towel dispensers, garbage bins (including foot pedal bins), faucets, urinals, and toilets if possible.

Operations of Schools During the COVID-19 Pandemic

Physical distancing:

- Multi-stall bathrooms should only be used by those who feel well. A separate bathroom should be designated for any student that becomes ill and/or may need to be isolated.
- In multi-stall shared bathrooms, and where there is sufficient capacity, in-use bathroom stalls and sinks should be greater than 6 feet apart. If that is not the case, stalls and sinks should be taped-off and a sign indicating they should not be used should be placed on them.
- Bathroom occupancy is determined by the number of persons that are able to use the facility while maintaining social distance; therefore, occupancy limits will vary based on the size and layout of each bathroom.
- No personal items should be stored within bathrooms.
- Toilet lids (if present) should be closed before flushing.
- Time in bathrooms should be limited.
- If there are multiple bathrooms available, specific bathrooms should be assigned to students by zone and students should only use their assigned bathroom. Where possible, consider designating separate bathrooms for different classes or setting shifts for classes to use the bathroom (and thus avoid mixing of classes).

As may be applicable and as needed, the District shall implement a shower schedule to accommodate for the decreased availability of shower stalls at a given time and/or to improve social distancing.

Cleaning practices:

- Bathrooms should be fully cleaned and disinfected twice a day, in accordance with CDC disinfecting and cleaning protocols. Employees must ensure that they:
 - Know how to use disinfectants correctly. READ THE LABEL to determine the appropriate application procedure, dilution contact/"dwell" time (time needed for disinfectant to work as indicated), and personal protective equipment (PPE) to be worn.
 - Clean surfaces before use. Disinfectants cannot penetrate the dirt barrier.
 - Use green products. Green products are certified by an independent third party. The CT Green Cleaning law requires such certification.
 - Conduct disinfection in the absence of children or periods of lowest occupancy.
 - Use the least amount of disinfectant as recommended.
- If bleach is used:
 - Treat as toxic. Open a new bottle every month as bleach loses its effectiveness when stored.
 - Make dilution daily. Use only on surfaces that need to be disinfected.
 - Limit spraying onto surfaces. Use a pump bottle or spray onto a cloth and wipe.
 - Bleach solution should be left on surface for two minutes or allowed to air dry. If the area or item is going to be used right away, rinse.
- In addition to full cleaning and disinfection twice daily, spot-disinfect high-touch surfaces throughout the day. These surfaces include: soap and paper towel dispensers, doors within toilet stalls, and toilet handles.
- Place signs reminding students/staff to wash hands before and after using the restroom.

Operations of Schools During the COVID-19 Pandemic

Training

The District shall post signs on how to stop the spread of COVID-19, properly wash hands, promote everyday protective measures, maintain social distance (including floor signage) and properly wear a face covering. In addition, as may be appropriate, all teachers, staff and students shall receive training (whether in person, virtually or by video training) that will cover social distancing, cleaning protocols, and hygiene practices (including the need to wash hands and cover coughs and sneezes, the use of masks/face coverings and other everyday protective measures).

Notice and Compliance

Compliance Liaison: The Superintendent shall appoint an employee of the District to serve as COVID 19 Health and Safety Compliance Liaison. The Liaison, whose contact information must be publicized, will engage with students, parents, faculty, staff, and administrators to answer questions about the health and safety requirements set out in this policy, address questions about compliance, and ensure appropriate communications to the District's stakeholders. The Liaison will support the implementation of these requirements in each of the District's schools and programs, as well as the implementation of other school health and safety measures relating to COVID-19 and any additional guidance and up to date relevant information provided by the State Department of Education, the CDC, or any other state or federal agency.

Notices/Communications: All employees and parents will receive (electronically or otherwise) a copy of these protocols along with any applicable/the latest CDC guidance on schools <https://www.cdc.gov/coronavirus/2019-ncov/community/schools-childcare/schools.html> and risks, including additional risks associated with comorbidity and risk factors. <https://www.cdc.gov/coronavirus/2019-ncov/need-extra-precautions/people-at-higher-risk.html> All staff and parents and guardians, on behalf of the students, should sign written confirmation (electronic or otherwise) that they have received such notices. A participant's failure to sign confirmation regarding notice will be addressed on a case-by-case basis and in no case will a student be forbidden access to school on this basis. The District shall post these protocols /notices and associated safety protocols/guidelines on its website and at the schools in prominent places, along with any changes in its policies, protocols and guidelines. The District shall insure that frequent communication with its stakeholders takes place in order to inform the community of potential changes in its programs and services (and these protocols) tin light of changing conditions and to solicit input. Such communications will be made available in a manner be accessible to those with visual and/or hearing impairments (and in relevant languages in the community).

Surveys: In addition to the above referenced surveying about the usage of transportation, the District may survey its parents to determine which students will be participating in in-person learning and (who will be opting out). The District shall not use such surveys to interfere with a student's right to educational opportunities or accommodations. Furthermore, the District may survey its staff to determine general availability for performing duties (including such duties that may be required to be performed at the schools or "in person"). Such surveys shall be compliance with state and federal equal employment opportunities/anti-discrimination (and applicable

Operations of Schools During the COVID-19 Pandemic

privacy) requirements and shall seek general information (for example, employee limitations on such availability based upon child care or health risk issues). Any further inquiries may be made in accordance with the “Medical Inquiries and Testing” section of this policy (below) and the law.

Closing of Schools and Distance Learning

The District is prepared to proceed with a continuum of in person learning, remote learning, or a hybrid. Indeed, the District recognizes that during the pandemic, parents may be concerned about the health of their students and may instead choose to have their students participate in schooling via remote means (and/or at home). The District will make available robust remote opportunities for such students who are not attending in-person classes.

Should it be necessary due to further government orders, changes in health conditions due to outbreaks of COVID-19, or otherwise, the District may, in its discretion, reduce its programs, close its schools and/or utilize a distance learning model in lieu of classroom attendance for some or all students (or classes and programs). The District will communicate any such decision to students, parents and employees as soon as practicable; the District will also notify the State Department of Education if it is contemplating the closure of schools. The District may seek to continue school programming and extend learning opportunities to those who may not be able to attend school. All distance learning shall comply with all applicable State Department of Education standards, including its “Reimagine CT Classrooms for Continuous Learning” guidance, and will endeavor to provide synchronous and nonsynchronous opportunities.

In the event a person diagnosed with COVID-19 is determined to have been in the building and poses a risk to the community, the District may close school for a period of time necessary for appropriate cleaning and disinfection. *See* “Response to COVID-19 Incident”, below.

Medical Inquiries and Testing

The District reserves the right to make reasonable medical inquiries of its students and its employees in order to address the risk of transmission of COVID-19. While not required or mandated at all times, the District reserves the right to measure employees’ and students’ temperatures upon entry to or while at the schools, especially where health conditions dictate such measures (for example, where there is an increased risk of spread or there are diagnosed cases). When conducting temperature screening, the screener should 1) use touchless, disposable or oral thermometers with single-use disposable covers or adequate disinfection between individual uses, and 2) wear a face mask and face shield.

The District reserves the right to inquire about symptoms associated with COVID-19, and about contact with other persons. The District reserves the right to require such other testing and/or make such other inquiries as it deems necessary to monitor and control potential and actual exposure of its employees and students to COVID-19, as may be permitted by law and as conditions may dictate, especially where one is out sick, shows symptoms of COVID-19 or may have been exposed to COVID-19. Among other lawful purposes, such inquiries may be made to

Operations of Schools During the COVID-19 Pandemic

confirm the employee's need for an absence, to confirm whether an absence relates to COVID-19, and/or to determine when it is appropriate for an employee or student to return to school.

The District reserves the right to require all staff and students to be screened for any observable illness or symptoms, including cough or respiratory distress, and to confirm that their temperature is below 100.4 degrees Fahrenheit. School administrators may use examples of screening methods set forth in the CDC's supplemental Guidance for Child Care Programs that Remain Open as a guide for screening children and the CDC's General Business FAQs for screening staff. Such screening shall be done safely, respectfully, as well as in accordance with any applicable privacy laws or regulations. Depending on health conditions, the District may require employees to complete (electronically or otherwise) or otherwise respond to a Daily Health Assessment Certification (sample attached as Exhibit A) before being permitted to enter any District facility. Any employee who answers yes to any of the Health Assessment questions or exhibits COVID-19 symptoms will be asked to leave the premises immediately and, if appropriate, seek medical care. If any questions arise regarding the health screener's assessment of the observable symptoms or next steps, the health screener should consult the nurse or medical professional in the District.

Even if not screened by the school, staff and students should self-assess daily for symptoms prior to coming to school. Staff and students should self-report symptoms or exposures. Each school shall create a communication system for staff and families for self-reporting of symptoms and notification of exposures and closures, while respecting the confidentiality of any information that may be reported. As noted in these protocols, staff who are sick should stay home and parents should keep sick children home as well.

Testing for COVID-19 may be available for staff or students if there is a suspected case of COVID-19. In addition, the District shall have contact tracing and testing protocols in place to enable efficient tracing within the school community in the event of a positive case. The District shall actively monitor staff and student absenteeism to identify trends that would suggest spread of illnesses such as COVID-19, and code such absences accordingly. In addition, the schools (via their nurses and other health staff) will monitor health clinic traffic/usage and the types of illnesses and symptoms among students.

In addition to the health office, each school must identify an isolation room or area (with separate/assigned restroom) for a) separating anyone who exhibits symptoms consistent with COVID-19 and b) holding students who exhibit such symptoms until a parent or guardian arrives. Students must never be left unattended in an isolation room. Each school shall establish procedures for safely transporting anyone sick home or to a healthcare facility.

Confidentiality of Medical Information

Medical information will be kept confidential as required by law. The District will treat all student and employee-provided medical information (including information with respect to contact tracing) as confidential medical records. The District will maintain the confidentiality of such information to the most reasonable extent possible, in compliance with applicable laws and

Operations of Schools During the COVID-19 Pandemic

regulations, including but not limited to the Americans with Disabilities Act and the Family Educational Rights and Privacy Act, as may be applicable. If necessary, medical information may be shared in limited circumstances and subject to appropriate controls to those persons who have a legitimate need to know including but not limited to District administration, first aid and safety personnel, and government officials, as required by law or other relevant guidance.

Response to a COVID-19 Incident

If a staff member or student is suspected to be sick, or has been diagnosed with COVID-19, the school may notify families and staff about the exposure while maintaining the confidentiality of the sick staff member or student, to the most reasonable extent possible, and consistent with the Americans with Disabilities Act and other applicable federal and state privacy laws. The District will also notify public health officials, as required by law, including but not limited to Conn. Gen. Stat. §10-210, which requires that 1) a school notify the local director of health whenever any child (or staff member) shows symptoms of a communicable disease, and 2) any such child be excluded from attendance at school and not be permitted to return without permission of the director of health.

Sick staff members and children should not return until they have met the current operative CDC criteria for discontinuing home isolation. Staff or students with signs or symptoms of COVID-19 may only return to school with a documented negative COVID-19 test result or a note from a healthcare provider clearing them to safely return to the school program. See “Staying Home When Ill,” below.

In addition, the District shall inform those who have had close contact with a person diagnosed with COVID-19 to stay home and self-monitor for symptoms and to follow CDC guidance if symptoms develop, while respecting the privacy rights of all as required by law. If a person does not have symptoms, they should still follow appropriate CDC guidance for home isolation. See “Staying Home When Ill,” below.

The decision to limit, suspend or close a program or school for some or all participants as a result of a COVID-19 case shall be made by the Superintendent or his/her designee, upon consultation with public health officials and the school medical advisor, and based upon applicable guidance. Any school may implement short-term closure procedures regardless of community spread if an infected person has been in a school building (or program). This initial short-term dismissal allows time for local health officials to gain a better understanding of the COVID-19 situation impacting the school. This allows the Superintendent, in consultation with the local health department, to determine appropriate next steps, including whether an extended dismissal duration is needed to stop or slow the further spread of COVID-19.

Decisions regarding the scope of the closure (e.g., a cohort, a part of or all of a program, a single school, multiple schools, the full district) and duration of school dismissals will be made on a case-by-case basis using the most up-to-date information about COVID-19 and the specific cases in the community, along with consultation with public health officials. During school dismissals, the

Operations of Schools During the COVID-19 Pandemic

District shall also cancel extracurricular group activities and school-based afterschool programs. The District shall initiate recommended CDC cleaning (and ventilation) procedures following a confirmed COVID-19 case.

Decisions on which, if any, staff should be allowed in the school should be made in collaboration with the local health department and school medical advisor, if applicable. The Superintendent shall work with local health officials following a temporary closure to determine when students and staff can safely return to schools.

Medical Professional: The Superintendent must ensure that a nurse or other medical professional is available to each school in the District to manage positive and suspected cases, including overseeing testing and tracing. Nurses and other healthcare providers should use Standard and Transmission-Based Precautions when caring for sick people, including those with COVID-19.

Staying Home When Ill

Employees and students often report to school even though they feel ill. While they may have the best of intentions, *it is especially critical at the present time that employees and students not report to school when they are ill and/or experiencing any of the following symptoms*:

- Fever (i.e., temperature at or above 100.4 degrees Fahrenheit)
- cough
- sore throat
- runny or stuffy nose
- body aches
- headache
- chills
- respiratory issues
- loss of taste or smell
- gastrointestinal issues such as nausea, diarrhea and vomiting
- fatigue
- any other symptom(s) noted by the CDC or other public health officials as being associated with COVID-19.

Employees and students who report to school with these symptoms or become ill at school (including having a fever) will be sent home. The District will also require employees and students to remain home if they are sick with (or are known or suspected to have been exposed to) COVID-19, or if the District otherwise believes they pose a threat to the safety and health of others.

Guidelines for Employees Who Have Been Diagnosed With COVID-19 or Who Have Been in Close Proximity to a Person with Symptoms of (or who has been Diagnosed with) COVID-19

Operations of Schools During the COVID-19 Pandemic

In addition to immediately notifying their supervisor, such employees should:

- Not come to work;
- Consult their healthcare providers; and
- If symptomatic, follow CDC-recommended steps with respect to isolation (including isolation from persons within their homes), remaining at home, and returning to work.

Employees who are well but who have a sick family member at home with COVID-19 (or a presumed case of COVID-19 awaiting test results) should also follow CDC-recommended precautions and not report to work.

Employees exposed to or who have had COVID-19 may not return to work until the CDC criteria to discontinue home isolation are met, along with any other requirements imposed by the employee's healthcare providers and/or state and local health departments.

Leaves of Absence for Employees

An employee who has been assigned work, whether at the District's facilities or at home, but is unable to perform it for reasons related to the COVID-19 pandemic, may be entitled to a paid or unpaid leave of absence, consistent with any applicable collective bargaining agreements, contracts or District policies. Employees who meet the criteria for Emergency Paid Sick Leave ("EPSL") or Expanded FMLA ("EFMLA") Leave under the Families First Coronavirus Response Act ("FFCRA") will be provided with such leave. All employees should review the District's policies on leave (including family and medical leave) and notices/postings regarding leave that may be available under the Families First Coronavirus Response Act. Employees should contact Human Resources should they have any questions or to request such leave.

Employee Offsite Meetings and Travel

Employees should avoid any nonessential travel and cancel or postpone nonessential meetings, gatherings, workshops and training sessions. Employees should seek to minimize such in-person contact by providing and receiving services remotely (by telephone, video conference, or other remote means) to the extent possible. When offsite in-person duties must be performed, employees must 1) inform their supervisors before leaving the facilities, 2) wear a face covering during all interactions, 3) adhere to social distancing guidelines (even in transit and during any offsite meeting), and 4) follow basic hygienic measures as described above (including bringing with them and using hand sanitizer while in transit and at any such off-site locations/events).

Any employee who will be traveling out of state for any reason (business or personal) must inform their direct supervisor ahead of time, consistent with any obligations under District policy or applicable collective bargaining agreements. (A sample form for this purpose is attached as Appendix C and may be used in a manner consistent with any applicable collective bargaining agreement.) The District may require employees who travel out of state for any reason to stay home for fourteen (14) calendar days (or consistent with CDC guidance, as it may be updated)

Operations of Schools During the COVID-19 Pandemic

upon return. Quarantining of employees shall be determined on a case-by-case basis and based on an individualized assessment of the risk to the health and safety of others. These determinations will be made based on factors such as the location(s) visited by the employee, the length of time of the visit, the means of travel and the circumstances of the visit, and as further health, medical and scientific guidance becomes available.

Visitors to District/School Facilities

The District reserves the right to control access to its facilities by external visitors, including prohibiting entry into its facilities for all visitors, permitting visitors by appointment only (for example, as may be necessary to attend a PPT meeting where a parent objects to remote participation), or limiting the number of visitors at any particular time, as may be permitted by law. As permitted by law, visitors to the schools may be screened to limit the risk of exposure to our employees and students. Screenings may include, but are not limited to, interviewing visitors about their current health and recent travel history, taking temperatures at points of entry, and filling out additional forms or other paperwork. Visitors may also be required to complete (electronically or otherwise) or otherwise respond to a Visitor COVID-19 Screening Questionnaire (a sample of which is attached to these protocols as Exhibit B). Even if not screened by the District, visitors should self-assess/self-screen for symptoms prior to entering District facilities. In addition, visitors will be required to comply with posted safety and hygiene requirements, including but not limited to washing their hands with soap and water and/or hand sanitizer at the point of entry to the facility, and maintaining appropriate social distancing measures at all times (including by and between visitors and employees). All visitors must wear a mask or face covering at all times while on District premises in accordance with the terms of this policy.

Anti-Harassment and Non-Discrimination

The District has numerous policies prohibiting harassment and discrimination in the schools for both its employees and its students. The District will continue to fully comply with its obligation to provide reasonable accommodations to employees with disabilities, as required by state and federal law. These policies remain in effect during the COVID-19 outbreak, and employees should review District policies for additional information. Such policies provide procedures for requesting such accommodations and filing complaints of unlawful discrimination, harassment and retaliation. The District is committed to taking all actions necessary to provide a safe school with a welcoming and harassment free environment and an equal employment opportunity for all.

Special Student Populations and Student Needs

The District shall continue to carry out its legal obligations (whether during times of in-person, blended or remote learning) for 1) students with disabilities, including the provision of special education and related services and/or accommodations, and 2) and English Learners, in accordance with applicable federal and state guidance.

Operations of Schools During the COVID-19 Pandemic

The District may prioritize in-person learning opportunities and programs for students who require the most learning support. Students most in need of learning support may include, but are not limited to:

- Students with special needs/disabilities;
- Students who are English Learners;
- Students who have had limited to no access to devices to engage in virtual distance learning, or;
- Students who otherwise did not access educational materials despite the District’s providing the opportunity during prior times of remote learning.

In addition, remote learning may be used as an accommodation if a student is not able to access his/her education at the reopened school due to modifications necessitated by COVID-19.

The District understands that as students are returned to the classroom after an absence, they will need to be reengaged. As such, the District will conduct assessments and use available data to ensure that students are appropriately transitioned back into the schools. Each school will assess students through methods such as universal screenings, evaluations, parent and student interviews/discussions, observations, and other data collection practices to individualize student programming. If necessary, a PPT meeting may be held for students with special needs. The District may modify the content of instruction upon return to in-person instruction as it may deem appropriate, including the review of prior content and differentiation of instruction. In addition, the District remains committed to SRBI and providing appropriate supports.

The District understands that the time away from school may also present social and emotional challenges. In addition to its programs of counseling, the District reiterates its commitment to its policies to address particularized needs and challenges, especially for those most impacted by the pandemic. Without limiting the scope of this commitment, the District understands its obligations to address (and report) possible abuse and neglect, in accordance with its policies and state law. These trainings, programs and obligations will remain in place whether the schools are providing in-person instruction, a blended program, or distance learning.

Legal References:

Executive Order 7NNN – Protection of Public Health and Safety During COVID-19 Pandemic – Masks and Face Coverings, August 14, 2020.

Connecticut State Department of Education, Adapt, Advance, Achieve: Connecticut’s Plan to Learn and Grow Together, September 4, 2020.

Connecticut State Department of Education, Addendum 11 to Connecticut State Department of Education Adapt, Advance, Achieve, Reopening Guidance “Interim Guidance for the Use of Face Coverings in Schools during COVID-19,” August 31, 2020.

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Operations of Schools During the COVID-19 Pandemic

Legal references continued:

Connecticut State Department of Education, Frequently Asked Questions Regarding Reopening K-12 Public Schools, Volume 3, September 2, 2020.

Letter from Dr. Miguel A. Cardone, Connecticut Commissioner of Education, to Superintendents of Schools with Preschool Classrooms, September 17, 2020.

Policy adopted:

NEW MILFORD PUBLIC SCHOOLS
New Milford, Connecticut

APPENDIX A

Employee Daily Health Assessment Certification

This form must be completed and returned to Human Resources for approval prior to entry/reentry to any District facility.

Name: _____ District Facility to be entered: _____

Please answer the following questions by circling Yes or No.

Have you experienced any of the following symptoms in the last 14 days? Yes or No

- Fever
- Chills
- Repeated shaking with chills
- Muscle pain
- Runny or stuffy nose
- Headache
- Fatigue
- Sore throat
- Recent loss of taste or smell
- Body aches
- Cough
- Respiratory issues
- Gastrointestinal issues
- Any other symptom noted by the CDC or other public health officials as being associated with COVID-19

Have you ever had close contact with anyone who was sick with COVID-19? Yes or No

In the last 14 days, have you traveled to any area with clusters of COVID-19? Yes or No

In the last 14 days, have you traveled internationally? Yes or No

In the last 14 days, have you been a visitor to a nursing home, hospital or other high-risk congregate setting?
Yes or No

In the last 14 days, have you engaged in interstate travel on a plane, train, bus, or cruise ship?
Yes or No

Signature

Date

Note: Providing false information on this form may result in discipline or termination of employment.

Access may be denied to employees who answer “yes” to certain questions.

Confidentiality of Medical Information

Medical information will be kept confidential as required by law. We will treat all employee medical information (including information with respect to contact tracing) as confidential medical records. We will maintain the confidentiality of such information to the maximum extent possible, in compliance with applicable laws and regulations. If necessary, medical information may be shared in limited circumstances and subject to appropriate controls, to those persons who have a legitimate need to know including but not limited to first aid and safety personnel, and government officials, as required by law or other relevant guidance.

APPENDIX B

VISITOR COVID-19 SCREENING QUESTIONNAIRE

This form must be completed and returned to _____ approval prior to entry/reentry to any District facility. All visitors will be required to wear a mask for the duration of their visit. Visitors who do not wear masks will not be permitted entry.

First Name: _____ Last Name: _____

Home Address: _____

Phone #: _____ Facility Being Entered: _____

Date of Entry: _____ Reason for Visit: _____

Please answer the following questions by circling Yes or No.

Have you experienced any of the following symptoms in the last 14 days? Yes or No

- Fever
- Chills
- Repeated shaking with chills
- Muscle pain
- Runny or stuffy nose
- Headache
- Fatigue
- Sore throat
- Recent loss of taste or smell
- Body aches
- Cough
- Respiratory issues
- Gastrointestinal issues
- Any other symptom noted by the CDC or other public health officials as being associated with COVID-19

Have you ever had close contact with anyone who was sick with COVID-19? Yes or No

In the last 14 days, have you traveled to any area with clusters of COVID-19? Yes or No

In the last 14 days, have you traveled internationally? Yes or No

In the last 14 days, have you been a visitor to a nursing home, hospital or other high-risk congregate setting?

Yes or No

In the last 14 days, have you engaged in interstate travel on a plane, train, bus, or cruise ship?

Yes or No

Signature

Date

For the safety of our guests and employees, access may be denied to visitors who answer “yes” to certain questions.

Confidentiality of Medical Information

Medical information will be kept confidential as required by law. We will treat all employee medical information (including information with respect to contact tracing) as confidential medical records. We will maintain the confidentiality of such information to the maximum extent possible, in compliance with applicable laws and regulations. If necessary, medical information may be shared in limited circumstances and subject to appropriate controls, to those persons who have a legitimate need to know including but not limited to first aid and safety personnel, and government officials, as required by law or other relevant guidance.

Appendix C

Pre-Travel Disclosure Form

This form must be submitted to Human Resources prior to any interstate or international travel.

First Name: _____ Last Name: _____

Home Address: _____

Home Phone #: _____ Cell Phone #: _____

Travel Destination: _____

Dates of Travel (Departure and Return): _____

Please answer the following questions by circling yes or no.

1. Will you be traveling to any area with clusters of COVID-19? *yes or no*
2. Will you be traveling on a plane, train, bus, or cruise ship? *yes or no*

Signature

Date