

# MASK GUIDANCE

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LEVEL YELLOW- MINIMUM TO MODERATE TRANSMISSION

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# Mask Requirement Level Yellow

The board has determined that “mask wearing is a necessary measure to protect students’ health”.  
~ *Idaho Code § 33-512*

“School districts have been delegated all legally necessary authority by the legislature to implement measures to address the threat and presence of a pandemic within their jurisdiction.”  
~ *Idaho Attorney General*

Uniformity of Application - It should consider the challenges that may arise from a lack of uniformity in enforcement. If students or teachers can simply “opt out” of a mask mandate, it renders itself vulnerable to issues such as: Bullying, Disruption in consistency of application, and equity concerns.

American with Disabilities Act (ADA) Exemption - The CDC and other agencies have recognized that persons with certain medical conditions are not advised to wear face coverings: these may include (but are not limited to) individuals with asthma, COPD or other respiratory issues, claustrophobia, PTSD or severe anxiety, sensory issues corresponding with autism, and cerebral palsy. If a **student or an employee** has a medical condition preventing them from wearing a mask, the District must provide a reasonable accommodation to the extent doing so does not impose an undue hardship.

The District is allowed to, and should, engage in the interactive process for ADA matters to determine what the condition is and what a reasonable accommodation might entail.

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Personal Objection (Medical Reason) – Plummer-Worley School District remains mask wearing in a parallel fashion to current immunization policy (PWSD Policy 3110P) and Idaho Code in that: “Students are exempt from required immunizations if they provide proof of a medical condition by way of a “certificate signed by a physician licensed by the State Board of Medicine stating the physical condition of the child is such that all or any of the required immunization would endanger the life or health of the child.”

~ Idaho Code § 39-4802

Position: Exemption is with a certificate signed by a physician or mental health professional.

Personal Objection (Religious/Personal “Parental Rights in Education” Reason) – “A student’s parent or guardian has the right to a reasonable academic accommodation from the child’s public school. ‘Reasonable accommodation’ means the school shall make its best effort to enable a parent or guardian to exercise their rights without substantial impact to staff and resources, including employee working conditions, safety and supervision on school premises for school activities and the efficient allocation of expenditures, while balancing the parental rights of parents and guardians, the educational needs of other students, the academic and behavioral impacts to a classroom, a teacher’s workload and the assurance of the safe and efficient operations of the school.”

~ Idaho Code § 39-4802

Position: Such personal objections can be accommodated by providing remote learning opportunities.

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Costs and Provisions of Masks – It does not appear that the District is required by law to provide masks to all students and staff in the event of a mandate. However, the Idaho Back-to-School Framework does encourage such practice for staff and families in need – revisiting the above guidelines, the Framework provides:

Category 1: Provide masks/face shields for staff

Category 2: Provide masks for staff as available based on resources and provide them for students whose families may not be able to provide them; Provide and require masks for bus drivers, encourage student bus riders to wear masks.

If resources allow, it would be prudent for the District to provide masks for the staff being required to wear them. Resources will be provided for students on an as-needed basis.