

EMERGENCY RULE 1.1 – COVID-19 PROTOCOL

- Introduction. On March 1, 2020, the Governor of the State of Florida, Ron DeSantis issued Executive Order 20-51 directing the State Surgeon General to declare a public health emergency by reason of the outbreak of COVID-19 in the State. On March 9, 2020, Governor DeSantis issued Executive Order 20-52 declaring a state of emergency in Florida due to the COVID-19 outbreak. According to the Florida Department of Health, as of August 18, 2020, there have been 584,047 positive cases of COVID-19 and 9,932 deaths in the State of Florida. On July 6, 2020, the Florida Commissioner of Education, Richard Corcoran, issued Department of Education Order 2020-EO-06, requiring public brick and mortar schools to reopen in August, 2020 on a five day-a-week, full-service basis. On November 30, 2020, the Commissioner of Education issued another Emergency Order, recognizing that a state of emergency still exists in Florida due to the COVID-19 outbreak, and requiring public brick and mortar schools to remain open through the Spring of 2021. The School Board has determined that the state of emergency and the health risks posed by the COVID-19 outbreak require the passage of an emergency rule to assure that the Superintendent of the St. Johns County School District and his staff have all necessary authority and resources to enforce District COVID-19 safety protocols and otherwise to protect District students, faculty, staff, volunteers, vendors and visitors at District schools during the COVID-19 outbreak.
- Grant of Authority. The School Board expressly authorizes the Superintendent to require District students, teachers, staff, volunteers, vendors and visitors when they are in District schools or facilities, on District buses or attending school or school-sponsored activities, to practice social distancing, wear masks or face shields, practice hand washing and proper hygiene, and to take such other precautionary and corrective measures as he may deem necessary to protect the health, safety and welfare of District students, faculty, staff, volunteers, vendors, visitors and the community at large.
- Face Coverings. All students, faculty, staff, volunteers, vendors and visitors shall wear masks and face coverings while in District schools and facilities, on District buses, or attending school or school-sponsored activities. Such masks and face coverings shall be provided by the District upon request. Face coverings shall not be required for persons who present school officials with a certification from a health care provider that the person has a medical condition that prevents him or her from being able to safely wear a face covering. Face coverings shall not be required for infants and children two (2) years of age or younger, during regularly scheduled meal times, while engaged in strenuous activity, or while performing in musical, choral and theatrical rehearsals and performances. While this Emergency Rule remains in force, the Superintendent is authorized to require such other protective measures and grant such other exceptions as he deems in the interest of the health, safety and welfare of students, teachers, staff, volunteers, vendors, visitors and the community at large.

4. Refusal or Failure to Comply with Precautionary Measures and Requirements. If a student refuses or repeatedly fails to wear a mask or face covering or follow other precautionary measures at school, the Superintendent shall have the authority to administratively reassign the student to a distance learning program. For purpose of this rule, a student who fails to wear a mask or face covering when required on more than three (3) occasions shall be deemed to have repeatedly failed to do so. The purpose of the reassignment shall not be disciplinary, but rather shall be undertaken in the interest in the health, safety and welfare of other students, teachers, staff, volunteers, vendors and visitors that may come in contact with a student who refuses to wear a mask or otherwise comply with District COVID-19 protocols.

5. Reassignment Procedure. Prior to reassigning a student to a distance learning program for refusal or repeated failure to wear a face mask or comply with other precautionary procedures and requirements, the following steps are recommended.
 - a. The principal or the principal's designee shall notify the student and the student's parents verbally and in writing that the student has refused or failed to comply with required District practices.
 - b. As promptly as practicable, the principal or the principal's designee shall confer with at least one of the student's parents by telephone, by on-line meeting or otherwise to discuss the resolution of the non-compliance issue.
 - c. In the event of an outright refusal to comply, or in the event the student still does not comply with required practices after written notification and the parent conference, the principal shall notify the Superintendent and Senior Director of School Services to recommend that the student shall be administratively assigned to distance learning, or that other remedial measures be instituted (if available).
 - d. The Superintendent or his designee will review the principal's request and supporting documentation. If in the judgment of the Superintendent, administrative reassignment is warranted, the Superintendent shall notify the parent of that decision in writing. The Superintendent's decision to reassign a student to distance learning will be final and shall not be subject to appeal.

6. Students with Disabilities. Reassignment students with an Individual Education Plan (IEP) or 504 Plan shall be handled in accordance with applicable requirements and procedures.

7. Additional Precautions and Protective Measures. In addition to the practices and alternatives specified in this rule, while this rule is in effect, the Superintendent

shall have the authority to take such actions as he deems necessary in the interest of the health, safety and welfare of District students, teachers, staff, and the community at large.

STATUTORY AUTHORITY:

**120.54(4), 1001.41, 1001.42
and 1003.31, F.S.**

HISTORY:

ADOPTED: 01/12/21