

***NOTE: The following is a redline draft of proposed revisions to Board Policy EBBA Disease Prevention; Face Coverings. This is a preemptive redline draft from staff for the School Board’s consideration at the June 1, 2021 work session. The potential revisions will follow the Chapter 120, Florida Statutes, rulemaking process, which will consider public comment at the June 17, 2021 Rule Development Workshop and the July 13, 2021 School Board meeting.**

DISEASE PREVENTION; FACE COVERINGS

FILE: EBBA

TITLE: Face Coverings

POLICY:

On April 14, 2021, Florida Commissioner of Education Richard Corcoran issued a memorandum to all District School Superintendents. In his memorandum, the Commissioner asked “that districts, which currently are implementing a mandated face covering policy, revise their policy to be voluntary for the 2021-2022 school year.”

On April 29, 2021, State Surgeon General Dr. Scott A. Rivkees issued a Public Health Advisory regarding Covid-19 stating, “scientific studies show that COVID-19 vaccines protect individuals from COVID-19, dramatically diminish hospitalizations and death caused by COVID-19 infection.” He further stated, “due to COVID-19 wide-spread vaccine availability, fully vaccinated individuals should no longer be advised to wear face coverings or avoid social and recreational gathering except in limited circumstances.”

The School Board of Orange County, Florida (School Board) is provided liability protection in Senate Bill 72 (2021), which created Section 768.38, Florida Statutes. The School Board relies upon the guidance issued by the Commissioner of Education on April 14, 2021 and the Public Health Advisory issued by the State Surgeon General on April 29, 2021 as “authoritative or controlling government-issued health standards or guidance” and intends to follow such guidance.

I. RULE

(A) **FACE COVERINGS PERMITTED.** Each student, employee, visitor, vendor, or other person may voluntarily wear a face covering at their discretion. The following face covering types are acceptable:

1. Commercially produced and disposable masks;
2. Cloth face coverings;
3. Clear face coverings;
4. Face shields.

(B) **CDC GUIDANCE OR GUIDANCE FROM OTHER GOVERNMENTAL ENTITIES.** In the event the CDC or other governmental entities issues updated guidance which mandates more restrictive face covering requirements, the School Board authorizes the Superintendent to implement the more restrictive face covering requirements in accordance with that guidance.

II. EFFECTIVE DATE

This Policy shall become effective no later than August 2, 2021.

SPECIFIC AUTHORITY: Sections 768.38; 1001.41(1), (2), and (3); 1001.42(4) and (8);
1003.31; 1012.23; and 1012.27(1) and (7), Florida Statutes

ADOPTED: 08/11/2020 (as an emergency policy)

REVISED: 08/25/2020 (as an emergency policy); 09/08/2020 (as an emergency policy);
10/13/2020; _____