



LEARNING SUPPORT SERVICES

MEMO TO: ALL SCHOOL ADMINISTRATORS

FROM: LEARNING SUPPORT SERVICES

DATE: SEPTEMBER 9, 2020

SUBJECT: MANDATORY MASK EXEMPTION PROCESS FOR STUDENTS GRADES K-12

Background

The Ministry of Education, in consultation with Public Health, has released guidelines specific to mask wearing in Ontario Schools. For students in Grades 4-12, non-medical or cloth masks are mandatory, as directed by the Ministry of Education, while in schools and on transportation. The Board recently approved a motion to make non-medical or cloth masks mandatory for students in Kindergarten-Grade 3. It should be noted that any student in Kindergarten-Grade 3 who refuses to wear a mask will **not** receive consequences for failing to comply. All students in Kindergarten-Grade 3 will be encouraged to wear a mask and will work towards compliance with this practice. Proper mask wearing procedures will be taught directly and reinforced through ongoing verbal reminders. All school staff will also be required to wear the medical masks that have been provided by TVDSB.

Mask Exemptions for Students

It is recognized that some students may need to be exempted from the requirement to wear a mask. As such, the Ministry of Education has provided guidance that allows for an exemption from wearing a mask while in school and/or transportation. Administrators are asked to work with families and students on an individualized basis to determine if an exemption, or some other form of accommodation, is warranted.

Exemptions/accommodations to mask wearing may be necessary to support some students under the *Ontario Human Rights Code*, including for religious or disability related reasons. No one should experience harassment or other discriminatory treatment based on a *Code* ground because they are unable to wear a mask.

Exemptions/accommodations may be required for **medical reasons**, including sensory or breathing difficulties, and other visible and invisible disabilities; **developmental reasons**, including cognitive conditions and other special education needs; or other **Code based reasons**, including mental health, trauma and religious and creed accommodations.

The following are guidelines for determining when an exemption or alternate accommodation is appropriate:

Category A: Request for Exemption with Supporting Documentation

If a parent/guardian of a student or a student over the age of 18 would like an exemption for **medical or developmental reasons** (including cognitive conditions and other special education needs), a request for an exemption form (Appendices A and C) must be completed and provided to the school administration, along with documentation indicating the need for an exemption.

- Exemption forms and documentation will be reviewed by school administration and approval of the exemption will be determined and communicated at the school level.
- The outcome will be provided in writing (Appendix B for Category A).
- All documents related to a mask exemption are to be filed in the student's OSR and an electronic copy saved by the school in the *electronic COVID-19 School Documentation folder*.
- School administration will inform school staff of any students with an approved mask exemption.

NOTE: Parents and guardians of students in Kindergarten to Grade 3 who are requesting a mask exemption are required to complete Appendix A and do **not** need to provide medical documentation to support their exemption request. These requests can be approved at the school level and do not need to proceed to the *Mask Exemption Review Panel*. This must be kept on file in the school's *electronic COVID-19 Documentation folder*.

Category B: Request for Exemption without Supporting Documentation

If a parent/guardian of a student or a student over the age of 18 would like an exemption from wearing the mandatory mask and **no** documentation to specifically support this request has been provided, the school administration and school team will:

- work with the family/student to understand the need for the exemption,
- gather any existing documentation that may be available, and
- explore accommodations that can be provided by the school and document these.

For this exemption to be approved, it will be required to be reviewed by the *Mask Exemption Review Panel*.

The information relevant to the exemption request must be sent to Sheila Builder, Superintendent of Student Achievement for consideration by the *Mask Exemption Review Panel*.

In determining whether an exemption will be granted, the *Panel* will consider:

- if a medical condition is known to the school (e.g. epilepsy) and documentation already on file clearly substantiates an exemption to wearing a mask;
- if the student has special needs that clearly support the need for an exemption (i.e. a medically fragile student in self-contained developmental classroom);
- Whether an alternate accommodation can be provided that is determined to be appropriate for the student by the school Administration and school team in consultation with the family/student.

The *Panel* will communicate the outcome of the review in writing to the parent/guardian of the student or the student over the age of 18 requesting an exemption, with a copy to school administration.

As these exemptions will need to be reviewed in a timely manner, school administrators are encouraged to submit this information as soon as possible. While awaiting a response, school administration and staff should work with the family to support their request and provide accommodations, as able.

Required Documentation for School Administrators

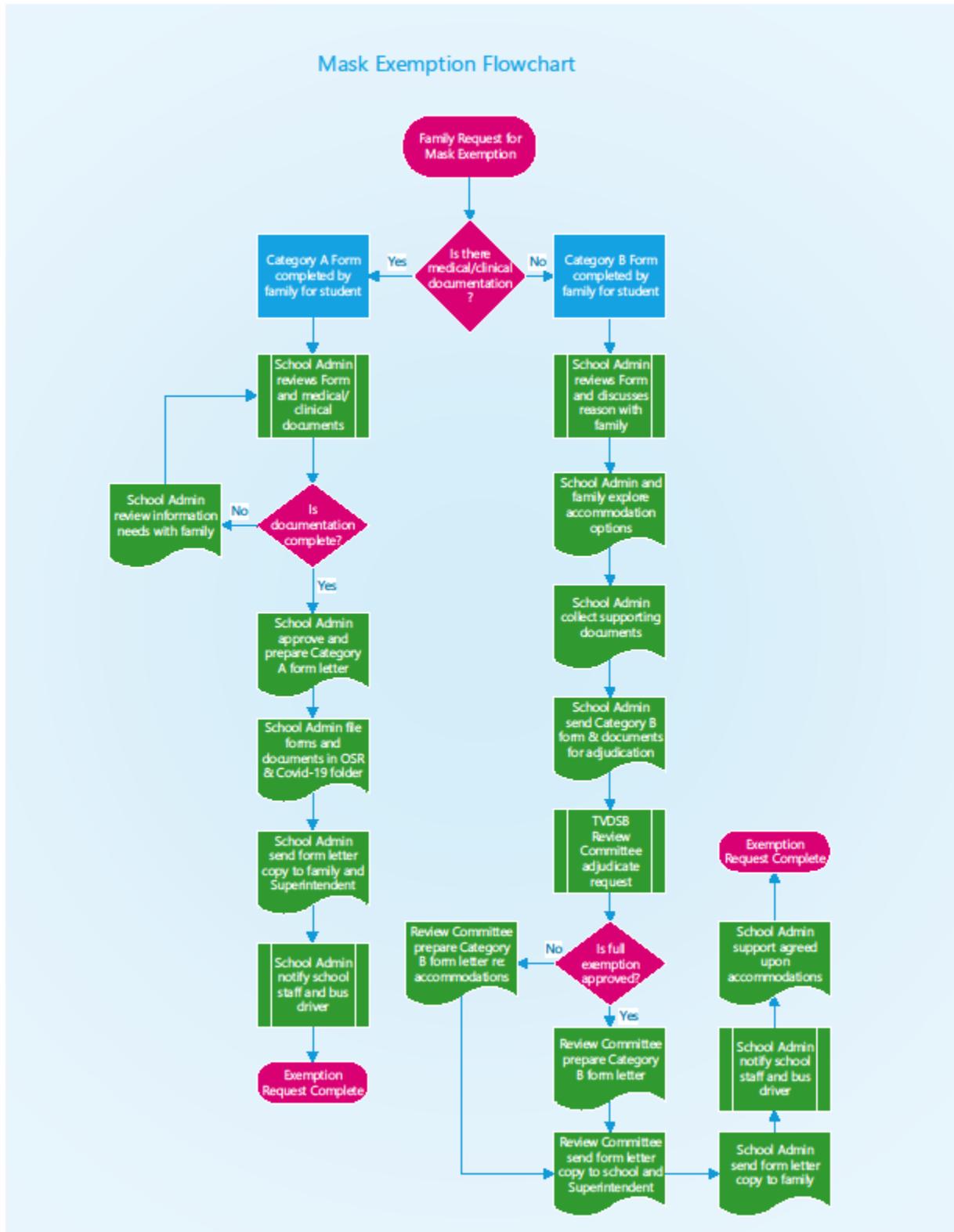
- School administration will document all approved exemptions and accommodations provided to a student. A copy of the accommodation will also be provided to the parent/guardian or student over the age of 18. In addition, copies will be filed in the student's OSR and saved in the *electronic COVID-19 School Documentation Folder*. School administration is asked to keep documentation on file regarding exemption approvals and accommodations (i.e. a list of students who have been granted an exemption/accommodation and rationale).
- School administration will inform school staff of any students with mask accommodations.
- Specific information as to the reason for the exemption/accommodation is not to be shared outside of indicating that the exemption process has been followed.

Please contact your school Superintendent, if you have questions.

Support for all Students

Whether or not an exemption or alternate accommodation has been granted, some students will have difficulty with the transition to wearing a mask at school for the entire day. Staff are asked to work with students to support this transition. An individualized approach is needed, and understanding and support should be provided, while adhering to the requirement for the health and safety of all. We appreciate all the support TVDSB staff will provide our students with this new requirement to their day at school.

The following Flowchart will provide support to school Administrators in determining necessary steps required for Mask Exemptions for Students (K-12)



Anticipated Questions on Mask Exemptions

This document is provided to assist school administrators with questions that may be asked by parents/ guardians or students 18 or older

Q: My child requires an exemption because they are not permitted to wear a mask for religious reasons, or because they wear a religious face covering that is considered an acceptable non-medical face covering according to public health guidelines.

A: This situation would be captured in Category B. A student may be entitled to an exemption as a religious accommodation under the *Ontario Human Rights Code*. As there would be no medical or clinical documentation that this family could provide for this request for exemption, the school team/administration would work with the family to understand how to accommodate the request and document these discussions. Other documentation, if appropriate and available, may be shared with the request and submitted to the *Mask Exemption Review Panel* for consideration.

Q: My child has a medical condition (e.g. asthma, epilepsy) or a developmental disability that is known to the school administration. My child has a family doctor who oversees my child's care; however, I do not have specific information from the doctor that explains why my child's condition or disability should exempt them from wearing a mask all day in school. Do I need to contact the doctor for further documentation in order to obtain an exemption?

A: The Ministry of Education, in consultation with public health, has determined that wearing a mask is an important health and safety measure to protect staff and students in schools. The school needs to fully understand the need for the exemption or some other form of accommodation in order to determine an exemption, or other reasonable solution. Specific information should be provided whenever possible. School administration should inform the parent/guardian that additional documentation outlining the student's unique needs and the necessity for an exemption should be obtained. School administration will, in the interim, gather any existing information regarding the student and discuss the situation with the family. School administration should also explore with the parent/guardian and the school team any reasonable alternate accommodations that may be implemented.

If the parent/guardian agrees to obtain further information from the child's doctor, an interim exemption or other accommodation may be implemented. When additional information is received, school administration will determine if an exemption can be approved at the school level, or if all information should be provided to the *Mask Exemption Review Panel* for consideration.

If the parent/guardian does not intend to provide further information, school administration will gather any existing information regarding the student, discuss the situation further with the parent, and explore with the parent/guardian and the school team any reasonable alternate accommodations that may be implemented. All information and documentation will then be provided to the *Mask Exemption Review Panel*.

Q: My child has a medical condition (e.g. asthma, epilepsy) or a developmental disability that is known to the school. However, I do not yet have specific information from the doctor that explains why my child's condition or disability should exempt them from wearing a mask all day at school. I

have called for an appointment with the doctor and was given the earliest available, in mid-October. However, I want to request an exemption for my child as of the beginning of the school year.

A: School administration should inform the parent/guardian that they should provide additional documentation from the child's doctor as soon as it is available. When this information has been received and reviewed, school administration will then determine if an exemption can be approved at the school level, or if all information should be provided to the *Mask Exemption Review Panel* for consideration. A temporary exemption can be provided and communicated to school staff.

If the matter is to be referred to the *Panel*, school administration will then gather any information/documentation already available regarding the student's medical condition, discuss with the parent/guardian why they feel an exemption is necessary, and explore with the parent and school team any reasonable alternate accommodations (e.g. intermittent wearing of the mask, removing the mask during physical activity, wearing a face shield instead), documenting these discussions.

Q: My child does not have a family doctor but would like to request an exemption based on their behavioural challenges. My child is known to the School Administration and has been supported by the LST and school team; they are on the waitlist for psychological testing. A Behaviour Plan is in place at the school.

A: This situation is captured in Category B. The school team will work with the family to determine how to best accommodate the student so that they may be successful and safe at school. Accommodations may include exploring a different type of mask, wearing the mask intermittently to develop sensory tolerance, teaching the student how to wear the mask using a broad range of teaching strategies such as modelling, visuals, social scripts, videos etc. The *Mask Exemption Review Panel* will review the request for exemption.

Q: Isn't requiring my child to wear a face mask in school a violation of their rights and/or freedoms? What authority does the Board have to place such a restriction on my child?

A: The Ministry of Education, in consultation with Public Health, has released guidelines specific to mask wearing in Ontario schools. For students in Grades 4-12, non-medical or cloth masks are mandatory, as directed by the Ministry of Education, while in schools and on transportation. The Board recently approved a motion to make non-medical or cloth masks mandatory for students in Kindergarten-Grade 3. Wearing a mask helps to prevent the spread of COVID-19 and helps to protect those around you. Since some people may have COVID-19 and not know it, everyone is expected to wear a mask when they go into an area where they might come into contact with other people. When people wear a mask, they are helping to protect you. TVDSB does recognize that there are unique situations which may prompt parent/guardians/student over 18 to request a mask accommodation or exemption for their child. Please work with your school administration through the mask exemption/accommodation process.

Q: My child's friend doesn't have a medical condition that I am aware of – why don't they have to wear a mask?

A: Each child/ student's situation is assessed on an individual basis. Respecting the privacy and confidentiality of individual circumstances is a requirement of school administrators and therefore this information cannot be shared. Each case that is provided an exemption has been reviewed thoroughly and if an exemption is provided, it is warranted. Educating our students about mask wearing and

individualized plans will be part of the work of our TVDSB staff as they support students with this new part of their school experience.

Q: As a parent I am requesting a mask exemption and am vehemently opposed to my child wearing a mask. I will not provide medical documentation and refuse to have my child “accommodated”; they will not “try” to comply or wear a mask for short periods of time at school.

A: The Ministry of Education, in consultation with Public Health, has released guidelines specific to mask wearing in Ontario schools. For students in Grades 4-12, non-medical or cloth masks are mandatory, as directed by the Ministry of Education, while in schools and on transportation. The Board recently approved a motion to make non-medical or cloth masks mandatory for students in Kindergarten-Grade 3. All school staff are required to wear medical masks. Wearing a mask helps to prevent the spread of COVID-19 and helps to protect those around you.

Students, unless exempted through the TVDSB exemption process, will be directly taught mask wearing procedures and provided ongoing verbal reminders regarding mask wearing requirements to ensure that this important health and safety measure is reinforced throughout the school environment. Non-medical masks are available to students who attend school without their own face covering.

Appendix A:



**Request for An Exemption from Wearing the Mandatory Mask at
School**

Category A

Student Name: _____

Grade: _____

Homeroom Teacher: _____

Parent/Guardian Name (if student is under 18): _____

Reason for Exemption Request:

Medical documentation or other clinical documentation that outlines unique needs has been provided: Yes _____ (*please attach*)

Medical documentation or other clinical documentation that outlines unique needs will be provided on (date): _____

Comments:

Parent/Guardian Signature or Adult Student Signature: _____

Date Submitted to School Administration: _____

Appendix B:



Letter in Response to Request for An Exemption from Wearing the Mandatory Mask at School

Category A

Dear _____:

Thank you for your request for a mask exemption. This exemption includes attendance at school and/or on the bus. Wearing a mask, physical distancing and hand hygiene are important in keeping all students and staff safe in our schools and to help limit the spread of COVID-19.

Based on your request to the school Administration, you stated that (*insert name*) is unable to wear the mandated mask at school and/or on the bus for the following reason(s):

You have provided medical or other clinical documentation that outlines the student's unique needs to support this request.

Upon review of your request, your child is exempt from wearing the mandatory mask.

Wishing you a safe and successful school year,

Sincerely,

(Insert Principal Signature)

Principal

Copy to Parent/Guardian/Student over 18

Copy to School Superintendent

Copy in OSR

Copy in COVID-19 Electronic Documentation Folder

Appendix C:



Request for An Exemption from Wearing the Mandatory Mask at School

Category B

Student Name: _____

Grade: _____ Homeroom Teacher: _____

Parent/Guardian Name (if student is under 18): _____

Reason for Exemption Request:

Please provide any additional information or documentation to support this request:

Parent/Guardian Signature or Adult Student Signature:

Date Submitted to School Administration: _____