

Tehama County TK-12 Public School COVID-19 Public Health Guidance
Student Expectations & Enforcement Plan
2021-2022 School Year

Frequently Asked Questions

Unfortunately, the serious nature of complying with CDPH's K-12 schools' new guidance has not been clearly communicated from the state to the parent community like it was in last year's version of the guidance. We therefore provide these FAQ's for your reference.

1. Why are Tehama County Schools planning on following the face covering expectation for students this upcoming fall?

All public schools in CA are required by law to follow the face covering requirement. The only schools that are not required by law to follow the requirement are private schools.

Governor Newsom continues to impose the statewide state of emergency declaration. As a result, the current K-12 schools guidance (including the face covering requirement) has the effect of law due to the authority granted to the State Health Officer to order measures as may be necessary to prevent the spread of a communicable disease. (Health & Safety Code, § 120175.) Failure of the school district to follow these orders and cooperate with health officials to prevent and control the spread of communicable diseases can lead to criminal misdemeanor charges and violation of the Education Code. (See Health & Safety Code, § 130182, Ed. Code, § 49403.)

2. Didn't the California Department of Public Health (CDPH) update their guidance to allow individual school districts to decide if students must wear face coverings?

No. This is not a local decision.

On July 12th at 5:00pm, CDPH released guidance saying not only that face coverings are mandated but that schools would be required to "exclude students from campus if they are not exempt from wearing a face covering under CDPH guidelines and refuse to wear one provided by the school". By 8:00pm that evening, CDPH released a statement on Twitter and pulled back the exclusion clause - **not the face covering requirement** - noting that CDPH updated their guidance to remove language mandating schools to exclude students who fail to comply with wearing a face covering indoors. However, the guidance still states that "schools should offer alternative educational opportunities for students who are excluded from campus because they will not wear a face covering."

3. Can't individual school districts then decide how they will enforce the face covering requirement?

Yes. The Tehama County Schools have chosen to work together with Tehama County Public Health to establish expectations and enforcement protocols based upon community transmission to ensure the health and safety of all students and their families across the county.

All Tehama County Schools will be following the *Student Expectations and Enforcement Plan* for the 2021-2022 academic year. The state has indicated that "county health agencies are responsible for making sure that districts enforce the mask mandate". The state has not provided any assurances that it will not separately penalize school districts that do not enforce this guidance.

4. Why are the Tehama County school districts offering varying enforcement protocols based upon community transmission?

This allows districts to as much as possible return to regular non-restrictive in person instruction and ratchets up the expectations when the community transmission increases. We believe that it is both respectful and responsive.

5. Aren't ALL parents (and students) tired of the face covering requirement?

No. In fact, many less vocal parents (and students) desire schools to expect and enforce face covering wear on campus when inside. We are still under a state of emergency in the state of California.

6. How will school districts handle it when a student chooses to not wear a face covering?

Tehama County districts will follow the enforcement plan outlined in the *Student Expectation and Enforcement Plan* - moving from reminders, to parent communication, to parent conference, to placement into long-term Independent Study.

Although not clearly stated, CDPH appears to still contemplate that students may need to be excluded from campus if they refuse to wear a face covering without qualifying for an exemption. Therefore, exclusion should still be a possible consequence. We are hopeful that CDPH will provide more guidance about this topic in the coming weeks.