



# ST. JOSEPH CATHOLIC SCHOOL

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September 3, 2021

Dear Parents,

Recently, questions have arisen regarding what standards schools should be using when determining whether students qualify for an exemption from the mask mandate in DHM 2021-23 due to a medical condition, mental health condition, or disability

The challenge is using a standard that can be applied consistently within a transparent framework so that my decisions as principal are not viewed as overly arbitrary or subjective. Therefore, after consulting with legal counsel and with the Diocesan Education Office, it has been determined that using the already established framework of Section 504 of the Rehabilitation Act of 1973 is the best path in determining whether a student should be exempted from the mask mandate in the DHM, and will be used as the basis for determination, by all Catholic schools located in Lancaster County, that are subject to the mandate. Below is the criteria that will be used in the meetings to serve as a guide for accommodation, as prescribed by the CDC and used in Lincoln Public Schools. The Lancaster County Health Department has said, through their counsel, that this threshold is in line with what they envisioned when they issued the DHM for exemption consideration.

Using the standard and procedures of Section 504 allows for a consistent process with each family seeking an exemption and ensures that the school complies with legal obligations it may have to the student. We look forward to ongoing conversations with you about the option of a 504 meeting, should you wish to explore that avenue. Please contact me or your child's teacher if you care to discuss options further.

Yours in Christ,

Kevin Naumann

## **Medical Mask Exemption Requirements**

### **As of 9-3-2021 for Catholic Elementary Schools in Lancaster County**

#### **K-12 Students**

Students who were granted a face covering exemption last school year will be exempt from any requirement for the 21-22 school year. The criteria for face covering exemptions are below.

- A. Medical issues that are documented in the student's emergency health plan, OR Individual Health Plan (IHP):
1. Students who require oral suctioning
  2. Students on a ventilator
  3. Students who have a trach
  4. Students who frequently secrete bodily fluids from the eyes, nose, and/or mouth.

- B. Significant behavioral needs that are documented in the student's Behavior Intervention Plan (BIP) or 504:
1. Students for whom face coverings may cause on-going significant distress that cannot not be remedied through teaching, problem solving, or other accommodations.
  2. Students for whom significant distress may disrupt education, or whose distress may disrupt the education of others.
  3. Students with a history of issues concerning restrictive clothing, close spaces, or high anxiety, or with other data supporting significant student distress.

### **Preschool Students**

Preschoolers were exempt from the face covering requirement in the 2020-21 school year. Since children ages 2 and older are currently required to wear face coverings, the criteria for face covering exemptions are below.

- Children with documented (in the child's school records or from information obtained from the family from the child's physician or medical provider) medical conditions, which may include: Asthma, lung disease, tracheostomy, ventilator or children for who are oxygen dependent or require oxygen levels to be checked throughout the school day.
- Children with other conditions, which may include:
  - Sensory impairments and issues for which the face covering may cause on-going significant distress that cannot be remedied through teaching, practice and support and may disrupt. This distress may disrupt the child's participation in preschool or the participation of others;
  - Children who secrete bodily fluids from their eyes, nose, and/or mouth;
  - Autism; or
  - Children who are unable to physically remove the face covering or are not able to communicate a need to remove the face covering because the face covering presents a choking or strangulation hazard.

If your child does not have an exemption and you believe they meet the criteria outlined above, please contact your school principal.