

Kirby SCHOOL DISTRICT BOARD OF DIRECTORS RESOLUTION  
REGARDING FACE COVERINGS OF STUDENTS, STAFF AND VISITORS DURING THE  
COVID-19 GLOBAL PANDEMIC

**WHEREAS**, On July 16, 2020, Arkansas Governor Asa Hutchinson issued Executive Order 20-43, which required the Secretary of Health to issue a public health directive requiring every person in Arkansas to wear a face covering over the mouth in certain circumstances. On July 18, 2020, the Secretary of Health issued his Directive<sup>1</sup> in conjunction with Executive Order 20-43. The directive became effective on July 20, 2020; and

**WHEREAS**, The directive requires every person in Arkansas to wear a face covering completely over the mouth and nose in all indoor environments where they are exposed to non-household members and distancing of six (6) feet or more cannot be assured and in all outdoor settings where there is exposure to non-household members, unless there exists ample space of six (6) feet or more to practice physical distancing. A face covering completely covering the mouth and nose can be purchased commercially, a mask with an ASTM rating of at least Level 1, or homemade using at least two layers of material. Please see CDC Considerations for Wearing Face Coverings<sup>2</sup> for more information; and

**WHEREAS**, According to the directive, the following are exempt from wearing a face covering:

- a. Persons younger than 10 years of age (This requirement may be superseded by the school district);
- b. Persons with a medical condition or disability that prevents wearing a face covering;
- c. Persons performing job duties where a six feet distance is not achievable, but a mask is inhibitory to the ability to safely and effectively perform the job duty;
- d. Persons participating in athletic activities where a six feet distance is not achievable, but a mask is inhibitory to the activity or active exercise;
- e. Persons consuming food or drink;
- f. Persons driving alone or with passengers from the driver's household;
- g. Persons receiving services that require access to the face for security, surveillance, or other purposes may temporarily remove a face covering while receiving those services;
- h. Persons giving a speech or performance for broadcast or to an audience; however, those persons shall safely distance from nearby individuals; and

**WHEREAS**, This school district will ensure that this directive will be complied with by all students, staff and visitors to its campuses. To ensure this compliance the district adopts the following:

- a. All students, grades 4 through 12 shall be required to wear a face covering (which covers the nose and mouth and is provided by the student's parent or guardian). Whether physical distancing is appropriate or other exception is applicable shall be determined by a teacher, principal or other school administrator.
  - (1) Students in violation of this resolution may be subject to discipline in accordance with the District's student discipline policies.

<sup>1</sup> [https://www.healthy.arkansas.gov/images/uploads/pdf/face\\_covering\\_directive.pdf](https://www.healthy.arkansas.gov/images/uploads/pdf/face_covering_directive.pdf)

<sup>2</sup> <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/cloth-face-cover-guidance.html>

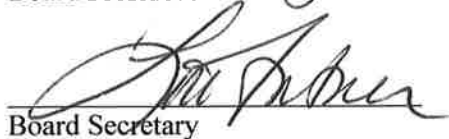
- b. All staff (certified and classified) shall be required to wear a face covering (which covers the nose and mouth and is provided by the employee) when physical distancing of six (6) feet is not possible or practical, while working at school or attending a school function in any school building, facility or other area of a school campus and when operating or riding in school-provided transportation. Staff may be exempted from this resolution by a school principal or the Superintendent of Schools.
  - (1) Employees in violation of this resolution may be subject to the terms of their school contract and the Districts personnel policies.
- c. All visitors to school campuses shall be required to wear a mask or face covering while present in a school building, facility, or other area of a campus when physical distancing of six (6) feet is not possible or practical. If any exception above is applicable, the principal or school administrator may deny entrance into the building, facility or other area of a school campus if physical distancing is not possible or practical.
- d. The school may provide face coverings at its discretion for those who do not have masks; and

**NOW THEREFORE, LET IT BE RESOLVED THAT** this resolution shall remain in effect from the date of the signatures below until the Secretary of Health's July 18<sup>th</sup> Directive is rescinded or the Department of Health has certified that risk of community transmission of COVID-19 is low in the county where the school is located. To be considered low risk, the county must not have a newly identified case of COVID-19 for twenty-eight (28) consecutive days, assuming there has been adequate testing in the county.

Signed and made effective this 19 day of August, 2020.

  
Board President

8-19-2020  
Date

  
Board Secretary

8-19-20  
Date