



Oswayo Valley School District

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Mr. Jed Camberger, Superintendent

Mrs. Amy Pohe, Business Manager

Mrs. Christy Stedman, Assistant to Superintendent

September 3, 2021

Dear OV Families,

Today marks a day when I can honestly say I'm at a loss for words. There were promises made that we would be able to make local school board level decisions, and those have now been taken away with the legal order from the PA Department of Health. We received the guidance and are going to follow all the guidance because of the legal liability put on me as the superintendent and the School District as a whole.

"This is a legal Order under the Disease Prevention and Control Law. School entities are expected to enforce the Order as they do other state laws. School officials who fail to adhere to the order could lose the protection of sovereign immunity and may personally face lawsuits from those who may be affected by any official's attempt to ignore the order. Failing to implement or follow the control measures may expose individuals to personal liability under 42 Pa. C.S § 8550 (relating to willful misconduct), as well as other remedies as provided by law. Failure to implement and follow the control measures under the Order also subjects a person to the penalty provisions of the Disease Prevention and Control Law of 1955" (Pennsylvania Association School Administrators)

There are exemptions that are available for students, and I have attached a form for you to fill out, but this form is also going to have to be accompanied by a signed letter from your child's doctor attesting to the medical exemption for your child to not wear a mask. Once we receive that, then we can hold an IEP meeting or a 504-plan meeting if you already have one. If you do not currently have a 504 plan or an IEP, then we would need to do an evaluation to determine if there is just cause for the adaptations and modifications. While the 60-day window for evaluation is taking place, your student would have to be wearing a mask until it can be determined whether they qualify for an IEP or 504 plan. To put it honestly, if you don't have a letter from a doctor, then we can't make the changes that you would be requesting for the mask exemption.

If a student chooses to not wear a mask while in school, they will have the option to be instructed virtually according to the PA Department of Health's order, and we will have a device pick up for live streamed virtual instruction on Tuesday, September 7, 2021. Please email your child's building principal if you would like your child to participate in virtual instruction. Please know that if you commit to virtual instruction you are committing to the entirety of the mask order, or until your child chooses to wear a mask.

We are not in support of full-online education as a recommended solution. Oswayo Valley School District does provide cyber options; however, it requires constant support of a parent/caregiver – especially with elementary age students. We cannot afford to let our students get any further behind. Our Health & Safety Plan was written and approved without a mask order but did reference that the Oswayo Valley School District will follow any state-level orders. The state order does not have an expiration date.

Mission: Inspiring, developing, and empowering lifelong learners to enrich the world

If all students wear a mask and wear it appropriately, contact tracing and quarantines should be limited to those that exhibit symptoms. Current CDC guidance excludes masked students from being a “close contact” if all parties involved are wearing a mask. The 6-foot and 15-minute rule is still in effect to determine close contact. If you are not within 6 feet of someone for more than 15 consecutive minutes, you are not a close contact due to any school exposure, assuming no symptoms are present. All staff and students 12 years old and up have had opportunity to be vaccinated. Being vaccinated can reduce potential for illness and prevent someone from being considered a close contact due to school exposure, especially if a mask is worn.

Here is our plan as of today (effective September 7, 2021):

- Masks are already required (per federal order) on all school transportation.
- Per the PA DOH statewide order, students will be required to mask while indoors. This order impacts all public schools, all private schools, all charter schools, and all cyber charter schools.
- There are exceptions in the state order (eating, exercising, etc.).
- Masks are not required while students are participating in class outdoors or activities held outside, per the noted exceptions.
- Masks will be required of spectators/guests/visitors while in our buildings.
- Masks are not required while participating in PE class or while participating in an extracurricular activity (indoors or outdoors). Masks are required in the locker rooms.
- While in class, students may take a mask break for 5-10 minutes at a time, per a schedule established by the teacher (as was done last year).
- While at lunch/breakfast/snack, students will not be required to mask while eating. They need to sit in a consistent seat or sit at least 6 feet away from others.
- We will continue to provide masks, as needed to staff and students. Students should maintain multiple masks in book bags. Masks should be washed after use.
- Increased ventilation will be utilized in all classroom spaces, maximizing mitigation efforts. This includes the HVAC system, windows, and fans.
- Food service will continue in school (breakfast, lunch, snack) and be available for those at home.

Athletics will be held according to the guidance and visitors will be expected to wear masks. While students are participating in athletics, they will not be required to wear masks. If spectators cannot abide by the mask mandate while in schools, then spectators will no longer be allowed to attend athletic events.

I’m begging you as a community not to hate me, our school board, our staff members, or any member of the OV Family, these are not decisions that we are qualified to make, and we are going to follow whatever guidance comes down from above us. Remember that when it was our choice, we chose to start the school year without masks, and when this mandate came out, we did a call to action for our staff members and they rose to the occasion to wear a mask to lead by example to protect our students to make the mask mandate as easy of a transition as possible. I beg you to understand that we only want what is best for all our students, staff members, and community members.

Sincerely,

Jed Hamberger
Superintendent