

# West York Area School District

## Masking Mandate FAQs



★ *Please Note: A red star indicates updates to this document made on 9.22.2021.*

**1. Is West York Area School District complying with the Acting Secretary of the Pennsylvania Department of Health (PADoH) mandated [Masking Order](#) of August 31, 2021?**

- a. Yes, as with all state mandates, the District will follow the masking mandate.

**2. Are there exceptions to the mandate?**

- a. Yes, the [mandate outlines exceptions](#). Please see the [PADoH's FAQs](#) for more information on exemptions.
- b. The District has applications available on the District website for families to complete in order to receive an exemption.
  - Per the District's guidelines, we are required to follow the Child Find process in identifying students as having a disability through the 504/IDEA process with supporting medical documentation as appropriate.

**3. What if my doctor will not sign the District Exemption Form?**

- a. Parents may still submit the exemption form with any additional documentation that supports the request for an exemption.

★ **Is a physician signature required for District nurses to administer medication to students?**

- ★ Yes, a physician's signature is required for any medication administered by District nurses. For grades 6-12, the District has a standing doctor's order on file for certain OTC and emergency medications.

**4. How long will the mandate last?**

- a. The Order is effective 12:01 AM on Tuesday, September 7, 2021, and will remain in effect until the Acting Secretary of Health determines the public health risk is sufficiently reduced so that face coverings are no longer necessary as public health tools in school entities. ([from the PADoH FAQs](#))

**5. I am not in favor of the mandate; to whom can I voice my concerns?**

- a. The School Board and Administration are well aware that many in the WYASD community are not in favor of this mandate, and this was, in no way, our decision.
- b. The Board is seeking guidance from our solicitor as to the District's legal responsibility under this state-imposed mandate.
- c. Please direct all concerns to the [Pennsylvania Department of Health](#) and/or the [Office of the Governor](#).
- d. You may also reach out to local legislators to voice your concerns.
  - ★ [Sen. Kristen Phillips-Hill](#) (717) 741-4648
  - ★ [Rep. Carol Hill-Evans](#) (717) 848-9595
  - ★ [Rep. Seth M. Grove](#) (717) 767-3947

**6. What happens if I refuse to allow my child to wear a face-covering in school?**

- a. According to the [Board Resolution](#) approved on September 14, 2021, by the West York Area School District Board of Directors, the district administration will enforce the PADOH Order as follows:
  - i. All students, faculty, staff, and visitors will wear face coverings while indoors unless an approved exception under Section III applies.
  - ii. Students refusing to adhere to the enforcement of the Order will result in actions according to our District disciplinary procedures.
    - Anyone not wearing a face covering will be asked to put one on.
    - If the choice is made to not wear a face covering, the student will be removed from the educational setting.
    - Building principals will follow the building disciplinary process.
    - If your child has a valid exemption, we will honor that upon approval of an application for an exemption.

**7. What other educational programming is available for my child if I choose not to send him/her to in-person instruction for the duration of the mandate?**

- a. West York Cyber Academy (contact building principals for more information no later than **Friday, September 17th**)

**8. If this was not a Board or Administrative decision, why is the District complying with the order?**

- a. The District complies with all legally mandated state orders.
  - ★ The Department of Health mask order is presumed to be legal, valid, and enforceable, unless and until a court with competent jurisdiction determines otherwise.
    - ★ Although the school district is aware of (and participating in) a Commonwealth Court lawsuit challenging the legality of this mask order, there has been no court ruling yet so the presumption of validity still applies to the order.
    - ★ Any deliberate noncompliance with a valid order could expose the school district to potential legal liability.
  - ★ In consultation with our solicitor, we understand that non-compliance may result in potential consequences for our certificated faculty and administrators.
    - ★ This is true of non-compliance with any state mandate.
    - ★ School officials who fail to adhere to the order could lose state law immunity protection for ignoring the order in the event of a COVID-19 related lawsuit. Failing to implement or follow the control measures may expose individuals to personal liability in a lawsuit without immunity protections. Failure to implement and follow the control measures under the Order may also subject a person to fines and other penalties outlined in the Disease Prevention and Control Law of 1955. (taken, in part [from the PADOH FAQs](#))

**9. What type of mask complies with this Order?**

- a. The Order requires individuals to wear a "face covering." "Face covering" means covering of the nose and mouth with material that is secured to the head with ties, straps, or loops over the ears or is wrapped around the lower face. A "face covering" can be made of a variety of synthetic or natural fabrics, including cotton, silk, or linen. ([from the PADOH FAQs](#))

**10. Does a face shield suffice in lieu of a mask?**

- a. Wearing a cloth face covering is best. A face shield is considered an alternative to a face covering and may be worn when wearing a face covering, as defined above, is otherwise not possible. ([from the PADOH FAQs](#))

**11. Are vaccinated individuals required to wear masks in schools?**

- a. Yes. Due to the circulating and highly contagious Delta variant, the Order applies to all children/students ages two years or older, staff, teachers, and visitors when indoors in school entities, regardless of vaccination status and community transmission level. ([from the PADOH FAQs](#))

**12. Are individuals covered by this Order required to wear a mask outdoors?**

- a. No. The Order does not require face coverings when outdoors. Individuals should follow the most current guidance from the [Centers for Disease Control and Prevention](#) on mask use outdoors. ([from the PADOH FAQs](#))

**13. Do groups using the school after hours have to follow the face mask order?**

- a. Yes. The Order applies to all activities occurring indoors in the school entity, regardless of when the activity occurs. ([from the PADOH FAQs](#))