

ATTACHMENT A.

Title 13A
STATE BOARD OF EDUCATION
Subtitle 01 STATE SCHOOL ADMINISTRATION
Chapter 06 Face Coverings in School Facilities

Authority: Education Article, §§ 1-101, 2-205 and 2-303 Annotated Code of Maryland.

Federal Statutory References: 20 U.S.C. §1400 et seq., 42 U.S.C. §12101 et seq., 29 U.S.C. § 794, et seq.

.01 Scope.

This chapter applies to county boards of education including Baltimore City and all public schools in Maryland.

.02 Definitions.

A. In this chapter, the following terms have the meanings indicated.

B. Terms Defined.

(1) “Face covering” means a material that covers the nose and mouth to prevent respiratory droplets from being expelled into the air and that:

(a) is secured to the head, including with ties or ear loops;

(b) fits snugly but comfortably against the side of the face; and

(c) is either manufactured or homemade and is a solid piece of material without slits, exhalation valves, or punctures.

(2) “Person with a disability” means any individual with a disability pursuant to the Individuals with Disabilities Education Act 20 U.S.C. §1400, et. seq., the Americans with Disabilities Act 42 U.S.C. §12101, et. seq., or Section 504 of the Rehabilitation Act of 1973 29 U.S.C. § 794 et seq.

(3) “Public School” means the schools in the public elementary and secondary education system of Maryland as defined in Education Article, § 1-101(k) Annotated Code of Maryland.

(4) “School facility” means a building, enclosed structure, or school bus or vehicle that is owned, leased, or operated by an entity identified in Regulation .01 of this chapter.

.03 Face Covering Requirement.

A. All individuals, unless exempt under §B of this regulation, shall cover their nose and mouth with a face covering while inside a school facility.

B. The following individuals are exempt from the requirement to wear a face covering while inside a school facility:

- (1) Children who are under age two (2);
- (2) Any person with a disability whose disability prevents the person from wearing a face covering;
- (3) Any person with a physical or mental impairment documented by a physician as preventing the person from safely wearing a face covering;
- (4) Any person while communicating with a person who is hearing impaired when the ability to see the mouth is essential for communication;
- (5) Any person for whom wearing a mask would create a risk to workplace health, safety, or job duty as determined by the relevant workplace safety guidelines or federal regulations;
- (6) Any person who is seated and actively consuming food or beverage;
- (7) Any person who is swimming in a swimming pool;
- (8) Any person who is actively engaged in exercise;
- (9) Any person who is actively playing a musical instrument requiring the removal of the face covering;
- (10) Any student who is engaged in authorized sleep time;
- (11) Any person who is required to temporarily remove the face covering to confirm their identity for security or screening purposes; and
- (12) Any person who is receiving services requiring access to the face, mouth, or head.

.04 Implementation.

A. Entities identified in Regulation .01 of this chapter shall implement policies and procedures without delay to ensure face coverings are worn in school facilities as required by this regulation.

B. The State Superintendent of Schools is authorized to enforce this chapter consistent with Education Article §2-303(b).

C. This chapter shall not prevent an entity identified in Regulation .01 of this chapter from establishing and implementing policies and procedures in addition to those set forth in this