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Maryland General Assembly's Administrative, Executive, and Legislative Review (AELR) Committee voted to enact [COMAR 13A.01.06, \*Face Coverings in School Facilities\*](#), which was put forth by the Maryland State Board of Education.

This action supersedes the masking protocols set forth by SMCPs earlier this year.

This regulation requires everyone to wear a face covering while in a public school facility with the following exceptions:

1. Children who are under age two (2);
2. Any person with a disability whose disability prevents the person from wearing a mask
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.

Masking requirements apply to all SMCPs indoor settings. For *outdoor activities*, masking is *not required*; however, unvaccinated individuals are strongly recommended to do so.

In addition, CDC and Health department guidance allows for individuals who are alone in a space to be unmasked.

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The regulation requires that school systems develop policies and procedures for implementing this regulation. To that end, the following chart provides further guidance and considerations when applying the requirements and expectations of the regulation.

Exception	Examples and considerations
Children who are under age two (2)	Visitors to the building or any child under age 2
Any person with a disability whose disability prevents the person from wearing a mask	Determined on an individual, case-by-case basis <ul style="list-style-type: none"> <li>• Has this exception been documented for the individual?</li> </ul>
Any person with a physical or mental impairment documented by a physician as preventing the person from safely wearing a face covering	Determined on an individual, case-by-case basis <ul style="list-style-type: none"> <li>• Has this exception been documented for the individual?</li> </ul>
Any person while communicating with a person who is hearing impaired when the ability to see the mouth is essential for communication	Masks may be removed in order to facilitate communication where an individual's communication may be hindered by masking. <ul style="list-style-type: none"> <li>• Is an individual hearing impaired?</li> <li>• Is the view of the mouth essential for communication?</li> <li>• Where possible, can social distancing be employed?</li> </ul>
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	Masks may be removed for the operation of a task where safety protocols supersede the masking requirement.
Any person who is seated and actively consuming food or beverage	Masks may be removed when eating, such as in the cafeteria. Before and after the meal, or when walking around the cafeteria, masks should be worn.
Any person who is swimming in a swimming pool	Masks may be removed when in a pool. Masks are worn when outside the pool.
Any person who is actively engaged in exercise	Masks may be removed when actively participating in exercise or athletic events. When on the sidelines or not actively involved, masks should be worn when indoors. If the event or activity is outdoors, masks are not required at any time. The Director of Facility Coordination, Health & Physical Education, and Athletics provides additional guidance in this area.  For performances, where individuals may be performing requiring physical movement, this may fall under this category. The Supervisor of Instruction for Fine Arts provides additional guidance in this area.  When students are on the sidelines or backstage, masks are required.
Any person who is actively playing a musical instrument requiring the removal of the face covering	When playing a musical instrument, individuals may remove their masks where a face covering would prevent the use of the instrument (e.g., where the mouth is used as a mechanism to play the instrument). The Supervisor of Instruction for Fine Arts provides additional guidance in this area. When not performing, masks are required.
Any student who is engaged in authorized sleep time	Students may remove their masks during nap time.
Any person who is required to temporarily remove the face covering to confirm their identity for security or screening purposes	Masks may be removed temporarily when required for security or identification purposes.
Any person who is receiving services requiring access to the face, mouth, or head	Masks may be removed for the purpose of the specific service. This may include speech/language services where sight of the mouth is required in order to provide specific instruction.

*Guidance and responses are subject to change.*