

**IN THE COURT OF COMMON PLEAS**

**WOOD COUNTY, OHIO**

Kam Warner on behalf of her  
Minor children G.W., D.W., and L.W.  
26960 West River Rd.  
Perrysburg, OH 43551

Jennifer Cordova on behalf of her minor child  
S.C.  
28985 White Rd.  
Perrysburg, OH 43551

Scott Maines on behalf of his minor children  
T.M and E.M.  
26563 Cedarwood Lane  
Perrysburg, OH 43551

Denise Maines on behalf of her minor  
children T.M and E.M.  
26563 Cedarwood Lane  
Perrysburg, OH 43551

Plaintiffs,

v.

Perrysburg Schools Board of Education  
Eric Benington  
Kelly Ewbank  
Sue Larimer  
Ray Pohlman  
Lori Reffert  
As Board Members  
140 East Indiana Ave.  
Perrysburg, OH 43551

Defendant.

**CASE NO.: 2022-cv-0068**

**JUDGE: MATTHEW REGER**

**PLAINTIFF'S FIRST AMENDED  
COMPLAINT FOR DECLARATORY  
JUDGMENT**

Plaintiffs bring this Complaint for Declaratory Judgment against the Perrysburg Schools Board of Education because (1) it lacks authority to enforce health policy that conflicts with R.C.

3709.212 and its policy decisions (2) violate R.C. 3792.04, (3) violate Article 1 Section 7 of the Ohio Constitution, and (4) violate Article 1 Section 1 of the Ohio Constitution.

### **PARTIES**

1. Plaintiffs sue for their minor children who attend school in the Perrysburg School District (District).

2. Kam Warner has legal custody of her minor children G.W., D.W., and L.W.

3. Jennifer Cordova has legal custody of her minor child S.C.

4. Scott and Denise Maines have legal custody of their minor children T.M. and E.M.

5. The Perrysburg School District is a political subdivision of the State of Ohio in Wood County, Ohio.

6. The Perrysburg Board of Education (“Board”) governs the District and is responsible for District policy including Covid-19 mitigation measures, such as quarantining and mask mandates.

7. The Board has five members: Eric Benington, Raymond Pohlman, Susan Larimer, Kelly Ewbank, and Lori Reffert. They are being sued in their official capacity.

### **JURISDICTION AND VENUE**

8. This Court has jurisdiction under R.C. § 2305.01.

9. Venue is proper under Civ. R. 3(C) because Defendant is a governmental body in Wood County.

10. Plaintiffs’ claims for declaratory judgment and injunctive relief are authorized by Civ. R. 57 and 65(A), respectively.

## FACTUAL ALLEGATIONS

11. The District required students to wear face masks to school and on school buses under a belief they block transmission of microscopic airborne particles carrying the SARS-CoV-2 virus, which every student is presumed to carry, symptomatic or not.

12. Masks are marketed under a Food and Drug Administration (FDA) Emergency Use Authorization (EUA) which specifically states that:

a. “No descriptive printed matter, including advertising or promotional materials, relating to the use of the authorized surgical mask may represent or suggest that such product is safe or effective for the prevention or treatment of COVID-19.”<sup>1</sup>

13. The District’s “Perrysburg Schools Continuity of Service Plan” is attached as **Exhibit 1**.

a. Section 8 “Quarantine/Isolation” states that communication regarding quarantine and isolation will be sent out to families by the District. **Exhibit 1**.

b. Section 8.2 states that “the school district will follow the guidance of the Ohio Department of Health for decisions on isolation/quarantine.”

14. On December 30<sup>th</sup>, 2021, The Ohio Department of Health (“ODH”) released updated quarantine guidelines aligning with those from the Center for Disease Control (“CDC”). This news release is attached as **Exhibit 2**. The CDC guidelines that ODH follows are attached as **Exhibit 3**.

15. Under section 14 of the Continuity of Service Plan “Transportation,” states that the District is following CDC guidelines and requiring masks be worn on all public transportation regardless of vaccination status. **Exhibit 1**.

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<sup>1</sup> <https://www.fda.gov/media/140894/download> \*Last visited on May 26<sup>th</sup>, 2022.

## VIOLATION OF R.C. 3792.04

16. R.C. 3792.04 Prohibits the District from discriminating against an individual who has not received a vaccine for which the United States Food and Drug Administration (“FDA”) has not granted full approval, including requiring an individual to engage in, or refrain from engaging in, activities that differ from the activities of an individual who has received a non-FDA approved vaccine.

17. The Covid-19 vaccines currently available, Johnson & Johnson, Moderna COVID-19 Vaccine, and Pfizer-BioNTech COVID-19 vaccine, are authorized for emergency use only (“EUA vaccines”) and are not fully approved by the FDA. On information and belief, Pfizer-COMIRNATY and Moderna-Spikevax, are the only Covid-19 vaccines fully approved by the FDA and are not available in the United States. <sup>2</sup>

18. The District’s quarantine policy violates R.C. 3792.04 because it treats people who received an EUA vaccine differently than someone who is unvaccinated. **See Exhibit 3.**

19. Specifically, the quarantine policy requires an unvaccinated student to “stay home for five days after their last exposure, then they must wear a mask around others for the next five days.” The policy treats someone who received an EUA vaccine differently by requiring them to “wear a mask around others for 10 days after your last exposure. Test on day five.” **Exhibit 3.**

## LACK OF AUTHORITY

20. The District lacks authority to order public health or preventative health measures, such as masking, testing, or limitation of activities for persons not diagnosed with a disease or who have not come into direct contact with someone diagnosed with a disease.

21. Under R.C. 3313.20(A), the District has general authority to make rules for

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<sup>2</sup> <https://www.cdc.gov/vaccines/programs/iis/COVID-19-related-codes.html> \* Last visited on May 26<sup>th</sup>, 2022.

its governance. However, Ohio case law limits that general authority by requiring the exercise of such authority be reasonable. See *State ex rel. Barno v. Crestwood Bd. Of Edn.*, 134 Ohio App 3d 494, 503 (11th Dist. 1998). Reasonableness must be evaluated by the standards of “common sense ... guided by considerations of public policy manifested in relevant statutory, administrative, and decisional law.” *Id.* at 304. This interpretation avoids the unconstitutional delegation of legislative authority to the District that would arise if there was no intelligible principle to which the District must conform. The District’s apparent interpretation that its general authority under R.C. 3313.20(A) authorized it to issue the Covid-19 measures described above would constitute a violation of the anti-delegation doctrine, which precludes the legislature from delegating its legislative power.

22. The Ohio Legislature recently set relevant public policy limiting local boards of health regarding issuing orders or regulations for the public health or prevention or restriction of disease by enacting R.C. 3709.212. This statute limits the application of health orders and regulations to persons medically diagnosed with a disease or in direct contact with such persons. The District’s Covid-19 measures described above far exceed the limits of the Ohio Legislature’s explicit statement of public policy. The District is using its general authority make rules governing the District, to assume powers to issue health regulations that the Ohio Legislature has expressly prohibited local boards of health from issuing. This is manifestly unreasonable and is beyond defendants’ authority under Ohio case law.

23. Plaintiffs’ minor children are not currently diagnosed with Covid-19 and have not currently come into direct contact with someone medically diagnosed with Covid-19.

24. The above-described Covid-19 measures are regulations for the prevention or restriction of disease, which are applied to those, including plaintiffs’ minor children, who have

not been diagnosed with a disease or have not come into direct contact with someone who has been medically diagnosed with a disease, and which therefore exceed the District's general authority to set rules governing the District.

25. R.C. 3313.68 says that "boards of education shall co-operate with boards of health in the prevention and control of epidemics." The question is "What does it mean for schools to co-operate with the board of health?"

26. A school district's authority under R.C. 3313.71 allows a school to send home an ill employee or student or someone suffering from a communicable disease (COVID-19 or presenting symptoms of COVID-19). This differs from the State Legislature's grant of power to health departments under R.C. 3701.13.

27. On June 15, 2021, the Legislature clarified that the "department of health shall have supervision of all matters relating to the preservation of the life and health of the people and have authority in matters of quarantine and isolation, which it may declare and enforce, when neither exists, and modify, relax, or abolish, when either has been established." R.C. 3701(B)(1).

28. While schools can send home individuals ill from COVID-19, they lack statutory authority to independently order a student or employee to quarantine due to COVID exposure, as only a board of health has that power.

29. Once students are officially quarantined by the health department, as evidenced by written communication and signed order from the health department, then school districts must cooperate with the health department, per R.C. 3707.16, to exclude those students.

30. Such communication must include quarantine period and indicate when a child may return to school.

31. Nothing stops a school district from having a policy in which parents decide

whether to keep child home, without attendance penalties, if they believe their child had close contact with an ill person.

32. Upon information and belief Defendant claims authority under R.C. 3313.67; R.C. 3313.68; and 3313.71 among other statutes to impose rules contrary to the legislative grant of power to health departments and schools as described above.

33. The changing requirements imposed by Defendant damages the education and social development of students.

#### **THE DISTRICT’S VIOLATION OF ARTICLE 1, SECTION 7 OF THE OHIO CONSTITUTION**

34. Article 1, Section 7 of the Ohio Constitution states, “No person shall be compelled to attend, erect, or support any place of worship, or maintain any form of worship, against his consent; and no preference shall be given, by law, to any religious society; **nor shall any interference with the rights of conscience be permitted.**”

35. Upon information and belief, the District denied all religious exemption requests to its masking policy. Attached is a table demonstrating these blanket denials dated February 2<sup>nd</sup>, 2022, as **Exhibit 4**.

36. By denying religious exemptions, the District unconstitutionally interfered with student and parental constitutional religious rights under Article 1, Section 7 of the Ohio Constitution.

#### **THE DISTRICT’S VIOLATION OF ARTICLE 1, SECTION 1 OF THE OHIO CONSTITUTION**

37. Plaintiffs have a fundamental right under Article I, Section 1 of the Ohio Constitution to refuse medical treatment to protect their right to personal security, bodily integrity, and autonomy. *Steele v. Hamilton Cty. Community Mental Health Bd.*, 90 Ohio St. 3d 176, 180-181 (2000):

34. “The liberty interests infringed upon when a person is [medically treated] against his or her wishes is significant...This type of intrusion clearly compromises one's liberty interests in personal security, bodily integrity and autonomy.” *Id.* at 182.

35. “The right to refuse [medical treatment] is not absolute and it must yield when outweighed by a compelling government interest.” *Id.* at 181. “Whether the potential benefits of [medical treatment] are worth the risks is a personal decision that, in the absence of a compelling state interest, should be free from government intrusion.” *Id.* at 183.

36. A state may have a compelling interest to override an individual's decision to refuse [medical treatment] to prevent harm to that individual or others. *Id.* at 183. However, the state’s right to invoke its police power to override an individual's decision to refuse [medical treatment] arises only when there is an imminent danger of harm. *Id.* at 184.

37. Any such forced [medical treatment] must be medically appropriate for the individual and it must be the least intrusive means of accomplishing the state's interest of preventing harm. *Id.* at 184. And the state must establish its compelling interest to override the individual decision to refuse [medical treatment] by clear and convincing evidence. *Id.* at 180.

38. The Mandates’ mask requirement is medical treatment. **Exhibit 1.** The Mandate requires use of cloth face masks, surgical masks or N95 masks (the “masks”). The masks are currently authorized by the FDA as medical devices intended for a medical purpose. Their use is medical treatment which Plaintiffs can refuse under Article I, Section 1 of the Ohio Constitution. Further, the emergency use authorization of masks is conditioned on Plaintiffs’ right to refuse their use.

**COUNT I  
DECLARATORY JUDGMENT**

39. Plaintiffs reincorporate and reallege the preceding paragraphs as if rewritten herein.

40. Under R.C. Chapter 2721 Plaintiffs may seek a declaration from this Court regarding “rights, status, and other legal relations whether or not further relief is or could be claimed.”

41. Neither the Board is not empowered to enforce these policies against District students.

**WHEREFORE** Plaintiffs pray for the following relief:

- a) A declaration that the Board may not enforce masking and quarantine rules upon students in the District absent a signed health department order according to the legislative scheme and public policy.
- b) Injunctive relief preventing the Board from enforcing masking and quarantine rules upon students in the District absent a signed health department order.
- c) Injunctive relief from Defendant’s unconstitutional policy denying religious exemptions under Article 1 Section 7 of the Ohio Constitution.
- d) A declaration that the Board cannot force medical treatment on students in the District under Article 1 Section 1 of the Ohio Constitution.
- e) A declaration that unvaccinated children may not be treated differently than vaccinated children.
- f) Reasonable attorney fees incurred as a result of bringing this action.
- g) Other relief this Court deems just and proper.

Respectfully submitted,

/s/ Warner Mendenhall  
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Kyle Wenning, 0101391  
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Akron, Ohio 44304  
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### CERTIFICATE OF SERVICE

I hereby certify that on 5-27-2022 a copy of the foregoing was served by regular U.S. mail and/or email, if listed, upon the following:

Lisa E. Pizza, No. 0022881  
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Education of the Perrysburg  
Exempted Village School District

/s/ Warner Mendenhall  
Warner Mendenhall, 0070165

**Continuity of Service Plan**  
*Perrysburg Schools*

**1. Plan Description**

Perrysburg Schools will continue to work collaboratively with employees to provide in-person learning opportunities with a focus on closing achievement gaps and addressing the social, emotional and mental health needs of students. Additionally, we will continue to work with the Ohio Department of Health (ODH) and Wood County Health Department (WCHD) to ensure we are adjusting safety procedures as necessary.

**2. Return to School Guidance at a Glance**

- 2.1. If you are sick, stay home.
- 2.2. For specific guidance on COVID-19 isolation/quarantine guidelines, including the return to school/work and masking calculator, please click here:  
<http://www3.perrysburgschools.net>.
- 2.3. The Ohio Department of Health's decisions regarding PreK-12 isolation/quarantine are rooted in the "Mask to Stay/Test to Play" information;
  - 2.3.1. [Guidance for Exposed PreK-12 Student or Employee](#);
- 2.4. If an employee or student **tests positive** for COVID-19 and they are **symptomatic**, they may return to school on the 6th day after the first date of their symptom onset, so long as they are symptom-free, without medication, for 24 hours; stay home until fever is gone and other symptoms are better; wear a mask in school for days 6-10 from the **symptom onset date**;
- 2.5. If an employee or student **tests positive** for COVID-19 and they are **asymptomatic**, they may return to school on the 6th day after their positive test; wear a mask in school for days 6-10 from the **positive test date**,
- 2.6. If an employee or student has **two or more COVID-19 symptoms** - unless there is a documented medical condition that explains the symptoms - this person will need to stay home and provide an alternative diagnosis from a physician or receive a negative result on a COVID-19 PCR test;
- 2.7. If an employee or student is **exposed to a COVID-19 positive individual inside or outside of a school-related setting regardless of vaccination or masking status**, they may return to school immediately if they do not have any symptoms, and must wear a mask in school for 10 days from the **last date** of exposure, self-monitor or parent-monitor for [symptoms of COVID-19](#), isolate and get tested if they start to experience symptoms associated with COVID-19 (regardless of level of severity), testing on day 5 is recommended;
- 2.8. If an employee or student is **exposed to a COVID-19 positive individual inside or outside of a school-related setting regardless of vaccination or masking**

EXHIBIT

1

status and they are not able to wear a mask for 10 days in the school building from their last date of exposure, they will need to quarantine at home for 10 days, returning on day 11, use the Perrysburg Schools's [COVID-19 related Absences: Quarantine and Isolation Calculator](#) to determine the return to work or school date when reporting the absence;

### 3. Perrysburg Schools Learning Recovery and Extended Learning Plan

Perrysburg Schools Learning Recovery and Extended Learning Plan may be accessed [here](#). This is a working document and we will continue to monitor these services and modify them as necessary.

### 4. Perrysburg Schools 2021-2022 School Year COVID-19 Guidance

#### 4.1. Masks

- 4.1.1. Perrysburg Schools strongly recommends face coverings for all students, employees and visitors indoors on school property;
- 4.1.2. Masks are not required outdoors, but are strongly recommended for large outdoor events;
- 4.1.3. For indoor events AFTER school hours, masks are not required but are strongly recommended regardless of vaccination status;
- 4.1.4. Students or employees may request a school district-provided KN95 mask using the following link: <https://forms.gle/zEvs5zYKA4iokzgM8>;
- 4.1.5. The team may create a health plan for students who are medically fragile based on the school district's [physician input form](#). This may include preferential seating, mask guidance, etc;
- 4.1.6. Cloth face coverings/masks should;
  - 4.1.6.1. Fully cover the mouth, nose and chin;
  - 4.1.6.2. Fit snugly against the side of the face and chin so there are no gaps;
  - 4.1.6.3. Not create difficulty breathing while worn;
  - 4.1.6.4. Be held secure through either a tie, elastic band, etc. to prevent slipping;
  - 4.1.6.5. Be laundered using hot water and a high heat dryer between uses;
  - 4.1.6.6. Not include masks designed to be worn for costume purposes; and
  - 4.1.6.7. Meet the requirements of the appropriate dress code policies and/or codes of conduct;
  - 4.1.6.8. Gaiter-style face coverings are now permitted based on new research and evidence;
- 4.1.7. Face covering expectations for physical education;

- 4.1.7.1. Masks are not required to be worn when participating in organized sports where the level of exertion makes wearing a face covering difficult. This includes participating in indoor physical exercise - such as in a physical education class;
- 4.1.7.2. Maintain as much social distancing as possible while indoors;
- 4.1.8. Face covering expectations for music classes;
  - 4.1.8.1. Maximize social distancing and maintain a consistent seating chart;
  - 4.1.8.2. Masks are not required to be worn when actively practicing;

**5. Social Distancing**

- 5.1. Striving for a distance of 3 feet in the classroom when possible will result in lower spread for all communicable diseases, not just COVID-19, as well as a reduction in quarantines;
- 5.2. If you are able to maintain social distancing without disrupting your activity, the school district would recommend keeping that in place;
- 5.3. [Guidelines for Minimizing Contagious Disease.](#)

**6. Materials/Cleaning**

- 6.1. If a student or employees prefers their own materials, this will be accommodated;
- 6.2. Handwashing and sanitizing should continue as these are healthy hygiene practices that have always been encouraged;
- 6.3. Employees will continue normal cleaning and sanitizing routines of common surfaces, as this falls under healthy hygiene practices that have always been encouraged;
- 6.4. Materials removed from the classrooms due to the pandemic may be returned;
- 6.5. Drinking fountains will remain open and functional, but students are welcome to bring a water bottle;

**7. Reporting/Contact Tracing**

- 7.1. As of 1/27/22, per the Ohio Department of Health and the Wood County Health Department, schools are no longer contact tracing.
- 7.2. Positive (COVID-19) individuals should stay home or be sent home immediately;
- 7.3. Families should report positive proctored test results to [covidsupport@perrysburgschools.net](mailto:covidsupport@perrysburgschools.net) and Wood County Health Department at [419-352-8402](tel:419-352-8402). Non-proctored home rapid test which are positive should be reported to [covidsupport@perrysburgschools.net](mailto:covidsupport@perrysburgschools.net) and this [Wood County Health Department link](#);
- 7.4. In the event that a student is displaying symptoms, school nurses will continue to screen using the internal screening tool;

- 7.5. Symptomatic students or employees will either be sent home immediately or masked in the current clinics until they are able to be sent home. Nurses will have KN95 masks available.

## 8. **Quarantine / Isolation**

- 8.1. Communication to families regarding isolation/quarantine decisions will be sent home by the Perrysburg Schools COVID Support team to the parent/guardian email listed in the student's record.
- 8.2. The school district will follow the guidance of the Ohio Department of Health for decisions on isolation/quarantine.
- 8.3. The Ohio Department of Health's decisions on isolation/quarantine are dependent upon if the student is exposed in school or out of school.
  - 8.3.1. [Exposed in school guidance](#)
  - 8.3.2. [Exposed out of school guidance](#)
- 8.4. Positive Test: Anyone who receives a positive COVID-19 diagnosis may return to school/work after 5 days from the onset of symptoms as long as their fever is gone without medication for 24 hours and other symptoms are better. A release from our COVID Team is not required;
- 8.5. [A summary of commonly asked questions to the Wood County Health Department regarding quarantine guidance is linked here.:](#)
- 8.6. [Guidelines for Minimizing Contagious Disease.](#)

## 9. **Attendance**

- 9.1. Employees are to report absences as sick days through Frontline Education Absence Management (formerly AESOP) as with any other illness. Employees should also notify [covidsupport@perrysburgschools.net](mailto:covidsupport@perrysburgschools.net) if they are **COVID-19 Positive** or **COVID-19 Exposed**.
- 9.2. All Families First Coronavirus Response Act (FFCRA) leave days have expired.
- 9.3. Families and district employees are expected to use the [COVID-19 Calculator](#) on the district's website to determine their return to school or work date if they are **COVID-19 Positive** or **COVID-19 Exposed**.
- 9.4. The school district will use the **COVID-19 Positive** and **COVID-19 Exposed** attendance codes if students are reported absent for any COVID-19 reason.
- 9.5. If a student is sent home by the school nurse for COVID-19-like symptoms, use the [COVID-19 Calculator](#) on the district's website to determine the student's return date.
- 9.6. The school district will follow guidance of the Wood County Health Department for return-to-school dates and decisions on isolation/quarantine.

- 9.7. Families should report absences for symptoms or other illnesses through the attendance line please specify if the student is being kept home due to being COVID-19 positive or due to exposure to COVID-19.
- 9.8. Make-up work will be communicated by the classroom teacher as with any other illness.
- 9.9. Schools will follow their homework policies in terms of make-up assignments.
- 9.10. PHS semester perfect attendance incentives will remain suspended for the 2021-2022 school year.

**10. Ventilation**

- 10.1. Ohio Department of Health recommends following the same layered prevention strategies that were effective at controlling COVID-19 last school year, including improving ventilation;
- 10.2. Perrysburg schools has worked with contractors to maximize the amount of outside air brought inside the buildings;
- 10.3. Building maintenance will increase filter changes (quarterly);
- 10.4. Building maintenance will continue to monitor bathroom exhaust fans to ensure proper operation;
- 10.5. GPS system installed at HPI.

**11. Food and Beverages/Lunch**

- 11.1. We will follow regular food and beverage guidance as outlined in school handbooks.
- 11.2. All schools will have students eating in the cafeteria.
- 11.3. Plexiglass is not required, but may be kept in place as an additional barrier during lunch.

**12. Meetings and Small Groups**

- 12.1. Zoom is an option for school district meetings.
- 12.2. Parent/guardian meetings may continue to be conducted via Zoom when convenient.
- 12.3. In-person meetings will be held when requested by the parent/guardian or deemed most appropriate by the team.
- 12.4. There are currently no restrictions on mixing groups of students.

**13. Guests/Visitors**

- 13.1. Schools should *limit nonessential* visitors and volunteers;
- 13.2. Guests and visitors deemed essential should self-screen for symptoms and stay home if symptomatic for any illness;

- 13.3. Guests and visitors deemed essential will follow regular check-in procedures and rules outlined in school handbooks;

**14. Transportation**

- 14.1. High school bussing will resume;
- 14.2. Parents/guardians always have the option of providing their own transportation;
- 14.3. The CDC continues to require that face coverings (masks or gaiters) be worn on all public transportation, including school buses – this requirement is regardless of vaccination status;
- 14.4. School district plans may change per CDC, U.S. Department of Transportation or Wood County Health Department;
- 14.5. To request a mask exemption for transportation, please contact the building principal or department administrator in writing indicating which of the exceptions apply to your situation (sample [Mask Exception Request](#)). More information may be requested to assist the district in making a determination. You will be notified in writing if your request is accepted or denied and the information will be shared with the school nurse.

**15. Gatherings/Outings**

- 15.1. Large gatherings indoors do not have a COVID-specific capacity limit;
- 15.2. Outdoor gatherings do not have a capacity limit;
- 15.3. The OHSAA guidelines allowed for full spectators in as of the fall 2021;
- 15.4. Whole class field trips where attendance is required are on hold through the first semester;
- 15.5. Approved trips through elective courses are still allowable at this time;

**16. Vaccination**

- 16.1. We continue to encourage families and employees to submit student/employee vaccination information to the school district by emailing an image of the immunization card to [covidsupport@perrysburgschools.net](mailto:covidsupport@perrysburgschools.net);
- 16.2. We encourage teachers, staff members, students and their families to get vaccinated against COVID-19.
- 16.3. A significant number of teachers and staff have been vaccinated.
- 16.4. We encourage families to educate themselves on facts regarding the vaccine from trusted sources found here
  - 16.4.1. [Myths Vs. Facts of the COVID 19 Vaccine - ODE](#)
  - 16.4.2. [Myths Vs. Facts of the COVID 19 Vaccine - CDC](#)
  - 16.4.3. [Wood County Vaccination Clinics](#)

**17. COVID Tests**

- 17.1.** Rapid test kits are available, as supplies last, for free and may be picked up at your school building from your school nurse, or the Board Office at 140 E. Indiana Ave, Perrysburg during normal business hours;
- 17.2.** There is a limit of 4 per family, unless the family has more than 4 children attending the Perrysburg Schools District;
- 17.3.** Please ensure the person picking up the test kit is not exhibiting any COVID-19 symptoms, nor been in contact with someone positive for the COVID-19 virus in the last 14 days. They should notify the front desk they are there for a test kit via the intercom when they arrive;
- 17.4.** Following the guidance from CDC, there is no requirement for a negative test in order for a return to school or work, though it is recommended to test on day 5. Follow the guidance in Section 2 of this document to determine if you or your child is able to return to work or school.
- 17.5.** Click on this link to help you understand what to do if you test positive for COVID: [COVID Self-help Resources](#) from the Wood County Health Department

**FOR IMMEDIATE RELEASE**

Dec. 30, 2021

Contact: ODH Office of Communications (614) 644-8562

## Ohio Department of Health Aligns with Updated CDC Quarantine and Isolation Guidance

COLUMBUS – Bruce Vanderhoff, MD, MBA, director of the Ohio Department of Health, today announced that the Ohio Department of Health has aligned with CDC’s recently updated quarantine and isolation guidance released earlier this week.

“Evidence shows that the majority of COVID-19 transmission occurs early in the course of illness, generally in the 1-2 days prior to symptom onset, and in the 2-3 days after symptoms begin,” explained Dr. Vanderhoff. “The CDC’s updated quarantine and isolation guidance takes the latest science and evidence into consideration, with a focus on testing, masking, and symptom monitoring – similar to Ohio’s reduced quarantine guidelines in the state’s ‘mask to stay’ and ‘test to play’ guidance.”

The Ohio Department of Health has released a [flow chart](#) based on the CDC’s updated guidance following an exposure to someone with COVID-19. Regardless of vaccination status or symptoms, anyone who tests positive for COVID-19 must isolate for at least 5 days. However, if symptoms are improving, isolation may end on the sixth day following either symptom onset or a positive COVID-19 test if the person consistently wears a mask for the next five days. Detailed quarantine and isolation guidance are available in the [flow chart](#). The Ohio Department of Health has also updated [K-12 school quarantine guidance](#) including “mask to stay” and “test to play” timelines accordingly.

There are many opportunities in Ohio to be vaccinated, including walk-in and scheduled appointments statewide at pharmacies, federally qualified health centers, doctor’s offices, community vaccination sites, and local health departments. There is ample supply of vaccine for boosters, as well as first and second doses, for Ohioans. Ohioans can check their eligibility and book an appointment online at [gettheshot.coronavirus.ohio.gov](http://gettheshot.coronavirus.ohio.gov) or by calling 1-833-427-5634.

Ohioans who want to learn more about the safety, efficacy, and side effects of COVID-19 vaccines should talk to their doctor, nurse, or pharmacist, or visit [coronavirus.ohio.gov/vaccine](http://coronavirus.ohio.gov/vaccine) to learn more.

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### **About the Ohio Department of Health**

*The Ohio Department of Health’s mission is advancing the health and well-being of all Ohioans by transforming the state’s public health system through unique partnerships and funding streams; addressing the community conditions and inequities that lead to disparities in health outcomes; and implementing data-driven, evidence-based solutions.*



# WHAT TO DO IF YOU HAVE COVID-19

Regardless of Symptoms or Vaccination Status



- Stay home for the next five days regardless of symptoms or vaccination status.



- Stay away from other people as much as possible (including those in your own household).



- If you can't stay away from other people, wear a three-layer (or better) mask.



- Do you have a fever or other symptoms that haven't started to get better on day six?



**YES**



- Stay home until your fever is gone and other symptoms are better.



- Wear a mask for the next five days.



**NO**



- Resume activities with a mask.

- Wear a mask for the next five days.

If you are having symptoms of COVID-19 and waiting for your test results, stay home until you get your results.

EXHIBIT

3

# WHAT TO DO IF YOU WERE EXPOSED TO SOMEONE WHO HAS COVID-19\*\*

And Your COVID-19 Vaccines Are Up to Date

- If you received a booster dose of any COVID-19 vaccine.

or

- If you completed the primary series\* of Pfizer or Moderna vaccine less than five months ago.

or

- If you completed the primary series\* of Johnson & Johnson vaccine less than two months ago.



For 10 days

- Wear a mask around others for 10 days after your last exposure.
- Test on day five.
- If you develop symptoms or test positive, stay home.

If you tested positive for COVID-19 in the 90 days before your exposure.

- Wear a mask around others for 10 days.
- If you develop symptoms, get tested and stay home.

# WHAT TO DO IF YOU WERE EXPOSED TO SOMEONE WHO HAS COVID-19\*\*

And You are Unvaccinated or Your Vaccines Are Not Up to Date

- If you are unvaccinated or only received one dose of Pfizer or Moderna.

or

- If you completed the primary series\* of Pfizer or Moderna vaccine more than five months ago.

or

- If you completed the primary series\* of Johnson & Johnson vaccine more than two months ago and no booster.



For 5 days

- Stay home for five days after your last exposure, then wear a mask around others for the next five days.
- Test on day five.
- If you develop symptoms or test positive, stay home.

\*A primary series consists of one dose of Johnson & Johnson vaccine; or two doses of Moderna or Pfizer vaccine; or three doses of Moderna or Pfizer vaccine if you received an additional dose because you are immunocompromised.

Thank you to Clark County Combined Health District for sharing its graphic with the Ohio Department of Health.

<b>Mask Exemptions as of 2/2/22</b>	
<b>Reason:</b>	<b>Approved / Denied</b>
Medical	Approved
Medical	Approved
Physical	Approved
Developmental	Approved
Developmental/Medical	Approved
Religious	Denied
Medical	Approved
Mental	Approved
Mental	Approved
Medical	Approved
Physical	Approved
Medical	Approved
Mental / Medical	Approved
Medical	Approved
Medical	Approved
Medical	Approved
Developmental	Approved
Physical / Mental	Approved
Mental	Approved
Medical	Approved
Religious	Denied
Speech	Approved
Physical	Approved
Speech	Approved
Speech	Approved
Medical	Approved
Medical / Physical	Approved
Medical	Approved
Developmental	Approved
Medical / Developmental	Approved
Developmental	Approved
Medical	Approved
Developmental	Approved
Developmental	Approved
Developmental	Approved
Religious	Denied
Medical	Approved
Medical	Approved
Medical	Approved



Medical	Approved
Medical	Approved
Medical / Religous / Mental Health	Denied
Medical	Approved
Developmental	Approved
Religious	Denied