

**PETRARCA, GLEASON,
BOYLE & IZZO, LLC**
ATTORNEYS AT LAW

GUIDELINES FOR HANDLING STAFF AND STUDENTS WHO PRESENT WITH SYMPTOMS OF, OR TEST POSITIVE FOR, COVID-19

As school districts open for full time in-person instruction and/or blended-remote learning, they will undoubtedly have staff and students test positive for COVID-19 or arrive at school with related symptoms. It is therefore imperative that school districts understand current public health guidelines for how to handle these situations, including who should be sent home, when those individuals can return, and how to notify school communities.

Symptom Screening

**PETRARCA, GLEASON,
BOYLE & IZZO, LLC**
ATTORNEYS AT LAW

The Illinois State Board of Education (“ISBE”) and Illinois Department of Public Health (“IDPH”) currently require schools to conduct temperature and symptom screenings or require self-certification and verification for all staff, students, and visitors entering school buildings. Individuals with a temperature greater than 100.4 degrees or currently known COVID-19 symptoms may not enter school buildings and should be sent home. COVID-19 symptoms currently include fever, cough, shortness of breath or difficulty breathing, chills, fatigue, muscle and body aches, headache, sore throat, new loss of taste or smell, congestion or runny nose, nausea, vomiting, and diarrhea.

On July 23, 2020, the Centers for Disease Control and Prevention (“CDC”) stated that it does not currently recommend universal symptom screenings for students. To date, however, ISBE and IDPH still require symptom screening. Unless and until ISBE and IDPH alter their recommendations, schools should perform daily temperature/symptom screening, or require self-certification and verification, for all students, staff, and visitors.



What happens if an individual presents with COVID-19 symptoms or tests positive for COVID-19?

1. Separate and Send Home

Students and staff should not come to school if they are sick or have symptoms of COVID-19. If an individual arrives at school with COVID-19 symptoms, or presents with symptoms in the middle of the school day, that individual should immediately be separated from the rest of the school population and should be sent home. Schools should designate a safe area to quarantine/isolate individuals who are experiencing COVID-19 symptoms and are awaiting pickup or evaluation. To be clear, however, students should not be left alone and should be supervised by a qualified staff member.

2. Return to School in Accordance with Public Health Guidance

Individuals who test positive for COVID-19 or who have COVID-19 symptoms should only return to school in accordance with current public health guidelines. Currently, ISBE and IDPH require the following:

1. At least 10 days must pass after the individual's symptoms first appeared; AND
2. The individual must be at least 24 hours fever-free without fever-reducing medication; AND
3. Improvement of other symptoms

If an individual tests positive for COVID-19, but never presents with symptoms, he or she can return 10 days after the first positive test.

For returns with greater time-urgency, school districts should contact their attorney for additional advice and options.



What if an individual has been in “close contact” with a person who tests positive for COVID-19 or is suspected of having COVID-19?

An individual who has been in “close contact” with a person who has COVID-19, or is suspected of having COVID-19, should self-quarantine at home and monitor for symptoms for 14 days. Close contact means that the individual was within 6 feet of the person with symptoms for more than 15 minutes. If the individual who was in close contact does not present with symptoms over the 14-day period, he or she may return to school. If the individual has symptoms, he or she should return to school in accordance with the 10-day/24-hour rule described above.

Notifying the School Community

School Districts should create a plan for how they will notify school communities when a person tests positive for COVID-19. Importantly, the Americans with Disabilities Act (“ADA”) and the



Family Educational Rights and Privacy Act (“FERPA”) impose confidentiality requirements on school districts which limit the information districts can release. The CDC and U.S. Department of Education have thus issued guidance on how to notify school communities about positive COVID-19 tests, while maintaining confidentiality in compliance with the ADA and FERPA. Specifically, the notification that is sent out to a school community should not identify the sick employee or student, nor should it contain any other personally identifying information related to that individual.

On July 28, 2020, ISBE released a sample notification letter that school districts can use to inform school communities about positive tests. This letter can be found under the “Remote Learning & Transition Considerations” tab on [ISBE’s Coronavirus Webpage](#).

Our office will continue to provide updates as more information becomes available. If you have any questions, please do not hesitate to contact one of our attorneys.

Published August 3, 2020

**PETRARCA, GLEASON,
BOYLE & IZZO, LLC**
ATTORNEYS AT LAW

[Click Here for Printer-Friendly Version](#)