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ILLINOIS DEPARTMENT OF PUBLIC HEALTH ISSUES UPDATED GUIDANCE FOR A RETURN TO IN-PERSON INSTRUCTION

Recently, our firm issued a Priority Briefing regarding how schools should respond if and when staff or students test positive for COVID-19 or present with COVID-19 symptoms. On August 12 and 13, the Illinois Department of Public Health (IDPH) issued new guidance on these issues. Although much of the information remains the same, the new guidance provides additional detail and clarification on multiple issues. Accordingly, we recommend reviewing our earlier [Priority Briefing](#) in addition to the new [IDPH guidance](#) and this Priority Briefing.

The new IDPH guidance, among other things, provides the

following information:

- All students and staff who are sent home with COVID-19 symptoms should be diagnostically tested.
- When a person has COVID-19 or related symptoms, the individual cannot return to school until: (a) at least 10 days have elapsed since the onset of symptoms; and (b) the person is at least 24 hours fever free (without use of fever-reducing medication); and (c) other symptoms have improved.
- A student or staff member who experiences COVID-19 symptoms but is diagnosed with a non-COVID illness may return to school before meeting the above requirements if the individual has: (a) a doctor's note documenting an alternative diagnosis; or (b) a negative COVID-19 test result.
 - If an individual with COVID-19 symptoms does not get tested or have a doctor's note documenting an alternative diagnosis, the person cannot return to school until he or she meets the 10 day/24 hour/symptom improvement rule described above.

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- If a student is sent home sick with COVID-19 symptoms, all siblings/household members must also be sent home.
- If any staff-member or student presents at school with one or more COVID-19 symptoms, that individual should be immediately isolated, evaluated. Schools should evaluate the individual to determine if the symptom is new or part of an existing condition.
- A person is considered a “close contact” if they have been within 6 feet of a confirmed case of COVID-19 (with or without a face covering) for at least 15 minutes throughout the course of a day.
 - If the sick individual is symptomatic, the period of close contact begins 2 days prior to the onset of symptoms. If the sick individual is asymptomatic, the period of close contact begins 2 days before the positive sample was obtained.
- Close contacts are required to quarantine for 14 days starting from the last day of contact with the confirmed case.
- If a close contact quarantines for 14 days and does not get any COVID-19 symptoms, that individual may return to school without a doctor’s note.

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- It is considered an “outbreak” if two or more confirmed cases of COVID-19 occur within 14 days of each other in the same classroom. If this occurs, a local health department will investigate the outbreak and may recommend testing and quarantining for all students and staff in the classroom.
- If a student-athlete has COVID-19 or related symptoms, the school should provide a generic notification to other schools and teams with which the sick student may have had contact. The notification should not include the sick student’s name or any personally identifying information.
- Schools should ask parents and guardians to notify them as quickly as possible with any confirmed or probable COVID-19 cases.
- Face coverings may be temporarily removed at school for the following reasons: (a) eating; (b) when outdoors and physical distancing of at least 6 feet can be maintained; (c) playing a musical instrument outdoors with at least 6 feet of social distancing; and (d) if using a face shield when other methods of protection are not available or appropriate. Please also note that the ISBE Part 3 Transition Guidance FAQ document updated on August 17,

2020 provides that teachers and staff should be allowed to remove their face coverings when they are alone in their classroom or offices if the doors are closed.

- Individuals with a condition that prevents them from wearing a face covering are required to provide a doctor's note.
- Face shields can only be used as a substitute for face coverings in the following circumstances: (a) individuals under age 2; (b) individuals who are unconscious, incapacitated, or otherwise unable to remove the cover without assistance; (c) individuals with a doctor's note indicating they have a condition making it absolutely inadvisable to wear a face covering; and (d) teachers needing to show facial expressions where it is important for students to see how a teacher pronounces words (e.g., English learners, early childhood, foreign language, etc.)
- Anyone who has travelled internationally should stay quarantine and monitor for symptoms for 14 days. Schools must also follow any other applicable state and local travel restrictions.
- Areas used by an individual with COVID-19 symptoms should be closed off as long as practicable before beginning

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cleaning and disinfection. Outside doors and windows should be opened to increase air circulation in the area. If possible, wait up to 24 hours before beginning cleaning and disinfection. Cleaning staff should clean and disinfect all areas used by the ill persons with COVID-19 symptoms, focusing especially on frequently touched surfaces.

- A school nurse performing a clinical evaluation of a sick individual must use appropriate personal protective equipment (PPE) including: (a) fit-tested N95 respirator; (b) eye protection with face shield or goggles; (c) gown; and (d) gloves.
- Personnel responsible for cleaning areas used by an individual known or suspected to have COVID-19 must use appropriate personal protective equipment (PPE) including: (a) fit-tested N95 respirator; (b) eye protection with face shield or goggles; (c) gown; and (d) gloves.

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.

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