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ISBE ADOPTS CDC GUIDANCE FOR COVID-19 PREVENTION IN K-12

On July 9, 2021, ISBE and IDPH adopted the CDC Guidance for COVID-19 Prevention in K-12 Schools for the upcoming school year, which provides for fully in-person learning (with limited exceptions).

Highlights include:

Each School District determines which prevention strategies to implement and how, based on the local community:

- Factors the CDC indicates should be considered in developing strategies include level of transmission of COVID-19 in the community, outbreaks and community trends, vaccination rate in the community, ages of children in the

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school district, and whether the school utilizes a COVID-19 screening testing program.

- Prevention strategies to implement in varying degrees and monitor continue to include promoting vaccination, mask use, physical distancing, screening testing, ventilation, handwashing and respiratory etiquette, cleaning and disinfection, contact tracing, and staying home when ill or being tested for COVID-19.

- Strategies should be adjusted based on outbreaks, increasing trends in school/community, ages of children served, vaccination levels, and the feasibility of different prevention strategies. Prevention strategies should be removed based on local conditions and removed one at a time.

Guidance on Mask Use:

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- Fully vaccinated students and staff need not wear masks at school.
- All students, drivers and other passengers must wear a mask on the school bus, regardless of vaccination status.
- No one is required to wear a mask outdoors, except those persons who are not fully vaccinated should wear a mask in a crowded outdoor area or during activities that involve sustained close contact with other people who are not fully vaccinated.
- Mask use is strongly recommended for students and school employees who are not fully vaccinated.
- Schools that continue to require people older than 2 years of age to wear a mask should make exceptions for those who cannot wear a mask or safely wear a mask due to a disability or health reasons or for whom wearing a mask would create a risk to workplace health, safety, or job duty (determined by relevant workplace safety guidelines or federal regulations).

COVID Testing in Schools:

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- The school must obtain written informed parental consent to test minor students and report test results.
- Written informed consent to test must also be obtained for employees and adult students.
- Fully vaccinated students and employees who do not have COVID-19 symptoms do not need to quarantine or get tested after an exposure to someone with COVID-19.

Vaccination Verification:

- Schools may request voluntary submission of vaccination verification.
- Vaccination status is confidential, like other health information.
- Employees who are unable to be vaccinated due to a disability may be entitled to a reasonable accommodation under the Americans with Disabilities Act.

Physical Distancing:

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- Three feet of physical distancing between students in classrooms is recommended.
- A six feet distance is recommended for students and teachers who are not fully vaccinated.
- However, students should not be excluded from in-person learning if this distancing is not possible within the school structure.

If you have any questions concerning this Guidance, please contact one of our attorneys.

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