

PUBLICATION

New CDC Guidance for K-12 Schools: Update Your COVID-19 Policies and Protocols for Back-to-School

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On July 9, 2021, the Centers for Disease Control and Prevention (CDC) issued updated guidance for COVID-19 prevention in K-12 schools. This updated guidance should be carefully considered and integrated into schools' health and safety policies and protocols as the 2021-2022 school year approaches.

The CDC guidance emphasizes that in-person learning is a priority, even if all recommended mitigation measures cannot be implemented by schools. However, layered COVID-19 prevention strategies, including masks indoors for individuals who are not fully vaccinated, physical distancing, screening and testing, ventilation, handwashing and respiratory etiquette, and contract tracing, remain critical to keep schools safe for the upcoming academic year.

Key takeaways from the updated CDC guidelines include:

Promoting Vaccination

The new CDC guidance now provides information on K-12 schools offering and promoting COVID-19 vaccination, both among eligible students as well as teachers, staff, and household members. The CDC recommends that schools consider partnering with state or local health authorities to serve as COVID-19 vaccination sites and offering flexible schedules and leave, if applicable, for individuals to get vaccinated or for those who have side effects after vaccination. Schools may consider providing students options for an excused absence to receive the COVID-19 vaccine, and for possible side effects after receiving the vaccination.

Masks

According to the CDC, in general, individuals do not need to wear masks outdoors. However, when indoors, it is still recommended by the CDC that individuals aged two and above who are not fully vaccinated wear masks. Depending on the specific school community and the rate of COVID-19 transmission in the local area, a school may opt to make mask use universally required regardless of vaccination status in the school.

State and local laws on mask requirements vary widely, and it is important to understand your specific jurisdiction's requirements/restrictions on masks when crafting your school's mask policy.

Disability and medical exemptions to mask requirements should also be addressed in the school's mask policy, and the policy should identify an administrator at the school to contact when seeking these exemptions.

It is important to remember that regardless of the mask policy at school, all passengers and drivers of school buses are required to wear masks.

Physical Distancing

The CDC now recommends at least three feet of physical distance should be maintained between students when indoors, and at least six feet of physical distance should be maintained between students and teachers/staff and between teachers/staff who are not fully vaccinated.

"Cohorting," or regularly keeping small groups of students and faculty together throughout the entire day, can be used by schools as a COVID-19 prevention strategy and should be considered especially for younger children where physical distancing is difficult to maintain. Cohorting of people into separate groups of those who are fully vaccinated and those who are not fully vaccinated is not recommended. Both the CDC and U.S. Department of Education stress that cohorting should be done equitably so as not to perpetrate academic, racial, or other tracking. Schools should ensure that cohorting is consistent with applicable civil rights laws and that cohorts support inclusion for English learners and students with disabilities (consistent with their IEPs or 504 Plans, as applicable).

Additional Considerations

COVID-19 prevention strategies previously recommended by the CDC, including improving ventilation, handwashing, respiratory etiquette, cleaning/disinfection, quarantine and isolation procedures remain in place in the new guidance. Schools should also continue to collaborate with state and local health departments, as applicable, in contact tracing.

Visitors

Regarding visitors, the CDC recommends continuing to limit nonessential visitors, volunteers and activities involving individuals who are not fully vaccinated, especially in areas of moderate to high COVID-19 community transmission.

Food Service and School Meals

Food service and school meals no longer have to be limited to single-use items and packaged meals, due to the low risk of transmission from surfaces and shared objects. The CDC does continue to recommend maximizing physical distance to the greatest extent possible in the food service line and in dining areas for students, teachers, and staff who are not fully vaccinated, as well as using outdoor seating when feasible.

Recess and P.E./ Sports

Under the new CDC guidance, individuals do not need to wear masks when participating in outdoor play, recess, and physical education. Further, people who are fully vaccinated no longer need to wear a mask or physically distance while participating in sports or extracurricular activities. In areas with substantial to high community transmission, however, the CDC recommends that individuals who are not fully vaccinated wear masks in crowded outdoor settings or during activities that involve close contact with others who are not fully vaccinated.

Conclusion

In addition to monitoring the CDC guidance for K-12 schools, schools should continue to regularly review requirements of their state departments of education and consult with their state and local public health authorities on updated COVID-19 operational guidance to ensure compliance with applicable laws and

regulations. Due to the evolving guidance on COVID-19, schools should state that their COVID-19 policies and protocols are subject to change as the pandemic and applicable authority develops.

Advance planning is key and taking time to update your school's policies now will help ensure a strong start to the new school year. Please contact the author or any member of the Baker Donelson [Education Team](#) with any questions and for assistance with your school's COVID-19 policies and protocols.