

IEA Return to In-Person Instruction in Schools

Statement of Belief on Safety

The Illinois Education Association believes, as do health experts, that it would be best for students to be learning in an in-person school environment when at all possible. In these times of global pandemic due to the novel coronavirus, however, the health and safety of our students and staff should be the primary concern and focus of all communities throughout our state and across the nation. No one wants to return to school more than those who have chosen education as their profession, but it is also professional educators who understand better than anyone the impact a contagious disease can have on a school population.

In regards to a return to in-person learning in a school environment, every district should have, as a bare minimum, an articulated policy with respect to at least the following items:

- face coverings
- social distancing -- this includes a plan for classrooms, shared spaces, and buses
- a formal cleaning schedule for employed personnel
- adequate and appropriate cleaning supplies for staff cleaning and for student and staff hygiene
- provision of appropriate PPE for *all staff*

All policies regarding health and safety should be in compliance with American Academy of Pediatricians, the Illinois Department of Public Health, the Centers for Disease Control and Prevention, and Illinois State Board of Education guidance. Educators should be advocating for districts to have enforceable rules/policies which have been clearly articulated to staff, students and families. The policies should include both the policy and the plan for enforcement of the policy should infractions occur. Educators should require guidance from the district on how they will enforce the policy prior to the opening of school and that guidance should also be clearly stated for staff, students and families.

Guidance from the district should include a plan to:

- notify students, staff and parents regarding their COVID-19 health and safety policies and enforceability
- apply the policy and enforce rules where student/staff safety is concerned

Finally, all educational institutions must meet the applicable Occupational Safety and Health Administration health and safety requirement to provide a place of employment free from recognized hazards that are causing or are likely to cause death or serious physical harm to the employees.

As a reminder, IEA is attempting to be responsive to our entire statewide membership. Our effort here is to provide general guidance which we hope will be useful to everyone but we should all understand that these guidelines will very likely have to be adapted to the members and communities of each IEA local.

The IEA is committed to the following guidance from the Illinois State Board of Education, the National Education Association, the American Academy of Pediatrics, the Center for Disease Control, and the national and state Departments of Public Health. This document was created out of several other documents, most of which are available from the websites of the various organizations. Those websites are linked at the end of the sections which are cited in the document. The following information has a focus on our members who work for employers who provide preK-12 services.

Health and Safety Guidelines

1. As required by IDPH, except while eating and during band, face coverings must be worn at all times in school buildings, even when social distance is maintained. All individuals in a school building must wear a face covering unless they have a medical contraindication, are under 2 years of age, have trouble breathing, or are unconscious, incapacitated, or unable to remove the face covering without assistance. Masks are not required when outside if social distancing is available.
2. Face shields are generally not an acceptable as an alternative to face masks. This is because they may not be as effective alone at preventing the spread of COVID 19 as masks or as used in conjunction with a mask. ISBE has advised that there *might* be limited circumstances where observing an instructor's mouth is important and the instruction cannot be provided by remote means. There may also be circumstances where a face mask may be a reasonable job accommodation for employees who cannot sustain use of a face mask.
3. Schools should require physicians' notes for students and staff who are not able to wear a face covering.
4. Districts are required to provide PPE for students and staff in their buildings. Staff may bring their own masks and PPE but this does not relieve the district of the obligation to provide appropriate PPE.
5. Dividers around desks may be utilized for enhanced safety but they are NOT a substitute for appropriate social distancing.

6. Social distance must be observed as much as possible. Desks do not need to be spaced 6 feet apart; however, it is recommended that excess furniture be removed from classrooms to allow for as much space as possible in between desks.
7. No more than 50 individuals may be on a bus at one time. All individuals on a bus must wear a face covering, unless they meet a face covering exception. Allow as much space as possible between each individual on a bus. It is recommended that students from the same household sit together on a bus.
8. Schools and districts must conduct temperature and symptom screenings or require self-certification and verification for all staff, students, and visitors entering school buildings. Schools not requiring self-certification should check for a temperature greater than 100.4 degrees Fahrenheit/38 degrees Celsius and currently known symptoms of COVID-19, such as 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, or diarrhea. Individuals who have a temperature greater than 100.4 degrees Fahrenheit/38 degrees Celsius or one known symptom may not enter buildings. Individuals who exhibit symptoms should be sent home and referred to a medical provider for evaluation and treatment and be given information about when they can return to school.
9. Schools and districts can require individuals to self-certify that they are fever- and symptom free before entering a school building each day, in lieu of conducting symptom and temperature checks at the school building. Self-certification could consist of a simple electronic form that an individual must complete each day. A self-certification may not be completed at the beginning of the year for the entire year.
10. An employer may ask if an employee is experiencing COVID-19 symptoms, such as fever, chills, cough, shortness of breath, or sore throat. Any information that an employer collects about an employee's symptoms needs to be maintained in a confidential medical file in compliance with the Americans with Disabilities Act (ADA).
11. Any staff member may perform in-person temperature checks and symptom screenings. It is not required that a certified school nurse perform these checks and screenings. If schools have established a self-certification process, parents, guardians, or other individuals can perform the temperature and symptom checks. If performed at school, the person administering the check should follow CDC guidelines regarding those checks.
12. Individuals who have tested positive for COVID-19 or who are suspected of having COVID-19 infection should seek medical attention, self-isolate, and follow CDC guidelines for discontinuation of isolation. Individuals who have had close contact with an individual who has tested positive for COVID-19 or is suspected of having COVID-19 infection should isolate at home and monitor for symptoms for 14 days. Individuals who did not have close contact can return to school immediately after disinfection. Close contact means the individual was within 6 feet of the individual who tested positive for COVID-19 or is suspected of having COVID-19 infection for more than 15 minutes.

13. Schools should provide a supervised quarantine space for students/staff who are experiencing COVID-19-like symptoms and may be awaiting evaluation and/or pickup. Students must never be left alone and must be supervised at all times while maintaining necessary precautions within the quarantine space. Judgment of nursing professionals or the administrator/designee (in the absence of a nurse) must determine who is placed in the quarantine space and the level of supervision (e.g., supervised by nurse or unlicensed personnel) required for persons within the quarantine space.
14. An employer cannot explicitly ask an employee who is not displaying COVID-19 symptoms whether they have a medical condition that makes them more susceptible to the virus. An employer can ask that question in a bigger survey--so long as it is not asking the employee to give a specific answer regarding a medical condition.
15. An employee who becomes ill at work with symptoms consistent with COVID-19 symptoms should leave the workplace and can be asked to do so.
16. If the CDC or state or local health departments indicate that individuals who traveled to certain locations should remain at home for a certain period of time, an employer may ask if employees have traveled to such locations. It does not matter if the travel was for personal reasons.
17. An employer may require employees to engage in hygiene routines and practices for the purpose of infection control.
18. Many individuals with medical conditions that never impacted their ability to work in schools now find that doing so poses a significant health risk. The Americans with Disabilities Act (ADA), requires employers to provide reasonable accommodations to qualified individuals with a disability *unless* doing so would provide an undue hardship. A reasonable accommodation is a modification to the job or work environment that enables an individual with a disability perform the essential functions of the job. An employee with a medical condition which they believe requires a reasonable accommodation may contact their employer and make a request.
19. Age, as a sole factor, does not constitute a disability. An employer is not required to provide an employee an accommodation because they are older but it may do so voluntarily.
20. Pregnancy is generally not an ADA claim as pregnancy is not a disability. However, Illinois' Pregnancy Accommodation Act (IPAA) can provide employees access to a reasonable accommodation even if their pregnancy condition does not constitute a disability under the ADA. The IPAA provides an expansive list of possible accommodations for pregnancy employees. Similar to the ADA, the IPAA requires the employer to engage in a meaningful conversation with the employee to determine if there is a reasonable accommodation. IPAA permits an employer to deny a request for a pregnancy related accommodation but only where granting the request presents an undue hardship.
21. The ADA does not require an employer to grant an accommodation for the purpose of protecting someone in an employee's household or family. The ADA does protect

employees from being treated differently or harassed because of their association with someone who is disabled. This will include the fact that the ADA is not allowed for someone who may have a family member who is at high risk should they contract the coronavirus.

22. Under the Families First Coronavirus Response Act (FFCRA), through December 31, 2020, employees may be eligible for paid emergency sick leave. This leave is available for use in the event that an employee cannot work due to a number of COVID-19 related reasons including them or a family member is experiencing virus related symptoms or is under quarantine. The emergency paid leave is also available for use if the employee's daycare or school is closed. It is available for immediate use regardless of how long an employee has been employed. Full time employees are eligible for up to 80 hours (or 10 eight hour days) of paid emergency leave. Regular part-time employees are entitled to paid emergency sick leave equivalent to the number of hours regularly worked in a two week period. There is also a formula for determining paid emergency sick leave for part time employees with a variable schedule. An employee is entitled to use prior to using any accrued benefit leave that may be applicable. Under the Family Medical Leave Act (FMLA), employees who have worked at least 1,250 hours in the preceding 12 months are eligible for up to 12 weeks of job protected leave for their own serious medical condition that prevents you from performing the essential functions of your job or to care for an immediate family member who has a serious medical condition. Also, an existing collective bargaining agreement may have leave options which might apply. Or, the local may try and negotiate additional options.

[Link to the ISBE FAQs focused on the 2020-2021 School Year](#)

Health, Safety, and the Learning Environment from the American Academy of Pediatrics

The main mode of COVID-19 spread is from person to person, primarily via droplet transmission. For this reason, strategies for infection prevention should center on this form of spread, including physical distancing, face coverings, and hand hygiene. Given the challenges that may exist in children and adolescents in effectively adhering to recommendations, it is critical staff are setting a good example for students by modeling behaviors around physical distancing, face coverings and hand hygiene. Infection via aerosols and fomites is less likely. However, because the virus may survive in certain surfaces for some time, it is possible to get infected after touching a virus contaminated surface and then touching the mouth, eyes, or nose. Frequent handwashing as a modality of containment is vital.

Cleaning should be performed per established protocols followed by disinfection when appropriate. Normal cleaning with soap and water decreases the viral load and optimizes the efficacy of disinfectants. When using disinfectants, the manufacturers' instructions must be followed, including duration of dwell time, use of personal protective equipment (PPE), if indicated, and proper ventilation. The use of EPA approved disinfectants against COVID-19 is recommended (EPA List N). When possible, only products labeled as safe for humans and the

environment (e.g., Safer or Designed for the Environment), containing active ingredients such as hydrogen peroxide, ethanol, citric acid, should be selected from this list, because they are less toxic, are not strong respiratory irritants or asthma triggers, and have no known carcinogenic, reproductive, or developmental effects.

When EPA-approved disinfectants are not available, alternative disinfectants such as diluted bleach or 70% alcohol solutions can be used. Children should not be present when disinfectants are in use and should not participate in disinfecting activities.

- Cohort classes to minimize crossover among children and adults within the school; the exact size of the cohort may vary, often dependent on local or state health department guidance.
- Utilize outdoor spaces when possible.
- Limit unnecessary visitors into the building.
- Desks should be placed 3 to 6 feet apart when feasible (if this reduces the amount of time children are present in school, harm may outweigh potential benefits).
- Encourage alternative modes of transportation for students who have other options.
- Ideally, for students riding the bus, symptom screening would be performed prior to being dropped off at the bus. Having bus drivers or monitors perform these screenings is problematic, as they may face a situation in which a student screens positive yet the parent has left, and the driver would be faced with leaving the student alone or allowing the student on the bus.
- Assigned seating; if possible, assign seats by cohort (same students sit together each day).
- Tape marks showing students where to sit.
- When a 6-foot distance cannot be maintained between students, face coverings should be worn.
- Drivers should be a minimum of 6 feet from students; driver must wear face covering; consider physical barrier for driver (e.g., plexiglass).
- Minimize number of people on the bus at one time within reason.
- Adults who do not need to be on the bus should not be on the bus.
- Have windows open if weather allows.
- Consider creating one-way hallways to reduce close contact.
- Place physical guides, such as tape, on floors or sidewalks to create one-way routes.
- Where feasible, keep students in the classroom and rotate teachers instead.
- Stagger class periods by cohorts for movement between classrooms if students must move between classrooms to limit the number of students in the hallway when changing classrooms.
- Assign lockers by cohort or eliminate lockers altogether.
- Consider having students cohorted, potentially in their classrooms, especially if students remain in their classroom throughout the day.
- Create separate lunch periods to minimize the number of students in the cafeteria at one time.
- Utilize additional spaces for lunch/break times.

- Utilize outdoor spaces when possible.
- Create an environment that is as safe as possible from exposure to food allergens.
- Wash hands or use hand sanitizer before and after eating.

[Link to the Guidelines from the American Academy of Pediatrics](#)

NEA has also provided several pieces of guidance around federal and national policies, as well as shared information and ideas from states around the nation.

[Link to the NEA Guidance on Returning to Instruction In Person](#)

[Remote Learning Guidelines from ISBE](#)

1. Examples of one space may include one school bus, one classroom, or areas of a hallway. Capacity restrictions do not apply to an entire school building.
2. Remote learning plans are a local decision which should be based upon what best fits local community needs. Districts may include a process within their remote and blended remote learning plan for remote learning options to occur simultaneously with in-person instruction. Districts may also develop plans that do not do this. Schools and districts should consider planning for remote instruction for students who are medically fragile, at a higher risk of severe illness, or who live with individuals at higher risk of severe illness. Students receiving remote instruction count for attendance.
3. Schools are not required to close if someone tests positive for COVID19. Only those individuals with close contact with someone who tested positive or who is suspected of having COVID-19 are required to self-quarantine for 14 days. The school should provide remote instruction to students who are self-quarantining, if they are well enough to engage in learning. Teachers and staff who are self-quarantining may continue to work remotely if they are well enough to do so.

[Link to the ISBE FAQs focused on the 2020-2021 School Year](#)

[Public Act 101-0643](#)

4. PA 101-0643 requires that school districts “adopt a Remote and Blended Remote Learning Day Plan approved by the district superintendent.” ISBE recommends that Districts form a diverse Planning Team to prepare for a return to in-person instruction in compliance with IDPH guidelines. The Planning Teams should include key stakeholders and staff that, at a minimum, may represent the following categories, where applicable: administrators; educators; school support personnel, including nurses, counselors, social workers, psychologists, and speech-language pathologists; paraprofessionals; non-licensed staff; students; and families.

5. PA 101-0643 requires each Remote and Blended Remote Learning Day Plan to address the following:
 - Accessibility of the remote instruction to all students enrolled in the district;
 - When applicable, a requirement that the Remote Learning Day and Blended Remote Learning Day activities reflect the Illinois Learning Standards;
 - Means for students to confer with an educator, as necessary;
 - The unique needs of students in special populations, including, but not limited to, students eligible for special education under Article 14; students who are English Learners, as defined in Section 14C-2; students experiencing homelessness under the Education for Homeless Children Act [105 ILCS 45]; or vulnerable student populations;
 - How the district will take attendance and monitor and verify each student's remote participation; and
 - Transitions from remote learning to on-site learning upon the State Superintendent's declaration that Remote Learning Days and Blended Remote Learning Days are no longer deemed necessary.
6. PA 101-0643 waives the clock hour requirement when the Governor has declared a disaster due to a public health emergency. However, the law allows the State Superintendent to institute a clock hour requirement. The State Superintendent has determined that Remote and Blended Remote Learning Plans must ensure that at least 5 clock hours of a combination of instruction and school work for each student participating in Remote or Blended Remote Learning Days occurs.
7. Learning activities may include, but are not limited to, in-person instruction, the teacher delivering instruction via recorded video or synchronous platform, remote small group work via breakout room or conference call, independent/flexible student work time, and virtual/telephone teacher-student check-ins.

Link to [Public Act 101 0643](#)