

Legal Update Article

New CDC Physical Distancing Recommendations for K-12 Schools May Speed Up Return to Classrooms

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March 23, 2021

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The Centers for Disease Control and Prevention (CDC) has updated its guidance regarding [Operational Strategy for K-12 Schools](#) with the goal of aiding the eventual return to in-person schooling on a full-time basis while reducing the spread of COVID-19.

Significantly, the CDC on March 19, 2021, updated its guidance for schools regarding physical distancing, recommending that students be separated by a minimum of three feet, rather than six feet, in most instances. All elementary school students, as well as middle and high school students in areas with low, moderate, or substantial community transmission, may be separated by only three feet in the classroom, according to the CDC. The CDC recommends that middle and high school students in areas of high community transmission, however, be separated by at least six feet if participating in a cohort is not possible. The CDC continues to recommend spacing of at least six feet between adults (faculty and staff), and between adults and students at all times within the school building. CDC also recommends maintaining six feet of distance when masks cannot be worn (*i.e.*, when eating), in common areas, and during activities when increased exhalation occurs, such as singing, shouting, band, sports, and exercise. In addition, the CDC has removed its recommendation for physical barriers around student seating.

The CDC's recent guidance is part of a layered prevention strategy that includes five key elements the CDC considers essential to the safe delivery of in-person instruction and to prevent COVID-19 transmission in school. These strategies include:

- Universal and correct use of masks
- Physical distancing
- Handwashing and respiratory etiquette
- Cleaning and maintaining healthy facilities
- Contact tracing in combination with isolation and quarantine

The CDC also has clarified the role of community transmission levels in decision-making and released new [indicators and thresholds for community transmission](#). The CDC has reinforced that as levels of community transmission increase, schools should respond by further strengthening their prevention strategies and closely monitoring cases in order to assess the appropriateness of continued in-person instruction.

Finally, the CDC provided additional guidance on interventions schools should use to assess and respond to clusters of cases (two or more positive cases that are linked to each other) to prevent further spread.

While these new CDC recommendations may be a key step in returning more students to the classroom in some schools, it is important to remember that, before making any change to a school's current health and safety protocols, it is necessary to check state and local rules to see if they have adopted the CDC's recommendations.

Jackson Lewis attorneys are closely monitoring updates and changes to legal requirements and guidance and are available to help weed through the complexities involved with [state-specific or multistate-compliant plans](#).

If you have questions or need assistance, please reach out to the Jackson Lewis attorney with whom you regularly work, or any member of our [COVID-19 team](#).

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