

**Hodges Loizzi Eisenhammer Rodick & Kohn LLP Guidance  
on  
The Coronavirus (“COVID-19”)  
Don’t Panic, Hope for the Best, but Prepare for the Worst**

**Introduction**

COVID-19 is a new respiratory virus first identified in December 2019 with thousands of confirmed cases in China. While the virus originated in mainland China and accounts for 95% all confirmed cases and 98% of all deaths, it has since spread to at least 16 other countries in every continent except Antarctica. According to the CDC, as of February 27, 2020, there are 53 confirmed cases of the virus in the United States, including in the state of Illinois.

In February 2020, the Illinois Department of Public Health (“IDPH”) issued guidance for Illinois students and schools in an effort to prevent the spread of the 2019 Novel Coronavirus: [\*Information for Illinois K-12 Schools Regarding 2019 Novel Coronavirus\*](#) and [\*Guidance for Illinois Student Regarding 2019 Novel Coronavirus \(COVID-19\)\*](#). With the discovery of the first community-spread case in California, IDPH’s guidance may already be out of date. For the most current information, please visit the Centers for Disease Control and Prevention (“CDC”) website: [cdc.gov](http://cdc.gov).

**The February IDPH Guidance**

The IDPH maintains that the immediate health risk to the general public, both in the United States and in Illinois, remains low. However, as a result of the recent acceleration of the transmission of the virus across China, the IDPH released the following list of recommendations, in an effort to prevent further spread of the virus:

1. Students who return from mainland China on or after February 3, 2020, should not attend school for 14 days following their return;
2. Schools should excuse these absences;
3. Family members of these students, who also traveled to mainland China, should refrain from reporting to work for 14 days following their return; and
4. Individuals should avoid nonessential travel to China (and now South Korea pursuant to the CDC).

**On Beyond IDPH Guidance: Identify, Isolate and Inform**

The spread of the virus to every continent except Antarctica and the first community-spread case in the United States makes it imperative that steps be taken immediately to limit the spread of the virus.

The first step is not to panic. While there is no current vaccine to prevent COVID-19 infection, as with any respiratory virus, students and school personnel can protect themselves and others by taking every day common sense actions, such as washing hands often with soap and water, avoid touching eyes, noses, and mouths with unwashed hands, staying home when sick, cleaning and disinfecting frequently touched objects and surfaces. IDPH does not recommend that schools use masks or gloves, cancel mass gatherings, or cancel classes. These common sense precautions, however, may not be enough.

The next steps are to “Identify, Isolate and Inform.” Accordingly, we strongly recommend that school districts:

1. Designate one or two persons in your district office to monitor guidance from public health officials, including the [CDC](#) and the [IDPH](#), and to coordinate your district’s response. For inquiries regarding the COVID-19 outbreak, you may contact the IDPH hotline at 800-889-3931 or via e-mail at [SICK@Illinois.gov](mailto:SICK@Illinois.gov).
2. Develop a communications plan to provide updates to students, parents and teachers regarding COVID-19 issues as they arise.
3. Inform students and staff of the steps they may take to limit the spread of viruses, including: hand washing; avoiding touching eyes, noses, and mouths with unwashed hands; avoiding close contact with people who are sick; covering coughs and sneezes with a tissue and washing hands after; and regularly cleaning and disinfecting frequently-touched objects and surfaces. Place great emphasis on sanitary work practices and provide disposable wipes and hand sanitizer throughout your buildings where soap and water is not available.
4. Intensify the daily cleaning of school buildings and school buses, including using the weekends to “deep clean” school buildings and buses.
5. Immediately report suspected or confirmed cases of COVID-19 to the IDPH. It is not just administrators’ responsibility to identify people who may be displaying symptoms. It’s everyone’s responsibility. Impress upon the school personnel they are not “snitches” for making a report. However, be on the look-out for instances of potential bias, discrimination or harassment of Asian and Asian-American students (or another group of students or employees for that matter). Foster a sense of community within your district and dispel myths that any one group of persons is responsible or more likely to transmit COVID-19. “People – including those of Asian descent – who have not traveled to China or been in contact with a person who is a confirmed or suspected case

of COVID-19 are not a greater risk of acquiring and spreading COVID-19 than other Americans.”

6. Actively encourage employees and students with symptoms of respiratory illness to stay home.
7. Separate employees who arrive to work or later exhibit symptoms of a respiratory illness from others and send them home immediately.
8. If employees or students are excluded from school, direct them to places where they can be tested for COVID-19 and receive treatment.
9. Although IDPH has not recommended canceling assemblies or classes (yet), the CDC has found keeping classes smaller and spacing desks farther apart can greatly minimize the spread of viruses.
10. Develop a plan on how to provide education to students who are excluded from school or are quarantined at home, including utilizing eLearning techniques.
11. It is not too early to begin planning how to educate students in the event school is closed, including utilizing eLearning techniques. (Japan has closed its schools for one month. Out of an abundance of caution, one high school in the state of Washington closed for a day after one of its employees returned from traveling internationally with a family member who started feeling ill and is currently being tested for COVID-19. See [High School Closed Thursday over coronavirus fears](#) for more details and for a list of confirmed cases by country.)
12. Remember: Identify, Isolate and Inform.

Please contact Stan Eisenhammer, Jennifer Donnelly, or any of our student/special education practice group attorneys with your questions regarding students' health.