

DECLARATION OF EMERGENCY

Board of Elementary and Secondary Education

Physical Distance between Students in Classrooms
(LAC 28:LXXIX.1105, 1107; CXV.401,
403; and CXXXIX.4101, 4103)

In accordance with the provisions of R.S. 17:6(A)(10) and the Administrative Procedure Act (APA), R.S. 49:953(B)(1) et seq., the Board of Elementary and Secondary Education has amended LAC 28:CXXXIX in Bulletin 126—*Charter Schools*; LAC 28:CXV in Bulletin 741—*Louisiana Handbook for School Administrators*; and LAC 28:LXXIX in Bulletin 741 (Nonpublic)—*Louisiana Handbook for Nonpublic School Administrators*. On March 19, 2021, the Centers for Disease Control and Prevention (CDC) updated its kindergarten through twelfth grade school guidance related to physical distance between students in classrooms. CDC now recommends that students should maintain a distance of at least three feet in classroom settings. The aforementioned revisions align policy with the recently updated CDC guidance. This Declaration of Emergency, effective March 22, 2021, is for a period of 120 days from adoption, or until finally adopted as Rule.

Title 28

EDUCATION

Part LXXIX. Bulletin 741 (Nonpublic)—Louisiana Handbook for Nonpublic School Administrators

Chapter 11. Health

Subchapter B. Reopening School Facilities for the 2020-2021 School Year

§1105. Purpose and Background

A. - E.1.b. ...

F. Medical or disability impact exceptions to any standard in this Chapter should be addressed on an individual basis by the LEA in accordance with local policies.

G. For the purposes of this Chapter, the following definition will apply.

Physical Distance—the act of an individual maintaining a space of at least three feet from another individual.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, 17:7, 17:439.1, and 17:3391.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 46:1674 (December 2020), amended LR 47:

§1107. Minimum Requirements for Reopening and Operating School Facilities

A. - A.2.a. ...

b. The group composition may change if students are able to maintain physical distance from other students and adults. In this case, students must maintain physical distance, in accordance with current Louisiana Department of Health Guidelines as informed by the Centers for Disease Control and Prevention (CDC), from other students and adults in any classroom or indoor setting to the maximum extent possible.

B. - I. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, R.S. 17:7, R.S. 17:439.1 and R.S. 17:3391.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 46:1674 (December 2020), amended LR 47:

Part CXV. Bulletin 741—Louisiana Handbook for School Administrators Chapter 4. Reopening School Facilities for the 2020-2021 School Year

§401. Purpose and Background

A. - E.1.b. ...

F. Medical or disability impact exceptions to any standard in this Chapter should be addressed on an individual basis by the LEA in accordance with local policies.

G. For the purposes of this Chapter, the following definition will apply.

Physical Distance—the act of an individual maintaining a space of at least three feet from another individual.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, 17:7, 17:439.1, and 17:3391.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 46:1672 (December 2020), amended LR 47:

§403. Minimum Requirements for Reopening and Operating School Facilities

A. - A.2.a. ...

b. The group composition may change if students are able to maintain physical distance from other students and adults. In this case, students must maintain physical distance, in accordance with current Louisiana Department of Health Guidelines as informed by the Centers for Disease Control and Prevention (CDC), from other students and adults in any classroom or indoor setting to the maximum extent possible.

B. - I. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, R.S. 17:7, R.S. 17:439.1 and R.S. 17:3391.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 46:1673 (December 2020), amended LR 47:

Part CXXXIX. Bulletin 126—Charter Schools Chapter 41. Reopening School Facilities for the 2020-2021 School Year

§4101. Purpose and Background

A. - E.1.b. ...

F. Medical or disability impact exceptions to any standard in this Chapter should be addressed on an individual basis by the LEA in accordance with local policies.

G. For the purposes of this Chapter, the following definition will apply.

Physical Distance—the act of an individual maintaining a space of at least three feet from another individual.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, 17:7, 17:439.1, and 17:3391.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 46:1670 (December 2020), amended LR 47:

§4103. Minimum Requirements for Reopening and Operating School Facilities

A. - A.2.a. ...

b. The group composition may change if students are able to maintain physical distance from other students and adults. In this case, students must maintain physical distance, in accordance with current Louisiana Department of Health Guidelines as informed by the Centers for Disease Control and Prevention (CDC), from other students and

adults in any classroom or indoor setting to the maximum extent possible.

B. – I. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, 17:7, 17:439.1, and 17:3391.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 46:1670 (December 2020), amended LR 47:

Sandy Holloway
President

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