

## Despite CDC Guidance, Masking Remains a Local School Board Decision

Jul 28 2021

Posted By: James R. Macy

Practice Area: School Law

---

As our Firm noted in yesterday's *Legal Update*, the CDC put out updated guidance regarding the use of masks due to the impact of the delta variant. As noted, the updated CDC guidance recommends that masks be worn at schools. Please recognize that such information from the CDC is only "guidance" and it is not a requirement or mandate. More specifically, the CDC guidance notes:

CDC *recommends* universal indoor masking for all teachers, staff, students, and visitors to schools, regardless of vaccination status.

Further, the CDC indicates that "[c]hildren should return to full-time in-person learning in the fall with proper prevention strategies in place." As with all guidance, all districts should evaluate what is best for their individual district based upon the information available to you and in consultation with your local health officials. We continue to monitor protection and mitigation guidance and will provide further updates as you prepare for the 2021-2022 school year.

---

von Briesen & Roper Legal Update is a periodic publication of von Briesen & Roper, s.c. It is intended for general information purposes for the community and highlights recent changes and developments in the legal area. This publication does not constitute legal advice, and the reader should consult legal counsel to determine how this information applies to any specific situation.