



State Analysis Guide

Public Health Authorities in Schools

This *State Analysis Guide* is intended to assist state health agency staff and legal counsel in locating and analyzing their state's laws, rules, policies, and implementation plans addressing public health authorities in schools. Specifically, the guide helps users evaluate if and how public health measures can be used in schools, identify the entities authorized to institute them, and identify the types of measures that may be employed. Public health measures could include a range of activities such as conducting disease surveillance, investigating outbreaks, conducting vaccination clinics, collecting immunization data, and instituting social distancing measures such as cancelling school activities, quarantine, isolation, and school closure. This SAG focuses primarily on legal issues. However, there are many operational and policy issues that can arise from the implementation of public health measures in schools that must also be evaluated and prepared for.

Space is provided in the document to insert references or summaries of appropriate state or local authorities. Because each state's law is unique, this guide may not identify all issues that arise in the course of analyzing your state's law. **In all instances the language and requirements of specific state/local laws, regulations, ordinances, rules, policies, guidances, case law, and other sources of legal authority overrule this general analysis guide. This resource is for informational purposes only and is not intended as a substitute for professional legal or other advice.**

Issues for Analysis	State/Local Information
Identify Agency and Actor Authorities	
Identify the agencies or actors authorized to institute public health measures or other interventions in schools. For each of these, identify their authorities <i>without</i> an emergency declaration ("regular" authorities) and <i>with</i> a state or local emergency declaration.	
☐ State health agency/officer?	
☐ Without a declaration?	
☐ With a declaration?	
☐ Local health agency/officer?	
☐ Without a declaration?	
☐ With a declaration?	
☐ Individual school/principal?	
☐ Without a declaration?	
☐ With a declaration?	

Issues for Analysis		State/Local Information
	Local school district or local education agency/schools superintendent?	
	<i>Without</i> a declaration?	
	<i>With</i> a declaration?	
	State education agency/director?	
	<i>Without</i> a declaration?	
	<i>With</i> a declaration?	
	Local school board?	
	<i>Without</i> a declaration?	
	<i>With</i> a declaration?	
	State school board?	
	<i>Without</i> a declaration?	
	<i>With</i> a declaration?	
	State governor?	
	<i>Without</i> a declaration?	
	<i>With</i> a declaration?	
	Local mayor/council?	
	<i>Without</i> a declaration?	
	<i>With</i> a declaration?	
	State and/or local emergency management agency/official?	
	<i>Without</i> a declaration?	
	<i>With</i> a declaration?	
	State and/or local law enforcement?	
	<i>Without</i> a declaration?	
	<i>With</i> a declaration?	
	Other state agencies/officials?	
	<i>Without</i> a declaration?	
	<i>With</i> a declaration?	

Issues for Analysis		State/Local Information
	Other local agencies/officials?	
	<i>Without</i> a declaration?	
	<i>With</i> a declaration?	
Identify Public Health Measures		
Identify the specific public health measures or other interventions authorized, and the authorized agencies and actors, including but not limited to:		
	Protect public health and safety.	
	Contain public health nuisances.	
	Control and prevent the spread of contagious diseases.	
	Conduct disease surveillance and data collection.	
	Investigate for issues of public health concern.	
	Cancel school activities.	
	Close schools.	
	Issue civil orders.	
	Issue curfews.	
	Institute quarantine or isolation measures.	
	Other relevant interventions.	
Identify Programmatic Consequences of Public Health Measures		
Identify school and other governmental programs that will be affected by instituting the intended public health measure.		
Determine the legal, policy, fiscal, operational, and customer service implications of the affected programs.		
Identify any strategies to mitigate to the extent possible the effects of the public health measures on the affected programs.		

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