

AUG 16 2021

SYLVIA GARZA-PEREZ
CAMERON COUNTY CLERK
By *S. Garza* Deputy



**CAMERON COUNTY LOCAL HEALTH AUTHORITY ORDER FOR
ALL PUBLIC SCHOOL SYSTEMS RELATED TO FACIAL COVERS OF
AUGUST 16, 2021**

WHEREAS, pursuant to Texas Government Code Section 418.108, Cameron County Judge Eddie Treviño, Jr., declared a state of local disaster on March 16, 2020, due to the imminent threat arising from COVID-19; and

WHEREAS, in accordance with Texas Government Code Section 418.108(b), on March 21, 2020, the Cameron County Commissioners Court approved Cameron County Commissioners Court Order Extending Coronavirus / COVID-19 Disaster Declaration; and

WHEREAS, pursuant to Chapter 121 of the Texas Health and Safety Code, Cameron County has appointed Dr. James W. Castillo as the Cameron County Health Authority and pursuant to his appointment, he has the authority to administer state and local laws relating to public health within the jurisdiction of the County of Cameron, Texas; and

WHEREAS, pursuant to the authority of Section 81.082(a) of the of the Texas Health & Safety Code, and Title 25, Section 97.6(h) of the Texas Administrative Code, unless specifically preempted by the Texas Department of State Health Services (DSHS), the Health Authority has supervisory authority and control over the administration of communicable disease control measures within its jurisdiction, to include public school systems, when in his opinion control measures are necessary to protect the public health; and

WHEREAS, the Cameron County Health Authority continues to evaluate the circumstances regarding the Public Health Emergency related to COVID-19, and the ongoing high and substantial spread of the disease in the community, with a persistent number of active positive cases, hospitalizations, and deaths; and

WHEREAS, the more contagious strains of the virus that causes COVID-19 have led to a record increase of cases resulting in the highest level of hospitalizations for school-aged children since the onset of the pandemic, including children younger than 12 years that are not yet able to receive the COVID-19 vaccination.

WHEREAS, local hospitals are overwhelmed and are nearing the point where they will become unable to meet the standards of care they usually provide to patients for all illnesses and injuries requiring emergency care and hospitalization.

WHEREAS, the data from 2020-21 showing very low COVID-19 transmission rates in a classroom setting and data demonstrating lower transmission rates among children than adults is no longer valid given the increased transmission rates seen with the Delta variant of SARS-CoV-2 which is currently spreading in our community.

WHEREAS, people infected with the virus that causes COVID-19 are contagious if asymptomatic and prior to developing symptoms.

WHEREAS, children infected with the Delta variant of COVID-19 appear to be more capable of contributing to the spread of COVID-19 than has been previously observed.

WHEREAS, due to the rapidly evolving nature of the virus that causes COVID-19, people who are fully vaccinated against COVID-19 may be contagious if asymptomatic and prior to developing symptoms if they become infected.

WHEREAS, universal indoor masking in schools is the current recommendation from the Cameron County Health Department, CDC, American Academy of Pediatrics and the Texas Medical Association.

NOW, THEREFORE, effective immediately, The Cameron County Health Authority hereby imposes the following health and safety measures on all public and non-parochial private schools offering instruction to students in any grades pre-kindergarten through grade twelve (12) as follows:

Universal indoor masking:

Pending the outcome of legal challenges regarding mask mandates in Texas, School Boards or the governing body of the school shall implement a policy to follow the Centers for Disease Control and Prevention (CDC) recommendations for universal indoor masking and require all students (age 2 and older), staff, teachers, and visitors to K-12 schools, regardless of vaccination status, to wear a face mask indoors as soon they determine it is legally permissible to do so.

CDC Guidance for COVID-19 Prevention in K-12 Schools:

<https://www.cdc.gov/coronavirus/2019-ncov/community/schools-childcare/k-12-guidance.html>

Schools should provide masks to those students who need them (including on buses), such as students who forgot to bring their mask or whose families are unable to afford them. No disciplinary action should be taken against a student who does not have a mask as described in the U.S. Department of Education COVID-19 Handbook, Volume 1 <https://www.ed.gov/news/press-releases/us-department-education-covid-19-handbook-volume-1-strategies-safely-reopening-elementary-and-secondary-schools>

During school transportation: CDC's Order currently applies to all public transportation conveyances including school buses. Passengers and drivers must wear a mask on school buses, including on buses operated by public and private school systems, regardless of vaccination status, subject to the exclusions and exemptions in CDC's Order.

Close contacts: Schools shall notify the student's parents or guardians when the school learns that a student was in close contact, as defined by the CDC, with a COVID-19 positive individual on campus or during a school-related event.

Symptomatic individuals who are determined to have been in close contact with a person with probable or confirmed COVID-19 are to be considered a suspected case and shall get tested and isolate for at least 10 days from symptom onset even if they have a negative test for COVID-19. By the 10th day they must be free of fever for at least the past 24 hours without the use of fever-reducing medications and have improving symptoms to end isolation. Loss of taste and smell may persist for weeks or months after recovery and need not delay the end of isolation. People who had severe disease or have a weakened immune system may be directed to isolate for a longer period by their physician or the health department.

Asymptomatic unvaccinated individuals who are determined to have been in close contact with a COVID-19 positive person shall quarantine for 10 days after their last contact with a person who has COVID-19 if they do not test within 5-7 days after exposure, and self-monitor for 4 additional days. If they test within 5-7 days after exposure and are negative, they must quarantine for 7 days after exposure and self-monitor for symptoms for 7 additional days. In the absence of a universal mask mandate, those individuals also must wear a

mask in accordance with the CDC Guidance for COVID-19 Prevention in K-12 Schools until at least 14 days following the exposure. If they refuse to do so, then they are to continue quarantine for a total of 14 days.

Students, staff, teachers, and visitors shall remain off campus and not attend any school-sponsored events during their isolation and/or quarantine period.

CDC Guidance for When to Quarantine:

<https://www.cdc.gov/coronavirus/2019-ncov/if-you-are-sick/quarantine.html>

It is recommended that asymptomatic fully vaccinated individuals get tested 3-5 days after exposure. Fully vaccinated individuals need not quarantine if they are asymptomatic. In the absence of a universal indoor masking policy, they shall wear a mask while indoors for at least 14 days after exposure.

Exception: In the K–12 indoor classroom setting, the close contact definition excludes students who were within 3 to 6 feet of an infected student (laboratory-confirmed or a clinically compatible illness) if both the infected student and the exposed student(s) correctly and consistently wore well-fitting masks the entire time. If there is doubt, then manage as if a close contact has occurred. This exception does not apply to teachers, staff, or other adults in the indoor classroom setting.

Household exposures: Students, teachers, and staff with a household exposure to COVID-19 shall quarantine, regardless of symptoms, unless they are fully vaccinated or are within 90-days following recovery from a confirmed COVID-19 infection. The day of the quarantine period begins following the last day of any ongoing exposure in the home. Students, staff, teachers, and visitors shall remain off campus and not attend any school-sponsored events during their quarantine period which in the absence of a negative test on day 5-7 following the last exposure will be at least 14 days. If the person develops symptoms, they shall isolate in accordance with the guidelines for a probable or confirmed case depending on the results of testing.

The best way to reduce the risk of household exposures is for every eligible person in a household to be fully vaccinated against COVID-19.

Parental/Guardian choice: In the absence of a universal indoor masking policy, parents/guardians who are opposed to their child wearing a mask in school must notify the school of that choice in writing with subsequent verification by the school in a process like that used to obtain consent for other purposes. In the absence of confirmation of a parent's/guardian's permission

for their child not to wear a mask, schools shall require students to wear a mask while indoors in accordance with the CDC Guidance for COVID-19 Prevention in K-12 Schools. Most parents/guardians in Cameron County have elected for their children to wear a mask in school and schools shall support a parent's/guardian's choice in enforcing this decision. Students do not have the capacity to decide not to wear a mask. Parents/guardians do not have the right to endanger the health of other students in the school by sending a student to school who has been directed to quarantine due to an exposure to COVID-19. Students, staff, teachers, and visitors shall remain off campus and not attend any school-sponsored events during their isolation and/or quarantine period.

People infected with COVID-19 are at their most contagious period in the 2 days prior to developing symptoms and in the first days of symptoms. It is not possible to know which people who have been exposed will go on to become infectious. Therefore, people who meet the definition of having been exposed to COVID-19 shall quarantine and by failing to do so they are willfully endangering the health of those they go on to expose.

Cohorting: In the absence of a universal indoor masking policy and in addition to current cohorting measures that facilitate contact tracing, students whose parent/guardian have elected for their child not to be required to wear a mask indoors and the student then opts to not wear a well-fitting mask, should be cohorted together and be kept at least 6 feet away from masked students/staff in the classroom setting as much as possible. This is to decrease the probability of students, who are wearing masks, being required to quarantine.

Teachers and Staff: In the absence of a universal indoor masking policy, there is currently no disruption of an employer's authority to require protective equipment, including masks, in an employment setting and employers should implement an indoor mask requirement for their employees.

Visitors: In the absence of a universal indoor masking policy, schools shall implement policies that would reduce the risk, as much as possible, of visitors causing any potential exposures to COVID-19, as defined by the CDC, on their campus or during any school sponsored events.

This Order shall remain in full force and effect for a period no less than nine (9) weeks, unless it is extended, modified, rescinded, superseded, or amended by applicable law; the ongoing evaluation of circumstances regarding the Public Health

Emergency related to COVID-19 in the County of Cameron, Texas; or preempted by the Texas Department of State Health Services.

If any subsection, sentence, clause, phrase, or word of this Order, or any application of it to any school system, or circumstance related to this Order is held to be invalid or unconstitutional by a decision of a court of competent jurisdiction, then such decision will not affect the validity of the remaining portions or applications of this Order.

This Order is issued and effective under my authority as the Health Authority for the County of Cameron, Texas on this the 16th day of August 2021.

A handwritten signature in blue ink, appearing to read "James W. Castillo", is written over a horizontal line.

James W. Castillo, M.D.
Cameron County Health Authority