



Hidalgo County Health and Human Services Department

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Health Authority / Chief Physician

Eduardo Olivarez
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HIDALGO COUNTY LOCAL HEALTH AUTHORITY ORDER FOR ALL PUBLIC AND PRIVATE SCHOOL SYSTEMS RELATED TO ON-CAMPUS INSTRUCTION REOPENING 20-002

WHEREAS, pursuant to Texas Government Code Section 418.108, Hidalgo County Judge Richard Cortez issued a Declaration of Local Disaster for Public Health Emergency on March 17, 2020, due to the imminent threat arising from the Coronavirus (COVID-19); and

WHEREAS, on March 22, 2020, the Commissioners Court of Hidalgo County issued an Order of Continuance of Declaration of Local Disaster for Public Health Emergency; and

WHEREAS, pursuant to Chapter 121 of the Texas Health and Safety Code, the County has appointed Dr. Ivan Melendez as the Hidalgo County Local 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 Hidalgo, Texas; and

WHEREAS, pursuant to the authority of Section 81.082(a) of the of the Texas Health and 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 Local Health Authority has supervisory authority and control over the administration of communicable disease control measures within its jurisdiction, to include public or private schools systems, when in his opinion control measures are necessary to protect the public health; and

WHEREAS, Governor Abbot's recently issued Executive Order GA-30 Relating to the continued response to the COVID-19 disaster as Texas reopens, and Executive Order GA-31 Relating to hospital capacity during the COVID-19 disaster excluded Trauma Service Area V, which includes the County of Hidalgo, Texas, due to the continued high COVID-19 hospitalizations; and

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

NOW, THEREFORE, effective immediately and continuing until modified, rescinded, or superseded, The Hidalgo County Health Authority hereby imposes the following control measures on all public and private schools offering instruction to students in any and all grades pre-kindergarten through grade twelve (12) as follows:

- (1) It is highly recommended and encouraged that all public and non-parochial private school systems in the County of Hidalgo, Texas offering instruction to students in grades pre-kindergarten through grade twelve (12) should **DELAY** on-campus instruction at schools until after **October 25, 2020**, in an effort to continue mitigation of the spread of COVID-19. Instruction should be continued through virtual, remote, or distance learning, only. Limited on-campus instruction may be provided as authorized by and consistent with Texas Education Agency (TEA) guidance and requirements or as authorized by the school system's governing authority.
- (2) Administrators, teachers, and operations staff may conduct or facilitate the remote learning process, and/or other school operations, while on-campus provided they adhere to TEA Health and Hygiene Practices to mitigate the likelihood of COVID-19 spread inside a school, including but not limited to maintain physical distancing and complying with the Governor's order regarding the wearing of facial coverings.
- (3) It is highly recommended and encouraged that all school-sponsored events and activities, including but not limited to clubs, sports, fairs, exhibitions, and academic or athletic competitions should be delayed until on campus instruction resumes, unless as otherwise permitted by, and in compliance with TEA and University Interscholastic League (UIL) guidance and requirements, or as authorized by the school system's governing authority.
- (4) After a school system resumes on-campus instruction, each school must notify the Hidalgo County Health and Human Services Department if any individual (student, teacher, or staff) who has been on a school campus is test-confirmed to have COVID-19, in accordance with applicable local, state, and federal laws, including confidentiality requirements. Schools must notify all teachers, staff, and families of all students in a school if a test-confirmed positive case is identified consistent with school notification requirements for other communicable diseases.
- (5) If there has been an individual that is test-confirmed positive, schools shall close off any area that was heavily used by the individual, until such time as those areas are cleaned and disinfected. Pursuant to Title 25, Section 97.6 the Hidalgo County Local Health Authority reserves the right to take such action and measures as may be necessary to conform with applicable control measures, upon the identification of a


confirmed-positive COVID-19 case or cases on any campus within a school system, including but not limited to imposing quarantine and closing a school campus.

- (6) By or before one week prior to the school system opening for any on-campus instruction, each school system should provide a plan for re-opening for on-campus instruction and activities and shall submit the plan to the Region One Education Service Center COVID-19 Planning Task Force, as well as make such plan available for parents and the general public.

This Order shall remain in full force and effect, unless it is modified, rescinded, or superseded, or amended by applicable law; the ongoing evaluation of circumstances regarding the Public Health Emergency related to COVID-19 in the County of Hidalgo, 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 under my authority as the Local Health Authority for the County of Hidalgo, Texas on this the 25 day of September 2020


Ivan Melendez, M.D.
Local Health Authority – County of Hidalgo, Texas