



# Public Health Guidance

January 7, 2022

The guidance in this document is authorized by Executive Order GA-38, which has the effect of state law under Section 418.012 of the Texas Government Code. Executive Order GA-38 provides TEA with the legal authority to publish requirements for the operation of public school systems during the COVID-19 pandemic. This document takes effect immediately, replacing all prior guidance. TEA recommends that public school systems consult with their local public health authorities and local legal counsel before making final decisions regarding the implementation of this guidance. This guidance is subject to change as new information becomes available.

This guidance addresses:

- On-campus instruction
- Non-UIL extracurricular sports and activities
- Any other activities that students must complete

For guidance on matters related to school system staff, please refer [here](#). Additionally, as a reference for practices recommended by the CDC, see [here](#).

## *Required Actions if Individuals with Test-Confirmed Cases Have Been in a School*

1. If an individual who has been in a school is test-confirmed to have COVID-19, the school must notify its [local health department](#), in accordance with applicable federal, state and local laws and regulations, including confidentiality requirements of the [Americans with Disabilities Act \(ADA\)](#) and Family Educational Rights and Privacy Act (FERPA).
2. Upon receipt of information that any teacher, staff member, student, or visitor at a school is test-confirmed to have COVID-19, the school must submit a report to the Texas Department of State Health Services via an online form. The report must be submitted each Monday for the prior seven days (Monday-Sunday).
3. Consistent with school notification requirements for other communicable diseases, and consistent with legal confidentiality requirements, schools must notify all teachers, staff, and families of all students in a classroom or extracurricular or after-school program cohort if a test-confirmed COVID-19 case is identified among students, teachers or staff who participated in those classrooms or cohorts.

## *Masks (restatement of pre-August 19<sup>th</sup> guidance document)*

Per GA-38, school systems cannot require students or staff to wear a mask. GA-38 addresses government-mandated face coverings in response to the COVID-19 pandemic. Other authority to require protective equipment, including masks, in an employment setting is not necessarily affected by GA-38.

School systems must allow individuals to wear a mask if they choose to do so.

## *Students Who Have COVID-19*

As provided in this [Department of State Health Services \(DSHS\) Rule](#), school systems must

exclude students from attending school in person who are actively sick with COVID-19, who are suspected of being actively sick with COVID-19, or who have received a positive test result for COVID-19, and must immediately notify parents if this is determined while on campus.

Parents must ensure they do not send a child to school on campus if the child has COVID-19 symptoms or is test-confirmed with COVID-19, until the conditions for re-entry are met. See the [DSHS rule](#) for more details, including the conditions for ending the exclusion period and returning to school.

During the exclusion period, the school system may deliver remote instruction consistent with the practice of remote conferencing outlined in the proposed *Student Attendance Accounting Handbook* (SAAH) rules, as described [here](#).

To help mitigate the risk of asymptomatic individuals being on campuses, school systems may provide and/or conduct recurring COVID-19 testing using rapid tests provided by the state or other sources. Testing can be conducted with staff. With prior written permission of parents, testing can be conducted with students.

#### *Students Who Are Close Contacts*

As a reference, close contact determinations are generally based on guidance [outlined by the CDC](#), which notes that individuals who are fully vaccinated may not need to follow the stay-at-home period.

As noted above, public health authorities will be notified of all positive cases in schools. While school systems are not required to conduct COVID-19 case investigations, local public health entities have authority to investigate cases and are currently engaged in cooperative efforts on that front. Participation by individuals in these investigations remains voluntary. If school systems are made aware that a student is a close contact, the school system must notify the student's parents.

School systems may choose to require household-based close contact students to stay at home during the below stay-at-home period if they are in an area with high or rising COVID case rates. This applies specifically to students who are close contacts because an individual who lives in the same household is COVID-19 positive.

Independent of whether a school system chooses to implement the above requirement, parents of students who are determined to be close contacts of an individual with COVID-19 may opt to keep their students at home during the recommended stay-at-home period. In cases when it is permitted, parents who opt to send their children to school in the two weeks following exposure are encouraged to closely monitor their children for symptoms.

For individuals who are determined to be close contacts, a 14-day stay-at-home period was previously advised by the CDC based on the incubation period of the virus. The CDC has since updated its guidance, and the stay-at-home period can end for students experiencing no symptoms on Day 10 after close contact exposure, if no subsequent COVID-19 testing is performed.

Alternately, students can end the stay-at-home period if they receive a negative result from a PCR acute infection test after the close contact exposure ends.

During the stay-at-home period, the school system may deliver remote instruction consistent with the practice of remote conferencing outlined in the proposed *Student Attendance Accounting Handbook* (SAAH) rules, as described here.

#### *Staff Who Have COVID-19 or Who are Close Contacts*

Similar to students, school systems must exclude staff from attending school in person who are actively sick with COVID-19, who are suspected of being actively sick with COVID-19, or who have received a positive test result for COVID-19. Based on recent updates from the CDC, staff may return when:

- If symptomatic, at least 5 days have passed since symptom onset, and fever free\*, and other symptoms have improved.
- For those with no symptoms, at least 5 days after the day they tested positive.

\*Fever free for 24 hours without the use of fever suppressing medications. Fever is a temperature of 100° Fahrenheit (37.8° Celsius) or higher.

Staff who meet the close contact threshold with a COVID-19 positive individual and are in one of the following groups, do not need to stay at home.

- Ages 18 or older and have received all recommended vaccine doses, including boosters and additional primary shots for some immunocompromised people.
- Was confirmed COVID-19 positive within the last 90 days and has fully recovered.

For staff who meet the close contact threshold with a COVID-19 positive individual who are not in one of the above groups, it is recommended that the school system require that staff remain off campus during the stay-at-home period, but this is a local employment policy decision. If these staff continue to work on campus, rapid testing must be performed periodically for 5 days post-exposure, with testing on the 5<sup>th</sup> day recommended.