



# Public Health Guidance

August 19, 2021

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*

Please note, mask provisions of GA-38 are not being enforced as the result of ongoing litigation. Further guidance will be made available after the court issues are resolved.

## *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 [DSSH 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.

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. 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. CDC has since updated their 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. Staff may return when the re-entry conditions have been met, as described in the [DSHS rule](#) used for students.

For staff who are not fully vaccinated who meet the close contact threshold with a COVID-19 positive individual, it is recommended that the staff remain off campus during the stay-at-home period.

For staff who meet the close contact threshold with a COVID-19 positive individual, if these staff continue to work on campus, rapid testing must be performed at the start of the day, at least once every other day until the end of day 10.