



JOHN F WARREN
 COUNTY CLERK
 DALLAS COUNTY, TEXAS
 FILED: Aug 12, 2021, 11:57 am
 BY DEPUTY:
 Sumer Bloyed

LOCAL HEALTH AUTHORITY ORDER ON REQUIRED USE OF A FACE MASK IN CERTAIN PUBLIC SPACE

ORDER ISSUED: August 12, 2021

WHEREAS, Dallas County Judge Clay Jenkins issued a Declaration of Local Disaster for Public Health Emergency on March 12, 2020, due to a novel coronavirus now designated SARS-CoV2 which causes the disease COVID-19 and this Local Disaster Declaration has been extended with approval of the Commissioners Court and remains in effect;

WHEREAS, Dallas County is reporting record-high numbers of COVID-19 cases as well as record-high numbers of COVID-19 related hospitalizations;

WHEREAS, pursuant to the authority of Sections 81.082(a) and 121.024 of the Texas Health and Safety Code, and Sections 85.1 (g) and 97.6 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 when in his opinion these measures are necessary to protect the public health;

WHEREAS, this Order includes appropriate control measures based on current knowledge, including the risk for rapid spread of COVID-19 variants in congregate settings such as schools, the current unavailability of a COVID-19 vaccine for persons under the age of 12, and potential effects on adults, particularly the unvaccinated and immunocompromised, in households with school-age children;

THEREFORE, effective as of 1:00 p.m. on August 12, 2021, (“Effective Date”), and continuing until rescinded by the Local Health Authority, it is hereby ORDERED:

- I. **Health and Safety Policy – PreK-12 Public Schools.** From the date of this Order, all child care centers and public schools operating in Dallas County offering instruction to students in any grades from pre-kindergarten (Pre-K) through grade 12 must develop and implement a health and safety policy (“**Health and Safety Policy**”). The Health and Safety Policy must require, at a minimum, universal indoor masking for all teachers, staff, students, and visitors aged 2 years or older to PreK-12 schools, regardless of vaccination status as recommended by the Centers for Disease Control and Prevention (CDC). The Health and Safety Policy may also include the implementation of other mitigating measures recommended by the CDC to control and reduce the transmission of COVID-19, such as maintaining at least 3 feet of physical distance between students within classrooms. The Health Authority strongly encourages schools to follow the *CDC guidance for COVID-19 Prevention in K-12 Schools*, which is located here: <https://www.cdc.gov/coronavirus/2019-ncov/community/schools-childcare/k-12-guidance.html>

- II. **Close Contacts and Quarantine – PreK-12 Public Schools.** All public schools operating in Dallas County offering instruction to students in any grades from pre-kindergarten (Pre-K) through grade 12 must notify the student’s parents or guardians



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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.

Unvaccinated individuals who are determined to be in close contact with a COVID-19 positive person shall quarantine for 14 days after their last contact with a person who has COVID-19, as recommended by the CDC. Students, staff, teachers, and visitors shall remain off campus and not attend any school-sponsored events during their quarantine period. See *CDC Guidance for When to Quarantine*:

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

Fully vaccinated individuals should get tested 3-5 days after their exposure even if they don't have symptoms and wear a mask in indoor public spaces for 14 days. Consistent with CDC guidance, fully vaccinated individuals need not quarantine.

- III. **Health and Safety Policy – Public Institutions of Higher Education.** From the date of this Order, all public institutions of higher education operating in Dallas County must develop and implement a health and safety policy (“Health and Safety Policy”). The Health and Safety Policy must require, at a minimum, universal indoor masking for all teachers, staff, students, and visitors to the institution’s premises or other facilities, regardless of vaccination status, except for children under 2 years of age. The Health and Safety Policy required to be developed and implemented by this Order may also include the implementation of other mitigating measures recommended by the CDC to control and reduce the transmission of COVID-19, such as maintaining at least 3 feet of physical distance between students within classrooms.
- IV. **Health and Safety Policy – Commercial Entities.** From the date of this Executive Order, all commercial entities in Dallas County providing goods or services directly to the public must develop and implement a health and safety policy (“**Health and Safety Policy**”). The Health and Safety Policy must require, at a minimum, universal indoor masking for all employees and visitors to the commercial entity’s business premises or other facilities, except that employees are not required to wear a face mask while alone in their office. The Health and Safety Policy required to be developed and implemented by this Executive Order may also include the implementation of other mitigating measures designed to control and reduce the transmission of COVID-19 such as temperature checks or health screenings. Commercial entities must post the Health and Safety Policy required by this Executive Order in a conspicuous location sufficient to provide notice to employees and visitors of all health and safety requirements. Failure to develop and implement the Health and Safety Policy required by this Executive Order within three (3) calendar days following the Effective Date may result in a fine not to exceed \$1,000 for each violation. Any peace officer or other person with lawful authority is hereby authorized to enforce the provisions of this Order in accordance with the authority granted under the Texas Disaster Act of 1975.
- V. **Face Coverings Required – Dallas County Buildings.** From the date of this Executive Order, all employees, contractors, visitors, and members of the public age 2 years or older are required to wear a face mask when on the premises of a building or other facility owned or operated by Dallas County, regardless of vaccination status, unless they have a medical condition or disability that prevent the wearing of a face



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mask. Dallas County employees are not required to wear a face mask while alone in their office.

- VI. **Face Coverings Strongly Urged – General Public.** Consistent with CDC guidance for area of substantial or high transmission, it is strongly urged that all people 2 years or older wear a face mask when in a public indoor space where it is difficult to keep six feet away from other people, regardless of vaccination status. No civil or criminal penalty will be imposed on individuals for failure to wear a face mask. CDC guidance is located here: <https://www.cdc.gov/coronavirus/2019-ncov/vaccines/fully-vaccinated-guidance.html>

Please note that face coverings are a secondary strategy to other mitigation efforts. **Face coverings are *not* a replacement for social distancing, frequent handwashing, and self-isolation when sick.** All people should follow CDC recommendations for how to wear and take off a face mask. Residents should keep up the following habits while in public:

- washing hands before you leave home and when you return,
- staying at least six feet away from others,
- avoiding touching nose or face,
- not using disposable masks more than three times, and
- washing reusable cloth masks regularly to prevent the spread of the virus.

- VII. **Severability.** The sections, paragraphs, sentences, clauses, and phrases in this Order are severable and if any phrase, clause, sentence, paragraph, or section of this Order should be declared invalid by the final judgement or decree of any court or competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections that can be given effect without the invalid provision, and to this end, the provisions of this Order are severable.

IT IS SO ORDERED

PHILIP HUANG, MD, MPH
LOCAL HEALTH AUTHORITY, CITY/COUNTY OF DALLAS