



**COMPLIANCE WITH AUSTIN PUBLIC HEALTH GUIDANCE FOR OPEN CHILD CARE PROGRAMS SUPPLEMENTAL TO ORDER NO. 2020-16 BY THE COUNTY JUDGE OF TRAVIS COUNTY**

**County Judge Order 2020-17; Relating to the Declaration regarding COVID-19**

**Whereas**, on March 6, 2020, a Declaration of Local Disaster was issued by the Travis County Judge to allow the County of Travis ("County" or "Travis County"), Texas to take measures to reduce the possibility of exposure to COVID-19 and promote the health and safety of Travis County residents; and

**Whereas**, on March 13, 2020, a Declaration of State of Disaster was issued by Governor Greg Abbott to take additional steps to prepare for, respond to, and mitigate the spread of COVID-19 to protect the health and welfare of Texans; and

**Whereas**, the virus that causes COVID-19 is contagious and spreads through person-to-person contact, especially in group settings; and

**Whereas**, on June 3, 2020, Governor Abbott issued the most recent Executive Order GA-26 ("Governor's Order") related to the expansion and reopening of services as part of a strategic plan to "Open Texas," with reduced occupancy limits and continuing recommended health protocols and social distancing measures to attempt to mitigate increased transfer of COVID-19 associated with the expanding commercial and social interactions; and

**Whereas**, on June 18, 2020, the County Judge issued Order 2020-12, requiring all commercial entities in Travis County that provide goods or services directly to the public to develop and implement a Health and Safety Policy related to COVID-19 which, at a minimum, shall require that all employees and visitors to the commercial entity's business premises or other facilities wear face coverings;

**Whereas**, on July 2, 2020, the Governor issued Executive Order GA-29, which requires every person in Texas to wear a face covering over the nose and mouth when inside a commercial entity or other building open to the public, or when in an outdoor public space whenever not feasible to maintain six (6) feet of social distancing from persons outside one's household, and except as provided in the order; and

**Whereas**, on September 17, 2020 the Governor issued Executive Order GA-30 ("GA-30"), related to the continued response to the COVID-19 disaster as Texas reopens, with revised occupancy limits and gathering restrictions for individuals and businesses, as well as continuing recommended health protocols and social distancing measures to attempt to mitigate increased transfer of COVID-19 associated with the expanding commercial and social interactions; and

**Whereas**, GA-30 also provided that state "except as provided in this executive order or in the minimum standard health protocols recommended by DSHS, found at [www.dshs.texas.gov/coronavirus](http://www.dshs.texas.gov/coronavirus), people shall not be in groups larger than 10 and shall maintain six feet of social distancing from those not in their group;" and

**STAYS IN FILE**

**Whereas**, on August 14, 2020, the County Judge issued Order 2020-16, effective August 16, 2020, prohibiting any gatherings in excess of 10 people, requiring face coverings, except as permitted by the Governor's orders, and implement a health and safety policy related to preventing transmission of the COVID-19 virus; and

**Whereas**, as of September 23, 2020, Travis County has experienced 28,643 confirmed cases of COVID-19, with 93 current hospitalizations and 415 deaths as a result of the disease, and although infection rates have currently leveled somewhat, the Health Authority expects the number of infections to rise if current rules regarding masking, social distancing, hygiene, and other health protocols are lifted; and

**Whereas**, COVID-19 continues to menace the health of County residents and the economy, and the Health Authority has advised on the need for continued vigilance by individuals and County businesses in complying with mandatory health measures; and

**Whereas**, the County Judge has determined that extraordinary emergency measures must be taken to try and mitigate the effects of this public health emergency and to facilitate a response to the public health threat; and

**Whereas**, pursuant to Government Code section 418.108(g), a County Judge is authorized to control ingress and egress from a local disaster area, and control the movement of persons and the occupancy of premises in that disaster area; and

**Whereas**, this Order shall cover all individuals currently living within Travis County, including but not limited to all of the cities and municipalities within the boundaries of Travis County and specifically listed in **Exhibit A**.

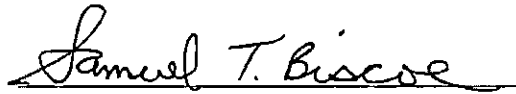
**NOW THEREFORE, I, COUNTY JUDGE OF TRAVIS COUNTY, PURSUANT TO THE AUTHORITY VESTED BY TEXAS GOVERNMENT CODE CHAPTER 418, HEREBY FIND AND ORDER THAT:**

Effective as of 11:59 on September 23<sup>rd</sup>, 2020 ("Effective Date"), and continuing through 11:59 p.m. on December 15, 2020 unless extended, modified or terminated early by Travis County Judge Samuel Biscoe or as otherwise indicated below:

1. That this Order shall supplement Order 2020-16 issued by the County Judge on August 14, 2020 and effective August 16, 2020 through December 15, 2020 related to COVID-19 Community Restrictions.
2. **Compliance with Austin Public Health Guidance for Open Child Care Programs.** All child care programs in Travis County must operate in accordance with the Austin Public Health Guidance for Open Child Care Programs ("APH Guidance for Child Care Programs") attached as **Exhibit B**. Travis County includes all municipalities within the boundaries of Travis County listed in Exhibit A.

3. **Prior Orders.** This Order is issued in accordance with and incorporates by reference all declarations, findings, and recitations set out in the preamble to this Order. This Order supplements any prior order issued by the Travis County Judge.
4. The Austin Public Health Department and the Travis County Clerk will post this Order on their websites. In addition, the owner, manager, or operator of any facility that is likely to be impacted by this Order is strongly encouraged to post a copy of this Order onsite and to provide a copy to any member of the public asking for a copy. If any subsection, sentence, clause, phrase, or word of this Order or any application of it to any person, structure, gathering, or circumstance 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 remainder of this Order and its application.
5. **Savings Clause.** If any provision of this Order or its application to any person or circumstance is held to be invalid, then the remainder of the Order, including the application of such part or provision to other persons or circumstances, shall not be affected and shall continue in full force and effect. To this end, the provisions of this Order are severable.
6. This Order incorporates by reference the following:
  - Exhibit A:** List of Cities and Municipalities within Travis County Jurisdiction Covered by this Order
  - Exhibit B:** Austin Public Health Guidance for Open Child Care Programs

**ORDERED** this the 23<sup>rd</sup> day of September, 2020, in the County of Travis, Texas.

  
County Judge  
County of Travis, Texas

Filed with the Clerk of Travis County, this 24 day of September, 2020.

  
Dana, DeBeauvoir, County Clerk

**Exhibit A: List of Cities and Municipalities within Travis County  
Jurisdiction covered by the Order**

- City of Austin
- City of Bee Cave
- City of Cedar Park
- City of Creedmoor
- City of Elgin
- City of Jonestown
- City of Lago Vista
- City of Lakeway
- City of Leander
- City of Manor
- City of Mustang Ridge
- City of Pflugerville
- City of Rollingwood
- City of Round Rock
- City of Sunset Valley
- City of West Lake Hills
- Village of Briarcliff
- Village of Point Venture
- Village of San Leanna
- Village of The Hills
- Village of Volente
- Village of Webberville

**City of Austin/Travis County  
Guidance for Open Child Care Programs**  
Last updated: September 16, 2020



Child care programs must operate in accordance with:

- This City of Austin/Travis County Guidance for Open Child Care Programs,
- The Emergency rules from the Texas Health and Human Services Commission, which include many of the guidelines from the state's Open Texas Child Care Checklist, and
- The Guidance for Child Care Programs that Remain Open released by the Centers of Disease Control.

In addition, child care programs located in the City of Austin and/or in Travis County must comply with the guidelines in this document. To the greatest extent possible, programs should also follow the recommendations in this document. This guidance is designed to minimize the risk of coronavirus transmission and help keep staff, children, and families safe.

The latest local information on COVID-19, including local control orders, can be found at this City of Austin web site: [www.austintexas.gov/covid19](http://www.austintexas.gov/covid19).

## **GUIDELINES**

### **How to contact Austin Public Health (APH), the local health department**

- Child care programs must call the Austin Public Health Nurse Line at 512-972-5560 to report laboratory confirmed cases of COVID-19 among children and/or staff.
- Programs may also call the Austin Public Health Nurse Line at 512-972-5560 to ask questions about suspected or potential cases in child care programs or about COVID-19 exposure of staff, children, or families.
  - The APH Nurse Line staff will advise child care programs on next steps regarding COVID-19 cases, suspected cases, or potential exposure.

### **Notification of COVID-19 Cases**

- When a laboratory-confirmed COVID-19 case has entered a program, child care programs must communicate with staff and parents about closure decisions, possible COVID-19 exposure, and guidance from Austin Public Health on appropriate quarantine or isolation measures.
- Plan to include messages to counter potential COVID-19 stigma and discrimination.
- It is critical to maintain confidentiality of the student or staff member as required by the Americans with Disabilities Act and the Family Education Rights and Privacy Act.

### **Face Coverings**

- It is required that the following people wear fabric face coverings:
  - All child care staff
  - Parents and guardians dropping off and picking up children

- Children age 10 and older Face coverings should not be worn by:
  - Children younger than 2 years old
  - People who cannot take off the coverings without assistance
  - Anyone who has trouble breathing or is unconscious
  - Anyone who is incapacitated or otherwise unable to remove the cloth face covering without assistance
  - A child with a significant behavioral or psychological issue undergoing treatment that is exacerbated specifically by a face covering
  - A child with severe autism or with extreme developmental delay who may become agitated or anxious wearing a mask
  - A child with a facial deformity that causes airway obstruction
- Teachers should use their best judgement to determine if children should remove face coverings in these situations:
  - While engaging in outdoor physical activity when physical distancing is maintained
  - During extreme heat when a face covering could contribute to a greater risk of heat-related illness

#### **Temperature checks**

- Deny entry to any adult or child with a measured temperature greater than 99.6°F per the City of Austin Medical Authority.
- This temperature threshold, which is lower than that recommended by the CDC, should be followed.

#### **Enrolling New Children in Care**

- Child care programs shall use the forms in Appendix A when enrolling a new child in the program. These forms provide child care programs with the child’s recent enrollment history in a child care program or school and health/exposure status.
  - It is recommended that the new program contact the child care program or school the child was in previously to verify whether or not they have had a recent closure due to COVID-19.
- Child care programs shall not begin caring for a newly enrolled child until the criteria on the “Health Screening Questions for Newly Enrolling Children” form in Appendix A is met.

#### **Signs required**

- Child care programs shall post:
  - At least one face covering sign at or near each entrance; and
  - At least one Austin Public Health “Prevent the Spread of COVID-19” sign at each entrance and on each restroom door (available in various languages for download and print at: <http://austintexas.gov/page/printed-materials-and-required-signage>; and
  - Where information for workers is customarily posted, at least one sign in English and at least one sign in Spanish that explains the requirement to wear a face covering.

#### **Health and Safety Plan required**

- Child care programs must prepare and implement a health and safety plan that explains how the program is meeting the standards for child care operations to control and reduce the transmission of COVID-19.

- An electronic or hard copy of this plan shall be shared with staff, parents, and guardians, or at a minimum, be provided to staff, parents, and guardians upon request.
- Child care programs must post conspicuous signage displaying the requirements of the health and safety policy or plan at or near each entrance (on each entry door if feasible) to the premises in a manner sufficient to provide clear notice to employees, customers, and visitors at least of the face covering requirement.

## **RECOMMENDATIONS**

### **Testing**

- It is strongly recommended that staff exhibiting new or worsening symptoms of possible COVID-19 seek a COVID-19 test.
- Persons with health insurance are encouraged to seek testing through their healthcare provider.
- Enrollment for free public testing can be found at [www.austintexas.gov/covid19](http://www.austintexas.gov/covid19). Click on the "Take a Self-Assessment" link to begin enrollment.

### **Group Sizes, Gatherings & Events**

- It is strongly recommended that child care programs not exceed the ratio and group size limits specified in the [Minimum Standards Health Protocols Check List for Child Care Centers](#).
- It is strongly recommended that, to the greatest extent feasible, child care programs limit group sizes to no more than 10 people, including children and adults.
- It is strongly recommended that child care programs:
  - Not hold group gatherings, events, or assemblies, and
  - Not invite outside visitors or guests whose presence or service is not essential

### **Field trips**

- It is strongly recommended that child care programs:
  - Not take field trips to locations where children will come in contact with large groups of people or many people crowded together, and
  - Consider planning walking field trips rather than trips requiring transport in vehicles
- Walking trips to nearby outdoor natural spaces may be a safer option than field trips to indoor locations

### **Transportation**

- If transport is provided, in addition to what is stated in the [Open Texas Child Care Checklist](#), it is strongly recommended that child care programs:
  - Screen all passengers before they enter the vehicle; and
  - Follow the same screening protocols used for people entering the child care program; and
  - Follow guidance from the American Camp Association that could also pertain to child care regarding [Transportation To or From](#) programs and [Travel by Bus or Van](#).



## **Appendix A- Parent verification forms for:**

- **Previous Child Care Information for Newly Enrolling Children**  
(Note, this form has been updated to capture information about a child's recent enrollment in a school or child care program.)
- **Health Screening Questions for Newly Enrolling Children**



## Previous Child Care Information for Newly Enrolling Children

(Updated 9/16/2020)

Austin Public Health requires that this document be completed when children are being newly enrolled in care with a licensed, registered, or listed child care program located in the City of Austin and/or in Travis County to help mitigate the spread of COVID-19.

1. Has your child been in care in another child care program or school within the last two weeks?

- Yes  
 No

2. If you answered yes to question 1, please provide:

Name of the program or school: \_\_\_\_\_

Program/school phone number: \_\_\_\_\_

3. If you answered yes to question 1, has there been a closure of your child's classroom or the entire child care program or school due to cases of COVID-19 within the last two weeks?

- Yes  
 No

By signing and dating below, I verify that the above information is true and correct, and I give permission for the child care program in which I am enrolling my child/children to contact my child's/children's previous child care program or school to obtain information regarding closure due to COVID-19.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

## Health Screening Questions for Newly Enrolling Children

(Updated 9/16/2020)

Austin Public Health requires that this document be completed for each child being newly enrolled in care with a licensed, registered, or listed child care program located in the City of Austin and/or in Travis County to help mitigate the spread of COVID-19.

1. **Does the child you are enrolling currently have any signs or symptoms of a respiratory infection or COVID-19, such as cough, shortness of breath, or sore throat; chills, muscle aches, loss of smell, loss of taste, vomiting, and/or diarrhea?**

Yes

No

If yes, your child may not begin care in this child care program until all three conditions have been met:

- at least 24 hours have passed since recovery (e.g., resolution of fever without the use of fever-reducing medications); AND
- the individual has improvement in respiratory symptoms (e.g., cough, shortness of breath); AND
- at least 10 days have passed since symptoms first appeared.

2. **Has the child had close contact\* in the last 14 days with someone who:**

- Has a confirmed diagnosis of COVID-19; or
- Is under investigation for COVID-19; or
- Is ill with a respiratory illness?

Yes

No

If yes, the child should not begin care in the program until after completing a 14-day quarantine period beginning from the last date of exposure to the individual with suspected or confirmed COVID-19. If the child becomes symptomatic, the child should not begin care until criteria listed above under #1 are met.

**By signing and dating below, I verify that the above information is true to the best of my knowledge.**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

\* For COVID-19, a close contact is defined as any individual who was within 6 feet of an infected person for at least 15 minutes during the 48 hours before the person began feeling sick (or, for asymptomatic patients, 2 days prior to positive specimen collection) until the sick person begins isolation.



**FILED AND RECORDED**  
**OFFICIAL PUBLIC RECORDS**

*Dana DeBeauvoir*

**Dana DeBeauvoir, County Clerk**  
**Travis County, Texas**

**2020177085**

**Sep 24, 2020 11:43 AM**

**Fee: \$0.00**

**MARTINE**