

**JOINT CONTROL ORDER OF THE LOCAL HEALTH AUTHORITIES FOR  
TARRANT COUNTY, THE CITY OF ARLINGTON, AND THE CITY OF BURLESON  
REGARDING PUBLIC AND NON-RELIGIOUS PRIVATE SCHOOLS**

WHEREAS, Tarrant County Judge Glen Whitley issued a Declaration of Local Disaster Due to Public Health Emergency on March 13, 2020, and the Mayors of Cities with Local Health Authorities within Tarrant County also issued local disaster declarations in response to the imminent threat of widespread illness from COVID-19; and

WHEREAS, the situation regarding COVID-19 in Tarrant County, Texas is rapidly evolving with observed high rates of transmission through community spread, Tarrant County is reporting high numbers of COVID-19 cases and hospitalizations; and

WHEREAS, congregate settings, including schools, present increased challenges to control the spread of COVID-19; and

WHEREAS, the Texas Education Agency ("TEA") does not have general authority to close schools due to public health, and TEA has acknowledged that such authority lies with the local health authority, the Department of State Health Services, and the Governor; and

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(h) of the Texas Administrative Code, unless specifically preempted by the Texas Department of State Health Services, a Local Health Authority has supervisory authority and control over the administration of communicable disease control measures within its jurisdiction when necessary to protect the public health.

THEREFORE, effective immediately and continuing through 11:59 p.m. on September 27, 2020, the Local Health Authorities hereby impose the following control measures on all public and non-religious private schools in Tarrant County, the City of Arlington, and the City of Burleson (collectively referred to as "School Systems") offering instruction to students in any and all grades, pre-kindergarten through grade 12:

1. School Systems shall not re-open for on-campus, face-to-face instruction or activities until September 28, 2020, except:

- a. Administrators, teachers, and staff may conduct or facilitate virtual or remote learning processes while on-campus provided they strictly follow the existing guidance for social distancing and facial coverings;
- b. All school-sponsored events and activities, including but not limited to clubs, sports, band, choir, fairs, exhibitions, academic and/or athletic competitions, and similar student activities may only take place remotely or outdoors, with social distancing requirements of a minimum of six feet<sup>1</sup>, facial coverings, and other established safety protocols determined by the School System;
- c. Special education instruction may occur when necessary and in accordance with TEA guidelines so long as and when feasible, facial coverings are worn over one's nose and mouth, and social distancing measures of at least six feet are followed;
- d. Students whose individual education plans cannot be implemented with remote learning or who have limited household connectivity to the internet may be provided in-person instruction with social distancing and facial coverings, as feasible.

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<sup>1</sup> Individuals from the same household are not required to maintain six feet of social distancing.

2. Prior to September 28, 2020, all School Systems shall re-open schools through virtual, remote, or distance learning only as per each School System's own plan and provide curbside meals from the school campuses while following Federal, State and Local guidelines to prevent transmission of COVID-19 in the workplace.

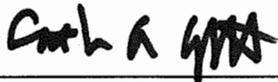
3. School personnel are permitted to return to school campuses and facilities to provide virtual, remote or distance learning instruction and related instructional activities, to provide food distribution including free and reduced lunch services, and to perform administrative duties. Such duties and activities are to be conducted consistent with the health guidance protocols issued by the TEA.

4. At least two weeks prior to re-opening for on-campus instruction and on-campus activities, each School System shall submit a written plan for resuming on-campus instruction and extra-curricular activities to the Local Health Authority with jurisdiction over the school. The School System may make the plan available for parents, teachers, staff, and the general public.

This Joint Control Order is intended to remain consistent with and to harmonize the Executive Orders of Governor Greg Abbott (as extended or modified). The Texas Attorney General opined that the Governor's orders cannot mandate that the safety measures detailed herein be implemented by a religious private school. We strongly urge religious private schools to implement health and safety measures to protect the health and well-being of students, teachers, staff, parents and our community.

This Joint Control Order is issued pursuant to the authority of the undersigned Local Health Authorities for Tarrant County, the City of Arlington, and the City of Burleson on this 21 day of July 2020 and shall remain in full force and effect unless modified, extended or superseded by law.

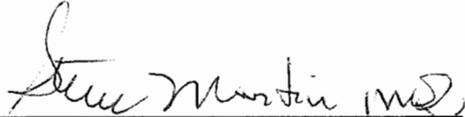
**ORDERED** this the 21 day of July 2020.



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CATHERINE A. COLQUITT, M.D.  
Local Health Authority and Medical Director  
County of Tarrant



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CYNTHIA SIMMONS, M.D.  
Local Health Authority and Medical Director  
City of Arlington



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STEVE MARTIN, M.D.  
Local Health Authority and Medical Director  
City of Burleson