

COUNTY OF BASTROP

STATE OF TEXAS

**RESCINDING HEALTH AUTHORITY ORDER OF CONTROL MEASURES for
IN-PERSON SCHOOL CAMPUS INSTRUCTION**

WHEREAS, on July 21, 2020, the Bastrop County Local Health Authority and the Bastrop County Judge, acting as Director of Emergency Management, signed an Order of Control Measures for In-Person School Campus Instruction for all public schools in Bastrop County; and,

WHEREAS, on July 28, 2020, the Texas Attorney General issued guidance in a letter to the City of Stephenville, Texas, regarding whether a local health authority may order the closure of schools; and,

WHEREAS, Attorney General Paxton's guidance letter concludes "*Although a local health authority may possess some authority in limited circumstances to close schools, this authority is cabined by laws governing the application of control measures to property and the Governor's executive orders. Therefore, a local health authority may act under chapter 81 of the Health & Safety Code to order a quarantine of school property only in the limited circumstances allowed by that chapter, and as permitted by GA-28. Critically, local health authorities may not issue blanket orders closing all schools in their jurisdiction on a purely prophylactic basis. The decision to close schools on such a preventative basis – whether public or private – remains with the school system leaders who should consult with relevant public health authorities, including the Department [of Health] and local health authorities.*"; and,

WHEREAS, the conclusion of the Attorney General's letter is that school officials, both public and private, are the appropriate ones to decide whether, when, and how to open schools,

BE IT THEREFORE ORDERED that the Order Of Control Measures for In-Person School Campus Instruction, issued on July 21, 2020, is hereby **RESCINDED**, effective immediately, and

That we encourage local school district policy makers and administration to follow the principles of the Order as they determine how to reopen schools for in-person instruction.

Issued this the 29TH day of July, 2020.



Dr. Desmar Walkes, M.D.
Local Health Authority



Paul Pape, Bastrop County Judge
Director of Emergency Management