



# Hidalgo County Head Start Program

## Policy Council Regular Agenda

**DATE:** January 19, 2022

**SUBJECT:** Discussion/Approval of Changes to COVID-19 Vaccine and Mask Requirements

**RATIONALE/NEED:** The vaccine and mask requirements for Head Start Programs as approved in the new standards have been suspended. Hidalgo County Head Start Program will follow previously approved protocols.

**RECOMMENDATION:** Administration recommends approval.

**COST:** None

**RELATED INFORMATION INCLUDES:**

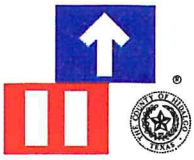
- 1) Memorandum to Policy Council Members and Commissioners Court Members
- 2) Hidalgo County Head Start Program COVID-19 Protocols
- 3) Office of Head Start Memorandum Litigation Update: COVID-19 Vaccine and Mask Requirements

\*\*\*\*\*

**INITIATED BY:** David Guel, Administrator for Human Resources 

**REVIEWED BY:** Teresa Flores, Executive Director

**EXECUTIVE DIRECTOR'S APPROVAL:** 



## Hidalgo County Head Start Program

P.O. Box 0117 Edinburg, Texas 78540-0117 (956) 383-0706

TO: Policy Council Members and Commissioners' Court Members

FROM: Teresa Flores, Executive Director *Teresa Flores*

DATE: January 19, 2022

SUBJ: Changes to COVID-19 Vaccine and Mask Requirements

Our program has been working diligently to provide full in person comprehensive Head Start services and to keep our staff, our children, their families and our communities safe. In early December our Policy Council and Commissioners' Court approved policies and procedures to respond to COVID-19 Vaccine and Masking Requirements under new Head Start Standards [HSPPS 1302.47 Safety Practices (5) vi; HSPPS 1302.93 Staff Health and Wellness (a) 1, 2; HSPPS 1302.94 Volunteers (a) 1,2]. Essentially, 1.) Masking was required using masks recommended by the CDC for all individuals 2 years of age or older; 2.) All staff and contractors whose activities involve contact with or providing direct services to children and families, were to be fully vaccinated from COVID-19, with exemptions granted for medical conditions and certified sincerely held religious beliefs; 3.) if proof of vaccination was not provided or if an exemption was not filed, the employee would be non-compliant with the standards and be subject to disciplinary action.

The U. S. Department of Health and Human Services (HHS) has received notice that the **Vaccine and Mask Requirements to Mitigate the Spread of COVID-19 IN Head Start Programs, 86 Fed. Reg. 68052 (Nov.30. 2021 is enjoined in 25 states including Texas**, that is the court has "impose an injunction to stop the implementation and enforcement of the rule...pending future developments in the litigation process." In summary, Head Start and Early Head Start–Child Care Partnership grant recipients are not required to comply.

Currently the Hidalgo County Head Start Program will suspend the Policies and Procedures approved and disseminated to staff in December under "COVID-19 Vaccine and Masking Requirement Policy" until further notice. In the meantime, Programs may develop and implement their own policies and protocols. At this time the Hidalgo County Head Start Program will implement and follow the previously approved "Head Start Program – COVID-19 Protocols updated on September 15, 2021. These protocols comply with Texas Education Agency, Hidalgo County Health Department, the Office of Head Start and the CDC (Centers for Disease Control and Prevention). (See Attached Hidalgo County Head Start Program COVID-19 Protocols.)

## HEAD START PROGRAM – COVID-19 PROTOCOLS (Revised September 15, 2021)

These guidelines reflect the recent updates from the Texas Education Agency, Hidalgo County Health Department, the Office of Head Start, and the CDC (Centers for Disease Control and Prevention) regarding fully vaccinated and non-vaccinated individuals who test positive for COVID-19 or come in close contact with individuals who test positive for COVID-19. We are implementing the following protocols for the 2020-2021 school year to ensure the safety of children and staff.

### HEAD START COVID-19- SAFETY GUIDELINES FOR EMPLOYEES, CHILDREN, AND VISITORS

- **Face Mask** Covering nose and mouth will be REQUIRED at all Head Start Program facilities for all Head Start employees, children, parents, and all visitors as per the August 13, 2021 mandate issued by the Hidalgo County Local Health Authority, *that students, staff and visitors to all public and private schools, from grades kindergarten through grade 12, must wear facial coverings while inside area schools regardless of vaccination status.*
- **Social Distancing:** Head Start employees, parents, children and visitors to Head Start facilities will practice social distancing of at least 3 feet apart for children and 6 feet for staff.
- **COVID-19 Screening** – All individuals should be screened for COVID-19 related symptoms (fever, chills, cough, sore throat, headaches, congestion) using the Health Checklist. Make a visual inspection of children for signs of illness, which could include flushed cheeks or fatigue and confirm that they are not experiencing coughing or shortness of breath.
- **COVID-19 Symptoms** – Anyone, employee or child, experiencing one or more of the COVID-19 symptoms should stay home. Symptoms include, but are not limited to, the following:
  - **Fever or temperature of 100 or more**
  - Persistent dry cough
  - Tiredness such exhaustion or fatigue
  - Trouble breathing or short of breath
  - Headache
  - Chills or shaking/shivering a lot
  - Sore Throat
  - Congestion or runny nose
  - Nausea or vomiting
  - Diarrhea
  - Can't taste or smell properly anymore
  - Body Aches
- **Temperature checks** will be conducted at all facilities or prior to boarding a Head Start bus.
  - All children arriving by bus will have their temperature checks prior to boarding and the parent will answer questions on the Child Health Checklist.
  - Children dropped off or picked by parents will be curbside drive through, parents may not enter the building. Children will have their temperature checked at arrival and the Health Check List will be completed with the parent at curbside by staff.
  - All employees and visitors are required to take their temperature and complete their Health Checklist upon arriving at any Head Start facility including those located at Public School Campuses.
  - Temperature must be less than 100.0 F to remain at a Head Start facility.

- **COVID-19 Positive/Symptoms** – Any staff or child who tests positive for COVID-19 or has COVID-19 symptoms will be required to quarantine for 10 days.
- **Contact Tracing** will be conducted to determine what children or staff may have been in close contact within 3 feet of the infected person.
- **Close Contacts at a Head Start Facility or outside a Head Start Facility** – Any vaccinated employee or child who is considered a close contact will not be required to quarantine. *Close contact includes any individual who was within 6 feet of a confirmed infected person for cumulative total of 15 minutes or more over a 24-hour period (for example: three individual 5-minute exposures for a total of 15 minutes) and not wearing a mask.* Close contact quarantining will be at the discretion of the employee or the child’s parents. It is highly recommended that the vaccinated employee conduct a quick test three to five days from the exposure or if one or more COVID symptoms develop.
- **Unvaccinated Employees** - For employees who meet the close contact with a COVID-19 positive individual and who are not showing COVID symptoms, it is recommended that these employees test for COVID after the 5<sup>th</sup> day of exposure. If the unvaccinated employee shows one or more COVID symptoms, the employee must test immediately and quarantine while waiting for the results.
- **Notification** - Any employee or child that is considered a close contact, will be notified by the immediate Health and Safety Coordinator and/or the Administrator for Human Resources.

**COVID-19 Reporting to Child Care Licensing:**

- If an individual who has visited at a Head Start classroom facility and is test-confirmed to have COVID-19, the Center Manager must make a report to the **Child Care Licensing In-Take Line (956)316-8275,**
- **COVID-19 Reporting to Local Health Department:** If an individual who has visited a Head Start facility is test-confirmed to have COVID-19, the site **must report each individual case to the Health and Safety Coordinator who will submit this report to the County Health Department.**
- **Center Notifications:** A campus-based Head Start will follow the specific school district protocol for notifying parents and staff if a test-confirmed COVID-19 case is identified on campus.
  - (a) Centers must notify all staff and families of all students in a specific classroom if a test-confirmed COVID-19 case is identified among children, teachers or staff who participated in those classrooms.
  - (b) Identified Close Contacts will receive written notification once identified as such.
  - (c) Parents of close contacts will be called.
- **Criteria for a child with confirmed COVID-19 or one or more COVID-19 symptoms to return to class:**
  - A child who either: (a) is confirmed to have COVID-19; or (b) experiences one or more symptoms of COVID-19, must stay at home throughout the infection period.
  - A child diagnosed with COVID-19 may return to school when:
    - (a) The child’s symptoms have improved (e.g. cough, shortness of breath);

- (b) At least 10 days have passed since symptoms first appeared; and
- (c) The child is fever free for 24 hours without the use of fever reducing medications; OR
- (d) The child has a negative COVID-19 test (PCR or Antigen).

- **Close Contacts-Children**

- Parents may quarantine their child for 10 days if the child was in close contact with an individual with COVID-19.
- If no COVID-19 test is performed and a child is not experiencing COVID-19 symptoms after Day 10 of a close contact exposure, the child may return to the classroom.
- Parents may opt to send their child who was in close contact to an individual with COVID-19 if the child is not experiencing one or more COVID symptoms; parents must monitor the child to determine if any symptoms develop after exposure.
- Parents can end the quarantine for their child if they receive a negative result from a PCR acute infection test taken no less than 5 days after exposure.
- Any child who was in close contact with someone who is confirmed to have COVID-19, should remain home if symptomatic.

**Teresa Flores**

---

**From:** Office of Head Start <HeadStartinfo@acf.hhs.gov>  
**Sent:** Tuesday, January 11, 2022 1:47 PM  
**To:** Ms. Teresa Flores  
**Subject:** Litigation Update: COVID-19 Vaccine and Mask Requirements



---

## Litigation Update: COVID-19 Vaccine and Mask Requirements

The U.S. Department of Health and Human Services (HHS) has received notice that the [Vaccine and Mask Requirements to Mitigate the Spread of COVID-19 in Head Start Programs](#), 86 Fed. Reg. 68052 (Nov. 30, 2021) (the "Interim Final Rule" or IFC), is preliminarily enjoined in 25 states. This means the court has imposed an injunction to stop the implementation and enforcement of the rule in those states pending future developments in the litigation process.

As of Dec. 31, 2021, following a decision by the United States District Court for the Northern District of Texas, implementation and enforcement of the IFC is preliminarily enjoined in Texas.

As of Jan. 1, 2022, following a decision by the United States District Court for the Western District of Louisiana, implementation and enforcement of the IFC is also preliminarily enjoined in the following 24 states: Alabama, Alaska, Arizona, Arkansas, Florida, Georgia, Indiana, Iowa, Kansas, Kentucky, Louisiana, Mississippi, Missouri, Montana, Nebraska, North Dakota, Ohio, Oklahoma, South Carolina, South Dakota, Tennessee, Utah, West Virginia, and Wyoming

Head Start, Early Head Start, and Early Head Start-Child Care Partnership grant recipients in those 25 states are not required to comply with the IFC pending future developments in the litigation. The IFC remains in effect in all other states, the District of Columbia, and U.S. territories.

The Office of Head Start (OHS) has developed responses around two key issues for grant recipients in the 25 affected states.

- **Q: Do the injunctions prohibit a program in an impacted state from moving forward with their own requirements and policies for vaccination and**

**masking?**

A: No. Programs in states where the IFC has been preliminarily enjoined are permitted to develop and enforce their own policies, as necessary to support the health and safety of the children in their care. The preliminary injunctions apply only to the federal government’s implementation and enforcement of the IFC; they do not prohibit programs from developing and implementing their own policies. Further, these programs should seek guidance from their own legal counsel about the policies they set within the context of their individual state laws.

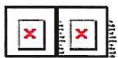
- **Q: Are tribes located in an impacted state covered by the injunctions?**

A: Yes, the injunctions apply to tribes located within those 25 states covered by the injunctions.

Head Start programs have been working tirelessly to support the children and families of their community, and to provide the in-person services that make a difference in each child’s life. Vaccination and masking are essential components necessary to returning to full in-person comprehensive Head Start services — and to keep workers, their families, and communities safe. OHS will continue to support programs in developing policies and procedures, and in using American Rescue Plan funds to meet the needs of their community, as we navigate the COVID-19 pandemic together.

Office of Head Start (OHS) | 330 C Street, SW | 4th Floor Mary E. Switzer Building | Washington, DC 20201 | <https://eclkc.ohs.acf.hhs.gov> | 1-866-763-6481 | [Contact Us](#)

You are receiving this email because you are signed up for Office of Head Start communications. You may [modify your ECLKC email subscriptions](#). Recipients subscribed through the Head Start Enterprise System (HSES) must be removed from HSES by their program or office. Please do not reply to this email. [Contact](#) customer service for additional support.



Share

[Unsubscribe](#)

Tweet

Share

Forward