



DEPARTMENT OF HEALTH AND HUMAN SERVICES

Marc Elrich
County Executive

Raymond L. Crowel, Psy.D.
Director

**HEALTH OFFICER DIRECTIVE AND ORDER
REGARDING NONPUBLIC SCHOOLS**

August 7, 2020

WHEREAS, a state of emergency and catastrophic health emergency was proclaimed by Lawrence J. Hogan, the Governor of the State of Maryland on March 5, 2020, and renewed on March 17, 2020, April 10, 2020, May 6, 2020, June 3, 2020, July 1, 2020, and July 30, 2020, to control and prevent the spread of 2019 Novel Coronavirus (“SARS-CoV-2”) and the disease that it causes - Coronavirus Disease 2019 (“COVID-19”);

WHEREAS, COVID-19 is an infectious and contagious respiratory disease that spreads easily from person to person and may result in serious illness or death which poses a risk to the health and safety of individuals in Montgomery County, Maryland;

WHEREAS, the currently known and available scientific evidence and best practices support continued limitations on large gatherings, increased use of face coverings, and continued social distancing to prevent exposures and transmissions, and reduce the threat to especially vulnerable populations, including older individuals and those with chronic health conditions;

WHEREAS, neither the State nor the Maryland Department of Health (“MDH”), have provided any guidance and direction on the standards and criteria to evaluate and assess the many variables that impact decisions to close and reopen facilities serving the public in the midst of this COVID-19 pandemic;

WHEREAS, in the absence of such guidance and directions, it is my opinion, based upon my expertise, training, and education that there continues to be widespread community transmission of COVID-19 and increases in the daily caseload volumes within Montgomery County, the State of Maryland as a whole, and the surrounding jurisdictions;

WHEREAS, schools within Montgomery County, Maryland have been notified that due to the widespread community transmission it is not safe to reopen schools for in-person instruction;

WHEREAS, based on the available epidemiological data the Montgomery County Public School Systems have been closed through October 1, 2020;

WHEREAS, I continue to strongly believe that based on the current state of surveillance and epidemiological data, it is neither safe nor in the interest of public health for any school to return for in-person learning this fall.

WHEREAS, on August 6, 2020 the Secretary of MDH issued a memorandum announcing that it is a health policy of the State to not issue blanket orders closing nonpublic schools and instead directing an individualized analysis of schools;

WHEREAS, there is no other group within the State of Maryland which is excluded from blanket closures.

I, Travis A. Gayles, M.D., Ph.D., Health Officer for Montgomery County, Maryland, despite believing that it is necessary to close nonpublic schools for in person instruction to protect the public, do hereby, pursuant to the August 6, 2020 Memorandum issued by the Secretary of the Maryland Department of Health, rescind the August 5, 2020 Health Officer Directive Regarding Nonpublic Schools.

**THIS ORDER IS ISSUED UNDER MY HAND THIS 7th DAY OF AUGUST 2020
AND IS EFFECTIVE IMMEDIATELY.**

Travis A. Gayles, M.D., Ph.D.

Travis A. Gayles, M.D., Ph.D.
Health Officer, Montgomery County