



**COVID-19 Public Health
COVID-19 MITIGATION REQUIREMENTS FOR DAY CARES**

Date Issued: March 2, 2022
Effective Date: March 2, 2022
Expiration Date: Upon Further Order


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Village of Oak Park

Pursuant to Section 20-1-6(BB) of the Oak Park Village Code, which was adopted by the Village Board on January 19, 2021, by Ordinance 21-8, the Village’s Public Health Director has the authority to make “reasonable rules, regulations, and orders . . . as may from time to time be deemed necessary . . . due to the outbreak of COVID-19 disease in the State of Illinois . . . as long as there is a disaster proclamation in place by the Governor of the State of Illinois due to the outbreak of COVID-19 disease,” and such a disaster proclamation continues to remain in place. In addition, authority is delegated to the Village of Oak Park Public Health Department as an Illinois certified local health department by the Illinois Public Health Act, 20 ILCS 2305/1.1 *et seq.*, Section 15 of the Illinois Department of Public Health Powers and Duties Law, 20 ILCS 2310/2310-15, and 77 Ill. Adm. Code Sections 690.1305(a) and 690.1310(c). Therefore, pursuant to said authority, it is hereby ordered and directed as follows:

ORDER

1. On January 27, 2020, the United States Secretary of Health and Human Services declared that COVID-19 presents a public health emergency, and the World Health Organization characterized the COVID-19 outbreak as a pandemic on March 11, 2020.
2. Children under the age of five (5) years are not eligible to be vaccinated with a vaccine approved by the United States Food and Drug Administration (“FDA”) or under an emergency use authorization by the FDA.
3. Therefore, I have determined that additional mitigation measures are necessary to protect the public health of children and staff at day cares pursuant to the authority set forth above and pursuant to the most recent “Licensed Day Care Guidance” from the Illinois Department of Public Health (“IDPH”) found at the following link: [Day Care Guidance.pdf \(illinois.gov\)](#).

Day Care Centers – Mask Wearing Requirement.

4. For purposes of this Order, a “day care” is defined as any child care facility receiving children for daytime care during all or part of a day that is licensed as a child care provider. The

term "day care center" includes facilities commonly called "child care centers," "day nurseries," "nursery schools," "kindergartens," "play groups" and "centers or workshops for mentally or physically handicapped" with or without State educational purposes.

5. For purposes of this Order, a "face covering" refers to a complete and tight-knit fabric or cloth, or medical mask that is appropriately sized for the individual's face to snugly cover the nasal openings and mouth without the necessity of being held in place by the individual's hands.

6. Any individual aged two (2) and older and able to medically tolerate a face covering shall be required to wear a face covering when indoors at a day care center regardless of vaccination status.

7. Day cares may permit face coverings to be removed while eating, drinking, or sleeping; when individuals are outdoors; while playing a musical instrument if necessary; and, for staff, when alone in classrooms or offices with the door closed. To facilitate learning and social emotional development, day cares should consider having staff wear a clear or cloth mask with a clear panel when interacting with young children, children learning to read, or when interacting with people who rely on reading lips.

8. In addition, a face covering may also be removed by employees at a day care when they can consistently maintain six (6) feet of distance, such as when staff are in their office or cubicle space.

9. Physical distancing of six (6) feet should be maintained where feasible.

Isolation and Quarantine

10. Until such time as the Illinois Department of Public Health issues new guidance for day cares, any person who tests positive for COVID-19 who either works at a day care or a child who attends a day care should isolate for a minimum period of five (5) days from the date of a positive COVID-19 test. "Isolate" shall mean for an individual to stay at home and separate themselves from other individuals. Individuals can return to a day care at any time after the five (5) day isolation period upon providing proof to the day care that the individual has received a negative COVID-19 antigen test result.

11. Until such time as the Illinois Department of Public Health issues new guidance for day cares, an individual who either works at a day care center or a child who attends a day care center should quarantine for a period of five (5) days if exposed to COVID-19 through a close contact. "Quarantine" shall mean that an individual should stay at home and "close contact" shall mean an individual who has been exposed to another individual who is known to have contracted COVID-19 for a period of fifteen (15) minutes or more.

12. Nothing contained in this Order is intended to, or shall operate to, supersede any applicable State or federal law, order or rule, and to the extent of any conflict, such State or federal law, order or rule shall be applicable.

13. 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.

14. A failure to comply with this Order may result in one or all of the following: (1) a charge of Reckless Conduct pursuant to Section 12-5 of the Illinois Criminal Code, 720 ILCS 5/12-5/2, which is a Class A misdemeanor which may result in a fine of not less than \$75 not to exceed \$2,500; (2) a charge of a violation of Section 2(k) and/or Section 8.1 of the Illinois Public Health Act, 20 ILCS 2305/2(k) and 20 ILCS 2305/8), which are also Class A misdemeanors; (3) a violation of Section 20-1-12 of the Oak Park Village Code which is a Class B misdemeanor which may result in a fine of \$750 for each violation; (4) the suspension or revocation of a business license; (5) an order of closure of a business; or (6) a charge of a violation of any other applicable law.