

EMERGENCY ORDER (2021-01) FOR CONTROL OF PANDEMIC

Educational Institutions - Daycares and Schools (elementary, middle, high, and vocational)

The Health Officer of Oakland County Health Division makes the following factual determinations and issues this Order pursuant to the Michigan Public Health Code. Factual findings include:

The virus (SARS-CoV-2) that causes COVID-19 spreads mainly from person-to-person, primarily through respiratory droplets produced when an infected person or carrier coughs, sneezes, or talks. These droplets can enter the mouths or noses of people who are nearby or possibly be inhaled into the lungs. Spread is more likely to occur when people are in close contact with one another (within about 6 feet).

The Delta variant of the SARS-CoV-2 virus is the dominant variant in Michigan and is significantly more contagious than the original form that entered the United States in winter 2020. Current research indicates the Delta variant may cause more serious illness in persons of all ages, including children. West Michigan cases have already emerged in which previously healthy infants, children, and teens have faced hospitalization, life support, life-threatening complications (Multisystem Inflammatory Syndrome in Children) and chronic symptoms (Long COVID-19).

COVID-19 infections and COVID-19 hospitalizations are increasing among children in the United States, with over 180,000 children testing positive the week of August 12-19, according to a report from the American Academy of Pediatrics (AAP). This is an increase from the week prior when just over 120,000 child COVID-19 cases were reported.

Although vaccinations prevent most infections, reduce community transmission, and reduce the risk of severe outcomes due to COVID-19 disease, COVID-19 remains a public health issue that impacts local institutions, particularly in educational settings where students younger than twelve (12) years of age are ineligible to receive vaccination, are required to receive an education and are at school five days each week for many hours each day.

Studies of COVID-19 incidence in school districts during the 2020-2021 school year demonstrate that proper masking is the most effective mitigation strategy to prevent secondary transmission in schools when COVID-19 is circulating and when vaccination is unavailable, or there is insufficient uptake of vaccination.

According to AAP, CDC, and Michigan Department of Health and Human Services (MDHHS), the universal use of masks in schools is a safe, essential, and proven strategy to reduce the spread of COVID-19 in schools.

Masks are primarily intended to reduce the emission of virus-laden droplets, which is especially relevant for asymptomatic or pre-symptomatic infected wearers who feel well and may be unaware of how infectious they are to others, and who are estimated to account for more than 50% of transmissions. Masks also help reduce inhalation of these droplets by the wearer. The community benefit of masking for SARS-CoV-2 control is due to

the combination of these effects; individual prevention benefit increases with increasing numbers of people using masks consistently and correctly.

On August 18, 2021, MDHHS publicly presented an update on COVID-19 data trends across the state. That presentation included data and interpretation supporting the following statements from MDHHS:

- a. Consistent mask use can reduce risk in the school setting. A study from North Carolina concluded that 40 - 70% of cases could be prevented through mask use.
- b. Counties with mask mandates have experienced lower rates of illness.

NOW, THEREFORE, IT IS HEREBY ORDERED that all Educational Institutions and all Persons in Educational Settings must adhere to the following rules:

- a. The Educational Institutions shall ensure that people in pre-kindergarten through grade twelve consistently and properly wear a facial covering while inside any enclosed building or structure of the institution.
- b. The Educational Institutions shall ensure that all persons, regardless of vaccination status, providing service to any persons in pre-kindergarten through grade twelve properly and consistently wear a facial covering while inside any enclosed building or structure of the institution.

IT IS FURTHER ORDERED that the following terms shall have the following definitions for purposes of this ORDER:

- a. "Educational Institutions" or "Educational Settings" includes daycares and schools (elementary, middle, high, and vocational).
- b. "Fully vaccinated persons" means persons for whom at least two weeks has passed after receiving the final dose of an FDA-approved or authorized COVID-19 vaccine.
- c. "Persons in Educational Settings" means students, teachers, administrative staff, attendees, volunteers, and other employees or volunteers of Educational Institutions.

IT IS FURTHER ORDERED that this ORDER shall not apply to the following Persons:

- a. Persons in the act of eating or drinking.
- b. Persons under the age of four years; however, supervised masking is recommended for children who are at least two years of age.
- c. Persons with developmental conditions of any age attending school for whom it has been demonstrated that the use of a face covering would inhibit the person's access to education. These are limited to persons with an Individualized Education Plan, Section 504 Plan, Individualized Healthcare Plan or equivalent.
- d. Vaccinated teachers who are working with children who are hard of hearing or students with developmental conditions who benefit from facial cues.

- e. Persons who have a medical reason confirmed in writing from a Medical Doctor (MD) or Doctor of Osteopathic Medicine (DO) currently licensed to practice medicine in the State of Michigan.

IT IS FURTHER REMINDED that:

- a. On January 29, 2021, the [CDC issued an ORDER](#) that required face masks to be worn by all people while on public transportation (which included all passengers and all personnel operating conveyances) traveling into, within, or out of the United States and U.S. territories. The CDC ORDER includes school buses, both public and private.
- b. On July 27, 2021, the CDC issued recommendations calling for universal indoor masking for all teachers, staff, students, and visitors to schools, regardless of vaccination status. On August 13, 2021, MDHHS issued updated guidance stating that all schools should require universal indoor masking. The Local Health Departments remind Educational Institutions of these recommendations and encourage them to enact policies to this effect.
- c. This order does not repeat, supersede, or rely on any current MDHHS or Federal Epidemic 5 Orders, which are incorporated by reference herein.

THIS ORDER is effective immediately and remains in effect until community transmission for Oakland County is categorized as "Moderate" by the CDC for at least fourteen consecutive days, or until further notice from the Oakland County Health Officer.

This order may be revised as well as supplemented with specific procedures and orders in accordance with the Michigan Public Health Code.

Dated: August 24, 2021


Oakland County, Michigan
Local Health Officer


Oakland County, Michigan
Local Medical Officer