



Health, Human & Veterans Services

EMERGENCY ORDER FOR CONTROL OF PANDEMIC

COVID-19 Prevention through the Wearing of Face Masks in Educational Settings within the Jurisdiction of the Wayne County Michigan Local Health Department

The Wayne County Local Health Department, through its Health Officer, issues this order pursuant to the Michigan Public Health Code, MCL 333.2451 and 333.2453, as well as State Administrative Rule, R325.175(4), promulgated by the Michigan Department of Health and Human Services pursuant to MCL 333.2226(d).

In issuing this order, the Wayne County Health Department is making these factual determinations:

1. 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 speaks. These droplets can enter the mouth or nose and can be inhaled into the lungs. Spread is more likely to occur when people are in close contact with one another.
2. Current COVID-19 guidance from the State of Michigan recommends spacing of at least 3 feet in schools and states that schools should not exclude students from in-person learning because of this minimum distance requirement. The guidance recognizes where 3 feet of distancing cannot occur in a school setting, implementing multi-layered strategies is essential to minimize the risk of COVID-19 spread, including the mandatory use of masks indoors and vaccine promotion for eligible students and staff. The guidance further states that vaccination has proven highly effective as the leading public health prevention strategy – click on the following link for the State of Michigan’s guidance for schools:
https://www.michigan.gov/documents/coronavirus/COVID-19_Guidance_for_Operating_Schools_Safely_728838_7.pdf
3. The Wayne County Health Department issued a Public Health Advisory that strongly recommends all K-12 schools adopt multi-pronged COVID-19 mitigation plans that include consistent and proper mask use, social distancing, proper ventilation, vaccine promotion, and COVID-19 symptom monitoring – click on the following link for the Public Health Advisory: (<https://www.waynecounty.com/departments/hhvs/wayne-county-issues-public-health-advisory-as-new.aspx>)
4. Currently students under 12 years of age are not eligible for the COVID-19 vaccine, and a number of students 12 years and older have not been vaccinated. Studies of COVID-19 cases in school districts during the 2020-2021 school year demonstrated that proper masking along with other COVID-19 mitigation strategies were extremely effective to prevent secondary transmission in the school environment.
5. According to the American Association of Pediatrics (AAP), the Centers for Disease Control, and Prevention (CDC), and the 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.



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6. Masks are used to reduce the transmission and inhalation of virus-laden droplets, which can be transmitted even when someone is asymptomatic and may be unaware that they are infected. People who are asymptomatic are estimated to account for more than 50% of transmissions. [Science Brief: Community Use of Cloth Masks to Control the Spread of SARS-CoV-2 | CDC](#)

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

- a. Educational Institutions shall ensure that all persons, regardless of vaccination status, in educational settings in pre-kindergarten through grade 12 consistently and properly wear a face mask while inside any enclosed building or structure of the institution. Due to the circulating and highly contagious Delta variant, the CDC recommends universal indoor masking by all students (age 2 and older), staff, teachers, and visitors, regardless of vaccination status [Guidance for COVID-19 Prevention in K-12 Schools | CDC](#) This refers to individuals providing direct and indirect services, including students, teachers, administrative staff, other employees, parents/guardians, attendees, or volunteers of Educational Institutions.

IT IS FURTHER ORDERED that the terms below 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 have passed since receiving the final dose of an FDA-approved or authorized COVID-19 vaccine.
- c. "Persons in Educational Settings" means individuals providing direct and indirect services, including students, teachers, administrative staff, other employees, parents/guardians, attendees, or volunteers, of Educational Institutions.

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

- a. Persons actively 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.



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- d. Vaccinated teachers 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) are currently licensed to practice medicine in the State of Michigan. Per the United States Department of Education, "for the narrow subset of students with disabilities who, because of their disability, cannot wear a mask or cannot safely wear a mask, the school must determine based on a student's circumstances whether that student can attend school safely if other prevention strategies can be followed, in accordance with CDC guidance."
(<https://www2.ed.gov/about/offices/list/ocr/docs/qa-reopening-202105.pdf>)

All interested parties should also note that:

- Masks are required by Federal order on all public transportation, including school buses. January 29, 2021, CDC ORDER states that face masks must be worn by all people while on public transportation (which included all passengers and all personnel operating conveyances). This includes both public and private buses.
- 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.
- On August 17, 2021, the Wayne County Health Department issued an advisory calling for consistent and proper universal masking in educational institutions.

THIS ORDER is effective immediately and remains in effect until community transmission for Wayne County is categorized as "moderate" by the CDC for at least 14 consecutive days, or until further notice by the Wayne County Local Health Officer.

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

Dated: August 27, 2021

Wayne County, Michigan
Local Health Officer

Wayne County, Michigan
Acting Local Public Health Medical Director