

KENT COUNTY HEALTH DEPARTMENT

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STATE OF MICHIGAN KENT COUNTY HEALTH DEPARTMENT

August 20, 2021

In the Matter of COVID-19 Prevention in Educational Settings within Kent County, Michigan:

The Administrative Health Officer of the Kent County Department of Public Health makes the following factual determinations and issues this Order pursuant to the Michigan Public Health Code, MCL 333.2451 and 333.2453, as well as R. 325.175(4), which is an administrative rule promulgated by the Michigan Department of Health and Human Services pursuant to MCL 333.2226(d). Factual findings include:

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 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).
2. 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).
3. COVID-19 infections and COVID-19 hospitalizations are increasing among children in the United States, with over 120,000 children testing positive the week of August 6-12, according to a report from the American Academy of Pediatrics (AAP). This is an increase from the week prior when just over 93,000 child COVID-19 cases were reported. According to the Centers for

Disease Control and Prevention (CDC), as of August 16, 2021 the rate of new hospital admissions among children 0-17 years of age increased to 0.41 new admissions per 100,000 population, the highest recorded since August of 2020. In States experiencing surges, hospital new admission rates per 100,000 population for children are as high as 3.41 in Alabama, 1.06 in Georgia, and 1.28 in Florida; indicating that a surge in Michigan could easily result in an increased hospitalization rate among children.

4. Although vaccinations prevent most infections, slow 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.
5. 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.
6. According to the AAP, the 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.
7. 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 their infectiousness 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.
8. On August 18, 2021, the 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.
9. When layered prevention strategies are applied consistently, including consistent and proper mask use, school-associated transmission of COVID-19 is reduced.
10. The preceding factual findings have been concluded after careful deliberation of the literature and review by a medical advisory workgroup consisting of local physicians and experts specializing in infectious disease control and pediatric health.
11. The wearing of face masks in schools is supported by Spectrum Health, Mercy Health Saint

Mary's, Metro Health – University of Michigan Health, Holland Hospital, and North Ottawa Community Health System as important for protecting the health of our community. These local healthcare institutions continue to see the severe impacts of COVID-19 on all parts of our community, including among young people, and they share our commitment to see our community's children receive excellent in-person education in the safest environments reasonably possible.

12. In a letter dated August 16, 2021, The Kent Intermediate School District communicated the following to the Kent County Health Department: a) universal masking of students will not happen without a public health order, b) they observed fewer disruptions due to illness during the previous school year when masks were used consistently, and c) they requested a public health order requiring masks for everyone in buildings with students who do not have the opportunity to be vaccinated (under age of 12 years) and unvaccinated individuals if the Kent County Administrative Health Officer believes an imminent danger is present.
13. The Kent County Health Department and the Ottawa County Department of Public Health are jointly making these findings to achieve a consistent regional approach to the face mask measures contained in this Order.
14. The Local Health Departments are aware of information circulating in the Community regarding alleged motivations and alleged untoward alliances regarding masking and assure the Community that the only motivations involved in this Order are the health, safety, and well-being of area children in the face of the newest variant of the novel Coronavirus, and the only alliances involved in this Order are among the Health Department professionals that share the same singular motivations.

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

1. The Educational Institutions shall ensure that people in pre-kindergarten through grade six consistently and properly wear a facial covering while inside any enclosed building or structure of the institution.
2. The Educational Institutions shall ensure that all persons, regardless of vaccination status, providing service to any persons in pre-kindergarten through grade six 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 youth camps, youth programs, childcare centers, preschools, primary through secondary schools, vocational schools,

colleges, and universities and other organized activities outside the home where coursework is taught. This definition includes educationally affiliated extracurricular activities such as school athletics.

- 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, coaches, camp leaders, and other employees or volunteers of Educational Institutions.

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

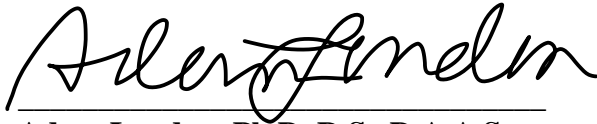
- 1. Persons in the act of eating or drinking.
- 2. Persons under the age of four years; however, supervised masking is recommended for children who are at least two years of age.
- 3. Persons with developmental conditions of any age attending school for whom it has been demonstrated that the use of 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.
- 4. Vaccinated teachers who are working with children who are hard of hearing or students with developmental conditions who benefit from facial cues.
- 5. 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:

- 1. 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.
- 2. 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, the 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.
- 3. This order does not repeat, supersede, or rely on any current MDHHS or Federal Epidemic

Orders, which are incorporated by reference herein.

THIS ORDER is effective immediately and remains in effect until 60 days past the date COVID-19 vaccine is authorized or approved by the FDA and available to persons in pre-kindergarten through grade six, or community transmission for Kent County is categorized as “Low” by the CDC for at least seven consecutive days, or until further notice from the Administrative Health Officer.

A handwritten signature in black ink, appearing to read "Adam London", written over a horizontal line.

**Adam London, Ph.D, R.S., D.A.A.S.
Administrative Health Officer
Kent County Health Department**

Dated: August 20, 2021