

FAQs for the December 9 Face Masks and Gatherings Order

Face masks

Q: How is face mask defined under this order?

A: Face mask means a tightly woven cloth or other multi-layer absorbent material that closely covers an individual's mouth and nose. Medical or surgical grade masks are included within this definition.

Q: May a face shield be worn in place of a face mask?

A: No. The **CDC does not recommend** the use of face shields as a substitute for cloth face masks. However, a face shield that covers the eyes, nose and mouth can be worn in addition to a cloth mask if desired. Moreover, a face shield may be worn by younger children who are not required to wear a cloth mask, in other settings when a face mask is not required, or by **athletes under certain conditions**.

Q: Section 7(d) of this order states that organizations may accept a person's verbal representation that they are not wearing a mask because they fall within an excepted group. Does this mean that schools *must* accept a verbal statement and cannot require a doctor's note for people who request a mask exemption in a school?

A: No. Consistent with the Return to School guidance, schools are permitted (and in fact recommended) to require a doctor's note for persons seeking an exemption from the face masks requirement.

Q: Are masks required at all times within gyms and indoor exercise facilities?

A: Yes.

Gathering sizes and capacity limits

Q: What does "indoors" mean for the purposes of this order?

A: "Indoors" means a location that is fully or partially enclosed on the top and:

- fully or partially enclosed on two or more contiguous sides; or
- if fully or partially enclosed on two non-contiguous sides, any part of that space that is more than 8 feet from an open side is indoors

Indoor spaces therefore include most buildings (such as barns and garages), vehicles (such as buses and trains), and temporary structures (including tents or canopies with side walls or coverings).

Q: What forms of dining at food service establishments are permitted under the order?

Outdoor dining at a food service establishment is permitted provided persons are seated no more than 6 to a table and tables are spaced at least 6 feet apart. A permitted outdoor food service establishment setting also includes a single household dining inside an igloo, hut, or other small, enclosed space, provided that employees enter fleetingly or not at all. Representatives of food service establishments wishing to explore options like these should ensure compliance with any applicable local regulations.

Indoor dining is permitted only in custodial settings, medical facilities, school and university cafeterias, shelters, and soup kitchens. In those settings, if diners are seated at tables the diners must be 6 feet apart, or members of a household may share a table and tables must be spaced a minimum of 6 feet apart. Diners should keep masks on at all times, except when eating or drinking.

Q: What does "fixed seating" mean?

A: Fixed seating is seating that is attached to the floor, such as bleachers, auditorium risers, stadium seats, or restaurant booths.

Q: What workers are still allowed or required to work in person?

A: Work should be completed remotely unless attendance is strictly required to perform job duties. See MDHHS's [Nov. 5 Guidance for Employers](#) and the [emergency rules enacted by the Department of Labor and Economic Opportunity on Oct. 14.](#)

Q: Are local government offices still permitted to be open to the public?

A: Yes.

Q: Are public meetings or board meetings permitted under this order?

A: In-person meetings are prohibited unless the meeting is of fewer than 25 people and is held outdoors. Under Public Act 228 of 2020, public meetings may be held virtually under certain specified circumstances.

Q: Are visits between foster children and their birth parents, supervised by a caseworker, permitted under the order?

A: Yes. Parents have a legal right under the probate code to have parenting time with their children at least every 7 days. This has traditionally meant in person contact unless infeasible or a court order prohibits it. Under the order, these in-person visits remain permitted at this time, supervised by a caseworker.

Q: Are direct care workers who provide in-home services (such as those who assist elderly or disabled residents with activities of daily living) permitted to continue serving clients in their homes?

A: Yes. This includes individual caretakers and multi-person care teams.

Q: Are airport restaurants open for in-person dining?

A: No. However, airport restaurants, like other restaurants covered by the order, may sell food for takeaway.

Q: May religious venues host other gatherings such as a bake sale, craft fair, public lecture, or youth group?

A: Places of worship allowing religious worship, and persons engaging in religious worship in such places, are exempt from enforcement of the order. However, places of worship used for all other purposes are subject to the order's mask, gathering requirements, and capacity limits.

Q: May workplaces, community centers, or other venues continue to host blood drives under this order?

A: Yes.

Q: Are dance classes, gymnastics, yoga, and other group fitness classes permitted to operate?

A: Not indoors. Outdoor classes are permitted of under 25 persons with 12 feet of distancing between participants.

Q: Are swim lessons permitted to happen under this order?

A: Yes.

Q: Can organizations hold CPR classes?

A: Yes.

Q: May ski facilities operate?

A: Yes, outdoor skiing areas are permitted to remain open. (except for practice or competition by organized ski teams, which are not permitted to gather). Distancing measures, such as closing off seats on ski lifts, is encouraged. Gathering is not allowed in indoor facilities such as lodges and restaurants.

Q: Are skating rinks permitted to stay open under this order?

A: Yes, indoor and outdoor skating rinks may be open, but only for individual exercise or a single athlete with a coach. They are not permitted to be open for gatherings or organized sports. Group/free skate is only permitted at outdoor rinks.

Q: Are in-person jury trials allowed?

A: Yes, the order does not prohibit in-person jury trials; the decision on how to conduct judicial hearings is left to the discretion of the court. Physical distancing and masking are strongly encouraged.

Q: Are non-contact competitive sports allowed to continue without meeting the 6-day per week testing requirements and other elements of the MDHHS guidance on Additional Measures for Safer Athletic Practice and Play?

A: No. Any athletics that would like to continue must comply with the enhanced testing regimen and infection control guidelines on [page 4](#).

Q: Are nursing, social work, and dental included within "medical personnel" for the purposes of section 2(c)(5) and "medical services" for the purpose of section 8(f)?

A: Yes.

Q: Are personal training, individual coaching, or private lessons allowed at gyms, pools, skating rinks, and other exercise venues under this order?

A: Yes, individual private lessons, individual coaching, or personal training (with one participant and one coach/trainer) are permitted under the Section 2(c)(2) gathering exemption for employee/customer interactions to receive a service.

Q: What is the distinction between a water park and a swimming pool under this order?

A: A water park – which is not permitted to operate under this order – is a recreational facility with water features including pools, slides, sprinklers, and the like, which serves a primarily entertainment or recreational purpose, and which is open for unstructured play. Swimming pools that are permitted to operate under this order are those which are used for individual exercise, such as those set up with individual lanes for lap swimming, and which do not contain large open areas of water for unstructured group play. Group fitness classes are not permitted in pools, except that 1:1 instruction with a therapist or trainer is permitted.

Q: Are steam rooms, ice plunges, saunas, and hot tubs at gyms or spas required to close?

A: No, such facilities may be open for individual use, or incidental gatherings of individuals observing capacity limits for indoor non-fixed gatherings.

Q: Under this order, may behavioral health services still be provided in person?

A: Services and activities specified in an individual plan of service (IPOS) for persons with disabilities are considered medical treatment under this order, and may be provided in person (without limitations due to the order's gathering limits). This includes services provided in the home, in communities, and at day centers.

Q: May adult day programs for people with behavioral health needs (such as drop-in centers, clubhouses, or adult skill building programs) continue in-person operations under this order?

A: Programs are permitted to remain open to provide physical and behavioral health services for residents, including mental health, substance use, and developmental disability services (such as counselling, group programs, peer coaching, and vocational, physical, or occupational therapy). In-person social activities, group fitness, adult education, or enrichment programs are not permitted, unless specified in an Individual Plan of Service (IPOS). All programs should follow guidance provided by MDHHS specific to their operations and relevant MIOSHA guidance.

Q: May independent living programs offer congregate meals and senior social programs under this order?

A: No.

Q: What programs and services may senior centers, senior day programs (such as PACE adult day centers), and day programs serving people with dementias/memory care centers provide under this order?

A: These day programs serving seniors may not offer in-person social programming, group health promotion or wellness programming (e.g., diabetes management), group fitness (e.g., Tai Chi or yoga), or congregate meals. Centers that offer medical treatment may continue to do so in person.

Q: May homeless shelters and warming centers be open under this order?

A: Yes, including for food service.

Q: Are indoor food courts open under this order?

A: No.

Schools and universities

Q: Are high schools still permitted to be open for purposes other than in-person instruction?

A: Yes, high schools (grades 9 through 12) may remain open for purposes such as providing a location for staff or students who do not have reliable internet or computers to engage in remote learning, to distribute meals, or to provide medical care at a school-based health clinic. High schools are not permitted to be open for extracurricular activities or athletics.

Q: Are elementary and middle schools still permitted to be open for purposes other than in-person instruction?

A: Yes, elementary and middle schools (preschool through grade 8) may also offer childcare services, including daycare for children before or after school hours, as well as

community support services such as meal distribution or medical care at a school-based health clinic. They may not host athletics or extracurricular programs.

Q: Are college and university students permitted to work in medical or scientific labs, or other on-campus jobs?

A: Yes, students may work in facilities such as hospitals, labs, libraries, dining halls, or other workplaces that are open under [MIOSHA's October 14, 2020 rule](#).

Q: May community centers offer in-person tutoring services under this order?

A: Yes, for children in preschool through grade 8, or for children in grades 9-12 if providing wraparound services such as food or internet access or serving youth with disabilities or who are English Language Learners.

Q: Are trade, career, and vocational schools, including programs at colleges and universities, allowed to continue operating under the new epidemic order?

A: Trade, career, and vocational programs may be open for the purpose of providing technical education services, including manufacturing, industrial technology, trades, and cosmetology, but only to the extent that these activities cannot be completed remotely. This includes hands-on-learning activities as well as on-the-job training and apprenticeship. Trade and vocational programs that operate in classroom settings that can be conducted remotely, must be remote.

Q: For the purposes of the part of the order that closes instruction in high schools, does it apply to closed campus boarding schools and juvenile detention centers?

A: The restrictions on high schools do not apply to closed campus setting including boarding schools and juvenile detention centers.

Q: Under this order, may organizations offer in-person sittings for nationally-administered proctored examinations, such as the SAT, ACT, LSAT, Medical Boards, or professional licensure exams?

A: Yes, provided that the examination is not offered remotely.

Q: Under this order, may universities, colleges, or high schools (not otherwise permitted to be open) administer final exams in person.

A: No.

Q: Are alternative high schools permitted to continue operating under this order?

A: Yes, alternative high schools that provide personalized educational services for students who are at risk of not graduating with their class or have special needs may continue to operate (like other special education programs may continue in person).

Q: Are 9th - 12th grade students who qualify for a Section 504 eligible for in-person instruction under this order?

Yes, similar to Special Education, students who are eligible for accommodations or modifications under Section 504 may be provided the opportunity to attend in-person for the duration of the Emergency Order.

Q: Are aviation schools permitted to operate?

A: Yes, one on one instruction at aviation schools is permitted.

Q: Are religious schools exempt from the gathering rules, mask requirements, or capacity limits in this order?

A: No, these requirements apply to religious schools, except that there would be no penalty applied for students or staff engaging in religious worship at a place of religious worship.

Q: Are religious high schools permitted to remain open for in-person learning or athletics?

A: No, except that they may be open for religious worship services, or for purposes other than in-person education, such as providing a location for staff or students who do not have reliable internet or computers to engage in remote learning, to distribute meals, or to provide medical care at a school based health clinic. Religious high schools are not permitted to be open for extracurricular activities or athletics.