

## FREQUENTLY ASKED QUESTIONS ON AD ASTRA: A PLAN TO REOPEN KANSAS

Updated May 14, 2020

### REOPENING QUESTIONS

#### When does the Reopening Plan go into effect?

- The Framework will reopen the Kansas economy in Phases. Throughout each Phase the Governor will continue evaluating the state's progress and, if appropriate, issue a new executive order moving the statewide baseline to a new Phase. **Phase One** will begin May 4. **Phase 1.5** will begin May 18<sup>th</sup>. **Phase 2** will occur no sooner than June 1<sup>st</sup>. **Phase 3** will occur no sooner than June 15<sup>st</sup>. **Phase Out** will occur no sooner than June 29<sup>th</sup>.

#### Where can I find a copy of the Reopening Plan?

- "Ad Astra: A Plan to Reopen Kansas" can be found here: <https://covid.ks.gov/>

### ROLES & ENFORCEMENT QUESTIONS

#### What role do local authorities have during the reopening process?

- The State will set the regulatory **baseline** for Kansas local governments in each phase of this framework, allowing local governments to retain the ability to impose additional restrictions that are in the best interest of the health of their respective residents. **Any specific guidelines not outlined in the Framework are the jurisdiction of each local government.** The state will not force communities to reopen.

#### Can local units of government be less restrictive than the Reopening Plan?

- Under Executive Order 20-29, local units of government **cannot** be less restrictive than the Governor's plan. They may **not** allow businesses or activities explicitly prohibited in each phase of the Governor's plan. The Governor will issue another executive order to move the state's regulatory **baseline** into Phase Two when appropriate. Until then, local units of government may **not** move into Phase Two on their own.

#### What if my local government wants to use a different, more restrictive standard?

- Local governments do not have to apply or submit requests to the state to institute any equal or more restrictive standards. Local governments that choose not to impose any additional restrictions are required to operate within the regulatory baseline of the Governor's EO for each phase.

#### How were decisions made about mass gatherings?

- Mass gathering limits for each phase were determined by considering the capacity of our public health infrastructure and determining a measured, gradual approach for loosening restrictions. The Governor

reserves the right to loosen or strengthen these restrictions in subsequent phases based on the state's health progress.

**If a function was listed as essential under Kansas Essential Functions Framework (KEFF), will it remain so?**

- Local governments may decide whether an individual or organization performs an essential function under the KEFF, but any individual or organization with confirmation from the State that it performed an essential function is to remain deemed to perform an essential function.

**Is this plan enforceable by law? Or just suggested guidelines for the counties? If enforceable - how will you enforce it?**

- All enforcement happens at the local level. I will issue an executive order making the mass gathering, business, activity, and venue restrictions law for Phase One. It is a crime to violate the executive order, but local law enforcement is encouraged to pursue compliance before using criminal enforcement measures.

**If one county has a stricter stay-home order than the county you actually work in -- which rules do you follow?**

- Follow the rules of the county you are in at that time.

**Does the state move from phases together? What if one county is ready to move to Phase Three earlier than another county?**

- The State of Kansas will move from phase to phase as a state. Counties are able to impose equal or more restrictive orders.

## HEALTH METRIC QUESTIONS

**What metrics are being used in the Reopening Plan?**

- There are three health metrics being reviewed in the Reopening Plan to best assess the status of COVID-19 in a community.
- The three health metrics being used are as follows:
  - Disease spread: Measures the number of new cases by date of symptom onset in comparison to the respective state and county population.
  - Hospitalizations: Number of new hospitalizations by date of admission.
  - Deaths: Number of new deaths by date of death.

**Where do I go to learn about my county's COVID-19 health metrics?**

- Here is a link to the county health officials in Kansas.  
[https://www.kdheks.gov/olrh/download/health\\_directory.pdf](https://www.kdheks.gov/olrh/download/health_directory.pdf)

**Are there any basic health guidelines that we should be following?**

- Throughout all the phases, Kansans should maintain social distancing, practice good hygiene, remain home when sick, follow isolation and quarantine orders issued by state or local health officers, use cloth face

masks when leaving their homes, and continue to clean and disinfect surfaces. These are basic public health guidelines that will slow the spread of this disease as we slowly re-open Kansas. Individuals are strongly encouraged to resume seeking medical services while following safety guidelines issued by each respective medical facility. Additional guidelines can be found in the plan, on the [KDHE website](#), or on the [CDC website](#).

## PHASE 1.5 QUESTIONS

### What is new in Phase 1.5?

What is allowed in Phase 1.5	What is still NOT allowed in Phase 1.5
<ul style="list-style-type: none"> <li>• All businesses allowed in Phase One with outlined social distancing, mass gathering, and public health restrictions.</li> <li>• Nail salons, barber shops, hair salons, tanning salons, tattoo parlors and other personal service businesses where close contact cannot be avoided may open, but only for pre-scheduled appointments or online check-in;</li> <li>• Fitness centers and health clubs may open, but in-person group classes may not occur, and locker rooms must be closed except as necessary to use restroom facilities.</li> <li>• In-person commencement or graduation ceremonies may occur with no more than 10 individuals in a room, gymnasium, or facility at one time so long as 6-foot social distancing is maintained. Outdoor drive-through graduation ceremonies during which no more than 10 individuals are in the same area outside of their vehicles at a time (i.e. school administration, graduate, family members, etc.) are allowed.</li> </ul>	<ul style="list-style-type: none"> <li>• Bars and night clubs, excluding already operating curbside and carryout services;</li> <li>• Non-tribal casinos;</li> <li>• Theaters, museums, and other indoor leisure spaces (trampoline parks, arcades, etc.);</li> <li>• Community centers;</li> <li>• Outdoor and indoor large entertainment venues with capacity of 2,000 or more;</li> <li>• Fairs, festivals, carnivals, parades;</li> <li>• Swimming pools (other than backyard pools);</li> <li>• Organized sports facilities, sports tournaments, sports games, and sports practices; and</li> <li>• Summer camps.</li> </ul>

- All businesses allowed in this phase must continue to meet the following business restrictions:
  - They can maintain at least 6 feet of distance between consumers (individuals or groups). Restaurants or dining establishments may meet this requirement by using physical barriers sufficient to prevent virus spread between seated customers or groups of seated customers.
  - AND fundamental cleaning and public health practices are followed. Businesses should follow industry-specific guidelines as provided on covid.ks.gov. Any additional best practices guidance from each business sector is strongly encouraged.
  - AND businesses must avoid any instances in which groups of more than 10 individuals are in one location and are unable to consistently maintain 6 feet of distance with only infrequent or incidental moments of closer proximity. This does not limit the total occupancy of a business, but requires that

businesses limit areas and instances in which consistent physical distancing cannot be maintained, such as tables, entrances, lobbies, break rooms, check-out areas, etc.

- Local governments retain authority to impose equal or more stringent restrictions on businesses during this phase, except as to essential functions in KEFF.

### **Why did the Governor choose to create a new Phase 1.5 instead of moving Kansas to Phase Two?**

- The new “1.5” Phase, effective May 18, 2020, continues reopening efforts while preserving some data-driven restrictions necessary to prevent community transmission of COVID-19. Hospitalizations and COVID-related deaths continue to decline, enabling us to move forward with our efforts to safely reopen Kansas. Unfortunately, the daily rate of disease spread has not shown the sustained downward trajectory necessary to move fully into Phase 2. The Governor has indicated from the beginning that public safety must remain the top priority, which means that our reopening efforts must be driven by data, not dates. Phase 1.5 continues our transition, but with necessary caution.
- The Governor will evaluate the state’s disease spread, testing rates, death rates, hospitalizations, ability of state and local public health authorities to contain outbreaks and conduct contact tracing, and personal protective equipment availability when determining if the state should move to the next “Phase.” Regardless of phase, the State Health Officer retains the authority to impose additional public health interventions in any area that contains an emergent and significant public health risk.

### **Can salons, tanning salons, barber shops, tattoo parlors, and other personal services open in Phase 1.5?**

- Yes, but only for pre-scheduled appointments or online check-in. They must still comply with the social distancing and mass gathering restrictions that apply to all businesses allowed to operate.
- Local governments retain authority to impose equal or more stringent restrictions on businesses during this phase, except as to essential functions in KEFF.

### **Can fitness centers and health clubs open in Phase 1.5?**

- Fitness centers and health clubs may open, but in-person group classes may not occur, and locker rooms must be closed except as necessary to use restroom facilities.
- Local governments retain authority to impose equal or more stringent restrictions on businesses during this phase, except as to essential functions in KEFF.

### **My community center includes a fitness center – can it open?**

- If any business, facility, or venue involves or operates more than one activity or function, each activity or function must follow any provisions of this order specifically addressing that activity or function. For example, a community center that includes a fitness center, a pool, and an event space may open the fitness center but may not open the pool or event space (regardless of capacity).
- Local governments retain authority to impose equal or more stringent restrictions on businesses during this phase, except as to essential functions in KEFF.

### **How does this change the dates of future Phases?**

- Phase Two will occur no sooner than June 1.

- Phase Three will occur no sooner than June 15.
- Phase Out will occur no sooner than June 29.

## PHASE ONE QUESTIONS

### How do I know if my business can open during Phase One?

- Local governments retain authority to impose equal or more stringent restrictions on businesses during this phase, except as to essential functions in KEFF.
- All businesses not listed in the following list may open in Phase One if they can follow these business restrictions:
  - They can maintain at least 6 feet of distance between consumers (individuals or groups). Restaurants or dining establishments may meet this requirement by using physical barriers sufficient to prevent virus spread between seated customers or groups of seated customers.
  - AND fundamental cleaning and public health practices are followed. Businesses should follow industry-specific guidelines as provided on covid.ks.gov. Any additional best practices guidance from each business sector is strongly encouraged.
  - AND businesses must avoid any instances in which groups of more than 10 individuals are in one location and are unable to consistently maintain 6 feet of distance with only infrequent or incidental moments of closer proximity. This does not limit the total occupancy of a business, but requires that businesses limit areas and instances in which consistent physical distancing cannot be maintained, such as tables, entrances, lobbies, break rooms, check-out areas, etc.
- The following businesses do NOT open in this phase:
  - Bars and night clubs, excluding already operating curbside and carryout services
  - Casinos (non-tribal)
  - Theaters, museums, and other indoor leisure spaces (trampoline parks, arcades, etc.)
  - Fitness centers and gyms
  - Nail salons, barber shops, hair salons, tanning salons, tattoo parlors and other personal service businesses where close contact cannot be avoided

### Can restaurants open on May 4 Under Phase One?

- Yes, so long as they follow the basic provisions outlined in the plan and Executive order 20-29:
  - At least 6 feet of distance between consumers (individuals or groups). Restaurants or dining establishments may meet this requirement by using physical barriers sufficient to prevent virus spread between seated customers or groups of seated customers.
  - AND fundamental cleaning and public health practices are followed. Businesses should follow industry-specific guidelines as provided on covid.ks.gov. Any additional best practices guidance from each business sector is strongly encouraged.
  - AND businesses must avoid any instances in which groups of more than 10 individuals are in one location and are unable to consistently maintain 6 feet of distance with only infrequent or incidental moments of closer proximity. This does not limit the total occupancy of a business, but requires that

businesses limit areas and instances in which consistent physical distancing cannot be maintained, such as tables, entrances, lobbies, break rooms, check-out areas, etc.

**Can restaurants have more than 10 people at a time in Phase One?**

- Yes, the Governor's plan does not place occupancy limits on restaurants. They may have more than 10 individuals in their establishment so long as they continue to follow social distancing guidelines between consumers (individual and group) AND limit areas and instances in which consistent physical distancing cannot be maintained by groups of 10 or more individuals, such as tables, entrances, lobbies, break rooms, check-out areas, etc.
- Local units of government may impose additional restrictions as they deem necessary to protect the health of their communities.

**Can I go to a restaurant in Phase One with any additional nine people (friends, extended family, etc.)?**

- Yes, you are not limited to only those that you reside with sitting at your table. You may have up to 9 people at your table so long as that table is more than 6 feet from all other tables.

**Can restaurants seat up to 10 strangers together at a table, then another 10 at another table six feet away, and so-on until the available spacing is used up?**

- Restaurants should not seat 10 *strangers* at a table without at least 6 feet of distance between those individuals. Executive Order 20-29 requires at least 6 feet of distance between consumers (individuals or groups). For Phase One, groups are functionally defined as groups of 10 or fewer who are not strangers. The public health reasoning is if groups of individuals know each other, it is easier to contact trace if there is an outbreak. As with other business restrictions, local units of government may be more stringent.

**What is the difference between bars and restaurants?**

- Local units of government can make the distinction. There are many factors a local unit of government can consider when making this decision, including licensing and functions of that business. If the establishment is a bar and grill where bar seating is available and it also serves food, it is allowed to operate so long as it meets social distancing guidelines. Establishments that predominantly serve alcohol, especially those with a dance floor, primarily standing room only spaces, etc., are not allowed to open in Phase One. The goal of this provision in Phase One is to further limit instances in which large groups of individuals, especially strangers, stand, dance, congregate, etc. together without 6 feet of distance.

**Are self-service options and buffets open under Phase One?**

- Because the Governor's plan does not explicitly allow or disallow these services, the decision is determined by local governments. The Governor's plan does, however, specifically prohibit self-service at concession stands at organized sporting facilities until Phase 3 because they are often unregulated and run by volunteers, making it difficult to adhere to fundamental public health guidelines.

**Are libraries open in Phase One?**

- Yes, libraries may open in Phase One so long as they adhere to social distancing and cleaning guidelines.

- Subject to further restriction by local units of government.

#### **Can organized sports teams begin practicing in Phase One?**

- Organized sports team cannot begin practicing in organized sports facilities in Phase One, per Executive Order 20-29. They may begin practicing at these facilities in Phase Two, at the same phase when organized sporting facilities are allowed. Executive Order 20-29 does not prevent individuals from engaging in outdoor activities elsewhere so long as they can maintain social distancing, except for incidental moments of incidental or infrequent contact. It also does not prohibit groups of 10 or fewer individuals from engaging in sports-related activities so long as they can maintain social distancing. Local governments may impose stricter restrictions on sports activities.
- Subject to further restriction by local units of government.

#### **Are parks and playground equipment open in Phase One?**

- The State does not explicitly disallow playground equipment in Phase One. The decision to allow children to use playground equipment will continue to be under the purview of local governments and/or the organizations that may own this equipment. The State's only restriction is that all businesses or facilities that are allowed to operate must maintain social distancing and follow fundamental cleaning guidelines.
- Subject to further restriction by local units of government.

#### **Is dirt track racing open in Phase One?**

- No, these are open in Phase Two as they are considered an organized sporting facility.
- Subject to further restriction by local units of government.

#### **Can churches have more than 10 people in a service at a time in Phase One?**

- Yes, a church may have more than 10 people in a service at one time so long as individuals (not including those who reside together) are more than 6 feet apart (except for infrequent or incidental instances of closer proximity) and the church is following deep cleaning and other public health guidelines.

#### **Are bowling allies open in Phase One?**

- No. In Phase One, all indoor leisure spaces are not permitted to open, which includes bowling allies. These facilities can open in Phase Two.
- Subject to further restriction by local units of government.

#### **Is pet grooming open in Phase One?**

- Yes, pet grooming is permitted in Phase One so long as they can follow social distancing guidelines and business and cleaning guidance. Pet grooming is not a "personal service" and does not require close human-to-human contact.
- Subject to further restriction by local units of government.

#### **Are wedding receptions permitted in Phase One?**

- This depends on two factors: the venue in which the wedding reception is held AND the ability of that reception to adhere to social distancing and mass gathering guidelines. For example, if a reception is held at a large venue or a community center, it would not be allowed because those facilities are not allowed in Phase One. Similarly, if a wedding reception cannot avoid instances in which groups of 10 or more individuals are gathered together within 6 feet, it cannot occur. In other words, if a reception cannot maintain social distancing guidelines, it cannot occur.
- Subject to further restriction at local levels.

#### **Are golf courses open in Phase One?**

- Golf courses continue to remain open in Phase One if individuals can practice social distancing guidance. Golf tournaments are not open until Phase Two.
- Subject to further restriction at local levels.

#### **Are public auctions open in Phase One?**

- Yes, public auctions may open in Phase One so long as social distancing guidelines are maintained.
- Subject to further restriction at local levels.

#### **Are rodeos open in Phase One?**

- No, rodeos are not open in Phase One, but can open in Phase Two if they adhere to social distancing and business guidance.
- Subject to further restriction at local levels.

#### **Are funerals permitted in Phase One?**

- Yes. Funerals may continue in Phase One but are subject to the same mass gathering restrictions as other gatherings.

#### **Can summer camps that are held in licensed childcare facilities operate before June 1?**

- Yes. Any summer camp that is a licensed child care facility is allowed to operate regardless of phase. In every phase, licensed childcare facilities are unrestricted regardless of what form they take.
- Subject to further restriction by local units of government.

#### **Are graduations allowed in Phase One of the plan?**

- All in-person graduations are currently prohibited in Phase One of the Ad Astra Plan under Executive Order 20-29. When the state is ready to move into Phase Two, the Governor will adjust her plan to allow graduations in Phase Two under the outlined mass gathering, social distancing, and venue restrictions of that phase. School districts who have scheduled in-person graduations any time before May 18 should reschedule these events after the state has moved to Phase Two of the Ad Astra Re-Opening plan. Virtual graduations are allowed in all phases.



- Subject to further restriction by local units of government.

**Are zoos allowed in Phase One of the plan?**

- Executive Order 20-29 only specifically prohibits indoor leisure spaces in Phase One, which would encompass any indoor leisure elements of Zoo facilities (reptile houses, indoor habitats, etc.). It does not specifically prohibit the outdoor elements of Zoos, so long as they follow social distancing requirements, public health and cleaning guidelines, and mass gathering limits as outlined in Executive Order 20-29. Local units of government may impose additional restrictions on these facilities as they need necessary to further protect public health. Facilities should consult with their local units of government for any additional questions or concerns.
- Subject to further restriction by local units of government.