

## **RECORD OF DECISION – CMOH Order 48-2021**

### **Re: 2021 COVID-19 Response – School Restrictions**

Whereas I, Dr. Deena Hinshaw, Chief Medical Officer of Health (CMOH) have initiated an investigation into the existence of COVID-19 within the Province of Alberta.

Whereas the investigation has confirmed that COVID-19 is present in Alberta and constitutes a public health emergency as a novel or highly infectious agent that poses a significant risk to public health.

Whereas under section 29 of the *Public Health Act* (the Act), I have the authority by order to prohibit a person from attending a location for any period and subject to any conditions that I consider appropriate, where I have determined that the person engaging in that activity could transmit an infectious agent. I also have the authority to take whatever other steps that are, in my opinion, necessary in order to lessen the impact of the public health emergency.

Whereas having determined that it is necessary for a regional health authority to share health information with schools in order to break the chain of transmission of COVID-19 and prevent the spread of disease in schools.

Whereas a state of public health emergency for the province of Alberta was declared on September 15, 2021.

Whereas having determined that it is necessary to institute additional measures in schools to protect Albertans from exposure to COVID-19 and to prevent the spread of COVID-19, I hereby make the following order:

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## Part 1 – Application

- 1.1 This Order is effective on October 12, 2021 and applies throughout the province of Alberta.

## Part 2 – Definitions

2.1 In this Order the following terms have the following meanings:

- (a) “asymptomatic person” means a person who is not exhibiting COVID-19 symptoms.
- (b) “class cohort” means the group of students enrolled in kindergarten to grade six and any staff member who primarily remains with those students for the purposes of instruction as a COVID-19 safety strategy at a school located in a school building.
- (c) “confirmed case of COVID-19” means person who has taken a Health Canada approved test or a PCR test which confirms that the person is infected with COVID-19.
- (d) “COVID-19 symptoms” means the following symptoms of COVID-19 that are not related to a pre-existing illness or health condition:
  - i. cough;
  - ii. fever;
  - iii. sore throat;
  - iv. shortness of breath;
  - v. runny nose;
  - vi. loss of taste or smell;
  - vii. stuffy nose;
  - viii. painful swallowing;
  - ix. chills;
  - x. muscle or joint aches;
  - xi. feeling unwell or fatigue;
  - xii. nausea, vomiting, diarrhea or unexplained loss of appetite;
  - xiii. conjunctivitis, also known as pink eye.
- (e) “five day period” means five consecutive calendar days, regardless of whether the five days are weekends or weekdays.
- (f) “Health Canada approved test” means a Health Canada approved, or a laboratory based test administered by an accredited diagnostic laboratory, which a person takes to determine whether they are a confirmed case of COVID-19.

- (g) “infectious period” means:
- i. for a symptomatic person, the forty-eight hours before that person first developed COVID-19 symptoms, up to and including the tenth day after that person first developed COVID-19 symptoms, and
  - ii. for an asymptomatic person, the forty-eight hour period before that person took a Health Canada approved test confirming that they are a confirmed case of COVID-19 and up to and including the tenth day after that person took a Health Canada approved test confirming that they are a confirmed case of COVID-19.
- (h) “PCR test” means the polymerase chain reaction test for COVID-19.
- (i) “school” has the same meaning given to it in the *Education Act*.
- (j) “school building” has the same meaning given to it in the *Education Act*.
- (k) “staff member” means any individual who volunteers at a school, or is an individual who is employed by, or provides services under a contract with, an operator of a school.
- (l) “student” has the same meaning given to it in the *Education Act*.
- (m) “symptomatic person” means a person who is exhibiting COVID-19 symptoms which are not related to a pre-existing illness or health condition.
- (n) “ten day period of exclusion” means:
- i. ten consecutive calendar days, regardless of whether the ten days are weekends or weekdays; and
  - ii. commences from the last day a member of the class cohort who tests positive for COVID-19 attended in person at the school during the member’s infectious period.
- (o) “vaccinated” means a person who is eligible for vaccination who has:
- i. proof of receiving at least two doses of a World Health Organization approved COVID-19 vaccine in a two dose vaccine series and has had fourteen or more days elapse since the date on which the person received the second dose of vaccine;
  - ii. proof of receiving one dose in a one dose World Health Organization approved COVID-19 vaccine series and has had fourteen days or more elapse since the date on which the person received the one dose of vaccine.

**Part 3 –Ten day period of exclusion from in-person learning – kindergarten to grade six**

- 3.1 During any five day period, if there are three or more members of a class cohort who are found to be a confirmed case of COVID-19 who attended school during the members’ infectious period within that five day period, then the operator of a school must exclude all members of the class cohort who are not vaccinated from attending at the school building for the ten day period of exclusion.

- 3.2 The operator of a school must not permit any member of a class cohort who is excluded from attending at a school building in accordance with this Part of this Order to return to the school building until the class cohort has completed a ten day period of exclusion.
- 3.3 No student or staff member of a class cohort who is excluded from attending at a school building in accordance with this Part of this Order may attend at a school building until the ten day period of exclusion is completed.
- 3.4 Despite this Part of this Order, a student to whom the ten day period of exclusion applies, may attend the school building for the purposes of attending a child care program regulated under the *Early Learning and Childcare Act*.

**Part 4 – General**

- 4.1 A regional health authority may disclose health information to a school for the purposes of administering Part 3 of the *Public Health Act*.
- 4.2 Notwithstanding anything in this Order, the Chief Medical Officer of Health may exempt a person or a class of persons from the application of this Order.
- 4.3 This Order remains in effect until rescinded by the Chief Medical Officer of Health.

Signed on this 8 day of October, 2021.



Deena Hinshaw, MD  
Chief Medical Officer of Health