

## **CLASS ORDER**

**made pursuant to Section 22 of the Health Protection and Promotion Act,  
R.S.O. 1990, c.H.7**

**DATE:** April 6, 2021

**TO:** All Chairs and Directors of Education who operate or administer schools within the boundaries of Wellington-Dufferin-Guelph Public Health including the Upper Grand District School Board, the Wellington Catholic District School Board, the Dufferin-Peel Catholic District School Board, the Conseil scolaire Viamonde, and the Conseil scolaire catholique MonAvenir.

**I, Dr. Nicola Mercer, Medical Officer of Health for the Wellington-Dufferin-Guelph Health Unit, ORDER YOU TO TAKE THE FOLLOWING ACTIONS, effective 12:01 a.m. on April 7, 2021:**

- 1. Suspend all in-person teaching and instruction in schools within the meaning of the *Education Act*. for the period from April 7<sup>th</sup> to 18<sup>th</sup>, 2021.**

**This includes schools within the Upper Grand District School Board, Wellington Catholic District School Board, Dufferin-Peel Catholic District School Board, Conseil scolaire Viamonde and Conseil scolaire catholique MonAvenir.**

- 2. Suspend all Before and After School Programs, all Day Camps or any other in-person activity on the premise from April 7<sup>th</sup> to 18<sup>th</sup>, 2021.**
- 3. Despite section (1), schools within the meaning of the *Education Act* may open,**
  - a. to the extent necessary to facilitate the operation of a childcare centre within the meaning of the *Child Care and Early Years Act, 2014*.**
  - b. for the provision of emergency child care for the children of individuals listed in Schedule 5 of Ontario Regulation 82/20 during this period from April 7<sup>th</sup> to 18<sup>th</sup>.**
  - c. to allow staff of the school to access the facility to provide remote teaching or instruction on the premises of the school to support online learning of pupils. While on the school premise, all staff must adhere to Public Health measures as issued by the Ministry of Education.**

**THE REASONS for this ORDER are that:**

- 1. COVID-19, a disease caused by a novel coronavirus, is designated as a disease of public health significance and a communicable disease pursuant to Ontario Regulation 135/18 under the Health Protection and Promotion Act.**
- 2. COVID-19 can cause acute and severe respiratory illness and death in humans.**

3. The spread of COVID-19 is of immediate and compelling public health importance in the jurisdiction of the Wellington-Dufferin Guelph Health Unit:
  - a. On March 11, 2020, the spread of COVID-19 was declared a pandemic by the World Health Organization;
  - b. On March 15, 2020 the first case of COVID-19 was reported in the jurisdiction of the Wellington-Dufferin-Guelph Health Unit.
  - c. On March 17, 2020 the spread of COVID-19 was declared an emergency in Ontario pursuant to the Emergency Management and Civil Protection Act, R.S.O. 1990, c.E.9, as amended, on the basis that COVID-19 constitutes a danger of major proportions;
  - d. States of Emergency were subsequently declared by the City of Guelph and the Counties of Dufferin and Wellington in response to COVID-19;
  - e. As of April 5, 2021, there is evidence of increased community transmission of COVID-19 and COVID-19 variants in the jurisdiction of the Wellington-Dufferin-Guelph Health Unit, as evidenced by newly identified cases not connected to facility outbreaks or travel. Specifically, there have been significantly more cases identified in school age children over the past 7 days and classroom closures than in previous weeks.
  - f. As of April 5, 2021, there has been a 3x increase in percent positivity of school age children over the course of one week. During this same time the  $R_e$  has increased dramatically to 1.38. The rate of these changes has been more rapid than what was seen in Wave 2.
  - g. As of April 5, 2021, the 7-day moving rate for confirmed cases per 100,000 in the school age group has increased from 25.07 to 97.48 over a 2 week period.
4. COVID-19 is transmitted from person to person predominantly through respiratory droplets that are released from the nose and mouth, through contact with contaminated surfaces, and through poor hand hygiene.
5. COVID-19 may be transmitted from persons who have minimal or no signs or symptoms of illness.
6. An increase in the number of cases of COVID-19 will increase disease transmission, potential for outbreaks in congregate settings, and the morbidity and mortality of COVID-19 within the population of the jurisdiction of the Wellington-Dufferin-Guelph Health Unit.

**I am of the opinion, on reasonable and probable grounds that:**

- a. A communicable disease exists or may exist or there is an immediate risk of an outbreak of a communicable disease in the health unit served by me;

- b. The communicable disease presents a risk to the health of persons in the health unit served by me; and
- c. The requirements specified in this Order are necessary in order to decrease or eliminate the risk to health presented by the communicable disease.

**I am also of the opinion that** the delivery of notice of this Order to each and every member of the class to whom it is directed is likely to cause a delay that could significantly increase the risk to the health of any person residing in the jurisdiction of the Wellington-Dufferin-Guelph Health Unit, so notice shall be provided through the public media and the internet via posting at: [www.wdgpUBLICHEALTH.ca](http://www.wdgpUBLICHEALTH.ca).

### **NOTICE**

**TAKE NOTICE THAT** each member of the class to whom this Order is directed is entitled to a hearing by the Health Services Appeal and Review Board if the member has delivered notice in writing to me and to the Health Services Appeal and Review Board (Health Boards Secretariat, 151 Bloor Street West, 9th Floor, Toronto, Ontario, M5S 2T5), requesting a hearing within 15 days after publication of this Order or otherwise in accordance with applicable law. In the context of the COVID-19 outbreak, all requests for appeals and reviews, submissions, materials, and inquiries must be sent by e-mail to [hsarb@ontario.ca](mailto:hsarb@ontario.ca) or faxed to the Health Services Appeal and Review Board at 416-327-8524.

**AND TAKE FURTHER NOTICE THAT** although a hearing may be requested this Order takes effect when it is delivered to a member of the class or brought to the attention of a member of the class.

**FAILURE** to comply with this Order is an offence for which you may be liable, on conviction, to a fine of not more than \$5,000.00 for every day or part of each day on which the offence occurs or continues.

*Signed copy on file*

**Dr. Nicola Mercer  
Medical Officer of Health,  
Wellington-Dufferin-Guelph Public Health  
160 Chancellors Way, Guelph, ON N1G 0E1**