

Ministry of Health

Office of Chief Medical Officer of Health, Public Health
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Ministère de la Santé

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Instructions issued by the Office of the Chief Medical Officer of Health

WHEREAS under subsection 2(2.1) of Schedule 1 and Schedule 4 of [O. Reg. 364/20: Rules for Areas at Step 3 and at the Roadmap Exit Step](#) under the *Reopening Ontario (A Flexible Response to COVID-19) Act, 2020* (ROA) the person responsible for a business or organization that is open shall operate the business or organization in compliance with any advice, recommendations and instructions issued by the Office of the Chief Medical Officer of Health (OCMOH):

- a) requiring the business or organization to establish, implement and ensure compliance with a COVID-19 vaccination policy; or
- b) setting out the precautions and procedures that the business or organization must include in its COVID-19 vaccination policy.

AND WHEREAS:

- some staff, volunteers, third party contractors, student practitioners and other professionals who provide in-person services in public schools, private schools and licensed child care settings remain unvaccinated, posing risks to staff and students;
- vaccines provide the best protection against COVID-19;
- understanding vaccine status is key to helping keep child care and school settings safe over the 2021-22 school year;
- responses to outbreaks can vary based on vaccination status;
- keeping children and youth in school to the fullest extent possible is critical to learning, development, and well-being; and
- the protection of children in child care and schools from COVID-19 disease also enhances the protection of other community members by reducing the risk of disease transmission during an outbreak.

AND HAVING REGARD TO the prevalence of the Delta variant of concern globally and within Ontario, which has increased transmissibility and disease severity than previous

COVID-19 virus strains, in addition to the declaration by the World Health Organization (WHO) on March 11, 2020 that COVID-19 is a pandemic virus and the spread of COVID-19 in Ontario.

I AM THEREFORE OF THE OPINION that instructions from the OCMOH must be issued to establish mandatory COVID-19 vaccination policies in the below listed organizations.

Date of Issuance: September 7, 2021

Effective Date: Every Covered Organization (as defined below) must establish a COVID-19 vaccination policy by no later than September 7, 2021 and implement it by no later than September 27, 2021.

Issued To:

- Licensees within the meaning of the Child Care and Early Years Act, 2014 (“CCEYA”);
- The Provincial Schools Authority within the meaning of the *Provincial Schools Authority Act*;
- The Centre Jules-Léger Consortium as established by the *Education Act*;
- Boards and private schools within the meaning of the *Education Act*, other than schools operated by:
 - i. a band, a council of a band or the Crown in right of Canada,
 - ii. an education authority that is authorized by a band, a council of a band or the Crown in right of Canada, or
 - iii. an entity that participates in the Anishinabek Education System;

and

- Transportation consortia and businesses that contract with transportation consortia or with boards through transportation consortia that organize or provide for the transportation of students to and from school under s. 190 of the *Education Act*.

(collectively the “**Covered Organizations**”)

Required Precautions and Procedures

1. Every Covered Organization must establish, implement, and ensure compliance with a COVID-19 vaccination policy requiring:
 - in the case of Covered Organizations other than transportation consortia and businesses that contract with transportation consortia or with boards through transportation consortia that organize or provide for the transportation of students to and from school under s. 190 of the

Education Act,

- staff, volunteers, and student practitioners, except where the individual works remotely and the individual's work does not involve in-person interactions;
- home child care providers and individuals who are ordinarily a resident of or frequently at a home child care premises; and
- contractors and other individuals who frequently attend the premises at which child care or instruction is provided or at the offices of a board to deliver services, who may have direct contact at the premises with any individual listed above or with a child or student, and
- in the case of transportation consortia and businesses that contract with transportation consortia or with boards through transportation consortia that organize or provide for the transportation of students to and from school under s. 190 of the *Education Act*,
 - staff, volunteers, student practitioners, contractors or other individuals who supervise or transport children or students to or from a location at which instruction is provided or an activity that is part of the program of the school, or otherwise frequently attend the premises at which instruction is provided,

(herein referred to as **"Required Individual"**) to provide:

- a) proof of full vaccination^[1] against COVID-19; or
- b) written proof of a medical reason, provided by a physician or registered nurse in the extended class that sets out: (i) a documented medical reason for not being fully vaccinated against COVID-19, and (ii) the effective time-period for the medical reason; or
- c) prior to declining vaccination for any reason other than a medical reason, proof of completing an educational session about the benefits of COVID-19 vaccination that, in the case of a board within the meaning of the *Education Act*, the Provincial Schools Authority or the Centre Jules-Léger Consortium, is specified by the Ministry of Education, or, in the case of any other Covered Organization, has been selected by the Covered Organization. The approved session must, at minimum, address:
 - i. how COVID-19 vaccines work;
 - ii. vaccine safety related to the development of the COVID-19 vaccines;

^[1] For the purposes of this document, "fully vaccinated" means having received the full series of a COVID-19 vaccine or combination of COVID-19 vaccines approved by WHO (e.g., two doses of a two-dose vaccine series, or one dose of a single-dose vaccine series); and having received the final dose of the COVID-19 vaccine at least 14 days ago.

- iii. the benefits of vaccination against COVID-19;
 - iv. risks of not being vaccinated against COVID-19; and
 - v. possible side effects of COVID-19 vaccination.
2. Every Covered Organization's vaccination policy, other than a policy relating to a child care premises on reserve, shall require that where a Required Individual does not provide proof of being fully vaccinated against COVID-19 in accordance with paragraph 1(a), but instead relies upon the medical reason described at paragraph 1(b) or the educational session at paragraph 1(c), the Required Individual shall:
- a) submit to regular antigen point of care testing for COVID-19 and demonstrate a negative result, at intervals to be determined by the Covered Organization, which must be at minimum once every seven days.
 - b) provide verification of the negative test result in a manner determined by the Covered Organization that enables the Covered Organization to confirm the result at its discretion.
3. If a board advises that it has already ensured compliance with paragraphs 1 and 2 in respect of an individual supervising students being transported to or from a location at which instruction is provided, the transportation consortium or business that contracts with transportation consortia or with boards through transportation consortia that organize or provide for the transportation of students to and from school under s. 190 of the *Education Act* is not required to further confirm that the individual complied with paragraphs 1 and 2.
4. For greater certainty, where a licensee within the meaning of the CCEYA is located at a school operated by the board, the board is not required to confirm compliance with paragraphs 1 and 2 for staff, volunteers, student practitioners, contractors or other visitors of the licensee. The licensee is not required to share any Statistical Information maintained under section 5 with the board.
5. Every Covered Organization, other than businesses that contract with transportation consortia or with boards through transportation consortia that organize or provide for the transportation of students to and from school under s. 190 of the *Education Act*, must:
- a) collect and maintain statistical (non-identifiable) information that includes (collectively, "the Statistical Information"):
 - i. the number of Required Individuals that provided proof of being fully vaccinated against COVID-19;
 - ii. the number of Required Individuals that provided a documented

medical reason for not being fully vaccinated against COVID-19;

- iii. the number of Required Individuals that completed an educational session about the benefits of COVID-19 vaccination in accordance with paragraph 1(c), where applicable; and
- iv. the total number of the Covered Organization's Required Individuals to whom these Instructions apply.

b) disclose the Statistical Information to EDU in the manner and within the timelines specified by EDU. EDU may seek additional detail within the requested Statistical Information outlined above which will also be specified in the request. EDU may further disclose this Statistical Information and may make it publicly available.

6. Working with transportation consortia, businesses that contract with transportation consortia or with boards through transportation consortia that organize or provide for the transportation of students to and from school under s. 190 of the *Education Act* must:

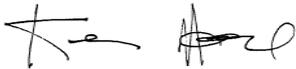
- collect, maintain, and disclose, to each board in respect of which they provide transportation services, the Statistical Information contemplated in paragraph 5(a) ("Transportation Statistical Information"); and
- provide additional detail regarding the Transportation Statistical Information to a board if requested.

7. Every board must include the Transportation Statistical Information provided under section 6 in the Statistical Information it collects, maintains, and discloses to EDU under section 5.

Questions

Covered Organizations may contact EDU at vaccinationattestation.edu@ontario.ca with questions or concerns about these Instructions.

Covered Organizations are required to comply with applicable provisions of the [Occupational Health and Safety Act](#) and its Regulations.

A handwritten signature in black ink, appearing to read 'Kieran Moore'.

Kieran Moore MD, CCFP (EM), FCFP, MPH, DTM&H, FRCPC
Chief Medical Officer of Health