

October 7, 2021

RE: EXEMPTION – ORDER 44-2021 – CONVOCATION CEREMONIES AT POST-SECONDARY INSTITUTIONS

Whereas the Chief Medical Officer of Health (CMOH) 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.

Whereas under section 29(2.1) of the *Public Health Act*, the CMOH has the authority by order to prohibit a person from attending a location for any period and subject to any conditions that the CMOH considers appropriate where the CMOH determined that the person engaging in that activity could transmit an infectious agent. The CMOH also has the authority to take whatever other steps that are, in the CMOH's opinion, necessary in order to lessen the impact of the public health emergency.

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

Further to the above, the CMOH, pursuant to the authority under section 29(2.1) of the *Public Health Act*, made

- CMOH Order 44-2021 (the Order) that identifies additional measures necessary to protect Albertans from exposure to COVID-19 and to prevent the spread of COVID-19.

The CMOH may, pursuant to section 15.1 of the Order, exempt in writing persons or classes of persons from the operation of the Order.

The Office of CMOH has received requests from post-secondary institutions to conduct indoor graduation ceremonies (Convocations) without implementing certain public health measures, currently in effect under the Order. It has been requested that facilities hosting a Convocation be permitted to allow entry of persons to the maximum capacity of the facility. It is also requested that the Convocation speakers while at the podium be allowed to temporarily remove their face mask while making a speech; that indoor adult group performances be allowed during the Convocation; and a reception be allowed to be held in conjunction with the Convocation for social purposes that includes indoor

dining. All attendees at the Convocation will be required to show proof of vaccination prior to entry and wear face masks for the duration of the event, and physical distancing will be observed between members of different households.

As described in Part 3 of the Order, Albertans are required to wear a face mask at all times while attending an indoor public place. Publically funded post-secondary institutions identified in the *Post-Secondary Learning Act* (PSLA) are subject to the physical distancing requirements of the Order.

Part 4 of the Order identifies the requirements for physical distancing in the province of Alberta. Part 7 of the Order identifies the requirements for private social gatherings. Part 9 of the Order outlines the requirements for businesses and entities. Part 10 of the Order restricts indoor dining. Part 11 of the Order outlines the restrictions for adult performance activity.

In accordance with the above, and pursuant to section 15.1 of the Order, I am satisfied that an exemption from sections 3.1, 4.1 and 4.3, section 7.1, section 9.1, section 10.1 and section 11.1 and 11.2 should be granted to the following persons upon the following conditions

- I. Subject to paragraphs II to VII students of a post-secondary institution and their invited guests and the faculty and staff of a post-secondary institution and invited speakers or performers who are attending an indoor facility where a Convocation is being held for students of that post-secondary institution and the post-secondary institution or the operator of the facility where the Convocation is to be held.
- II. For the purposes of this exemption, the post-secondary institution or the operator of the facility where the Convocation is to be held shall require all persons described in paragraph I to demonstrate proof of vaccination or provide a vaccine medical exception letter prior to entering the facility where the Convocation is to be held. Proof of vaccination or a vaccine medical exception letter includes any of the following:
 - a. Proof of vaccination, as set out in section 5.3 of CMOH Order 45-2021
 - b. Student declaration under the post-secondary institution's proof of vaccine policy declaration; or
 - c. An original vaccine medical exception letter as set out in sections 5.5 and 5.6 of CMOH Order 45-2021 – copies not acceptable.
- III. All persons described in paragraph I must wear a face mask while in an indoor public place of the facility where the Convocation is being held in accordance with the Order except that a person at the Convocation may remove their face mask while attending at a podium when they are making a speech or verbal presentation for the purposes of the Convocation. For clarity any such person

must wear their face mask upon the conclusion of their speech or verbal presentation.

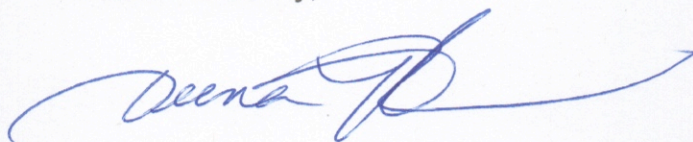
- IV. All wind instruments played by Performers described in paragraph I must have a mask for the duration of the performance. For clarity any such person must wear their face mask for the duration up to the and upon the conclusion of their performance.
- V. The operator of the facility where the Convocation is occurring may allow indoor dining for the persons described in paragraph I in conjunction with the Convocation but those persons must be seated at a table while consuming food or drink or, if standing at a standing table while consuming food or drink, as long as persons remain at the standing table at all times while consuming the food or drink. Persons shall only be seated or gathering at a standing table with members of their cohort as described in section 2.1(e)(i) & (e)(ii) of the Order.
- VI. The persons as described in paragraph I shall comply with any conditions in the most relevant guidelines which may be amended from time found at <https://www.alberta.ca/guidance-documents.aspx>.
- VII. The persons described in paragraph I shall also comply will any public health guidelines, conditions or requirements that may be provided from time to time in writing by Alberta Health or Alberta Health Services.
- VIII. All other applicable provision of Order 44-2021 are in effect.

Although the persons, businesses and entities identified above are exempt per section 15.1 of the Order, all persons, businesses and entities who are identified in this exemption are subject to the appropriate hygiene, and all other measures identified by public health authorities to protect these persons and other Albertans from further transmission of COVID-19.

The exemption provided by this letter may be terminated or modified by the CMOH in writing without notice and for any reason as determined by the CMOH.

This exemption comes into effect on October 7, 2021.

Yours sincerely,



Deena Hinshaw, MD, MPH, FRCP(C)
Chief Medical Officer of Health