



**Order of the Erie County Department of Health Requiring Face Coverings
For Persons Within Erie County Public and Private Schools**

As most residents of Erie County know, COVID-19 is a highly contagious disease capable of spreading from person to person. Since its first appearance in Erie County, COVID-19 has caused, or contributed to, the deaths of almost 500 of our citizens, and resulted in the hospitalization of many more. Within the past several weeks a particularly contagious variant of COVID-19 often referred to as the “Delta” variant has entered Erie County with the effect of significantly increasing the incidence of the virus generally and, correspondingly increasing the risk of transmission, symptoms and health concerns. Congregant indoor settings, in particular, pose a high risk of transmission of the Delta variant.

Face coverings can decrease exposure of both the wearers and others to respiratory droplets and aerosols, and assist in the mitigation of the public health threat posed by COVID-19. *See www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/cloth-face-cover-guidance.html#recent-studies.* Face coverings are a proven control measure to help address the spread of COVID-19 within Erie County, and a current surge in the number of positive cases justifies requiring them in certain congregant indoor settings on a measured basis. The Commonwealth of Pennsylvania Department of Health has determined that recent case counts in Erie County constitute evidence of “high community spread.” The trend clearly indicates our County is likely to experience more, not fewer, new cases. The order that follows represents a first step toward a measured local response to the current situation. If the incidence of COVID-19 continues to grow, additional measures may be necessary. If trends reverse to the point where the order no longer appears to be justified, it will be rescinded, or revised, as appropriate.

Public and private primary and secondary schools pose a unique transmission risk due to their nature, which involves large indoor congregant settings, preceded and followed by the dispersal of potentially exposed individuals throughout the communities these institutions serve. For students who are under 12 who cannot yet have the protection of a vaccination, unprotected exposure to COVID-19 and its variants poses a unique health risk to them and those with whom they might come into contact. This first local mitigation order will address this environment.

The Erie County Department of Health is authorized by Section 5 of the Pennsylvania Disease Prevention and Control Law of 1955 (“DPCL”) to respond to a threat to public health by carrying out appropriate control measures. *See 35 Pa. Stat. Ann. Section 521.5 and related regulations, and Section 2102 of the Administrative Code, 71 Pa. Stat. Ann. Section 532.* COVID-19, and in particular its recent rapid community spread, clearly represents such a threat. Accordingly, pursuant to Section 5 of the DPCL, I hereby order:

Section 1: Face Coverings Defined

“Face covering” means a covering of the nose and mouth that is secured to the head with ties, straps, or loops over the ears or is wrapped around the lower face. It must completely cover the nose and mouth. A “face covering” can be made of a variety of synthetic or natural fabrics, including cotton, silk, or linen. “Face coverings” may be factory-made or sewn by hand, and whenever possible should include two or more layers of washable, breathable fabric.

Section 2: Face Coverings Required

Except as provided in Section 3 below, individuals are required to wear face coverings when within an enclosed area of a public or private pre-school, primary or secondary school, including employees, students, visitors and contractors.

Section 3: Exceptions to Face Covering Requirement

A. The following are exceptions to the face covering requirement in Section 2:

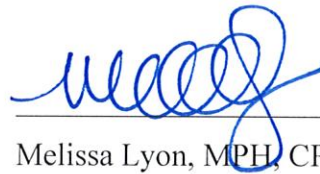
- i. Individuals who cannot wear a mask due to a medical condition, including but not limited to those with respiratory issues that impede breathing, mental health conditions, or disabilities;
- ii. Individuals for whom wearing a mask while working or performing tasks required of a student would create an unsafe condition;
- iii. Individuals who would be unable to remove a mask without assistance;
- iv. Individuals who are under two years of age;
- v. Individuals who are communicating or seeking to communicate with someone who is hearing-impaired or has another disability, where the ability to see the mouth is essential for communication;

- vi. Individuals with a bona-fide religiously based objection to wearing a face covering;
- vii. Individuals engaging in instructional activities that cannot reasonably be undertaken while masked, as, for example, playing certain musical instruments;
- vii. Athletes and other student participants in indoor extra-curricular activities where a masking requirement is inconsistent with the nature of the sport or activity, or otherwise impractical.

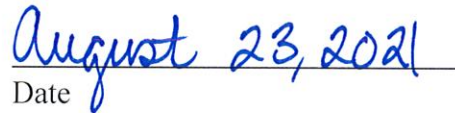
Section 4: Effective Date

This order is effective immediately and will remain in effect until further notice.





Melissa Lyon, MPH, CPH
Director
Erie County Department of Health



Date