

*This is the administrative version of order No.885-2020 made on 19 August 2020. In the event of a discrepancy, the version to be published in the Gazette officielle du Québec takes precedence.*

Ordering of measures to protect the health of the population amid the COVID-19 pandemic situation

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WHEREAS the World Health Organization declared COVID-19 to be a pandemic on 11 March 2020;

WHEREAS, under section 118 of the Public Health Act (chapter S-2.2), the Government may declare a public health emergency in all or part of the territory of Québec where a serious threat to the health of the population, whether real or imminent, requires the immediate application of certain measures provided for in section 123 of the Act to protect the health of the population;

WHEREAS the pandemic constitutes a serious and real threat to the health of the population that requires the immediate application of certain measures provided for in section 123 of the Act;

WHEREAS, while the public health emergency is in effect, despite any provision to the contrary, the Government or the Minister of Health and Social Services, if the Minister has been so empowered, may, without delay and without further formality, take any of the measures provided for in subparagraphs 1 to 8 of the first paragraph of section 123 of the Act to protect the health of the population;

WHEREAS, by Order in Council 177-2020 dated 13 March 2020, the Government declared a public health emergency and took certain measures to protect the health of the population, in particular by suspending educational and instructional services of educational institutions, and the activities of school childcare services;

WHEREAS the public health emergency was renewed until 29 March 2020 by Order in Council 222-2020 dated 20 March 2020, until 7 April 2020 by Order in Council 388-2020 dated 29 March 2020, until 16 April 2020 by Order in Council 418-2020 dated 7 April 2020, until 24 April 2020 by Order in Council 460-2020 dated 15 April 2020, until 29 April 2020 by Order in Council 478-2020 dated 22 April 2020, until 6 May 2020 by Order in Council 483-2020 dated 29 April 2020, until 13 May 2020 by Order

in Council 501-2020 dated 6 May 2020, until 20 May 2020 by Order in Council 509-2020 dated 13 May 2020, until 27 May 2020 by Order in Council 531-2020 dated 20 May 2020, until 3 June 2020 by Order in Council 544-2020 dated 27 May 2020, until 10 June 2020 by Order in Council 572-2020 dated 3 June 2020, until 17 June 2020 by Order in Council 593-2020 dated 10 June 2020, until 23 June 2020 by Order in Council 630-2020 dated 17 June 2020, until 30 June 2020 by Order in Council 667-2020 dated 23 June 2020, until 8 July 2020 by Order in Council 690-2020 dated 30 June 2020, until 15 July 2020 by Order in Council 717-2020 dated 8 July 2020, until 22 July 2020 by Order in Council 807-2020 dated 15 July 2020, until 29 July 2020 by Order in Council 811-2020 dated 22 July 2020, until 5 August 2020 by Order in Council 814-2020 dated 29 July 2020, until 12 August 2020 by Order in Council 815-2020 dated 5 August 2020, until 19 August 2020 by Order in Council 818-2020 dated 12 August 2020 and until 26 August 2020 by Order in Council 845-2020 dated 19 August 2020;

WHEREAS the latter Order in Council provides that the measures provided for by Orders in Council 177-2020 dated 13 March 2020, 222-2020 dated 20 March 2020, 460-2020 dated 15 April 2020, 496-2020 dated 29 April 2020, 505-2020 dated 6 May 2020, 540-2020 dated 20 May 2020, 566-2020 dated 27 May 2020, 588-2020 dated 3 June 2020, 615-2020 dated 10 June 2020, 651-2020 dated 17 June 2020, 689-2020 dated 25 June 2020, 708-2020 dated 30 June 2020, 788-2020 dated 8 July 2020, 810-2020 dated 15 July 2020, 813-2020 dated 22 July 2020 and 817-2020 dated 5 August 2020, and by Ministerial Orders 2020-004 dated 15 March 2020, 2020-007 dated 21 March 2020, 2020-008 dated 22 March 2020, 2020-009 dated 23 March 2020, 2020-010 dated 27 March 2020, 2020-013 dated 1 April 2020, 2020-014 dated 2 April 2020, 2020-015 dated 4 April 2020, 2020-016 dated 7 April 2020, 2020-017 dated 8 April 2020, 2020-019 and 2020-020 dated 10 April 2020, 2020-022 dated 15 April 2020, 2020-023 dated 17 April 2020, 2020-026 dated 20 April 2020, 2020-027 dated 22 April 2020, 2020-028 dated 25 April 2020, 2020-029 dated 26 April 2020, 2020-030 dated 29 April 2020, 2020-031 dated 3 May 2020, 2020-032 dated 5 May 2020, 2020-033 dated 7 May 2020, 2020-034 dated 9 May 2020, 2020-035 dated 10 May 2020, 2020-037 dated 14 May 2020, 2020-038 dated 15 May 2020, 2020-039 dated 22 May 2020, 2020-041 dated 30 May 2020, 2020-042 dated 4 June 2020, 2020-043 dated 6 June 2020, 2020-044 dated 12 June 2020, 2020-045 dated 17 June 2020, 2020-047 dated 19 June 2020, 2020-048 dated 26 June 2020, 2020-049 dated 4 July 2020, 2020-050 dated 7 July 2020, 2020-051 dated 10 July 2020, 2020-053 dated 1 August 2020 and 2020-058 dated 17 August 2020, except to the extent that they were amended by those Orders in Council or Ministerial Orders, continue to apply until 26 August 2020 or until the Government or the Minister of Health and Social Services modifies or terminates them;

WHEREAS, by Orders in Council 505-2020 dated 6 May 2020, 540-2020 dated 20 May 2020, 566-2020 dated 27 May 2020, 588-2020 dated 3 June 2020, 615-2020 dated 10 June 2020, 651-2020 dated 17 June 2020 and 708-2020 dated 30 June 2020, the

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Government lifted the suspension applicable to certain educational and instructional services provided by educational institutions under Order in Council 177-2020 dated 13 March 2020;

WHEREAS, by Order in Council 505-2020 dated 6 May 2020, the Government lifted the suspension applicable to the activities of school childcare services under Order in Council 177-2020 dated 13 March 2020, with respect to activities carried on elsewhere than in the territory of the Communauté métropolitaine de Montréal, provided the activities are carried on in accordance with the conditions provided for in its Schedule;

WHEREAS, by Ministerial Order 2020-034 dated 9 May 2020, the exceptions provided for by Order in Council 505-2020 dated 6 May 2020 for the territory of the Communauté métropolitaine de Montréal also apply for the territory of the regional county municipality of Joliette;

WHEREAS, by Orders in Council 566-2020 dated 27 May 2020 and 651-2020 dated 17 June 2020, the Government ordered that respite services and educational support services be organized and provided to certain students;

WHEREAS, by Order in Council 689-2020 dated 25 June 2020, a person must maintain, to the extent possible, a distance of two metres from any other person, except in certain situations listed therein;

WHEREAS, by Order in Council 810-2020 dated 15 July 2020, the Government prohibited an operator of a public place from allowing a person who is not wearing a face covering to enter the public place, or tolerating the presence in the public place of a person not wearing a face covering, unless the person is less than 12 years of age;

WHEREAS, under that Order in Council, a building or room used by an institution providing preschool education services or elementary or secondary school general education instructional services for youth is not considered to be a public place;

WHEREAS, by Order in Council 813-2020 dated 22 July 2020, the Government prohibited an operator of a shared transportation service from admitting a person who is not wearing a face covering or tolerating the presence in such means of transportation of a person not wearing a face covering, unless the person is less than 12 years of age or is a student at the preschool or elementary school level of the general education instructional services for youth and who is in school transportation;

WHEREAS it is expedient to order certain measures to protect the health of the population;

IT IS ORDERED, therefore, on the recommendation of the Minister of Health and Social Services:

THAT the suspension of educational and instructional services provided by educational institutions provided for by Order in Council 177-2020 dated 13 March 2020, amended by Orders in Council 505-2020 dated 6 May 2020, 540-2020 dated 20 May 2020, 566-2020 dated 27 May 2020, 588-2020 dated 3 June 2020, 615-2020 dated 10 June 2020, 651-2020 dated 17 June 2020 and 708-2020 dated 30 June 2020, be lifted;

THAT distance educational services be provided by school service centres, school boards and private educational institutions to students at the elementary and secondary school level of the general education instructional services for youth whose health condition or that of a person with whom they reside puts them at risk of serious complications if they contract COVID-19, where a physician recommends that those students not attend school;

THAT the distance educational services be provided according to the minimum provision of services provided for in the Schedule;

THAT educational institutions be allowed to reduce up to 50% the number of hours of classroom educational services for their Secondary 4 and 5 students, provided that distance educational services be provided to those students;

THAT the organization and provision of the following services end:

(1) educational support services provided for by Order in Council 651-2020 dated 17 June 2020;

(2) school respite services provided for by Order in Council 566-2020 dated 27 May 2020, amended by Order in Council 615-2020 dated 10 June 2020 and 651-2020 dated 17 June 2020, and by Ministerial Orders 2020-044 dated 12 June 2020 and 2020-047 dated 19 June 2020;

THAT the suspension applicable to the activities of school childcare services provided for by Order in Council 177-2020 dated 13 March 2020, as amended, be

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lifted with respect to activities carried on in the territory of the Communauté métropolitaine de Montréal and the regional county municipality of Joliette;

THAT the Schedule to Order in Council 505-2020 dated 6 May 2020, amended by Order in Council 566-2020 dated 27 May 2020 and by Ministerial Orders 2020-034 dated 9 May 2020, 2020-039 dated 22 May 2020, 2020-042 dated 4 June 2020, 2020-044 dated 12 June 2020, 2020-047 dated 19 June 2020, 2020-048 dated 26 June 2020 and 2020-051 dated 10 July 2020, be further amended by revoking Division II;

THAT Order in Council 689-2020 dated 25 June 2020, amended by Ministerial Orders 2020-051 dated 10 July 2020 and 2020-053 dated 1 August 2020, and by Order in Council 817-2020 dated 20 August 2020, be amended by inserting the following after subparagraph 7 of the second paragraph of the operative part:

“(7.1) staff members of a school service centre, a school board or a private educational institution, but only where they interact with preschool students under their responsibility;”;

THAT Order in Council 810-2020 dated 15 July 2020, amended by Order in Council 813-2020 dated 27 July 2020, be amended

(1) by striking out “, excluding an institution providing preschool education services or elementary or secondary school general education instructional services for youth” in subparagraph *i* of subparagraph 2 of the first paragraph of the operative part;

(2) by replacing subparagraph 1 of the second paragraph of the operative part by the following:

“(1) is less than 10 years of age;

(1.1) is a student at the preschool level or in cycle one or two of the elementary school level of the general education instructional services for youth who is in a building or room used by an educational institution;

(1.2) is a student in cycle three of elementary or secondary school level of the general education instructional services for youth who is in a building or room used by an educational institution and is in the presence of no person other than the students in his or her group or staff members of the institution;”;

THAT Order in Council 813-2020 dated 22 July 2020 be amended in the second paragraph of the operative part

(1) by replacing “12 years of age” in subparagraph 1 by “10 years of age”;

(2) by replacing “or elementary school level” in subparagraph 2 by “or cycle one or two of the elementary school level”;

THAT Order in Council 177-2020 dated 13 March 2020, as amended by Order in Council 505-2020 dated 6 May 2020, amended by Order in Council 540-2020 dated 20 May 2020, Order in Council 566-2020 dated 27 May 2020, as amended, Order in Council 651-2020 dated 17 June 2020, Order in Council 689-2020 dated 25 June 2020, as amended, Order in Council 810-2020 dated 15 July 2020, as amended, and Order in Council 813-2020 dated 22 July 2020 be amended accordingly;

THAT the Minister of Health and Social Services be empowered to order any modification or clarification of the measures provided for in this Order in Council;

THAT this Order in Council take effect on 24 August 2020, except the measures provided for in the sixth and seventh paragraphs of the operative part, which come into force on 19 August 2020.

## SCHEDULE

### MINIMUM PROVISION OF SERVICES

	<b>Hours of instruction or learning and awareness activities per week</b>	<b>Hours of autonomous work provided by the teacher per week per student</b>	<b>Hours of availability of the teacher per day or per week to meet the needs of students</b>
<b>Preschool</b>	11.5 hours of group learning and awareness activities  11.5 hours of personalized learning and awareness activities	2 hours	N/A
<b>Elementary, cycle one (grades 1 and 2)</b>	10.5 hours of instruction	3 hours	2.5 hours per day
<b>Elementary, cycle two (grades 3 and 4)</b>	13 hours of instruction	5 hours	2 hours per day
<b>Elementary, cycle three (grades 5 and 6)</b>	13 hours of instruction	7.5 hours	2 hours per day
<b>Secondary, cycle one (Secondary 1, 2 and 3)</b>	15 hours of instruction	7.5 hours	5 hours per week

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<b>Secondary, cycle two (Secondary 4 and 5)</b>	15 hours of instruction	7.5 hours	5 hours per week
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