



COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

GALE R. BURSTEIN, MD, MPH
COMMISSIONER OF HEALTH

ORDER OF THE COMMISSIONER OF HEALTH

WHEREAS, the novel coronavirus which causes coronavirus disease 2019 (“COVID-19”) spreads readily from person-to-person; and

WHEREAS, COVID-19 is a disease which is detrimental to the public health and I find that it is necessary and proper to issue this Order for the preservation of the life and health of the residents of Erie County; and

WHEREAS, “close contact” as used within this Order shall have the meaning as described by the Centers for Disease Control and Prevention at: <https://www.cdc.gov/coronavirus/2019-ncov/php/contact-tracing/contact-tracing-plan/appendix.html#contact> ; and

WHEREAS, “primary vaccine series” as used within this Order shall mean a two-dose series of Pfizer or Moderna vaccine or a single dose of Janssen vaccine; and

WHEREAS, “quarantine” as used within this Order shall have the meaning as described by current guidance and instructions provided by the Erie County Department of Health at: erie.gov/iq; and

WHEREAS, “Test To Stay Program” as used within this Order shall have the meaning as described by current guidance and instructions provided by the Erie County Department of Health at: [ECDOH-TTS-Protocol.pdf \(erie.gov\)](https://www.erie.gov/ECDOH-TTS-Protocol.pdf) ; and

WHEREAS, current quarantine guidance requires, among other things, that, unless participating in the Test To Stay Program, students must quarantine and not attend school if they are asymptomatic close contacts who have not completed a primary vaccine series; and

WHEREAS, the school superintendents within Erie County have collectively indicated to the Erie County Department of Health that they lack the authority to prevent students who are asymptomatic close contacts who have not completed a primary vaccine series from attending school; and

WHEREAS, the Erie County Department of Health and the school administrators throughout Erie County work collaboratively to minimize the risk of COVID-19 transmission in school settings and to maximize in class learning.

NOW THEREFORE, I, Gale R. Burstein, Commissioner of the Erie County Department of Health, by virtue of the authority vested in me by New York State Public Health Law (PHL) §308, and other applicable provisions of law do hereby:

- **ORDER that, all Erie County school administrators, teachers, and staff must prevent any student who is an asymptomatic close contact and has not completed a primary vaccine series from entering any school buildings or facilities until their quarantine period has ended. Any such student may return to class during their quarantine period if they participate in the Test To Stay Program.**


Gale R. Burstein, MD, MPH, FAAP,
Commissioner, Erie County Department of Health

February 3, 2022
Date

WARNING
AN INDIVIDUAL WHO VIOLATES OR REFUSES TO COMPLY WITH A HEALTH ORDER OR REGULATION IS SUBJECT TO BOTH CRIMINAL AND CIVIL PENALTIES.