

## **Personnel - Certified/Non-Certified**

### **Required COVID-19 Vaccinations**

The Newtown Board of Education (the “Board”) recognizes the importance of protecting the health and safety of students, staff and the community during the COVID-19 pandemic. Therefore, in accordance with the Governor’s Executive Order, the Board authorizes the administration to develop a regulation concerning vaccination against COVID-19.

Legal Reference	Connecticut General Statutes 10-145 Certificate necessary to employment. Forfeiture for noncompliance. Substitute teachers. Governor’s Executive Order No. 13G, September 10, 2021 Governor’s Executive Order No. 14, September 28, 2021 Governor’s Executive Order No. 14a, September 30, 2021
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Policy adopted: January, 18, 2022

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#### **Definitions**

For purposes of this policy, the following definitions shall apply:

**“Fully vaccinated”** means at least 14 days have elapsed since a person has received the final dose of a vaccine approved for use against COVID-19 by the U.S. Food and Drug Administration, or as otherwise defined by the Centers for Disease Control.

**“Contract Worker”** means any person who provides service to the Board requiring such person to make regular and frequent visits to district schools or to have regular or frequent contact with students or staff, but who is not employed by the Board, excluding any person who visits a Board school only to provide one-time or limited-duration repairs, services, or construction, or a volunteer.

**“Covered Worker”** refers to all employees, both full and part-time, contract workers, contractors, providers, assistants, substitutes, and other individuals working in a district school including individuals providing operational or custodial services or administrative support or any person whose job duties require them to make regular or frequent visits to any district schools or to have regular or frequent contact with students or staff.

Covered Worker does not include a contractor or employee of an outside vendor who visits a district school only to provide one-time or limited-duration repairs, services, or construction, or a volunteer.

**“Contractor”** refers to any person or business entity, including a vendor of support services or subcontractor, that provides the personnel who function as contract workers, or covered workers for the Board.

#### **COVID-19 Vaccination Requirements**

Vaccines shall be required as provided below.

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### **Required COVID-19 Vaccinations**

#### **COVID-19 Vaccination Requirements** (continued)

**On and after September 27, 2021**, the Board shall not employ, or maintain a contract for the provision of in-person services of, any covered worker or an entity that employs a covered worker, unless such covered worker:

1. is fully vaccinated against COVID-19,
2. has received the first dose and has either received a second dose or has an appointment for the second dose in a two-dose series vaccination, such as Pfizer or Moderna vaccines, or has received a single-dose vaccine, such as Johnson & Johnson's Janssen vaccine, or
3. is exempt from this requirement because a physician, physician's assistant, or advanced practice registered nurse determined that the administration of COVID-19 vaccine is likely to be detrimental to the covered worker's health, or the individual objects to vaccination on the basis of a sincerely held religious or spiritual belief, and the covered worker is able to perform their essential job functions with a reasonable accommodation that is not an undue burden on the school board or child care facility; provided that any school board or childcare facility employee claiming such exemption shall apply for an exemption due to medical conditions or sincerely held religious or spiritual beliefs.

Each request for an exemption will be considered on an individualized, case by case basis. Employees who have applied for an exemption must provide appropriate supporting documentation upon request.

4. A covered worker who is hired before September 27, 2021 may, as an alternative to vaccination, and regardless of whether such worker has a medical or religious exemption, comply with the testing requirements contained within this policy.
5. The Board will not employ, or contract for the provision of services from, any covered worker or entity that employs a covered worker subject to the conditions above and is not exempt who has received the first dose of a two-dose series vaccination but fails to receive the second dose on the appropriate date as recommended by CDC or at the scheduled appointment without good cause.

#### **Vaccination Verification and Testing for Covered Workers**

The school board shall authenticate, or where applicable require that the contractor providing the services of a covered worker authenticate, the vaccination status of covered workers, maintain documentation of vaccination or exemption of such covered workers and report compliance with this order, in a form and manner directed by the Department of Public Health.

Beginning September 27, 2021, covered workers who have not demonstrated proof of full vaccination are required to submit to COVID-19 testing one time per week on an ongoing basis until fully vaccinated. Adequate proof of the test results on a weekly basis shall be presented to the Board in a form prescribed by the Board.

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### Required COVID-19 Vaccinations (continued)

#### Vaccination Verification and Testing for Volunteers

While we appreciate and recognize community members who want to volunteer in our schools, we also want to keep our staff and students safe. As of January 15, we will be asking volunteers to present proof of COVID-19 vaccination OR a negative COVID test result within the previous 72 hours of the time a volunteer will be working in the school. If a volunteer will be present in the school beyond one week (5 school days) from the date of the negative test, he or she would be asked to test again for each subsequent week.

#### Acceptable Proof of Vaccination

Covered workers may demonstrate proof of vaccination by providing one of the following:

1. A valid CDC COVID-19 Vaccination Record Card or photo of the Vaccination Record Card;
2. Documentation from a health care provider or electronic health care records;
3. A certificate from the Vaccine Administration Management System (VAMS), if the individual received vaccination through the VAMS system; or
4. A copy of the individual's official immunization record from the Connecticut Immunization Information System, CT WiZ.

Covered workers must also complete and sign a Declaration Attesting to the Authenticity of an Individual's COVID-19 Vaccination Record, provided by the Board. Proof of vaccination will not be deemed valid unless accompanied by the individual's signed declaration. The District reserves the right to authenticate a Vaccination Record Card in a manner consistent with any binding standards issues by the Commissioner of Public Health for such authentication.

Personal attestation will not be accepted as an acceptable form of proof of a COVID-19 vaccination. (*The Commissioner of Public Health may promulgate binding standards for authentication of a Vaccination Record Card.*)

**All proof of vaccination must contain the name and date of birth of the individual, the manufacturer of the COVID-19 vaccine that was administered, and the date(s) on which the vaccine was administered.** Employees must not include any additional medical or genetic information with proof of vaccination.

#### Violations and Enforcement

Any covered worker who fails to comply with this policy shall not be allowed on the premises of the school board until the individual provides adequate proof of compliance or without prior written authorization of the school board.

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### **Required COVID-19 Vaccinations (continued)**

The school board recognizes that it will be in violation of this policy, based on the Governor's Executive Order, when it permits a covered worker who has not complied with this policy to be in a pre-K through grade 12 school, to make regular or frequent visits to any such school facility, or to have regular or frequent contact with children in child care, students, or staff.

The school board also commits a violation if it fails to authenticate the vaccination status of a covered worker or contract worker, maintain documentation of vaccination, testing, or allowable exemptions as required.

The Board recognizes that if the State Department of Education (SDE) determines that the Board is not in compliance with the requirements of this policy, the SDE may require Board to forfeit a portion of the total sum which is paid to the school board from the State Treasury in an amount to be determined by the Commissioner of Education, which amount shall be not less than one thousand dollars nor more than ten thousand dollars.

Any forfeited amount shall be withheld from a grant payment, as determined by the Commissioner, during the fiscal year following the fiscal year in which noncompliance is determined. (The Commissioner of Education may waive such forfeiture if the Commissioner determines that the failure of a school board to comply with such a provision was due to circumstances beyond its control.)

### **Policy Duration**

This policy shall remain in effect through February 15, 2022 unless earlier modified or terminated by the Board.