

 <b>TUCSON UNIFIED</b> SCHOOL DISTRICT  <b>GOVERNING BOARD POLICY</b>	<b>POLICY TITLE:</b>  <b>COVID-19 Vaccination, Testing and Face Covering Policy</b>
	<b>GBGCC</b>

**Purpose:**

Vaccination is a vital tool to reduce the presence and severity of COVID-19 cases in the workplace, in communities, and in the nation as a whole. Tucson Unified encourages all employees to receive a COVID-19 vaccination to protect themselves and other employees. However, should an employee choose not to be vaccinated, this policy’s sections on testing will apply. All employees, regardless of vaccination status, continue to be required to comply with TUSD’s COVID-19 mitigation regulation, EB-R2-T.

**Scope:**

This COVID-19 Policy on vaccination, testing, and face covering use applies to all employees of Tucson Unified, except for employees who do not report to a workplace where other individuals (such as coworkers or customers) are present; employees while working from home; and employees who work exclusively outdoors. Any such exception must be verified in writing by the employee’s supervisor.

All employees are encouraged to remain up to date on their vaccines. Employees are considered up to date when they have received all doses in the primary series and all boosters recommended them for, when eligible, as determined by the Centers for Disease Control (CDC). When Pima County is at a high Community Covid Level, as determined by the CDC, employees who are not fully vaccinated will be required to provide proof of weekly COVID-19 testing before participating in high-risk activities and at high-risk times of year (e.g., before/after large events, returning from breaks). All employees will be required to comply with COVID-19 mitigation strategies outlined in temporary regulation EB-R2-T.

All employees are required to report their vaccination status and, if vaccinated, provide proof of vaccination. Employees must provide truthful and accurate information about their COVID-19 vaccination status, and, if not fully vaccinated, their testing results. Employees not in compliance with this policy will be subject to discipline.

Employees may be legally entitled to a reasonable accommodation if they cannot fully comply with District COVID-19 requirements because of a disability or other legally protected status. Requests for reasonable accommodations based on a disability must be initiated by submitting a request through Tucson Unified’s ADA Intake process. Employees who believe they are entitled to an exception or reasonable accommodation on any other basis should submit a request to [GBGCCQuestions@tusd1.org](mailto:GBGCCQuestions@tusd1.org) describing their legally

protected status and the accommodation sought. All such requests will be handled in accordance with applicable laws and regulations, and with applicable Governing Board policies and regulations.

**Definition:**

For purposes of this policy, “Community Covid Level” is the measure of COVID-19 risk for Pima County, as determined by the metrics used by the CDC. Pima County’s current Community Covid Level may be found on the CDC website at <https://www.cdc.gov/coronavirus/2019-ncov/science/community-levels.html>.

**Procedures:**

**Overview and General Information**

**Vaccination**

Any employee not up to date on COVID-19 vaccinations will be subject to the testing requirements of the policy. Employees are considered up to date when they have received all doses in the primary series and all boosters recommended for them, when eligible, as determined by the CDC. Further information may be found at <https://www.cdc.gov/coronavirus/2019-ncov/vaccines/stay-up-to-date.html>.

**Testing and Face Coverings**

When Pima County is at a “high” Community Covid Level, all employees who are not fully vaccinated will be required to undergo regular COVID-19 testing before participating in high-risk activities and at high-risk times of year (e.g., before/after large events, returning from breaks). Policies and procedures for testing are described in the relevant sections of this policy. When Pima County is at a “medium” or “low” Community Covid Level, screening will be optional.

**Vaccination Status and Acceptable Forms of Proof of Vaccination**

**Vaccinated Employees**

All vaccinated employees are required to provide proof of COVID-19 vaccination, regardless of where they received vaccination. Proof of vaccination must be submitted to Human Resources, and a copy of such proof will be kept in employee’s personnel files.

Acceptable proof of vaccination status is:

1. The record of immunization from a health care provider or pharmacy;
2. A copy of the COVID-19 Vaccination Record Card;

3. A copy of medical records documenting the vaccination;
4. A copy of immunization records from a public health, state, or tribal immunization information system; or
5. A copy of any other official documentation that contains the type of vaccine administered, date(s) of administration, and the name of the health care professional(s) or clinic site(s) administering the vaccine(s).

Proof of vaccination generally should include the employee's name, the type of vaccine administered, the date(s) of administration, and the name of the health care professional(s) or clinic site(s) that administered the vaccine. In some cases, state immunization records may not include one or more of these data fields, such as clinic site; in those circumstances Tucson Unified will still accept the state immunization record as acceptable proof of vaccination.

If an employee is unable to produce one of these acceptable forms of proof of vaccination, despite attempts to do so (e.g., by trying to contact the vaccine administrator or state health department), the employee can provide a signed and dated statement attesting to their vaccination status (fully vaccinated or partially vaccinated); attesting that they have lost and are otherwise unable to produce one of the other forms of acceptable proof; and including the following language:

“I declare that this statement about my vaccination status is true and accurate. I understand that knowingly providing false information regarding my vaccination status on this form may subject me both to discipline and to criminal penalties.”

An employee who attests to their vaccination status in this way should to the best of their recollection, include in their attestation the type of vaccine administered, the date(s) of administration, and the name of the health care professional(s) or clinic site(s) administering the vaccine.

### **All Employees**

All employees, both vaccinated and unvaccinated, must inform Tucson Unified of their vaccination status.

### **Supporting COVID-19 Vaccination**

An employee may take up to four hours of duty time per dose to travel to the vaccination site, receive a vaccination, and return to work. This would mean a maximum of eight hours of duty time for employees receiving two doses. If an employee spends less time getting the vaccine, only the necessary amount of duty time will be granted. Employees who take longer than four hours to get the vaccine must send their supervisor an email documenting the reason for the additional time (e.g., they may need to travel long distances to get the

vaccine). Any additional time requested will be granted, if reasonable, but will not be paid; in that situation, the employee can elect to use accrued leave, e.g., sick leave, to cover the additional time. If an employee is vaccinated outside of their approved duty time they will not be compensated.

Employees may utilize up to two workdays of sick leave immediately following each dose if they have side effects from the COVID-19 vaccination that prevent them from working.

### **Employee Notification of COVID-19 and Removal from the Workplace**

All employees must promptly notify their supervisor when they have tested positive for COVID-19 or have been diagnosed with COVID-19 by a licensed healthcare provider. Such notification must occur as soon as practicable after the positive test or diagnosis, but no later than:

- one (1) hour after receipt of the result or diagnosis, if the result or diagnosis is received during the work day; or
- one-half (1/2) hour before the start of the employee's next regular work hours, if the result or diagnosis is received outside of those hours.

### **Medical Removal from the Workplace**

Tucson Unified will immediately remove an employee from the workplace if they have received a positive COVID-19 test or have been diagnosed with COVID-19 by a licensed healthcare provider (i.e., immediately send them home or to seek medical care, as appropriate). Where an employee is part of a pool testing process and their pool reflects a positive test, that employee will not be considered to have tested positive until an individual follow-up test is positive.

An employee who has been removed from the workplace must work with their supervisor to arrange for remote work during the period when the employee has not yet met the return to work criteria described in this policy. Employees who cannot work remotely will be required to use leave balances during their scheduled work hours, in accordance with Regulation GBGC-R4.

### **Return to Work Criteria**

For any employee removed because they are COVID-19 positive, Tucson Unified will keep them removed from the workplace until the employee receives a negative result on a COVID-19 nucleic acid amplification test (NAAT) following a positive result on a COVID-19 antigen test if the employee chooses to seek a NAAT test for confirmatory testing; meets the return to work criteria in CDC's isolation guidelines; or receives a recommendation to return to work from a licensed healthcare provider.

Under CDC's [isolation guidelines](#) (as of August 11, 2022) asymptomatic employees may return to work once five (5) full days have passed since the positive test, and symptomatic employees may return to work after all the following are true:

- At least five (5) full days have passed since symptoms first appeared, and
- At least 24 hours have passed with no fever without fever-reducing medication, and
- Other symptoms of COVID-19 are improving (loss of taste and smell may persist for weeks or months and need not delay the end of isolation).

Any employee returning to work after a positive test, regardless of vaccine status, is encouraged per CDC guidance to wear an appropriate face covering around others until 10 days have passed since the positive test, unless the employee provides proof of two sequential negative antigen tests taken 48 hours apart.

If an employee has severe COVID-19 or an immune disease, Tucson Unified will follow the guidance of a licensed healthcare provider regarding return to work.

## **COVID-19 Testing**

*All employees who are not up to date on their vaccinations must comply with this policy for testing while Pima County is at a "high" Community Covid Level. While Pima County is at a "medium" or "low" Community Covid Level, employee participation in testing is optional.*

Employees must be tested for COVID-19:

- Once every week, where the employee is engaged in high-risk activities (e.g., close contact sports, band, choir, theater);
- Before/after large events (e.g., prom, tournaments, group travel); and
- When returning from breaks (e.g., holidays, spring break, at the beginning of the school year).

The employee must provide documentation of the most recent COVID-19 test result to their supervisor no later than noon on the Friday of the week in which the employee is tested.

Such documentation must include the date the test was administered, the result of the test, and the name(s) of the administrator and/or interpreter of the test.

If an employee does not provide timely documentation of a COVID-19 test result as required by this policy, they will be removed from the workplace and prohibited from returning to work until they provide a negative test result, and they may be subject to discipline.

Employees who have received a positive COVID-19 test, or have been diagnosed with COVID-19 by a licensed healthcare provider, are not required to undergo COVID-19 testing for 90 days following the date of their positive test or diagnosis.

## Testing Requirements

To be accepted by Tucson Unified, a COVID-19 test must be cleared, approved, or authorized by the FDA to detect current infection with the SARS-CoV-2 virus, and administered in accordance with the authorized instructions. Tests that are self-administered and self-read (e.g., at-home tests) do not meet the requirements of this policy.

Tucson Unified may provide employees the opportunity to participate in COVID-19 testing at their work sites, and will accept the results of such testing for purposes of this policy.

Employees who choose not to participate in work-site testing are responsible for timely obtaining and submitting test results that comply with this policy. Employees may not use sick leave for the purpose of getting tested during their regular work hours. Employees who do not participate in work-site testing must cover the costs of their own tests.

## **Face Coverings**

When masking is required, either under this policy or temporary regulation EB-R2-T, any TUSD employee required to mask must wear a face covering that meets the following requirements:

Face coverings must: (i) completely cover the nose and mouth; (ii) be made with two or more layers of a breathable fabric that is tightly woven (i.e., fabrics that do not let light pass through when held up to a light source); (iii) be secured to the head with ties, ear loops, or elastic bands that go behind the head. If gaiters are worn, they should have two layers of fabric or be folded to make two layers; (iv) fit snugly over the nose, mouth, and chin with no large gaps on the outside of the face; and (v) be a solid piece of material without slits, exhalation valves, visible holes, punctures, or other openings. Acceptable face coverings include clear face coverings or cloth face coverings with a clear plastic panel that, despite the non-cloth material allowing light to pass through, otherwise meet these criteria and which may be used to facilitate communication with people who are deaf or hard-of-hearing or others who need to see a speaker's mouth or facial expressions to understand speech or sign language respectively. Face shields may not substitute for a face covering that meets these requirements, but face shields may be worn in addition to such a face covering.

Each employee is responsible for obtaining their own face covering in compliance with this policy. Tucson Unified may provide face coverings, budget permitting. Employees who do not wear a face covering when required may be subject to discipline.

Where face coverings are otherwise required by TUSD policy or regulation, employees will be exempted from such requirements only under the following circumstances:

1. When an employee is alone in a room with floor to ceiling walls and a closed door.
2. For a limited time, while an employee is eating or drinking at the workplace or for

identification purposes in compliance with safety and security requirements, so long as the employee remains six (6) feet away from others.

3. When an employee is wearing a respirator or facemask.
4. Where Tucson Unified has determined that the employee qualifies for an appropriate accommodation.

### **New Hires:**

All new employees are required to comply with the vaccination, testing, and face covering requirements outlined in this policy as soon as practicable and as a condition of employment. Potential candidates for employment will be notified of the requirements of this policy prior to the start of employment.

New employees who are up to date on their COVID-19 vaccinations must provide proof of their vaccination status as provided in this policy by no later than their first day of employment.

### **Confidentiality and Privacy:**

All medical information collected from individuals, including vaccination information, test results, and any other information obtained as a result of testing, will be treated in accordance with applicable laws and policies on confidentiality and privacy.

Employees may request copies of their proof of vaccination and/or of their proofs of COVID-19 testing from Human Resources.

ADOPTED: December 7, 2021

REVISED: January 11, 2022

Revised: January 25, 2022 (remove OSHA references)

Revised: Approved March 08, 2022 (BAI 7.1 COVID 19 Readiness and Response District Update) to become effective March 28, 2022)

Revised: September 13, 2022

### **LEGAL REF.**

### **CROSS REF.**

[EB-R2-T](#) – TUSD Safety Requirements for COVID-19

[GBGC](#) – Employee Health and Safety

[GBGC-R2](#) – Required Health Examinations

[GBGC-R4](#) – Employee Sick Leave

[GBGCA](#) – Proof of Immunization

[GBGCB](#) – Staff Health and Safety – Communicable Diseases