

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

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 wear an appropriate face covering while indoors on TUSD property (including in a vehicle with another person), at TUSD events (including indoor sports events), or on a TUSD bus. This policy complies with OSHA’s Emergency Temporary Standard on Vaccination and Testing (29 CFR 1910.501).

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 be fully vaccinated. Employees are considered fully vaccinated two weeks after completing primary vaccination with a COVID-19 vaccine with, if applicable, at least the minimum recommended interval between doses. For example, this includes two weeks after a second dose in a two-dose series, such as the Pfizer or Moderna vaccines, two weeks after a single-dose vaccine, such as Johnson & Johnson’s vaccine, or two weeks after the second dose of any combination of two doses of different COVID-19 vaccines as part of one primary vaccination series. Employees who are not fully vaccinated will be required to provide proof of weekly COVID-19 testing. All employees will be required to wear an appropriate face covering at the workplace.

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 wear a face covering 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 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.

Procedures:

Overview and General Information

Vaccination

Any employee not fully vaccinated by January 4, 2022, will be subject to the regular testing and face covering requirements of the policy.

To be fully vaccinated by January 4, 2022, an employee must:

- Obtain the second dose of a two-dose vaccine no later than December 21, 2021; or
- Obtain one dose of a single dose vaccine no later than December 21, 2021.

Employees will be considered fully vaccinated two weeks after receiving the requisite number of doses of a COVID-19 vaccine as stated above. An employee will be considered partially vaccinated if they have received only one dose of a two-dose vaccine.

Testing and Face Coverings

All employees who are not fully vaccinated as of January 4, 2022, will be required to undergo regular COVID-19 testing and wear a face covering when in the workplace. Policies and procedures for testing and face coverings are described in the relevant sections of this policy.

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. The following table outlines the requirements for submitting vaccination status documentation.

Vaccination Status	Instructions	Deadline(s)
Employees who are fully vaccinated.	Submit proof of vaccination that indicates full vaccination.	January 4, 2022

Vaccination Status	Instructions	Deadline(s)
Employees who are partially vaccinated (i.e., one dose of a two dose vaccine series).	Submit proof of vaccination that indicates when the first dose of vaccination was received, followed by proof of the second dose when it is obtained.	January 4, 2022
	Submit proof of vaccination that indicates when the first dose of vaccination was received, along with a statement that you are partially vaccinated but not planning to receive a second dose.	January 4, 2022
Employees who are not vaccinated.	Submit statement that you are unvaccinated, but are planning to receive a vaccination by the deadline.	January 4, 2022
	Submit statement that you are unvaccinated and not planning to receive a vaccination.	January 4, 2022

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. Employees who have no sick leave will be granted up to two days of additional sick leave immediately following each dose if necessary.

The leave provided for in this policy is for the purpose of supporting employees in becoming fully vaccinated. It does not apply when an employee gets a COVID-19 booster shot.

The following procedures apply for requesting and granting duty time to obtain the COVID-19 vaccine:

- If an employee is using duty time to receive their vaccine, the employee must submit a leave request in advance, using their sick leave balance. Supervisors will approve any reasonable requests for leave under this policy.
- After obtaining the vaccine, the employee must submit a COVID Leave Bank Request through Human Resources. The Request should include the date of the vaccination, the hours taken (up to four hours) to get the vaccine, and documentary proof of the vaccination in compliance with the acceptable proofs of vaccination identified in this policy.
- Upon processing and approval of the COVID Leave Bank Request, Human Resources will reimburse the employee for the sick leave used to obtain the vaccine, up to four hours.

The following procedures apply for requesting and granting sick leave to recover from side effects:

- Where an employee cannot work because of the side effects of a vaccine, and they do not have any sick leave accrued, that employee may use either personal or vacation leave immediately after their dose, or they may take unpaid leave.
- Upon return to work, the employee may then submit a COVID Leave Bank Request to Human Resources. The Request should include the date of the leave taken, acceptable proof of vaccination in compliance with this policy, and the amount of leave taken to recover (up to two days).
- Upon processing and approval of the COVID Leave Bank Request, Human Resources will reimburse the employee for their leave used to recover from side effects, up to two days of leave.

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 workday; 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 Guidance"; or receives a recommendation to return to work from a licensed healthcare provider.

Under CDC's "[Isolation Guidance](#)," 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).

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 fully vaccinated must comply with this policy for testing.

Employees who report to the workplace at least once every seven days:

- (A) must be tested for COVID-19 at least once every seven days; and

(B) 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.

Any employee who does not report to the workplace during a period of seven or more days (e.g., if they were teleworking for two weeks prior to reporting to the workplace):

(A) must be tested for COVID-19 within seven days prior to returning to the workplace; and

(B) must provide documentation of that test result to the supervisor upon return to the workplace.

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

All employees, regardless of vaccination status, must wear a face covering over the nose and mouth while indoors on TUSD property (including in a vehicle with another person), at

TUSD events (including indoor sports events), or on a TUSD bus, as required by Regulation EB-R2-T.

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 as required may be subject to discipline.

The following are exceptions to Tucson Unified's requirements for face coverings:

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 exception to face coverings, as described in Regulation EB-R2-T.

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 fully vaccinated must provide proof of their vaccination status as provided in this policy by no later than their first day of employment.

New employees who are not fully vaccinated must be tested for COVID-19 no more than a week before their first day of employment and must provide documentation of a negative test before 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 weekly testing from Human Resources.

ADOPTED: December 7, 2021

REVISED: January 11, 2022

LEGAL REF.

[29 CFR § 1910.501](#) Covid-19 Emergency Temporary Standard (OSHA)

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