



OPTIONS FOR YOUTH – ACTON WORKER, VENDOR AND STUDENT COVID-19 VACCINATION AND TESTING POLICY

I. Introduction and Summary

Options For Youth – Acton (“OFY”) is required to provide a safe learning environment at its charter school learning centers. OFY is also required to follow all federal, state, and local laws, regulations, mandates, orders, and guidance applicable to public charter schools. OFY hereby adopts this policy in accordance with legal requirements and to protect the health, safety, and well-being of OFY’s essential workers, vendors and students.

At this time, OFY is not requiring Workers, Vendors or students to become fully vaccinated. However, OFY encourages all Workers, Vendors and eligible students to become fully vaccinated, will request each Worker’s, Vendor’s and eligible student’s vaccination status, and will require unvaccinated Workers, Vendors and students to undergo COVID-19 diagnostic screening testing, as described herein. Because public health mandates and conditions are changing rapidly, OFY may update this policy at any time as needed. The Board of Directors delegates to the Principal the authority to make such updates and communicate with Workers, Vendors and students accordingly.

II. Background

OFY provides the essential service of public school instruction to students in grades 7-12 at a nonclassroom-based charter school. OFY operates learning centers that are open to students Monday through Friday and sometimes in the evening and weekends, and OFY also conducts in-person experiential learning trips, sports, tutoring, and other in-person student services to facilitate students’ nonclassroom-based learning.

CDPH has directed that:

“all students must have access to safe and full in-person instruction and to as much instructional time as possible. In California, the surest path to safe and full in-person instruction at the outset of the school year, as well as minimizing missed school days in an

ongoing basis, is a strong emphasis on the following: vaccination for all eligible individuals to get COVID-19 rates down throughout the community....”¹

CDPH has found that “fully vaccinated people are less likely to have asymptomatic infection and potentially less likely to transmit SARS-CoV-2 to others”² and that as a result of vaccines “overall disease trends have improved dramatically.”³ The U.S. Centers for Disease Control and Prevention (“CDC”) has affirmed that COVID-19 vaccines are safe and effective.⁴

On August 11, 2021, the CDPH issued an order mandating that all public and private schools serving students in transitional kindergarten through grade 12 do the following: (1) verify the vaccination status of school workers, including paid and unpaid adults at the school; and (2) ensure at least weekly diagnostic screening testing of unvaccinated workers to minimize the risk that they will transmit COVID-19 while on school campuses. This policy adheres to the CDPH Order.

Depending on a Worker’s, Vendor’s or student’s vaccination status, there are also different requirements for COVID-19 testing and quarantine.

OFY is committed to a safe and meaningful learning and work environment for our students, staff, and OFY community. In addition to this policy, OFY has implemented, and will continue to adjust as necessary, various health and safety protocols including universal masking indoors, quarantine/isolation protocols, physical distancing, and disinfection protocols.

III. Definitions

The following terms shall be so defined for purposes of this policy:

“Worker” includes all paid and unpaid adults serving in the OFY school setting, other than those who are fully remote. This includes certificated and classified staff and volunteers who are present on-site at an OFY learning center supporting school functions or a school-sponsored activity, including field trips or other extracurricular activities.

“Regularly Scheduled Vendors” includes service providers and vendors who provide services on a regular basis on-site at an OFY learning center, or who have regular contact with any employees, students, or other OFY community members at an OFY learning center or a school-sponsored activity, including field trips or other extracurricular activities.

“Occasionally Scheduled Vendors” includes service providers and vendors who occasionally provide services on-site at an OFY learning center, or who have occasional contact with any employees, students, or other OFY community members at an OFY

¹ [CDPH Bulletin Re COVID-19 Public Health Guidance for K-12 Schools in California, 2021-22 School Year, dated September, 2021](#)

² [CDPH Bulletin Re: COVID-19 Public Health Recommendations for Fully Vaccinated People, dated August 24, 2021.](#)

³ [CDPH Bulletin Re: Travel Advisory, dated April 2, 2021.](#)

⁴ [CDC Bulletin Re Safety of COVID-19 Vaccines, dated August 23 2021.](#)

learning center or at a school-sponsored activity, including graduations, other extracurricular activities, or transportation to and from such activities.

“Vendors” collectively refers to both Regularly Scheduled Vendors and Occasionally Scheduled Vendors as defined herein above.

“COVID-19 Vaccine” means a vaccine approved by the FDA as safe and effective against COVID-19, including any FDA-approved booster that may be required to maintain safety and efficacy.

“Fully Vaccinated” means an individual has received, at least 14 days prior, either the second dose in a two-dose COVID-19 Vaccine series or a single-dose COVID-19 Vaccine, and any FDA-approved booster that may be required to maintain safety and efficacy. This policy applies to COVID-19 vaccines that are currently available to the public and approved by the U.S. Food and Drug Administration (“FDA”), including vaccines that have been issued Emergency Use Authorization.

“WHO Yellow Card” refers to the original World Health Organization International Certificate of Vaccination or Prophylaxis issued to the individual following administration of the COVID-19 Vaccine in a foreign country.

“OFY’s COVID-19 Testing Program” refers to the COVID-19 testing program conducted by OFY on-site at OFY learning centers using PCR testing or antigen testing, which must either have Emergency Use Authorization by the FDA or be operating per the Laboratory Developed Test requirements by the U.S. Centers for Medicare and Medicaid Services.

IV. COVID-19 Vaccination

At this time, OFY is not requiring Workers, Vendors or students to become Fully Vaccinated. Workers, Vendors and eligible students are encouraged to visit California’s MyTurn website for more information about the COVID-19 Vaccine, locations of walk-in clinics, and opportunities to book an appointment for the COVID-19 Vaccine: <https://myturn.ca.gov/>. We encourage all Workers, Vendors and eligible students 12 years old and older to become Fully Vaccinated.

Consistent with applicable law, OFY will pay all non-exempt employees for time spent receiving the COVID-19 vaccine. OFY will also reimburse all employees for the cost of the vaccine (if any), as well as reasonable and necessary mileage (if applicable) upon the submission of appropriate supporting documentation. Employees that require time off as a result of the vaccination (i.e., Employees that experience symptoms related to a COVID-19 vaccine that prevent the Employee from being able to work or telework) should contact Human Resources for paid time off under applicable leave policies.

V. Verifying Vaccine Status

OFY will request each Worker’s, Vendor’s and eligible student’s (12 years old and older) vaccination status. Each Worker’s and Vendor’s vaccination status must be documented by October 15, 2021 or the Worker or Vendor may not enter school property and/or perform job duties

in-person. OFY reserves the right to request proof of any booster for COVID-19, if applicable. Per CDPH's Guidance for Vaccine Records Guidelines & Standards, only the following may be used as proof vaccination:

- COVID-19 Vaccination Record Card (issued by the Department of Health and Human Services Centers for Disease Control & Prevention or WHO Yellow Card) which includes name of person vaccinated, type of vaccine provided and date last dose administered);
- a photo of a Vaccination Record Card as a separate document;
- a photo of the individual's Vaccination Record Card stored on a phone or electronic device;
- documentation of COVID-19 vaccination from a health care provider;
- digital record that includes a QR code that when scanned by a SMART Health Card reader displays to the reader client name, date of birth, vaccine dates, and vaccine type; OR
- documentation of vaccination from other contracted employers who follow these vaccination records guidelines and standards.

OFY will maintain records of the vaccination status of Workers and Vendors in accordance with the CDPH Order. Student vaccination status will be maintained as a confidential student record. However, the records may be made available, upon request, to the local public health department for purposes of an investigation, as may be required by applicable law.

Workers, Vendors and students who are not Fully Vaccinated, or for whom vaccine status is unknown or documentation is not provided, will be considered unvaccinated for purposes of this policy and must comply with the testing requirements set forth herein.

Workers, Vendors and students need not provide more information than necessary to confirm proof of their vaccination status. When providing proof of vaccination, Workers, Vendors and students must not provide any medical or genetic information to OFY, including but not limited to underlying conditions or a diagnosis of a medical condition. It is a Worker's, Vendor's or student's responsibility to ensure their proof of vaccination is free from medical and genetic information.

VI. Testing for COVID-19

Workers who are not Fully Vaccinated (even if asymptomatic) must undergo COVID-19 testing at least once per week as a condition to performing job duties in-person. OFY may also require COVID-19 tests for Workers at other times, including those who have been vaccinated, in accordance with applicable public health guidance (e.g., before a field trip, or for Workers who are symptomatic). Workers may undergo the required testing through OFY's COVID-19 Testing Program or through other COVID-19 testing facilities including through the Worker's healthcare provider.

Students who are not Fully Vaccinated (even if asymptomatic) must undergo testing through OFY's COVID-19 Testing Program before attending an in-person field trip or other school-sponsored activity, and at other intervals as determined necessary by OFY. OFY may require

COVID-19 tests for students, including those who have been vaccinated, in accordance with applicable public health guidance (e.g., a student who is symptomatic).

Regularly Scheduled Vendors who are not Fully Vaccinated (even if asymptomatic) must undergo COVID-19 testing at least once per week as a condition to providing services in-person. OFY may also require COVID-19 tests for Regularly Scheduled Vendors at other times, including those who have been vaccinated, in accordance with applicable public health guidance (e.g., before a field trip, or for Vendors who are symptomatic). Regularly Scheduled Vendors must be tested for COVID-19 at facilities and through means outside of OFY's COVID-19 Testing Program and must provide proof of a negative COVID-19 test result, at least weekly, prior to providing services on-site at an OFY learning center or at a school-sponsored activity.

Occasionally Scheduled Vendors who are not Fully Vaccinated (even if asymptomatic) must undergo COVID-19 testing as a condition to providing services in person. Occasionally Scheduled Vendors must be tested for COVID-19 at facilities and through means outside of OFY's COVID-19 Testing Program and must provide proof of a negative COVID-19 test result within Seventy-Two (72) hours prior to providing services on-site at an OFY learning center or at a school-sponsored activity.

The Principal is authorized to designate service providers and vendors of OFY as either Regularly Scheduled Vendors or Occasionally Scheduled Vendors for purposes of compliance with this policy.

Workers, Vendors and students who have a previous history of COVID-19 from which he/she has fully recovered more than 90 days earlier, or have a previous positive antibody testing for COVID-19, are not exempt from the testing requirement.

OFY will ensure that it has appropriate measures in place to track test results and conduct appropriate contact tracing.

VII. Employee Requests for Accommodations

Employees who are unable to comply with the testing requirements under this policy due to a qualifying disability (including pregnancy-related conditions that constitute a disability) may be entitled to a reasonable accommodation. Employees who seek a reasonable accommodation to the testing requirement should submit their request in writing to Human Resources. Upon receipt of the request, OFY will engage in an interactive process with the employee, and work to identify any possible accommodations. As part of the interactive process, OFY will request supporting documentation or a medical certification from the employee's health care provider that documents the basis for the requested accommodation. If there are no reasonable accommodations available, the employee may be placed on an unpaid leave of absence.

In addition, OFY may not approve a reasonable accommodation should the accommodation result in a direct threat to the health and safety of others in the workplace or to the employee, and/or if the accommodation will cause an undue hardship for OFY.

VIII. Enforcement

Employees who refuse to comply with this policy and who are not otherwise eligible for a reasonable accommodation consistent with applicable legal requirements and this policy may be placed on unpaid/inactive status until they comply. For those employees that have a qualifying disability for which there is no reasonable accommodation to the testing requirement, those employees may also be provided with an unpaid leave of absence. Workers and Vendors who refuse to undergo regular COVID-19 testing will be excluded from the learning centers and/or workplace pending compliance with this policy. Continued absences from work as a result of noncompliance with this policy may be deemed unexcused, and may result in disciplinary action, up to and including termination from employment.

OFY will request written consent from each student's parent/guardian (or the student if 18 years old) for their student to be tested in accordance with this policy.

IX. Updates

As public health and legal guidance regarding COVID-19 vaccinations evolve, OFY reserves the right to revise this policy. Upon any revision to this policy, OFY will provide notice to Workers, Vendors and students. This policy shall be implemented in a manner that is consistent with current federal, state, and local law.

Should you have any questions regarding this policy, you may contact the School Principal.