

TRUMBULL PUBLIC SCHOOLS
TRUMBULL, CONNECTICUT

Policy Committee of the
Trumbull Board of Education
Special Meeting
Tuesday, October 12th, 2021-- 5:30p.m.
Long Hill Administration Building

Agenda

- I. Call to Order/Introduction
- II. Correspondence/Public Comment
- III. Approval/Minutes –Meeting 010/5/2021
- IV. New Business
 - a. Further Review of COVID-19 Vaccination Policy

Personnel - Certified/Non-Certified

Required COVID-19 Vaccinations for Certified and Non-Certified Staff

The Board of Education (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 13D, the Board requires that all staff within District schools, as defined by this policy, are required to receive at least one dose of a COVID-19 vaccine by September 27, 2021. Those not vaccinated by such date due to certain exemptions are required to be tested for COVID-19 on a weekly basis.

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.

“School Board” refers to the operator of any public or non-public preK through grade 12 school.

“Contract Worker” means any person who provides service to the school board, but is not employed by the Board and is not a volunteer.

“Covered Worker” refers to all employees, both full and part-time, contractors, providers, assistants, substitutes, and other individuals working in a public or non-public pre-K to grade 12 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 such schools.

Covered Worker does not include a contractor or employee of an outside vendor who visits a public or non-public pre-K through grade 12 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, state employees, state hospital employees, or covered workers to a covered state agency, school board, or child care facility.

COVID-19 Vaccination Requirements

Vaccines shall be required as provided below.

Personnel - Certified/Non-Certified

Required COVID-19 Vaccinations

COVID-19 Vaccination Requirements (continued)

On and after September 27, 2021, school boards (the Board) shall, prior to extending an offer of employment to, or entering into a contract for the in-person services of, a covered worker or an entity that employs a covered worker, require that any 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,
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 covered worker 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 covered worker claiming such exemption shall apply for an exemption on the basis of 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.

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

Personnel - Certified/Non-Certified

Required COVID-19 Vaccinations

COVID-19 Vaccination Requirements (continued)

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.

On and after September 27, 2021, 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.

Through this policy, or where applicable the Board direction to a contractor of a covered worker to implement a policy, covered workers who have not demonstrated proof of either 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 school board. This requirement shall take effect on September 27, 2021.

Personnel - Certified/Non-Certified

Required COVID-19 Vaccinations (continued)

Acceptable Proof of Vaccination

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

1. 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. State Immunization Information record; or
4. Other documentation prescribed by the Commissioner of Public Health.

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.)*

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.

Personnel - Certified/Non-Certified

Required COVID-19 Vaccinations (continued)

Policy Duration

This policy shall only remain in effect as long as is required by law.

Legal Reference	Connecticut General Statutes 10-145 Certificate necessary to employment. Forfeiture for noncompliance. Substitute teachers. Governor's Executive Order No. 13D, August 19, 2021 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
-----------------	---

rev 9/21
rev 10/21

Personnel - Certified/Non-Certified

Required COVID-19 Vaccinations

(Implementation Guidance for Executive Order 13G: Vaccination Mandate for Individuals Working for State Facilities, State Hospitals, Public and Non-Public Pre K–12 Schools, and Child Care Facilities Updated September 17, 2021)

This administrative regulation sets forth the form and manner in which individuals subject to the Executive Order 13D & 13G must prove and authenticate their vaccination status or request an exemption from the mandate and includes the requirements for proving compliance with the related testing mandate if the individual is working under an approved exemption. It is based upon the Connecticut Department of Public Health’s “Implementation guidance for Executive Order 13G,” and is subject to any future modification made to such document.

I. Proving and Authenticating Vaccination Status for Individuals Subject to the Order

A. Proof of Vaccination

Individuals may prove their COVID-19 vaccination status by providing to school board, or other designee a copy of any one of the following categories of documentation plus a signed declaration of authenticity:

1. A valid CDC Vaccination Card.

The CDC Vaccination Card 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; or

2. A record from the individual’s vaccine provider indicating 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 (“Provider Vaccination Record”): or

3. A certificate from the Vaccine Administration Management System (“VAMS”), if the individual received vaccination through the VAMS system (“VAMS Certificate”). The VAMS Certificate 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; or

4. A copy of the individual’s official immunization record from the Connecticut Immunization Information System, CT WiZ. Valid CT WiZ immunization records 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. Individuals may download a copy of their record by visiting <https://portal.ct.gov/DPH/Immunizations/CT-WiZ-Access-My-ImmunizationRecord>

Personnel - Certified/Non-Certified

Required COVID-19 Vaccinations

I. Proving and Authenticating Vaccination Status for Individuals Subject to the Order (continued)

B. Declaration of Authenticity of Vaccination Record

Individuals shall complete and sign a declaration as to the authenticity of their proof of vaccination. Proof of vaccination will not be deemed valid unless accompanied by the individual's signed declaration.

II. Exemptions and Testing Requirements

A. Medical Exemptions

Individuals who cannot receive COVID-19 vaccination because the administration of COVID-19 vaccine is likely to be detrimental to the individual's health must request an exemption from the Executive Order. Medical exemption forms must be signed by the individual's physician (MD or DO), physician's assistant (PA), or advance practice nurse practitioner (APRN). Covered Workers may use the medical exemption request form provided by the district.

B. Religious or Spiritual Exemptions

Individuals who object to vaccination on the basis of a sincerely held religious or spiritual belief may request an exemption from the Executive Order.

Covered Workers may use the religious or spiritual exemption request form provided by the district.

C. Testing Requirements

Covered workers in PreK-12 schools and child care facilities who are not "fully vaccinated" (as defined by the Executive Order) by September 27, 2021 must test for SARS-CoV-2 (the virus that causes COVID-19) at least weekly (i.e., at least one test every 7 days) unless they can provide documented proof that they have tested positive for, or been diagnosed with, COVID-19 infection in the prior 90 days.

To comply with the testing requirement, testing must be either PCR or antigen SARS-CoV-2 tests and must be administered and reported by a state licensed clinical laboratory, pharmacy-based testing provider, or other healthcare provider facility with a current Clinical Laboratory Improvement Amendments (CLIA) waiver.

Personnel - Certified/Non-Certified

Required COVID-19 Vaccinations

II. Exemptions and Testing Requirements (continued)

C. Testing Requirements (continued)

Only test results submitted to the school board can within 72 hours of the test administration date will be deemed compliant with the testing requirement. Test result reports should include the name and location of the testing laboratory or provider facility performing the test, the name of the person tested, the date the sample was collected, and the test result. Home-based testing and results obtained outside of a facility of the type indicated above are not considered adequate proof of a SARS-CoV-2 test for the purposes of complying with the Executive Order.

III. Document Submissions

A. Vaccine and Exemption Documents

Covered workers should follow the District's established process. The required documentation must be submitted in a timely and secure manner. These processes may be developed, implemented, and maintained either on-site through facility staff, or through an authorized third party.

B. Testing Documents

Covered workers should follow the District's established process to submit required documentation in a timely and secure manner. These processes may be developed, implemented, and maintained either on-site through facility staff, or through an authorized third party. Individuals in PreK-12 schools or childcare facilities should inquire with their employer about the appropriate process for submitting adequate proof of SARS-CoV-2 test results on a weekly basis. Processing delays with vaccine providers, VAMS, web-based applications, laboratories, medical providers, or state agencies will not excuse compliance with the Executive Order.

Covered workers who wish to request a temporary waiver from SARS-CoV-2 testing on the basis of having had COVID-19 within the prior 90 days must submit a copy of the Trumbull Public Schools Temporary Waiver request completed and signed by their healthcare provider, using the submission format and process designated by their facility for submitting test results.

Any individual granted a temporary waiver from SARS-CoV-2 must return to regular weekly testing after the expiration date indicated on the waiver form if they are not fully vaccinated by that date.

Personnel - Certified/Non-Certified

Required COVID-19 Vaccinations

III. Document Submissions (continued)

C. No Extensions

The Executive Order requires the submission of the appropriate vaccination documentation, requests for exemptions, and/or test results by the September 27, 2021 deadline. Individuals subject to this Executive Order are solely responsible for gathering and submitting all required documentation in advance of the established deadline in order to ensure that they are in compliance on and after September 27, 2021.

Processing delays with vaccine or healthcare providers, VAMS, web-based applications, or state agencies will not excuse compliance with the Executive Order and this policy.

IV. Maintaining Documentation to Demonstrate Compliance with the Order

A. Required Documents

The District will maintain either in paper or electronic format, the following information for all covered workers who are subject to the Executive Order. Such information shall be either physically on-site or maintained by an authorized third party, shall be kept current, and shall be made available to appropriate State regulatory agencies upon request. The District need not maintain similar documentation for contract workers, but must require contractors to positively affirm that contract workers and their Contractors are in compliance with the provisions of the Executive Order prior to granting those workers access to their facilities.

Contractors shall also maintain either in paper or electronic format, the following information for their contract workers.

Required documents include:

1. A master roster of all individuals subject to the Executive Order (including employees, contract workers, and others) and including each individual's status as:
 - a. fully vaccinated, or
 - b. having received their first dose of a two-dose COVID-19 vaccine prior to September 27, 2021 and the scheduled date of their second dose appointment that conforms to current Advisory Committee on Immunization Practices (ACIP) recommendations for COVID-19 vaccine dosing schedules, or
 - c. granted an exemption from vaccination on the basis of a medical condition or firmly held religious or spiritual belief.

- d. having chosen to submit to weekly testing in lieu of being fully vaccinated for COVID-19.

Personnel - Certified/Non-Certified

Required COVID-19 Vaccinations

IV. Maintaining Documentation to Demonstrate Compliance with the Order (continued)

A. Required Documents (continued)

2. A COVID-19 vaccination record for each fully or partially vaccinated individual, as well as a completed and signed declaration of authenticity of any vaccination record for individuals who have submitted a copy of a vaccination record as proof of vaccination.
3. A completed, signed, and approved medical exemption or religious/spiritual exemption form for each individual who has not been fully or partially vaccinated and has been granted an exemption.
4. Documented adequate proof of the results of a weekly test for SARS-CoV-2 for each individual who is not fully vaccinated and has not had a documented COVID-19 infection within the prior 90 days.
5. A completed and appropriately provider certified request for a temporary waiver from weekly SARS-CoV-2 testing for individuals with a documented COVID-19 infection within the prior 90 days.

B. Exemption Forms

The Trumbull Public Schools Medical Exemption Request Form must be signed by the physician (MD or DO), physician's assistant (PA), or nurse practitioner (APRN) from whom the individual is currently receiving care.

As outlined in the Executive Order covered workers may voluntarily opt for weekly testing for SARS-CoV-2 rather than receiving vaccination for COVID-19. Individuals opting for weekly testing in lieu of vaccination will be required to submit at least one negative SARS-CoV-2 test result every 7 days and comply with all other provisions of the Executive Order in order to retain access to on-site work.

C. Testing Documentation: Adequate Proof of Weekly Negative SARS-CoV-2 Test Results.

Covered workers who are not fully vaccinated by September 27, 2021, and who cannot provide documented proof that they have tested positive for, or been diagnosed with, COVID-19 infection in the prior 90 days, are required to test for SARS-CoV-2 weekly (i.e., at least once every 7 days) and submit "adequate proof of the results" of SARS-CoV-2 testing to the school board, using the process determined by their applicable facility.

Personnel - Certified/Non-Certified

Required COVID-19 Vaccinations

IV. Maintaining Documentation to Demonstrate Compliance with the Order (continued)

C. Testing Documentation: Adequate Proof of Weekly Negative SARS-CoV-2 Test Results. (continued)

Individuals who are required to test for SARS-CoV-2 under the Executive Order shall be considered to have submitted adequate proof of a SARS-CoV-2 test result if they provide evidence of a PCR or antigen SARS-CoV-2 test administered within the prior 72 hours, and for which the test was performed by, and the result reported by, a state licensed clinical laboratory, pharmacy-based testing provider, or other healthcare provider facility with a current Clinical Laboratory Improvement Amendments (CLIA) waiver, that includes the name and location of the testing laboratory or provider facility performing the test, the name of the person tested, the date the sample was collected, and the test result. Home-based testing and results obtained outside of a facility of the type indicated above are not considered adequate proof of a SARS-CoV-2 test for the purposes of complying with the Executive Order.

Covered workers who have been granted an exemption from vaccination on the basis of a medical condition or firmly held religious or spiritual beliefs must comply with the foregoing testing requirements. In addition, covered workers without an exemption but who have chosen to submit weekly test results for SARSCoV-2 rather than be vaccinated for COVID-19 must also comply with the foregoing testing requirements.

Covered workers, and/or contract workers should not be provided access to any of the facilities covered under this Executive Order unless the most recent test result provided, as required by the Order, is “negative” or indicate that virus material is “not detected”. Results provided as “inconclusive” are not considered negative results and as such require retesting. If an individual receives an inconclusive result and cannot be retested and provide a negative result within 7 days of their last negative test, then that individual should be excluded from on-site work until they can provide a negative test result.

V. Responsibility for Ensuring Continuous Compliance with the Order

The District must ensure compliance with the Order as of September 27, 2021, including ensuring that all covered workers (inclusive of employees and contract workers) have:

1. submitted proof of their status as fully vaccinated (as defined above); or
2. submitted proof of a single dose of a two-dose COVID-19 vaccine and provided the date of a scheduled second dose appointment; or
3. requested and been granted a medical or religious/spiritual exemption from COVID-19 vaccination; and

Personnel - Certified/Non-Certified

Required COVID-19 Vaccinations

V. Responsibility for Ensuring Continuous Compliance with the Order (continued)

4. if not fully vaccinated, submitted adequate proof of a negative test for SARS-CoV-2 in the prior 7 days, unless the individual has been granted a temporary testing waiver based upon a documented COVID-19 infection within the prior 90 days.

After September 27, 2021, the District must restrict access to their facilities for those individuals who fall out of compliance at any time with the requirements of the Order, including but not limited to failure to submit adequate proof of a weekly COVID-19 test result and/or failure to receive a second dose of a two-dose vaccine when scheduled and in compliance with current Advisory Committee on Immunization Practices (ACIP) recommendations for COVID-19 vaccine dosing schedules.

The District is responsible to secure compliance reports from contractors regarding their contract workers' compliance with the Executive Order. At a minimum, periodic reporting of numbers of contract workers who are vaccinated, have been granted an exemption, and are subject to weekly testing should be reported to the school board at a frequency that the school board facility determines is sufficient to assure compliance.

VI. Enforcement and Inspection

The Board of Education is required to collect and maintain copies of the required documentation for employees and other covered workers, and to ensure compliance with the Executive Order, by the September 27th deadline. The Board must make available for inspection by the State Department of Education any documentation required to confirm compliance with the Order, upon request.