

**MIDDLETOWN TOWNSHIP BOARD OF EDUCATION  
COUNTY OF MONMOUTH**

**RESOLUTION IMPLEMENTING A COVID-19 TESTING  
POLICY FOR COVERED WORKERS PURSUANT TO  
EXECUTIVE ORDER 253**

WHEREAS, on August 23, 2021, Governor Murphy issued Executive Order 253 (“EO253”), which provides, inter alia, that the District “maintain a policy that requires all covered workers to either provide adequate proof to the covered setting that they have been fully vaccinated or submit to COVID-19 testing at minimum one to two times weekly. This requirement shall take effect on October 18, 2021, at which time any covered workers that have not provided adequate proof that they are fully vaccinated must submit to a minimum of weekly or twice weekly testing on an ongoing basis until fully vaccinated;” and

WHEREAS, this Resolution shall constitute and establish District policy concerning the implementation of EO253.

NOW, THEREFORE, BE IT RESOLVED by the Middletown Township Board of Education that the following shall constitute the District’s policy as required by EO253:

A. Effective October 18, 2021, it shall be the policy of the District to require all covered workers to either provide adequate proof to the District that they have been fully vaccinated or submit to COVID-19 testing once per week which will commence as soon as the State appointed testing vendor notifies the District of the start date of COVID-19 testing. This policy shall remain in effect until EO253 is revoked or modified to the extent it is inconsistent with this policy.

B. Covered Workers

1. For the purposes of this policy, “covered workers” means all individuals employed by the covered setting, both full and part-time, including, but not limited to, administrators, teachers, educational support professionals, individuals providing food, custodial, and administrative support services, substitute teachers, whether employed directly by a covered setting or otherwise contracted, contractors, providers, and any other individuals performing work in covered settings whose job duties require them to make regular visits to such covered settings, including volunteers. Covered workers do not include individuals who visit the covered setting only to provide one-time or limited duration volunteer opportunities, repairs, services, or construction.

2. Contracted service providers shall submit to the District a list of employees providing services to the District, which list shall identify vaccinated employees and those who are unvaccinated and are therefore required to submit to weekly COVID-19 testing. Contracted providers will also attest that their employees have and will continue to meet the requirements of EO253 by submitting a Statement of Assurance to the District.

C. For the purposes of this policy, “covered setting” means the Middletown Township Public School District.

D. The District shall accept, as proof of vaccination, all of the records and Statement of Assurances identified in Paragraph 2 of EO253.

E. Testing Requirements

1. To satisfy the testing requirement, a covered worker must undergo COVID-19 screening testing once per week. So long as the State offers such services, the District shall provide unvaccinated covered workers with on-site access to COVID-19 tests through the program provided by the State of New Jersey, which shall be either an antigen or molecular test.

2. Any unvaccinated worker with an objection to the type of test offered by the State of New Jersey may obtain his/her own test at his/her own cost, including over-the-counter self-administered tests, which shall be either an antigen or molecular test that has EUA by the U.S. Food and Drug Administration (“FDA”) or are operating per the Laboratory Developed Test requirements by the U.S. Centers for Medicare and Medicaid Services, and shall provide proof of such weekly test to the District.

3. In the event the State stops offering such testing services, and to the extent EO253 remains in effect, unvaccinated workers shall be responsible to obtain testing at their own expense and provide proof of a weekly COVID-19 test. Unvaccinated workers may choose either antigen or molecular tests that have EUA by the U.S. Food and Drug Administration (“FDA”) or are operating per the Laboratory Developed Test requirements by the U.S. Centers for Medicare and Medicaid Services.

4. If the covered worker is not working on-site during a week where testing would otherwise be required, the worker is not required to submit to testing for that week.

5. Any covered worker who must undergo COVID-19 screening testing once per week and fails to or cannot submit proof of a weekly COVID-19 test may be subject to progressive disciplinary action.

F. As required by EO253, the District shall track test results and report those results to the local public health department.

G. The Superintendent is authorized to implement revisions to this Policy based on any subsequent Executive Orders or any additional mandates that affect any provisions of this Policy. The Superintendent shall submit any such revisions to the Board for ratification, if the Board cannot approve such revisions before the effective date.