

Infection Control Program

Immunization

Staff members, including substitutes, student teachers, and volunteers, are encouraged to complete an immunization history form to be placed on file at the district office. In the event of an outbreak of a vaccine-preventable disease in a school, the local health officer has the authority to exclude all susceptible persons, including school staff. Susceptible, as related to measles, means any staff member born after January 1, 1957 who does not have documented evidence of immunity.

A staff member who is excluded is not eligible to receive sick leave benefits unless he/she is ill or physically disabled or is otherwise provided for in the collective bargaining agreement.

If a staff member needs to be vaccinated, he/she should contact a personal physician or clinic.

COVID-19 Vaccination Requirement

Prohibition

Under Governor's Proclamation 21-14.1, the district is prohibited from permitting a worker to engage in work for the district after October 18, 2021, if the worker has not been fully vaccinated against COVID-19 and provided proof thereof.

Definitions

“Worker” includes a person engaged to work as an employee, on-site volunteer, or onsite contractor for the district. The following exceptions apply to the definition of “Worker”:

- a. Visitors and patrons are not Workers.
- b. Students of, persons attending, and persons receiving services at or from the district are not Workers.
- c. On-site contractors are not Workers if they do not work in places where students or persons receiving services are present.
- d. Family, friend, and neighbor childcare providers are not Workers.

“Contractor” includes any person who provides goods, services, or public works services pursuant to a contract with the district. The term includes subcontractors. The term does not include parties to a lease or rental agreement, unless the agreement requires a party to provide services, in which case only the persons who provide those services are “contractors.”

“On-site volunteer” and “on-site contractor” includes a volunteer or contractor who is reasonably likely or contractually obligated to engage in or in fact engages in work while physically present at a building, facility, jobsite, project site, unit, or other defined area owned, leased, occupied by, or controlled by the district. “On-site volunteer” and “on-site contractor” does not include a volunteer or contractor who is reasonably likely or contractually obligated to engage in or in fact engages in work during which they are physically present at a site for only a short period of time and any moments of close physical proximity to others on site are fleeting. Examples include contractors delivering supplies by truck to a construction site where they remain physically

distanced from others on the site or a driver for a contracted shipping and delivery service briefly entering a site to pick up parcels for shipping.

Exemptions

Workers for the district are not required to get vaccinated against COVID-19 if they are unable to do so because of a disability or if the requirement to do so conflicts with their sincerely held religious beliefs, practice, or observance. The district must provide any disability-related reasonable accommodations and sincerely held religious belief accommodations to the COVID-19 vaccine requirement required under the Americans with Disabilities Act of 1990 (ADA), the Rehabilitation Act of 1973 (Rehabilitation Act), Title VII of the Civil Rights Act of 1964 (Title VII), the Washington Law Against Discrimination (WLAD), and any other applicable law. However, the district is not required to provide accommodations if they would cause undue hardship as provided in these laws. The district must also comply with the procedures required under these laws when considering and deciding whether to provide accommodations.

Pursuant to the Governor's Proclamation 21-14.1, the district must, to the extent permitted by law:

- a. Before providing a disability related reasonable accommodation, obtain from the individual requesting the accommodation documentation from an appropriate health care or rehabilitation professional stating that the individual has a disability that necessitates an accommodation and the probable duration of the need for the accommodation.
- b. Before providing a sincerely held religious belief accommodation, document that the request for an accommodation has been made and include a statement in the document explaining the way in which the requirements of the Governor's order conflict with the sincerely held religious belief, practice, or observance of the individual.
- c. Require an individual who receives an accommodation to take COVID-19 safety measures that are consistent with the recommendations of the state Department of Health for the setting in which the individual works.

The district is prohibited from providing accommodations:

- a. That it knows are based on false, misleading, or dishonest grounds or information.
- b. That it knows are based on the personal preference of the individual and not on an inability to get vaccinated because of a disability or a conflict with a sincerely held religious belief, practice, or observance.
- c. Without conducting an individualized assessment and determination of each individual's need and justification for an accommodation, i.e., "rubberstamping" accommodation requests.

Any individual who cannot get fully vaccinated against COVID-19 by October 18, 2021 due to the requirements of their participation in a COVID-19 vaccine clinical trial is exempt. Such individuals must provide documentary proof of their participation in the COVID-19 vaccine clinical trial to the district.

Individuals who are too young to receive any COVID-19 vaccine, as authorized for emergency use, licensed, or otherwise approved by the FDA, are exempt. Any individual who becomes old enough to receive any COVID-19 vaccine, as authorized for emergency use, licensed, or otherwise approved by the FDA, while the Governor's order is in effect must comply with the requirements of the order within 60 days of the day, they became eligible. The district for which such an individual engages in work must also comply with the requirements of this order for the individual by that deadline.

Proof of Vaccination

Employees must provide proof of full vaccination against COVID-19 by providing one of the following:

- a. CDC COVID-19 Vaccination Record Card or photo of the card.
- b. Documentation of vaccination from a health care provider or electronic health record.
- c. State immunization information system record.
- d. For an individual who was vaccinated outside of the United States, a reasonable equivalent of any of the above.

The district must obtain a copy of or visually observe proof of full vaccination against COVID-19 for every individual who is engaged in work for it and required to provide such proof. Personal attestation is not an acceptable form of verification of COVID-19 vaccination.

Election to Require Employers of Contractors to Assume Responsibility for Vaccination Verification and Accommodation Requirements

The district may elect to require the employer of a contractor to assume responsibility for the vaccination verification and accommodations requirements in the Governor's order. This election may be made with respect to any or all of an employer's contractor-employees who are subject to the order.

If such an election is made, after October 18, 2021, the employer's contractor-employees are prohibited from engaging in work for the district and the district is prohibited from permitting such employee to engage in work for it, unless the following requirements are met:

- a. By October 18, 2021, the employer must obtain a copy of or visually observe proof of full vaccination against COVID-19 for every current employee who is subject to the vaccination requirement in the order.

- b. The employer must obtain a copy of or visually observe proof of full vaccination against COVID-19 for every employee hired after October 18, 2021 who is subject to the vaccination requirement in the order.

- c. The employer must follow the requirements for granting disability and religious accommodations to its current and future employees that apply to the district under the order.

d. By October 18, 2021, the employer must submit to the district a signed declaration in substantially the form prescribed in RCW 5.50.050 declaring that the employer has met the above requirements.

e. The employer must submit additional signed declarations upon the request of and by the date designated by the district.

f. If an employer is also a contractor subject to the order, the employer must include in their declaration that the employer is fully vaccinated against COVID-19 or is unable to get vaccinated because of a disability or a conflict between the vaccination requirement and their sincerely held religious beliefs, practice, or observance, as applicable.

g. The employer must cooperate with any investigation or inquiry the district makes into the employer's compliance with these requirements, including by providing information and records upon request, except any information or records that the employer is prohibited by law from disclosing.

If the district makes the election above, it retains the right to investigate or inquire into the employer's compliance with the above requirements, to obtain proof of vaccination directly from any contractor-employee, and to withdraw the election in whole or in part at any time.

Blood or Other Potentially Infectious Material

The district's infection control program will be consistent with [Chapter 296-823](#) WAC Occupational exposure to blood-borne pathogens.

The district will also keep records of training sessions including the dates, a summary of the material, names and qualifications of the trainers and names of employees attending the training.

Adoption Date: May 16, 2022
North Kitsap School District