

Discussion of Possible Policy to Require Mandatory Vaccines or Weekly COVID-19 Testing for all BUSD Employees; and to Require Mandatory Student COVID Testing

August 11, 2021

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Berkeley
PUBLIC SCHOOLS
Berkeley Unified School District

Mandatory Employee COVID Vaccinations

BP 4219.43 Personnel

Universal Precautions

In order to protect employees from contact with potentially infectious blood or other body fluids, and from exposure to the COVID-19 virus, the Governing Board requires that universal precautions be observed throughout the district, to include employee vaccination against COVID-19 or at least weekly COVID testing.

Mandatory Employee COVID Vaccinations

Authority to require employee vaccinations established by CalOSHA, CA Department of Labor, and EEOC guidance

On August 11, CDPH issued a new health order, "Vaccine Verification for Workers in Schools", requiring paid and unpaid adult workers in TK-12 to be vaccinated or test at least once per week by October 15.

With respect to vaccinations, employers must permit a health-related accommodation process, and procedures to consider requests for religious exemptions. These exemptions do not apply to COVID testing.

Probable Implementation Timeline

Tomorrow: Notice to all employees of vaccination/testing requirement

August 23rd: Onsite COVID testing is re-established with new testing partner

August 27: Verification of employees' vaccination status; procedures for third-party partners, volunteers, etc.

September 3: Start of mandatory employee testing

October 15: State requirements goes into effect

Mandatory Student COVID Testing

Last year, participation in student COVID testing did not exceed 30%, with the exception of high school athletics

Last year, families were required to provide written consent for each test, and had to submit insurance paperwork.

Mandatory Student COVID Testing

This year, we have selected a new testing partner - Vestra Labs

CDPH has now established a program to fund testing in schools, which eliminates billing to families' insurance

Blanket consent is now possible

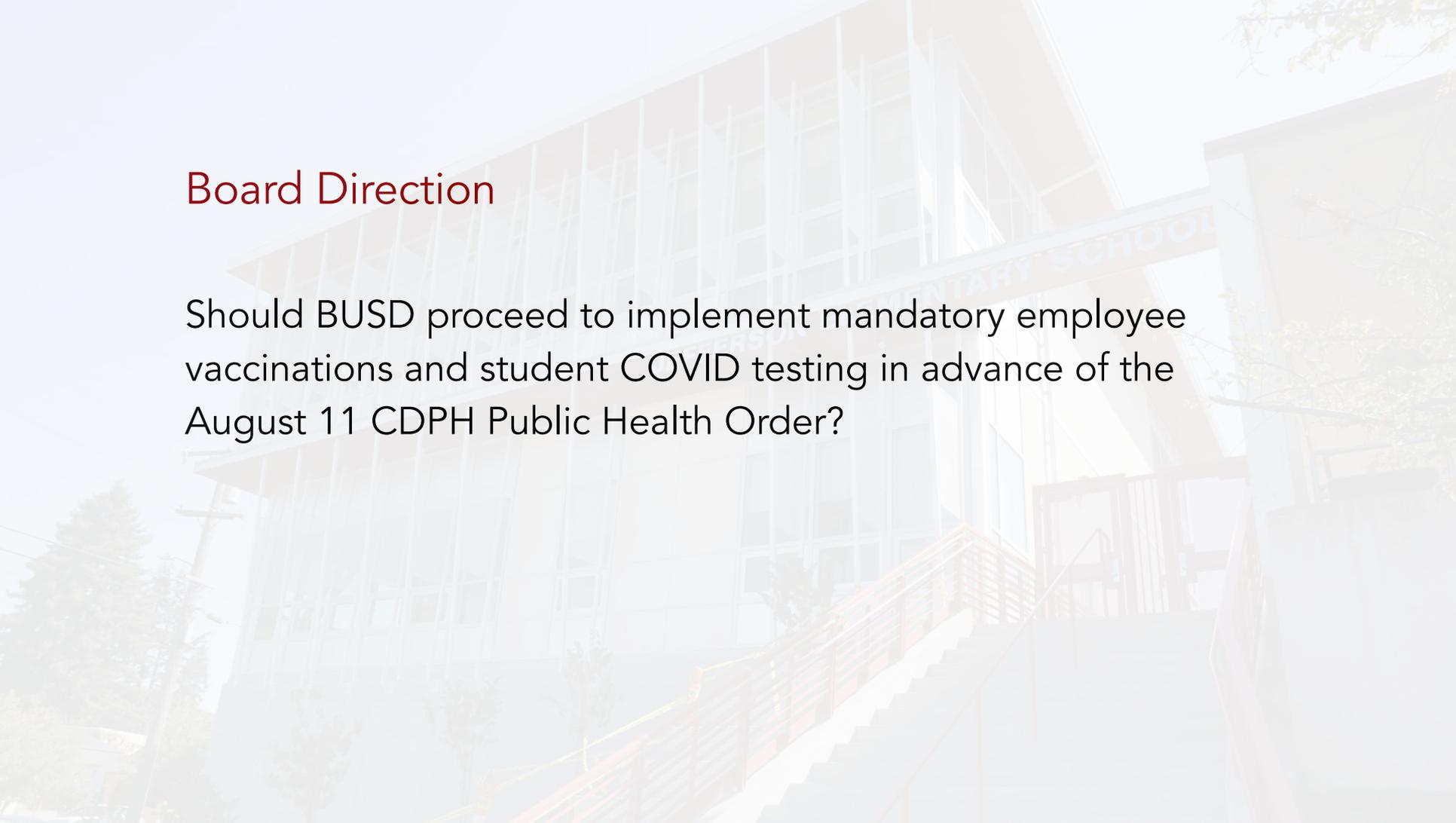
Mandatory Student COVID Testing

Maximizing participation in testing is recommended by CDPH. In order to require participation in student COVID testing, a number of technical and procedural hurdles would have to be overcome:

- Opt Out process and criteria
- Parent/guardian consent for minors
- Exclusion from school

NEW INFORMATION: Mandatory Student COVID Testing

- Legal issues related to excluding students for not participating in testing
- Test companies will not test minors without parent/guardian consent.



Board Direction

Should BUSD proceed to implement mandatory employee vaccinations and student COVID testing in advance of the August 11 CDPH Public Health Order?