



ADMINISTRATIVE **PROCEDURE**

3950

DESERT COMMUNITY COLLEGE DISTRICT

COVID-19 VACCINE REQUIREMENT

The Desert Community College District is committed to protecting the health and well-being of students, faculty, staff, administrators, and the communities it serves, as well as maintaining higher education access and attainment for its students. As the District works toward the safe resumption of increased on-campus learning, working and other activities, it embraces a comprehensive strategy designed to reduce the likelihood of transmission of the COVID-19 virus and its variants.

All employees, students, and vendors, are required to comply with the provisions of AP 3950 on or before January 31, 2022. Employees, students, and vendors, may claim an exemption to the approved vaccine requirement in accordance with District procedures. Employees, students, and vendors who do not provide certification of vaccination, obtain an authorized exemption, and/or undergo weekly COVID-19 testing and provide proof of negative test results will be denied access to on-site campus/programs.

The requirement will remain in effect during the present public health emergency as determined by objective criteria such as the local, state or federal declarations or proclamations of emergency or other criteria such as the incidence rate of COVID-19 in the community. This procedure will be revisited once such emergencies conclude or the risk factors are no longer present. The vaccination requirement will remain in effect until it is terminated by the Board.

All employees, students, vendors, and visitors to campuses and district facilities and vendors and contracted individuals working at District facilities must comply with all applicable Cal/OSHA safety guidelines and standards, Riverside County Department of Public Health, and other District policies and procedures, as well as any other District COVID-19 health and safety protocols in effect. As part of this vaccine requirement, the District may require vaccine boosters or supplemental administrations of vaccines as circumstances warrant.

Public health conditions related to current status of the COVID-19 pandemic, including the rapid spread of a more aggressive variant, such as the Delta variant, requires immediate action by the District. In light of the evidence established to date regarding the safety and effectiveness of available COVID-19 vaccines, the District shall require that:

- 1) All District employees must be fully vaccinated against COVID-19 and provide certification of vaccination, unless a District authorized exemption is obtained. Exempt

employees must undergo weekly COVID-19 testing and provide proof of negative test results to the person/department designated by the District.

- a. Employees not providing certification, meeting District authorized exemption, or undergoing weekly COVID-19 testing do not meet job requirements for duty and will be subject to discipline including dismissal. District employees may be subject to discipline for failing or refusing to comply with the vaccination requirement set forth in Board Policy 3950 or falsifying information. Academic and classified employees may be disciplined for cause as set forth in Education Code Section 87732. Students may be removed from in-person classes, disciplined, or expelled for failing or refusing to comply with the vaccination requirement set forth in the Board Policy 3950 or falsifying information.
- 2) All students attending any in person classes must be fully vaccinated against COVID-19 and provide certification of vaccination, unless a District authorized exemption is obtained.
- 3) All District authorized volunteers who access campuses or other District facilities, must be fully vaccinated against COVID-19 and provide certification of vaccination, unless a district authorized medical or religious exemption is obtained; or undergo weekly COVID-19 testing and provide proof of negative test results to the person/department designated by the District.
- 4) Vendors shall ensure that their agents and employees undertake appropriate other safety measures. In consideration of the nature of the contractor's and vendor's service (including proximity to members of the District community), duration, and extent of on-campus presence, the District may also require that a contractors and vendors agents and employees provide certification of vaccination.
- 5) Visitors may be required to provide certification of vaccination at the discretion of the District. All visitors must comply with the District's COVID-19 Prevention Plan and guidelines for masking and social distancing.

Exemptions

Any employee who wishes to apply for an exemption may do so by completing the relevant District's Exemption Request Form located on the District's COVID-19 website. Exemptions may be obtained on the basis of medical condition, disability, religious, or sincerely held personal belief.

Any student who wishes to apply for an exemption may do so by completing the relevant District's Exemption Request Form located on the District's COVID-19 website. Exemptions may be obtained on the basis of medical condition, disability or religious exemption, and students will be required to undergo weekly COVID-19 testing and provide proof of negative test results to the person/department designated by the District. For these exemptions, the District will provide testing free of charge.

Any student who chooses to not get vaccinated based on a sincerely held personal belief will be required to undergo weekly COVID-19 testing, offsite at their own expense and provide proof of negative test results to the person/department designated by the District.

Employees who have a District authorized exemption will be required to undergo weekly COVID-19 testing with evidence of negative test results. The District shall offer COVID-19 testing free of charge.

The District will track the weekly testing of individuals with exemptions using a COVID-19 tracking app that will be provided to students and employees free of charge.

Accommodations. The District will provide an individualized interactive process to identify appropriate accommodations for individuals claiming an exemption. Accommodations may involve adjustments to job duties, remote work or learning, isolation of individuals in certain campus locations, limiting of interactions, and other safety measures.

The Desert Community College District will ensure that this policy is in line with all Cal-OSHA and Federal OSHA requirements.

Vaccination Information

Information about the availability of approved vaccines and COVID-19 testing, including those offered free-of-charge, shall be widely disseminated through any combination of written information statements, verbal communications, or online or in-person training programs.

All students, volunteers and employees shall receive information as part of ongoing training and education, concerning:

1. The potential benefits for COVID-19 vaccination;
2. The potential health consequences of COVID-19 illness for themselves, family members and other contacts, coworkers, patients, and the community;
3. Occupational exposure to COVID-19;
4. The epidemiology and modes of transmission, diagnosis, and non-vaccine infection control strategies in accordance with their level of responsibility in preventing COVID-19 infections;
5. The safety profile and potential risks of any COVID-19 vaccine; and
6. Requirements for compliance with the COVID-19 vaccination policy.

Superseding Public Health Directives. In the event that a federal, state, or local governing public health agency imposes a requirement that strictly conflicts with this procedure or implementation of this procedure, the applicable public health mandate shall govern and be implemented.

The Superintendent/President is authorized to establish appropriate procedures to implement this policy.

Definitions

- Approved vaccine: a COVID-19 vaccine that has received U.S. Food & Drug Administration (FDA) Emergency Use Authorization or full approval from the U.S. Food & Drug Administration (FDA) and is recommended for use by the U.S. Centers for Disease Control and Prevention (CDC). The following COVID-19 vaccines shall also be deemed to be approved vaccines for the purpose of satisfying the vaccination requirement in this policy: (a) a COVID-19 vaccine administered under an FDA Emergency Use Authorization; or (b) a COVID-19 vaccine administered outside of the United States that has been approved by the World Health Organization.
- Fully vaccinated: two weeks after receiving the second dose in a two-dose series or following a single-dose vaccine.
- Certification: submission of information establishing that a student or employee has received an approved vaccine or qualifies for an exemption from the vaccine requirement. The college may collect from every employee, student, vendor and visitor who seeks access to campus/programs the following, as applicable: (1) declaration of current COVID-19 vaccination status (with an approved vaccine); (2) declaration of medical exemption; or (3) declaration of religious exemption. Each certification shall include an attestation by the employee, student, vendor or visitor that the information provided is accurate and truthful.
- Vendor: a person or entity, including an auxiliary organization, that agrees to conduct work for the District as specified under the terms of a contract or agreement.
- Employees: faculty, staff, volunteers, student workers, administrators, and board members of the Desert Community College District.
- Student: any admitted or enrolled Desert Community College District student participating in any in-person activities at any district location.
- Visitor: any individual accessing District campuses or facilities who is not an employee, student, volunteer or vendor.
- Medical exemption: due to a medical (including mental health) condition for which an approved vaccine presents a significant risk of a serious adverse reaction. The District may ask for proof of a medical exemption to be verified by a certified or licensed healthcare professional.
- Religious exemption: due to either (i) a person's sincerely held religious belief, observance, or practice, which includes any traditionally recognized religion, or (ii) beliefs, observances, or practices which an individual sincerely holds and that occupy a place of importance in that individual's life, comparable to that of traditionally recognized religions.
- Other safety measures: any action, as determined by the District, other than getting an approved vaccine, that decreases the likelihood of COVID-19 transmission or illness

and allows the core mission and activities of the campus to continue. Other safety measures may include asymptomatic (public health surveillance) testing and symptomatic testing; physical/social distancing; avoiding large gatherings; wearing face coverings or personal protective equipment; frequent handwashing and cleaning; practicing respiratory etiquette; improving ventilation of indoor spaces; and staying home and/or quarantining when warranted.

References:

- Education Code Sections 76020, 76403, 87408, 87732 and 88021
- U.S. Department of Justice Opinion [45 Op. O.L.C.] July 6, 2021
- California Public Employment Relations Board Decision 2783H, July 26, 2021
- Cal/OSHA COVID-19 Emergency Temporary Standards, 8 C.C.R. Section 3205
- Board Resolution #091721-1

Administrator: Superintendent/President

Executive Cabinet Review: October 5, 2021

College Planning Council Review/Approval, 1st Reading: October 8, 2021

College Planning Council Review/Approval, 2nd Reading: December 10, 2021

Board Meeting/Information Item: December 17, 2021 (pending)

Next Review: October 2026