

## YCCD COMMUNITY COLLEGE DISTRICT COVID-19 VACCINATION AND TESTING POLICY SUMMARY

### 1. PURPOSE AND INTRODUCTION

The purpose of this document is to codify the key points of the COVID-19 vaccination and testing policy that includes key implementation issues and actions, a recommended framework, and a timeline. This is a living document that will be revised as new information becomes available from federal, state, and local public health authorities.

### 2. BACKGROUND

The Yuba Community College District is committed to providing a safe and healthy workplace and educational environment at its colleges, centers, and facilities. In furtherance of this commitment, this Operational Protocol is to mitigate the risks surrounding exposure to COVID-19 by requiring that all students, employees, and volunteers who are on District premises have received the full COVID-19 vaccine or, alternatively, are subjected to weekly COVID-19 testing.

The novel coronavirus and the disease it causes, COVID-19, is a global pandemic and has resulted in widespread severe illness and death worldwide, in the United States, in California, and in the District. COVID-19 spreads mainly through close contact from person to person, including between people who are physically near each other (within about 6 feet). People who are infected but do not show symptoms can also spread very easily from person to person.<sup>1</sup> The Delta Variant is now the predominant variant of COVID-19 in the United States. The Delta variant is highly contagious, nearly twice as contagious as previous variants.<sup>2</sup>

Vaccination, testing, and masking are important means of slowing transmission. According to the CDC, vaccination is a safe and effective way to prevent people who are fully vaccinated from becoming seriously ill with COVID-19. The California Department of Public Health (CDPH) also recommends that people get fully vaccinated to slow the spread of COVID-19. The CDPH has its own “Scientific Safety Review Workgroup,” which has confirmed “vaccines have met high standards for safety and efficacy.”<sup>3</sup> In addition, CDC has determined that mask wearing “reduces new infections,” by reducing “the emission of virus-laden droplets.”<sup>4</sup>

### 3. RECOMMENDED VACCINATION & TESTING OPERATIONAL POLICY

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<sup>1</sup> <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/how-covid-spreads.html>.

<sup>2</sup> <https://www.cdc.gov/coronavirus/2019-ncov/variants/delta-variant.html>

<sup>3</sup> [https://www.cdph.ca.gov/Programs/CID/DCDC/CDPH%20Document%20Library/COVID-19/COVID\\_VACCINE\\_FACT\\_SHEET-ENG-08.pdf](https://www.cdph.ca.gov/Programs/CID/DCDC/CDPH%20Document%20Library/COVID-19/COVID_VACCINE_FACT_SHEET-ENG-08.pdf)

<sup>4</sup> <https://www.cdc.gov/coronavirus/2019-ncov/science/science-briefs/masking-science-sars-cov2.html>

## **A. General Policy Statement**

### ***Employees:***

Effective December 1, 2021, all faculty, staff, administrators, and volunteers must be fully vaccinated against COVID-19 or submit to weekly testing in order to:

- Be physically present on any district owned or controlled premises for an extended amount of time (generally more than 15 minutes), and/or
- Participate in any in-person district activities for an extended amount of time (generally more than 15 minutes).

### ***Students:***

Effective January 24, 2022, students must be fully vaccinated against COVID-19 or submit to weekly testing in order to:

- Be physically present on any district owned or controlled premises for an extended amount of time (generally more than 15 minutes), and/or
- Participate in any district activities for an extended amount of time (generally more than 15 minutes).

### ***Campus Visitors:***

Due to enforcement challenges, campus visitors generally will not be subject to the vaccination and testing requirement, however requirements vary based upon the purpose of each campus visit.

Prospective Students – Prospective students can access face-to-face, “counter” student services such as Admission and Records or Financial Aid for more than 15 minutes without providing evidence of testing or vaccination. These visitors do not need a campus pass, but must wear a mask at all times and social distance when possible.

Prospective students who utilize face-to-face counseling appointments need to provide evidence of vaccination or evidence of a negative COVID-19 PCR test taken within 72 hours of the campus visit date. These visitors will need to bring a visitor’s Ready Education campus pass to the appointment.

Visitors Attending a Campus Event – Visitors attending an occasional campus event, such as an athletic or theatre event, do not need to comply with the vaccination or testing requirement.

All campus visitors will be required to wear a mask while indoors at any district facility, and all large events will follow CDPH and local county health officer guidance.

**Vendors:**

Vendors will be addressed on a case-by-case basis.

All students, volunteers, employees, campus visitors, and vendors will continue to wear a face covering over the mouth and nose, regardless of vaccination status, in all indoor district settings, as long as circumstances dictate. **Students who do not access face-to-face instruction or services are not subject to this policy unless or until an individual student meets the requirements above.**

<b>Summary of Alternatives by Classification</b>		
	<b>EMPLOYEES/VOLUNTEERS</b>	<b>STUDENTS</b>
<b>OPTION 1</b>	Full vaccination	Full vaccination
<b>OPTION 2</b>	Weekly testing	Weekly testing
<b>OPTION 3</b>	-----	Utilization of only online instruction and services

**B. Appropriate Vaccines**

Vaccines must be FDA approved; have an emergency use authorization from the FDA; or, for persons fully vaccinated outside the United States, be listed for emergency use by the World Health Organization (WHO). “Fully vaccinated” means the District has documented that the person received, at least 14 days prior, either the second dose in a two-dose COVID-19 vaccine series or a single-dose COVID-19 vaccine. (8 CCR § 3205(b)(9).) Employees may request paid leave from Human Resources for obtaining a COVID-19 vaccine and any illness related to it.

**C. Vaccine Incentive Plan**

The District will develop and implement a vaccine incentive program for students and implement the program no later than December 1, 2021.

**D. Access to Vaccines**

Individuals may obtain a COVID-19 vaccine from any county provider or health care provider authorized to administer the vaccine. Anyone wanting to schedule a vaccination appointment can visit the [State of California's MyTurn website](#). The District will work with county departments of public health and other healthcare providers to host vaccination clinics at all district facilities.

The District will provide employees with reasonable paid time to travel and become vaccinated, as required by law. Compensation shall be at the employee’s regular rate of pay. Employees will arrange vaccination time with their supervisors. The District will

provide employees who become vaccinated with sick leave that may be used in order to recover from any side effects of the COVID-19 vaccinations, as required by law.

#### **E. Proof of Vaccination**

The District will follow California Department of Public Health guidance regarding what documentation is acceptable to document proof of vaccination.

#### **F. Vaccine Boosters**

To the extent that this operational protocol remains in effect if and when COVID-19 vaccine boosters become necessary to prevent the contraction and transmission of the virus that causes COVID-19, this operational protocol and the requirements and limited exemptions set forth herein shall apply to COVID-19 vaccine boosters. Under such circumstances, all District students and employees must receive a COVID-19 vaccine booster when public health authorities, including the CDC, the California Department of Public Health (“CDPH”), or the County Department of Public Health indicate that a COVID-19 vaccine booster is necessary based on the COVID-19 vaccine that the employee received and the date upon which they became fully vaccinated. All District students and employees must submit proof they received this vaccine booster and may use any of the methods permitted to submit proof of their original vaccination.

#### **G. Testing**

**Testing is an alternative to vaccination for unvaccinated or incompletely vaccinated students, employees, and volunteers who want to be on any district location for an extended amount of time.** Unvaccinated individuals must be tested at least once weekly with a COVID-19 test. A COVID-19 test is a viral test for SARS-CoV-2 that is both (1) approved by the United States Food and Drug Administration (FDA) or has an Emergency Use Authorization from the FDA to diagnose current infection with the SARS-CoV-2 virus; and (2) administered in accordance with the FDA approval or the FDA Emergency Use Authorization as applicable. COVID-19 testing includes both PCR and antigen tests. The test must be administered in accordance with the FDA approval or FDA EUA, as applicable. (8 CCR § 3205(b)(6).) The Yuba Community College District requires PCR tests. However, to support student success and access, antigen tests (including home antigen tests) will be accepted for the first three weeks of each semester.

#### **H. Positive PCR Test & Testing Exemption After Quarantine**

Students or employees with a positive laboratory-confirmed SARS-CoV-2 on a PCR test will receive an email from YCCD COVID team at covidresponsecenter@yccd.edu that:

- Directs them to isolate for a full 5 or 10 days based on vaccination status and re-testing result;
- Provides advice for notifying supervisor/instructor(s) that they cannot come to campus, as well as return-to-work requirements;

- Directs them to complete YCCD or WCC COVID-19 Questionnaire and Reporting Form if have not done yet;
- Directs them to notify any close contacts and preserve their confidentiality; and
- Advises they can request an exemption from YCCD routine PCR testing requirements for 90 days, if they complete the 10-day quarantine guidelines, and still test positive on a subsequent PCR. This exemption request must be approved by the YCCD COVID team.

To request an exemption, students and employees should email [covidresponsecenter@yccd.edu](mailto:covidresponsecenter@yccd.edu) with the initial test result and the second test result taken after day ten. The COVID team will notify the student or employee if the exemption request is approved. The COVID team will track the 90-day exemption and will notify the student or employee during the last week of exemption period that they need to restart their weekly PCR testing.

Individuals who receive a testing exemption, but subsequently have close contact with someone with COVID-19; will have their testing exemption suspended.

#### **I. Accommodations**

Where employee and/or student has not been fully vaccinated and refuses to submit to testing, the District will engage in an accommodations process to determine whether a reasonable accommodation (medical and/or religious) can be provided. The district does not have an obligation to accommodate philosophical or political objections.

#### **J. Prohibition of Harassment Discrimination**

The District will not discriminate against any student, volunteer, or employee who receives an exemption from receiving the COVID-19 vaccine or submitting to testing, although the District will take any legitimate business action to maintain the safety of its centers and campuses and community. The District will not tolerate any discrimination or harassment against students, volunteers, or employees based on vaccination status or individuals taking mitigation measures, such as wearing a facemask. Students, volunteers, and employees found to be engaging in such discrimination or harassment may face discipline up to and including termination or expulsion.

#### **K. Failure to Comply with Health and Safety Requirements**

All students, employees, and volunteers, whether vaccinated or testing, are required to continue to abide by all District policies, procedures, and protocols regarding COVID-19 until the District directs otherwise. The District's [COVID-19 Prevention Plan](#) provides additional information on the District's COVID-19 planning. Employees who do not comply with vaccine/testing protocols, falsify information, or fail to submit to weekly testing, may face discipline up to and including termination. Students who fail to comply with vaccine/testing protocols, falsify information, or fail to submit to weekly testing, may face discipline as outlined in [Administrative Procedure 5520, Student Discipline Procedures](#).

#### **L. Confidential Information**

The District will not request any health or medical information for the purpose of enforcement of this Policy other than proof of vaccination or proof of weekly testing. Unless consent is given, the District will not receive any medical information from employees or give any medical information to any vaccination provider. The District may receive disability and functional limitation information from a medical provider. Any proof of vaccination an employee or student provides to the District will be stored in a manner consistent with applicable law and in accordance with the district's practice for storing medical information for employees. Employees and students may be required to complete a Confidentiality of Medical Information Act release in order to be physically present on District sites.

#### **M. Impact on Enrollment**

It is difficult to evaluate the impact this policy could have on enrollment. Implementation of these policies could have a negative impact on district enrollments and these procedures could create a barrier for some students. It is also possible that it could positively impact enrollments as there may be a latent demand for face-to-face course offerings, and some students may feel more comfortable being on campus with the implementation of a vaccine/testing mandate.

#### **N. Budget Impact**

The District has received pandemic funding from a variety of state and federal programs, which can be used to fund implementation of the vaccine/testing mandate for students and employees. Appendix I presents an estimated budget to implement this proposed mandate.

#### **O. Communication and Marketing**

A communication plan is being developed that will target audiences that include current students, employees, potential students, and the general community.

### **4. LEGAL AUTHORITY**

- Americans with Disabilities Act
- Title VII of the Civil Rights Act
- EEOC Technical Assistance, updated May 28, 2021
- DOJ Opinion dated July 6, 2021
- DFEH Employment Information on COVID-19
- Administrative Regulations related to accommodations for individuals with disabilities
- Yuba Community College District COVID-19 Prevention Plan