NEW LOS ANGELES CHARTER SCHOOL
COVID-19 EMPLOYEE VACCINATION POLICY

Purpose

Consistent with New Los Angeles Charter School's ("NLACS" or the "School") legal duty to maintain a safe and healthy workplace, applicable legal authority, to limit the spread of COVID-19 and to otherwise comply with legal requirements mandating such vaccinations as applicable, the School shall enforce this COVID-19 Employee Vaccination Policy ("Policy"). The purpose of this Policy is to protect the health, safety, and well-being of all School employees, students, families, and stakeholders to the maximum extent possible, and to facilitate a safe and meaningful return to in-person instruction. At the time of adoption of this Policy, the COVID-19 vaccination is not available for many students (based upon student age). This Policy shall be implemented in a manner that is consistent with current federal, state, and local law, as well as applicable public health guidance, including that from the Centers for Disease Control and Prevention ("CDC") and the California Department of Public Health ("CDPH") as well as local public health authorities and authorizing agencies.

Scope

This Policy applies to all School employees who enter any NLACS campus for any period, or have contact with any employees, students, or other School stakeholders, however brief. This policy also applies to any prospective employees who have been provided with a conditional offer of employment at the School. This Policy applies to COVID-19 vaccines that are currently available to School employees under Food and Drug Administration ("FDA") Emergency Use Authorization, Non-Emergency Use Authorization as well as those that may later become available under FDA Emergency Use or Non-Emergency Use Authorization. Additionally, should any COVID-19 vaccine require two (2) doses for complete inoculation, compliance with this Policy requires both doses. Finally, should any COVID-19 vaccination require a booster dose(s) for complete and/or continued inoculation, this Policy shall require such dose(s), to the extent that the booster dose(s) is: 1) available under FDA Emergency Use or Non-Emergency Use Authorization, 2) is available for all employees and 3) that it is recommended by state and/or federal public health authorities.

Policy

Consistent with the California "State Public Health Officer Order of August 11, 2021," ("Order"), the "COVID-19 Vaccination Requirement for Employees and Other Adults Working at District Facilities" memorandum issued by the LAUSD on August 13, 2021 ("Memorandum") and applicable legal authority, it is the policy of the School to mandate that all current employees receive the COVID-19 vaccine by October 15, 2021. The School will provide current employees with information regarding the operational logistics of such vaccination opportunities (e.g., opportunities to schedule vaccinations during the workday, reimbursement for mileage, etc.).

It is also the policy of the School to mandate that all prospective employees, who have received a conditional offer of employment from the School, vaccinate for COVID-19 or present proof of vaccination for COVID-19, absent a legally recognized accommodation. Should any COVID-19 vaccine require two (2) doses and/or a booster dose(s) for complete inoculation, prospective employees' compliance with this Policy requires all such doses, and no prospective employee will

be allowed to enter any School facilities until they have received all such doses, and present written proof of vaccination that they have received all such doses. If a COVID-19 vaccine only requires one (1) dose for complete inoculation, no prospective employee will be allowed to enter any School facilities until they have received such dose and present written proof of vaccination. For any prospective employees who have not yet vaccinated for COVID-19, the School will provide employment verification letters and any other documentation necessary to secure a COVID-19 vaccine. The School will pay for the cost of a prospective employee's COVID-19 vaccination dose(s), if applicable. The School reserves the right to rescind any conditional job offer if a prospective employee refuses to comply with this Policy and is not otherwise entitled to a legally recognized accommodation.

Current employees who refuse to comply with this Policy and who are not otherwise eligible for an accommodation consistent with applicable legal requirements as further detailed below will be placed on unpaid/inactive status until they comply. Employees who refuse to vaccinate for COVID-19 and who are not otherwise entitled to an accommodation will be excluded from campus/the workplace pending compliance with this Policy. Continued absences from work as a result of noncompliance with this Policy may be deemed unexcused, and result in disciplinary action, up to and including termination from employment.

Consistent with applicable law, the School will pay all current nonexempt employees for time spent receiving the COVID-19 vaccine, assuming the vaccine cannot be obtained during working hours. All current employees may also use any available California COVID-19 Supplemental Paid Sick Leave for time spent attending a COVID-19 vaccination appointment, upon a written or oral request to the School, and to the extent that the School is legally required to provide employees with such leave. The School will also reimburse all current employees for the cost of the vaccine (if any), as well as reasonable and necessary mileage (if applicable). All reimbursements require appropriate supporting documentation.

Proof of Vaccination

Once School employees receive the COVID-19 vaccine, they must provide the School with proof of COVID-19 vaccination. Consistent with applicable law, acceptable proof of COVID-19 vaccination includes only:

- A COVID-19 Vaccination Record Card (issued by the Department of Health and Human Services Centers for Disease Control & Prevention or WHO Yellow Card) which includes name of person vaccinated, type of vaccine provided and date last dose administered); OR
- A photo of a Vaccination Record Card as a separate document; OR
- A photo of the client's Vaccination Record Card stored on a phone or electronic device; OR
- Documentation of COVID-19 vaccination from a health care provider; OR
- Digital record that includes a QR code that when scanned by a SMART Health Card reader displays to the reader client name, date of birth, vaccine dates and vaccine type; OR
- Documentation of vaccination from other contracted employers who follow these vaccination records guidelines and standards.

Failure to provide the School with written proof of COVID-19 vaccination by October 15, 2021, constitutes noncompliance with this Policy. The School further reserves the right to request proof of both the first and second vaccination doses for COVID-19, as applicable.

When providing proof of vaccination, current and prospective employees must not provide any medical or genetic information to the School. It is an employee's responsibility to ensure their proof of vaccination is free from medical and genetic information.

The School shall strictly maintain confidentiality of all employee COVID-19 vaccination data and related medical information, other than reporting the results to federal, state, and local health departments or agencies, only where required by law. The School will store all medical information about any employee separately from the employee's personnel file in order to limit access to this confidential information. The School will have a separate confidential medical file for each employee where the School stores employee medical information. Medical information includes COVID-19 vaccination data.

Continued Health and Safety Protocol

Consistent with the School's health and safety protocol, including its COVID-19 Health and Safety Policy and COVID-19 Injury and Illness Prevention Plan Addendum, and until guidance from federal, state, and local public health agencies is revised, all employees must continue to abide by all COVID-19 health and safety protocols, regardless of vaccination status. This includes but is not limited to continued use of facial coverings.

Requests for Accommodations

Current and prospective employees who are unable to comply with this Policy due to a qualifying disability or sincerely held religious belief, practice, or observance as defined by applicable law may be entitled to an accommodation from the School's COVID-19 vaccination requirement. Once the School is on notice that an employee may be unable to comply with the Policy due to a qualifying disability or sincerely held religious belief, practice, or observance, the School will engage in an interactive process with the employee, and work to identify any possible accommodations. As part of the interactive process, the School reserves the right to request supporting documentation or a medical certification which documents the basis for the requested accommodation. The School may not be required to provide employees with an accommodation should the accommodation result in a direct threat to health and safety at the School or to the employee or if the accommodation will cause an undue hardship for the School, among other reasons. Employees who believe they may be entitled to a legally valid accommodation consistent with this Policy should contact the School as outlined below to address this matter further.

Consistent with the Memorandum, applicable legal authority and to otherwise comply with the School's legal duty to maintain a safe and healthy workplace, all employees must currently test for COVID-19 weekly, regardless of COVID-19 vaccination status. Additionally, pursuant to the Order, all unvaccinated employees must test for COVID-19 at least once per week. While employees may also request legally recognized accommodations from such testing, the testing is mandated by law and the School's authorizer, and the School may not be required to provide employees with accommodations from such testing, should they result in a direct threat to health and safety at the School or to the employee or if the accommodation will cause an undue hardship for the School, among other reasons.

Non-Discrimination
The School will not discriminate, harass, or retaliate against any current or prospective employee for receiving the COVID-19 vaccine, refusing to receive to the COVID-19 vaccine, or for requesting a lawfully-recognized accommodation from the COVID-19 vaccination Policy. However, the School reserves the right to enforce non-compliance with this Policy, consistent with applicable law.

Disclaimer
As public health and legal guidance regarding COVID-19 vaccinations evolves, the School reserves the right to revise this Policy. Upon any revision to this Policy, the School will provide immediate notice in writing to all employees.

Should you have any questions regarding this Policy, you may contact Director of Operations Xochitl Lira, Ed.D. at xlira@newlosangeles.org.

Confirmation of Receipt

By signing below, I acknowledge that I have received, read, and understand the School's COVID-19 Employee Vaccination Policy.

I also understand that if I have any questions regarding this Policy, I shall contact the School as outlined above.

_____ _____
Print Name Date

_____
Signature