



POLICY TITLE:	
COVID-19 Vaccination Requirement Policy	
ADOPTION/EFFECTIVE DATE:	MOST RECENTLY UPDATED:
October 18, 2021	

## **PURPOSE**

On September 20, 2021, DC Mayor Muriel Bowser issued [Mayor's Order 2021-109: COVID-19 Vaccination Requirement for Adults Regularly in Schools or Child Care Facilities and for Student-Athletes](#) (the Order).<sup>1</sup> Among other requirements, the Order mandates that, effective November 1, 2021, all adult employees, contractors, interns, and volunteers working in person in a public charter school and all public charter school students aged 12 or older who practice, compete, or otherwise participate in school-based extracurricular athletics shall have received a full course of a vaccination against COVID-19, unless they have been granted an exemption from such vaccination pursuant to the Order. The purpose of this policy is to outline how the DC Public Charter School Board (DC PCSB) will monitor for and enforce compliance with the Order.

## **POLICY**

### *Submission of Required Compliance Information*

On November 1, 2021, DC PCSB will begin collecting vaccination compliance information from each public charter school. Each school must provide all required information in the manner and form prescribed by DC PCSB, and within the timeframe set forth by DC PCSB.

Specifically, DC PCSB will require schools to certify that they have established and implemented procedures to ensure compliance with all applicable requirements under the Order, including but not limited to:<sup>2</sup>

- All adult employees, contractors, interns, and volunteers working in the school shall have received a full course of a vaccination against COVID-19 unless they have been granted an exemption from such vaccination.
  - On a case by case basis, for particular positions, and to the extent needed to comply with other legal requirements, a school may extend the deadlines for adults to be vaccinated to ensure all other legal obligations are met.
- All new postings for job opportunities in the school inform applicants of the District's vaccination requirement against COVID-19 before reporting for duty at a school, unless they have been granted an exemption from such vaccination.

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<sup>1</sup> Available at: <https://coronavirus.dc.gov/page/mayors-order-2021-109-covid-19-vaccination-requirement-adults-regularly-schools-or-child-care>.

<sup>2</sup> All terms and requirements are to be construed in accordance with the definitions and guidance provided in the Order.



- The school is not offering a “test out option” to anyone other than those who have received a medical or religious exemption.
- No student aged 12 or older shall practice, compete, or otherwise participate in school-based extracurricular athletics (including both interscholastic and intramural sports), unless the student has received a full course of vaccination against COVID-19, unless the student has received an exemption.
  - A student who will turn 12 between the issuance date of this Order and November 1, 2021, does not need to be fully vaccinated or receive an exemption before December 13, 2021. Students turning 12 after November 1, 2021 have two months from their birthday to receive a full course of vaccination in order to participate in school-based athletics.
- The only persons not required to certify that they have received a full course of vaccination against COVID-19 are those who have requested and been granted an exemption on either of the two following bases in accordance with the process established by the school:
  - Persons who object in good faith and in writing that the person’s vaccination would violate their sincerely held religious beliefs; and the vaccination would in fact violate a sincerely held religious belief of the person; and the granting of the religious exemption would not impose an undue burden consistent with federal law; or
  - Persons who have obtained and submitted written certification from a physician or other licensed health professional who may order an immunization, that being vaccinated for COVID-19 is medically inadvisable due to the person’s medical condition, and it is in fact medically inadvisable for the person to receive a COVID-19 vaccine due to the person’s medical condition.
- All persons who have received an exemption to the vaccination requirement shall wear a mask in the workplace or in athletic events (even if the current indoor masking order is rescinded or superseded), shall be tested weekly for COVID-19, and shall provide a negative COVID-19 test result on a weekly basis in order to report to work or to their school-based athletic activity.

DC PCSB will also require each school to submit to DC PCSB school staff vaccination rates, and to update such data regularly according to the schedule set forth by DC PCSB. For the purposes of this reporting requirement, school staff shall include full- and part-time staff who regularly work in the school and are employees of the school, or of the school’s management organization or turnaround operator, if applicable.

DC PCSB may require the submission of additional information, data, or documentation if it deems such additional information necessary to determine compliance with the Order and this policy.



### *Publication of Compliance Information*

Beginning on November 15, 2021, DC PCSB will make public information regarding each public charter school's vaccination compliance under the Order and this policy, including aggregated school staff vaccination rates at the local education agency (LEA) level. DC PCSB will update such information periodically for such time as this policy remains in effect.

### *Consequences of Non-compliance*

If, by December 1, 2021, a school has not yet certified full compliance with the requirements outlined in the Order and this policy, or if the school staff vaccination rates submitted to DC PCSB demonstrate less than full compliance, the school may be subject to an Out of Compliance Notice. The school will have until January 31, 2022 to satisfy the outstanding compliance concerns and may be asked to provide periodic updates on its progress toward compliance and/or its plan to achieve compliance. If, after January 31, 2022, the school remains out of compliance, DC PCSB may leverage other interventions as it determines necessary, including but not limited to issuing a public Notice of Concern before the DC PCSB Board. An uncured Notice of Concern may lead to further Board action.

### *Audit or Investigation*

Any individual who believes a public charter school is not complying with the vaccination requirements outlined in the Order and this policy may submit a complaint to the Office of the State Superintendent of Education (OSSE), and OSSE may investigate and take enforcement action if a violation is found. DC PCSB will cooperate with OSSE in its investigation of any such complaints, and may consider failure of a school to cooperate with OSSE and/or DC PCSB in any such investigation as non-compliance under this policy subject to the above consequences. DC PCSB further reserves the right to conduct its own audit or investigation of any public charter school if DC PCSB deems such action necessary to ensure the school is compliant with the requirements of the Order and this policy, as well as the school's obligations under the law and its charter to ensure the health and safety of its students.<sup>3</sup> If a complaint investigated by DC PCSB is substantiated, DC PCSB will initiate the consequences outlined above, beginning with the issuance of an Out of Compliance Notice.

### *Automatic Termination*

This policy will automatically terminate if the Order is rescinded or superseded, unless substantially similar vaccine requirements have been imposed by such time, including through any modifications to the Order, or through another action that has the force of law.

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<sup>3</sup> See DC Code § 38-1802.04(c)(4)(A).



**Board Approval Acknowledged By:**

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Rick Cruz  
DC PCSB Board Chair

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