

WEST VALLEY-MISSION COMMUNITY COLLEGE DISTRICT COVID-19 VACCINATION AND IMMUNIZATION PROTOCOL

Purpose

The West Valley – Mission Community College (“the District”) is committed to providing a safe and healthy campus. In furtherance of this commitment, this protocol intends 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.

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, and in California. COVID-19 spreads mainly through close contact from person to person, including between people who are physically near each other (within about 3 feet). People who are infected but do not show symptoms can also spread the virus to others.¹ The Centers for Disease Control and Prevention (CDC) notes that “**COVID-19 spreads very easily from person to person**” and that “[t]he virus that causes COVID-19 appears to spread more efficiently than influenza....”² The transmission of COVID-19 has markedly slowed, and vaccination is an important part of slowing transmission.

According to the CDC, vaccination is a safe and effective way to prevent people who are vaccinated from becoming seriously ill with COVID-19. The CDC recommends widespread vaccination and states:

COVID-19 vaccination will help keep you from getting COVID-19.

- All COVID-19 vaccines currently available in the United States have been shown to be highly effective at preventing COVID-19 and at preventing severe cases of COVID-19 where breakthrough cases have occurred.
- All COVID-19 vaccines that are in development are being carefully evaluated in clinical trials and will be authorized or approved only if they make it substantially less likely you’ll get COVID-19.
- Based on what we know about vaccines for other diseases and early data from clinical trials, experts believe that getting a COVID-19 vaccine may also help keep you from getting seriously ill even if you do get COVID-19.
- Getting vaccinated yourself may also protect people around you, particularly people at increased risk for severe illness from COVID-19.
- Experts continue to conduct more studies about the effect of COVID-19 vaccination on severity of illness from COVID-19, as well as its ability to keep people from spreading the virus that causes COVID-19.
- COVID-19 can have serious, life-threatening complications, and there is no way to know how COVID-19 will affect you. And if you get sick, you could spread the disease to friends, family, and others around you.

COVID-19 vaccination will be an important tool to help stop the pandemic.

- Wearing masks and social distancing help reduce your chance of being exposed to the virus or spreading it to others, but these measures are not enough. Vaccines will work with your immune system so it will be ready to fight the virus if you are exposed.

¹ Centers for Disease Control, <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/how-covid-spreads.html>.

² CDC, <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/how-covid-spreads.html>.

- The combination of getting vaccinated and following CDC’s recommendations to protect yourself and others will offer the best protection from COVID-19.
- Stopping a pandemic requires using all the tools we have available. (See more from the CDC on the benefits of vaccination at <https://www.cdc.gov/coronavirus/2019-ncov/vaccines/vaccine-benefits.html>.)

The California Department of Public Health (CDPH) also recommends that people get vaccinated to slow the spread of COVID-19. The CDPH has its own “Scientific Safety Review Workgroup,” which has confirmed that “vaccines have met high standards for safety and efficacy.”³ Based on the ease of transmission of the virus that causes COVID-19 and the safety and effectiveness of vaccination, this protocol operates to protect employees, students, volunteers, and the community.

Protocol

I. Scope of Coverage

Effective November 1, 2021, all students, volunteers, faculty, and staff must be fully vaccinated against the virus that causes COVID-19 in order to be physically present at District campuses and facilities unless they receive an approved medical exemption, disability accommodation, or religious accommodation. People are considered fully vaccinated for COVID-19 two weeks or more after they have received the second dose in a 2-dose series (e.g., Pfizer-BioNTech or Moderna), or two weeks or more after they have received a single-dose vaccine (e.g., Johnson and Johnson J&J/Janssen.) Employees, volunteers, and students who do not comply with these procedures or falsify information may face discipline up to and including termination or expulsion.

II. Effective Dates

This Protocol shall be effective on November 1, 2021 and shall remain in effect until the District determines that the Protocol is no longer necessary. This Protocol may be amended or revoked at any time by District administration.

III. Obtaining a COVID-19 Vaccine

Individuals may obtain a COVID-19 vaccine from District health services at Mission College or West Valley College, any County provider, or any health care provider authorized to administer the vaccine. If any individual has difficulty obtaining the vaccine, please contact Health Services at your home college by emailing:

- West Valley College: wvc.healthservices@westvalley.edu
- Mission College: mc.health.services@missioncollege.edu

The District will provide employees with reasonable release 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.

³ CDPH, https://www.cdph.ca.gov/Programs/CID/DCDC/CDPHa%20Document%20Library/COVID-19/COVID_VACCINE_FACT_SHEET-ENG-08.pdf, [April 2, 2021.]

IV. Proof of Vaccination

All District employees must provide proof of vaccination once they are fully vaccinated. During the initial implementation of the District's Vaccine Policy in Fall 2021, the District will accept self-attestation that the employee is fully vaccinated.

At the start of the Spring 2021 semester, all District employees must provide to the District proof of vaccination and a signed Confidentiality of Medical Information Act release ("The Release", see Attachment 2) in order to be physically present on campus as described above. The District will accept either a CDC Vaccination Card or a note from their health provider who administered the vaccine. All medical records will be uploaded in a safe and secure manner to preserve the privacy of District employees.

V. Health or Medical Records

The District will not request any health or medical information for the purpose of enforcement of this Protocol other than proof of vaccination and the Release. Unless consent is given, the District will not request or receive any medical information from employees or vaccination providers, or give any medical information to any vaccination provider. Any proof of vaccination a student, volunteer, or employee 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 and employees.

VI. Exemptions from Vaccination Requirement

District employees, students, and volunteers may be exempt from the mandatory COVID-19 vaccine requirements in this Protocol only under the following circumstances:

- A. **Medical Exemption:** An employee may submit a written statement from a licensed medical provider (such as a physician, physician assistant or nurse practitioner) exempting them due to the person's disability or serious medical condition. This statement must be submitted on the medical provider's office letterhead with the provider's printed name, license number, signature and date the statement is issued. Employees should submit the statement by email to Samantha Folb, Director of Training, Compliance, & Employee Relations at Samantha.Folb@wvm.edu.
- B. **Religious Exemption:** If an employee objects to the District's vaccine mandate based on a sincerely held religious belief, the employee must complete and submit the corresponding Religious Accommodation Request Form for COVID-19 Vaccination in Attachment 1. Employees should submit the statement by email to Samantha Folb, Director of Training, Compliance, & Employee Relations at Samantha.Folb@wvm.edu.

VII. Accommodations Process

If the District determines that an employee has not received the COVID-19 vaccination due to a medical condition or a sincerely held religious belief, the District will engage in an interactive accommodations process to determine whether or not a reasonable accommodation can be provided. The accommodations process will determine whether a reasonable accommodation exists to enable an employee to perform the "essential functions" of their job. Essential functions vary by job class and therefore the process shall be case by case and may result in different outcomes in different cases. The District will follow its normal accommodations policy in determining a reasonable accommodation. Accommodations may not be possible where it would result in an undue burden to the District.

The District may require COVID-19 testing for any employee when indicated by health screening and/or exposure to COVID-19. As to any changes in this Protocol regarding testing of employees, volunteers and students, the District will be guided by ongoing information from the California Department of Public Health and the Santa Clara County Public Health Department.

VIII. 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, although the District will take any legitimate business action to maintain the safety of the campus(es) 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 face mask. Students, volunteers, and students found to be engaging in such discrimination or harassment may face discipline up to and including termination or expulsion. If you believe you have experienced harassment, discrimination, or retaliation due to an exemption from receiving the COVID-19 vaccine, please contact Samantha Folb, Director of Training, Compliance, & Employee Relations at Samantha.Folb@wvm.edu.

IX. Revisions to the Protocol

The District reserves the right to revise and update this Protocol as may be necessary based upon ongoing information and guidance from the California Department of Public Health and the Santa Clara County Public Health Department.

**RELIGIOUS ACCOMMODATION REQUEST FORM
FOR COVID-19 VACCINATION**

The West Valley - Mission Community College District affords equal employment opportunity for all qualified employees and applicants as to all terms of employment and prohibits discrimination and retaliation against employees or applicants based on classifications protected by law, including, but not limited to, religion, creed, and religious belief, practice, or observance. Accordingly, the District provides reasonable accommodations for applicants, employees, volunteers, and students whose sincerely held religious belief, practice, or observance conflicts with an employment requirement, unless providing a reasonable accommodation would result in undue hardship on the conduct of the District's operations.

To promote a safe and healthful workplace for employees, and to promote the health and safety of students, volunteers, and employees working and learning on the District's campuses and facilities, and members of the community, the District requires that all employees be fully COVID-19 vaccinated by November 1, 2021 in order to be physically present on District premises. Employees may use this form to request a religious accommodation if they have a sincerely held religious belief, practice, or observance that conflicts with the District's requirement that all employees receive a COVID-19 vaccination.

Employee to complete the following information:

Section A: General Information

Employee Name: _____

Employee G#: _____

Employee's Supervisor: _____

Section B: General Position and Worksite Information

Please check all that currently apply to you:

- I perform work onsite at a District campus or facility.
- I interact with students, other employees, visitors, or members of the public while performing my job duties.
- I perform work in shared or communal spaces or areas where students, other employees, visitors, or members of the public may also be present.

Section C: Description of Religious Belief, Practice, or Observance

Please describe your sincerely held religious belief(s), practice(s), or observance(s) that conflicts with the requirement that you receive a COVID-19 vaccination (attach additional page if necessary):

Section D: Requested Accommodation

Please describe the accommodation* you are requesting:**

** Please note that an accommodation must enable you to meet the essential functions of your job.*

*** Please note that the District will consider your preferred accommodation and other possible accommodations that would resolve the conflict between your religious belief(s), practice(s), or observance(s) and will select and implement the accommodation that it deems effective.*

My signature below indicates that the information I have provided in this form accurately reflects my sincerely held religious belief(s), practice(s), or observance(s) and its conflict with the District's requirement that all employees receive a COVID-19 vaccination. I also understand that in evaluating my request for an accommodation, the District may require me to provide additional supporting documentation and may not grant my request if it creates an undue hardship on the conduct of the District's operations.

Employee Signature

Date