

# FORT LA BOSSE SCHOOL DIVISION

TITLE –MANDATORY COVID-19 TESTING OF STAFF & VISITORS POLICY - JLB

Approval Date - October 12, 2021

Cross Reference -

Resolution # - 179/21

Implementation - 10/12/21

Legal Reference -

Last Reviewed -

## I. POLICY

The Fort La Bosse School Division herein after referred to as “Division” is committed to upholding its statutory obligations to provide a safe environment to all pupils who attend our schools, all employees who work in our facilities, and all members of our community who volunteer or visit our schools (Public Schools Act 41(1); Workplace Safety and Health Act 4(1) & 4(2)).

On August 24, 2021, Manitoba Public Health announced its intention to introduce new Public Health Orders that would compel all employers providing services to vulnerable populations (including children) to observe the implementation of mandatory collection of proof of full vaccination or mandatory testing of all employees and school site visitors having direct contact with children. These Orders were published on September 24, 2021.

On September 2, 2021, Manitoba Education published additional directives pertaining to “immunization and testing requirements” that serve to operationalize the mandatory collection of proof of full vaccination or mandatory testing of all employees and school site visitors having direct contact with children.

This policy is one component of a comprehensive pandemic response plan that aims to:

- ensure a successful return to in-school learning, uninterrupted by COVID-19 outbreaks;
  - reduce transmission of COVID-19 in the Division’s schools and facilities; and
  - mitigate the risk of severe COVID-19 outcomes among individuals in our schools, particularly those individuals who are unable to be vaccinated due to legitimate medical, personal or religious reasons or for whom vaccines are not currently approved, notably children born after December, 2009.
- In accordance with the September 2, 2021, directives published by Manitoba Education on “immunization and testing requirements” ([https://manitoba.ca/asset\\_library/en/proactive/20212022/orders-soe-08272021.pdf](https://manitoba.ca/asset_library/en/proactive/20212022/orders-soe-08272021.pdf)) educational workers including teachers, educational support staff, school administration staff, custodial staff, bus drivers, child care staff working in school-based early learning and child care facilities, clinical and health care related occupations in schools; volunteers; and post-secondary practicum students, are required to provide proof of full vaccination or submit to testing “up to three times per week.”

To comply with these requirements and Public Health Order issued on September 24, 2021, the Division has developed these policies, subject to the Guidelines and Procedures below, providing that all of its employees and/or volunteers who have direct contact with pupils in the Division must undergo testing up to three times per week or provide proof of full vaccination.



Additionally, the Division mandates

that all school trustees/board members and visitors who have direct contact with vulnerable populations (including children) are, at the discretion of the Division, required to submit proof of full vaccination prior to entry to school properties where children may be present and/or, at the discretion of the Division, to undergo testing up to three times per week, in order to enter a Division facility. For clarity, the Division may, at its discretion, require those school trustees/board members and visitors who attend a divisional facility on an irregular basis, to have conducted and received a negative test within 48 hours prior to their attendance at such a facility.

For the purposes of this policy, “fully vaccinated” shall mean individuals who have received both doses (any combination) of an approved two dose COVID-19 vaccine (AstraZeneca, Pfizer, Moderna), or a single dose of an approved single dose COVID-19 vaccine (Janssen/Johnson & Johnson) with more than 14 days having passed since the final vaccination was received, which definition shall be subject to ongoing amendment and compliance with the Manitoba Public Health definition of “full vaccination” which may exceed the current dosage definition.

## II. GUIDELINES

### Staff/Volunteers

- A. All persons employed or engaged by the Division as of September 2, 2021—including casual, term, and permanent employees—are asked to disclose and provide proof of full COVID-19 vaccination status by October 14, 2021, to their Principal or Supervisor.
- B. Employees and volunteers who are not fully vaccinated against COVID-19 or who do not disclose their COVID-19 vaccination status
  - a. will be required to undergo COVID-19 testing up to three times per week until they have provided proof that they are fully vaccinated.

### New Employees and Volunteers

- A. All persons offered casual, term, or permanent employment, or engagement as volunteers in the Division after September 2, 2021, will be required to disclose and provide proof of full COVID-19 vaccination status at the time of hire or engagement. Newly hired employees or volunteers who are not fully vaccinated against COVID-19 will be required to undergo COVID-19 testing up to three times a week, until they have provided proof that they are fully vaccinated.

### Accommodation

- B. Notwithstanding the foregoing and consistent with its human rights obligations, the Division will duly accommodate employees who are legally entitled to accommodation to the point of undue hardship. All employees requesting accommodation must participate in the accommodation process and provide reasonable and necessary information requested by the Division related to the accommodation request, failing which the Division may be unable to provide any accommodation.



## Visitors

- C.** A visitor is defined as anyone other than:
  - a. a Divisional employee assigned to work at the school or facility;
  - b. an itinerant Divisional employee whose duties require them to attend the school or facility;
  - c. an employee of an organization or person affiliated with an organization that leases space from the Division in the school or facility, unless requirements or Public Health Orders expressly direct a different standard or timeline be applied to the employees or affiliates of the organization; who has direct contact with vulnerable populations, including children.
- D.** For greater clarity, public health and safety, social welfare and/or emergency response personnel (such as police officers, first responders, social workers or public health nurses) performing duties in scope of their legal authority or professional responsibilities may still attend schools to carry out their duties. These personnel must however, at all times must maintain compliance with general safety measures, when applicable and warranted. These general safety measures include: mandatory use of medical masks when in the presence of pupils in indoor settings; maintaining physical distancing; proper hygiene measures, such as frequent handwashing and hand sanitization; self-monitoring for symptoms of COVID-19; and self-isolating or staying at home when sick.
- E.** This clause subject to Divisional discretion and can be amended subject to the September 11 guidance provided by the Manitoba School Boards Association. In order to reduce the risk of transmission of COVID-19 in the Division schools and facilities, visitor access to buildings will be restricted. Beginning **17/10/21**, to attend at the premises of the Division, all visitors born on or before December 31, 2009 [date applicable as of September, 2021 but subject to change as vaccination eligibility expands in future], must provide proof that they are fully vaccinated and/or provide proof of negative COVID-19 test result.

### Policy Review

- F.** This policy will be reviewed and will be revised or rescinded, as established requirements, Public Health Orders and/or conditions warrant.

## III. PROCEDURES

- A.** The Division will accept as proof of COVID-19 vaccination status the digital or physical version of the Manitoba Immunization Card.
- B.** Collection of personal health information will comply with the provisions of the Personal Health Information Act, and School Division Policy.
- C.** Personnel responsible for hiring new employees or engaging new volunteers will verify the full vaccination status of applicants.
- D.** Employees and volunteers required to submit COVID-19 test results up to three times per week, as per the schedule determined by the Division, prior to engaging in direct contact with a pupil.

An employee or volunteer who is not at work or not on site on a day that they are scheduled to provide their test result, must provide it the day of their return to work or to the facility, prior to entering a school facility and/or prior to entering into direct contact with a pupil.



The Division will accept the results of a self-administered rapid test as defined by the Division.

An employee or volunteer receiving a positive test result following such a test must:

- i. attend a Province of Manitoba Testing Site for a confirmatory test;
- ii. isolate and follow the advice of public health; and
- iii. return to work upon the advice of public health.

**E.** Requests for accommodation of COVID-19 testing will be reviewed by the Division as per policy.

**F.** The Superintendent of Schools will:

- a. closely monitor the requirements and recommendations of the Department of Education, Manitoba Public Health and the Governments of Manitoba and of Canada,
- b. advise the Board of any changes in circumstance which may impact the need and/or application of this policy,
- c. recommend policy revisions, including rescindment.

**G.** Any breach of this Policy by a Divisional employee or volunteer, including the provision of false and/or misleading information, may result in discipline, up to and including termination of employment or revocation of volunteer privileges.

**H.** Any breach of this Policy by a visitor, including the provision of false and/or misleading information, may result in revocation of visitation privileges.

**I.** The Board authorizes the Superintendent of Schools to modify the policy on an interim basis to comply with emergent Public Health Orders, guidance received from a relevant authority or other situations, subject to the conditions below:

- a. Any interim modification to the policy made by the Superintendent of Schools will take effect immediately.
- b. The Superintendent of Schools shall, within forty-eight (48) hours, inform the Chair and Vice-Chair of any interim modification made to the policy.
- c. The Superintendent of Schools shall, at the next regular meeting of the Board, inform the Board of any interim modification made to the policy and recommend formal adoption of the modifications.
- d. Actions taken by the Superintendent of Schools are subject to Board review.
- e. Actions taken by the Superintendent of Schools shall be consistent with the overall policy of the Board.

