

RESOLUTION NO. 21/22-03

**MANDATING FACE COVERINGS AND REQUIRING VACCINATIONS OR TESTING
FOR ALL STUDENTS, EMPLOYEES, AND VOLUNTEERS**

WHEREAS, the Solano Community College District's State of Emergency was declared by the Board on March 18, 2020, shortly after Solano County issued the COVID-19 Stay At Home Order in response to COVID-19; and

WHEREAS, the Solano Community College District is following CalOSHA guidelines and regulations, as well as health orders from the state public health office; and

WHEREAS, the Solano Community College District has the authority to take any action not prohibited by law in order to control dangerous conditions caused by public calamities such as a global pandemic pursuant to Education Code Section 70902(a) and Government Code Section 53019; and

WHEREAS, the Solano Community College District has adopted face-covering measures on campus related to the protection of students, faculty, and staff, recognizing that face covering requirements alone are insufficient to provide for the protection of our community; and

WHEREAS, Governor Newsom issued Executive Order No. N-09-21 on June 17, 2021, implementing the Cal/OSHA guidance immediately into full effect as of that date; and

WHEREAS, the Cal/OHSA COVID-19 Temporary Emergency Standard, updated June 18, 2021, permits employers to verify and maintain confidential documentation of proof that an employee is fully vaccinated; and

WHEREAS, the further spread of COVID-19 places all communities at risk by increasing the likelihood of further dangerous mutations beyond the delta and lambda variants; and

WHEREAS, the development of variants to the COVID-19 virus requires responses that will be adapted when necessary; and

WHEREAS, continued progress in restoring in-person classes and services depends on the health and safety of students, faculty, staff, managers, and Trustees; and

WHEREAS, the Solano Community College District has provided vaccination opportunities by serving as a vaccination site sponsored by the White House in June and July, 2021; and

WHEREAS, on August 23, 2021, the Food and Drug Administration has given full approval to the vaccine known as the Pfizer-BioNTech COVID-19 Vaccine, which will now be marketed as Comirnaty, for the prevention of COVID-19 disease in individuals 16 years of age and older; and

WHEREAS, vaccination is the primary means to reduce risk of serious disease, hospitalization, and death from the COVID-19 disease as well as to combat the spread of the highly transmissible delta variant to friends, family, colleagues, and the community at large; and

WHEREAS, Solano Community College District has encouraged employees and students who are eligible to get vaccinated against COVID-19; and

WHEREAS, the Solano Community College District has been and will continue working with local health officials to provide access to COVID-19 vaccines for employees and students; and

THEREFORE, BE IT RESOLVED that the Solano Community College District Board of Trustees requires and authorizes the District to implement the following provisions effective September 15, 2021:

1. All District employees working on campus or utilizing in-person district services, shall be required to either:
 - a. Present proof that they have been fully vaccinated (two doses of Pfizer or Moderna or one dose of Johnson & Johnson) against COVID-19 by October 15, 2021; or
 - b. Undergo weekly testing, twice a week, for COVID-19 infection and provide proof of negative COVID-19 test results beginning October 15, 2021.
 - i. Employees must submit their test results to the person/department designated by the District.
 - ii. Such testing shall be scheduled by the employees.
 - iii. If employees miss work time for the testing, they must utilize Supplemental Paid Sick Leave (“SPSL”) (Senate Bill 95) until it is exhausted or has expired (anticipated to expire September 30, 2021). Once SPSL is exhausted or has expired, employees will not be required to utilize leave for required testing prior to their becoming fully vaccinated.
 - c. Failure to comply with (a) or (b) will be deemed as the employee’s inability to perform his/her duties.
2. All students attending in-person, on-campus classes, utilizing in-person district programs or services, attending classes at clinical sites or participating in on-campus or off-campus in-person training or activities shall be required to either:
 - a. Present proof that they have been fully vaccinated (two doses of Pfizer or Moderna or one dose of Johnson & Johnson) against COVID-19 by October 15, 2021; or
 - b. Undergo weekly testing, twice a week, for COVID-19 infection and provide proof of negative test results beginning October 15, 2021.
 - c. Failure to comply with (a) or (b) may result in the student being offered the option of online classes, being disenrolled, or being prohibited from coming on campus or participating in on or off campus course related training or activities.
3. All volunteers who access campuses or participate in off-site in-person services or activities for the District, shall be required to either:
 - a. Present proof that they have been fully vaccinated against COVID-19 by October 15, 2021; or

- b. Undergo testing for COVID-19 infection and provide proof of negative COVID-19 test results within three days prior to the date of their volunteer service;
- 4. Regardless of vaccination status or the Solano County Department of Public Health protocols, all employees, students, volunteers, and visitors shall wear face coverings in indoor, on-campus settings for the duration of the Fall 2021 semester. This requirement is in place for all indoor teaching and learning environments, student support programs and services, and any indoor space where one or more people have congregated.
- 5. The Superintendent-President and designees are hereby authorized and directed to:
 - a. Establish protocols for verifying vaccination status of employees, students, and volunteers while also protecting their privacy; and
 - b. Offer students online courses or drop students without penalty if no online course or alternative is available.
 - c. Negotiate with all employee bargaining units the effects of these mandates on working conditions.
 - d. Consult with representatives of District and College constituency groups on the adjustment of protocols, which are subject to change pursuant to the local, state and federal laws.

PASSED AND ADOPTED by the Board of Trustees of the Solano Community College District on the 15th day of September 2021 by the following vote:

STUDENT TRUSTEE ADVISORY VOTE: Yes

AYES: Board President Honeychurch, Vice President Chapman, Trustee Karah, Trustee Martin, Trustee Thurston, Trustee Voyce, and Trustee Young

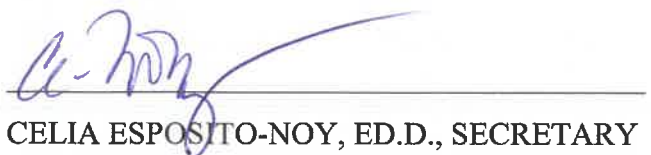
NOES: 0

ABSENT: 0

ABSTAIN: 0



SARAH CHAPMAN, PH.D., VICE PRESIDENT



CELIA ESPOSITO-NOY, ED.D., SECRETARY