



## **TEMPORARY POLICY FOR COVID-19 VACCINATION REQUIREMENT FOR COUNTY PERSONNEL IN IMPACTED DEPARTMENTS**

**\*\*DRAFT – Sept. 9, 2021\*\***

### STATEMENT OF POLICY

The intent of this temporary policy is to establish a process to comply with the Oregon Health Authority, Public Health Division [OAR 333-019-1010](#) (healthcare setting) and [OAR 333-019-1030](#) (school setting) pertaining to vaccination requirements for personnel in healthcare and school settings to control the spread of COVID-19. This policy will be in effect as long as the OHA temporary rules are in effect.

### APPLICABILITY

This policy applies to all Deschutes County personnel (excluding the Sheriff's Office), including but not limited to employees, temporary and/or contracted staffing, contractors, interns, and volunteers (collectively, "personnel"), whose work duties or activities occur in a healthcare setting or a school setting within Deschutes County. The Sheriff's Office will create and implement its own policy concerning personnel in the Sheriff's Office.

### DEFINITIONS

"COVID-19 vaccine" means a vaccine authorized to prevent COVID-19 by the federal Food and Drug Administration, including by way of an emergency use authorization.

"Healthcare setting" means any place where health care, including physical or behavioral health care is delivered.

"Personnel in a healthcare setting" means individuals, paid and unpaid, working, learning, studying, assisting, observing or volunteering in a healthcare setting where direct patient or resident care is provided or where personnel have the potential for direct or indirect exposure to patients, residents, or infectious materials. It includes, but is not limited to, unlicensed caregivers, and any clerical, dietary, environmental services, laundry, security, engineering and facilities management, administrative, billing, student and volunteer personnel who regularly work or perform services in a healthcare setting.

“Personnel in a school setting” means personnel in the Juvenile Justice Division of the Community Justice Department.

“School setting” refers to the Juvenile Detention Center where schooling and related services are provided to juvenile detainees.

“Fully vaccinated” means (1) a period of at least two weeks has elapsed since a person has completed the entire recommended series of a COVID-19 vaccine, and (2) the person has provided proof of vaccination in a form consistent with the requirements for verification of vaccine status as communicated by Deschutes County.

“Partially vaccinated” means (1) a person has received (i) one dose of a two dose recommended series of a COVID-19 vaccine or (ii) the complete recommended series of a COVID-19 vaccine but it has not been at least two weeks since the person has completed the entire recommended series, and (2) the person has provided proof of vaccination in a form consistent with the requirements for verification of vaccine status as communicated by Deschutes County.

"Proof of vaccination" means documentation that includes an individual's name, date of birth, type of COVID-19 vaccination given, date or dates given, depending on whether it is a one-dose or two-dose vaccine, and the name/location of the health care provider or site where the vaccine was administered. Documentation may include but is not limited to a COVID-19 vaccination record card or a copy or digital picture of the vaccination record card, or a print-out from the Oregon Health Authority's immunization registry.

“Operational Compliance Plan” is a written plan developed by the Community Justice - Juvenile Division required for school settings. The plan must identify the positions, temporary staffing, contractors, interns, and volunteers subject to this policy and state-mandated Covid-19 vaccination requirements; address continuity of operations while implementing this policy; and outline communication procedures for implementing this policy and addressing any changes to the plan.

## POLICY AND PROCEDURES

### **In General:**

This policy is issued as an emergency measure to comply with OAR 333-019-1010 and OAR 333-019-1030 based on the requirement that employers adopt such policies and based on the significant rise of COVID-19 cases and hospitalizations among the unvaccinated due to the Delta variant. County departments are responsible for ensuring that all personnel impacted by State-mandated vaccination requirements comply with this policy.

To protect County personnel and the community the County strongly encourages all personnel to be fully vaccinated. County personnel may obtain the COVID-19 vaccine at a County Health System vaccination site or through another location of their choosing. County employees may take paid time off to obtain the COVID-19 vaccination. Information on the COVID-19 vaccines and how to obtain vaccination is available on the [Deschutes County COVID-19 Vaccine webpage](#).

### **A. Vaccination Requirements**

- Health Services Department – all personnel are required to be vaccinated.
- Community Justice Department - Juvenile Division - all personnel are required to be vaccinated. The department must have an Operational Compliance Plan as required by OAR 333-019-1030 governing school settings.
- Facilities Department – all personnel are strongly encouraged to be vaccinated and provide this documentation to HR. The Facilities Department will develop an operational plan on how Facilities Department staff will perform work in healthcare and school settings to meet the requirements of this policy.
- IT Department – all personnel are strongly encouraged to be vaccinated and provide this documentation to HR. The IT Department will develop an operational plan on how IT Department staff will perform work in healthcare and school settings to meet the requirements of this policy.
- Other County Departments - staff are strongly encouraged to be vaccinated.

## **B. Controlling the Spread of Covid-19 in Healthcare and School Settings**

### Health Services Department Facilities:

- The IT and Facilities Departments will develop an operational plan to prioritize sending vaccinated personnel to work in a healthcare setting (for example, a Facilities Department staff responds to a work order in a Health Services Department facility).
- Personnel outside of the Health Services Department working in a healthcare setting are required to be vaccinated unless their work is intermittent (less than an hour); they are working outside of business hours; or the department performing the service (such as IT or Facilities) works with Health Services on a safety plan to mitigate risks. This may include personnel wearing a K/N-95 mask, physical distancing, pre-planning visits, eliminating/minimizing crossing paths with clients receiving health care, etc.
- Any unvaccinated personnel entering a Health Department Facility must wear a K/N-95 mask.

### Community Justice - Juvenile Division Facilities:

- The Juvenile Division facility meets the definition of a healthcare and school setting.
- The IT and Facilities Departments will develop an operational plan to prioritize sending vaccinated personnel to work in the Juvenile Division facility (for example, IT staff responds to a work order to fix a computer).
- Personnel outside the Juvenile Division working in the Juvenile Division facility are required to be vaccinated unless their work is intermittent (less than an hour); they are working outside of business hours (this only applies to the second floor; it does not apply to the Juvenile Detention Center); or the department performing the work (such as IT or Facilities) works with the Juvenile Division on a safety plan to mitigate risks. The safety plan may include the personnel wearing a K/N-95 mask, physical distancing, pre-planning visits, eliminating/minimizing crossing paths with clients, etc.
- Any unvaccinated personnel entering a Health Department Facility must wear a K/N-95 mask.

### **C. Vaccination Deadlines**

By October 18, 2021, personnel subject to this policy and the State-imposed mandates concerning Covid-19 vaccinations must be fully vaccinated or must have submitted a request for exemption to Human Resources pursuant to Section D below.

If a person will not work for an extended period due to a leave of absence (such as for FMLA leave), they may contact their department head or designee to request a deferral of the vaccination requirements until they return to work. But they must be fully vaccinated or have submitted a request for exemption by the time they return to work.

Requests for exemption must be submitted pursuant to Section D, below. If a person's request for exemption is not approved, they must be partially or fully vaccinated within 14 days and fully vaccinated within 8 weeks of when they were notified that the request was not approved.

Personnel who are subject to, and who fail to comply with this policy are subject to release or discharge from employment. County contractors who fail to comply with this vaccination or exemption requirement may be barred from healthcare or school settings and not allowed to perform services for the County. In addition, the County may, as appropriate, suspend or terminate the applicable contract.

The HR Department shall create a process for staff to provide proof of vaccination status.

### **D. Limited Exemptions to Vaccination Requirement**

#### **1. Limited Exemptions for County Personnel**

The County provides reasonable accommodation as required by applicable law for the known physical or mental impairments or sincerely held religious beliefs of otherwise qualified individuals unless doing so would impose an undue hardship. Personnel subject to this policy may request a reasonable accommodation to the vaccination requirements imposed by this policy if they:

- a. Have a contraindication recognized by the [U.S. Centers for Disease Control and Prevention](#) (CDC) or by the vaccine's manufacturer to every approved COVID-19 vaccine. A contraindication means a condition that makes vaccination medically inadvisable;
  - b. Have a disability and are requesting an exemption as a reasonable accommodation; or,
  - c. Object to COVID-19 vaccination based on their sincerely-held religious belief, practice, or observance.
2. To seek a reasonable accommodation from the vaccination requirements in this policy, personnel subject to this policy should:
- a. Notify their supervisor of their request and obtain a copy of the appropriate request form from Human Resources, [Deschutes.org/hr](#). The available forms are:
    - I. [Medical Exemption and/or Disability Accommodation Request Form](#)
    - II. [Religious Accommodation Request Form](#)
  - b. Complete and submit the applicable form(s) to the Deschutes County Human Resources Department at [Benefits@deschutes.org](mailto:Benefits@deschutes.org).

If an individual is granted an exception to the vaccination requirement under Section D of this policy, Deschutes County must take reasonable steps to ensure that unvaccinated individuals are protected from contracting and spreading COVID-19.

Human Resources, in coordination with the department in which the person requesting the exemption works or provides services, will work with the person to assess whether any reasonable accommodation would allow the person to fulfill the essential job functions, unless doing so would impose an undue hardship.

To identify a reasonable accommodation, Human Resources will work with impacted departments to identify a list of recommended or qualifying

accommodations that do not adversely impact department operations. The HR Department will engage with the individual in an interactive process to attempt identify a reasonable accommodation as required under applicable law. If such an accommodation is granted, Human Resources will notify the requesting person and their supervisor of the approval and the associated expiration date. If a request for accommodation is denied, Human Resources will notify the person and their supervisor.

If the person is not satisfied with the decision/results of the accommodation request and interactive process, they can make a written appeal to the Deputy County Administrator within 10 business days of receiving the decision. The Deputy County Administrator shall issue a written response within 14 business days of receiving the appeal.

#### **E. Policy Communication**

Timely attention to ensure compliance with these requirements is essential to the County's efforts to control the spread of COVID-19 and to comply with public health recommendations. Employees, contractors, interns, and volunteers may direct any questions to their department head or designee(s). If a department has any questions or concerns about these requirements, it may contact Deputy County Administrator Erik Kropp.

Approved by the Board of County Commissioners [DATE].

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Tom Anderson  
County Administrator



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# Oregon Health Authority

## Public Health Division - Chapter 333

### Division 19

#### INVESTIGATION AND CONTROL OF DISEASES: GENERAL POWERS AND RESPONSIBILITIES

##### 333-019-1010

##### COVID-19 Vaccination Requirement for Healthcare Providers and Healthcare Staff in Healthcare Settings

(1) It is vital to this state that healthcare providers and healthcare staff be vaccinated against COVID-19. COVID-19 undergoes frequent mutations as it replicates, which over time has resulted in variants that are more transmissible or cause more severe disease. As of the time this rule was adopted, Delta was the variant making up more than 98 percent of sequenced specimens in Oregon. The Delta variant is approximately two to three times more infectious than early wild-type COVID-19 variants. There is emerging evidence that people infected with the Delta variant have similar viral loads regardless of vaccination status suggesting that even vaccine breakthrough cases may transmit this variant effectively. Being vaccinated, is therefore critical to prevent spread of Delta. Healthcare providers and healthcare staff have contact with multiple patients over the course of a typical day and week, including providers that provide care for people in their homes. Individuals cared for in these settings are more likely than the general public to have conditions that put them at risk for complications due to COVID-19. COVID-19 variants are running through the state's unvaccinated population and causing an increase in breakthrough cases for those who are fully vaccinated. This rule is necessary to help control COVID-19, protect patients, and to protect the state's healthcare workforce.

(2) For purposes of this rule, the following definitions apply:

(a) "Contractor" means a person who has healthcare providers or healthcare staff on contract to provide services in healthcare settings in Oregon.

(b) "COVID-19" means a disease caused by the severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2).

(c) "Fully vaccinated" means having received both doses of a two-dose COVID-19 vaccine or one dose of a single-dose COVID-19 vaccine and at least 14 days have passed since the individual's final dose of COVID-19 vaccine.

(d) "Healthcare providers and healthcare staff":

(A) Means individuals, paid and unpaid, working, learning, studying, assisting, observing or volunteering in a healthcare setting providing direct patient or resident care or who have the potential for direct or indirect exposure to patients, residents, or infectious materials, and includes but is not limited to any individual licensed by a health regulatory board as that is defined in ORS 676.160, unlicensed caregivers, and any clerical, dietary, environmental services, laundry, security, engineering and facilities management, administrative, billing, student and volunteer personnel.

(B) Does not mean parents, family members, guardians or foster parents residing in the home and providing care to a child or foster child in the home.

(e) "Healthcare setting":

(A) Means any place where health care, including physical or behavioral health care is delivered and includes, but is not limited to any health care facility or agency licensed under ORS chapter 441 or 443, such as hospitals, ambulatory surgical centers, birthing centers, special inpatient care facilities, long-term acute care facilities, inpatient rehabilitation facilities, inpatient hospice facilities, nursing facilities, assisted living facilities, residential facilities, residential behavioral health facilities, adult foster homes, group homes, pharmacies, hospice, vehicles or temporary sites where health care is delivered (for example, mobile clinics, ambulances), and outpatient facilities, such as dialysis centers, health care provider offices, behavioral health care offices, urgent care centers, counseling offices, offices that provide complementary and alternative medicine such as acupuncture, homeopathy, naturopathy, chiropractic and osteopathic medicine, and other specialty centers.



(B) Does not include any setting described in paragraph (A) of this subsection where the responsible party is a part of state government as that is defined in ORS 174.111.

(C) Does not include a person's private home if the home is not otherwise licensed, registered or certified as a facility or home listed in paragraph (A) of this subsection.

(f) "Medical exception" means that an individual has a physical or mental impairment that prevents the individual from receiving a COVID-19 vaccination.

(g) "Religious exception" means that an individual has a sincerely held religious belief that prevents the individual from receiving a COVID-19 vaccination.

(h) "Proof of vaccination" means documentation provided by a tribal, federal, state or local government, or a health care provider, that includes an individual's name, date of birth, type of COVID-19 vaccination given, date or dates given, depending on whether it is a one-dose or two-dose vaccine, and the name/location of the health care provider or site where the vaccine was administered. Documentation may include but is not limited to a COVID-19 vaccination record card or a copy or digital picture of the vaccination record card, or a print-out from the Oregon Health Authority's immunization registry.

(i) "Responsible party" means a person or persons who have control or responsibility for the activities of healthcare providers or healthcare staff in a healthcare setting.

(3) After October 18, 2021:

(a) A health care provider or healthcare staff person may not work, learn, study, assist, observe, or volunteer in a healthcare setting unless they are fully vaccinated or have provided documentation of a medical or religious exception.

(b) An employer of healthcare providers or healthcare staff, a contractor, or a responsible party may not employ, contract with, or accept the volunteer services of healthcare providers or healthcare staff persons who are working, learning, studying, assisting, observing or volunteering at a healthcare setting unless the healthcare providers or healthcare staff persons are fully vaccinated against COVID-19 or have a documented medical or religious exception.

(4) On or before October 18, 2021, healthcare providers and healthcare staff must provide their employer, contractor or responsible party with either:

(a) Proof of vaccination showing they are fully vaccinated; or

(b) Documentation of a medical or religious exception.

(A) A medical exception must be corroborated by a document signed by a medical provider, who is not the individual seeking the exception, on a form prescribed by the Oregon Health Authority (OHA) or a similar form that contains all of the information required in the OHA form, certifying that the individual has a physical or mental impairment that limits the individual's ability to receive a COVID-19 vaccination based on a specified medical diagnosis, and that specifies whether the impairment is temporary in nature or permanent.

(B) A religious exception must be corroborated by a document, on a form prescribed by the Oregon Health Authority (OHA) or a similar form that contains all of the information required in the OHA form, signed by the individual stating that the individual is requesting an exception from the COVID-19 vaccination requirement on the basis of a sincerely held religious belief and including a statement describing the way in which the vaccination requirement conflicts with the religious observance, practice, or belief of the individual.

(5) Employers of healthcare providers or healthcare staff, contractors and responsible parties who grant an exception to the vaccination requirement under section (4) of this rule must take reasonable steps to ensure that unvaccinated healthcare providers and healthcare staff are protected from contracting and spreading COVID-19.

(6) On or before October 18, 2021, all employers of healthcare providers or healthcare staff, contractors, and responsible parties must have documentation that all healthcare providers and healthcare staff are in compliance with section (4) of this rule.

(7) Nothing in this rule is intended to prohibit employers of healthcare providers or healthcare staff, contractors and responsible parties from:

(a) Complying with the Americans with Disabilities Act and Title VII of the Civil Rights Act, and state law equivalents, for individuals unable to be vaccinated due to a medical condition or a sincerely held religious belief.

(b) Having more restrictive or additional requirements, including but not limited to requiring healthcare providers and healthcare staff to have documentation of an additional or booster dose of a COVID-19 vaccine if that is recommended by the U.S. Centers for Disease Control and Prevention.

(c) Imposing these requirements at an earlier date.

(8) The vaccination documentation and documentation of medical and religious exceptions described in section (4) of this rule must be:

(a) Maintained in accordance with applicable federal and state laws;

(b) Maintained for at least two years; and

(c) Provided to the Oregon Health Authority upon request.

(9) Employers of healthcare providers or healthcare staff, contractors and responsible parties who violate any provision of this rule are subject to civil penalties of \$500 per day per violation.

**Statutory/Other Authority:** ORS 413.042, ORS 431A.010, ORS 431.110 & ORS 433.004

**Statutes/Other Implemented:** ORS 431A.010, ORS 431.110 & ORS 433.004

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# Oregon Health Authority

## Public Health Division - Chapter 333

### Division 19

#### INVESTIGATION AND CONTROL OF DISEASES: GENERAL POWERS AND RESPONSIBILITIES

##### 333-019-1030

##### COVID-19 Vaccination Requirements for Teachers and School Staff

(1) Children are required to attend school, which is a congregate setting where COVID-19 can spread easily if precautions are not taken. COVID-19 undergoes frequent mutations as it replicates, which over time has resulted in variants that are more transmissible or cause more severe disease. As of the time this rule was adopted, Delta was the variant making up more than 98 percent of sequenced specimens in Oregon. The Delta variant is approximately two to three times more infectious than early wild-type COVID-19 variants. There is emerging evidence that people infected with the Delta variant have similar viral loads regardless of vaccination status suggesting that even vaccine breakthrough cases may transmit this variant effectively. Being vaccinated, is therefore critical to prevent spread of Delta. COVID-19 variants are running through the state's unvaccinated population and causing an increase in breakthrough cases for those who are fully vaccinated. This rule is necessary to help control COVID-19, and to protect students, teachers, school staff, and volunteers.

(2) For purposes of this rule, the following definitions apply:

- (a) "COVID-19" means a disease caused by the severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2).
- (b) "Fully vaccinated" means having received both doses of a two-dose COVID-19 vaccine or one dose of a single-dose COVID-19 vaccine and at least 14 days have passed since the individual's final dose of COVID-19 vaccine.
- (c) "Medical exception" means that an individual has a physical or mental impairment that prevents the individual from receiving a COVID-19 vaccination.
- (d) "Religious exception" means that an individual has a sincerely held religious belief that prevents the individual from receiving a COVID-19 vaccination.
- (e) "Proof of vaccination" means documentation provided by a tribal, federal, state or local government, or a health care provider, that includes an individual's name, date of birth, type of COVID-19 vaccination given, date or dates given, depending on whether it is a one-dose or two-dose vaccine, and the name/location of the health care provider or site where the vaccine was administered. Documentation may include but is not limited to a COVID-19 vaccination record card or a copy or digital picture of the vaccination record card, or a print-out from the Oregon Health Authority's immunization registry.
- (f) "School":
  - (A) Means a public, private, parochial, charter or alternative educational program offering kindergarten through grade 12 or any part thereof.
  - (B) Does not mean stand-alone preschool program that goes up through kindergarten.
- (g) "School-based program" means a program serving children or students that takes place at or in school facilities.
- (h) "School-based program staff and volunteers":
  - (A) Means anyone age 16 and older:
    - (i) Who is employed by a school-based program or who is not employed but is otherwise engaged to provide goods or services to a school-based program through any formal or informal agreement, whether compensated or uncompensated, and includes but is not limited to teachers, administrative staff, child care staff, cleaning staff, coaches, school-based program drivers, family volunteers; and

(ii) Providing goods or services at or for a school-based program that includes direct or indirect contact with children or students.

(B) Does not mean short-term visitors or individuals making deliveries.

(i) "Teachers, school staff and volunteers":

(A) Means anyone age 16 and older:

(i) Who is employed at a school or anyone who is not employed but is otherwise engaged to provide goods or services to or at a school through any formal or informal agreement, whether compensated or uncompensated, and includes but is not limited to teachers, administrative staff, cleaning staff, coaches, school bus drivers, family volunteers and substitute teachers; and

(ii) Providing goods or services at or for a school that includes direct or indirect contact with students.

(B) Does not mean short-term visitors, individuals making deliveries, or school board members unless they are also volunteering in a school.

(3) After October 18, 2021:

(a) Teachers, school staff and volunteers may not teach, work, learn, study, assist, observe, or volunteer at a school unless they are fully vaccinated or have provided documentation of a medical or religious exception.

(b) A school may not employ, contract with, or accept the volunteer services of teachers, school staff or volunteers who are teaching, working, learning, studying, assisting, observing, or volunteering at a school unless the teachers or school staff are fully vaccinated against COVID-19 or have a documented medical or religious exception.

(4) On or before October 18, 2021, teachers, school staff and volunteers must provide their school, employer or contractor with either:

(a) Proof of vaccination showing they are fully vaccinated; or

(b) Documentation of a medical or religious exception.

(A) A medical exception must be corroborated by a document signed by a medical provider, who is not the individual seeking the exception, on a form prescribed by the Oregon Health Authority, certifying that the individual has a physical or mental impairment that limits the individual's ability to receive a COVID-19 vaccination based on a specified medical diagnosis, and that specifies whether the impairment is temporary in nature or permanent.

(B) A religious exception must be corroborated by a document, on a form prescribed by the Oregon Health Authority, signed by the individual stating that the individual is requesting an exception from the COVID-19 vaccination requirement on the basis of a sincerely held religious belief and including a statement describing the way in which the vaccination requirement conflicts with the religious observance, practice, or belief of the individual.

(5) Schools that grant an exception to the vaccination requirement under section (4) of this rule must take reasonable steps to ensure that unvaccinated teachers, school staff and volunteers are protected from contracting and spreading COVID-19.

(6) On or before October 18, 2021, schools must have documentation that all teachers, school staff and volunteers are in compliance with section (4) of this rule.

(7) After October 18, 2021:

(a) School-based program staff and volunteers may not teach, work, provide care, learn, study, assist, observe, or volunteer for a school-based program unless they are fully vaccinated or have provided documentation of a medical or religious exception.

(b) A school-based program may not employ, contract with, or accept the volunteer services of school-based program staff or volunteers who are teaching, working, providing care, learning, studying, assisting, observing, or volunteering at a school-based program unless the staff or volunteers are fully vaccinated against COVID-19 or have a documented medical or religious exception.

(8) On or before October 18, 2021, school-based program staff and volunteers must provide their school-based program with either:

(a) Proof of vaccination showing they are fully vaccinated; or

(b) Documentation of a medical or religious exception.

(A) A medical exception must be corroborated by a document signed by a medical provider, who is not the individual seeking the exception, on a form prescribed by the Authority, certifying that the individual has a physical or mental

impairment that limits the individual's ability to receive a COVID-19 vaccination based on a specified medical diagnosis, and that specifies whether the impairment is temporary in nature or permanent.

(B) A religious exception must be corroborated by a document, on a form prescribed by the Oregon Health Authority, signed by the individual stating that the individual is requesting an exception from the COVID-19 vaccination requirement on the basis of a sincerely held religious belief and including a statement describing the way in which the vaccination requirement conflicts with the religious observance, practice, or belief of the individual.

(9) School-based programs that grant an exception to the vaccination requirement under section (8) of this rule must take reasonable steps to ensure that unvaccinated school-based program staff and volunteers are protected from contracting and spreading COVID-19.

(10) On or before October 18, 2021, school-based programs must have documentation that all school-based program staff and volunteers are in compliance with section (8) of this rule.

(11) A school may request that a school-based program operating at that school, attest to whether it is, or is not, in compliance with this rule. If a school-based program receives such a request from a school, it must respond.

(12) A school-based program may request that a school at which they intend to operate, attest to whether it is, or is not, in compliance with this rule. If a school receives such a request from a school-based program, it must respond.

(13) Nothing in this rule is intended to prohibit schools or school-based programs from:

(a) Complying with the Americans with Disabilities Act and Title VII of the Civil Rights Act, and state law equivalents, for individuals unable to be vaccinated due to a medical condition or a sincerely held religious belief.

(b) Having more restrictive or additional requirements, including but not limited to requiring teachers, school staff and volunteers, and school-based program staff and volunteers to have documentation of an additional or booster dose of a COVID-19 vaccine if that is recommended by the U.S. Centers for Disease Control and Prevention.

(c) Imposing these requirements at an earlier date.

(d) Allowing a school district or other governing body to collect the documentation required under sections (4), (6), (8) and (10) of this rule.

(14) The vaccination documentation and documentation of medical and religious exceptions must be:

(a) Maintained in accordance with applicable federal and state laws;

(b) Maintained for at least two years; and

(c) Provided to the Oregon Health Authority upon request.

(15) Schools and school-based programs that violate any provision of this rule are subject to civil penalties of \$500 per day per violation.

**Statutory/Other Authority:** ORS 413.042, ORS 431A.010, ORS 431.110 & ORS 433.004

**Statutes/Other Implemented:** ORS 431A.010, ORS 431.110 & ORS 433.004

**History:**

**PH 39-2021, temporary adopt filed 08/25/2021, effective 08/25/2021 through 02/20/2022**

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