



COVID-19 Considerations for Reopening Schools

December 18, 2020

Preparing for COVID-19 Vaccinations

During the spring 2021 semester, the Kentucky Department for Public Health (DPH) will begin distributing COVID-19 vaccines to school and district personnel across the commonwealth. While many of the specifics about the vaccine distribution have not yet been determined, this guidance document provides important planning information.

This guidance will be updated as new information is made available.

Preparing a Roster of Vaccination Candidates

In order to help DPH plan for vaccine distribution, school districts are asked to prepare rosters of employees who plan to take the vaccine. The vaccine roster must be created in an Excel worksheet and should only contain four columns:

- Full District Name, i.e. “Franklin County”
- Full School Name, i.e. “Second Street School”
- Employee First and Last Name
- Employee Age as a Whole Number, i.e. “42”

All employees of the school district are eligible to receive the vaccine during the educator vaccine distribution period. When preparing rosters, school districts should consider the following:

- Rosters must be differentiated by school/work location.
- District employees not assigned to a school, such as central office staff or bus garage staff, should be categorized as “Other District Staff.”
- Itinerant staff should be included in the roster of only one school.
- State run Area Technology Centers (ATCs) should create their own rosters. Locally controlled CTCs should be listed as a school on the district roster.
- Part time or contract staff – such as coaches, physical therapists, or third party after school program providers – may be included on the roster of one school or on the Other District Staff roster.
- Contractors who do not have direct contact with students – such as electricians, carpenters, or vending machine attendants – are not eligible to receive the vaccine during the educator vaccine distribution period.
- Survey responses from school district staff should be voluntary to document staff willingness to be vaccinated during the educator vaccine distribution period. If staff



COVID-19 Considerations for Reopening Schools

December 18, 2020

members choose not to respond to the survey, they will not be included on the district's roster.

- KDE has confirmed with Public Health that School board members are not frontline K-12 educational and support staff. This population would be more appropriately included in a subsequent phase along with other Kentuckians.
- Student teachers should be included on the roster as "Other District Staff."

***Important Note:** Due to the limited number of vaccines and the logistical challenges of statewide vaccine distribution, only individuals on the roster will be allowed to take the vaccine during the educator distribution period. Should an employee choose not to be included on the initial vaccine roster and later decide that they want to take the vaccine, they will be required to wait until the vaccine is available to the general public.*

Submitting the Roster

Districts will be asked to have their rosters ready for submission by **Dec. 30, 2020**. To prepare a roster for submission, please follow these steps:

1. Combine all school and district rosters into one Excel worksheet. The Excel document should only include the four previously identified columns. All employees should be listed on a single worksheet. Do not separate schools with tabs.
2. Save the file as an Excel workbook (.xlsx). If the original document was created in Google Sheets, click "File" then "Download." Select "Microsoft Excel (.xlsx)" from the menu.
3. The final roster should be submitted one time by the superintendent or a designee. Rosters should be emailed to COVIDSchoolVaccine@ky.gov.

Considerations for Vaccine Distribution

While all educators will have the opportunity to be vaccinated during the educator vaccine distribution period, it is unlikely that all school and district personnel will be vaccinated at the same time. Vaccine distribution is likely to be interrupted, delayed, or staggered due to high demand. When creating local vaccination plans, school districts should consider the realities and logistical challenges of distribution.

As with any vaccine, the initial immune system response may create unpleasant side effects. While these side effects are generally safe and do not indicate infection, some employees may feel unable to work the day after receiving their vaccination. Districts should consider vaccination plans that encourage staggering vaccine delivery to ensure proper staffing throughout the distribution period.



COVID-19 Considerations for Reopening Schools

December 18, 2020

It also is possible that districts will be asked by DPH to prioritize vaccine distribution by vaccinating higher risk individuals first. It is too early in the process to know whether this will be necessary. Should DPH determine that vaccinations must be prioritized to high risk individuals, further guidance will be provided.

Even after the vaccines have been distributed to a school or district, the health and safety expectations included in KDE's [Guidance and Safety Expectations and Best Practices for Kentucky Schools \(K-12\) Updated December 7, 2020](#) still will be in effect. While the vaccine has been shown to decrease the likelihood of severe illness, it has not been shown to prevent asymptomatic infection or viral spread. Schools should plan to continue to utilize the five expectations for health and safety at school through the end of the school year. The five expectations include:

- Social distancing;
- Cloth face coverings, school health policies, and personal protective equipment;
- Screening and school exclusion;
- Sanitation and environmental factors; and
- Contact tracing.

Can Districts Mandate Employee Vaccination?

Districts should consult their board counsel for legal advice regarding mandatory vaccination policies for school employees. The United States Equal Employment Opportunity Commission (EEOC) issued the following guidance regarding a mandatory influenza vaccination:

May an employer covered by the ADA and Title VII of the Civil Rights Act of 1964 compel all of its employees to take the influenza vaccine regardless of their medical conditions or their religious beliefs during a pandemic?

No. An employee may be entitled to an exemption from a mandatory vaccination requirement based on an ADA disability that prevents him from taking the influenza vaccine. This would be a reasonable accommodation barring undue hardship (significant difficulty or expense). Similarly, under Title VII of the Civil Rights Act of 1964, once an employer receives notice that an employee's sincerely held religious belief, practice, or observance prevents him from taking the influenza vaccine, the employer must provide a reasonable accommodation unless it would pose an undue hardship as defined by Title VII ("more than de minimis cost" to the operation of the employer's business, which is a lower standard than under the ADA). Generally, ADA-covered employers should consider simply encouraging employees to get the influenza vaccine rather than requiring them to take it.

While this guidance from the EEOC applies to the influenza vaccine, it appears the same logic would apply to guidance from EEOC regarding a COVID-19 vaccine.



COVID-19 Considerations for Reopening Schools

December 18, 2020

Districts should note that the COVID-19 vaccination received Emergency Use Authorization (EUA) from the U.S. Food and Drug Administration (FDA). The same EUA is anticipated for the vaccination from Moderna. Pursuant to the Federal Food, Drug, and Cosmetic Act, EUA requires that individuals who are administered the COVID-19 vaccine understand the option to accept or refuse administration of the product. This may complicate school district employers mandating that school staff be vaccinated during the EUA period. Full FDA authorization of the Pfizer and Moderna vaccines is anticipated in approximately six months.

For more information about mandating vaccinations, please review the [technical assistance questions and answers](#) provided by the U.S. Equal Employment Opportunity Commission.