



DISTRICT OF COLUMBIA

OFFICE OF THE STATE SUPERINTENDENT OF

EDUCATION

Frequently Asked Questions (FAQ) Required Vaccinations for Child Development Facility Staff

Background

As part of the District of Columbia Government's response to coronavirus (COVID-19), the Office of the State Superintendent of Education (OSSE) released guidance on Oct. 20, 2021, regarding required vaccinations for child development facility staff.

Scope

This document is intended to address frequently asked questions related to child care providers' implementation of the [Guidance Related to Coronavirus \(COVID-19\): Required Vaccinations for Child Development Facility Staff](#).

Date Issued

This guidance was issued on Nov. 16, 2021 and will remain in effect until further notice.

General

Effective Nov. 1, 2021, all adult employees, contractors, interns and volunteers working in-person in a licensed child development facility, must receive a full course of vaccination against COVID-19 unless they have been granted an exemption from such vaccination pursuant to, and are compliant with the requirements of, [Mayor's Order 2021-109 - COVID-19 Vaccination Requirement for Adults Regularly in Schools or Child Care Facilities and for Student-Athletes](#).

FAQ

1. Who does Mayor's Order 2021-109 apply to in child care settings?

- Mayor's Order 2021-109 includes all employees, contractors, interns and volunteers who are regularly working in-person in child development facilities and those whose ordinary duties or practices include entering child care facilities, such as off-site administrators, social workers or contractors.
- This does not include those who enter child care facilities on a one-time basis or parents and guardians who periodically visit, such as for a special event or a parent-teacher conference.

2. How is a full course of vaccination defined by Mayor's Order 2021-109?

- A full course of COVID-19 vaccination means the covered individual has completed the vaccine series and received the second dose of a two-dose series, or one dose of a single-dose series, by Nov. 1, 2021.

3. Who is responsible for creating the policies for vaccination for each child development facility?

- Each child development facility is responsible for ensuring compliance with current Mayor's Order 2021-109.
- Each facility shall create policies for vaccination of their staff that are consistent with the Mayor's Order and shall collect and retain documentation of staff person's proof of COVID-19 vaccination or medical or religious exemption. Child development facilities shall retain documentation of weekly COVID-19 test results for employees who receive medical or religious exemptions.

4. What are acceptable forms of proof of vaccination?

- Acceptable forms of proof of COVID-19 vaccination are limited to:
 - A scan or image of a Centers for Disease Control and Prevention COVID-19 Vaccination Record Card, or a paper copy of an official vaccination record from a government body (if vaccinated outside of the United States); or
 - A screenshot of the COVID-19 vaccination status from the DC Health database ([DC MyIR](#)) or other certification from DC Health or other jurisdiction verifying full and complete course of vaccination.

5. Does Mayor's Order 2021-109 allow for test-out option?

- Mayor's Order 2021-109 Order does not permit a test-out option for covered persons unless they have been granted a medical or religious exemption.

6. What documentation is required for an employee to receive a medical exemption?

- Individuals may be granted a medical exemption from immunization requirements only if a physician or other licensed health professional who may order an immunization certifies in writing that being vaccinated for COVID-19 is medically inadvisable due to the individual's medical condition. **Medical certifications shall be signed, stamped or approved by a physician or other licensed health professional and include their contact information.**
 - Note: If the condition making the vaccine medically inadvisable for an individual is temporary, the physician or other licensed health professional should specify such in the certification the physician or other licensed health professional provides for the individual. The certification should include the date or change in condition upon which taking the COVID-19 vaccine would no longer be medically inadvisable. The individual must receive the first dose of a COVID-19 vaccine within 30 days after the date or event specified in the certification and the second dose (if applicable) within the time period established in the dosing schedule for the vaccine.

- 7. What documentation is required for an employee to receive a religious exemption? Who has the authority to validate that a staff member is approved for a religious exemption?**
- Individuals who object in good faith that the COVID-19 vaccination would violate their **sincerely held religious beliefs** shall submit their objection in writing to the child development facility, using the [OSSE provided form](#) (or another form adopted by the facility's leadership, if applicable).
 - Requests for religious exemption are not granted until the child development facility director/owner or designee reviews and signs the request form explicitly approving the exemption following a deliberative process to verify and confirm the sincerely held religious beliefs and the burdens to the facility should such an exemption be granted.
 - A child development facility director/owner or the governing board of an organization that operates a child development facility may delegate responsibility for review and approval of exemption forms to a division or employee of the organization, such as a director or department of human resources, with the expertise required to conduct such reviews.
- 8. If a child development facility staff member receives a medical or religious exemption, are there other requirements the staff member must adhere to?**
- All individuals who have received a medical or religious exemption are required to:
 1. Wear a mask in the workplace (even if the current indoor masking order is rescinded or superseded);
 2. Test weekly for COVID-19; and
 3. Provide a negative COVID-19 test result on a weekly basis in order to report to work.
- 9. Are staff members who receive a religious or medical exemption allowed to work while awaiting their weekly test results?**
- Yes, child care staff with an approved medical or religious exemption may continue to work while awaiting their weekly COVID-19 test results. This should be treated the same as surveillance testing, which does not require individuals to self-quarantine while awaiting test results as part of routine testing.
 - However, if an individual is symptomatic and awaiting test results, the individual must not return to child care until they receive a negative PCR (or NAAT) test result.
 - If an unvaccinated individual with medical or religious exemption is identified as a close contact of an individual confirmed to have COVID-19, they must not return to child care for a minimum of 10 days (return on day 11) from last exposure to the COVID-19 positive individual.
- 10. For child development centers that are located within a larger facility, are employees in the entire facility required to be fully vaccinated or is it just the physical spaces that have been licensed as the child development center?**
- Mayor's Order 2021-109 includes all employees, contractors, interns and volunteers who are regularly working in-person in child development facilities, and those whose ordinary

duties or practices include entering child care facilities, such as off-site administrators, social workers or contractors.

- Per [DCMR 5A 163.5](#), if a child development center is located within a larger facility, the portion of the building in which the center is located shall be for the exclusive use of children and staff of the center during the center's normal hours of operation, with the exception of entryways, hallways, and other common areas in the building normally available for use by the public.
- Mayor's Order 2021-109 applies to all staff working in areas for the exclusive use of children and staff of the center during the center's normal hours of operation. Employees who work in another area of the facility, and who do regularly enter or visit the child development center, are not required to adhere to the Order.

11. For child development homes, does the vaccine mandate apply to all adults who reside in the home, or only to those who regularly work caring for children in the home?

- Mayor's Order 2021-109 includes all employees, contractors, interns and volunteers who are regularly working in-person in child development facilities and those whose ordinary duties or practices include entering child care facilities. This would include all adults who are in the home when children are present.

12. What should a child care provider do if a staff member(s) does not meet the requirements to receive a religious or medical exemption and refuses to get vaccinated?

- All adults covered by Mayor's Order 2021-109 who do not return an appropriately completed proof of vaccination or approved exemption and weekly COVID-19 test result shall be excluded from child care facilities and shall not have contact with children at the facility until they meet the requirements. They may also be subject to adverse employment actions as specified by the facility.
- Employers should consult with their legal counsel and/or Human Resources department for guidance on excluding staff who do not meet the requirements of Mayor's Order 2021-109.

13. If a staff member has received one dose of the Pfizer or Moderna vaccine by Nov. 1, 2021, but is not due to receive the second dose until after Nov. 1, may they continue to work while waiting for their second dose?

- Yes, an individual who presents proof that they have received one dose of a two-dose regimen by Nov. 1 may continue to work while awaiting their second dose.
- Individuals awaiting a second dose must complete the same weekly testing requirements as staff with religious or medical exemptions.
- Individuals who have not completed their second shot in a two-dose course by Dec. 1 must cease working in-person in the facility.

14. Where should child development facilities store employee vaccination records or exemption documentation?

- Each child development facility shall collect and retain documentation of staff COVID-19 vaccination status.

- For acceptable forms of documentation, see questions 4, 6 and 7.
- COVID-19 vaccination records or exemption documentation must be individually uploaded to the provider profile under the specific inspection type in the “Other Staff Records” section in the Division of Early Learning Licensing Tool (DELLT).
- All staff listed on the staffing plan, required by 5A DCMR 120, must have proof of COVID-19 vaccination or exemption documentation in the DELLT.
- Documentation of medical or religious exemptions shall be kept in a staff person’s personnel record and uploaded to OSSE’s DELLT system in the same manner as documentation of proof of vaccination.
- **Child development facilities must upload proof of COVID-19 vaccination or medical or religious exemption for all staff included in the staffing pattern by Dec. 31, 2021.**
- **After Dec. 31, 2021, child development facilities must upload proof of vaccination or medical or religious exemption for all newly hired staff within 90 days of hire.**
- For staff members with an approved medical or religious exemption, child development facilities shall retain documentation of weekly COVID-19 test results in the staff person’s personnel record but should not upload weekly test results to OSSE’s DELLT system.

15. Do child development facilities that are part of a larger organization with their own COVID-19 vaccine requirement and system in place for collecting and storing proof of vaccination have to submit employee vaccination records or exemption documentation in DELLT?

- If your facility is part of a larger organization with a vaccination requirement that has established its own system for collecting and maintaining proof of vaccination, your facility must still collect and retain acceptable forms of proof of COVID-19 vaccination documentation or exemption documentation in DELLT.
 - See question 12 for more information on storing vaccination records and exemption documentation.
 - Facilities that are part of a larger organization with an established system for collecting and maintaining proof of vaccination, and experience challenges in complying with this requirement, should contact their licensing specialist for further support.

16. How will compliance with Mayor’s Order 2021-109 be enforced by OSSE?

- COVID-19 vaccination records or exemption documentation must be individually uploaded by the facility to the provider profile under the specific inspection type in the “Other Staff Records” section in DELLT. All staff listed on the staffing plan, required by 5A DCMR 120, must have proof of COVID-19 vaccination or exemption documentation in the DELLT.
- During annual, monitoring and renewal inspections, the assigned licensing specialist for each facility will review records, including all proof of COVID-19 vaccination and exemption documentation.
- Each facility shall make available to OSSE upon reasonable request policies for vaccination of their staff that are consistent with the Mayor’s Order and documentation of staff COVID-19 vaccination status (or testing in the case of persons who are approved for a medical or religious exemption).

- Beginning Nov. 1, 2021, OSSE will investigate any complaints related to the COVID-19 vaccination requirement. If a violation is alleged, OSSE shall conduct an investigation that may include the review of the documents and other evidence.
 - All substantiated complaints will be posted on My Child Care DC as required by 5A DCMR 111.9. Continued non-compliance with local or federal laws and regulations will result in the facility being subject to an enforcement action as required by 5A DCMR 112.1.

17. Are child development facilities required to collect and retain evidence of vaccination or medical/religious exemption for District of Columbia Government employees and contractors (such as Strong Start therapists) who enter the facility in the course of their work on behalf of the District?

- District Government employees, contractors, grantees, volunteers and interns who enter child development facilities regularly in the course of their work are covered by both Mayor's Order 2021-099, which required District government employees and contractors to be vaccinated or test weekly by Sept. 19; and Mayor's Order 2021-109, which required District Government employees, contractors, grantees, volunteers and interns who are regularly in schools and child development facilities to receive a full course of vaccination by Nov. 1, with no test out option, unless the individual received a religious or medical exemption.
- The District of Columbia Department of Human Resources is responsible for verifying compliance with this requirement for DC Government employees, and contractors or grantees are responsible for ensuring compliance by their employees with inspection, verification, monitoring responsibilities falling with grants and contract administrators.
- As such, child development facilities do not need to collect and retain evidence of vaccination or medical/religious exemption for District of Columbia Government employees or contractors who enter facilities in the course of their work on behalf of the District.
- This does not preclude District of Columbia Government employees or contractor/grantee staff from sharing information about their vaccination status with child development facilities if they choose to do so.
- However, child development facilities should not impose additional requirements for District Government employees or grantees/contractors who are subject to Mayor's Orders 2021-099 and 2021-109 and are carrying out work on behalf of the District to enter child development facilities.

18. When do prospective providers need to submit vaccination documentation for staff?

- Vaccination documentation must be submitted with all other required staff information during the licensing process. After Dec. 31, 2021, child development facilities must upload proof of vaccination or medical or religious exemption for all newly hired staff within 90 days of hire.

19. If a staff member meets the criteria to receive a booster shot, are they required to get a booster by Mayor's Order 2021-109?

- Per Mayor's Order 2021-109, the requirement is to receive a full course of vaccination by Nov. 1, 2021, which is one-dose of a single dose vaccine or two doses of the two-dose vaccine.
- The booster shot is not currently mandated.
- For more information on who is eligible and recommended to receive a booster shot at this time, [please click here](#).
- If this changes at any point in the future, OSSE will notify child development providers of any change and timeline sufficient to allow for compliance.

Questions

If you have questions relating to this guidance please contact Eva Laguerre, Director of Licensing and Compliance, at (202) 741-5942 or Eva.Laguerre@dc.gov.

For resources and information on the District of Columbia Government's COVID-19 response and recovery, please visit coronavirus.dc.gov.