

Frequently Asked Questions (FAQ): Required Vaccinations for Child Development Facility Staff Revised: Sept. 5, 2023

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, and revised guidance on Dec. 19, 2022 and again on Sept. 5, 2023, 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, revised on Dec. 19, 2022 and again on Sept. 5, 2023. This guidance supersedes previous guidance issued by OSSE regarding COVID-19 vaccination requirements for child development facility staff.

General

Effective March 2, 2022, all staff working in person in a licensed child development facility must receive the COVID-19 vaccine unless they have been granted an exemption from such vaccination pursuant to, and are compliant with, the requirements of the *Coronavirus Immunization of School Students and Early Childhood Workers Amendment Act of 2021* ([D.C. Law 24-85](#)). Previously, COVID-19 vaccination requirements for staff were mandated under *Mayor's Order 2021-109 - COVID-19 Vaccination Requirement for Adults Regularly in Schools or Child Care Facilities and for Student-Athletes* (issued Sept. 20, 2021).

FAQ

1. Who does the *Coronavirus Immunization of School Students and Early Childhood Workers Amendment Act of 2021* apply to in the child care setting?

- Child development facilities must maintain proof of COVID-19 vaccination or medical or religious exemption for all staff working in person included in the staffing plan, as required by 5A DCMR 120.
- 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. What is considered compliant for the COVID-19 vaccine?

- Staff must receive the COVID-19 vaccine unless they have been granted a medical or religious exemption.

- The following may be accepted as evidence of COVID-19 vaccination:
 - Two doses of either Pfizer or Moderna administered before April 18, 2023;
 - One dose of Johnson and Johnson’s Janssen administered before May 22, 2023;
 - Two doses of Novavax COVID-19 Vaccine, Adjuvanted; or
 - One updated dose of either Pfizer or Moderna administered after April 18, 2023.
- COVID-19 booster doses are strongly recommended, but not required in order to be compliant with the Act.
- For more information about the COVID-19 vaccination and recommended boosters, please visit: [cdc.gov/coronavirus/2019-ncov/vaccines/stay-up-to-date.html](https://www.cdc.gov/coronavirus/2019-ncov/vaccines/stay-up-to-date.html)

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 *the Coronavirus Immunization of School Students and Early Childhood Workers Amendment Act of 2021*.
- Each facility shall create policies for vaccination of their staff that are consistent with the Act and shall collect and retain documentation of staff person’s proof of COVID-19 vaccination or medical or religious exemption.

4. Does the *Coronavirus Immunization of School Students and Early Childhood Workers Amendment Act of 2021* allow for test-out option? (i.e., can a staff member regularly present proof of negative COVID-19 test instead of receiving the COVID-19 vaccine?)

- The Act does not permit a COVID-19 test-out option for covered persons (staff members).

5. 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);
 - A screenshot or printout of the COVID-19 vaccination status from the DC Health COVID-19 Digital Vaccine Record (DC DVR) or other certification from DC Health or other jurisdiction verifying full and complete course of vaccination; or
 - Written certification of the COVID-19 immunization record from a physician or other licensed health professional with the provider stamp, seal or signature.

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.
- Child development facilities must maintain proof of COVID-19 medical exemption for all staff who

have received this exemption. See question 12 for more information.

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.
- Child development facilities must maintain proof of COVID-19 religious exemption for all staff who have received this exemption. See question 12 for more information.

8. If a child development facility staff member receives a medical or religious exemption, is the staff member required to regularly demonstrate proof of negative COVID-19 test?

- No, the Act does not mandate individuals with an approved medical or religious exemption to provide proof of negative COVID-19 test on a regular basis or after exposure to a positive COVID-19 individual. Child development facilities may choose to implement COVID-19 testing policies for exempted staff, but it is not required.

8. For child development centers that are located within a larger facility, are employees in the entire facility required to be vaccinated or is it just the physical spaces that have been licensed as the child development center?

- *The Coronavirus Immunization of School Students and Early Childhood Workers Amendment Act of 2021* requires all staff working in person included in the staffing plan, required by 5A DCMR 120, to receive the COVID-19 vaccination, unless exempted.
- Per 5A DCMR 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.
- The Act 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 Act.

9. 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?

- *The Coronavirus Immunization of School Students and Early Childhood Workers Amendment Act of 2021* requires all staff working in person included in the staffing plan, required by 5A DCMR 120, to receive the COVID-19 vaccination, unless exempted.
- It is strongly recommended, but not required, that all adults who are regularly in the home when children are present to receive the COVID-19 vaccination and any recommended booster doses.

10. 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 *The Coronavirus Immunization of School Students and Early Childhood Workers Amendment Act of 2021* who do not return an appropriately completed proof of vaccination or approved exemption 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 the Act.

11. If a new staff member has not received the COVID-19 vaccination but has an appointment to receive it after their employment start date, may they continue to work in person while waiting on the appointment? If a new staff member has received one dose of the Novavax vaccine before beginning in-person employment, but is not due to receive the second dose until after the employment start date, may they continue to work in person while waiting for their second dose?

- No, all new staff members must receive the COVID-19 vaccination before beginning in-person employment at the child development facility, unless exempted.
- The following may be accepted as evidence of COVID-19 vaccination:
 - Two doses of either Pfizer or Moderna administered before April 18, 2023;
 - One dose of Johnson and Johnson's Janssen administered before May 22, 2023;
 - Two doses of Novavax COVID-19 Vaccine, Adjuvanted; or
 - One updated dose of either Pfizer or Moderna administered after April 18, 2023.
- COVID-19 booster doses are strongly recommended, but not required in order to be compliant with the Act.
- Child development facilities must upload proof of vaccination or medical or religious exemption for all newly hired staff in the Division of Early Learning Licensing Tool (DELLT) within 90 days of hire.
- For more information about the COVID-19 vaccination primary series and recommended boosters, please visit: [cdc.gov/coronavirus/2019-ncov/vaccines/stay-up-to-date.html](https://www.cdc.gov/coronavirus/2019-ncov/vaccines/stay-up-to-date.html)

12. 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 5, 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 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 vaccination or medical or religious exemption for all newly hired staff within 90 days of hire.

13. 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.
 - 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.

14. How will compliance with *The Coronavirus Immunization of School Students and Early Childhood Workers Amendment Act of 2021* 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 Act and documentation of staff COVID-19 vaccination status.
- Each facility should review their COVID-19 vaccination records at least annually, including medical and religious exemptions, to ensure all staff listed on the staffing plan are compliant.
- 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.

15. 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?

- 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 carrying out work on behalf of the District to enter child development facilities.

16. 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. Child development facilities must upload proof of vaccination or medical or religious exemption in DELLT for all newly hired staff within 90 days of hire.

17. Are staff required to get COVID-19 booster shots?

- Staff must receive the COVID-19 vaccination unless they have been granted a medical or religious exemption.
- The following may be accepted as evidence of COVID-19 vaccination:
 - Two doses of either Pfizer or Moderna administered before April 18, 2023;
 - One dose of Johnson and Johnson's Janssen administered before May 22, 2023;
 - Two doses of Novavax COVID-19 Vaccine, Adjuvanted; or
- One updated dose of either Pfizer or Moderna administered after April 18, 2023. COVID-19 booster shots (booster doses) are strongly recommended, but not required in order to be compliant with the Act.
- For more information about the COVID-19 vaccination primary series and recommended boosters, please visit: [cdc.gov/coronavirus/2019-ncov/vaccines/stay-up-to-date.html](https://www.cdc.gov/coronavirus/2019-ncov/vaccines/stay-up-to-date.html).
- 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, Compliance and Subsidy, 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](https://www.coronavirus.dc.gov) or [osse.dc.gov/page/policy-and-guidance-resources](https://www.osse.dc.gov/page/policy-and-guidance-resources)