

CLIENT ALERT

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ISBE Issues Interim Post-Vaccination Considerations for School Employees By Maureen A. Lemon

Since drafting the first iteration of its Interim Exclusion Guidance Decision Tree (Decision Tree), last summer, the Illinois Department of Public Health (IDPH) has repeatedly refined the Decision Tree to assist school districts to decide when and for how long employees and students must be excluded from work/school due to symptoms of COVID-19 or after being in close contact with a confirmed or probable case of COVID-19. The January 4, 2021 version of the Decision Tree may be found at <https://www.isbe.net/Documents/IDPH-COVID19-Exclusion-Decision-Tree.pdf>.

The game-changing process of vaccinating employees creates a potential wrinkle in how the Decision Tree is invoked. Currently, the State of Illinois is vaccinating approximately 50,000 residents each week. Now that the State has moved to Phase 1B of its vaccination plan, pre-k through 12th grade school employees have begun to receive the vaccine. Based on preliminary data from mRNA COVID-19 vaccine trials, some individuals who receive the vaccine experience post-vaccination symptoms such as chills, headache, myalgia (body aches), arthralgia (joint aches), and/or fatigue. These signs and symptoms are usually mild to moderate in severity, occur within the first three days of vaccination (counting the day of vaccination as Day 1), resolve within one or two days of onset, and are more frequent and severe following the second dose and among younger persons compared to those 55 years and older.

Yet, the possible post-vaccination symptoms are also COVID-19 symptoms that might otherwise prevent a person from attending work/school under the Decision Tree. Should a school employee who has a headache and feels achy after receiving the vaccine be excluded from work for the length of time recommended by the Decision Tree?

To answer this question, the Illinois State Board of Education issued Interim Post-Vaccination Considerations for School Employees (Guidance) on February 5, 2021, found at <https://www.isbe.net/Documents/Post-Vaccine-Guidance-Schools.pdf>. This Guidance has two tables:

(1) Considerations for Persons with Systemic Signs and Symptoms Pre-and Post- COVID-19 Vaccination; and (2) Considerations for Asymptomatic Persons Pre-and Post- COVID-19 Vaccination. These tables help school districts decide when to allow employees who would otherwise be excluded because of one or more COVID-19-related symptoms to come to work.

Table 1: Symptomatic Individuals

The Guidance distinguishes between the COVID-19 symptoms that may be vaccine-related or due to another unrelated illness (e.g., chills, headache, myalgia, arthralgia, fatigue) and the COVID-19 symptoms that are unlikely to arise after a vaccination (e.g., cough, shortness of breath, rhinorrhea, loss of taste/smell.) Individuals experiencing reactions not typically associated with vaccines must be excluded from school and referred for a clinical evaluation.

Individuals experiencing symptoms typically related to having been inoculated may continue to work as long as they have no fever, they feel well enough to work, and their vaccine-related symptoms do not persist for more than two days. If that individual's symptoms persist for more than two days, or they have a fever of 100.4° F or greater, then that individual should be placed in isolation until they are cleared by a health care provider.

The Guidance assumes that individuals who received the vaccine longer than three days ago should not experience any post-vaccine reactions. Thus, anyone who begins to experience one or more COVID-19 symptom more than three days past their vaccination should be excluded from work and referred for a clinical evaluation per Row D of the Decision Tree.

The Guidance also does not recommend a COVID-19 test for anyone who has tested positive for the virus within the past 90 days (three months). This suggests that the ISBE is confident that those who have had COVID-19 have immunity for at least 90 days after their positive test.

Table 2: Asymptomatic Individuals

The second table focuses on when an asymptomatic individual should be placed in quarantine if named as a 'close contact' to a known case of COVID-19. While the table has three columns ((1) unvaccinated, (2) vaccinated within the prior three days, and (3) partially/fully vaccinated), the guidance is the same in each column: the asymptomatic person must be placed in quarantine and follow the quarantine rules from the Decision Tree unless the individual personally tested positive for COVID-19 within the last 90 days (3 months).

Conclusion

The opportunity to have vaccinated employees is a welcome development in overcoming the risks associated with the virus. As school employees become vaccinated, your school district should prepare itself for the likely possibility that some employees will experience post-vaccination symptoms. While some employees may desire to stay home while they experience such symptoms, others may feel well enough to work. If you are coordinating the scheduling of when your staff becomes vaccinated, we recommend that you consider scheduling the vaccines over multiple days so that you aren't faced with a situation where too many staff members call in sick on the same date due to their post-vaccine reactions.

Another recommendation is that you update your daily symptom self-certification to allow an employee who may be experiencing some vaccine-related symptoms to indicate that they

received a vaccination within the prior three days. If they are afebrile and feel well enough to work, you may permit them to do so. If they have a fever or their symptoms do not improve and persist for more than two days, they should be excluded from school and referred for a clinical evaluation. The length of that employee's exclusion would depend upon their status per the IDPH Decision Tree.

If you have any legal questions regarding vaccinations, or would like assistance interpreting the IDPH Decision Tree or the ISBE Interim Post-Vaccination Considerations for School Employees, please contact one of our school attorneys at (630) 682-0085.

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