

# Report Related to Resolution 2122R-009

September 9, 2021



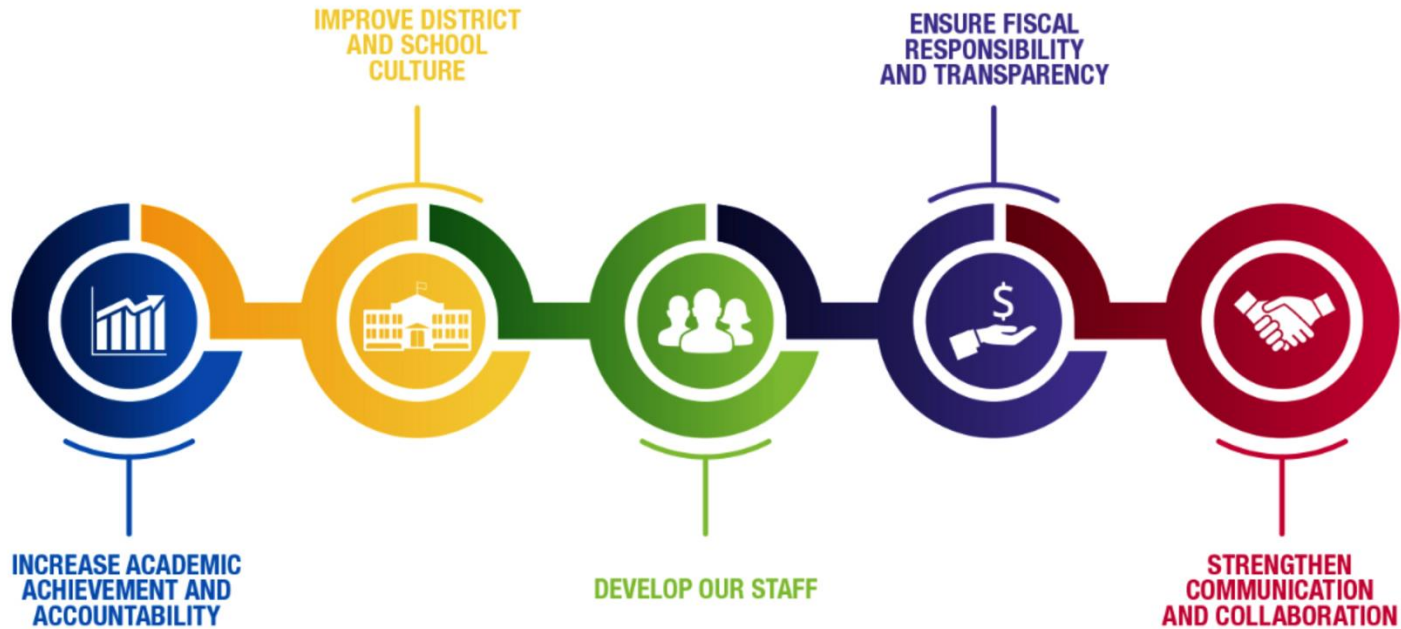
**MILWAUKEE**  
PUBLIC SCHOOLS

***Presenters:***

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*Chief Human Resources Officer, Office of Human Resources*

Dr. Keith P. Posley, *Superintendent*

# Five Priorities for Success



# Resolution Overview

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- Vaccine Mandate
- Vaccination Incentive
- Health and Safety Update



# Why is a Vaccine Mandate Being Considered?

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- MPS has a duty to provide and maintain a healthy and safe learning and work environment for students and staff.
- Vaccination is the most effective method of reducing the spread of COVID-19.
- A significant portion of our student population (under the age of 12) is vulnerable to contracting COVID-19 as they are unable to receive the vaccine.
- The U.S. Food and Drug Administration has fully approved the Pfizer BioNTech vaccine for people aged 16 and older.



# Vaccine Mandate: Factors to Consider

## COVID-19 Vaccines for Wisconsin residents

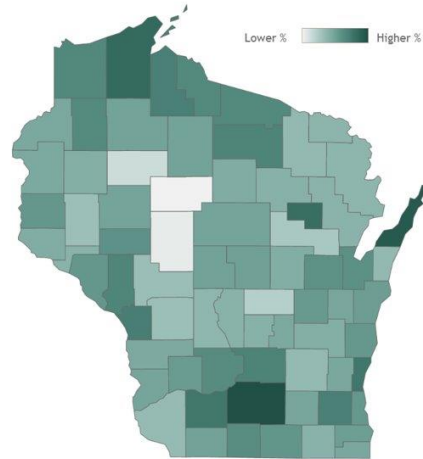
Updated: 9/3/2021

HERC region data

- Total population who have received at least one dose
- Total population who have completed the series
- Adults (18+) who have received at least one dose
- Adults (18+) who have completed series

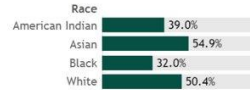
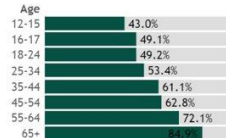
Percent of Wisconsin residents who have received at least one dose by county

Click a county to filter data



Percent of Wisconsin residents who have received at least one dose

The orange represents the population for whom the vaccine is authorized. The gray indicates the population under 12 years of age for whom the vaccines are not authorized.



\*5.5% of records reported a race of "Other".

\*5.5% of records reported an unknown race

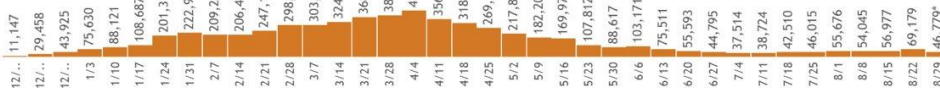


\*0.5% of records were reported without sex.

\*5.1% of records were reported without ethnicity.

View more data on racial and ethnic disparities in Wisconsin

Vaccine doses for Wisconsin residents by week  
(Total: 5,999,476)



From :

<https://www.dhs.wisconsin.gov/covid-19/vaccine-data.htm#map>



# Vaccine Mandate: Factors to Consider

Metric	Status – July 1	Status – July 8	Status – July 15	Status – July 22	Status – July 29	Status – August 5	Status – August 12	Status – August 19	Status – August 26	Status – September 2
This metric determines current disease burden. Increased burden increases rates of transmission										
Rate of COVID-19 cases per 100,000 over 7 days	Yellow Moderate Transmission 13.2	Yellow Moderate Transmission 16.9	Yellow Moderate Transmission 25.9	Orange Substantial Transmission 50.7	Orange Substantial Transmission 95.4	Purple Extreme Transmission 218.4	Purple Extreme Transmission 232.5	Purple Extreme Transmission 224.5	Purple Extreme Transmission 227.2	Purple Extreme Transmission 247.4
This metric determines percent positivity. Percent positivity indicates test availability and transmission trends										
Percentage test positivity over 7 days	Blue Low Transmission 1.3%	Blue Low Transmission 2.0%	Blue Low Transmission 3.1%	Yellow Moderate Transmission 5.0%	Yellow Moderate Transmission 7.5%	Red High Transmission 10.9%	Red High Transmission 10.4%	Orange Substantial Transmission 9.7%	Orange Substantial Transmission 9.2%	Orange Substantial Transmission 9.4%
Vaccination rate is calculated based on the City of Milwaukee's adult population (individuals 16 or older)										
City Adult Vaccination Rate	47.7%	48.9%	49.5%	50.0%	50.5%	51.0%	51.5%	52.0%	52.7%	53.4%

Data Source: Wisconsin Immunization Registry (WIR) and Wisconsin Electronic Disease Surveillance System (WEDSS)

The metrics used to determine re-opening phases was updated on 3/18/2021 based on CDC guidance (<https://www.cdc.gov/coronavirus/2019-ncov/community/schools-childcare/indicators.html>) and best practices for Milwaukee



# Vaccine Mandate: Factors to Consider

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- Who will be covered by the mandate?
  - All staff?
    - Certificated staff, classified staff, part-time/seasonal staff, LTEs, School Board Members, Office of Board Governance staff, Office of Accountability & Efficiency staff, etc., and all interns, student teachers, and volunteers.
    - Newly hired staff.
  - Outside contractors?
    - Which contractors would the mandate apply to?
    - Do our service contracts allow for this?
    - Do we have to renegotiate our service contracts?



# Vaccine Mandate: Factors to Consider

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- Consider implementation deadlines for all doses.
  - Timeline regarding additional doses.
- Will time off for vaccination be provided and/or be compensable?
  - How will it be coded and tracked?
- How will proof of vaccination be provided, verified, and stored?



# Vaccine Mandate: Factors to Consider

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- Establish a process for medical or religious accommodations.
  - Pursuant to applicable employment laws, employees would be able to request a medical or religious accommodation.
  - COVID-19 testing will be required for individuals who have a reasonable accommodation.
  - Any request for accommodation will likely need to be supported by appropriate documentation.
  
- What will be the consequences for failure to comply with a vaccine mandate?
  - Options: unpaid leave, misconduct proceedings, or termination.

# Vaccine Mandate: Factors to Consider

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- What will be the options for getting a vaccination?
  - MPS School-Based Clinics
    - Note – There would potentially be fewer legal barriers to providing incentives if vaccinations are provided off-site by 3<sup>rd</sup> parties.
  - Community Clinics
  - Other health care providers
- Will there be testing options and if yes, what will they be?
  - Will mandatory weekly testing be a substitute for being vaccinated?
    - Caution must be exercised as the test is considered a medical exam and differentiating between vaccinated and unvaccinated could lead to exposure.

# Vaccine Mandate: Factors to Consider

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- Additional staff and financial resources needed
  - Staff to set up and manage the process, such as technology and human resources.
  - Staff to verify compliance and to engage in enforcement.
  - Staff to process and manage accommodation requests.
    - Monitoring of testing
  - Staff to respond to requests for information.
  - Technological resources to handle the uploading and storage of the compliance data.

# Implementation Considerations - Mandate

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- Employees to upload photos of vaccination cards
  - How will employees upload the information? Not all employees have the technology or technical ability.
  - Options:
    - PeopleSoft has a self-service option for document upload.
    - Frontline has a health module that could be purchased which would allow for employee upload of a medical record and secure storage/limited access.
- Confidentiality – only select employees should have access.



# Implementation Considerations - Mandate

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- Verification – who will verify the documentation?
  - Each card would need to be manually verified.
    - No capacity in Employment Relations or MPS nursing to verify.
    - There would need to be follow up with employees.
  - Would likely require hiring additional staff or temp staff.
- Timeline – How long will staff have to implement?



# Implementation Considerations - Mandate

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- Vaccine side effects: time off (not deducted from sick leave) if employee experiences side effects.
- Potential booster – Might need to be mandated as well.
- Customer Service – would likely need email and/or phone number to field staff questions.
- Part-time employees – change quarterly/seasonally – could be difficult to monitor & mandate.



# Implementation Considerations - Testing

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- District currently participates in the Department of Health Services' K-12 school testing program
  - This program may be used for individuals with an accommodation who will be tested.
  - Administration of weekly COVID-19 testing to occur offsite.
    - 2 or 3 weekly tests
- Communication of results
  - Employees continue to work while awaiting test results.
- Verification of results



# Contractor/Vendor Vaccine Mandate

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- No standard language in MPS' Professional Service Contract requiring contractors to comply with MPS' Administrative Policies & Procedures.
  - Some contracts might include language in scope of services requiring Contractors to abide by all terms and conditions of MPS Employee Handbook (ex. Goodwill TalentBridge), which includes adherence to MPS policies and procedures.
- To potentially require compliance with a vaccine mandate would require modifications/amendments to existing contracts.
- Vaccine mandate may result in reduction of services received from contractors.





## Existing Administrative Policies and Authority to Implement

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- Wisconsin Statutes: 120.13(1), 120.13(35)(a)
- Administrative Policy 6.07: Employee Rules of Conduct
- Administrative Policy 6.08: Health and Safety Staff
- Administrative Policy 6.14: Personnel Records

# What are Other Districts Doing?

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## Washington State School Districts

- Any worker for an operator of an educational institution must be vaccinated by 10/18/2021 (applies to all public and charter schools).
- Policy covers volunteers and on-site contractors; individuals who have brief or fleeting contact are exempt, such as delivery drivers.
- Exemptions for disability or sincerely held religious belief.

## Philadelphia School District

- All school district employees are required to be fully vaccinated against COVID-19 and to submit appropriate proof of full vaccination status.
- Exemption for medical reasons and sincerely held religious beliefs.
- Mandate to apply to contractors.



# What are Other Districts Doing?

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## Loudoun County Virginia (D.C. Area)

- Mandatory vaccination for all employees or submit to weekly testing.
- After Oct. 1, 2021, employees who have not demonstrated full or partial vaccination status will have to begin weekly testing for COVID-19.
- All staff required to be vaccinated by November 1, 2021.

# Other Units of Government

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## Dane County

- All employees are required to present proof of being fully vaccinated against COVID-19 by August 20, 2021.
- If an employee does not provide proof of their fully vaccinated status, they must provide proof of a COVID-19 PCR test by August 23, 2021. Thereafter weekly results are required.
- Failure to follow the vaccination policy may result in disciplinary action, up to and including termination.

## Milwaukee County

- All employees (except for Public Safety) are required to submit proof of vaccination by October 1, 2021.
- Medical and religious accommodations will be made.
- Contractors working in high-risk or group living facilities will be required to be fully vaccinated by October 11, 2021.



# Other Units of Government

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## City of Milwaukee

- Employees must submit proof of vaccination or receive the vaccination by October 29, 2021.
- Medical and religious accommodations granted.
- Employees who do not comply with the mandate by the deadline will be placed on unpaid leave for up to 30 days. Further failure to comply with the policy will result in separation from employment.
- The Milwaukee Health Department will host vaccination clinics for City employees the week of September 5, 2021.

# Incentives: State of Wisconsin

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- COVID-19: \$100 Vaccine Reward Program
  - Wisconsin residents ages 12 and up that get their first dose of any COVID-19 vaccine from a vaccine provider located in Wisconsin, Michigan, or Minnesota between August 20 and September 19 are eligible for the incentive.



# Employee Incentive Guidance

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- The Laws:
  - Americans with Disabilities Act
  - Genetic Information Non-Discrimination Act
- EEOC Guidance
  - Employers can offer vaccine incentives
  - Only requesting proof of employee’s vaccination - NO limits provided
  - *BUT* Restrictions apply if the employer is administering the vaccine
    - Incentives (or penalties) are permissible so long as they are “not so substantial as to be coercive.”

# Implementation Considerations - Incentives

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- Options:
  - Monetary – ranging from \$100 to \$500
  - Paid time off (could be at high cost to District)
  - MPS merchandise, gift cards, potential raffle, etc.
  - For students: school merchandise, waiver of student fees, etc.





# Sample Incentives: Employees

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## Districts Offering Incentive to Employees

- Henry County, Georgia: \$1,000
- Detroit, Michigan: \$500
- Porterville, California: \$500
- Anderson County, South Carolina: \$500
- Marlboro County, South Carolina: \$500
- Manteca, California: \$350
- Little Rock, Arkansas: \$300
- Joplin, Missouri: \$250 and a chance to win one of four \$2,500 cash prizes
- San Marcos, Texas: \$250
- Searcy, Arkansas: \$200
- Orange County, Florida: \$200
- Anderson, Indiana: \$150



# Sample Incentives: Students

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- Anderson County, South Carolina: \$100 for any HS student who voluntarily provides vaccination proof and has guardian consent.
- D.C. Public Schools: Students 12-17 who are vaccinated at upcoming school events receive a \$51 gift card and AirPods (< \$100 ~ value).

# Sample Student Incentives - Raffle

- Raffle options for students:

Raffle Prize	Number	Total Cost
\$50 Visa gift cards	125	\$6,250
Apple iPads (~\$350)	25	\$8,750
\$1000 scholarships	10	\$10,000
\$5000 scholarships	5	\$25,000
<b>Total</b>	165 winners	\$50,000

# Sample Staff Incentives - Raffle

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- Raffle options for staff:

Raffle Prize	Number	Total Cost
\$500 donation	50	\$25,000
\$1000 donation	25	\$25,000
<b>Total</b>	75 winners	\$50,000

- Prize will be a donation to MPS school or class of winner's choice.



# Sample Incentive Costing

<b>Estimated Cost of Vaccination Incentives</b>			
	Estimated number of students that are 12 years or older	Estimated number of staff	Total
Estimated Total Number Eligible	31,205	11,404	42,609
Possible Incentive Per Person	Estimated Cost by Incentive Amount for Students 12 Years and Older	Estimated Cost by Incentive Amount for Staff	Total
\$ 100	\$ 3,120,500	\$ 1,140,400	\$ 4,260,900
150	4,680,750	1,710,600	6,391,350
200	6,241,000	2,280,800	8,521,800
250	7,801,250	2,851,000	10,652,250
300	9,361,500	3,421,200	12,782,700

# Use of ESSER Funds for Incentives

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- Yes, to the extent that it does not violate any other state or federal laws.
- Incentives must be “reasonable” under 2 CFR 200.
  - A school “might give each vaccinated student a nominal gift card or any other allowable incentive that is reasonable in size and scope and likely to lead to an increase in the rate of vaccinations.”

# Ethical Considerations

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- Larger incentives are more likely to induce students and staff to make medical decisions they would not normally choose.
- Vaccine hesitancy among certain segments of our community.

# Who Needs to Quarantine

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- Individuals who were within 6 feet of someone with COVID-19 for a total of 15 minutes or more over the course of a day (24 hours).
  - Excludes students who are properly masked within 3 to 6 feet of a student with COVID-19.
- Individuals who live in the same household as someone with COVID-19.





# How Long to Quarantine

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- A 14-day quarantine period is recommended for individuals exposed to COVID-19.
- Individuals who are fully vaccinated and not experiencing symptoms are not required to quarantine.
- Whether or not an individual is fully vaccinated, individuals exposed to COVID-19 should watch for symptoms for 14 days, such as fever, cough, shortness of breath, chills, headache, muscle pain, sore throat, or loss of taste or smell.

# Options Considered to Shorten Quarantine

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- Options that may be considered to shorten quarantine when the individual remains without symptoms:
  - Ten-day quarantine without testing.
  - Seven-day quarantine with a negative PCR test.
    - Test must occur on fifth day after exposure or later.

# Drinking Water in Schools

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- All MPS schools have clean drinking water available for students and staff throughout the day.
  - All drinking fountains have a filter to abate lead, particles, etc.
- Some drinking fountains have been turned off, but all schools have adequate water bottle filling stations or fountains available for students and staff.



# Contact Tracing

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- The district identifies and reports positive cases, symptomatic cases, and close contact cases for students and staff.
- Staff and families are notified in writing in the event of exposure to COVID-19 in schools.
- MPS continues to collaborate with the Milwaukee Health Department as it relates to MPS students.
- Case monitoring is conducted during the regular school day as well as evening and weekend hours to ensure timely notification.



# Criteria for Possible Flexible Scheduling

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- **School**
  - MPS may convert a school to flexible scheduling in the event 3% or more of the total school population tests positive for COVID-19 within a 14-day period.
- **Class**
  - MPS may convert a class to flexible scheduling for 10 days if there are 5 confirmed positive COVID-19 cases within a 14-day period.
- **Other considerations for possible flexible scheduling**
  - Size of class or school
  - Substantial school spread
  - Staffing capacity
  - Impact of shared student materials
  - School events



# Plexiglass Barriers

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- Plexiglass barriers are available in all schools.
- Plexiglass barriers will be optional where all children are facing forward.
- Plexiglass barriers are required where children are facing each other in the classroom.
- Plexiglass barriers are collected and cleaned, and additional plexiglass barriers may be purchased as needed.



# Testing Strategy

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- MPS is offering lab-based PCR tests to students and staff who exhibit COVID-19 symptoms.
  - Testing is voluntary and will only be conducted with written consent.
- MPS will conduct voluntary testing of asymptomatic students and staff in randomly selected schools.
  - New consent form for new testing strategy must be distributed and returned.

# Recommendation - Vaccine

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Administration recommends that all Milwaukee Public Schools district employees be required to be fully vaccinated against COVID-19 as a condition of employment or be approved for a medical or religious accommodation.

- The vaccine mandate will apply to all district employees, including but not limited to certificated staff, classified staff, part-time/seasonal staff, limited term employees (LTEs), School Board Members, Office of Board Governance staff, Office of Accountability & Efficiency staff, etc. "Employees" shall also include all interns, student teachers, and volunteers.





# Recommendation – Vaccine *(continued)*

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- All current MPS employees are required to submit proof of being fully vaccinated no later than November 1, 2021, unless a reasonable religious or medical accommodation is approved.
  - All individuals who receive an approved accommodation will be required to test for COVID-19 two times a week.
- Employees not in compliance will be placed on unpaid leave. Continued noncompliance may result in termination.
- All newly hired employees required to submit proof of being fully vaccinated upon hire, unless a reasonable religious or medical accommodation is approved.



# Recommendation - Incentive

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Administration recommends incentivizing all eligible staff and students to be fully vaccinated by November 1, 2021, to protect the health and wellness of all MPS communities.



# Recommendation – Health and Safety

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Administration recommends implementation of the health and safety measures as outlined in this presentation along with the health and safety measures currently being implemented as outlined in the Roadmap to Readiness plan.

# Thank you.

**Presenters:**

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Office of Human Resources



Dr. Keith P. Posley, *Superintendent*