

Memorandum of Understanding
Between
Board of Education of District 90, River Forest and
the River Forest Education Association, IEA/NEA

The River Forest District 90 Board of Education (the “Board”) and the River Forest Education Association, IEA/NEA (the “Association”) hereby enter into the following Memorandum of Agreement (the “MOU”) in response to the Governor of the State of Illinois’s Executive Order 2021-20-COVID-19 Executive Order No. 87 (“Executive Order”) signed on August 26, 2021.

WHEREAS, the CDC has recognized vaccination as the leading public health prevention strategy to end the COVID-19 pandemic and recommends that all teachers, staff, and eligible students be vaccinated as soon as possible;

WHEREAS, increasing vaccination rates in schools is the strongest protective measure against COVID-19 available and, together with masking and regular testing, is vital to providing in person instruction in as safe a manner as possible;

WHEREAS, in light of the continued spread of COVID-19, the increasing threat of the Delta variant, and the significant percentage of the population that remains unvaccinated, the Governor of the State of Illinois declared on August 20, 2021 that the current circumstances in Illinois surrounding the spread of COVID-19 continue to constitute an epidemic emergency and a public health emergency under Section 4 of the Illinois Emergency Management Agency Act.

NOW THEREFORE, the Board and the Association agree as follows:

1. All bargaining unit members are required to have their first of the two-dose COVID-19 vaccine series or a single-dose COVID-19 vaccine no later than September 19, 2021 and be fully vaccinated against COVID-19 within thirty (30) days following administration of their first dose in a two-dose vaccination series, unless unable to be vaccinated because of confirmed medical contraindications or a sincerely held religious objection. Individuals with these exceptions shall undergo testing for COVID-19 once a week and submit evidence of negative results to the District on weekly basis. This evidence will be maintained as part of the bargaining unit member’s medical record file.
2. Bargaining unit members that have been fully vaccinated against COVID-19 shall provide proof of vaccination to the District by one (1) of the following no later than September 19, 2021: 1. a CDC COVID-19 vaccination record card or photograph of the card; 2. documentation of vaccination from a health care provider or electronic health record; or 3. state immunization records.
 - a. Any of the aforementioned documentation shall be maintained in the bargaining unit member’s medical record file stored electronically in the District’s secure database.

- b. Such information shall be considered confidential and only viewable by the school nurses, the D90 Infection Control Officer, and the District 90 Human Resources Specialist.
3. Bargaining unit members that are not fully vaccinated against COVID-19 or have not submitted proof of vaccination by September 19, 2021 must undergo testing for COVID-19 once a week until they establish that they are fully vaccinated against COVID-19. Once available, the District will provide on-site tests at Roosevelt Middle School through the covid-Shield PCR testing program (the covid-Shield test has Emergency Use Authorization by the FDA), or the District must be provided proof or confirmation from the employee of a negative test result obtained elsewhere. The Illinois Department of Public Health (IDPH) recommends that school personnel be tested using a PCR test if available.
 - a. Bargaining unit members absent on the day they are required to undergo testing for COVID-19 shall test on the first day returning to the District, or obtain testing privately to comport with the weekly testing requirement.
 - b. Bargaining unit members will be notified of the COVID-19 test results from authorized School Personnel.
4. As per the Executive Order, the District shall exclude school personnel who are not fully vaccinated against COVID-19 from the premises unless they comply with the testing requirements specified in Section (3).
5. Individuals are exempt from the requirement to be fully vaccinated against COVID-19 if 1. vaccination is medically contraindicated, including any individual who is entitled to an accommodation under the Americans with Disabilities Act or any other law applicable to a disability-related reasonable accommodation, or 2. vaccination would require the individual to violate or forgo a sincerely held religious belief, practice, or observance. Individuals who demonstrate they are exempt from the vaccination requirement shall undergo, at a minimum, weekly testing as provided for in Section (3).
6. This Memorandum of Understanding is subject to the grievance/arbitration provisions of the CBA.
7. This Memorandum of Understanding is not precedential in effect and shall not constitute a practice or precedent under the CBA or any other collective bargaining agreement.
8. To the extent of any conflict or inconsistency between this Memorandum of Understanding and the CBA, the provisions of this Memorandum of Understanding shall control. The CBA shall otherwise remain in full force and effect.
9. In the event State agencies, including but not limited to IDPH and the Illinois State Board of Education, promulgates emergency rules as necessary to effectuate this Executive Order, the parties shall meet to discuss the impact of such rules on the provisions set forth in this MOU.

10. This Memorandum of Understanding while the COVID-19 Executive Order No. 87 is in effect.

Board of Education
River Forest District 90 Public Schools

Date

River Forest District 90
Education Association

Date