



COVID-19 STUDENT TESTING POLICY

Purpose

Encore Education Corporation (“EEC” or the “School”) recognizes testing for COVID-19 as a key measure necessary to allow students and staff to safely return to campus to any degree while COVID-19 continues to spread and pose a direct threat to the School and our community. Per the Center for Disease Control and Prevention (“CDC”) and California Public Health Departments’ (“CDPH”) guidance, including the January 14, 2021 “COVID-19 Reopening In-Person Instruction Framework & Public Health Guidance for K-12 Schools in California, 2020-2021” document, and AB 86, testing students and employees for COVID-19 is part of a comprehensive strategy and should be used in conjunction with promoting behaviors that reduce the spread of the virus.

Definitions

- Asymptomatic COVID-19 surveillance testing is the testing of individuals without evident symptoms of COVID-19 or a known exposure to a COVID-19 infected individual for the purpose of detecting and limiting the spread of COVID-19 within the School community.
- Symptomatic testing means an individual with symptoms of COVID-19.
- Response testing is used to identify positive individuals once a case has been identified in a given stable group and can be provided for symptomatic individuals or for asymptomatic individuals with known or suspected exposure to an individual infected with COVID-19.

General Requirements

Consistent with CDPH guidance, applicable legal authority, and the School’s legal duty to maintain a safe and healthy workplace and School, the School will implement student COVID-19 testing. The School will require all students coming onto any School campus or otherwise interacting with other employees or students in-person to complete an asymptomatic, non-invasive COVID-19 test intended to detect the presence of COVID-19 infection regardless of whether the person shows any symptoms. Currently, the School will require students undergo asymptomatic testing once every two weeks. The School will also require any and all students coming onto campus to complete a non-invasive COVID-19 test intended to detect the presence of COVID-19 infection on a symptomatic and response basis, as warranted. The School reserves the right to amend COVID-19 testing cadences in this Policy, as consistent with CDPH guidance and applicable legal authority.

Any student or parent/guardian may select their own testing provider and submit a copy of their results to the School. Such testing provider must be licensed by the state of California and FDA to provide valid viral RT-PCR tests for COVID-19 infection. The School will only accept the result and thus allow the student to return to campus, if the student undergoes a RT-PCR Test. If the student presents another form of COVID-19 testing, the School will require them to present a RT-PCR Test before returning to campus.



Testing labs or facilities will share students' COVID-19 test results with authorized representatives at the School, when such testing is required by the School, in compliance with the Health Information Portability and Accountability Act ("HIPAA"). The School will follow strict confidentiality provisions regarding all testing results provided to it as outlined in this Policy.

In the event of a positive test result, the School requires that students notify School administration immediately if the student tested positive for COVID-19 or if one of their household members or non-household close contacts tested positive for COVID-19. Upon receiving notification that a student has tested positive for COVID-19 or been in close contact with a COVID-19 case, the School will take actions as required by law, the EEC COVID-19 Health & Safety Policy, and the COVID-19 Injury and Illness Prevention Plan ("IIPP") Addendum.

Consent to Test for Students

No student will be tested without their consent, or the consent of their parent/guardian—as applicable. However, access to any School campus will be restricted to those who follow the testing protocol as outlined in this Policy. Pursuant to applicable law and CDPH guidance, a parent/guardian's consent will be required for students under the age of thirteen (13) to test for COVID-19. However, a parent/guardian's consent will not be required to test students ages thirteen (13) and older for COVID-19.

Consequences for Students who Fail to Comply with this Policy

Absent a documented disability-related accommodation or other legally recognized accommodation which prevent a student from testing for COVID-19, any student who has returned to in-person instruction and refuses to provide testing results to the School consistent with this Policy or who otherwise fails to complete testing requirements will be sent home and returned to distance learning until such time as they are able to provide evidence of completion of the testing requirements. As such, students who do not comply with this Policy will not be able to participate in on-campus cohorts and masterclasses. The School will make every effort to accommodate any student who because of a qualifying disability or other legally valid reason is unable to comply with this Policy, pursuant to all applicable federal, state, and local law. Any student (or parent/guardian) who believes they or their student will be unable to comply with this Policy on the basis of a qualifying disability or other lawful basis must contact Human Resources for guidance and to request an accommodation.

Confidentiality

Once the School receives COVID-19 test results of any student, the School will handle them in accordance with applicable law, including but not limited to the Federal Educational Rights and Privacy Act ("FERPA"). The School will maintain the confidentiality of the results of student COVID-19 test results. Only the School's Risk Manager, Human Resource professional, and necessary administration officials will be granted access to test results, and only to assess whether any individual poses a direct threat to the workplace/learning environment and for the



purpose of organizing the School's COVID-19 response and protecting the workplace and School from COVID-19 infection.

Personally identifying information about a student's test results will not be shared directly with other employees or families. The School will comply with state law and public health guidance regarding the requirement to provide general notice, without sharing confidential information such as an individual's names or medical information, to any persons who were potentially exposed to an individual infected with COVID-19 while on campus, or to report outbreaks to local health authorities as required by law. Every effort will be taken to ensure students' rights to privacy are preserved while still acting in accordance with public health guidance and the law to prevent the spread of COVID-19. The School will not disclose student medical information to third parties except as required by state law, public health order, and applicable legal authority to relevant public health authorities. Any employees authorized to review test results will be trained not to disclose them to third parties except in the instance outlined in this Policy.

Should you have any questions regarding this Policy, you may contact Executive Manager-Risk Management – Curtis Peterson at cpeterson@encorehighschool.com

Confirmation of Receipt

By signing below, I acknowledge that I have received, read, and understand the School's COVID-19 Student Testing Policy.

Student Name

Date

Student Signature

Parent/Guardian Name

Parent/Guardian Signature