**A** **JOINT RESOLUTION**

TO DIRECT THE STATE BOARD OF EDUCATION TO ESTABLISH A MANDATORY, TEMPORARY STANDARD FOR USE BY PUBLIC SCHOOL DISTRICTS TO CONTROL, PREVENT, AND MITIGATE THE SPREAD OF COVID‑19 AMONG DISTRICT EMPLOYEES, AND TO REQUIRE PUBLIC SCHOOL DISTRICTS TO ADOPT AND COMPLY WITH THIS STANDARD FOR THE 2021‑2022 AND 2022‑2023 SCHOOL YEARS.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. (A) Within thirty days after the effective date of this joint resolution, the State Board of Education shall establish a mandatory, temporary standard for use by public school districts to control, prevent, and mitigate the spread of SARS‑CoV‑2, the virus that causes coronavirus disease 2019 (COVID‑19) among district employees. Every public school district board in this State shall adopt and implement this standard in each public school in their respective districts within thirty days, subject to the availability of funds.

(B) The standard provided in subsection (A) must be closely based on SC OSHA laws, rules, regulations, and standards applicable directly or indirectly to SARS‑CoV‑2 virus or COVID‑19 disease‑related hazards such as, but not limited to, those dealing with personal protective equipment, respiratory protective equipment, sanitation, access to employee exposure and medical records, occupational exposure to hazardous chemicals in laboratories, and hazard communication. The standard also must mandate the use of personal face coverings or masks to the extent possible and other personal protective equipment when appropriate.

(C) The standard must be applied to a place of employment based on the exposure risk level presented by SARS‑CoV‑2 virus‑related and COVID‑19 disease‑related hazards present or job tasks undertaken by employees at the place of employment. These risk levels must be designated as very high, high, medium, or lower exposure risk. This standard must recognize that:

(1) various hazards or job tasks at the same place of employment can be designated as very high, high, medium, or lower exposure risk for purposes of application of the requirements of this standard; and

(2) various required job tasks can prohibit an employee from being able to observe physical distancing from other persons.

(D) The standard must provide that to the extent that a school district actually complies with a recommendation contained in recommendations of the Center for Disease Control (CDC), whether mandatory or nonmandatory, to mitigate SARS‑CoV‑2 virus and COVID‑19 disease‑related hazards or job tasks addressed by the standard, and provided that the CDC recommendation provides equivalent or greater protection than provided by a provision of this standard, the district’s actions must be considered in compliance with the standards. A district’s actual compliance with a recommendation contained in the CDC recommendation, whether mandatory or nonmandatory, to mitigate SARS‑CoV‑2 and COVID‑19 disease‑related hazards or job tasks addressed by the standard must be considered evidence of good faith compliance with the standard.

SECTION 2. The provisions of this joint resolution are applicable to the 2021‑2022 and 2022‑2023 School Years.

SECTION 3. This joint resolution takes effect upon approval of the Governor.

‑‑‑‑XX‑‑‑‑