



Putting
Children
First

Sacramento City Unified School District BOARD OF EDUCATION SPECIAL MEETING

Board of Education Members

Christina Pritchett, President (Trustee Area 3)
Lisa Murawski, Vice President (Trustee Area 1)
Darrel Woo, Second Vice President (Trustee Area 6)
Leticia Garcia (Trustee Area 2)
Jamee Villa (Trustee Area 4)
Chinua Rhodes (Trustee Area 5)
Lavinia Grace Phillips (Trustee Area 7)
Jacqueline Zhang, Student Member

~~Tuesday, October 5, 2021~~
Tuesday, October 12, 2021
5:30 p.m.

Serna Center
Community Conference Rooms
5735 47th Avenue
Sacramento, CA 95824

AMENDED **AGENDA** 2021/22-11

5:30 p.m. 1.0 **OPEN SESSION / CALL TO ORDER / ROLL CALL**
NOTICE OF PUBLIC ATTENDANCE BY LIVESTREAM
Members of the public who wish to attend the meeting may do so by livestream at:
<https://www.scusd.edu/post/watch-meeting-live>
No physical location of the meeting will be provided to the public.

5:35 p.m. 2.0 **PUBLIC COMMENT FOR AGENDA ITEMS ONLY**
NOTICE OF PUBLIC COMMENT AND DEADLINE FOR SUBMISSION:
Public comment may be (1) emailed to publiccomment@scusd.edu; or (2) submitted in writing, identifying the matter number and the name of the public member at the URL <https://tinyurl.com/SCUSDcommentsspecialOct12>; or (3) using the same URL, submitting a request for oral comment. Individual public comment shall be presented to the Board orally for no more than two minutes, or other time determined by the Board on each agenda item. Public comments submitted in writing will not be read aloud, but will be provided to the Board in advance of the meeting and posted on the District's website. The Board shall allow a reasonable time for public comment on each agenda item, not to exceed 15 minutes in length, including communications and organizational reports. With Board consent, the President may increase or decrease the length of time allowed for public comment, depending on the agenda item and the number of public comments. Speakers will be called sequentially until there is no speaker coming forward on the agenda item or the amount of time allocated for the agenda item has elapsed, whichever occurs first.

5:50 p.m. 3.0 **CLOSED SESSION**

While the Brown Act creates broad public access rights to the meetings of the Board of Education, it

also recognizes the legitimate need to conduct some of its meetings outside of the public eye. Closed session meetings are specifically defined and limited in scope. They primarily involve personnel issues, pending litigation, labor negotiations, and real property matters.

3.1 *Significant exposure to litigation pursuant to subdivision (d)(2) of Government Code section 54956.9 (One Potential Case)*

3.2 *Government Code 54957.6 (a) and (b) Negotiations/Collective Bargaining SCTA SEIU, TCS, Teamsters, UPE, Non-Represented/Confidential Management (District Representative Pam Manwiller)*

7:00 p.m. **4.0 BOARD WORKSHOP/STRATEGIC PLAN AND OTHER INITIATIVES**

4.1 *Discussion and Possible Approval of Resolution No. 3233:
Mandatory COVID-19 Vaccination
for Eligible, Non-Exempt Students and Staff
(Victoria Flores)*

Action
15 minute presentation
1 hour, 45 minute discussion

9:00 p.m. **5.0 ADJOURNMENT**

NOTE: The Sacramento City Unified School District encourages those with disabilities to participate fully in the public meeting process. If you need a disability-related modification or accommodation, including auxiliary aids or services, to participate in the public meeting, please contact the Board of Education Office at (916) 643-9314 at least 24 hours before the scheduled Board of Education meeting so that we may make every reasonable effort to accommodate you. [Government Code § 54953.2; Americans with Disabilities Act of 1990, § 202 (42 U.S.C. §12132)] Any public records distributed to the Board of Education less than 24 hours in advance of the meeting and relating to an open session item are available for public inspection at 5735 47th Avenue at the Front Desk Counter and on the District's website at www.scusd.edu



SACRAMENTO CITY UNIFIED SCHOOL DISTRICT BOARD OF EDUCATION

Agenda Item# 4.1

Meeting Date: October 12, 2021

Subject: Discussion and Possible Approval of Resolution No. 3233: Mandatory COVID-19 Vaccination for Eligible, Non-Exempt Students and Staff

- Information Item Only
- Approval on Consent Agenda
- Conference (for discussion only)
- Conference/First Reading (Action Anticipated: _____)
- Conference/Action
- Action
- Public Hearing

Recommendation: Student Support and Health Services

Recommendation: N/A

Background/Rationale: The purpose of this item is to provide the factors and information to consider for adopting a resolution requiring COVID-19 vaccinations for eligible, nonexempt students and staff.

Financial Considerations: Potential costs include monitoring and enforcing vaccinations and/or testing to ensure compliance with requirements. Any exclusion of eligible students for failure to comply with requirements and potential use of Independent Study could result in loss of ADA funding.

LCAP Goal(s): College, Career and Life Ready Graduates; Safe, Emotionally Healthy and Engaged Students; Family and Community Empowerment; and Operational Excellence

Documents Attached:

1. Resolution No. 3233

Estimated Time of Presentation: 15 minutes

Submitted by: Victoria Flores, Director III, Student Support and Health Services

Approved by: Jorge A. Aguilar, Superintendent

SACRAMENTO CITY UNIFIED SCHOOL DISTRICT
BOARD OF EDUCATION
RESOLUTION NO. 3233

RESOLUTION ON REQUIRING COVID-19 VACCINATION FOR STAFF AND STUDENTS AGED 12
AND OVER

Whereas, the Sacramento City Unified School District (SCUSD) is both a local educational agency as well as an agency of the state for purposes of implementing educational policy and operation of public schools to safeguard the educational, health, and safety needs of SCUSD's students and community as a whole within its geographic boundaries;

Whereas, SCUSD is charged by law to ensure appropriate public education for all students residing within its boundaries and is obligated to ensure the health and safety of all students within its schools and facilities;

Whereas, SCUSD has a constitutional mandate obligation to deliver the highest-quality instruction in the safest environment possible;

Whereas, SCUSD continues to host a series of vaccination clinics with Dignity Health, University of California Davis, Dr. Kawaana Carter, Sacramento County Public Health and other health partners to do its part in stopping the spread of COVID in our community. [SCUSD will host upcoming clinics](#) on a weekly basis throughout October and beyond;

Whereas, [California Department of Public Health \(CDPH\) states](#) that COVID-19 vaccination is strongly recommended for all eligible individuals in California, including teachers, staff, students, and adults sharing homes with these members of our K-12 communities and strongly recommends that all persons eligible for the COVID-19 vaccine receive them at the first opportunity;

Whereas, [CDPH provides](#) that COVID-19 “[v]accination may stop the spread of coronavirus variants. They can also shrink the pool of people vulnerable to COVID-19. By getting children 12 and up vaccinated, families can be safer as we get back to doing the things we love.”;

Whereas, [COVID-19 vaccines authorized by the Food and Drug Administration \(FDA\) have been shown to be safe and effective](#). Current vaccines are approved for individuals 12 years and older. Vaccines help immune systems fight infections in the future. COVID-19 vaccines protect individuals from the virus that causes COVID-19 without having to get the illness;

Whereas, [CDPH further stated in its recent FAQ](#), “COVID 19-vaccines are effective. They decrease the chances of getting and spreading the virus that causes COVID-19. COVID-19 vaccines help keep you from getting seriously ill even if you do get COVID-19. Getting vaccinated yourself may also protect people around you, particularly people at increased risk for severe illness from COVID-19. Fully vaccinated students may remain in school and avoid interruptions to in-person education, even if they are exposed to someone with COVID-19, so long as they remain without symptoms. Also, fully vaccinated students are not recommended to participate in screening testing at school.”;

Whereas, SCUSD enrolls approximately 39,955 students from Pre-K through its adult education programs to date;

Whereas, as outlined in its [Return to Health Plan](#), SCUSD has implemented high standards of multi-layered health and safety measures including COVID-19 testing, masking, ventilation, screening, high quality sanitation measures, and requirement for all employees to be vaccinated or submit to regular testing, to mitigate the spread of COVID-19 in SCUSD's community;

Whereas, consistent with [CDPH's testing guidance](#), which provides that testing on high-risk populations and individuals who have not been vaccinated further mitigates the spread of COVID-19 by assisting with early detection and deploying both pharmaceutical and non-pharmaceutical preventative interventions when cases and outbreaks are identified, SCUSD provides testing at every school site and at SCUSD facilities;

Whereas, SCUSD has administered 53,492 COVID-19 tests to further mitigate the spread of the virus since July 2021 to date;

Whereas, consistent with the [Public Health Order of August 11, 2021](#), SCUSD has implemented a program to document the current vaccination status of all staff, and to require regular testing of any staff not fully vaccinated, and the current count of fully vaccinated staff totals 3,740 out of 4,848 to date;

Whereas, after closure of all SCUSD school facilities for in-person instruction and distance learning through most of the 2020-21 school year, SCUSD has returned to full-time, in-person instruction for all students choosing to return to SCUSD school facilities for the 2021-2022 school year subject to health and safety mitigation measures;

Whereas, the World Health Organization (WHO), CDC, and the State of California including the CDPH have recognized that the country, state, and county face a life-threatening pandemic caused by the COVID-19 virus;

Whereas, data has emerged that the Delta variant is more infectious and leading to increased transmissibility and ["the greatest risk of transmission is among unvaccinated people who are much more likely to get infected, and therefore transmit the virus.";](#)

Whereas, ["the vast majority of hospitalization and death caused by COVID-19 are in unvaccinated people.";](#)

Whereas, in recent weeks, the percentage of [children hospitalized](#) after testing positive for COVID-19 has been disproportionately rising, indicating that children are at a greater risk from contracting the Delta variant due to high transmission rates with possibility of long-term symptoms from COVID-19;

Whereas, COVID-19 is a material threat to the health and safety of all students within the SCUSD community and is a further threat to the successful return to continuous in-person instruction;

Whereas, several vaccines against COVID-19 have been developed that have been demonstrated to be effective in reducing the spread of COVID-19 as well as the severity of COVID-19 for breakthrough cases, preventing nearly all COVID-19 related hospitalizations;

Whereas, in light of the effectiveness and safety of the COVID-19 vaccines, the [CDC](#), [CDPH](#), and [Sacramento County Department of Public Health \(SCDPH\)](#) have deemed the vaccine appropriate by

unanimously recommending that all eligible persons be vaccinated, including children 12 years of age and older;

WHEREAS, the [State Superintendent of Public Instruction supports COVID-19 vaccination among all eligible and nonexempt students;](#)

WHEREAS, [Governor Newsom directed CDPH to promulgate regulations requiring COVID-19 Vaccination for students and staff to attend in-person learning starting the term following FDA full approval of the vaccine for their grade span \(7-12 and k-6\), and that individual counties and schools may accelerate vaccine requirements;](#)

Whereas, in order to continue with mitigation measures to protect the health and safety of the SCUSD community;

NOW THEREFORE, BE IT RESOLVED, That the Board directs the Superintendent to adopt the requirement that all SCUSD staff and students (including dependent charter school and Adult Education students) aged 12 and older receive the COVID-19 vaccination as a condition to accessing in-person instruction in order to best ensure the health and safety of all students, staff, and community and best protect against future disruptions to full-time, in-person instruction threatened by the COVID-19 pandemic, and;

BE IT FURTHER RESOLVED, That all eligible, SCUSD staff and students (including dependent charter school and Adult Education students) shall provide proof of vaccination (first or second dose) by November 30, 2021, except for those students or staff with qualified and approved exemptions and conditional admissions;

BE IT FURTHER RESOLVED, All other students must receive their first vaccine dose no later than 30 days after their twelfth birthday and their second dose by no later than eight weeks after their twelfth birthday or submit a valid exemption by this timeline as a condition of accessing in-person instruction;

BE IT FURTHER RESOLVED, That all SCUSD students (including dependent charter school and Adult Education students) and staff not yet vaccinated (first or second dose) by November 30, 2021 or are not yet eligible for vaccination, as well as those students and staff with exemptions or conditional admissions, will be tested for COVID-19 on a regular routine basis based on public health recommendations for testing cadence, available staffing, and testing resources;

BE IT FURTHER RESOLVED, That consistent with the October 1, 2021 announcement by the Governor directing CDPH to promulgate regulations for the vaccination mandate, including the scope of exemptions, and pending any updated direction from new regulations or new legislation, SCUSD will allow for appropriately documented Medical and Personal Belief Exemptions with the requirement of regular routine COVID-19 testing;

BE IT FURTHER RESOLVED, That all eligible, non-exempt or conditionally enrolled SCUSD students (including dependent charter school and Adult Education students) who have not submitted proof of vaccination (first and second dose) before the first day of the second semester will enroll in SCUSD's Independent Study Program consistent with all legal requirements beginning on the first day of the second semester subject to the Superintendent's discretion in light of SCUSD's resources and the health and safety of SCUSD's community and recognizing the need to reach agreement with labor

partners regarding Independent Study Program and other related matters that is viable in light of contractual obligations and state and national staffing shortages;

BE IT FURTHER RESOLVED, That all non-exempt SCUSD staff (including SCUSD partners, contractors, and other individuals who work directly with students and SCUSD staff on SCUSD facilities) must receive their first or second dose by November 30, 2021 as a condition of employment and a requirement for contracted services;

BE IT FURTHER RESOLVED, That the Board directs the Superintendent to apply this vaccination mandate and determine appropriate conditions and timelines to students who become eligible under changes and updates to FDA COVID-19 emergency use approval, including students age five through 11 subject to the Superintendent's discretion in light of SCUSD's resources and the health and safety of SCUSD's community;

BE IT FURTHER RESOLVED, the Board directs the Superintendent to advocate, on behalf of SCUSD for statewide action to address the various considerations for mandating vaccines, including staffing, resource and budget considerations impacting our ability to effectively serve SCUSD students, at his discretion, and to utilize SCUSD's lobbyists, statewide associations, advocacy organizations, any other existing resources or connections available to SCUSD in doing so;

BE IT FURTHER RESOLVED, That all student and staff vaccination records and information are maintained securely and confidentially in accordance with all laws governing the privacy of student health information and other student records;

BE IT FURTHER RESOLVED, That all students and staff have access to the COVID-19 vaccine to ensure equitable student access to the COVID-19 vaccine, as well as access to accurate information about the vaccine;

BE IT FURTHER RESOLVED, That this Resolution is adopted as part of SCUSD's policies and practices as they relate to SCUSD and as part of SCUSD's health, safety, and emergency procedures and requirements applicable to facilities and related operations.

PASSED AND ADOPTED by the Sacramento City Unified School District Board of Education on this ____ day of _____, 2021, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Christina Pritchett
President of the Board of Education

Jorge A. Aguilar
Superintendent

SACRAMENTO CITY UNIFIED SCHOOL DISTRICT
BOARD OF EDUCATION
RESOLUTION NO. 3233

RESOLUTION ON REQUIRING COVID-19 VACCINATION FOR STAFF AND STUDENTS
AGED 12 AND OVER

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Whereas, SCUSD is charged by law to ensure appropriate public education for all students residing within its boundaries and is obligated to ensure the health and safety of all students within its schools and facilities;

Whereas, SCUSD has a constitutional mandate obligation to deliver the highest-quality instruction in the safest environment possible;

Whereas, SCUSD continues to host a series of vaccination clinics with Dignity Health, University of California Davis, Dr. Kawaana Carter, Sacramento County Public Health and other health partners to do its part in stopping the spread of COVID in our community. [SCUSD will host upcoming clinics](#) on a weekly basis throughout October and beyond;

Whereas, [California Department of Public Health \(CDPH\) states](#) that COVID-19 vaccination is strongly recommended for all eligible individuals in California, including teachers, staff, students, and adults sharing homes with these members of our K-12 communities and strongly recommends that all persons eligible for the COVID-19 vaccine receive them at the first opportunity;

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Whereas, [COVID-19 vaccines authorized by the Food and Drug Administration \(FDA\) have been shown to be safe and effective](#). Current vaccines are approved for individuals 12 years and older. Vaccines help immune systems fight infections in the future. COVID-19 vaccines protect individuals from the virus that causes COVID-19 without having to get the illness;

Whereas, [CDPH further stated in its recent FAQ](#), “COVID 19-vaccines are effective. They decrease the chances of getting and spreading the virus that causes COVID-19. COVID-19 vaccines help keep you from getting seriously ill even if you do get COVID-19. Getting vaccinated yourself may also protect people around you, particularly people at increased

risk for severe illness from COVID-19. Fully vaccinated students may remain in school and avoid interruptions to in-person education, even if they are exposed to someone with COVID-19, so long as they remain without symptoms. Also, fully vaccinated students are not recommended to participate in screening testing at school.”;

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Whereas, data has emerged that the Delta variant is more infectious and leading to increased transmissibility and [“the greatest risk of transmission is among unvaccinated people who are much more likely to get infected, and therefore transmit the virus.”](#);

Whereas, [“the vast majority of hospitalization and death caused by COVID-19 are in unvaccinated people.”](#);

Whereas, in recent weeks, the percentage of [children hospitalized](#) after testing positive for

COVID-19 has been disproportionately rising, indicating that children are at a greater risk from contracting the Delta variant due to high transmission rates with possibility of long-term symptoms from COVID-19;

Whereas, COVID-19 is a material threat to the health and safety of all students within the SCUSD community and is a further threat to the successful return to continuous in-person instruction;

Whereas, several vaccines against COVID-19 have been developed that have been demonstrated to be effective in reducing the spread of COVID-19 as well as the severity of COVID-19 for breakthrough cases, preventing nearly all COVID-19 related hospitalizations;

Whereas, in light of the effectiveness and safety of the COVID-19 vaccines, the [CDC](#), [CDPH](#), and [Sacramento County Department of Public Health \(SCDPH\)](#) have deemed the vaccine appropriate by unanimously recommending that all eligible persons be vaccinated, including children 12 years of age and older;

WHEREAS, the [State Superintendent of Public Instruction supports COVID-19 vaccination among all eligible and nonexempt students](#);

WHEREAS, [Governor Newsom directed CDPH to promulgate regulations requiring COVID-19 Vaccination for students and staff to attend in-person learning starting the term following FDA full approval of the vaccine for their grade span \(7-12 and k-6\), and that individual counties and schools may accelerate vaccine requirements](#);

WHEREAS, in order to continue with mitigation measures to protect the health and safety of the SCUSD community.

NOW THEREFORE, BE IT RESOLVED, That the Board directs the Superintendent to adopt the requirement that all SCUSD staff and students (including dependent charter school and Adult Education students) aged 12 and older receive the COVID-19 vaccination as a condition to accessing in-person instruction in order to best ensure the health and safety of all students, staff, and community and best protect against future disruptions to full-time, in-person instruction threatened by the COVID-19 pandemic, and;

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BE IT FURTHER RESOLVED, That all students and staff have access to the COVID-19 vaccine to ensure equitable student access to the COVID-19 vaccine, as well as access to accurate information about the vaccine;

BE IT FURTHER RESOLVED, That this Resolution is adopted as part of SCUSD's policies and practices as they relate to SCUSD and as part of SCUSD's health, safety, and emergency procedures and requirements applicable to facilities and related operations.

PASSED AND ADOPTED by the Sacramento City Unified School District Board of Education on this ____ day of _____, 2021, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Christina Pritchett
President of the Board of Education

Jorge A. Aguilar
Superintendent