



# Council Agenda Report

To: Mayor Grisanti and the Honorable Members of the City Council

Prepared by: Mary Linden, Executive Assistant

Approved by: Steve McClary, Interim City Manager

Date prepared: November 17, 2021 Meeting date: November 30, 2021

Subject: Vaccine Mandate in Local Public Schools

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**RECOMMENDED ACTION:** Authorize the Mayor to send a letter to the Santa Monica-Malibu Unified School District (SMMUSD) Board of Education in support of or opposition to a vaccine mandate for students in SMMUSD local public schools.

**FISCAL IMPACT:** There is no fiscal impact associated with the recommended action.

**WORK PLAN:** This item was included as Item 1.a. in the Adopted Work Plan for Fiscal Year 2021-2022.

**DISCUSSION:** On October 1, 2021, Governor Newsom announced that students throughout the state will be required to be vaccinated against COVID-19 for in-person learning starting the term following full approval by the US Food and Drug Administration (FDA) of the vaccine for their grade span (grades 7-12 or K-6) (Attachment 1). The announcement stated the COVID-19 vaccine would be added to the list of vaccinations, required to attend school in-person, such as vaccines for measles, mumps, and rubella. The COVID-19 vaccine is currently available to children ages 5-12 under an FDA Emergency Use Authorization (EUA).

At its Regular meeting on November 8, 2021, the City Council heard from many parents in the community expressing concern that the SMMUSD Board of Education (School Board) was going to consider possibly imposing a COVID-19 vaccine mandate in advance of the State's requirement.

At the October 21, 2021 School Board meeting, staff and medical experts answered questions from the Board members regarding the details of in-school quarantine, the safety and efficacy of vaccines, and the effect of the pandemic on the non-white

population. Members of the School Board discussed the Governor's press release about mandating the COVID-19 vaccine for students and the timeline associated with such a mandate. The School Board directed staff to draft a resolution addressing a vaccine mandate following the FDA's full approval of the COVID-19 vaccine for ages 12-15 (Attachment 2). SMMUSD staff confirmed the School Board has not yet discussed a mandate for students under age 12.

Council will consider whether the City should take a position on the matter of vaccine mandates in public schools. The Council may authorize the Mayor to send a letter to the School Board in support of or opposition to adopting a Resolution to enact a vaccine mandate in advance of the State's mandate.

ALTERNATIVES: The Council may also consider sending a letter to the Governor opposing a statewide vaccine mandate for students or suggesting the decision for a public school vaccine mandate be given to school districts or a more regional government agency, such as Counties, to be based upon actual case counts and hospitalizations in that area. Or, the Council may choose to take no action on the matter.

ATTACHMENTS:

1. October 1, 2021 State of California press release – California Becomes First State in Nation to Announce COVID-19 Vaccine Requirements for Schools
2. SMMUSD Board Notes – Board of Education Regular Meeting, Thursday, October 21, 2021



# California Becomes First State in Nation to Announce COVID-19 Vaccine Requirements for Schools

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*After implementing first-in-the-nation school masking and staff vaccination measures, California becomes the first state to announce plans to require student vaccinations – adding the COVID-19 vaccine to list of vaccinations required for school, such as the vaccines for measles, mumps, and rubella*

*Students will be required to be vaccinated for in person learning starting the term following FDA full approval of the vaccine for their grade span (7-12 and K-6).*

SAN FRANCISCO – At a school in San Francisco, Governor Newsom announced plans to add the COVID-19 vaccine to the list of vaccinations required to attend school in-person when the vaccine receives full approval from the Food and Drug Administration (FDA) for middle and high school grades, making California the first state in the nation to announce such a measure. Following the other [first-in-the-nation school masking and staff vaccination measures](#), Governor Newsom announced the COVID-19 vaccine will be required for in-person school attendance—just like vaccines for measles, mumps, rubella and more.

“The state already requires that students are vaccinated against viruses that cause measles, mumps, and rubella – there’s no reason why we wouldn’t do the same for COVID-19. Today’s measure, just like our first-in-the-nation school masking and staff vaccination requirements, is about protecting our children and school staff, and keeping them in the classroom,” said Governor Newsom. “Vaccines work. It’s why California leads the country in preventing school closures and has the lowest case rates. We encourage other states to follow our lead to keep our kids safe and prevent the spread of COVID-19.”

Thanks to the state’s bold public health measures, California continues to maintain the [lowest case rate in the entire country](#) and is one of only two states to have [advanced out of the CDC’s ‘high’ COVID transmission](#) category. More information about the announcement can be found [here](#).

The vast majority of school districts have reported that over 95% of students have returned to in-person instruction this school year, as can be seen on the state’s [Student Supports & In-Person Dashboard](#). Thanks to unprecedented resources and public health measures ([measures shown to be highly effective](#)), California is [leading national trends in preventing school closures](#) and keeping kids in classrooms, accounting for only 14 out of over 2,000 school closures nationwide, or roughly 0.7% – despite the fact that California educates an estimated 12% of the nation’s public school

students. If California's rates had aligned with national trends, the state would have seen upwards of 240 school closures.

In order to further protect students and staff and continue supporting a safe return to in-person instruction for all students, the Governor directed the California Department of Public Health (CDPH) to follow the procedures established by the Legislature to add the COVID-19 vaccine to other vaccinations required for in-person school attendance—such as measles, mumps, and rubella—pursuant to the Health and Safety Code. COVID-19 vaccine requirements will be phased-in by grade span, which will also promote smoother implementation.

Upon full FDA approval of age groups within a grade span, CDPH will consider the recommendations of the Advisory Committee on Immunization Practices of the United States Department of Health and Human Services, the American Academy of Pediatrics, and the American Academy of Family Physicians prior to implementing a requirement. Following existing statute, full approval of ages 12+ corresponds to grades 7-12, and full approval of ages 5-11 corresponds to grades K-6. Students who are under the age of full approval, but within the grade span, will be required to be vaccinated once they reach the age of full approval (with a reasonable period of time to receive both doses), consistent with existing procedures for other vaccines. The requirement will take effect at the start of the term following full approval of that grade span, to be defined as January 1st or July 1st, whichever comes first. Based on current information, the requirement is expected to apply to grades 7-12 starting on July 1, 2022. However, local health jurisdictions and local education agencies are encouraged to implement requirements ahead of a statewide requirement based on their local circumstances.

Governor Newsom's historic [\\$123.9 billion Pre-K and K-12 education package](#) is providing an unprecedented level of school and student funding to transform the state's public schools into gateways of equity and opportunity, supporting the potential of every California student by: achieving universal transitional kindergarten for four-year-olds by 2025, expanding afterschool and summer programs, providing universal free school nutrition, increasing the number of well-prepared staff per pupil, creating full-service community schools to support the mental and social-emotional well-being of students, and more.

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# BOARD NOTES

## Board of Education Regular Meeting – Thurs., October 21, 2021

*Board Notes is provided as a public information service from the Office of the Superintendent and is intended to provide an immediate summary of the Board of Education's action and discussion on significant projects and services from the most recent board meeting. Not all items that were listed on the board agenda are included in this report. Please contact the Superintendent's Office (310.450.8338 x70229) with questions about this summary.*

### **Upcoming board meetings in November 2021:**

- Tues., Nov. 2, 2021, 4 p.m. (special meeting)
- Thurs., Nov. 4, 2021, 5:30 p.m. (regular meeting at the DO for board members and executive staff and via Zoom for all other staff and members of the public)
- Thurs., Nov. 18, 2021, 5:30 p.m. (regular meeting at the DO for board members and executive staff and via Zoom for all other staff and members of the public)

### **The board took action on the following:**

- The board approved the 2021-22 charges for the district advisory committees (DACs).
- The board adopted an emergency resolution to enter into contracts or procure equipment related to the pandemic without going to bid. The previous emergency resolution expired in July 2021.

### **The board discussed the following:**

- Staff provided a COVID-19 update, including the vaccination and case positivity rates in our district, the benefits of being vaccinated as it relates to quarantine, and Governor Newsom's press release regarding mandating the COVID-19 vaccine for students. The board gave staff direction to draft a resolution addressing a vaccine mandate for students and bring it back for board consideration following the FDA's full approval of the COVID-19 vaccine for ages 12-15.

### **Upcoming board items (schedule subject to change):**

- Adopt Resolution in honor of National American Indian & Alaska Native Heritage Month – action on 11/4/21
- Early Learning Pathway Update – study session on 11/4/21
- Santa Monica Education Foundation Fundraising Update – discussion on 11/4/21
- Revise BB 9322 – action on 11/18/21