

SWEETWATER UNION HIGH SCHOOL DISTRICT

RESOLUTION NO. 4762

**RESOLUTION CREATING)
COVID-19 VACCINE MANDATE)
FOR THE SUHSD STAFF,)
STUDENTS AND FACILITIES)**

ON THE MOTION OF Member _____, seconded by Member _____,
the following resolution was adopted:

WHEREAS, the Sweetwater Union High School District (SUHSD) is charged by law to ensure appropriate public education for all students residing within its boundaries and obligated to ensure the health and safety of all students within its schools and facilities; and

WHEREAS, the World Health Organization (WHO), United States Centers for Disease Control and Prevention (CDC), and the State of California, including the California Department of Public Health (CDPH) and the San Diego County Department of Public Health (SDCDPH), have recognized that the country, state, and county face a life-threatening pandemic caused by the COVID-19 virus; and

WHEREAS, COVID rates increased this school year due to the surge of the Delta variant including increased rates of COVID-19 cases amongst school aged children including hospitalizations; and

WHEREAS, the American Academy of Pediatrics recommends the COVID-19 vaccine for all persons over 12 years of age and stated, "Children learn best when physically present in the classroom. But children get much more than academics at school. They also learn social and emotional skills at school, get healthy meals and exercise, mental health supports and other services that cannot be easily replicated online."; and

WHEREAS, COVID-19 is a material threat to the health and safety of all students and staff within the SUHSD community, as demonstrated by infection rates and disproportionate infection, hospitalization, and death rates on communities of color, and especially with the continued introduction of new variants such as Omicron, is a further threat to the continued return to continuous in-person instruction; and

WHEREAS, the SUHSD has implemented high standard, multi-layered safety measures including COVID-19 monitoring and diagnostic testing, required testing for all students participating in extracurricular events and athletics, masking, ventilation, screening, and sanitation measures, to help mitigate the spread of COVID-19 in the school community; and

WHEREAS, the above safety measures are effective at mitigating the spread of COVID-19, but vaccination of all staff and students provides the strongest protection to the health and safety of all students and staff in the SUHSD school communities while further protecting against the disruption to full-time, in person instruction; and

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 breakthrough cases, preventing nearly all COVID-19 related hospitalizations, and recent CDC studies indicate that infection and hospitalization rates among unvaccinated persons were 4.9 and 29.2 times, respectively, than those in fully vaccinated persons; and that authorized vaccines were protective against SARS-COV-2 infection and severe COVID-19 during the period when transmission of the DELTA variant was increasing; and

WHEREAS, in light of the effectiveness and safety of the COVID-19 vaccines, the CDC, CDPH and SDCDPH have deemed the vaccine appropriate by recommending that all eligible persons be vaccinated, including children 12 years of age and older that would be served by SUHSD; and

WHEREAS, based on the foregoing, the superintendent brings forward this Resolution for the board of trustees' action to adopt the requirement that all eligible, non-exempt SUHSD students and adult school students receive the COVID-19 vaccination as a condition of accessing in person instruction and that all non-exempt staff receive the COVID-19 vaccination as a condition of employment 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.

NOW, THEREFORE, BE IT RESOLVED, that the Governing Board of the Sweetwater Union High School District declares all of the above recitals to be true and correct; and

BE IT FURTHER RESOLVED, that the Governing Board of the Sweetwater Union High School District declares that a public health emergency exists that requires the district to safeguard its students and employees against risks of infection, illness, hospitalization, and death from COVID-19; and

BE IT FURTHER RESOLVED, to ensure continued delivery of the highest-quality public instruction in the safest environment possible, the Governing Board of the Sweetwater Union High School District approves and grants to the superintendent all necessary authority to implement reasonably necessary measures requiring all SUHSD staff and students, excluding those students with qualified and approved exemptions, to be vaccinated against COVID-19 as a mandatory precondition to access SUHSD school facilities, and hereby resolves as follows:

Section 1. That all non-exempt employees, which include but are not limited to board members, administrators, certificated, classified, temporary employees (short term employees, student workers), substitutes, and coaches who physically enter any district campus, facility, worksite, district affiliated site, or district owned, operated, or leased facilities, must provide valid documentation of "full" COVID-19 vaccination (as defined by the U.S. Centers for Disease Control) through the district-established process by a date to be determined by district administration, but no later than March 15, 2022, or sooner if required by law, to start employment or for existing employees to continue in employment past June 30, 2022.

Section 2. That volunteers who physically enter any district campus or facility must provide valid documentation of “full” COVID-19 vaccination (as defined by the U.S. Centers for Disease Control) through the district-established process by a date to be determined by district administration, but no later than March 15, 2022, or sooner if required by law.

Section 3. That non-exempt student athletes, students participating in on-site or off-site extracurricular activities, and internships physically entering any district campus, facility, worksite, district affiliated site, or district owned, operated, leased facilities or travelling off-site to participate in a district affiliated event, must provide valid documentation of “full” COVID-19 vaccination (as defined by the U.S. Centers for Disease Control) through the district-established process by a date to be determined by district administration, but no later than March 15, 2022, or sooner if required by law.

Section 4. That any students, including adult school students, participating in in-person or hybrid instruction, or virtual students desiring to participate in any on-campus meetings or extracurricular activities, must provide valid documentation of “full” COVID-19 vaccination (as defined by the U.S. Centers for Disease Control) through the district-established process by a date to be determined by district administration, but no later the July 1, 2022.

Section 5. That the superintendent is given all necessary authority to extend the implementation dates of required immunization of students age 12 to 15 to participate in in-person instruction or extracurricular activities under Section 3 and 4 if full authorization by the FDA has not been obtained at least five weeks prior to required implementation date.

Section 6. That students participating in in-person or hybrid instruction for the 2021-2022 summer school are strongly encouraged to be fully vaccinated prior to commencing summer school on or about June 6, 2022.

Section 7. That students attending any charter school authorized by SUHSD are strongly encouraged to receive full vaccination prior to the commencement of the 2022-2023 school year as defined by their charter school.

Section 8. That the mandatory COVID-19 vaccine requirement will be developed consistent with applicable legal requirements, including containing exceptions for medical conditions and sincerely held religious beliefs.

Section 9. The district administration is directed to promptly develop an implementation plan for this Resolution and take all actions necessary to implement and enforce this Resolution and implement and enforce any written procedures, policies, directives, or guidance that follow, and given the urgency in effectuating such procedures, policies directives or guidelines, the board hereby grants the superintendent the authority to implement this Resolution.

Section 10. That district administration ensures student 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; and

BE IT FURTHER RESOLVED, that the Board of Trustees of the SUHSD and the superintendent are committed to ensuring students and staff have access to the COVID-19 vaccine and therefore, the board of trustees directs the superintendent to continue implementing measures to ensure adequate student and staff access to the COVID-19 vaccine and provide SUHSD families accurate information about the vaccine.

PASSED AND ADOPTED by the Board of Trustees of the Sweetwater Union High School District, this 13th day of December, 2021, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

State of California)
) SS
County of San Diego)

I, Nicholas Segura, President of the Board of Trustees of the Sweetwater Union High School District, County of San Diego, State of California, do hereby certify that the foregoing is a true copy of a resolution adopted by said board at a regular meeting thereof, at the time and by the vote therein stated, which original resolution is on file in the office of said board.

Nicholas Segura, President

December 13, 2021
Date

Arturo Solis, Vice President

Adrian Arancibia, Member

Paula Hall, Member

Frank A. Tarantino, Member