



2122-19, REQUIRING COVID-19 VACCINATION FOR ELIGIBLE STUDENTS

WHEREAS, the Hayward Unified School District (HUSD) 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 Hayward Unified School District's students and community as a whole within its geographic boundaries;

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

WHEREAS, the American Academy of Pediatrics recommended the COVID-19 vaccine for all persons over 12 years of age and stated that "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 support and other services that cannot be easily replicated online;"

WHEREAS, HUSD has implemented high standard of multi-layered safety measures including COVID-19 testing, masking, ventilation, sanitation measures, and requirement for all employees to be vaccinated or tested weekly to mitigate the spread of COVID-19 in the school community;

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

WHEREAS, after closure of all HUSD school facilities for in-person instruction and distance learning through most of the 2020-2021 school year, HUSD has returned to full-time, in-person instruction for all students choosing to return to HUSD school facilities for the 2021-22 school year subject to health and safety mitigation measures;

WHEREAS, COVID-19 rates increased in July-August of 2021 due to the surge of the Delta variant including increasing rates of COVID-19 cases among school age children;

WHEREAS, COVID-19 is a material threat to the health and safety of all students within the HUSD 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;

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 a period when transmission of the Delta variant was increasing;

WHEREAS, in light of the effectiveness and safety of the COVID-19 vaccines, the CDC, CDPH, and ACDPH 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 and the Hayward County Department of Public Health Director support COVID-19 vaccination among all eligible and non- exempt students;

WHEREAS, based upon the foregoing, the Superintendent brings forward this Resolution for Board of Education action to adopt the requirement that all eligible, non-exempt HUSD students and charter school students in co-located HUSD facilities 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.

IT IS HEREBY RESOLVED that to ensure the continued delivery of the highest-quality public instruction in the safest environment possible, the Board of Education approves the Superintendent to implement reasonably necessary measures requiring all students who are 12 years of age and older must receive the first dose of the vaccine by November 19 and the second dose of the vaccine by December 17, 2021.

IT IS FURTHER RESOLVED that all other students must receive their first vaccine dose by no later than 30 days after their 12th birthday, and their second dose by no later than 8 weeks after their 12th birthday.

IT IS FURTHER RESOLVED that the Superintendent is given approval by the Board of Education to require all students eligible to receive the COVID-19 vaccine and subject to the timeline outlined above to provide proof of vaccination uploaded and approved in HUSD's student information system before December 17, 2021.

IT IS FURTHER RESOLVED that if proof of vaccination is not provided by December 17, 2021 for any student 12 years and older, the student will be required to be tested weekly for COVID-19.

IT IS FURTHER RESOLVED that the Board of Education and Superintendent are committed to ensuring all students have access to the COVID-19 vaccine and, therefore, the Board of Education directs the Superintendent to implement reasonably necessary measures to ensure equitable student access to the COVID-19 vaccine and provide HUSD's students and families accurate information about the vaccine.

IT IS FURTHER RESOLVED that the Governing Board of the Hayward Unified School District adopts this Resolution as part of HUSD's policies and practices as they relate to HUSD

schools, and as part of HUSD's health, safety, and emergency procedures and requirements applicable to facilities and related operations.

ADOPTED, SIGNED and APPROVED by the Board of Education of the Hayward Unified School District on the 22nd day of September, 2021, by the following vote:

VOTE:

AYES:

NOES:

ABSTAIN:

ABSENT:

Clerk, Board of Education
Hayward Unified School District
Alameda County, State of California