



Statewide School Vaccine Mandate Announcement

Talking Points – October 1, 2021

Student Vaccine Requirement:

The Governor has directed the Department of Public Health 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.

- **Scope.** The Code applies to “pupil[s] of any private or public elementary or secondary school[s].”
 - Accordingly, the requirement will apply to public and private schools equally.
- **Condition on In-Person Attendance.** The Code provides that requirements do not apply to “a pupil who is enrolled in an independent study program.”
 - Accordingly, a student who is not vaccinated may remain enrolled in independent study, but may not attend in-person instruction.
- **Timing.** The Code provides that CDPH may require a vaccine against any “disease deemed appropriate by the department, taking into consideration the recommendation 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.”
 - Upon full approval of age groups within a grade span, CDPH will consult with each of the three bodies codified in statute prior to implementing a requirement.
- **Grade Spans.** The Code structures the requirements for schools to implement vaccine requirements by the following two “grade spans:” grades K-6 and 7-12.
 - Accordingly, COVID-19 vaccine requirements will be phased-in by grade span, which will also promote smoother implementation.
 - 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.
- Based on current projections for full approval for ages 12+, we anticipate the requirement would apply to grades 7-12 starting on July 1, 2022.
- **Mechanism.** Once the provisions of the Code are met, CDPH will promulgate regulations—including public comment—to establish the requirement. Requirements under this provision of the Code are valid “only if exemptions are allowed for both medical reasons and personal beliefs.”
 - Accordingly, CDPH’s requirements will include both exemptions.
 - The Legislature may act to codify the requirement, thereby eliminating the need for regulations and potentially narrowing the scope of exemptions.
 - Any requirement set by regulation 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 is comes first.
- **Local Recommendation.** Local health jurisdictions and local education agencies are encouraged to implement requirements ahead of a statewide requirement based on their local circumstances.

Staff Vaccine Requirement:

- The Governor has directed the Department of Public Health to ensure that school staff are subject to vaccine requirements in a parallel with establishing vaccine requirements for students attending in-person instruction.
- **Scope.** Like the student requirement, a staff requirement will apply to both public and private schools.
- **Timing.** A requirement for all K-12 staff will take effect as soon as the first student requirement takes effect.

CTA Leader Talking Points / Q & A

CTA policy states: CTA believes communicable diseases present serious health risks for students and school personnel. Appropriate health education programs are essential to prevent the spread of communicable diseases in the learning environment. CTA supports immunization and testing for communicable diseases as recommended by the health department. Districts should include Hepatitis B vaccines for all school employees, who on a daily basis, come in contact with bodily fluids.

Why does CTA think a statewide school vaccine mandate is a good idea?

- The state currently has multiple vaccine mandates for students attending public and private schools. Adding the COVID-19 vaccine upon full FDA approval is the next logical step. Teaching and learning are most effective in person, and we want to keep it that way. Vaccines are the proven measure to prevent life threatening illness and will get us closer to being able to put this devastating pandemic behind us.
- From the beginning of the COVID-19 outbreak, CTA has supported vaccines for all eligible adults and students, as well as robust testing and multi-layered safety measures to protect students and educators, and to keep our schools open for in-person instruction. While recognizing the need for medical and religious exemptions, we believe vaccinations are key for both student and educator safety, keeping our schools open for in-person instruction and for combating this pandemic.

What dictated CTA's decision to support this mandate?

- The vaccine requirement is consistent with CTA policy regarding other vaccines for both educators and students. We also know 90 percent of CTA members have been vaccinated and an overwhelming majority supports a vaccine mandate for students.

Why now and what does phasing in mean to my local?

- The state currently has multiple vaccine mandates for students attending public and private schools. Adding the COVID-19 vaccine upon full FDA approval is the next logical step. In addition, several school districts have already worked with educators and families to approve vaccine mandates.

- Phasing in the implementation timeline to meet full approval by the FDA makes sense and allows local school districts to work with educators and families to implement the new requirements.

My district already has a mandate in place and we worked hard to secure a fair agreement that works for our students and members. What happens now?

- This mandate does not interfere with districts that have already adopted vaccine mandates.

What happens to students in my district who are enrolled in the Independent Study program?

- Because Ed Code provides that requirements do not apply to a pupil who is enrolled in an independent study program, a student who is not vaccinated may remain enrolled in independent study but may not attend in-person instruction.