

## **COVID-19 Vaccine Will Be Added to List of Required School Vaccinations**

*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 (K-6, 7-12)*

### **Background information**

- Thanks to California's nation-leading measures aimed at keeping campuses safe and open, including universal masking, our state has not faced the same number of outbreaks seen in other parts of the country.
- California's schools have been open for nearly a month longer than most other states, but have experienced school closures at a far lower rate. California educates approximately 12% of students in the nation, but California schools account for approximately .5% of school closures. Those closures have been localized to regions with lower vaccination rates.
- Educators, public health experts and parents know there is no substitute for in-person instruction, but we also can't pretend the threat of COVID-19 and its variants are completely behind us.
- Vaccines continue to be the best tool to end this pandemic once and for all. These vaccines are safe and effective, and the data has unequivocally shown that they prevent severe illness and death as a result of COVID-19 - nearly all of those who are ending up in ICU beds and dying are unvaccinated.

### **School Vaccine Requirement**

- Governor Gavin Newsom is directing the California Department of Public Health 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 sections 120325 - 120380.
- This will be accomplished by regulations promulgated pursuant to section 120335(b)(11), which authorizes vaccine requirements for "any other disease deemed appropriate" by CDPH. This is also consistent with the overall intent of the law to achieve "eventual achievement of total immunization" against dangerous childhood diseases. (HSC section 120325(a)).
- COVID-19 vaccine requirements will apply to all "pupil(s) of any private or public elementary or secondary school(s)." (HSC section 120335(b)).
- COVID -19 vaccine requirements will be phased-in by grade span, grades K-6 and 7-12.
- This mandate will be a condition of in-person attendance. (HSC section 120335(f)). A student who is not vaccinated may remain enrolled in independent study, but may not attend in-person instruction.
- Requirements established by regulation, not legislation, must be subject to exemptions "for both medical reasons and personal beliefs." (HSC section 120338).
- The Governor has also directed that adults be held to at least the same standards as students for the COVID-19 vaccine. Currently, California requires all K-12 staff to verify

their vaccination status or be tested weekly, all staff will be required to be vaccinated no later than when the requirement takes effect for students.

## Timing

- Students will be required to be vaccinated for in person learning starting the term following Food and Drug Administration (FDA) full approval of the vaccine for their grade span (K-6, 7-12).
- Upon full approval by the FDA of a vaccine for age groups within a grade span, CDPH will consider relevant recommendations from 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, as required by the Health and Safety Code section 120335(b)(11).
- CDPH will then initiate the rulemaking process, which includes public comment. Regulations promulgated pursuant to that process will also address many of the details of the requirement, including the scope of exemptions, etc.
- The regulations will take effect at the start of the following term, meaning either January 1st or July 1st, whichever comes first (Education Code 37200).
- 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.
- 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.

\*This is a condensed version of *California Becomes First State in Nation to Announce COVID-19 Vaccine Will Be Added to List of Required School Vaccinations* from Get Vaccinated California and can be found at: <https://www.gov.ca.gov/wp-content/uploads/2021/10/California-Becomes-First-State-in-Nation-to-Announce-COVID-19-Vaccine-to-List-of-Required-School-Vaccinations.pdf>