

# KINGSBURG ELEMENTARY CHARTER SCHOOL DISTRICT

## Board Resolution No. 22-07

### Resolution Calling for State Officials to Recommend and Not Require the COVID-19 Vaccine for Students and Staff

WHEREAS, California Governor Gavin Newsom announced on October 1, 2021, that California would be the first state in the nation to require all students to be vaccinated to attend school in person; and

WHEREAS, Governor Newsom's announcement stated students would be required to be vaccinated starting the term following FDA full approval of the vaccine for their grade span (7-12 and K-6); and

WHEREAS, Governor Newsom is directing the California Department of Public Health to add the COVID-19 vaccine to the list of vaccinations required for in-person school attendance- such as measles, mumps, and rubella- pursuant to the Health and Safety Code sections 120325 -120380, which will remove the personal belief exemption option for families; and

WHEREAS, COVID-19 vaccine requirements will apply to all “pupils of any private, charter, or public elementary or secondary schools.” (HSC section 120335(b)); and

WHEREAS, this mandate will be a condition of in-person attendance (HSC section 120335(f)), and any student who is not vaccinated, and does not complete an approved exemption form, may remain enrolled in independent study but may not attend in-person instruction; and

WHEREAS, the Governor and CDPH acknowledge that the best academic and social, emotional outcome for students comes from in-person classroom instruction; and

WHEREAS, Governor Newsom has directed adults be held to the same standards as students for the COVID-19 vaccine; and

WHEREAS, Governor Newsom's announcement states the current verify-or-test requirement for staff will be converted to a vaccine mandate no later than when the first phase of the student requirement becomes effective; and

WHEREAS, Kingsburg Elementary Charter School District, and all other California School Districts, already struggle to find qualified employees for both certificated and classified positions, and the COVID-19 vaccine requirement is likely to create more open jobs (with currently about 35% of Kingsburg Elementary Charter School District employees unvaccinated); and

WHEREAS, Kingsburg Elementary Charter School District supports local control and parent

involvement in decision making; and

WHEREAS, Additionally, a mandate such as this appears to discriminate against socio-economically disadvantaged families; therefore, creating racial, ethnic, and philosophical issues with the mandate, as evidenced by the ethnic breakdown of COVID-19 vaccination rates referenced by CDPH; and

WHEREAS, Kingsburg Elementary Charter School District schools have been a leader operating in-person learning safely since reopening in the Fall of 2020 without available vaccines or COVID-19 vaccination mandates during that time; and

WHEREAS, Kingsburg Elementary Charter School District parents have expressed concern regarding the lack of research on long-term impacts on children for the COVID-19 vaccine;

**NOW, THEREFORE, BE IT RESOLVED, as follows:**

**The Board requests Governor Newsom and other state officials:**

a. Reconsider the impact of the Vaccination Mandate on all students and staff in TK-12 public schools, including the anticipated interruption in attendance for many students whose parents elect not to vaccinate them, which will impede their access to academic instruction, social and emotional skills, reliable nutrition, physical and mental health therapy, and opportunities for physical activity.

B. Eliminate the Vaccination Mandate or guarantee a permanent allowance for clear exemptions, including exemptions for students with natural immunity due to COVID-19 exposure and for families with sincerely held religious or personal beliefs that conflict with the mandate.

c. Provide flexibility to allow local school districts and parents, in consultation with their county public health officials, to independently evaluate alternative COVID-19 safety protocols and mitigations concerning COVID-19 vaccinations.

BE IT FURTHER RESOLVED, that the Governing Board of the Kingsburg Elementary Charter School District respectfully asks that the State of California legislature uphold the constitutionally guaranteed right to provide informed consent before proceeding with any medical procedure of residents of the State of California for themselves and their children, and recommend and not require the COVID-19 vaccine for students and staff of TK-12 grade schools.

BE IT FURTHER RESOLVED, that the Governing Board of the Kingsburg Elementary Charter School District will take legal action and join other school districts to fight any mandate that requires Kingsburg Elementary Charter school district to deny a student access

to in-person instruction based on COVID-19 vaccination status or deny employment to any staff member based on COVID-19 vaccination status.

BE IT FURTHER RESOLVED, that the Governing Board and parents have concerns about the safety of the COVID-19 vaccine and believe that parental choice regarding health decisions is essential and that there is limited evidence of any severe health impact on healthy children.

**BE IT FURTHER RESOLVED, that the Governing Board of the Kingsburg Elementary Charter School District will petition the State of California that the COVID-19 vaccine be a recommendation and not a requirement for students and staff.**

PASSED AND ADOPTED this 24th day of January 2022, by the following vote:

Ayes: 5

Signed: Kerrell Smith Quinn Board President

Noes: 0

Signed: Wally Sever Superintendent

Absent: 0

To Be Distributed to:

Governor's Office

All Local State Representatives

Kingsburg City Council

Fresno, Tulare, and Kings County Superintendents of Schools

Fresno County School Superintendents

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