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**OFFICE OF THE SUPERINTENDENT**

5735 47th Avenue • Sacramento, CA 95824

*Jorge A. Aguilar, Superintendent*

November 22, 2021

Hon Russell Hom  
Presiding Judge  
Sacramento County Superior Court  
720 9<sup>th</sup> Street  
Sacramento, CA 95814

Ms. Erendira Tapia-Bouthillier  
Grand Jury  
tapiae@saccourt.ca.gov

**Re: Requirement for COVID-19 Vaccination for Eligible Sacramento County Public K-12 School Districts**

Dear Judge Hom:

The Sacramento City Unified School District's ("SCUSD" or "District") is in receipt of the Sacramento County Grand Jury's ("SCGJ") recommendation that Sacramento County Kindergarten through Grade 12 ("K-12") public school districts require all district staff and eligible students be vaccinated against COVID-19 before returning to in-person activities with any district facility. SCGJ further recommends that all participants and attendees at school-sponsored extracurricular events be required to be vaccinated in order to attend the event. The following information serves as SCUSD's response.

Since the COVID-19 pandemic began, SCUSD has regularly consulted with, relied upon, and followed guidance from the California Department of Public Health ("CDPH") and the Sacramento County Public Health Department ("SCPH") and all Executive Orders regarding public health matters, including vaccinations, testing and measures to reduce and slow COVID-19 transmission and protect student and staff health and safety.

California's state and local public health officers possess the background and expertise and are charged with issuing findings, recommendations and orders regarding the public health of our communities and students. The SCGJ does not possess such expertise or standing regarding public health matters. Therefore, the District respectfully does not believe it is reasonable for the SCGJ to issue such public health recommendations. The District will continue to regularly consult with its local public health official and will follow all Executive Orders and state and local public health official guidance for school-related matters.

Aligned with California's state and local public health officers' guidance, as well as Governor Gavin Newsom's October 1, 2021 directive, on October 12, 2021 at a Special Meeting, SCUSD's Board of Education ("Board") adopted a [resolution](#) requiring

COVID-19 vaccinations prompted by SCUSD's mitigation measures and the District's needs as determined by the Board.<sup>1</sup> The resolution includes the following provisions:

- *The Board directs the Superintendent to adopt the requirement that all SCUSD staff and students (including dependent charter school and Adult Education students) aged 12 and older 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.*
- *All eligible SCUSD staff and students shall provide proof of vaccination (first or second dose) by November 30, 2021, except for those students or staff with qualified and approved exemptions and conditional admissions.*
- *All SCUSD students and staff not yet vaccinated (first or second dose) by November 30, 2021 or are not yet eligible for vaccination, as well as those students and staff with exemptions or conditional admissions, will be tested for COVID-19 on a regular routine basis based on public health recommendations for testing cadence, available staffing, and testing resources.*
- *Consistent with the October 1, 2021 announcement by the Governor directing CDPH to promulgate regulations for the vaccine mandate, including the scope of exemptions, and pending any updated direction from new regulations or new legislation, SCUSD will allow for appropriately documented Medical and Personal Belief Exemptions with the requirement of regular routine COVID-19 testing.*
- *All eligible, non-exempt or conditionally enrolled SCUSD students who have not submitted proof of vaccination (first and second dose) before the first day of the second semester will enroll in SCUSD's Independent Study Program consistent with all legal requirements beginning on the first day of the second semester subject to the Superintendent's discretion in light of SCUSD's resources and the health and safety of SCUSD's community and recognizing the need to reach agreement with labor partners regarding an Independent Study Program and other related matters that is viable in light of contractual obligations and state and national staffing shortages.*
- *The Board directs the Superintendent to apply this vaccination mandate and determine appropriate conditions and timelines to students who become eligible under changes and updates to FDA COVID-19 emergency use approval, including students age five through 11 subject to the Superintendent's discretion in light of SCUSD's resources and the health and safety of SCUSD's community.*

Further details have been shared with SCUSD's community through various mediums, including this [FAQ](#).

In sum, all staff and students who are eligible (ages 12 or over) for the COVID-19 vaccine are required to be vaccinated, excluding those with qualified exemptions or conditional admissions. Accordingly, the District meets SCGJ's recommendation that it requires all District staff and eligible students be vaccinated against COVID-19 before returning to in-person activities with any District facility.

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<sup>1</sup> On October 1, 2021, Governor Gavin Newsom announced that he was directing the CDPH to add the COVID-19 vaccine to the list of vaccinations required to attend school in-person when the vaccine receives full approval from the Food and Drug Administration for middle and high school grades and that all school staff will be required to be vaccinated when the requirement takes effect for students. The District's [resolution](#) is consistent with the Governor's mandate, as well as his direction that school districts may accelerate these requirements by their own actions.

Since the beginning of the pandemic, SCUSD has worked to prioritize the health and safety of all students, families and staff. As SCUSD has done throughout the pandemic, it intends to follow all state and local public health guidance and Executive Orders. The District remains committed to increasing immunity, keeping its school sites open and keeping its community as safe as possible.

Please let me know if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. Aguilar', with a large loop and a dot above the 'i'.

Jorge A. Aguilar  
Superintendent  
Sacramento City Unified School District