

FENTON CHARTER PUBLIC SCHOOLS
Inter-Office Correspondence

TO: All Fenton Staff
Adults Working on Fenton Facilities

DATE: January 10, 2022

FROM: David Riddick, Chief Executive Officer
Jason Gonzalez, Chief Operating Officer

SUBJECT: COVID-19 Vaccine Requirement for Students

BACKGROUND

On September 9, 2021, the LAUSD Board of Education adopted a Resolution requiring students attending LAUSD schools, and students attending charter schools on co-located LAUSD school facilities, who are eligible to receive the COVID-19 vaccine, excluding those students with qualified and approved exemptions and conditional admissions, to become fully vaccinated against COVID-19 by December 19, 2021 (or October 31, 2021 if part of in-person extracurricular programs), and to provide proof of COVID-19 vaccination uploaded and approved in LAUSD's Daily Pass program before January 10, 2022, in order to be permitted on LAUSD school facilities. (See Board Report No. Rep-091-21/22, Version 2 and Resolution, adopted September 9, 2021).

On November 16, 2021, the LAUSD Board of Education, among other actions, affirmed that any policies and procedures applicable to charter schools issued by the Superintendent (or their designee(s)) or the Office of COVID Response related to LAUSD's COVID -19 response efforts for the duration of the COVID-19 pandemic emergency, is part of LAUSD's policies and practices as they relate to charter schools and as part of LAUSD's health, safety, and emergency procedures and requirements applicable to facilities and related operations. (See Board Report No. Rep-117-21/22), Version 2, adopted November 16, 2021).

The policy currently applies to charter school employees and other adults (including, but not limited to, permanent/substitute teachers, aides, staff, administrators, board members and officers, partners, contractors, subcontractors, agents, volunteers, interns, and other representatives, regardless of paid status) who provide services on District property (including, but not limited to, any District-owned or leased property, such as any co-located school site, sole occupant school site, etc.). The District's student vaccination requirement applies to students attending charter schools on co-located LAUSD school facilities.

This Board action extends the employee (including other adults) and student vaccine requirements to all LAUSD- authorized charter schools regardless of whether they are located on a District facility. Accordingly, charter school employees and all charter school students regardless of where the charter school operates will be required to be vaccinated in accordance with the requirements set forth by the Board unless charter school students have approved exemptions and conditional admissions. Further, all LAUSD authorized charter schools (and charter schools authorized by other chartering authorities occupying LAUSD facilities) shall publicly post all applicable COVID-19 vaccination requirements and policies for public access as soon as possible and by no later than January 10, 2022.

Charter authorized by the District are required to comply with the terms of the charter, and applicable Board-approved policies. The Board-approved Federal, State, and District Required Language (FSDRL) (previously entitled, District Required Language or DRL), which applies to all independent charter schools, states the following: "Charter School shall comply with all applicable federal, state, and local laws and regulations, and District policies as it relates to charter schools adopted through Board action." (Element 4, "Governance Legal

And Policy Compliance.”)

Based on ongoing assessment of state and local conditions, risk factors and statistics regarding the pervasive impact of COVID-19 including emerging variants, it is critical that the student and employee vaccine mandate expands to include all LAUSD authorized charter schools. LAUSD authorizes 277 charter schools (226 independent charter schools and 51 affiliated charter schools). Currently, all charter schools on LAUSD facilities have submitted certification forms that charter school employees and other adults who provide services on District property have received the COVID-19 vaccination. The goal of public safety, including the safety of those in school communities, is to be reached by implementing comprehensive and uniform school-wide, District-wide and community-wide measures to ensure the safety of students and employees within our teaching and learning environments.

The pandemic continues to threaten the health of students, staff, and the broader community as well as to the continued delivery of in-person instruction. Maintaining consistent and uniform vaccine requirements within the LAUSD school communities promotes the health and safety of all students and employees and minimizes disruption to their educational and workplace environments. Further, LAUSD schools and charter schools do not operate in separate educational ecosystems. Students transfer from charter schools to LAUSD schools and vice-versa, families have children who attend charter schools and LAUSD schools, and schools have matriculation patterns with conversion charter schools. Inconsistent vaccine requirements between different systems undermine the health and safety efforts of the District, local, state, and federal agencies to provide for the safest school environments for students and staff and further causes disruption to the educational programs.

ANALYSIS

Charter schools authorized by the District are required to comply with the terms of the charter. The Federal, State, and District Required Language (FSDRL) contained in each charter states the following: “Charter School shall comply with all applicable federal, state, and local laws and regulations, and District policies as it relates to charter schools adopted through Board action.” (Element 4, “Governance Legal and Policy Compliance.”)

Per Approved LAUSD Board Report 158-21/22, Version: 1, the Fenton Charter Public Schools must adopt the District’s student and employee vaccination policy as a policy applicable to all charter schools authorized by the LAUSD Board of Education regardless of charter school location. The Superintendent (and/or designee(s)) will implement reasonably necessary measures to operationalize the charter Board policy, beginning with the employee requirement at all LAUSD authorized charter schools. The District will obtain input from charter school operators to inform applicable employee vaccination timelines for the LAUSD authorized charter schools that have not had these requirements to date. Further, all LAUSD authorized charter schools (and charter schools authorized by other chartering authorities occupying LAUSD facilities) shall publicly post all applicable COVID-19 vaccination requirements and policies for public access as soon as possible and by no later than January 10, 2022.

The policy will enable the Fenton Charter Public Schools to continue to:

1. Support the many families who have been vaccinated but are seeking assistance in uploading their records;
2. Further improve vaccination rates via accessible school-based clinics, while offering vaccines for students five and older and booster shots for employees;
3. Provide ongoing support in communities where students and their families have been hardest hit by illness and the educational, mental health and economic challenges of the pandemic;
4. Offer educational opportunities and outreach to families about the vaccine - especially those who remain vaccine-hesitant;

5. Strengthen our existing efforts to provide high-quality academic offerings for all of our families, both in-person and online.