

**THE BOARD OF DIRECTORS OF  
GRANADA HILLS CHARTER**

**Resolution 2023-01**

**ADDRESSING THE NEXT PHASE OF  
GRANADA HILLS CHARTER’S COVID 19 STUDENT, STAFF, WORKER, AND VOLUNTEER  
VACCINATION POLICY**

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**WHEREAS**, the Board of Directors of Granada Hills Charter operates a TK-12 public charter school located on two campuses within the County of Los Angeles (“GHC”); and

**WHEREAS**, as of the Spring of 2020, there has been a global, highly contagious, and deadly viral pandemic affecting the operations of GHC and threatening the health of its students and employees; and

**WHEREAS**, GHC has endeavored to and will continue to do all within its power to provide a safe and healthy learning environment for its students, employees, and community; and

**WHEREAS**, each major public health authority from the national to the county level endorsed vaccination against COVID-19 as being the most effective public health measure for reducing both the transmission and deadliness of COVID-19 infection—both among the general public and in K-12 school environments; and

**WHEREAS**, the U.S. Centers for Disease Control and Prevention (“CDC”) issued nationwide guidance to K-12 schools, entitled “Guidance for COVID-19 Prevention in K-12 Schools,” which states that “COVID-19 vaccination among all eligible students as well as teachers, staff, and household members is the most critical strategy to help schools safely resume full operations” and that “[v]accination is the leading public health prevention strategy to end the COVID-19 pandemic.”; and

**WHEREAS**, the Los Angeles Department of Public Health (“LACDPH”) has strongly endorsed vaccination as a critical element of the County’s ongoing response to the COVID-19 pandemic, both generally and in schools; and

**WHEREAS**, the LACDPH issued an Order of the Health Officer specific to schools titled “Reopening Protocols for K-12 Schools: Appendix TI,” in which it states that achieving a high rate of COVID-19 vaccination is “the first and best way to lower risk of infection and transmission at your school, greatly decrease risk of severe illness, hospitalization, and death in those who are fully vaccinated, are immunocompromised, or have underlying health conditions”; and

**WHEREAS**, the LACDPH issued a press alert on August 28, 2021, in which it noted a four-fold difference in case rates between vaccinated and unvaccinated children and also an

increase in overall case rates among children and youth in Los Angeles County; and

**WHEREAS**, on October 1, 2021, California Governor Gavin Newsom directed the CDPH to add the COVID-19 vaccine to the list of other immunizations required for in-person school attendance and at the same time urged individual counties and school officials to move forward with their own vaccine requirements; and

**WHEREAS**, the Board of Directors of Granada Hills Charter adopted a policy to require staff to become fully vaccinated against COVID-19 as a condition of continued employment—subject to medical exemptions to be approved by GHC; and

**WHEREAS**, GHC suffered significant operational burdens, lost instructional time, and frequent disruption as a result of COVID-19 in the Fall semester of 2021, including 150 students and 25 staff members testing positive, 800 9<sup>th</sup>-12<sup>th</sup> grade students being quarantined at some point over the semester, 109 TK-8<sup>th</sup> grade students being quarantined at some point over the semester, and over 13,000 hours of in-person instruction missed, to name just a few of these impacts; and

**WHEREAS**, GHC suffered from staffing shortages simultaneously with an increase in staffing needs due to the need to perform contact tracing, investigation, and other tasks necessitated by public health protocol; and

**WHEREAS**, whereas the costs, difficulties, and disruption caused by COVID-19 in the Fall 2021 semester could have been minimized or largely avoided with a fully vaccinated student body; and

**WHEREAS**, as a result, on October 11, 2021, the Board of Directors of Granada Hills Charter adopted a policy to require students to become fully vaccinated against COVID-19 as a condition of continued participation in its on-campus educational programs—subject to medical exemptions to be approved by GHC—starting January 11, 2022; and

**WHEREAS**, GHC faced two lawsuits, filed in December 2021 and January 2022, respectively, challenging GHC’s COVID-19 student vaccination policy, and which were decided in July 2022 in GHC’s favor, affirming GHC’s legal right to maintain its policy; and

**WHEREAS**, Judge Chalfant specifically held, among other findings, that:

- a. “The state may reasonably identify minimum vaccination standards for admission and the schools reasonably may identify vaccination standards during a pandemic as conditions for access to a school site. Indeed, the state public policy, as expressed by CDPH’s guidance, is that vaccination of all eligible students for Covid 19 is ‘crucial’. The state also encourages school Covid 19 vaccination and flu shot programs.”
- b. “The charter school vaccination Policy is not barred by [Charter Schools Act] or independent study laws;”
- c. California’s vaccine laws “[do] not mean that GHC must allow an unconditionally admitted student to attend school in the classroom.... No provision in the CDPH

regulations preclude a school from conditioning school site access during a pandemic on vaccination against the pandemic disease."

- d. "The court agrees with GHC that it is not a municipal entity issuing an ordinance or regulation. As such, preemption law does not directly apply to it."
- e. "School vaccination laws...merely direct a student's admission and continued attendance in school if he or she meets the immunization requirement for the 10 enumerated diseases.... There is no direct conflict between the school vaccination laws' requirement for admission of an immunized student and the Policy's student's eligibility for on-site access. The state vaccination laws do not prohibit schools from setting site access policies based on vaccination status; it is possible to comply with both the school vaccination laws and the Policy. The school vaccination laws do not expressly guarantee an admitted student daily access to the classroom free of restrictions on campus attendance and there is nothing in those laws that expressly conflicts with a charter school imposing more conservative immunization standards as a condition of site access;" and

**WHEREAS**, the plaintiffs in both student cases had an opportunity to appeal the court's decision and opted not to appeal Judge Chalfant's ruling that upheld the right of GHC, other independent charter schools and private schools to maintain its COVID-19 vaccination policy for students; and

**WHEREAS**, the LA Times (<https://www.latimes.com/california/story/2022-01-14/130000-lausd-students-absent-amid-omicron-covid-surge>) and LA Daily News (<https://www.dailynews.com/?returnUrl=https%3A%2F%2Fwww.dailynews.com%2F2022%2F01%2F13%2Fabout-one-third-of-lausd-students-absent-this-week%2F%3FclearUserState%3Dtrue>) reported that after the return from winter break in 2022, more than 30 percent of Los Angeles Unified School District students were absent from school as compared to approximately 8 percent of GHC students being absent during approximately the same time period; and

**WHEREAS**, the policy enabled GHC to ensure the greatest extent of protection available against COVID-19 on campus during the pandemic and associated State of Emergency in California, and minimized student and staff absenteeism, learning loss, and disruption to students' educations; and

**WHEREAS**, pandemic and public health conditions have improved considerably since January 2022, sufficient for California to have ended its COVID-19 State of Emergency on February 28, 2023, for Los Angeles County to have announced the end its COVID-19 State of Emergency effective March 31, 2023, and for the federal government to have announced the end of the federal COVID-19 State of Emergency on May 11, 2023; and

**WHEREAS**, GHC's experience in Fall 2023 is that there has been a very low incidence of COVID-19-related absences and no significant surge in COVID-19 cases;

**WHEREAS**, on September 26, 2023, the Los Angeles Unified School District's Board of Education voted to repeal its policy requiring that District employees be vaccinated against COVID-19 "[i]n light of evolving medical data and in consultation with local health authorities"

and noting that “[w]hile we encourage everyone to stay up-to-date on all vaccinations, we will no longer require employees and contractors, vendors, volunteers and charter schools to be vaccinated against COVID-19.”

**WHEREAS**, GHC has determined that in light of the termination of local, state, and federal declarations of a State of Emergency, the success of the policy in serving its purpose during the height of the pandemic (including the 99% participation rate), the waning effects of initial COVID-19 vaccinations, GHC’s experience in the Fall 2023 semester, and LAUSD’s September 2023 change in policy, that it is sensible to transition from a policy requiring students, staff, workers, and volunteers to receive initial vaccination against COVID-19 as a condition of campus access to a policy *encouraging* students, staff, and workers, and volunteers to remain up-to-date on COVID-19 booster doses; and

**WHEREAS**, the timing of booster shots are dependent on individual scheduling rather than age milestones, and the Board recognizes the administrative and logistical challenges related to monitoring booster shots, that it is sensible on a going-forward basis for GHC families, staff, workers, and volunteers to determine their own plans and timing for initial and continued vaccination against COVID-19, akin to families’ current individualized planning and timing of annual vaccination against influenza;

**WHEREAS**, GHC has assessed the appropriateness of this resolution during the Fall 2023 semester and it was intended to be considered by the Board at its October 2023 meeting, which was cancelled due to an inability to establish quorum. The Board therefore considers this resolution at its November 6 2023 board meeting.

**NOW THEREFORE BE IT RESOLVED:**

GHC’s respective policies operative as of this date that requires students, staff, workers, and volunteers to be vaccinated against COVID-19, pursuant to the terms specified in each policy, shall be repealed and replaced with the COVID-19 vaccine policy attached hereto. The change to GHC’s student COVID-19 vaccination policy and shall be effective on November 13, 2023 to permit sufficient time to transition to the new policy.

**PASSED AND ADOPTED** by the Board of Directors of Granada Hills Charter on this sixth (6<sup>th</sup>) day of November, 2023.

AYES: 8  
NOES: 0  
ABSTAIN: 0  
ABSENT: 0

Paul D. Benson  
Secretary  
Granada Hills Charter Board of Directors

## **COVID-19 VACCINATION POLICY**

This policy supersedes Granada Hills Charter's ("GHC") prior COVID-19 policies governing, respectively, student, staff, worker, and volunteer vaccination requirements.

GHC strongly encourages all eligible students, staff, workers, and volunteers to be fully vaccinated against COVID-19 and receive regular booster shots consistent with guidance issued by the California Department of Public Health ("CDPH"), Los Angeles County Department of Public Health ("LADPH"), Centers for Disease Control and Prevention ("CDC"), the advice of their personal healthcare providers, and vaccine manufacturer guidelines. Administration shall make information and resources available to students and their families and employees regarding COVID-19 vaccination at enrollment and throughout the school year.

Students who are ineligible to participate in campus programming under the predecessor policy and are currently enrolled in independent study and who wish to return to in-person learning may schedule a meeting with their counselor to discuss transition planning. In-person programming and transitions to in-person programming is subject to capacity, course/activity availability, eligibility requirements, and logistical considerations as determined by administration, as well as adherence to all applicable school policies.

Per CDPH, schools are advised that in implementing public health guidance, "consideration should be given to the direct school population and the surrounding community," including such factors as "COVID-19 vaccination coverage in the community and among students, teachers, and staff." As of the time of adoption of this policy, 99% of vaccine-eligible students under the predecessor student COVID-19 vaccination policy are vaccinated. Administration shall continue to collect data on vaccination and booster dosages for purposes of ongoing assessment of mitigation measures, however, **based on current public health and community conditions, proof of vaccination will be voluntary for students staff, workers, and volunteers at this time.**