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Board Cover Memorandum

To Board of Education

From Mike Hutchinson, Board Member

Meeting Date June 8, 2022

Subject Resolution No. 2122-0091 - Aligning District COVID Policies, Protocols, and Practices with State and County Public Health Guidance

Ask of the Board Introduction of Resolution No. 2122-0091 - Aligning District COVID Policies, Protocols, and Practices with State and County Public Health Guidance as a new legislative matter

Background In 2021-22, OUSD established and implemented a quick and robust response to COVID-19 (“COVID”). In accordance with Resolution No. 2122-0003 - Requiring COVID-19 Testing At All School Sites, the District offer COVID tests to all students and staff, first on a biweekly basis and eventually even more frequently. At the same time, the demand for testing fluctuated widely over the past year, and the approach of having testers regularly visit school sites to provide testing was not able to adjust to such fluctuations due to the time consuming process of hiring and training testers. At times, this led to long lines; at other times, it led to overstaffing and an inefficient use of resources.

Initially the Board required “[a]ll District students aged 12 and over . . . to be fully vaccinated against COVID as of January 1, 2022 unless otherwise exempted” pursuant to Board Policy 5141.29 - COVID-19 Student Vaccine Requirement (“BP 5141.29”). The deadline was subsequently delayed to August 1, 2022. While California initially announced that it would require students ages 12 and up to be vaccinated to attend school starting in Fall 2022, the State has since announced that the requirement will be delayed until at least July 2023.

Looking forward to 2022-23, COVID and its variants will continue to present a health and safety risk to the students and staff of the Oakland Unified School District. In light of the guidance from federal, state, and county health officials and the associated new funding, it is time for the Board to update its direction to the Superintendent regarding the District’s response to COVID for the 2022-23 year.

Discussion Under the proposed Resolution, the Board would direct the Superintendent to ensure that the District’s COVID policies, procedures, protocols, and practices align with current and future federal, state, and county COVID guidance. In particular, the District would need to align how it provides COVID testing and COVID vaccines, with a priority for those who are unvaccinated, symptomatic, or exposed.

With respect to testing specifically, the Resolution expresses the Board’s belief, in light of the uncertainty regarding testing and tests for the 2022-23 year, that the District should

start the 2022-23 year utilizing the strategy of offering take-home tests to students and staff alongside a minimum number of staffed testing hubs (rather than provide staff to offer regular on-site testing at each school). The Resolution defers to the Superintendent on how to implement this strategy and when and how to adjust the strategy.

Additionally, the Resolution directs the Superintendent or her designees to maximize the use of state- or federal-provided testing supplies and staffing and to continue to send out notices about positive cases in alignment with the COVID guideline. The Resolution also makes that the District need not continue to publish and maintain public-facing data dashboards for COVID testing data, positivity rates, vaccinations, etc.;

Lastly, the Resolution would amend BP 5141.29 to align the implementation of requirement that students be vaccinated in order to attend school in person with the requirements and timeline set forth by the State and would declare that Resolution No. 2122-0003 is null and void effective July 1, 2022.

Fiscal Impact To be determined

Attachment

- Resolution No. 2122-0091 - Aligning District COVID Policies, Protocols, and Practices with State and County Public Health Guidance

**RESOLUTION OF THE
BOARD OF EDUCATION OF THE
OAKLAND UNIFIED SCHOOL DISTRICT**

Resolution No. 2122-0091

**Aligning District COVID Policies, Protocols, and Practices with State and County Public Health
Guidance**

WHEREAS, last year, OUSD established and implemented a quick and robust response to COVID-19 (“COVID”), which included the following noteworthy achievements:

- Administered more tests than any district in Alameda County – in fact, at one point OUSD was administering one out of every seven tests in all of Alameda County
- Implemented modified quarantine from the first day of school, sooner than any other large district in California, which meant that more students could continue to attend school in person
- Was one of the first districts in Alameda County to offer all students take home tests for Thanksgiving Break and subsequent breaks
- Was the first district to offer high quality masks to all students and staff
- Provided HEPA filters in all classrooms
- Rolled out equipment for outdoor learning and dining spaces
- Was one of the first districts in Alameda County to offer pooled testing, a more efficient approach to testing at schools
- Coordinated with Alameda County to offer first community wide vaccination pop-up at a school site
- Consistently offered vaccine pop-ups, leading to one of the highest pediatric vaccines rates in the country
- Encouraged and then mandated vaccines for staff, leading to a staff vaccination rate of over 95%
- Consistently engaged with community partners (e.g., UCSF, City of Oakland, community-based organizations) to educate and inform thousands of community members regarding COVID, testing, and vaccinations

WHEREAS, the OUSD Board of Education (“Board”) adopted Resolution No. 2122-0003 - Requiring COVID-19 Testing At All School Sites, which required (among other things) that the District offer COVID tests to all students and staff and that testing be offered at school sites on a biweekly basis, although the District was eventually able to offer even more frequent testing;

WHEREAS, demand for testing fluctuated widely over the past year, and the approach of having testers regularly visit school sites to provide testing was not able to adjust to such fluctuations due to the time consuming process of hiring and training testers, which led to (i) long lines at times and overstaffing at other times and (ii) inefficient use of resources;

WHEREAS, the Board adopted Board Policy 5141.29 - COVID-19 Student Vaccine Requirement (“BP 5141.29”), which initially required “[a]ll District students aged 12 and over . . . to be fully vaccinated against COVID as of January 1, 2022 unless otherwise exempted as described herein,” but then subsequently delayed the deadline until August 1, 2022;

WHEREAS, California initially announced that it would require students ages 12 and up to be vaccinated to attend school starting in Fall 2022, the State has since announced that the requirement will be delayed until at least July 2023;

WHEREAS, COVID and its variants will continue to present a health and safety risk to the students and staff of the Oakland Unified School District in the 2022-23 year;

WHEREAS, federal, state, and county health officials have issued guidance regarding how school districts must test for, offer vaccines to protect against, communicate about, and mitigate the exposure risks of COVID;

WHEREAS, federal and state funds have been provided to help school districts cover the cost of their COVID response; and

WHEREAS, the Board needs to update its direction to the Superintendent regarding the District’s response to COVID for the 2022-23 year.

NOW, THEREFORE, BE IT RESOLVED, the Board hereby directs the Superintendent to ensure that the District’s COVID policies, procedures, protocols, and practices align with federal, state, and county COVID mandates, requirements, guidance, or guidelines (“COVID guidance”), including with any future changes to the COVID guidance;

BE IT FURTHER RESOLVED, the District shall provide COVID testing and shall made COVID vaccines available to staff and students in alignment with the COVID guidance, prioritizing those who are unvaccinated, symptomatic, or exposed;

BE IT FURTHER RESOLVED, although the need and demand for and supply of testing and tests for the 2022-23 year is unknown, the Board believes that the District should start the 2022-23 year with the strategy of offering take-home tests to students and staff alongside a minimum number of staffed testing hubs (rather than provide staff to offer regular on-site testing at each school), but defers to the Superintendent on how to implement this strategy and when and how to adjust the strategy;

BE IT FURTHER RESOLVED, the Superintendent or her designees should ensure that the District’s COVID testing program maximizes the use of state- or federal-provided testing supplies and staffing, in order to minimize the reliance on District funds;

BE IT FURTHER RESOLVED, the District shall continue sending out notices about positive cases in alignment with the COVID guideline concerning contact tracing and exposure notifications, but

need not continue to publish and maintain public-facing data dashboards for COVID testing data, positivity rates, vaccinations, etc.;

BE IT FURTHER RESOLVED, the Board hereby amends BP 5141.29 to align the implementation of requirement that students be vaccinated in order to attend school in person with the requirements and timeline set forth by the State;

BE IT FURTHER RESOLVED, the Board hereby declares that, effective July 1, 2022, Resolution No. 2122-0003 - Requiring COVID-19 Testing At All School Sites is null and void.

PASSED AND ADOPTED by the Board of Education of the Oakland Unified School District this ____ day of _____, 2022, by the following vote:

PREFERENTIAL AYE:

PREFERENTIAL NOE:

PREFERENTIAL ABSTENTION:

PREFERENTIAL RECUSE:

AYES:

NOES:

ABSTAINED:

RECUSED:

ABSENT:

CERTIFICATION

We hereby certify that the foregoing is a full, true and correct copy of a Resolution passed at the Meeting of the Board of Education of the Oakland Unified School District held on _____, 2022.

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OAKLAND UNIFIED SCHOOL DISTRICT

Gary Yee
President, Board of Education

Kyla Johnson-Trammell
Superintendent and Secretary, Board of Education

