

**STATE CENTER COMMUNITY COLLEGE DISTRICT
RESOLUTION NO. 2021.28**

COVID-19 PANDEMIC MITIGATION PROTOCOL -VACCINE MANDATE

WHEREAS, State Center Community College District is committed to protecting the health and well-being of students, employees, and the communities it serves while providing access to higher education; and

WHEREAS, California law requires the Board of Trustees to cooperate with local health officials in taking measures necessary to prevent and control the spread of communicable diseases among its student body. California law further requires the Board of Trustees to exclude any student suffering from a contagious or infectious disease. California law requires employers to provide a safe workplace for employees. California law requires the Board of Trustees to obtain medical documentation from each academic employee certifying that the employee is free from all communicable diseases that could render the employee unfit to instruct or associate with students. Remaining free from communicable disease is a condition of employment for all academic employees. As a condition to receiving compensation, academic employees must faithfully perform their prescribed duties; and

WHEREAS, on March 13, 2020, the Board of Trustees adopted Resolution No. 2020.06 finding that an emergency existed because of the COVID-19 pandemic. The District has been operating under emergency conditions since then and pursuant to federal, state, and local emergency declarations and orders; and

WHEREAS, since the beginning of the pandemic, public health authorities including the Centers for Disease Control, the California Department of Public Health, and county departments of public health have issued various requirements and guidance to help slow the spread of COVID-19, which have included physical/social distancing, occupancy limitations, wearing face coverings, and vaccination; and

WHEREAS, at present, the Food and Drug Administration (FDA) has issued full approval for the Pfizer-BioNTech vaccine (approved August 23, 2021) and emergency use authorizations for two COVID-19 vaccines, Moderna (authorized on December 18, 2020), and Janssen (Johnson & Johnson) (authorized on February 27, 2021); and

WHEREAS, the Centers for Disease Control, the California Department of Public Health, and other public health authorities recommend and are urging people become vaccinated against COVID-19. The Centers for Disease Control has stated that that COVID-19 vaccines are effective at keeping persons from getting COVID-19, especially severe illness and death and that COVID-19 vaccines reduce the risk of people spreading the virus that causes COVID-19. The California Department of Public Health has taken the position that vaccination is the most important tool to end the COVID-19 pandemic; and

WHEREAS, in the face of surging COVID-19 positivity rates and increased hospitalizations, multiple federal, state, and local governmental employers have issued COVID-19 vaccination or testing requirements for employees, and institutions of higher education throughout the country have issued COVID-19 vaccination requirements for students.

NOW THEREFORE BE IT RESOLVED, that consistent with directives and guidance from

federal, state, and local public health authorities and to protect the health and well-being of students, employees, and the community, the Board of Trustees is implementing COVID-19 vaccination requirements; and

BE IT FURTHER RESOLVED, effective October 15, 2021, and until rescinded by the Chancellor or the Board of Trustees all employees, students, contractors, and visitors, shall present proof of being fully vaccinated against COVID-19 as a condition to physically accessing any District building, classroom, library, gymnasium, facility, or other indoor space. This vaccination requirement is in addition to all other safety measures required by law or competent authority, or implemented by the Chancellor. The District's COVID-19 protective measures are subject to legally required exemptions for sincerely held religious beliefs and medical conditions. SCCCD staff will engage in an interactive process to explore reasonable accommodations for employees and students who are eligible and qualify for an exemption; and

BE IT FURTHER RESOLVED, that District employees and students will be subject to discipline pursuant to the Education Code, District policies, regulations, rules (including Personnel Commission rules), and applicable collective bargaining agreements, for failing or refusing to comply with vaccination requirements or other COVID-19 safety measures implemented by the Chancellor; and

BE IT FURTHER RESOLVED, that the Board of Trustees directs the Chancellor to develop and implement rules or Administrative Regulations, to the extent necessary, to implement this resolution. The Chancellor also has the authority to implement additional safety measures as required or recommended by law or competent authority. The Chancellor is directed to commence any consultation or bargaining that may be required to fully implement this resolution.

PASSED AND ADOPTED upon motion of Trustee Johnson, seconded by Trustee Gomez, at a regular meeting of the Board of Trustees of the State Center Community College District on this 23rd day of August 2021, by the following vote:

AYES: 5 NOES: 2 ABSENT: 0 ABSTAIN: 0



Board of Trustees Secretary
State Center Community College District