

BOARD OF EDUCATION OF THE CITY OF LOS ANGELES
Governing Board of the Los Angeles Unified School District

SPECIAL MEETING STAMPED ORDER OF BUSINESS

333 South Beaudry Avenue, Board Room

2:00 p.m., Tuesday, December 14, 2021

The meeting shall be held through teleconferencing pursuant to the provisions of California Assembly Bill 361. Members of the public may observe the meeting online and offer public comment telephonically.

Roll Call

Pledge of Allegiance

Consent Items

Items for action are assigned by the Board at the meeting to be adopted by a single vote. A Board Member may remove an item(s) from the consent calendar for further discussion by at any time before action is taken.

Superintendent's Reports

Path to Recovery Progress Monitoring Update

Method for Providing Public Comment and Accessing the Meeting

The Board of Education is committed to ensuring the health and safety of the community. As a precaution to help prevent the spread of COVID-19, there will be no speakers or visitors allowed into the Board Room. Only a limited number of staff along with Board Members who choose to attend in person, are allowed to be in the Board Room. Members of the public may access the meeting online (http://lausd.granicus.com/player/camera/4?publish_id=18&redirect=true).

The Board of Education encourages public comment on the items for action on this Special Board Meeting agenda. Individuals wishing to address the Board must register to speak using the Speaker Sign Up website: <https://boardmeeting.lausd.net/speakers>. Registration will open 24 hours before the meeting. Each action item will allow for up-to seven (7) speakers.

You may register online to provide comments and call in during the meeting but please consider using our alternative methods. Commenters can email all Board Members at boardmembers@lausd.net, or use the US Mail at 333 S. Beaudry Ave., Los Angeles, CA 90017, or leave a voicemail message at (213) 443-4472, or fax (213) 241-8953. Communications received by 5 p.m. the day before the meeting will be distributed to all Board Members. Speakers to issues that are not one of the items on this agenda will need to use the alternative methods of contacting the Board.

Speakers who have registered on the Speaker Sign Up website for this meeting will need to follow these instructions:

1. Call 1-669-900-6833 and enter Meeting ID: **812 4815 3006** at the beginning of the meeting.
2. Press #, and then # again when prompted for the Participant ID.
3. Remain on hold until it is your turn to speak. You can watch the meeting on the live video stream until your item comes before the Board.
4. Callers will be identified based on their phone number. You will need to call in from the same phone number entered on the Speaker Sign Up website. Callers will need to have their phone number ID displayed and may need to adjust their phone settings. Please do not call from a private or blocked phone number.
5. Callers will know to speak when receiving the signal that their phone has been removed from hold and or unmuted. Callers will then press *6 (Star 6) and be brought into the meeting.

If you are not on hold when public speakers are being heard on your item, including general Public Comment, we may attempt to contact you using the Zoom platform. You will receive a phone call from 213-338-8477, with an automated message to “press one (1) to join the meeting.”

Speakers will have three (3) minutes to provide comments. Please contact the Board Secretariat at 213-241-7002 if you have any questions.

New Business for Action

1. Board of Education Report No. 073 – 21/22 **POSTPONED TO JANUARY 25, 2022**
 Charter Schools Division **SPECIAL BOARD MEETING**
 (Approval of the Proposed Charter Policy Amendments to the LAUSD Policy and Procedures for Charter Schools) Recommends approval of updates to the Board-approved LAUSD Policy and Procedures for Charter Schools, to provide alignment with state guidance, increase clarity, and/or provide technical correction.
2. Board of Education Report No. 116 – 21/22 **ADOPTED BY CONSENT VOTE**
 Division of Instruction
 Human Resources
 (Educator Effectiveness Grant) Recommends approval of the Educator Effectiveness Grant Local Plan for the use of grant funds totaling \$138,611,131 from 2021-22 through 2025-26, for activities focused on professional learning for teachers, administrators, paraprofessionals and other classified staff who instruct and interact with pupils.
3. Board of Education Report No. 151 – 21/22 **ADOPTED BY CONSENT VOTE**
 Office of the Chief Financial Officer
 (Capital Facilities Fund [Developer/Impact Fees] Annual Report for 2020-21) Recommends adoption of the Capital Facilities Fund annual accounting report containing information on developer/impact fees collected on commercial/industrial and residential construction and reconstruction projects within Los Angeles Unified boundaries, including, but not limited to, the description of the type of Capital Facilities Fund into which the developer fees were placed, the amount of the fee, and beginning and ending balances of the Fund, the amount of fees collected, and interest earned, and the identification of expenditures made by project.

4. Board of Education Report No. 155 – 21/22 **ADOPTED AS AMENDED (AMENDED TO ADOPT REVISED ATTACHMENT A, DATED 12-14-21)**
Office of the Chief Financial Officer
(2021-22 First Interim Report, Multi-Year Projections and Fiscal Stabilization Plan Board Resolution) Recommends approval of the First Interim Financial Report, which contains a “qualified” certification indicating that the District may not be able to meet its financial obligations for the current or two subsequent fiscal years, and submission of the report to the Los Angeles County Office of Education in compliance with Education Code Section 42130.

5. Board of Education Report No. 172-21/22 **ADOPTED BY CONSENT VOTE**
Office of the Board Secretariat
(Resolution Making Certain Findings to Permit Meetings to Be Held Through Teleconferencing Pursuant to Assembly Bill 361 and in Compliance with Government Code Section 54953[e][3]) Recommends adoption of a Resolution making findings pursuant to Assembly Bill 361, and in Compliance with Government Code Section 54953(e)(3) for the continuation of virtual meetings of the Board of Education and all Los Angeles Unified School District Committees, including the Bond Citizens’ Oversight Committee, for a period of 30 days, which will allow the Board of Education and its committees to continue to meet virtually without meeting all requirements of the Ralph M. Brown Act.

Public Notice of Bargaining Union Initial Proposals

ANNOUNCED

6. Health Benefits Committee Initial Bargaining Proposals for 2022 Successor Agreement (UIP-002- 21/22) Initial proposals from the Health Benefits Committee are made public before negotiations begin.

Board Member Resolution for Initial Announcement

FOR ACTION ON JANUARY 18, 2022

7. Ms. García - Resolution to Dedicate and Name the Wellness Center at Felicitas and Gonzalo Mendez High School - The Sylvia Mendez Wellness Center (Res-015-21/22) (For Action on January 18, 2022)

Whereas, In 2009 the Los Angeles Board of Education voted to name the first high school to be built in more than 85 years in Boyle Heights after two civil rights leaders, Felicitas and Gonzalo Mendez;

Whereas, In 1943, the children of Felicitas and Gonzalo Mendez were denied access to a California school and the Mendez’s fought against this prejudice and segregation in the landmark case, The Mendez vs. Westminster School District in 1946;

Whereas, Sylvia Mendez at eight years of age played a critical role in the court case, resulting in the desegregation of schools in California;

Whereas, Sylvia Mendez continued her parents’ legacy of courage and activism and was awarded the Presidential Medal of Freedom in 2011 for her role in paving the way for Brown vs. Board of Education, bringing end to the racial segregation in schools in the United States; and

Whereas, The construction of the Wellness Center at Mendez High School is scheduled to be completed in the first quarter of 2022, providing much needed services to the community; now, therefore, be it

Resolved, That the Governing Board of Education hereby dedicates and designates the Wellness Center at Mendez High School to be The Sylvia Mendez Wellness Center in honor of the 75th Anniversary of the Mendez v. Westminster case and Sylvia Mendez' role in fighting for equity, access and justice for all.

New Business for Action (Continued from Tab 5)

8. Board of Education Report No. 158 – 21/22 **ADOPTED**
Office of the Superintendent
(Approval to Delay the Transfer of Students Not in Compliance with the Vaccination Requirement to Online Independent Study Instruction; and Application of Student and Employee Vaccine Policy to All LAUSD Authorized Charter Schools) Recommends approval to (1) delay transferring students not in compliance with the vaccination requirement to online independent study instruction until the Fall 2022 semester, (2) adopt the District's student and employee vaccination policy as a policy applicable to all charter schools authorized by the Board of Education, and (3) require all LAUSD authorized charter schools to publicly post all applicable COVID-19 vaccination requirements no later than January 10, 2022.

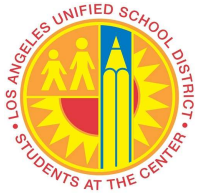
Adjournment

Requests for disability related modifications or accommodations shall be made 24 hours prior to the meeting to the Board Secretariat by calling (213) 241-7002.

Materials related to an item on this Order of Business distributed to the Board of Education are available for public inspection at the Security Desk on the first floor of the Administrative Headquarters, and at:

<http://laschoolboard.org/12-14-21SpclBdCharter>

Items circulated after the initial distribution of materials are also available for inspection at the Security Desk.



Board of Education Report

File #: Rep-158-21/22, **Version:** 1

Approval to Delay the Transfer of Students Not in Compliance with the Vaccine Requirement to Online Independent Study; and Application of Student and Employee Vaccine Policy to All LAUSD Authorized Charter Schools

December 14, 2021

Office of the Superintendent

Action Proposed:

1. Approve the delay of the transfer of students not in compliance with the vaccine requirement to Online Independent Study until the beginning of the Fall 2022 semester.
2. 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.

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).

As of the first week of December, 164,000 students aged 12 and older (over 85% of eligible students) have added their vaccine records, approved exemptions, or conditional admissions, to the Daily Pass system. Supporting families who may not have had access to the COVID-19 vaccines, or who have not received information enabling them to make an informed choice about vaccinations, remains the top priority for Los Angeles Unified. Accordingly, the District is delaying the transfer of students to online independent study instruction until the beginning of the Fall semester 2022.

This policy update suspending the enforcement of the student vaccine requirement allows Los Angeles Unified to continue to:

- Support the many families who have been vaccinated but are seeking assistance in uploading their records onto the Daily Pass.
- Further improve vaccination rates via accessible school-based clinics, while offering vaccines for students five and older and booster shots for employees.
- 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.

- Offer educational opportunities and outreach to families about the vaccine - especially those who remain vaccine-hesitant.
- Strengthen our existing efforts to provide high-quality academic offerings for all of our families, both in-person and online.

The District is also adopting 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 (including other adults who provide services to or for the charter school). LAUSD is both a local educational agency as well as an agency of the state for purposes of implementing educational policy and operation of public schools to safeguard the educational, health and safety needs of Los Angeles Unified's students and charter school students within its geographic boundaries. LAUSD enrolls more than 600,000 students from Pre-K through its adult education program, operating approximately 1,200 schools throughout Los Angeles area, and authorizing and overseeing 277 affiliated and independent charter schools within its jurisdiction.

Because of the considerable impacts and challenges posed by the COVID-19 pandemic on the education and operations of public schools, on August 13, 2021, the District announced that all District employees will be required to be fully vaccinated against COVID-19 as a condition of continued employment/service. The requirement also applies to District partners, contractors, charter school employees, and other adults who provide services on District property. (Vaccination Compliance Certification forms were distributed to charter school operators to all charter schools on District property pursuant to the policy requirement).

As noted above, 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). (Vaccination Compliance Certification forms were distributed to charter school operators to all charter schools co-located on District property pursuant to the policy requirement.)

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 schools 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.

Expected Outcomes:

This Board action would approve the delay of the transfer of students not in compliance with the vaccine requirement, aged 12 years and over to online independent study instruction until the beginning of the Fall 2022 semester.

This Board action ensures that uniform and consistent requirements for the student and employee COVID-19 vaccine requirements are in place for the health and safety of all LAUSD schools and LAUSD-authorized charter schools within LAUSD's boundaries. The Superintendent (and/or designee(s)) will implement reasonably necessary measures to operationalize this Board policy including obtaining input from charter school operators to inform applicable timelines for these requirements for LAUSD authorized charter schools that have not 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. Charter Schools are required to implement the employee vaccine policy and student vaccine policy as aligned with District policy.

Board Options and Consequences:

The Board's approval to delay the transfer of students not in compliance with the vaccine requirement until the beginning of the Fall 2022 semester allows Los Angeles Unified to continue to:

- Support the many families who have been vaccinated but are seeking assistance in uploading their records onto the Daily Pass.
- Further improve vaccination rates via accessible school-based clinics, while offering vaccines for students five and older and booster shots for employees.
- 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.
- Offer educational opportunities and outreach to families about the vaccine - especially those who remain vaccine-hesitant.
- Strengthen our existing efforts to provide high-quality academic offerings for all of our families, both in-person and online.

Board approval of the District's employee and student vaccination policy would apply 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 this Board policy, beginning with the employee requirement at all LAUSD authorized charter schools, as noted herein.

Policy Implications:

As a local education agency and agency of the state, LAUSD has the obligation to implement educational policies, operate public schools, and safeguard the educational, health and safety needs of all LAUSD students, staff, and communities within its geographic boundaries. The District serves as the chartering authority for charter schools approved by the Board of Education, and, as noted above, charter schools 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.

Budget Impact:

No budget impact.

Student Impact:

The COVID-19 pandemic and the national, state, and local orders have caused considerable challenges for public schools, including but not limited to the closure of all LAUSD school facilities for in-person instruction and resulting in distance learning for most of the 2020-21 school year. Uniform and consistent vaccination rules and requirements are critical in ensuring continued health and safety of the entire school community within LAUSD's boundaries.

Equity Impact:

Not Applicable.

Issues and 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.")

Attachments:

Not Applicable.

Informatives:

Not Applicable.

Submitted:

12/12/2021

RESPECTFULLY SUBMITTED,

MEGAN K. REILLY
Interim Superintendent

APPROVED & PRESENTED BY:

PEDRO SALCIDO
Interim Deputy Superintendent
Office of the Deputy Superintendent

REVIEWED BY:

DEVORA NAVERA REED
General Counsel

Approved as to form.

REVIEWED BY:

TONY ATIENZA
Director, Budget Services and Financial Planning

Approved as to budget impact statement.



LOS ANGELES UNIFIED COVID-19 STUDENT VACCINATION REQUIREMENT

Board of Education Meeting

December 14, 2021

LA Unified Leading the Way to Safe Schools



Access, Equity & Responsive Protocols

Since the start of the School Year:

- 1,400 schools open daily
- Positive case rate 3-7 times lower than LA County
- 7.4 million COVID-19 tests since August
- Vaccination clinics at over 200 middle & high schools
- Access for families with 5-11 year olds



Huge Milestone for Safe & Stable Learning

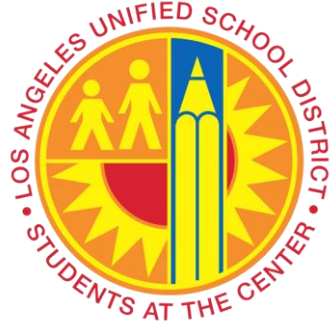


As of
Tuesday,
Dec. 14

87.42% of students 12 and older are in compliance with the vaccination requirement.

100% of employees and contractors on campuses are fully vaccinated





NEW POLICIES FOR CONSIDERATION

With Board Approval, All Students 12+ Will Be In Compliance for In-Person Instruction for Fall 2022



Students 12 and older must have two doses of their vaccine record in the Daily Pass before the start of next school year, unless they have an approved medical exemption or qualify for conditional admissions.



With Approval, Vaccine Policies Apply to All Charter Schools Authorized by the Board of Education



Vaccine policies will apply to **all** charter schools authorized by the Los Angeles Unified Board of Education, regardless of location.



Testing for All Students & Staff in January



Testing for all students and staff, regardless of vaccination status, throughout the month of January.

- Baseline testing the week of January 10
- Weekly testing until end of January

PLEASE NOTE: Policies subject to change.

Now Is The Time To Get Vaccinated!



- Stay healthy this holiday season: Protect yourself and your loved ones by getting vaccinated and tested
- Visit one of our vaccine clinics at a testing location or a school site this week and throughout holidays.
- Attend VaccinatED webinars during which families can ask questions and engage with medical professionals
- Upload your vaccination record in the Daily Pass today

achieve.lausd.net/covid

Hotline (213) 443-1300



**Thank You to Our Schools,
Families and Community Partners!**