\_\_\_\_\_\_\_\_\_\_\_\_**DRAFT**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Chairman Phil Mendelson

A PROPOSED RESOLUTION

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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To declare on an emergency basis with respect to the need to amend the Immunization of School Students Act of 1979 to allow for electronic submission of immunization certifications by private physicians or the public health authorities and to require that eligible students in the District of Columbia receive a vaccination that is fully approved in the United States to prevent against COVID-19; and to amend Chapter 1 of Subtitle A of Title 5 of the District of Columbia Municipal Regulations to require all licensed Child Development Facilities to maintain a record of COVID-19 immunization for their staff.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Coronavirus Immunization of School Students and Early Childhood Workers Regulation Emergency Declaration Resolution of 2021”.

Sec. 2. (a) There exists an immediate need to decrease the spread of COVID-19, especially in cohort settings like schools and childcare centers.

(b) As of December 7, 2021, almost 1,200 individuals in the District have died from COVID-19 and over 68,000 individuals have tested positive of COVID-19. Of those 68,000+, 12,721 of those individuals have been between the ages of 0-19.

(c) Although children are often less affected than older adults, students with certain medical conditions are at a much greater risk of contracting the virus and of being more adversely affected. Additionally, COVID-19 cases continue to permeate in schools with whole schools, such as Johnson Middle School and Whittier Education Campus, having to be shut down due to the number of positive cases and hundreds of students being considered close contacts.

(d) On August 23, 2021, the vaccine known as the Pfizer-BioNTech COVID-19 Vaccine was fully approved by the U.S. Food and Drug Administration for the prevention of COVID-19 disease in individuals 16 years of age and older.

(e) As studies have shown, the COVID-19 vaccination reduces the risk of COVID-19 and its potentially severe complications. In addition to providing protection against COVID-19, there is increasing evidence that COVID-19 vaccines also provide protection against COVID-19 infections without symptoms (asymptomatic infections) and can reduce the spread of disease overall.

(f) The Council has received multiple requests from parents for a vaccine requirement, not recommendation, for all eligible students for the 2021-22 school year. The current policy disallows enrollment in school without proper vaccination.

(g) This bill requires that beginning March 1, 2022, all students must provide a certification of COVID-19 immunization or documentation demonstrating that the student is exempt from COVID-19 immunization. In order to provide necessary time and sufficient notice, this requirement will not be enforced until the start of School Year 2022-2023.

(h) As follows, all children under the age of 5 in childcare facilities are currently unvaccinated, as there exists no eligible vaccine for this age group. Unvaccinated adults caring for young children present serious risk of spreading the COVID-19 virus. This bill would also require all staff employed at child development facilities licensed by the Office of the State Superintendent receive a full COVID-19 vaccination and provide related documentation annually.

(i) Multiple families and local education agencies (LEA) report a disconnect in vaccine reporting. In order to clear communication channels, this bill will require student certifications of all immunization data to be electronically transmitted by either a private physician or the public health authorities directly to the student’s local education agency.

(f) On October 4, 2021, the Coronavirus Immunization of School Students and Early Childhood Workers Amendment Act of 2021 was introduced as permanent legislation. Upon a hearing, this bill received a first vote at the December 7, 2021 Legislative Meeting. The date for which eligible students are required to be fully vaccinated in three months away. As follows, an emergency need exists to mandate student vaccination to allow for timely notice.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Coronavirus Immunization of School Students and Early Childhood Workers Regulation Emergency Amendment Act of 2021 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.