



# **California Governor Orders Students to be Vaccinated: What Your School Needs to Know**

Insights

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California Governor Gavin Newsom announced a new emergency order on October 1 requiring all students in both public and private schools to get the COVID-19 vaccine once fully authorized by the Federal Drug Administration (FDA). In issuing this Order, California has become the first state to require vaccinations for students. What does your school need to know about this significant development?

## **Who is Covered?**

The Order applies to all public and private school children in California. It becomes effective for students in grades 7 through 12 in the next school term following the FDA's approval of the vaccine, with the earliest being January 1, 2022 and the latest being July 1, 2022. Students in kindergarten through sixth grade will be phased in after the vaccine is approved for younger children.

## **What Are the Requirements?**

Students who attend either a public or private school in California must receive the COVID-19 vaccine in order to attend classes in-person, on campus. Schools and the school districts will be tasked with enforcing the Order, as they already currently do with other required vaccines, including those for hepatitis B, tetanus, mumps, measles, polio and chickenpox.

## **Are There Any Exemptions?**

While Governor Newsom stated that students may be granted an exemption for medical or sincerely held religious beliefs, the rules for how California would apply them have not yet been drafted. However, Governor Newsom announced that students who refuse to take the vaccine will have the option of enrolling in a fully online school, attending independent-study programs offered by school districts, or be homeschooled.

## **What Should You Do?**

Schools serving grades 7 through 12 should prepare to require students to show proof of vaccination beginning on January 1, 2022 should the FDA grant approval of the COVID-19 vaccine this year.

We will continue to monitor the developing COVID-19 situation and provide updates as appropriate. Make sure you are subscribed to [Fisher Phillips' Insight System](#) to get the most up-to-date information. For further information, contact your Fisher Phillips attorney, the authors of this Insight, or any attorney in our [Education Team](#).

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