

Your Question:

Are school districts collecting data on which personnel have received the COVID-19 vaccine?

Our Response:

Although we do not track activity at the school district level, we are happy to provide some information on trends we have seen in recent introduced legislation regarding teachers and the COVID-19 vaccination.

Legislation on School Personnel and the COVID-19 Vaccine

We have not seen any legislation regarding vaccination tracking for school personnel. The closest introduced legislation on this topic may be **North Carolina SB 78**, which encourages governing boards to “coordinate with local health departments and other vaccine providers to facilitate coordinating and scheduling COVID-19 vaccination events for frontline K-12 school-based employees.”

We have more generally seen several bills and resolutions (such as **South Carolina S 520** or **Washington HB 1420**) that would advocate for teachers and school staff to be given the option to receive a vaccination, or to have their voluntary status elevated to a higher priority group for vaccine eligibility. Some bills, such as **Minnesota HF 261** and **New York A 4602**, would be explicit in specifying that teachers and school employees may not be mandated to receive the vaccination.

School Personnel and Vaccination Mandates

We are not currently aware of any states that are mandating that teachers or school personnel receive the vaccine. *Education Week* has a useful resource [here](#) with information for all states on teacher eligibility for vaccination and no mentions are made of mandates. *Education Week* also has a useful [FAQ](#) resource on this topic, which states the following answer to the question of whether or not states can create a vaccination mandate for teachers:

“States have the legal power to require people to get vaccinated, per a 1905 Supreme Court ruling, *Jacobson v. Commonwealth of Massachusetts*. If states don’t require teachers to get vaccinated, local school districts could make that decision. The U.S. says that employers can require workers to get a COVID-19 vaccine, with exemptions for workers with certain medical conditions or religious beliefs. However, because the coronavirus vaccines have so far only received emergency use authorization, individuals must have the option to accept or refuse it. That might complicate any sort of mandate until the vaccines receive full FDA authorization.”

A *USA Today* [article](#) provides more information — but no hard answers — around this question. This article points to December 16, 2020 [guidance](#) from the U.S. Equal Employment Opportunity Commission regarding vaccination requirements and employment law, but it does not specifically speak to teachers or school personnel.