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MEMORANDUM

DATE: August 20, 2021

TO: Presidents, State-Operated Colleges
Presidents, Community Colleges

FROM: Anta Cissé-Green, Senior Vice Chancellor and General Counsel

SUBJECT: Frequently Asked Questions about the COVID-19 Vaccination Policy

1. Which students are required to receive a COVID-19 Vaccination?

The definition of “students” in the policy is intended to be interpreted broadly and includes all students that are engaging in-person at SUNY campuses and its facilities.

2. Are faculty and staff required to be vaccinated for COVID-19 by the SUNY Policy?

No. While faculty and staff are strongly encouraged to get vaccinated, they are not required to do so at this time by the SUNY COVID-19 Vaccination Policy. However, on July 28, 2021, the Governor [announced](#) that all New York State employees will be required to get vaccinated for COVID-19 by Labor Day (September 6, 2021). State employees, other than those who work in patient-facing State-run healthcare facilities (e.g., SUNY Hospitals), who do not get vaccinated will be required to be tested for COVID-19 on a weekly basis. There will be no option to be tested in lieu of vaccination for these patient-facing healthcare workers.

Similarly, all employees, staff and volunteers at SUNY’s Hospitals and Nursing Homes are also subject to mandatory COVID-19 Vaccination pursuant to the [Public Health Law Section 16 Order](#) issued by the NYS Department of Health on August 18, 2021.

3. Is a COVID-19 Vaccination required for all students that access SUNY Facilities in-person?

Once the FDA issues final approval for at least one COVID-19 Vaccination, students will either need to be either Fully Vaccinated, in process according to campus directive with a temporary medical accommodation as described in the policy or be granted an Exemption as further described in the policy.

4. Does this policy cover students at other locations where SUNY provides program sites?

No. Third-party owned and operated sites where SUNY programs are offered are not currently covered by this policy. Students must instead follow the COVID-19 related health and safety guidelines for the third-party location, including COVID-19 vaccination requirements (e.g., clinical rotations at hospitals).

5. What happens if the FDA approval occurs after the beginning of the Fall 2021 term?

Students will be required to comply with the policy when it becomes effective. Therefore, campuses should plan for how they intend to implement the policy should this occur and inform students accordingly. For example, students can be given a deadline for when they must be in full compliance, or they will need to complete their courses remotely or otherwise be deregistered. This is similar to what occurs should they fail to comply with requirements for the Measles, Mumps, and Rubella (MMR) vaccine.

The SUNY COVID-19 Vaccination Policy requires campuses to build-in a 35-day grace period from the date that at least one COVID-19 Vaccination receives full FDA approval to allow students to either (i) show proof they have completed a full vaccine series (meaning that the student has received at least one dose of a single dose vaccine series or at least a second dose of a two-dose series), provided, however, that this period does not include the two-week window after completion of the series needed for immunity, or (ii) submit requests for an exemption based on medical or religious grounds. As long as the request for an exemption is received before the deadline, the grace period will extend through the review period of any such exemption.

6. Will this only apply for the Fall 2021 term?

This policy is anticipated to begin for the Fall 2021 term and will continue for the foreseeable future.

7. What are the parameters for the medical and religious exemptions discussed in the policy?

Campuses should use the same parameters used for the MMR Vaccination required by NYS Public Health Law Section 2165, which also allows for both medical and religious exemptions. Separate guidance will be provided on this topic.

8. Can a student who is otherwise vaccinated for other required vaccines declare a sincerely held religious belief against COVID-19 vaccination?

Yes, a student can declare a sincerely held religious belief regarding the COVID-19 Vaccination that they did not have for other required vaccines.

9. Will campuses be able to create their own attestation for students seeking to utilize the Online or Fully Remote Exemption?

Yes. System Administration does not intend to create a model form at this time.

10. How should campuses without student health centers manage this requirement?

It is recommended that this process be managed in the same way as campuses currently process the MMR and Meningococcal Vaccines.

11. Do students need to be vaccinated to register for Fall 2021 courses?

No.

12. How must students demonstrate they are vaccinated?

System Administration developed an electronic portal that campuses must use to confirm a student's COVID-19 vaccination status after receiving the student's consent. Campuses that want to continue using pre-existing vaccination verification methods will be required to work with System Administration to integrate their process with the SUNY Portal upload relevant information into the SUNY Portal.

13. Who should maintain the student documentation?

The campus may decide what office(s) is responsible for maintaining the appropriate documentation. Generally, it should be the same office that maintains documentation for other required vaccination information and/or exemptions.

14. May campuses impose additional mask and social distancing requirements beyond what is required in the policy?

Yes, campuses have the discretion to impose additional health and safety restrictions as they deem appropriate for their Campus Communities in accordance with the "Final COVID Protocols for the 2021 Summer and Fall Semester" issued by the Chancellor on July 7, 2021 (as updated on July 8, 2021). The campus must work with campus stakeholders in development of any additional changes and broadly communicate the restrictions to the entire college community.

15. Can campuses impose additional COVID-19 Vaccination requirements for participation in certain programs and activities?

Yes, for extracurricular programs and services. Core academic programs may not be restricted beyond the parameters of the SUNY COVID-19 Vaccination Policy until the vaccine has been fully approved by the FDA.

16. May a campus add its own protocols, such as requiring a negative pre-arrival test and/or upon-arrival test, for unvaccinated students?

Yes, campuses have the authority to require additional protocols for unvaccinated students. The Chancellor's Final COVID Protocols for the 2021 Fall Semester require at a minimum that unvaccinated students must provide evidence of a negative COVID-19 test taken within the five (5) days prior to arriving on campus at the start of their semester/term. In lieu of a negative test, unvaccinated students will need to quarantine for at least ten (10) days prior to or upon arrival at campus and attest to the campus that they did so.

17. Is the vaccine requirement for any/all students physically coming to campus in the fall, including student athletes or students coming to use a campus service for (e.g., the library) on a weekly basis?

Yes, they must be Fully Vaccinated or otherwise be granted an exemption as described in the policy.

18. How should a campus treat students that are not fully vaccinated by the time they move-in or begin classes?

Campuses can treat these students as unvaccinated or partially vaccinated and grant them a medical accommodation as described in the policy until they are Fully Vaccinated. It should be noted that this is intended to be a *temporary* accommodation and students should get Fully Vaccinated as soon as practicable.

19. Should lists of unvaccinated students be provided to faculty holding in-person classes?

No. FERPA requires that a student's vaccination status only be shared with those individuals who have an educational "need to know." Faculty will generally not have such a need to know as all unvaccinated students will be required to comply with the campus' precautionary health and safety protocols including, without limitation, face masking, social distancing, and weekly surveillance testing.

20. Should campuses provide COVID-19 Vaccines directly to students?

We strongly recommend campuses make access to the vaccine as easy for students as possible.

Campus health centers may choose to provide vaccines to students that want to get vaccinated upon their return. Alternatively, campuses are encouraged to work with local pharmacies and/or health departments to get students access to the vaccines either on campus or nearby.

21. Will students be required to get boosters or annual shots?

Public health experts have not determined whether boosters or annual shots will be needed. This topic will be revisited once additional information is available. However, the definition of "Fully Vaccinated" may be modified in the future to include any needed boosters.

22. Can students that were recently diagnosed with COVID and/or have an antibody test indicating natural immunity apply for a medical exemption?

As described in the policy, serological tests are not acceptable for the purposes of compliance with COVID-19 Vaccination requirements. Students recently diagnosed with COVID-19 may request a temporary medical accommodation for up to 90 days after their diagnosis if determined appropriate by the campus. However, any such accommodation should be reviewed and decided upon by the campus.

23. Will vaccination be required for students participating in clinical experiences or practicums?

Students participating in applied learning experiences will be required to comply to their host site policies. This includes all levels of clinical and allied health training and educator preparation.