



## **COVID-19 VACCINATION POLICY FOR STUDENTS**

as of 8/24/21

### **I. INTRODUCTION**

This policy is effective May 19, 2021. Once the FDA issues full licensure for one or more COVID-19 vaccines for use in the U.S., HPU will review this policy and corresponding directives from the Hawaii State Department of Health (HDOH). HPU is sensitive to community access to the vaccine, as well as the views of those in the community who prefer to await fuller scientific review of vaccination safety. Thus, HPU's plan includes two phases: (1) during emergency use authorization (EUA); and (2) during full FDA authorization.

(1) During the EUA phase, HPU will continue to strongly encourage vaccination among students while mandating vaccination for select activities, namely those engaging in University-sponsored travel and laboratory activities requiring close contact.

(2) During the full authorization phase, HPU will invoke a vaccination mandate for students who are engaged in areas that are scientifically tied to a higher propensity of spread across the nation. If full authorization is not achieved by August 1, 2021, HPU plans to invoke the mandate at the commencement of the next subsequent academic semester (or term, depending on the academic program). HPU will continue to deploy surveillance testing and social distancing measures for those who remain unvaccinated.

HPU will be mindful of the HDOH's issuance of any directives, as they have done with other vaccines.

### **II. PURPOSE OF THE PROGRAM**

COVID-19 is a highly contagious virus that can cause mild to severe respiratory illness and even death (particularly among older adults and individuals with certain underlying medical conditions). The disease is transmitted mainly by respiratory droplets from people infected with the virus who are physically near (within 6 feet) or in direct contact with the secretions of another person. The droplets can be produced by the infected person coughing, sneezing, talking, singing, belching and other actions. COVID-19 is so virulent that on March 11, 2020 the World Health Organization declared it a pandemic.

Government efforts to control the disease through mandated social distancing, wearing of masks, testing and contact tracing have not been successful in stopping the spread of the virus. In fact, based on guidance from the U.S. Centers for Disease Control and Prevention (CDC) and public health authorities, the U.S. Equal Employment Opportunity Commission (EEOC) concluded that an individual infected with COVID-19 may pose a “direct threat” – in other words, “a significant risk of substantial harm to the health or safety of the individual or others that cannot be eliminated or reduced by reasonable accommodation.”

The U.S. Food and Drug Administration (FDA) initially granted Emergency Use Authorization (EUA) to two vaccines – one made by Pfizer and the other by Moderna – to protect people from getting COVID-19. A vaccine issued by Johnson & Johnson has followed and others are on the way. Because supplies are limited, the vaccine is being distributed in stages, with those most at risk being vaccinated first.

During the period of EUA approval, vaccination will be strongly recommended for the individuals denoted below. Upon full authorization through license, to the extent such policy is consistent with guidance issued from the Hawaii State Department of Health (HDOH), vaccination *will be required* for the individuals denoted below.

The following summary provides details of the program.

### **III. VACCINATION REQUIREMENTS<sup>1</sup>**

Vaccination is strongly recommended or required for the following persons under the following conditions. An individual should check with a health care provider to (1) ensure that any vaccination is appropriate and consistent with an individual’s health condition and (2) receive instructions on post-vaccination monitoring and care, as needed.

#### **A. Vaccination Requirements Under FDA - EUA**

1. During the period when COVID-19 vaccines are available under an EUA, the following individuals are strongly recommended to receive one of the COVID-19 vaccines approved by the FDA:
  - a. On-campus students who:

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<sup>1</sup> Student employees should also reference the Employee Policy.

- (1) Reside in congregate living situations (*i.e.*, University student housing, apartments, condominiums, or shared housing arrangements);<sup>2</sup>
  - (2) Attend in-person classes; or
  - (3) Wish to come on to campus or attend campus events.
2. During the period when COVID-19 vaccines are available under an EUA, the following individuals must provide documentation of having received one of the COVID-19 vaccines approved by the FDA to engage in any of the following activities:
  - a. Students engaging in elective University-sponsored travel (transpacific or inter-island), including athletics travel;
  - b. Students engaged in marine vessel or other laboratory activities requiring close contact, *unless otherwise able to provide a negative COVID-19 test result taken within 48 hours of entry until fully vaccinated by the required deadline*;
  - c. Students accessing University fitness facilities;
  - d. Students accessing the Student Union, *unless otherwise able to provide a negative COVID-19 test result taken within 48 hours of entry*.

**B. Vaccination Requirements Upon Issuance of FDA License**

1. Once the FDA licenses COVID-19 vaccines for use in the U.S., the following individuals are strongly recommended to receive one of the COVID-19 vaccines licensed by the FDA:
  - a. All students.

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<sup>2</sup> Unvaccinated newly arriving student residents who comply with the State of Hawaii Safe Travels testing program may come to campus immediately, but must take a COVID test provided by HPU every other day for a 10-day period. Unvaccinated students who do not comply with the HI State Travels program may be required to quarantine for 10 days at their own expense. If unvaccinated students who comply with the Safe Travels program or University Student Travel Exemption Program are not living on campus, they must take a COVID test prior to coming to campus for orientation and/or first week of classes and provide the negative result to the Dean of Students Office via Med+Proctor before coming on campus. In addition, unvaccinated students, not yet fully vaccinated students, and those who have not yet upload their vaccination information living off-campus are required to test for COVID-19 at least once a week during the academic year through HPU's Surveillance Testing Program. All unvaccinated students, including those receiving exemptions, must also comply with government health and safety mandates and any applicable HPU policies on health screening, wearing of face coverings, social distancing, testing, etc.

2. Once the FDA licenses COVID-19 vaccines for use in the U.S., the following individuals must provide documentation of having received one of the COVID-19 vaccines licensed by the FDA. For students, if FDA full authorization is achieved by August 1, 2021, proof of vaccination must be submitted and accepted within two weeks of the start of the Fall semester (or term). If FDA full authorization is not achieved by August 1, 2021, proof of vaccination must be submitted and accepted by the start of the next subsequent semester (or term). Consistent with CDC guidance, people are considered fully vaccinated for COVID-19  $\geq 2$  weeks after they have received the second dose in a 2-dose series (Pfizer-BioNTech or Moderna), or  $\geq 2$  weeks after they have received a single-dose vaccine (Johnson and Johnson (J&J)/Janssen).
  - a. Students residing in University student housing;
  - b. Students engaged in clinical or other practica with vaccination requirements, such as congregate settings (hospitals or care homes), if required by the practica site;
  - c. Students engaged in marine vessel or other laboratory activities requiring close contact;
  - d. Student athletes, so long as not inconsistent with NCAA guidance;
  - e. Students engaging in University-approved elective choral and singing activities and classes, instrumental groups and classes, and theater productions and classes;
  - f. Students accessing University fitness facilities and/or engaging in University-approved elective recreational, wellness, and fitness activities requiring close contact.
  - g. Students engaging in elective University-sponsored travel (transpacific or inter-island), including athletics travel;
  - h. Students accessing the Student Union, *unless otherwise able to provide a negative COVID-19 test result taken within 48 hours of entry.*

**C. Accommodating Individuals Who Cannot Take The Vaccine**

HPU will provide reasonable accommodations to individuals who, because of sincerely held religious beliefs or medical reasons, cannot take the COVID-19 vaccine. Individuals who are unable to take the vaccine must submit a written request for accommodation in accordance with the procedures set out in Section IV below.

#### IV. PROCEDURE<sup>3</sup>

##### A. Notice Of, And Response To, Vaccination Requirement<sup>4</sup>

1. Notice - Students will receive written notice from HPU that they are subject to mandatory vaccination. The Notice from HPU shall include the following information
  - a. If vaccinated, the process and time period for providing proof of vaccination.
  - b. If not yet vaccinated, the approximate time period during which the individual will be expected to take his/her first and second doses of the vaccine (the "Vaccination Period");
  - c. If the employee or student is unable to receive the vaccination due to medical reasons or religious beliefs, the process and time period to request an accommodation.
  - d. A link to this Policy, including section V, Discipline, detailing the consequences for refusing to comply with this Policy.
  
2. Request for reasonable accommodation - If the individual is requesting reasonable accommodation in lieu of vaccination, then he/she/they must submit a COVID-19 Vaccination Request for Medical Exemption Form or COVID-19 Vaccination Request for Religious Exemption Form (and supporting materials, as appropriate) explaining the individual's need for accommodation. Pregnancy and breastfeeding are included as medical conditions for the purposes of COVID-19 vaccinations.

Upon receipt of a request for accommodation, HPU will notify the individual if the request has been approved and, if so, the alternative provisions he/she/they must comply with.

##### B. Vaccination Procedures

Individuals should check with a health care provider to ensure receipt of appropriate dosages and receive instructions on post-vaccination monitoring.

Individuals who receive the vaccination must continue to comply with University safety policies, including wearing masks, practicing social distancing, and

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<sup>3</sup> For more details, please reference policies maintained by the Dean of Students Office..

<sup>4</sup> Notices and correspondence will be issued from HPU's Student Life Department..

continuing to follow infection control practices (e.g. washing hands, sneezing into elbows, etc.).

**C. Documentation**

1. All documents generated as part of this program (e.g., Notice of vaccination requirements, vaccination schedules, requests for accommodation and responses to such requests, and any records of adverse reactions) are considered Confidential Medical Records. Such records shall be retained in separate, secured files with restricted access.
2. Disclosure of the foregoing records shall only be made in accordance with applicable federal and state laws, upon consent of the individual in question, or upon court order.

**V. DISCIPLINE**

**A. Definition Of “Refusal To Take Vaccine”**

For purposes of this program, “refusal” to take the COVID-19 vaccine shall include: (a) individuals who refuse to participate in the program on a timely basis; (b) individuals who fail to provide documentation to support their request for accommodation on a timely basis; and (c) individuals who fail to provide proof of vaccination on a timely basis.

**B. Refusal To Take Vaccine**

Students who have received Notice that they are required to take the COVID-19 vaccine and who refuse to take the vaccine after being reminded to do so and who have not been granted an exemption, will be restricted from attending the particular class or classes and/or particular activity or activities for up to 1 week. If by the end of that period, the student has failed to comply with the vaccine requirement, the student will be removed from the particular class or classes or prohibited from participating in the particular activity or activities.