

AP 3507 COVID-19 VACCINATION INTERIM PROCEDURES

References:

Education Code Sections 70902; 76020; 76403; 87408.
United States Code Title 29 Section 654(a)(1);
United States Equal Employment Opportunity Commission guidance;
California Community Colleges Chancellor's Office 2021-01 Advisory
California Code of Regulations, Title 8, Section 3203
California Constitution, Article IX, Section 14

To maintain the safest possible learning community and in reference to Board Policy 3507, all students and employees must provide certification of having received an approved COVID-19 vaccine to engage in on-campus learning and activities. Students and employees may request an exemption to the approved vaccine requirement in accordance with the District's reasonable accommodations procedures. Any student or employee who does not provide certification may be denied access to campus/programs.

To access campus/programs, any person, including a visitor, who has not obtained an approved vaccine or claimed an exemption may be subject to other safety measures, such as regular COVID-19 testing, or other measures as determined by the District.

Contractors providing services or work on campus shall ensure that their agents and employees undertake appropriate other safety measures. In consideration of the nature of the contractor's services (including proximity to members of the District community), duration, and extent of on-campus presence, the District may also require that a contractor's agents and employees receive an approved vaccine.

The Superintendent/President or the designee may, on rare occasions, consider extenuating or individual circumstances. Any such consideration shall be consistent with all applicable District policies including those prohibiting discrimination, harassment, and retaliation based on protected status or activity.

This procedure supplements and does not replace District policies and procedures governing other safety measures.

Exemption Procedure: A student or employee may be excused from the vaccine requirement through one of the categories below. A person who is granted an exemption may be required to adhere to other safety measures for the health and safety of the campus community.

Medical Exemption: due to a medical condition for which an approved vaccine presents a significant risk of a serious adverse reaction. The District may ask for proof of a medical exemption to be verified by a certified or licensed healthcare professional.

Religious Exemption: due to either (i) a person's sincerely held religious belief, observance, or practice, which includes any traditionally recognized religion, or (ii) beliefs, observances, or practices which an individual sincerely holds and that occupy a place of importance in that individual's life, comparable to that of traditionally recognized religions.

To request an exemption, the student or employee must issue the request in writing by completing the following forms:

- [Student COVID-19 Vaccine Medical Exemption Request Form](#)
- [Student COVID-19 Vaccine Medical Religious Request Form](#)

Students should submit their exemption requests to studentservices@ohlone.edu

- [Employee Medical Accommodation Form COVID 19 Accommodation Request](#)
- [Employee Religious Accommodation Form COVID 19 Accommodation Request](#)

Employees should submit their exemption requests to: jgapuz@ohlone.edu

All requests must be submitted a minimum of 10 days prior to the planned visit to campus.

General Provisions

Confidentiality of Information. This procedure (including in connection with data collection) shall be governed by applicable District policies regarding confidentiality, privacy, and security of health records, as well as state and federal law. Information shall be used only for the specific purpose intended and only be accessible to District personnel who have a business need-to-know.

Accessibility. This procedure shall be governed by applicable District policies regarding accessibility, as well as applicable state and federal law.

Documentation to Support Certification.

Vaccination Status. Any person submitting a declaration of current COVID-19 vaccination status (with an approved vaccine) shall verify that, at the District's request, they will promptly provide proof of vaccination. The District will not request any health or medical information for the purpose of enforcement of this policy other than proof of vaccination.

Medical Exemption. Students and employees may decline vaccination due to medical contraindications or precautions recognized by the U.S. Food & Drug Administration or Centers for Disease Control and Prevention or due to a disability. Any person submitting a declaration of medical exemption shall verify that they will promptly provide documentation from a certified or licensed healthcare professional to support their declaration upon request by the District. A person who is granted medical exemption may be required to adhere to other safety measures.

Religious Exemption. Students, faculty, and staff may decline vaccination based on a sincerely held religious belief, practice, or observance. A person who is granted religious exemption may be required to adhere to other safety measures. Any person submitting a declaration of religious exemption shall verify that they will promptly provide a statement that describes the applicable religious or other comparable belief that is the basis for their exemption upon request by the District. A person who is granted religious exemption may be required to adhere to other safety measures.

Accommodations. The District will provide an individualized interactive process to identify appropriate accommodations for individuals claiming an exemption. Accommodations may involve adjustments to job duties, remote work or learning, isolation of individuals in certain campus locations, limiting of interactions, and other safety measures. Requests for Accommodations should be made to Human Resources.

Broad Dissemination of Policy Information. Information about the COVID-19 vaccination requirement shall be widely disseminated through any combination of written information statements, verbal communications, or online or in-person training programs. Such information shall provide appropriate point(s) of contact, including email and telephone numbers.

Access and Availability of Vaccinations and Testing. COVID-19 testing required by the District shall be provided to students and employees at no charge. Information about the availability of approved vaccines and COVID-19 testing, including those offered free-of-charge, shall be widely disseminated through any combination of written information statements, verbal communications, or online or in-person training programs.

All students and employees shall receive information as part of ongoing training and education, concerning:

- a. The potential benefits for COVID-19 vaccination;
- b. The potential health consequences of COVID-19 illness for themselves, family members and other contacts, coworkers, patients, and the community;
- c. Occupational exposure to COVID-19;
- d. The epidemiology and modes of transmission, diagnosis, and non-vaccine infection control strategies in accordance with their level of responsibility in preventing COVID-19 infections.
- e. The safety profile and potential risks of any COVID-19 vaccine; and
- f. Requirements for compliance with the COVID-19 vaccination interim policy.

Superseding Public Health Directives. In the event that a federal, state, or local governing public health agency imposes a requirement that restrictively conflicts with this policy or implementation of this policy, the applicable public health mandate shall govern and be implemented.

Dual Enrollment Students. The District shall coordinate with local K-12 school districts and their respective county offices of education regarding applicability of the provisions of the COVID-19 vaccination interim policy and this administrative procedure.

Apprenticeship Sites. Apprenticeship sites are not operated and controlled by the district and are not subject to this administrative procedure.

Definitions

Approved Vaccine: A COVID-19 vaccine that has received full approval from the U.S. Food & Drug Administration (FDA) and is recommended for use by the U.S. Centers for Disease Control and Prevention (CDC). The following COVID-19 vaccines shall also be deemed to be approved vaccines for the purpose of satisfying the vaccination requirement in this policy: (a) a COVID-19 vaccine administered under an FDA Emergency Use Authorization; or (b) a COVID-19 vaccine administered outside of the United States that has been approved by the World Health Organization.

Fully Vaccinated: Two weeks after receiving the second dose in a two-dose series or following a single-dose vaccine.

Campus/Programs: Any campus, property or facility owned or operated by the District in connection with its teaching, public service, or other programs and services. Any in-person program or activity (on- or off-campus) operated or controlled by the District.

Certification: Submission of information establishing that a student or employee has received an approved vaccine or qualifies for an exemption from the vaccine requirement. The District will collect from every student or employee who seeks access to campus/programs the following, as applicable: (1) declaration of current COVID-19 vaccination status (with an approved vaccine); (2) declaration of medical exemption; or (3) declaration of religious exemption. Each certification shall include an attestation by the student or employee that the information provided is accurate and truthful. The District may request other information including, but not limited to, date of full vaccination, vaccine type, and lot number.

Contractor: A person or entity, including an auxiliary organization, that agrees to conduct work for the District as specified under the terms of a contract or agreement.

Employees: Faculty, staff, volunteers, student workers, and administrators of the Ohlone Community College District.

Exemptions: A student or employee may be excused from the vaccine requirement through one of the categories below. A person who is granted an exemption may be required to adhere to other safety measures for the health and safety of the campus community.

Medical Exemption: due to a medical (including mental health) condition for which an approved vaccine presents a significant risk of a serious adverse reaction. The District may ask for proof of a medical exemption to be verified by a certified or licensed healthcare professional.

Religious Exemption: due to either (i) a person's sincerely held religious belief, observance, or practice, which includes any traditionally recognized religion, or (ii) beliefs, observances, or practices which an individual sincerely holds and that occupy a place of importance in that individual's life, comparable to that of traditionally recognized religions.

Other Safety Measures: Any action, as determined by the District, other than getting an approved vaccine, that decreases the likelihood of COVID-19 transmission or illness and allows the core mission and activities of the campus to continue. Other safety measures may include asymptomatic (public health surveillance) testing and symptomatic testing; physical/social distancing; avoiding large gatherings; wearing face coverings or personal protective equipment; frequent handwashing

and cleaning; practicing respiratory etiquette; improving ventilation of indoor spaces; and staying home and/or quarantining when warranted.

Student: Any admitted or enrolled Ohlone Community College District student participating in any in-person activities.

College Council endorsed: September 13th, 2021

Adopted: September 2021

See [Board Policy 3507 COVID-19 Vaccination Interim Policy](#)