<table>
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<tr>
<th><strong>Policy Name:</strong></th>
<th>COVID-19 Vaccination Policy</th>
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| **Associated Form(s):** | 1) Student COVID-19 Vaccination Confirmation Form  
2) Student COVID-19 Vaccination Exemption Forms (Medical, Religious and Distance Learning)  
3) Employee Vaccination Exemption Forms (Medical and Religious) |
| **Policy Number:** | 2021-15 |

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<tr>
<th><strong>Reviewed:</strong></th>
<th>Non-Academic Policy Review Committee</th>
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<td><strong>Approved:</strong></td>
<td>September 27, 2021</td>
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<th><strong>Approval Authority:</strong></th>
<th>President</th>
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| **Responsible Executive(s):** | 1) Vice President of Student Affairs  
2) Vice President of Finance |
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<td><strong>Revised:</strong></td>
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| **Responsible Office(s):** | 1) Office of Student Affairs  
2) Office of ACCESSibility  
3) Student Health Office  
4) Office of Human Resources |
|-------------------------------|-----------------------------|
| **Contact(s):** | 1) Assistant Dean of Student Affairs  
2) Director of ACCESSibility  
3) Director of Health and Wellness  
4) Assistant Director of Human Resources |
I. Policy Statement

SARS-CoV-2 (the virus that causes COVID-19) is a serious respiratory disease; greater than half-a-million Americans died in 2020-21 from SARS-CoV-2-related-causes. The COVID-19 vaccination is recommended by the Centers for Disease Control and Prevention (CDC) for anyone over the age of 12 years in order to prevent infection from and transmission of SARS-CoV-2 and its complications, including death. Getting vaccinated may also protect other community members, including those who are more vulnerable to serious COVID-19 illness (i.e. infants, young children, older adults and individuals with certain chronic health conditions).

In order for Mercy College to continue to maintain a safe and healthy environment, and to bring Mercy College back to the vibrant campus community it has always been, Mercy is requiring all students and employees to provide proof of the COVID-19 vaccination. All on-campus students were required to provide proof of the COVID-19 vaccination by August 15, 2021. All employees must provide proof of being fully vaccinated by November 12, 2021. This mandate is in line with what other peer institutions are currently doing, and what Mercy believes is in the best interest of the entire College community.

II. Students

A. COVID-19 Vaccination Proof Required

Prior to the start of the term, Mercy College students who plan to attend classes, activities or events on-campus and in-person were required to submit proof of their fully vaccinated status by uploading the information online by August 15, 2021. Students who are required to provide proof of the COVID-19 vaccination include, but are not limited to, the following:

- Students attending any classes, activities or events on any of Mercy’s campuses or sponsored by Mercy off-campus.
- Students who reside in any on-campus housing at Mercy College.
- Students who participate in any NCAA-related activity.
- Students who participate in the Study Abroad Program.
- Students who participate in all clinical and experiential placements relating to Mercy College academic programs.
- Students who participate in club sports.
- Students who participate in off-campus, in-person Mercy-sponsored events.

Students who fail to submit proof of the COVID-19 Vaccination may be subject to sanctions, including but not limited to being prevented from enrolling in in-person classes (or removed from registration from courses if already registered) for the Spring 2022 term, as well as participating in on-campus events and activities.

Current unvaccinated students are required to adhere to additional measures to ensure the safety of the campus community is maintained which may include, but not be limited to: continued mask-wearing, social distancing to the extent practicable, mandatory on-campus
testing, and limitations on participation in in-person on-campus classes, activities and events, at the College’s discretion.

A.  Exemptions

- Students have the right to seek an exemption due to an allergy or medical contraindication to receiving the vaccine. They must provide the exemption form and physician’s statement (see below).

- Students may also seek an exemption due to a sincerely held spiritual or religious belief, practice, or observance. They must provide a statement (see below). Note that the deadline for religious exemptions for the Fall 2021 term was August 13, 2021. Also note that students in clinical practicums, while they can seek a religious accommodation at Mercy, currently cannot participate in an off-site clinical due to the restrictions set by those facilities.

- Students who intend to be fully distance learning and shall not attend any on-campus, in-person classes, activities or events may also decline from providing proof of the COVID-19 vaccination. They must submit the waiver form.

Students with an exemption are required to wear masks on campus and submit to weekly testing. See Section V. below.

Anyone who comes to campus who is not vaccinated does so freely and voluntarily and shall assume all risks of the decision to decline the vaccination, including the risk of severe illness or death, as well as the risk posed to community members around them.

All students, regardless of vaccination status or having an exemption, are required to adhere to all COVID-19-related College policies, rules and guides, including the COVID-19 Addendum to the Student Handbook.

B. Reasonable Accommodations

Mercy College is committed to providing reasonable accommodations and academic adjustments to allow qualified students the opportunity to participate in programs and activities at the College. The College’s Student Accommodations Policy provides for procedures in connection with: a) a disability or serious injury, b) pregnancy, childbirth, or a medical condition related to pregnancy or childbirth, including breastfeeding, and c) religious practices. Students who believe they need an accommodation or academic adjustment should contact the Office of ACCESSibility.
III. Employees

Mercy College employees are now required to submit proof of their fully vaccinated status by uploading the information online no later than November 12, 2021. Under New York State law, all employees are entitled to up to 4 hours of paid leave to obtain the vaccine, which does not count against the employee’s regular sick leave bank. Employees may also use accrued paid sick leave if they have side effects from the vaccine. See Mercy Employee Leave Policy. Any questions should be directed to the Office of Human Resources.

A. Exemptions

- Employees have the right to seek an exemption due to an allergy or medical contraindication to receiving the vaccine. They must provide the exemption form and physician’s statement (see below).

- Employees have the right to seek an exemption due to sincerely held spiritual or religious belief, practice, or observance. They must provide a statement (see below).

Employees who decline the COVID-19 Vaccination may be subject to disciplinary sanctions up to and including suspension or termination from employment from the College. Unvaccinated employees are required to adhere to additional measures to ensure the safety of the campus community is maintained which may include, but not be limited to: continued mask-wearing and social distancing at all times, daily health screenings, mandatory testing, and limitations on participation in in-person on-campus activities and events, at the College’s discretion.

Employees who decline providing proof of the COVID-19 Vaccination do so freely and voluntarily and shall assume all risks of the decision to decline the vaccination, including the risk of severe illness or death, as well as the risk posed to community members around them.

All employees, regardless of vaccination status, are required to adhere to all COVID-19-related College policies, rules and guides, including the Maintaining a Safe Workplace Guide.

B. Reasonable Accommodations

Mercy College is committed to providing reasonable accommodations to allow qualified employees the opportunity to participate in employment at the College. The College’s Reasonable Accommodations Policy for Employees provides for procedures in connection with: a) a disability or serious injury, b) pregnancy, childbirth, or a medical condition related to pregnancy or childbirth, including breastfeeding, and b) religious practices. Employees who believe they need an accommodation should contact the Office of Human Resources.

IV. Contractors, Vendors and Visitors

All Mercy College contractors and vendors who regularly appear on campus are required to provide proof of COVID-19 vaccination to their employer before coming to Mercy College
campuses. Those individuals, like Mercy employees, are entitled to request an exemption with their employer.

All Mercy College alumni are required to show proof of vaccination before gaining access to Mercy’s campuses. They must obtain pre-approval and an identification card through the Office of Alumni Relations, which will allow them entry into Mercy’s campuses.

All other visitors to Mercy College campuses are required to abide by the Interim COVID-19 Visitor Policy, as well as any other COVID-19 related College policies and procedures. This includes the requirement that visitors wear masks and socially distance at all relevant times.

V. Testing

Consistent with current CDC guidance, Mercy mandates testing for all unvaccinated students, employees, contractors and vendors who are on-campus. This includes individuals who have received an approved exemption from the Office of ACCESSibility or the Office of Human Resources, those who have received one dose of the COVID-19, or who has still not submitted proof of their vaccination status. Failure to adhere to mandatory testing will result in sanctions for students, employees and contractors and vendors. Penalties can include up to suspension from campus for students (including receiving an F and not being refunded for the term). Employees could face expulsion, and contractors and vendors face removal from Mercy as a work site.

A. Sanctions for Employees Who Fail to Test

1. First unexcused absence for a scheduled COVID-19 test will result in a warning issued by the Office of Human Resource for staff or the Provost for faculty.

2. Second unexcused absence for a scheduled COVID-19 test may result in a suspension from work for two (2) days with loss of two days’ pay, with notice issued by the Office of Human Resources for staff and the Provost for faculty.

3. Third unexcused absence for a scheduled COVID-19 test may result in suspension from work for two weeks with loss of two weeks’ pay, with notice issued by the Office of Human Resources and the Provost for faculty.

4. Fourth unexcused absence for a scheduled COVID-19 test could result in a longer unpaid suspension from the College, or even termination from employment.

B. Sanctions for Students Who Fail to Tests

1. Failure to schedule a testing appointment may result in restriction from campus or suspension from the College.
2. First unexcused absence for a scheduled COVID-19 test will result in a judicial warning.

3. Second unexcused absence at any point during the term for a scheduled COVID-19 test will result in the student being restricted from entering any campus building until you submit proof of a negative COVID-19 test taken within 48 hours to covidtesting@mercy.edu.

4. If a student is found on campus while being restricted from entry due to a second unexcused absence for a scheduled COVID-19 test, they will be subject to suspension from the College for the balance of the term.

5. Third unexcused absence at any point during the term for a scheduled COVID-19 test will result in suspension from the College for the balance of the term.

VI. EU Authorization

The Pfizer vaccine has full FDA approval. While we understand that the Moderna and Johnson and Johnson vaccines are currently approved under an Emergency Use Authorization (EUA), Mercy believes that the vast weight of authority supports the safety and effectiveness of the vaccination and its importance in the return to a fully engaged campus.

VII. Non-Retaliation and Respect for Other Community Members

Section 11(c) of the Occupational Safety and Health Act of 1970 protects employees from retaliation in the workplace, particularly as it pertains to complaints that may arise regarding the health and safety of the environment and the vaccination status of other community members. The NYS HERO Act also protects employees from retaliation for making complaints about their concern for airborne infectious illnesses in the workplace. Confidential complaints can be made at any time pursuant to the College’s Whistleblower Policy.

In addition, given the severity of COVID-19 and the continued uncertainty surrounding the pandemic, all members of the Mercy College community shall respect any and all individuals who wear a mask, regardless of whether they may or may not be vaccinated. Reasons for continued mask-wearing may vary—from those who choose to take extra steps to protect themselves and others from potential exposure by continuing to wear masks, or who may be unable to obtain the COVID-19 Vaccination or who decline for religious or medical reasons to do so. No one shall inquire into another community member’s medical history or background in an attempt to ascertain why an individual may or may not be vaccinated, other than the Office of Human Resources and the Office of ACCESSibility, solely pursuant to and for the purposes of this Policy.
VIII. SARS-CoV2 (COVID-19) Vaccination Status Privacy Notice

Mercy College is committed to protecting your personal information and being transparent about what information is held and how it is used. We understand your concerns about privacy and assure you that we take privacy matters seriously. Please see Mercy’s COVID-19 Privacy Policy Statement in which the College explains how your personally identifiable information is collected and used as it relates to proof of the COVID-19 vaccine. The information you provide will be used only as outlined in that Policy Statement. If you have questions regarding this Privacy Notice, you may direct them to kbowes@mercy.edu.
APPENDIX

COVID-19 Student Vaccination Confirmation Form

SARS-CoV-2 (the virus that causes COVID-19) is a serious respiratory disease; greater than half-a-million Americans died in 2020-21 from SARS-CoV-2 related-causes. The COVID-19 vaccination is recommended by the Centers for Disease Control and Prevention (CDC) for anyone over the age of 12 years in order to prevent infection from and transmission of SARS-CoV-2 and its complications, including death, to my friends, my family and community. Getting vaccinated may also protect other community members, including those who are more vulnerable to serious COVID-19 illness (i.e. infants, young children, older adults and individuals with certain chronic health conditions). As such, in order for Mercy College to continue to maintain a safe and healthy environment, and to bring Mercy College back to the vibrant campus community it has always been, Mercy is requiring all on-campus students to provide proof of the COVID-19 vaccination before the start of the term. Those students required to provide proof of the COVID-19 vaccination include, but are not limited to, the following:

- Students attending any classes, activities or events on any of Mercy’s campuses or sponsored by Mercy off-campus.
- Students who reside in any on-campus housing at Mercy College.
- Students who participate in any NCAA-related activity.
- Students who participate in the Study Abroad Program.
- Students who participate in all clinical and experiential placements relating to Mercy College academic programs.

This form and any documentation submitted will be kept confidential, maintained separately from student records, and will not be used against the employee in any way. If you have any questions, please contact the Student Health Office.

Student Name: ____________________________ CWID: ____________________________
Email Address: ____________________________ Phone: ____________________________

Please respond to the following questions regarding the COVID-19 vaccine:

(1) **I am fully vaccinated from COVID-19? Yes or No.**
   a. If Yes, when was the date of your second dose (for Pfizer, Moderna or other) or single dose (for J&J/Janssen) OR
   b. Provide a copy of your vaccine record (including photo of your vaccine card or Excelsior Pass). *Note all vaccination records are kept confidential and maintained separately from personnel files.

(2) **I am not fully vaccinated from COVID-19? Yes or No.**
   c. If No, please check off one of the following reasons:
      i. I am awaiting a shot or for the two weeks after the final shot ___
ii. Medical/disability reasons ___

iii. Sincerely held spiritual or religious belief, practice, or observance ___

(2) I plan to or have file(d) a COVID-19 Vaccine Exemption Form? Yes or No.

I hereby agree that, regardless of my vaccination status, I will be required to adhere to the COVID-19 Addendum to the Student Handbook, and all other relevant Mercy College COVID-19 policies and guides as may be implemented and updated in accordance with relevant local, state and federal guidelines and orders. I understand that if I am not fully vaccinated and am required to come to campus or affiliated location, I may be required to adhere to additional safety requirements, including but not limited to, continued mask-wearing and social distancing, mandatory regular surveillance testing. There may also be limitations on my ability to attend certain in-person campus events or activities. I also acknowledge that as a member of the Mercy College community, I shall respect any and all individuals who wear a mask, regardless of whether they may or may not be vaccinated. In the event that the campus sees a rise in COVID-19 cases, I may be restricted from coming to Mercy’s campuses and may have to take classes online.

_________________________________________  ________________________________
Student Signature                     Date
COVID-19 Student Vaccination Exemption Form

I acknowledge I am aware of the following facts regarding SARS-CoV-2 (the virus that causes COVID-19):

- SARS-CoV-2 is a serious respiratory disease; greater than half-a-million Americans died in 2020-21 from SARS-CoV-2-related causes;
- SARS-CoV-2 virus shedding may occur in individuals for up to 48 hours before symptoms begin, increasing the risk of transmission to others;
- Some people with SARS-CoV-2 have no symptoms, increasing the risk of transmission to others;
- SARS-CoV-2 virus changes often, making vaccination necessary;
- I understand that the COVID-19 vaccine cannot transmit SARS-CoV-2 and it does not prevent all disease;
- I acknowledge that COVID-19 vaccination is recommended by the Centers for Disease Control and Prevention for anyone over the age of 12 years in order to prevent infection from and transmission of SARS-CoV-2 and its complications, including death, to my friends, my family and community;
- I understand that getting vaccinated myself may also protect people around me, including those who are more vulnerable to serious COVID-19 illness (i.e. infants, young children, older adults and individuals with certain chronic health conditions);
- I acknowledge that by declining the vaccine that I am more susceptible to the illness; and
- I understand the CDC recommends COVID-19 vaccination, but in the context of the COVID-19 pandemic, states it is even more important in order to reduce illnesses and preserve scarce health care resources.

I acknowledge I am aware of the following Mercy College requirements, as applicable:

- I understand that the COVID-19 vaccine is required for all Mercy College students attending any classes, activities or events on any of Mercy’s campuses or sponsored by Mercy off-campus;
- I understand that the COVID-19 vaccine is required to reside in any on-campus housing at Mercy College;
- I understand that the COVID-19 vaccine is required to participate in any NCAA-related activity;
- I understand that the COVID-19 vaccine is required to participate in the Study Abroad Program;
- I understand that the COVID-19 vaccine is required to participate in all clinical and experiential placements relating to Mercy College academic programs.

Knowing these facts and Mercy College’s vaccination requirements for students, I choose to decline vaccination at this time. I may change my mind and accept vaccination later. I have read and fully understand the information on this exemption form. I freely and voluntarily assume all risks of my decision to decline vaccination, including the risk of severe illness or death, as well as the risk posed to community members around me. I further understand that, in addition to being required to adhere to all COVID-19-related College policies, rules and guides, including the COVID-19 Addendum to the Student Handbook, I may be required to adhere to additional measures to ensure the safety of the campus community is maintained which may include, but not be limited to: continued mask-wearing and social distancing at all times, mandatory surveillance testing, and my participation in on-person campus activities and events may be limited.
I decline vaccination for the following reason:

___ Sincerely held spiritual or religious belief, practice, or observance (statement form attached)

___ I have an allergy or medical contraindication to receiving the vaccine (physician statement attached)

___ I intend to be fully distance learning and shall not attend any on-campus, in-person classes, activities, or events.

Print Name _________________________________   CWID _______________________________

Signature __________________________________    Date      _______________________________

Parent Signature (if student is a minor, under 18 years old):

____________________________

Submit completed forms to the Office of ACCESSibility on or before August 1st for review. All forms must have the relevant statement completed for approval. A separate form is required for exemption from other, state-mandated vaccinations (such as MMR), which can be found here. *Please note that this form and any supporting documentation shall be kept confidential, shall be kept separately from student records and shall not be used against students in any way.
Medical or Allergy Exemption (Students) Instructions:

Please read the following information:

• The COVID-19 vaccination is recommended by the CDC to protect myself and others from COVID-19.
• I understand that I could be exposed to COVID-19 in the community and could bring the virus into the community.
• If I contract the virus, I can shed the virus before I even develop any symptoms and could spread it to students, my coworkers and my family.
• If my medical condition changes and I am able to have the vaccination in the future, I will notify the Office of ACCESSibility.

Medical or Allergy Certification:
By my signature below, I acknowledge that I have read and fully understand the information on this form. I understand that Mercy College is mandating all in-person students receive a COVID-19 vaccination unless I am granted an exemption. With knowledge of above, I am requesting an exemption from the COVID-19 vaccine for medical/allergy reasons. I agree that if I am granted an exemption, I will comply with the requirements as set out as part of that exemption, which includes wearing a mask over the nose and mouth while on campus and following social distancing guidelines, among other safety requirements as the College deems necessary and appropriate.

________________________________________________________________________
________________________________________________________________________

Student Signature                                         Date

To be completed by your Physician:

_______________________________________ (Student’s Name) is under my care and is not able
to receive a COVID-19 Vaccination due to the following contraindications/precaution(s): ________
________________________________________________________________________________
________________________________________________________________________________

Date exemption ends (if applicable): ________________________________

Name: __________________________________________________________ Medical License #: _______

Address: ____________________________________________ Telephone: __________________________

________________________________________________________________________________

Physician Signature                                         Date

Should you have any questions, please contact Mercy College’s Health Office at 914-674-7255 or
cpowers5@mercy.edu.

Thank you.

Colleen Powers FNP-BC
Director of Health and Wellness,
Spiritual or Religious Belief Exemption (Students) Instructions:

Please read the following information:

- The COVID-19 vaccination is recommended by the CDC to protect myself and others from COVID-19.
- I understand that I could be exposed to COVID-19 in the community and could bring the virus into the community.
- If I contract the virus, I can shed the virus before I even develop any symptoms and could spread it to students, my coworkers and my family.
- If my religious beliefs change in the future, I will notify the Office of ACCESSibility.

In support of your request for an exemption from the required COVID-19 vaccine, please describe in detail the nature of your sincerely held spiritual or religious belief, practice, or observance that is the basis for your exemption request (attach additional page if necessary):

________________________________________________________________________________________________________________________________________

________________________________________________________________________________________________________________________________________

________________________________________________________________________________________________________________________________________

Spiritual or Religious Belief Certification:

By my signature below, I acknowledge that I have read and fully understand the information on this form. I understand that Mercy College is mandating all in-person students receive a COVID-19 vaccination unless I am granted an exemption. With knowledge of above, I am requesting an exemption from the COVID-19 vaccine for spiritual or religious belief reasons. I further certify that receiving the COVID-19 vaccine would violate my sincerely held spiritual or religious belief, practice, or observance and that this is the reason for my exemption request. I agree that if I am granted an exemption, I will comply with the requirements as set out as part of that exemption, which includes wearing a mask over the nose and mouth while on campus and following social distancing guidelines, among other safety requirements as the College deems necessary and appropriate.

____________________________________________________________________________________  _______________________________________________________________________________
Student Signature                                                                 Date
Request for Accommodation (Employees): Medical Exemption from Vaccination

To request an exemption from the required vaccination, please complete section 1 below and have your medical provider complete section 2 before returning this form to the human resources department.

**Section 1**

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<tr>
<td>Dept.:</td>
<td>Position:</td>
</tr>
<tr>
<td>Manager:</td>
<td>Work/Cell Phone:</td>
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I _______________________________________________________________________, am requesting a medical exemption from Mercy College’s mandatory vaccination policy for the COVID-19 Vaccine.

I verify that the information I am submitting to substantiate my request for exemption from Mercy College’s vaccination policy is true and accurate to the best of my knowledge. I understand that any falsified information can lead to disciplinary action, up to and including termination.

I further understand that Mercy College is not required to provide this exemption accommodation if doing so would pose a direct threat to myself or others in the workplace or would create an undue hardship for Mercy College.

| Employee Signature: | Date: |

---

**Section 2**

**Medical Certification for Vaccination Exemption**

Employee Name: ____________________________________________

Dear Medical Provider,

Mercy College requires vaccination against COVID-19 as a condition of employment. The individual named above is seeking an exemption to this policy due to medical contraindications.

Please complete this form to assist Mercy College in the reasonable accommodation process.

| The person named above should not receive the COVID-19 vaccine due to: |
| This exemption should be: |
1. Temporary, expiring on: ___/___/____, or when _______________________________.

2. Permanent

I certify the above information to be true and accurate, and request exemption from the COVID-19 vaccination for the above-named individual.

Medical Provider Name (print):

Medical Provider Signature:  

Date:

Practice Name & Address:  

Provider Phone:

---

**HR USE ONLY**

Date of initial request: ___/___/____  
Date certification received: ___/___/____

Accommodation request:

1. Approved ___/___/____

Describe specific accommodation details:

_________________________________________________________________________________

2. Denied ___/___/____

Describe why accommodation is denied:

_________________________________________________________________________________
COVID-19 Employee Vaccination Exemption Request Form - Religious/ Spiritual Belief

Submit completed forms to the Office of Human Resources on or before October 29th for review. Submission does not guarantee approval. All exemption requests will be reviewed on a case-by-case basis. All forms must have the relevant statement completed. You will be notified via email of approval or denial of this request.

Religious or Spiritual Belief Exemption Instructions

Please read the following information:

1. The COVID-19 vaccination is recommended by the CDC to protect myself and others from COVID-19

2. I understand that I could be exposed to COVID-19 in the community and could bring the virus into the community.

3. If I contract the virus, I can shed the virus before I even develop any symptoms and could spread it to students, my coworkers and my family.

4. If my religious beliefs change in the future, I will notify the Office of Human Resources.

Required Supporting Documentation:

In support of your request for an exemption from the required COVID-19 vaccine, please write a personal statement describing in detail the nature of your sincerely held spiritual or religious belief, practice, or observance that is the basis for your exemption request.

PERSONAL STATEMENT HERE

_____________________________________________________________________________________

_____________________________________________________________________________________

_____________________________________________________________________________________

_____________________________________________________________________________________
Spiritual or Religious Belief Certification:

By my signature below, I acknowledge that I have read and fully understand the information on this form. I understand that Mercy College is mandating all in-person employees receive a COVID-19 vaccination unless I am granted an exemption. With knowledge of above, I am requesting an exemption from the COVID-19 vaccine for spiritual or religious belief reasons. I further certify that receiving the COVID-19 vaccine would violate my sincerely held spiritual or religious belief, practice, or observance and that this is the reason for my exemption request. I agree that if I am granted an exemption, I will comply with the requirements as set out as part of that exemption, which includes: weekly testing, wearing a mask over the nose and mouth while on campus and following social distancing guidelines, among other safety requirements as the College deems necessary and appropriate.

Employee Signature:

____________________________________

Date:

_______________________________