



OLD DOMINION UNIVERSITY

University Policy

Policy #1006 COVID-19 (INTERIM POLICY)

Responsible Oversight Executive: Vice President for Administration and Finance
Date of Current Revision or Creation: January 12, 2022

A. PURPOSE

The purpose of this policy is to implement interim measures to reasonably protect the University from the spread of the virus known as COVID-19, while performing its mission to educate students.

B. AUTHORITY

[Virginia Code Section 23.1-1301, as amended](#), grants authority to the Board of Visitors to establish rules and regulations for the institution. Section 7.01(a)(6) of the [Board of Visitors Bylaws](#) grants authority to the President, or designee, to implement the policies and procedures of the Board relating to University operations.

[Virginia Code Section 40.1-51.1](#) requires employers provide a safe workplace.

[OSHA Revised Guidance May 19, 2020](#) governs workplace occurrences of COVID-19.

Virginia Department of Labor and Industry 16VAC25-220, [Standard for Infectious Disease Prevention of the SARS-CoV-2 Virus That Causes COVID-19](#), effective September 8, 2021.

[CDC Order Under Section 361 of the Public Health Service Act \(42 USC 264\) and 42 Code of Federal Regulations 70.2, 7.31\(b\), 71.32\(b\)](#) which requires for persons to wear masks while on conveyances and at transportation hubs.

[Governor's Executive Directive 18 \(2021\): Ensuring a Safe Workplace](#)

C. DEFINITIONS

Campus - (1) any building or property owned or controlled by an institution of higher education within the same reasonably contiguous geographic area of the institution and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including student housing facilities; and (2) property within the same reasonably contiguous geographic area of the institution that is owned by the institution but controlled by another person, is used by students, and supports institutional purposes (such as a food or other retail vendor).

Contractors, Suppliers, and Vendors - Those businesses and individuals contracted by the University to perform necessary services and business functions.

COVID-19 - The SARS-CoV-2 causes what has been designated as the Coronavirus Disease 2019 (COVID-19). SARS-CoV-2 is a betacoronavirus, like MERS-CoV (Middle East Respiratory Syndrome Coronavirus) and SARS-CoV (Severe Acute Respiratory Syndrome Coronavirus). Coronaviruses are named for the crown-like spikes on their surface.

D. SCOPE

This policy applies to all employees, students, agents, volunteers, employees of affiliated organizations who are paid through the University, visitors to the institution and non-university/third-party programs and event organizers. Employees include all staff, administrators, faculty, full- or part-time, and classified or non-classified persons who are paid by the University. Students include all persons admitted to the University who have not completed a program of study for which they were enrolled; student status continues whether or not the University's programs are in session. Agents include all persons authorized to represent, act on behalf of, and/or bind the University. Affiliated organizations are separate entities that exist for the benefit of the University through an operating agreement and include the Foundations, the Community Development Corporation, and the Alumni Association. Visitors include vendors and their employees, parents of students, volunteers, guests, uninvited guests and all other persons located on property owned, leased, or otherwise controlled by the University.

E. POLICY STATEMENT

The University has established protocols to be followed in response to COVID-19. The University follows all relevant Federal and State COVID-19 guidelines and Governor's Executive Actions to protect its students, employees, employees of affiliated organizations paid by the University, agents and visitors. Everyone who enters any University facility is responsible for helping to prevent and control the spread of the COVID-19 virus.

The situations surrounding the status of the COVID-19 virus are fluid and subject to change based on future executive actions issued by the Governor.

The protocols included in this policy supersede any procedures included in other policies that may conflict.

F. PROCEDURES

1. Face Covering Mandate

- a. In accordance with Centers for Disease Control and Prevention (CDC) recommendations that all persons, regardless of COVID-19 vaccination status, wear a face covering while in public indoor settings, effective August 16, 2021 and until further notice, face coverings that fully cover both the nose and mouth must be worn by all occupants in all University-owned public indoor spaces, including classrooms, facilities, and buildings, except when eating, drinking, or exercising (for recreational, research, or athletic training purposes).
- b. Face coverings are not required but are recommended when outdoors and in non-public spaces. A non-public space is one where an individual has no contact with others. Examples include residence hall rooms and private offices confined by four walls and a closed door where the individual has no expectation of contact with others (except residence hall roommates). See the CDC's [Your Guide to Masks](#) for more information.
- c. Classroom instructors may wear University approved face shields during instruction when the wearing of a face covering interferes with instruction. Examples include a course with hearing-impaired students or faculty who may have difficulty projecting their voice to the back of the classroom.
- d. Approved face shields may be an acceptable substitute for face coverings in an instructional setting where faculty members and/or students require a reasonable accommodation. Examples include faculty members with approved ADA accommodations, or students who have an approved accommodation through the Office of Educational Accessibility.

2. COVID-19 Vaccination

- a. Per [Governor's Executive Directive 18 \(2021\)](#), all University faculty and staff are required to disclose their COVID-19 vaccination status. If vaccinated, University faculty and staff must report their vaccination status and upload proof of vaccination receipt in the [Monarch Wellness Portal](#) by September 1, 2021. If not vaccinated, University faculty and staff must report their vaccination status and upload either a completed [Medical Exemption Form](#) or a notarized [Religious Exemption Form for Faculty and Staff](#). Those who are not fully vaccinated against COVID-19 or do not provide proof of full vaccination may be subject to additional mitigation and/or disciplinary measures.
- b. All University students accessing University facilities and programs in person are required to disclose their COVID-19 vaccination status. If vaccinated, University students must report their vaccination status and upload proof of vaccination receipt in the [Monarch Wellness Portal](#) by September 1, 2021. If not vaccinated, University students must report their vaccination status and upload either a completed [Medical Exemption Form](#) or a notarized [Religious Exemption Form for Students](#). Those who are not fully vaccinated against COVID-19 or do not provide proof of full vaccination may be subject to additional mitigation and/or disciplinary measures.
- c. Per [Governor's Executive Directive 18 \(2021\)](#), University affiliates, including state contractors and vendors, are strongly encouraged to receive (or show proof of having

received) the COVID-19 vaccine. Those who are not fully vaccinated against COVID-19 or do not provide proof of full vaccination may be subject to additional safety measures.

- d. Persons are considered fully vaccinated two weeks after receiving their second dose in a two-dose vaccine series or two weeks after receiving a single-dose vaccine.
 - e. COVID-19 faculty and staff vaccination waivers and exemption requests will be coordinated by the Department of Human Resources in cooperation with the Office of Risk Management.
 - f. COVID-19 student vaccination waivers and exemption requests will be coordinated by Student Health Services in accordance with existing university immunization policy.
 - g. Enforcement of the COVID-19 vaccination mandate is effective immediately, given the Food and Drug Administration's (FDA) August 23, 2021 full approval of the Comirnaty (formerly Pfizer-BioNTech) vaccine for the prevention of the COVID-19 disease in individuals 16 years of age and older.
3. Persons who are [fully vaccinated against COVID-19](#) are permitted to:
- a. Access University facilities and programs without physically distancing indoors or outdoors.
 - b. Not participate in completing the COVID-19 Daily Check-In unless having had a close contact exposure or tested positive for COVID-19.
 - c. Not participate in routine screening testing.
 - d. Follow the latest [CDC guidelines](#) pertaining to testing, isolation, and quarantine.
 - e. Domestic and international business travel is subject to [Virginia Department of Health travel recommendations and requirements](#).
4. Persons who are [not fully vaccinated against COVID-19](#) are required to:
- a. Properly wear (i.e., covering the nose and mouth) face coverings indoors and outdoors at all University facilities and programs when six-foot physical distancing guidelines cannot be observed.
 - b. Complete the COVID-19 Daily Check-In as a condition for using University facilities or programs. Those who report symptoms and/or exposures may be required to be tested and quarantined before they can return to University facilities or programs.
 - c. Participate in weekly testing for COVID-19 as a condition for using University facilities or programs. Testing may take place either at on-campus collection sites or at participating off-campus vendors. Those who test positive will be required to have medical clearance before they can return to University facilities or programs. Those who refuse a test may be required to quarantine before they can return to University facilities or programs.

- d. Isolate or quarantine after coming in contact with a person who is known to have tested positive for COVID-19.
 - e. Follow [ODU Department of Human Resources guidance](#) related to COVID-19, including but not limited to applicable leave usage while in isolation or quarantine.
 - f. Avoid crowds and poorly ventilated indoor spaces.
 - g. Cover coughs and sneezes.
 - h. Clean and disinfect high touch surfaces often.
 - i. Practice proper hand hygiene with proper hand washing or using hand sanitizer if soap and water are not available.
5. University healthcare facilities that provide direct health care clinical services as part of their mission should review and implement the information for healthcare settings found in the CDC's [Updated Healthcare Infection Prevention and Control Recommendations in Response to COVID-19 Vaccination](#).
 6. Any individuals, regardless of vaccination status or COVID-19 test result, who are sick and/or experiencing COVID-19 related symptoms must remain away from campus or otherwise quarantined (if a residence hall student), until symptoms resolve. Employees reporting to work while ill may be subject to disciplinary action. Refer to the [COVID-19 FAQ](#) for more information on self-reporting.
 7. The University will work in cooperation with Virginia Department of Health to support contact tracing in the University community.
 8. Disciplinary Sanctions/Breach of Contract
 - a. Employees

Instructional Faculty sanctions for violations of this policy shall be in accordance with the rules specified in the [Teaching and Research Faculty Handbook](#). Administrative and Professional faculty sanctions for violations of this policy shall be in accordance with the rules specified in the [Administrative and Professional Faculty Guidebook](#). Sanctions for classified staff in violation of this policy shall be in accordance with the [Virginia Department of Human Resource Management Policy 1.60 - Standards of Conduct](#). Sanctions for wage employees in violation of this policy shall be in accordance with the [Wage Employee Guidebook](#). Employees who willingly self-disclose that they are not vaccinated and intentionally do not 1) complete the COVID-19 Daily Check-in, 2) participate in required testing, and/or 3) wear a face covering, are in violation of this policy. Any observed violation of this policy or failure to comply with local, state, or federal mandates (e.g., Executive Directive 18 (2021)) which results in non-compliance subjects an employee to potential disciplinary action, up to and including termination of employment.

Progressive disciplinary actions related to COVID-19 for Teaching and Research faculty should be coordinated with the Office of the Provost. Progressive disciplinary action for all other employee types should be coordinated with the Department of Human Resources.

b. Students

Student sanctions for violations of this policy shall be in accordance with the [Code of Student Conduct](#) and should be referred to the [Office of Student Conduct & Academic Integrity](#) for appropriate action. Students who willingly self-disclose that they are not vaccinated and intentionally do not 1) complete the COVID-19 Daily Check-in, 2) participate in required testing, and 3) wear a face covering, are in violation of this policy.

c. All Others

Vendors, contractors and suppliers in violation of [Executive Directive 18 \(2021\)](#) and/or this policy may be in breach of contract. Individuals in violation of [Executive Directive 18 \(2021\)](#) and/or this policy may be asked to leave and/or trespassed from the University. Serious offenses will be referred to VDH for enforcement.

G. RECORDS RETENTION

Applicable records must be retained and then destroyed in accordance with the [Commonwealth's Records Retention Schedules](#).

H. RESPONSIBLE OFFICER

Assistant Vice President for Public Safety

I. RELATED INFORMATION

[CDC Guidance for Colleges and Universities](#), updated July 23, 2021

[CDC Interim Public Health Recommendations for Fully Vaccinated People](#), updated September 1, 2021

[CDC Guidance for Unvaccinated People](#), updated August 13, 2021

[CDC Updated Healthcare Infection Prevention and Control Recommendations in Response to COVID-19 Vaccination](#), updated April 27, 2021

[ODU COVID-19 Frequently Asked Questions](#)

POLICY HISTORY

Policy Formulation Committee (PFC) & Responsible Officer Approval to Proceed:

_____ Date
Responsible Officer

Policy Review Committee (PRC) Approval to Proceed:

_____ Date
Chair, Policy Review Committee (PRC)

Executive Policy Review Committee (EPRC) Approval to Proceed:

_____ Date
Responsible Oversight Executive

University Counsel Approval to Proceed:

/s/ Allen T. Wilson _____ January 13, 2022
University Counsel Date

Presidential Approval:

/s/ Brian O. Hemphill, Ph.D. _____ January 12, 2022
President Date

Policy Revision Dates: July 23, 2020 (Interim); September 23, 2021 (Interim);
January 12, 2022 (Interim)

Scheduled Review Date: January 12, 2023