



## COVID-19 Community-Wide Mandatory Booster Vaccination Policy

### Background

Prior to the beginning of the Fall 2021 semester, the Law School announced its [COVID-19 Community-Wide Mandatory Vaccination Policy \("Vaccination Policy"\)](#). In the Fall of 2021, COVID-19 booster vaccines became widely available. Those who have received their second dose of either the Moderna or Pfizer vaccine are considered eligible to receive a booster five (5) months after the date of their second dose of such vaccine; those who have received the single-dose Johnson & Johnson vaccine are considered eligible to receive a booster two (2) months after the date of such vaccine. COVID-19 booster vaccines have been demonstrated to be highly effective at increasing one's resistance to COVID-19 infection and, in the case of those who do become infected with COVID-19, reducing the severity of illness and the potential to transmit it to others. The booster vaccine need not be the same brand as the initial vaccine(s), and the CDC recommends choosing the Pfizer or Moderna booster over Johnson & Johnson's.

In December 2021, the Law School supplemented the Vaccination Policy by mandating that all members of the Law School community receive a COVID-19 booster vaccination and provide proof that they had done so by January 26, 2022, with limited exceptions. These exceptions included those community members (a) with approved medical or religious exemptions from the booster requirement; (b) who are not yet eligible for a booster based on the date of their initial vaccinations; and (c) who because they recently experienced COVID, provided medical documentation indicating by when they may receive a booster vaccine.

Booster vaccines are available at mass vaccination sites, Health Department clinics, community health centers, public hospitals, private clinician practices, and many chain pharmacies. To find a vaccination site, and make an appointment, visit <https://vaccinefinder.nyc.gov>.

This COVID-19 Community-Wide Mandatory Booster Vaccination Policy supplements, or, where indicated, modifies, the Vaccination Policy, as well as the [NYLS Policy Related to COVID-19](#).

Through this policy, NYLS seeks to continue to protect the health and well-being of our community members, as well as their families, by lowering the risk of COVID-19 transmission and illness. The policy is intended to comply with applicable federal, state, and local laws, guidance, and authority, including guidance from the Centers for Disease Control and Prevention (CDC) and public health and licensing authorities, although NYLS has discretion to adopt, and in some cases has adopted, protocols which may be stricter than what the CDC and public health and licensing authorities may require or recommend.<sup>1</sup>

<sup>1</sup> For example, the CDC defines "fully vaccinated" as having received two doses of either the Pfizer or Moderna vaccine, or the single-dose Johnson & Johnson vaccine. As noted herein, the Law School defines "fully vaccinated" to mean having received those doses **plus** an approved booster dose. To the extent the Vaccination Policy and the NYLS Policy Related to COVID-19 incorporate the CDC definition of "fully vaccinated," the definition stated herein now controls. In general, to the extent this COVID-19 Community-Wide Mandatory Booster Vaccination Policy contains terms that may differ from those set forth in the Vaccination Policy or the NYLS Policy Related to COVID-19, this COVID-19 Community-Wide Mandatory Booster Vaccination Policy controls.

## Policy Statement

*All community members learning or working in-person are required to be fully vaccinated against COVID-19, which is defined to include receiving two doses or the Pfizer or Moderna vaccines, or one dose of the Johnson & Johnson vaccine, plus a booster dose produced by any one of these manufacturers.*

### Students

As a condition of entering the NYLS campus, including participation in any in-person classes and/or other activities, NYLS requires all students to be fully-vaccinated against COVID-19, as defined in the above Policy Statement.

### Employees/Contractors

As a condition of employment, NYLS will require all employees and contractors to be fully-vaccinated against COVID-19, as defined in the above Policy Statement.

Exceptions from this policy will be granted only for approved medical or religious exemptions as described, or as otherwise stated, below.

## Procedures

### Students

NYLS has required students to: (a) confirm they are fully vaccinated (which, as noted, includes a booster vaccination); or (b) obtain an approved exemption from the full vaccination requirement as an accommodation. Students are expected to have been either fully vaccinated or to have obtained an exemption from the full vaccination requirement prior to January 26, 2022, in anticipation of the start of on-campus classes in February 2022.

### Employees/Contractors

NYLS has required employees/contractors to: (a) confirm they are fully (which, as noted, includes a booster vaccination); or (b) obtain an approved exemption from the full vaccination requirement as an accommodation. Employees/contractors are expected to have been either fully vaccinated or to have obtained an exemption from the full vaccination requirement prior to January 26, 2022.

Students and employees/contractors who either (a) are not yet eligible for a booster vaccination based on the date they received the initial vaccine; or (b) recently had COVID, are eligible for extensions of the deadline to comply with the booster requirement.

Community members must present written evidence of booster vaccination from an authorized healthcare provider or pharmacy, or public health authority (e.g., the New York State Excelsior Pass). The CDC Vaccination Card will be sufficient for this requirement. Community members may securely submit such evidence of vaccination, or seek a relevant exemption or, extension, through the HIPAA-compliant OnTask system, using the following links:

- Students seeking medical or religious exemptions: <https://app.ontask.io/workflow/0de7f64d-015b-4466-b84d-eb133f913a50>. Note that those seeking medical exemptions must provide medical documentation.
- Students submitting proof of booster vaccination: <https://app.ontask.io/workflow/14bddce2-a405-4572-abc5-29bc8b3515ad>. Note that those seeking an extension based on recently having had COVID-19 must provide medical documentation indicating when they may receive the booster.

- Staff and Contractors seeking medical or religious exemptions: <https://app.ontask.io/workflow/99b5bec1-47e7-45dc-9a26-13899b95e245>. Note that those seeking medical exemptions must provide medical documentation.
- Staff and Contractors submitting proof of booster vaccination: <https://app.ontask.io/workflow/a63fe717-333e-4365-ae47-ccc373b38f30>. Note that those seeking an extension based on recently having had COVID-19 must provide medical documentation indicating when they may receive the booster.

Community members should not submit any additional medical information as part of the proof that they have received the vaccine. NYLS regards all such information as confidential.

NYLS will pay non-exempt employees/contractors for time spent receiving the booster vaccination (up to 4 hours per injection) in accordance with state law. Employees/contractors should record their time receiving the booster vaccine according to NYLS's usual time-keeping policies. In addition, to facilitate the ability to receive the booster vaccination, NYLS will consider timely requests for temporary schedule changes and/or will approve paid time off as appropriate. NYLS will reimburse employees/contractors for the cost, if any, of the booster vaccination, contingent upon receipt of appropriate supporting documentation. Booster vaccinations should be run through health insurance where applicable and should then be submitted for reimbursement if there is any out-of-pocket cost.

Any community member who is having difficulty obtaining a booster vaccine should contact the Law School as soon as possible. Students should contact the Office of Student Life; staff members/contractors should contact Office of Human Resources.

### Exemptions and Accommodations

NYLS provides limited exemptions from this COVID-19 booster vaccine mandate for students and employees/contractors: (i) who have a medical condition (including pregnancy) or disability that contraindicates the vaccination; or (ii) whose sincerely held religious beliefs prohibit receipt of the vaccine. Community members who need an exemption must request one as described above. Once NYLS is aware of a request for an exemption, the School will engage in an interactive process to identify accommodations which do not pose a threat to the health and safety of our community or create an undue hardship on NYLS.

**Any community member who is not fully vaccinated because of an approved exemption may be allowed to enter the NYLS campus only if they provide weekly proof of a negative COVID-19 lab-based PCR test or COVID-19 antigen test that is performed by, or supervised and authenticated by a medical professional and performed within the past seven (7) days. Community members may securely submit such test results through the OnTask system using the following links:**

**For Students:** <https://app.ontask.io/workflow/455a40fc-d335-401b-8573-7b9c1e53d7b8%20>.

**For Staff and Contractors:** <https://app.ontask.io/workflow/00b3d878-cbae-4773-a62c-0b496fb20333%20>

Community members should not submit any additional medical information as part of the proof that they have received a negative COVID-19 test. NYLS regards all such information as confidential.

### Related Precautions

All NYLS community members, regardless of their vaccination status, must continue to take precautions against the spread of COVID-19. Accordingly, until further notice, all community members must follow all NYLS COVID-19 policies and protocols, including but not limited to continuing to wear masks in the areas the Law School requires, washing hands or using hand sanitizer often, and practicing social distancing.

All community members, regardless of their vaccination status, should also continue to monitor their daily health, and should not report to campus if they are feeling ill or if they have been exposed to an individual who was diagnosed with COVID-19.

Any community member that falsifies documents provided pursuant to this policy, or knowingly submits false information pursuant to this policy, will be subject to discipline. The submission of false information, misrepresentations, or false documents may be grounds for termination for employees/contractors, and is considered a violation of the Code of Conduct for students.

Please direct any questions regarding this policy to the NYLS Chief Compliance Officer, the Office of Student Life, or the Office of Human Resources, as appropriate.