

Policy Title:	COVID-19 Vaccination Requirement
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Approved by:	Board of Governors
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Contacts for Policy Interpretation:	Vice-President Student Experience Chief Building and Facilities Officer Manager, Health & Safety, Emergency Management and Legislations

1.0 - Policy Overview

Fleming College (the “**College**”) is committed to protecting the health and safety of the College Community from the spread of COVID-19. The College complies with applicable public health guidelines as well as statutory and regulatory requirements, and strongly encourages all members of the College Community to get Fully Vaccinated.

In consideration of public health directives, the current availability of vaccines, and the recommendations of Peterborough Public Health and the Haliburton Kawartha Pine Ridge District Health Unit (collectively “**Local Public Health Units**”), the College has adopted a vaccination requirement to reduce the risks associated with COVID-19 and to continue to promote a healthy environment in which to learn, work and live.

2.0 - Purpose

The purpose of this Policy is to outline the conditions under which individuals will be permitted on Campus, to access in-person College services, and to participate in in-person College activities, with the goals of increasing the level of safety on Campus, limiting the spread of COVID-19, and reducing the risk of an outbreak.

Guiding principles:

- Protect and promote the health and safety of the Campuses and College Community;
- Respect the inherent dignity of all individuals;

- Implement the protocols, guidelines, and recommendations of Local Public Health Units;
- Comply with legal requirements, including applicable federal, provincial and local public health regulations, guidelines and directives relating to COVID-19 and the *Human Rights Code* (Ontario);
- Ensure transparency and accountability; and
- Support the education of the College Community on the COVID-19 virus and the importance of vaccination, and in partnership with our Local Public Health Units, facilitate access to available vaccines.

3.0 - Definitions and Acronyms

The following definitions and/or acronyms apply in this Policy:

Accepted Vaccine	A COVID-19 vaccine that has been approved for use by Health Canada.
Campus(es)	College owned or leased buildings, instructional spaces, and student residences, excluding Employment Services and the Service System Manager leased spaces. Reference to the singular includes a reference to the plural, and vice versa.
College Community	Any person who studies, teaches, conducts research, volunteers or works at, or under, the auspices of the College or who otherwise attends at a Campus for any reason, and includes without limitation, employees or Contractors; appointees (including volunteer board members); students; visitors; and any other person while they are acting on behalf of, or at the request of, the College.
Contractor(s)	An individual or company that provides services, materials and/or labour on Campus.
Creed Accommodation	Grounds to be accommodated, up to the point of Undue Hardship, in respect of the Full Vaccination requirement based on a creed that prevents vaccination, as per the <i>Human Rights Code</i> (Ontario).
Employee	An individual employed by the College on a full-time, part-time, or contractual basis.
FIPPA	<i>Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. F.31</i>

Fully Vaccinated (or Full Vaccination)	An individual is defined as “Fully Vaccinated” 14 days after receiving the full dosage of an Accepted Vaccine series.
Grace Period	The period of time, as determined by the College from time to time, that a student or employee can attend a Campus before either meeting the Full Vaccination requirement or being exempted under an accommodation.
Disability/Medical Accommodation	Grounds to be accommodated, up to the point of Undue Hardship, in respect of the Full Vaccination requirement based on a medical condition that prevents vaccination, as per the <i>Human Rights Code</i> (Ontario).
Partially Vaccinated (or Partial Vaccination)	An individual is defined as “Partially Vaccinated” when they have only received only a partial dose or are less than 14 days after vaccination receiving a full dosage of an Accepted Vaccine series.
Proof of Vaccination	An official government issued vaccination dosage administration receipt
Student	An individual that is registered to receive educational services provided by the College.
Student Residence	A residential facility owned or operated by the College.
Undue Hardship	Special or specified circumstances that partially or fully exempt a person or organization from performance of a legal obligation so as to avoid an unreasonable or disproportionate burden or obstacle.
Unvaccinated	An individual is defined as “Unvaccinated” if they have not received any dose of an Accepted Vaccine.
Visitors and Other Attendees	Individuals seeking to enter Campuses who are not Students, Employees, Clients or Contractors; or in the case of access to Student Residences, individuals seeking entry who do not live or work in those facilities.

4.0 - Scope

This policy applies to all members of the College Community, including but not limited to:

- Staff;
- Faculty;
- Administrators;
- Students;
- Board of Governors;
- Vendors, consultants, and agents of the College; and
- Guests.

5.0 - General Principles

5.1 - Overview

- a) To protect the health and safety of the College Community, the College requires that individuals be Fully Vaccinated against COVID-19 as a condition of attending Campus. Temporary arrangements will be in place for Partially Vaccinated individuals until they have met Full Vaccination requirements within the College's stated timelines.
- b) This Policy will continue to be subject to applicable federal, provincial and local public health regulations, guidelines and directives related to the COVID-19 pandemic.
- c) Public health guidance on measures for Fully Vaccinated, Partially Vaccinated and Unvaccinated individuals may continue to evolve and could affect this Policy.
- d) The College has the right to change, modify, or revoke this Policy at any time due to a change in circumstances or as may be required by applicable federal, provincial or local public health regulations, guidelines and directives.

5.2 - Proof of COVID-19 Vaccination

- a) Individuals coming to Campus will be required to provide proof of having been Fully Vaccinated with an Accepted Vaccine or, during the Grace Period, proof of having been Partially Vaccinated with an Accepted Vaccine. Failure to provide proof of vaccination status will result in the individual being treated as Unvaccinated.
- b) Individuals coming to Campus will be required to follow vaccine verification operating procedures, as outlined by the College.

- c) Individuals who make false statements, or provide false documents related to vaccination status, may be subject to disciplinary actions, up to and including expulsion and/or eviction from Student Residences for students, termination of employment for employees, voiding of contracts for Clients and Contractors, removal/restriction from Campus for Visitors and Other Attendees, and any other actions that may be appropriate in the circumstances at the discretion of the College; such individuals could also be at risk of criminal or civil liability.

5.3 - Partial COVID-19 Vaccination Grace Period

- a) Individuals who are Partially Vaccinated will be able to participate in on-Campus activities, and/or live in Student Residences, for a Grace Period that allows them to receive a second dose.
- b) Individuals who are not Fully Vaccinated may be required to follow additional health and safety precautions not applicable to Fully Vaccinated individuals.
- c) At the end of the Grace Period, individuals who are Partially Vaccinated will not be permitted on Campus until they have received their second dose of an accepted two-dose vaccine. Students will be responsible for any missed academic requirements relative their program and ineligible for a full or partial refund outside of day 10 of the semester start.
- d) Vaccination Grace Periods apply to Partially Vaccinated Students and Employees, but do not apply to other Partially Vaccinated individuals accessing Campuses or to any Unvaccinated individuals.

5.4 – Accommodations

- a) Individuals seeking accommodation under this Policy (including requests for exemption) on protected grounds under the *Ontario Human Rights Code* will be required to follow the accommodation request process detailed in operating procedures, as outlined by the College. Such requests will be considered on an individual basis to the point of Undue Hardship. Accommodations, if granted, may vary from person to person and access to Campus is not guaranteed.
- b) The College reserves the right to make inquiries to verify and assess the need for an accommodation as well as to verify the authenticity of documents submitted in support of an accommodation request.
- c) Individuals who make false statements or provide false documents in connection with an accommodation request may be subject to disciplinary actions, up to and including expulsion and/or eviction from Student Residences for students, termination of employment for employees, voiding of contracts for Clients and Contractors, removal/restriction from Campus for Visitors and Other Attendees, and any other actions that may be appropriate in the circumstances at the

discretion of the College; such individuals could also be at risk of criminal or civil liability.

5.5- Clients, Contractors, Visitors and Other Attendees

- a) Clients receiving service delivered by the College will be required to follow the vaccine operating procedures prior to being granted Campus access.
- b) Contractors must ensure that all their employees and subcontractors who attend Campus are Fully Vaccinated as a condition of access to Campus. Unvaccinated and Partially Vaccinated employees or subcontractors of Contractors will not be allowed on Campus.
- c) Sending an employee or subcontractor who is not Fully Vaccinated to Campus may be deemed, in the College's sole discretion, cause for the College to terminate any contract with the Contractor who employs that employee or subcontractor.
- d) Campuses will not be open to Visitors and Other Attendees, with the exception of individuals who have been approved to attend Campus by the College in writing.
- e) Approved Visitors and Other Attendees must comply with this Policy.

5.6- Privacy

- a) The College is committed to the protection of privacy and to adhering to the provisions of the *Freedom of Information and Protection of Privacy Act* (Ontario) ("FIPPA").
- b) Personal information/personal health information collected by the College, including vaccination and accommodation documentation, will be managed and secured in accordance with College Policy #1-111, *Access to Information and Protection of Privacy*.
- c) In accordance with College policy and FIPPA, the information collected under this Policy will only be used by parties designated at the time of collection for the purpose(s) identified at the time of collection.
- d) Members of the College Community will be asked to consent to this collection and the stated use(s) as further detailed in the associated and relevant operating procedures.
- e) Personal information/personal health information collected will not be disclosed to anyone outside of those parties designated at the time of collection without the express written consent of the individual to whom the information relates.

- f) All records that contain student personal information/personal health information collected pursuant to this Policy will be retained for a period of one year from the date indicated in the associated and relevant operating procedures.

6.0 - Related Documents

- *Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. F.31
- *Ontario Human Right Code*, R.S.O. 1990
- Approved vaccines in Canada: www.canada.ca/en/health-canada/services/drugs-health-products/covid19-industry/drugs-vaccines-treatments/vaccines.html
- College Policy #1-111, *Access to Information and Protection of Privacy*
- College Policy #5-506, *Student Rights and Responsibilities*
- PP/HKPRD Health Unit letters of Support

History of Amendments/Reviews

Approved by Board of Governors August 23, 2021