



OFFICE OF THE PRESIDENT
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December 14, 2022

CHANCELLORS
ACADEMIC COUNCIL CHAIR SUSAN COCHRAN
LABORATORY DIRECTOR MICHAEL WITHERELL
ANR VICE PRESIDENT GLENDA HUMISTON

**Re: Extension of Systemwide Review of Presidential Policy – University of California –
Policy on Vaccination Programs**

Dear Colleagues:

On August 30, 2022, the Policy on Vaccination Programs – With Interim Amendments was issued, with an effective date of September 1, 2022, as instruction resumed and prior to the influenza season.

A draft policy was distributed September 16, 2022, for Systemwide Review with a comment deadline of December 15, 2022. Based on feedback received from the Systemwide Review thus far and discussions with leadership, updated interim amendments were made to the policy to include an option for members of the University community to opt out of COVID-19 boosters as well as technical edits. On December 12, 2022, the Policy on Vaccination Programs – With Updated Interim Amendments was issued.

In light of these updated interim amendments, we are distributing an updated draft policy and extending the comment deadline for the formal Systemwide Review and consultation process from December 15, 2022, to January 31, 2023 to finalize this Presidential Policy (enclosed).

Background and Key Policy Revisions

Key revisions from the updated interim amendments include the following:

- The Primary Series of the COVID-19 vaccination will remain mandatory for all incoming faculty, staff, students, and trainees who are Covered Individuals subject only to religious, medical, and disability exceptions and temporary deferral due to pregnancy or recent COVID-19 diagnosis or treatment. (Health care workers will continue to be eligible for fewer exceptions due to a California Department of Public Health order.)
- Covered Individuals must be Up-to-Date with COVID-19 vaccination boosters. However, those who prefer to opt out of COVID-19 boosters will be permitted to do so by signing a declination statement after receiving education and subject to non-

pharmaceutical interventions specified by their locations (for example, masking). *Please note that health care workers may not decline their first booster under a California Department of Public Health order unless they are eligible for one of the order's limited exceptions or deferrals.*

- If a Covered Individual prefers to defer the COVID-19 bivalent booster for more than 90 days after being diagnosed with or treated for COVID-19, they can do so by declining the booster after receiving education. When they do receive the booster, they will again be considered Up-to-Date.
- Locations will ordinarily set an annual compliance deadline between July and December for existing faculty, staff, and students to participate in the COVID-19 vaccine program. This year Locations may set that deadline as late as February 1, 2023.

The version of this policy distributed on September 16, 2022 renamed the policy “Policy on Vaccination Programs” and consolidated existing systemwide vaccination requirements (other than the Student Immunization Policy) into a systemwide policy with Program Attachments for the SARS-CoV-2 (COVID-19) Vaccination Program and the Seasonal Influenza Vaccination Program. Key revisions include the following:

- The COVID-19 Vaccination Program Attachment incorporates language from the July 15, 2021 SARS-CoV-2 (COVID-19) Vaccination Program policy with a focus on reorganizing and simplifying existing policy language. Those updates were not intended to institute substantive changes in policy regarding existing COVID-19 vaccination requirements.
- In alignment with CDC guidance, the deadlines for completion of the primary COVID-19 vaccination series have been extended to allow for a longer interval period between doses.
- Locations are encouraged to evaluate COVID-19 Vaccination Program Participation, but Healthcare Locations are not required to do so.
- The COVID-19 Vaccination Program corrective action/discipline language for policy-covered academic appointees has been clarified.
- The Seasonal Influenza Vaccination Program Attachment incorporates language from the President's past flu vaccine Executive Orders. The Seasonal Influenza Vaccination Program is an Opt-Out program, which means Covered Individuals may decline vaccination after receiving vaccine education. The Program has an annual compliance date of no later than December 1. Locations may choose an earlier compliance date. The first compliance date for new employees depends on when their first date of employment is in relation to the flu season.
- The language has been updated throughout consistent with current public health usage.
- The following groups are Covered Non-Affiliates instead of Covered Individuals: “K-12 students and children enrolled in day care programs and camps sponsored by the University or operated at a University Facility or Location; as well as individuals enrolled in UC extension programs, continuing education, lifelong learning, seminars, workshops, and other non-degree-granting educational programs.” For clarity, individuals enrolled in professional development and recreational programs are also included in the definition of “Covered Non-Affiliates.” This provides Locations with flexibility on local program implementation as Locations define the requirements for Covered Non-Affiliates.

The revisions were made in consultation with Systemwide Human Resources, Academic Personnel and Programs, UC Health, and UC Legal. After reviewing and analyzing the comments received during Management Consultation of the updated interim amendments, we are now extending the comment period deadline and distributing the updated Presidential Policy – Policy on Vaccination Programs for Systemwide Review to gather input.

Systemwide Review

Systemwide Review is a public review distributed to the Chancellors, the Chair of the Academic Council, the Director of the Lawrence Berkeley National Laboratory, and the Vice President of Agriculture and Natural Resources requesting that they inform the general University community, especially affected employees, about policy proposals. Systemwide Review also includes a mandatory, 90-day full Academic Senate review.

Employees should be afforded the opportunity to review and comment on the draft policy. Attached is an updated Model Communication which may be used to inform non-exclusively represented employees about the updated draft policy. The University will adhere to its bargaining obligations, if any, that may exist in connection with the adoption of this policy. Accordingly, the University will follow appropriate procedures with respect to represented employees and the Office of the President's Systemwide Labor Relations office will coordinate that process.

The Systemwide Review period for the Presidential Policy – Policy on Vaccination Programs draft policy started on September 16, 2022 and continues **through January 31, 2023**. The draft policy is posted on [UCNet](#).

Questions and comments should be submitted to vaccinepolicycomments@ucop.edu.

Sincerely,



Douglas M. Haynes
Vice Provost
Academic Personnel and Programs



Cheryl Lloyd
Vice President
Systemwide Human Resources

Enclosures:

- 1) Policy on Vaccination Programs (clean copy)
- 2) Policy on Vaccination Programs (tracked copy)
- 3) Model Communication

cc: President Drake
Provost and Executive Vice President Brown

Medical Center Chief Executive Officers
Vice Chancellors Administration
Executive Vice Chancellors/Provosts
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