

## Memorandum for Record (6)

To: Anna Walker, President of Student Government, Grant Epstein, VP of Student Government

From: Dr. Deborah M. Coulter-Harris, Dr. Karen Green

Date: 17 October, 2021

Subject: **Report:** Student Government's Concern with Rescission of UT Mandatory COVID Vaccine

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### I. Introduction

This Memorandum Report is written to allay any concerns that student leaders expressed regarding faculty and administration support for the mandatory COVID vaccine on the University of Toledo's campus.

### II. Student Government Concerns Regarding COVID Mandate

On 24 September, 2021, Student Government President Anna Walker and Student Government Vice-President Grant Epstein with their Steering Committee responded to Memorandum for Record (3), dated 7 September, 2021, from the Faculty Senate Committee for Student Affairs, stating the following:

- A. "UTSG is in support of continuing the University COVID Vaccine Mandate enacted this semester, as per the resolution that Anna provided on 9/9/21 (see Appendix 2). **UTSG does have concerns about the possibility of the Ohio Legislature taking drastic measures to forbid universities from mandating the COVID vaccine, such as by instituting a ban on all vaccine mandates** – as extreme as this sounds, the Ohio Legislature has continuously demonstrated their disregard for public safety measures such as in their passing of HB 244 this past summer. HB 244 banned any mandates of vaccines in K-12 schools and universities that do not have full FDA approval – effectively banning a COVID vaccine mandate in schools until it received FDA approval. **Because the vaccine for COVID has been so highly politicized, UTSG is apprehensive of future actions of our state government. Should our state legislators decide to take such a path forward, UTSG hopes that Faculty Senate will be willing to work with us and UToledo's Office of Governmental Relations to express disapproval of such actions.**"

### III. Faculty Senate Takes Action

In order to alleviate any anxiety that student may have, the Faculty Senate fully supports UT's COVID mandate as evidenced by Faculty Senate Resolution 21-1 on campus-wide COVID-19 vaccination discussed by Faculty Senate: 08/31/21 approved: 08/31/21 (see Appendix 1).

### IV. Faculty Senate Committee on Student Affairs' Sub-Committee Takes Action

On 13 October, 2021, the Student Affairs sub-committee on this issue (Drs. Deborah Coulter-Harris and Karen Green) wrote to several campus experts asking for the following information:

- A. "Our Faculty Senate Committee on Student Affairs considered this (COVID Vaccine Mandate) to be the number one issue. Would it be possible for you to provide us with a statement to assure the Student Government leadership of the following:
- The State of Ohio will not change UT's current COVID mandate, or
  - If the Ohio Legislature attempted to intervene with UT's COVID mandate, that University of Toledo's Office of Governmental Relations would 'express disapproval of such actions.'"

### V. Office of Government Relations Provides Detailed Information

On 13 October, 2021, Diane M. Miller J.D., *Chief of Staff*, Office of the President and *Vice President*, Office of Government Relations, generously responded by providing the following details of support:

- A. SGA has also been in touch with us directly about this topic and shared the attached resolution (see Appendix 2), passed by SGA last month for us to share with lawmakers.
- B. The Office of Government Relations (GR) meets with the leadership of SGA each fall, so that we can get introduced and share concerns of a governmental nature when they arise.
- C. While there have been several pieces of legislation introduced in the Ohio General Assembly on the issue of vaccine mandates, the current likely legislative vehicle is [HB435](#) (Carfagna, Seitz) (see Appendix 3 link) VACCINE REQUIREMENTS. This afternoon, the House announced that it will not act on HB435 today. After the House Rules and Reference Committee recessed without taking up amendments to the bill and before the start of today's session, House Speaker Bob Cupp (R-Lima) released the following statement: "This is an important and personal issue for all Ohioans and those

who represent them. Just as there are widely differing views among Ohioans on this issue, it's certainly not a surprise that there are varying perspectives among their legislative representatives as well. It is important to have consensus within our caucus on how best to move forward. After countless hours of hearings and deliberation on this topic, there is still no consensus on how or whether to move forward. Consequently, the House at this time will pause additional hearings on this matter. We are continuing our work on other legislative matters that are important to Ohio and its people.”

- D. UToledo’s vaccine requirement, with its reasonable exemptions, will likely fit, or require minor tweaking to fit, within the current bounds of this more reasonable piece of legislation.
- E. UToledo’s GR will continue to track this legislation for the campus community, providing updates when they are available. We also continue to lobby on this issue, working closely with the other Institutions of Higher Education (IHE) to convey to the state Assembly and the Administration the importance of this safety measure to our campus community. It’s important that our lawmakers continue to hear from us, and the individual constituencies that make up this University and other IHEs, about how we value the ability to make these type of safety decisions for our campuses.

## **VI. Chief, Division of Infectious Diseases, Medical Director Offers Positive Statement**

On 13 October, 2021, Jennifer Hanrahan, D.O., Chief, Division of Infectious Disease, University of Toledo, College of Medicine and Life Sciences, Medical Director, Infection Prevention and Control, ProMedica also generously responded to our sub-committee’s inquiry, and provided the following statement:

- A. “I cannot speak for the University, but I would certainly personally express disapproval of preventing vaccine mandates in schools. It is clearly our greatest tool in protecting the health of our community. The forthcoming OSHA and federal regulations mandating vaccines will also likely help with this issue.”

## **VII. Outlook**

All of the University of Toledo entities listed in this report fully support the concerns of the UT Student Government and its constituents, and would disapprove of any actions that would limit or ban the UT COVID mandate. This sub-committee, the Faculty Senate Committee on Student Affairs, and the Faculty Senate wishes to thank everyone who participated in this report. We are very grateful for this coordination.

Cc: Terry Bigioni, Gary Insch, Diane Miller, Jennifer Hanrahan, Mohamed Samir Hefzy, Shery Milz, Berhane Tecleaimanot, Sally Harmych, Carolyn Lee, Sarah Aldrich, Lucy Duhon

**Appendix 1: FACULTY SENATE: Faculty Senate Resolution 21-1 on campus-wide COVID-19 vaccination** discussed by Faculty Senate: 08/31/21 approved: 08/31/21

Whereas, the University of Toledo's mission is to be "leaders committed to improving the human condition;"

Whereas, the global COVID-19 pandemic has disrupted our society, including operations of the University of Toledo and the education of our students;

Whereas, the U.S. Food and Drug Administration has fully approved at least one COVID-19 vaccine;

Whereas, the University of Toledo should be a leader in science-based prevention of the spread of COVID-19;

Whereas, a safe and successful academic year will depend on minimizing the spread of COVID-19 on our campus;

Be it resolved that, as a matter of delivering a high-quality education safely and effectively and ensuring the health and safety of the University community, the Faculty Senate hereby expresses its strong support for mandatory COVID-19 vaccination for all students, staff, and faculty at the University of Toledo for as long as this is considered the best practice by relevant health authorities. To the extent that narrow medical and religious exemptions might be established, we urge the University of Toledo administration to adopt mandatory masking and testing regimens for any who receive such exemptions, consistent with recent federal court rulings on public university vaccine mandates and recommendations of medical advisory committees. We urge the University of Toledo administration to adopt such a policy immediately.

**Appendix 2. Resolution 2021-09-01**

**A Resolution to Support the Implementation of University Vaccine Mandate**

**Author(s): Senator Dani Villarreal**

**Committee Sponsor(s): Campus Culture Affairs**

Speaker of the Senate,

A handwritten signature in black ink on a light yellow background. The signature reads "Colleen Palmer" in a cursive script.

Colleen Palmer

President,

A handwritten signature in black ink. The signature reads "Anna Walker" in a cursive script.

Anna Walker

Date Adopted : \_\_\_\_\_9/7/2021\_\_\_\_\_

Date Vetoed : \_\_\_\_\_

**Whereas**, the University of Toledo Student Government (herein “UTSG”) represents all undergraduate students at The University of Toledo.

**Whereas**, COVID-19 continues to surge through Lucas County<sup>1</sup>

**Whereas**, as of August 31st, 134 new cases of COVID-19 were recorded in Lucas County<sup>1</sup>.

**Whereas**, as of August 25, 2021, 43 people between the ages of 18-29 died as a result of COVID-19.<sup>2</sup>

**Whereas**, as of August 25, 2021, 21 people between the ages of 18-29 died as result of COVID-19 related pneumonia<sup>2</sup>

**Whereas**, as of September 1st, 2021, 51% of ICU beds in Lucas County are occupied<sup>3</sup>

**Whereas**, as of September 1st, 2021, ~73% of ICU beds are occupied in the state of Ohio<sup>3</sup>.

**Whereas**, The University of Toledo records weekly campus COVID-19 case numbers.<sup>4</sup>

**Whereas**, between August 16th-22nd, 4 cases of COVID 19 were recorded on campus.<sup>4</sup>

**Whereas**, fully vaccinated people account for ~1.1% of all COVID-19 hospitalizations, approximately 1200/107,000 hospitalizations.<sup>4</sup>

**Whereas**, The University of Toledo offers vaccine appointments at multiple locations and times<sup>6</sup>

**Therefore, let it Be Resolved**, that UTSG supports the University of Toledo requiring the COVID-19 vaccine for all students, staff, and faculty.

**VOTE: UNANIMOUS**

**Appendix 3. Link to HB 435** As Reported by the House Health Committee, 134th General Assembly, Regular Session Sub. H. B. No. 435, 2021-2022, Representatives Carfagna, Seitz

[https://search-prod.lis.state.oh.us/solarapi/v1/general\\_assembly\\_134/bills/hb435/RH/01/hb435\\_01\\_RH?format=pdf](https://search-prod.lis.state.oh.us/solarapi/v1/general_assembly_134/bills/hb435/RH/01/hb435_01_RH?format=pdf)