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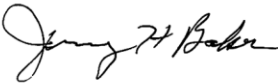
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**Jimmy H. Baker**  
CHANCELLOR

**MEMORANDUM #2021-EXE-042**

DATE: August 4, 2021

TO: Presidents, Deans of Students, and Health Sciences Program Supervisors,

FROM: Jimmy H. Baker, Chancellor 

RE: Health Sciences Vaccine Requirements by Third-Party Clinical Affiliates

Colleges may ask students about COVID-19 vaccine status or for proof of vaccination, but Alabama Act 2021-493 prevents any college in this state from requiring COVID-19 vaccinations for students or proof of those vaccinations as a condition of attendance.

The System Office has been alerted that some clinical partners of the Alabama Community College System (ACCS) in the health sciences field (i.e., hospitals, long-term care facilities, and other healthcare providers) may require COVID-19 vaccinations by students who may be scheduled to participate in clinical experiences at their sites. If a student declines and there is no alternative arrangement available, the student potentially may receive an incomplete in their program of study.

ACCS has no control or authority over third-party clinical partners.

The Attorney General issued guidance on August 3, 2021, as it relates to vaccination mandates required by third-party partners of an educational institution:

“Proof of Vaccination Status Required by Third-Party Partners of an Education Institution  
...[M]any schools partner with third parties to provide additional opportunities for students. For example, medical schools may partner with hospitals or other healthcare professionals to offer training to medical students.... [T]he third party may have the legal right to require proof of vaccinations of students who desire to work with the organization or participate in the offering it makes jointly with the school. Depending on the facts, it may be that it is a third party—and not the school—implementing a requirement that a student prove vaccination status as a condition of accessing a particular good or service. In such a scenario, the school likely would not be in violation of the Act.

The school, however, should work to accommodate students with regard to additional opportunities the school provides in conjunction with third parties. Thus, just as a school would be expected to work with a student who is not vaccinated because of a religious or medical exception to ensure the student access to suitable educational opportunities with third parties, the school should work to accommodate students who assert their rights under the Act. For example, if a

medical school were aware of opportunities for a student who has not provided vaccination status to obtain experience with a third-party healthcare provider comparable to that of other students who have provided their vaccination status, the Act would require the school to allow the student access to this educational opportunity.”

I expect all Colleges to notify health sciences students in advance of the possible complication of third-party mandates of COVID-19 vaccines which could impact their chosen program of study. This notification is within the College’s discretion as to how it should be communicated to its health sciences students and is particularly needed for those health sciences students who do not wish to disclose their vaccination status.

The Attorney General’s full August 3rd guidance can be found at:

<https://www.alabamaag.gov/Documents/news/Vaccination%20Educational%20Institutions%20Guidance.pdf>

A sample template for this notice is on the following page.

**ATTENTION: HEALTH SCIENCES STUDENTS (VACCINE NOTICE FOR CLINICALS)**

Please be advised that the College's third-party clinical affiliates may have different requirements than the College as it relates to the COVID-19 vaccine. The College strongly encourages all students to be vaccinated for COVID-19, but it is not mandatory for attendance. However, third-party health sciences affiliates who partner with the College (i.e., hospitals, long-term care facilities, and other healthcare providers) may require students presenting inside their facilities to be fully vaccinated and provide proof of vaccination in order to participate in the clinical portion of the College's health science curriculum. The College has no control over policies mandated by these clinical affiliates. The College is not requiring vaccination or proof of vaccination, but its third-party clinical affiliates might. The College wants to notify you that if you are unable to adhere to policies mandated by clinical partners, you may be unable to successfully complete courses which require clinicals.

Please note that healthcare facilities sometimes allow certain medical and religious exemptions relative to COVID-19 vaccination mandates. To apply for such exemption, a student would be required to provide the appropriate form for review and consideration by the clinical affiliates. If an exemption is not granted to the student by the clinical affiliate, the student will be required to adhere to the facility COVID-19 protocols which may include full vaccination, or the student will not be permitted to participate in the clinical experiences provided at that facility.

While the College will attempt to work to accommodate students who assert their rights under Alabama Act 2021-493, the College cannot guarantee that other clinical experiences will be available or available without similar vaccination requirements, and if this occurs, your ability to successfully complete the course may be unavoidable.

On-site clinical experience is an important and invaluable component of your health sciences education. Our goal is to provide the best health educational opportunities available that will prepare you for success in your future career. If have not been vaccinated for COVID-19, please consider the potential educational and community impact in making your decision.

Students in health sciences may be asked to provide information about vaccinations to coordinate clinical experiences during the semester. We appreciate your cooperation and look forward to a rewarding and successful academic year.