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NOTICE OF NON-COMPLIANCE

August 18, 2022

Via Email: drramsammy@hvcc.edu

President Roger Ramsammy
Hudson Valley Community College
80 Vandenberg Ave
Troy, NY 12180

Dear President Ramsammy,

As you know, on June 23, 2021, the Board of Trustees for the State University of New York (“SUNY”) approved Resolution 21-24 adopting the State of New York directive that public colleges and universities mandate that all students who intend to or engage in-person on any SUNY campus or facility must receive a COVID-19 vaccination, pending final approval by the U.S. Food and Drug Administration (“FDA”). The resolution granted the SUNY Chancellor authority to create and implement such a policy. The [COVID-19 Vaccination Policy](#) was issued as of August 31, 2021, and amended as of September 2, 2021 and September 27, 2021 (the “Policy”). The Policy was developed in consultation and partnership with health experts, campus leadership, and other higher education partners and State agencies, with a goal to ensure a safe environment for students returning to campus for in-person instruction. Both the SUNY Board of Trustees Resolution 21-24 and the COVID-19 Vaccination Policy specifically apply, by their terms, to the community colleges operating under the program of the State University of New York. In addition, SUNY System Administration recently provided updated guidance on the Policy ahead of the Fall 2022 semester (“Fall Opening Guidelines”).

The Fall Opening Guidelines provide as follows:

“I. VACCINE AND BOOSTER POLICY: a. The SUNY Student COVID-19 Vaccine Policy (the “Policy”) remains in effect and requires all students who will have a physical presence on campus to provide evidence of, at minimum, the initial course of COVID vaccinations. Pursuant to the Policy, students are considered fully vaccinated for the initial course of vaccination: (1) two weeks after receiving the second dose in a two dose COVID-19 vaccine series or (2) two weeks after receiving a single dose COVID-19 vaccine. Campuses must continue to review medical or religious exemption requests and may designate deadlines by which students should submit any requests for timely review before the semester begins. For the purposes of this policy, "students" are defined as any individual matriculated or otherwise enrolled full-time or part-time at SUNY Facilities as well

as visiting, auditing, exchange, continuing education, and international students taking in-person courses at SUNY. The definition of students does not include individuals whose student status is solely due to participation in workforce training programming arranged directly through their employer, unless specifically designated by the campus. The definition of students also does not include high school students in concurrent enrollment courses offered by a SUNY campus and located at the student's high school or other third-party location."

On July 21, 2022, Valerie Dent, Deputy Chief Operating Officer for Operations here at SUNY System Administration, advised you that the Hudson Valley Community College ("HVCC") website contains inaccurate information regarding the COVID vaccine requirements for the Fall 2022 semester. Specifically, the HVCC website indicates that COVID vaccinations and boosters are not required for students for the Fall 2022 semester. This is incorrect. As you know, the Fall Opening Guidance, circulated in June, provides that all students who will have a physical presence on campus are required to have taken the COVID vaccinations. Boosters only are strongly encouraged.

I am sending this letter as a formal codification of the multiple conversations that have taken place over the past several weeks between members of your administration and members of SUNY System Administration senior leadership regarding HVCC's non-compliance with the aforementioned policies. It is our understanding that HVCC has decided not to adhere to the Policy requiring Covid vaccinations for students, but is, instead, merely "encouraging" vaccines for students. Again, please consider this letter a formal notification of the fact that this is a direct violation of and failure to comply with the Policy as mandated by the SUNY Board of Trustees.

As has been discussed at length with the Presidents across the SUNY System, compliance with the Policy is a critical factor in ensuring the health and safety of our campuses. This is not an action that we take lightly as we deeply understand the impact this pandemic has had on our SUNY students and the other 63 campuses are working closely with those students to get vaccinated and many have come into compliance as a result.

Your institution, Hudson Valley Community College, is hereby directed to immediately submit documentation to me by Monday, August 22, 2022, showing HVCC's compliance with Policy, including the immediate correction of the information on the HVCC website regarding student compliance with the Policy and a description of how HVCC will be enforcing the Policy vaccination requirements.

Sincerely,



Anta Cissé-Green
Senior Vice Chancellor & General Counsel