

University Senate

University Senate Questions and Administrative Responses 18 October 2021

Questions COVID-Belated Questions For students who lost one or both parents due to COVID-19, is there any plan to find or create some grants to help them graduate?......2 When is Purdue going to require all employees, students, and visitors to be vaccinated?......2 In order to attend Purdue, students must be vaccinated against Rubeola, Rubella, Mumps, Meningitis, Diphtheria, and Tetanus, but are not required to be vaccinated for COVID19. The COVID19 vaccine is safe, effective, and FDA approved. Indiana University-Bloomington, which is similar in size and demographics to Purdue and which has a COVID19 vaccine requirement, has a higher COVID19 vaccination rate than Purdue among its students and staff. In the business world, companies that have instituted a vaccine requirement have also achieved higher vaccination rates than Purdue. In the case of Delta Airlines, instituting the vaccine requirement resulted in an increase in the number of job applicants for open positions as prospective employees sought safe and healthy work environments. How was the decision not to require the COVID19 vaccine for Purdue students and employees made, and what were the driving factors? Now that there is real world data demonstrating that such requirements are effective in encouraging vaccine-hesitant people to get vaccinated, will When a person is notified that they are not compliant with the Protect Purdue protocols, their Did the faculty have any input about the sale of WBAA? WBAA has a role in the curriculum, for training and employment, and it is a major interface with the community......4

COVID-Related Questions

For students who lost one or both parents due to COVID-19, is there any plan to find or create some grants to help them graduate?

There are no specific provisions for students who have lost a parent to COVID. However, any student who experiences the loss of a parent due to COVID or any other circumstance can request a "special circumstances review" from the Division of Financial Aid. During the process, a DFA counselor will reevaluate the student's current situation in light of any recent occurrences (such as the loss of a parent) that was not reflected in previously-filed FAFSA. DFA can then make adjustments to a student's financial aid if the review finds increased need.

When is Purdue going to require all employees, students, and visitors to be vaccinated?

Like the majority of schools in the country, we have strongly encouraged vaccination, but left the decision up to the individuals in our community. Members of the Purdue community who decide against vaccination or fail to confirm their vaccination status are tested regularly, and we will continue to be very firm about this requirement. We intend to continue that policy.

Our system of transparent choice and our determination to enforce it has resulted in a campus-wide vaccination rate of 87% and a positivity rate of 0.97% as of 10/18. There are currently fewer than 60 active COVID cases on campus, and among those contracting the virus, many are asymptomatic, and none has more than mild or moderate symptoms.

On close inspection, almost none of the vaccine "mandates" adopted by other universities is actually mandatory. For the most part, they include enormous loopholes and are on an unverified honor basis or some other system that is unlikely to ensure even close to full compliance.

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We assume everyone agrees that the goal is a safe campus, not any means for means' sake. We are achieving that goal, as demonstrated by the data indicated in #2 above.

Here at Purdue we believe in and foster personal responsibility. We believe personal health decisions are for every individual to make, and so is the responsibility for the consequences. Members of the Purdue community who decide against vaccination or fail to confirm their vaccination status are tested regularly, and the compliance rate has been nearly perfect.

We doubt anyone is suggesting that Purdue terminate the employment of 65 faculty and 794 staff who have not been vaccinated, but who comply with our testing policy. Likewise, we doubt anyone is suggesting that the university expel 5,913 students who are in similar compliance.

When a person is notified that they are not compliant with the Protect Purdue protocols, their supervisor is informed. Is this a privacy violation?

Analysis from Office of Legal Counsel:

- On the technical question of HIPAA coverage, there is no issue because, in the context of employer/employee (or, student/university), Purdue is not a HIPAA-covered entity (i.e. it is not a healthcare provider handling patient care and transmitting electronic billing).
- When most people refer to "HIPAA," one could take it to mean a more general objection to revealing healthcare information that one considers confidential.
- Employment laws (like Americans with Disabilities Act and Family and Medical Leave Act) address when an employer can receive such information and what it can (and cannot) do with it.
- Those laws say that an employer can receive employee medical information as long as it:
 - o has a legitimate business need to receive the information;
 - receives no more information than it needs;
 - (subject to numerous caveats and exceptions) takes no adverse action against the employee because of the medical information it receives.
- Here, the supervisor/department receives virtually no medical information it is informed of the need to excuse an employee for COVID testing:
 - the department needs this information so it can excuse the absence and, because one tests in paid status, to enable payment for the absence;
 - the notice provides no information about the vaccination status of the employee one could infer the excused employee is unvaccinated but it is also possible that they are vaccinated and simply prefer not to upload their proof into the system;
 - the notice doesn't reveal as much as one might glean from a medical excuse received from a medical specialist, which could be required in order to excuse a worker from work and qualify the employee for sick time;
 - we won't take adverse action against an employee who chooses to protect Purdue through frequent testing – only employees who neither submit proof of vaccination nor participate in testing as required are subject to adverse employment actions.

WBAA-related questions

Is WBAA going to be sold and when?

An update was recently mailed to all WBAA members and donors. The terms of the transfer are being finalized, and the transfer will happen later this year. We will continue to keep the Purdue community updated throughout the process.

Did the faculty have any input about the sale of WBAA? WBAA has a role in the curriculum, for training and employment, and it is a major interface with the community.

The only change people will notice will be improvements. WBBA donors and members will receive the PBS Passport, including streaming video not available to them today. Purdue students in the Brian Lamb School of Communication, WBAA's internship partner, will have access to expanded learning and development opportunities both locally with WBAA and through the larger MIPM and WFYI networks, in a wider range of positions spanning broadcasting, digital media, sales and marketing, and more.

The things listeners appreciate most about WBAA's programming will remain unchanged: NPR and BBC world news – and the associated voices our listeners are fond of, such as Indiana native Steve Inskeep – will remain, as will local news, local reporting, local personalities, and classical music.