COLLEGE OF MICRONESIA-FSM

BOARD POLICY NO. 2300

Communicable Disease Immunization

Date Adopted: 18-20 November 2026

Date Revised:

Date Reviewed: 18-20 November 2026

References: FSM Department of Health and Social Affairs regulations and directives on immunization; Americans with Disabilities Act of 1990, as amended; Title VII of the Civil Rights Act of 1964 (religious accommodation); Executive Order 14214, "Keeping Education Accessible and Ending COVID-19 Vaccine Mandates in Schools" (2025); U.S. Department of Education Dear Colleague Letter on COVID-19 vaccine mandates (June 25, 2025); Section 504 of the Rehabilitation Act of 1973, as amended (disability; applies to recipients of U.S. federal financial assistance); BP No. 1220 (Office of the Board and the President); BP No. 2001 (Policy on Policies)

1. Purpose

The College of Micronesia-FSM (COM-FSM), as the only public institution of higher education in the FSM, is committed to protecting the health and safety of its students, faculty, staff, and community while keeping education accessible and respecting individual rights. This policy governs when and how the College may require immunization in response to a communicable disease threat. It applies to all students and employees of the College.

2. Public Health Directives

The College will require immunization only when the FSM Department of Health and Social Affairs, or the corresponding state health authority, has issued a formal directive or regulation requiring immunization against a specific communicable disease for schools, educational institutions, or their employees. The College will implement that directive. It will not impose an immunization requirement on its own determination that an epidemic threat exists. A directive applies to College sites in the jurisdiction of the authority that issued it. A directive of the FSM Department of Health and Social Affairs applies at all College sites unless it states otherwise; a state directive applies only to sites in that state. If directives conflict, the FSM Department of Health and Social Affairs determines which controls.

When a requirement applies, the President will announce it in writing to the College community. The announcement will name the disease, the groups affected, the effective date, the source of the directive, and the procedure for requesting an exemption or accommodation. The announcement will also identify the campuses and sites covered and the official to whom exemption and accommodation requests are to be submitted. The College will withdraw or revise the requirement when the directive is withdrawn, expires, or changes.

The College does not currently require COVID-19 vaccination as a condition of student enrollment, registration, or in-person attendance, or of employment. This policy replaces the 2021 mandatory vaccination policies (BP No. 2300 – Employees and BP No. 2301 – Students,

both adopted 17 September 2021), and BP No. 2301 is withdrawn. Nothing in this policy limits a clinical or external training site from applying its own requirements.

External clinical and training sites. Each program or course that places students at clinical, practicum, internship, or other external training sites will tell students in writing, before they enroll (or, if the requirement becomes known later, as soon as it is known), of any immunization requirement the site imposes, how to ask the site for an exemption or accommodation, and how a site decision could affect completion of the program or course. Where the site's requirement is known, the program or course will give this notice at least 30 calendar days before the placement begins, and will update students promptly if the requirement changes. A College exemption under Section 3 does not bind an external site, and the College does not guarantee a placement if the site declines an exemption or accommodation. In that case, the program or course will, where feasible, help the student find an alternative site or another way to meet the learning requirements.

3. Exemptions

A student or employee who is subject to an immunization requirement under Section 2 may request an exemption on any of these grounds:

a. Medical. A written statement from a licensed physician that the immunization would endanger the person's life or health.

b. Religious. A request based on a sincerely held religious belief, practice, or observance. The College will not require the person to prove membership in a religious organization.

c. Other. Any additional exemption provided by regulation of the FSM Department of Health and Social Affairs.

The President or designee will decide each request in writing within ten working days of receiving it.

Submitting a request. A request may be submitted at any time after the announcement, including before the effective date, and a request received after the effective date will still be decided. The procedures under Section 7 will set how requests are made.

Pending requests. From the date a request is received until the decision is issued, the person will not be subject to action under Section 5. The procedures will set any interim measures that may apply and the notice given if a decision is delayed.

Reconsideration. A person whose request is denied in whole or in part will be given the reasons in writing and may ask for reconsideration, within the time and in the manner set by the procedures. A reviewer who did not take part in the initial decision will decide in writing. No action will be taken under Section 5 while reconsideration is pending. The result is the College's final decision under this policy, without limiting any right of review under College procedures or applicable law. Section 5(f) review applies to decisions under Section 5 and does not reopen an exemption decision already reconsidered under this Section.

Safeguards for exemption information.

a. Access. Only those who need exemption information to decide requests, review decisions, or carry out an approved accommodation may see it, and only to the extent needed. Instructors, supervisors, and other College personnel will be told only what accommodation applies, not the reason for it.
b. **Storage.** Records will be kept in a secure, access-restricted confidential file, separate from academic, student, and general personnel files. The procedures will set the access controls.
c. **Retention and disposal.** Records will be kept only as long as needed, for the period set in the procedures consistent with the College's records retention policy and applicable law, and will then be securely destroyed. Records relating to a pending complaint or dispute will be kept until it is resolved.
d. **Disclosure.** Exemption information will not be disclosed except to the person concerned, with the person's written consent, or as required by law or by a public health authority. Unauthorized access or disclosure is subject to discipline under College procedures.

4. Reasonable Accommodation

A student or employee who is exempt, or who cannot be immunized because of a disability or a sincerely held religious belief, practice, or observance, is entitled to an interactive process to identify reasonable accommodations that do not impose undue hardship on the College. Depending on the disease, accommodations may include alternate work or class arrangements, remote participation, masking, testing, or other measures recommended by health authorities.

5. Non-Compliance

a. Employees. An employee who is not exempt and does not comply by the effective date will receive written notice and a reasonable period to comply. Any later leave without pay or other action will follow College personnel procedures.
b. Students. A student who is not exempt and does not comply by the effective date will receive written notice and a reasonable period to comply, and will be offered any available alternative, such as remote instruction. Registration will be denied only if no reasonable alternative can be provided.
c. Reasonable period**.** A "reasonable period" is the period stated in the written notice. It will be at least 14 calendar days after the person receives the notice, and longer where the immunization cannot practicably be obtained sooner. The procedures will say how longer periods are set.
d. No reasonable alternative. "No reasonable alternative" means that, after consulting the student and the academic program, the President's designee has found in writing that the student's course or program cannot be completed through remote instruction, a changed schedule or location, or another arrangement without fundamentally altering an essential requirement of the course or program or imposing an undue hardship on the College. The finding must state the alternatives considered and why each is not available. Registration may be denied only after the student has received the finding, and only for the terms in which the requirement is in effect.
e. Student options. The written notice to a student will explain these options:

- Obtain the immunization within the reasonable period, with the College's help in finding where it is available;

- Request an exemption or accommodation under Sections 3 and 4;

- Take any available alternative, such as remote instruction; or
- Defer registration to a later term.

f. Review of decisions. An employee or student who disputes a decision under this Section, including a finding of no reasonable alternative or a denial of registration, may request review in writing, within the time set by the procedures. A reviewer who did not take part in the decision will decide in writing. While review is pending, the student will be allowed to continue under any available alternative, and registration will be held open if the request is made before the registration deadline. Employee reviews will also follow College personnel procedures.

6. Non-Retaliation

No student or employee will be penalized, harassed, or treated less favorably for requesting an exemption or accommodation, asking for reconsideration or review, or taking part in either.

7. Authority and Procedures

The President or the President's designee will issue written procedures to implement this policy, consistent with FSM public health directives and applicable law, within 60 days after Board adoption. The procedures will cover requests, decisions, review, compliance notices, external training sites, and exemption records. They will be posted on the College website and reported to the Board.

If a directive requires action before the procedures are issued, the President may, under the authority of BP No. 1220, announce a requirement and implement it through interim procedures. Interim procedures must be consistent with this policy, must provide the protections in Sections 3 through 6, and may not impose penalties beyond those this policy allows. They do not amend this policy or replace the review required by BP No. 2001. They end when the procedures are issued, or after 90 days, whichever comes first, and the President will report them to the Board at its next meeting.

8. Review

This policy will be reviewed at least every three years, and whenever there is a material change in applicable FSM or U.S. law, FSM health authority directives, or federal guidance affecting College funding.

~~**BP No. 2300 Mandatory Vaccination Policy - Employees (September 17, 2021)**~~

~~**POLICY**~~

~~**Emergency powers in the event of an epidemic**~~

~~College of Micronesia-FSM (COM-FSM), as the only public institute for higher education in FSM, adheres to appropriate guidelines to protect the safety and well-being of our students, faculty, staff and administration. If in the event that there is danger of an epidemic in the FSM from any communicable disease where there is an available recommended immunization, immunization becomes mandatory for all employees.~~

~~Exemptions for immunization requirements are:~~

1. ~~An employee may be exempted from receiving the required immunization(s) upon submission of a statement in writing from a licensed physician that the present condition of the employee is such that required immunization(s) would endanger the life or health of the employee.~~
2. ~~The FSM Department of Health Services may provide, by regulation, further exemptions based upon sound medical practice.~~
3. ~~An employee may be exempted from receiving the required immunization(s) upon submission of a request and approval for exemption due to sincerely held religious, belief, practice, or observance.~~

~~An employee who does not get vaccinated due to a disability, or sincerely held religious belief, practice, or observance may be entitled to a reasonable accommodation that does not pose an undue hardship on the operation of the employer's business. In the event that suitable accommodation cannot be maintained for such exempted employees, the employee may be subject to layoff. Employees who are not exempted and do not receive a vaccination by the effective date, will also be placed on leave without pay.~~

~~**BP No. 2301 Mandatory Vaccination Policy - Students (September 17, 2021)**~~

~~**POLICY**~~

~~**Emergency powers in the event of an epidemic**~~

~~College of Micronesia-FSM (COM-FSM), as the only public institute for higher education in FSM, adheres to appropriate guidelines to protect the safety and well-being of our students, faculty, staff and administration. If in the event that there is danger of an epidemic in the FSM from any communicable disease where there is an available recommended immunization, immunization becomes mandatory for all employees.~~

~~Exemptions for immunization requirements are:~~

1. ~~A student may be exempted from receiving the required immunization(s) upon submission of a statement in writing from a licensed physician that the present condition of the student is such that required immunization(s) would endanger the life or health of the student.~~
2. ~~The FSM Department of Health Services may provide, by regulation, further exemptions based upon sound medical practice.~~
3. ~~A student may be exempted from receiving the required immunization(s) upon submission of a request and approval for exemption due to sincerely held religious belief, practice, or observance.~~