



TO: Jennifer Barger-Johnson, Faculty Senate President
DATE: September 17, 2021
RE: FSP 2021/2022-001

We have received Faculty Senate proposal FSP 2021/2022-001 in the matter of Campus Safety in Light of the COVID-19 Continuing Pandemic. Having consulted with Provost Charlotte Simmons and General Counsel Kendall Parrish, we are providing the following response to your proposal.

As of September 14, 2021, positive COVID cases reported to the university have decreased each of the past two weeks. This demonstrates the beginning of a positive trend. While these numbers are headed in a positive direction, the university remains on alert and monitoring our campus and metro community metrics for impact.

Personal protective equipment (PPE) has been and remains available throughout campus since June 2020. Building captains have been tasked with requesting additional supplies for classrooms and offices as reported by the faculty and staff who work in those buildings. This process allows for appropriate inventories to be kept at the source of use as they are needed. Likewise, if any instructor needs assistance with plexiglass barriers in their classrooms they should report it to their building captain. Emergency Management has quickly responded to all building captain requests as seen through the Work Order system. Norman Nieves will remind building captains of this process and their responsibility associated with it on 9/16/21.

Social distancing in classrooms is not fully implementable at this time given the shared governance decision not to use the extended (EXT) classroom as an option this semester. Remote instruction is available to immunocompromised faculty and the classroom technology is available.

The university revised its COVID safety building signage from the informative statement that masks were recommended to one that requests each person to wear a mask. Our approach is based on the principle of persuasion rather than a demand void of consequence.

The legalities surrounding a mask mandate at the university level have been explored in-depth by a host of private and public attorneys across the state. The temporary injunction issued by the Oklahoma County District Court temporarily restricts the enforcement of the prohibition against implementing a mask mandate only in K-12 settings. The injunction does not extend to the provisions applicable to other agencies and institutions, including institutions of higher education. Governor Stitt's executive order prevents any mask mandate for an individual to receive government services. This order is more expansive than Senate Bill 658 and the term "government services" has been interpreted to include public higher education.

While vaccines are not specifically addressed in SB658, the Executive Order does prohibit vaccine requirements as a condition of admittance to any public building. Our campus footprint constitutes public space and is therefore covered under this executive order.

The university is following CDC guidance pertaining to testing, quarantine, and isolation. Our operational plans include the same language as it did last year which addresses the expectations for quarantine, and the availability of quarantine residence hall space, in the event a positive COVID case is reported. We remain committed to contact tracing, unlike many other institutions in the state, as it is one of our most hopeful tactics for mitigating the spread in classrooms. We recently adopted the option for faculty to move a class section to remote instruction or require masks for a period of two weeks following a report of a positive COVID case in their classroom as an alternative to physical quarantine.

Groups across campus are renting larger spaces, holding events outdoors, or postponing events to mitigate the spread of the virus. Language in Campus Operational Level 2 is being revised to state that masks are expected to be worn.

We refute and strongly disagree with the Senate's accusation that the university is "risking lives", "livelihoods", "the university's future", or "creating the perception that we are not good stewards of higher education". Statements such as this serve only to provoke unproductive conflict and waste valuable energy on attacking the administration as they work every single day to make everyone's jobs possible amidst the most challenging of circumstances.

Daily and weekly conversations are initiated by the institution with legal advisors to explore ways through the legal net that has been cast around how state entities can navigate the pandemic. All legislative action related to this situation is being carefully monitored by the university.



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President



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