



STATE OF WASHINGTON  
— OFFICE OF GOVERNOR JAY INSLEE —

**PROCLAMATION BY THE GOVERNOR  
AMENDING PROCLAMATIONS 20-05, 20-12, et seq., AND 20-25, et seq.**

**20-12.5  
Higher Education**

**WHEREAS**, on February 29, 2020, I issued Proclamation 20-05, proclaiming a State of Emergency for all counties throughout Washington State as a result of the coronavirus disease 2019 (COVID-19) outbreak in the United States and confirmed person-to-person spread of COVID-19 in Washington State; and

**WHEREAS**, as a result of the continued worldwide spread of COVID-19, its persistence in Washington State, and the high risk it continues to pose to our most vulnerable populations, I have subsequently issued several amendatory proclamations, exercising my emergency powers under RCW 43.06.220 by prohibiting certain activities and waiving and suspending specified laws and regulations; and

**WHEREAS**, the COVID-19 disease, caused by a virus that spreads easily from person to person, which may result in serious illness or death and has been classified by the World Health Organization as a worldwide pandemic, continues to persist in the state of Washington; and

**WHEREAS**, despite an increase in infections, hospitalizations, and deaths in the latter half of 2020, Washington State has avoided overwhelming the state's health care systems throughout this pandemic by implementing rigorous safety and prevention measures, such as physical distancing, masking, social and economic prohibitions and, since December 2020, the administration of vaccinations to prevent infection with the coronavirus that causes COVID-19 symptoms; and

**WHEREAS**, the U.S. Centers for Disease Control and Prevention (CDC) and the Washington State Department of Health (DOH) have determined that the COVID-19 vaccines that have received emergency approval, or full approval, by the U.S. Food & Drug Administration are safe and effective against infection with the coronavirus that causes COVID-19; and

**WHEREAS**, everyone age 12 and older is currently eligible to receive a vaccination against the coronavirus causing COVID-19 symptoms, and Washington health care providers, in collaboration with public health and other community partners, have successfully administered millions of vaccine doses, but have millions more doses to administer, and it is necessary to achieve the highest rate of vaccination of the United States population as possible; and

**WHEREAS**, on March 13, 2020, in recognition of experts' warnings that continued normal operation of public and private universities, colleges, community colleges, and technical colleges could increase the spread of COVID-19 throughout Washington State, I issued Emergency Proclamation 20-12

prohibiting public and private universities, colleges, community colleges, and technical colleges from conducting in-person classroom instruction and lectures related to all educational programs; and

**WHEREAS**, the prohibitions in Proclamation 20-12 expired on April 24, 2020, but public and private universities, colleges, community colleges, and technical colleges remained in modified operation, which included remote learning and certain programs for essential workers; and

**WHEREAS**, Washington's public and private universities, colleges, community colleges, and technical colleges are an important part of our economy and are vital to the educational, social, and economic needs of Washingtonians; and

**WHEREAS**, using remote learning to replace most classroom instruction creates challenges to access for many Washingtonians; and

**WHEREAS**, the progression of COVID-19 in Washington State shows ethnic disparities in health impacts which are likely to increase ethnic disparities in access and success in post-secondary education, requiring the State and all of our campuses and programs to understand how these challenges affect our students and to work to minimize these impacts; and

**WHEREAS**, although public and private universities, colleges, community colleges, and technical colleges made tremendous efforts to continue to function through remote learning, in-person learning benefits Washington; and

**WHEREAS**, the nature of COVID-19 viral transmission, including both asymptomatic and symptomatic spread as well as the relatively high infectious nature, suggests it is appropriate to provide in-person learning at public and private universities, colleges, and technical schools only through a science-based approach that incorporates safety, sanitation, and physical distancing guidelines; and

**WHEREAS**, during the initial return to campus in the fall of 2020, there were more than 35 COVID-19 outbreaks linked to public and private institutions of higher education, and some higher education institutions have seen a substantial increase in COVID-19 positive cases that are tied to both congregate living arrangements, including fraternities and sororities, and also large social gatherings of students, thereby triggering the need to increase safety measures to address these outbreaks; and

**WHEREAS**, I issued Proclamations 20-12.1 and 20-12.2 to permit Washington's public and private universities, colleges, community colleges, and technical colleges to resume in-person instruction, lectures and similar educational gatherings, provided that extensive safety requirements were implemented, and to impose certain safety requirements on shared housing; and

**WHEREAS**, the widespread availability of safe and effective COVID-19 vaccinations makes it appropriate to lift legally-mandated safety requirements for public and private universities, colleges, community colleges, and technical colleges that have committed to implementing vaccination requirements on their campuses; and

**WHEREAS**, the worldwide COVID-19 pandemic and its progression in Washington State continue to threaten the life and health of our people as well as the economy of Washington State, and remain a public disaster affecting life, health, property or the public peace, and

**WHEREAS**, students attending public and private universities, colleges, community colleges, and technical colleges are largely in the age demographic with the highest rate of COVID-19 cases and the lowest rate of vaccinations of those over the age of 18, which, taken with the foregoing, justifies continuing to mandate certain safety measures for public and private universities, colleges, community colleges, and technical colleges that choose not to implement vaccination requirements on their campuses; and

**WHEREAS**, after months of improving COVID-19 epidemiological conditions in Washington State, the emergence of highly contagious COVID-19 variants, including the “delta” variant that is at least twice as transmissible as the virus that emerged in late 2019, coupled with continued significant numbers of unvaccinated people, have caused COVID-19 cases and hospitalizations to rise sharply among unvaccinated populations, have resulted in breakthrough infections in some fully vaccinated individuals, and continue to rise; and

**WHEREAS**, we now know that several factors increase the risk for person-to-person COVID-19 transmission; such factors include (1) the more that people and groups interact, (2) the longer those interactions last, (3) the closer the contact between individuals, (4) the denser the occupancy for indoor facilities, and (5) the lack of use of face coverings; and

**WHEREAS**, COVID-19 vaccines are effective in reducing infection and serious disease, widespread vaccination is the primary means we have as a state to protect everyone, including persons who cannot be vaccinated for medical reasons, youth who are not eligible to receive a vaccine, immunocompromised individuals, and vulnerable persons including persons in health care facilities, long-term care facilities and other congregate care facilities from COVID-19 infections; and

**WHEREAS**, widespread vaccination is also the primary means we have as a state to protect our health care system, to avoid the return of stringent public health measures, and to put the pandemic behind us; and

**WHEREAS**, COVID-19 vaccines were first available in Washington State in December 2020, and since April 15, 2021, all Washingtonians over the age of 16 have been eligible to receive free COVID-19 vaccinations from a wide variety of providers at many locations; and

**WHEREAS**, COVID-19 vaccines are safe and effective. COVID-19 vaccines were evaluated in clinical trials involving tens of thousands of participants and met the U.S. Food & Drug Administration’s rigorous scientific standards for safety, effectiveness, and manufacturing quality needed to support emergency use authorization and now even full authorization in some circumstances; and, to date, more than 346 million doses of COVID-19 vaccines have been given in the United States with 8.2 million of those doses administered in Washington, and serious safety problems and long-term side effects are rare; and

**WHEREAS**, it is the duty of every employer to protect the health and safety of employees by establishing and maintaining a healthy and safe work environment and by requiring all employees to comply with health and safety measures; and

**WHEREAS**, on August 9, 2021, due, in part, to the above described conditions, I issued Proclamation 21-14, which prohibits, with limited exceptions, certain workers from continuing to engage in their work after October 18, 2021 unless that worker is fully vaccinated, and also prohibits certain employers from continuing to employ any worker from engaging in work for that employer unless the worker is fully vaccinated by October 18, 2021; and

**WHEREAS**, DOH continues to maintain a Public Health Incident Management Team in coordination with the State Emergency Operations Center and other supporting state agencies to manage the public health aspects of the incident; and

**WHEREAS**, the Washington State Military Department Emergency Management Division, through the State Emergency Operations Center, continues coordinating resources across state government to support DOH and local health officials in alleviating the impacts to people, property, and infrastructure, and continues coordinating with DOH in assessing the impacts and long-term effects of the incident on Washington State and its people.

**NOW, THEREFORE**, I, Jay Inslee, Governor of the state of Washington, as a result of the above-noted situation, and under Chapters 38.08, 38.52 and 43.06 RCW, do hereby proclaim and order that a State of Emergency continues to exist in all counties of Washington State, that Proclamation 20-05 and all amendments thereto remain in effect as amended, and that, to help preserve and maintain life, health, property or the public peace pursuant to RCW 43.06.220(1)(h), Proclamations 20-05 and 20-12, et seq., and 20-25, et seq., continue in effect except as amended herein, to allow for in-person classroom instruction, lectures and similar educational gatherings at public and private universities, colleges, community colleges, and technical colleges (referred to hereafter collectively as institutions of higher education, or IHEs), provided certain requirements are and continue to be satisfied.

**FURTHERMORE**, IHEs that do not have fully vaccinated campuses are prohibited from providing in-person classroom instruction, lectures and similar educational gatherings, except when they implement, follow, and enforce the requirements specified below. IHEs with fully vaccinated campuses are wholly exempt from this proclamation and encouraged, but not required, to follow DOH's COVID-19 recommendations for higher education.

#### IHEs WITH FULLY VACCINATED CAMPUSES

An IHE has a fully vaccinated campus and is exempt from this proclamation when it meets all of the following requirements:

- By October 18, 2021, the IHE is in full compliance with Proclamation 21-14.1 et seq. (Vaccination Requirement).
- The IHE implements a policy requiring all of its students who participate in or attend IHE courses, operations, or other activities in person at IHE locations to be fully vaccinated against COVID-19, subject to any medical exemptions required by law and any religious exemptions the IHE provides.
  - For purposes of this proclamation, a person is fully vaccinated against COVID-19 two weeks after they have received the second dose in a two-dose series of a COVID-19 vaccine authorized for emergency use by the FDA (e.g., Pfizer-BioNTech or Moderna) or two weeks after they have received a single-dose COVID-19 vaccine authorized for emergency use by the FDA (e.g., Johnson & Johnson (J&J)/Janssen). For purposes of

this proclamation, an IHE may consider a person fully vaccinated against COVID-19 two weeks after they have received all recommended doses of a COVID-19 vaccine that is listed for emergency use by the World Health Organization (WHO).

- The IHE implements a policy and procedure to verify the vaccination status of students who are not exempt from the vaccination requirement:
  - The IHE must verify the vaccination status of all students by obtaining or observing documentary proof of full vaccination, such as a CDC vaccination card, documentation of vaccination from a health care provider, or a state immunization information system record, or obtaining a hard copy or electronically signed self-attestation from the student. Any student self-attestation must include the following information:
    - The dates when each dose of the COVID-19 vaccine was administered to the student;
    - Language stating that the student is attesting to the truthfulness of their self-attestation and will be subject to disciplinary action if their self-attestation is determined to be untruthful in violation of the IHE's code of conduct or equivalent; and
    - Language stating that the IHE and state and local public health officials may require further verification of the student's vaccination status, including observing the student's CDC vaccination card, state immunization information system record, or other documentation.
- The IHE implements a policy requiring every student, staff member, and faculty member who claims an exemption to the vaccination requirements in this Order and Proclamation 21-14.1 et seq. and every volunteer, contractor, and visitor to wear a face covering at IHE locations in accordance with the Secretary of Health's [face covering order](#) and to comply with any applicable L&I workplace safety requirements. For people claiming exemptions to the Secretary of Health's [face covering order](#), the IHE's policy must include putting in place other safety measures to protect the safety of the exempt people and others.

## REQUIREMENTS FOR IHEs WITHOUT FULLY VACCINATED CAMPUSES

An IHE without a fully vaccinated campus must meet all of the following requirements:

### **Campus Safety**

- By October 18, 2021, be in full compliance with Proclamation 21-14.1 et seq. (Vaccination Requirement).
- Adhere to all federal, state and local public health and workplace safety requirements;
- Develop a comprehensive COVID-19 infection control plan incorporating the requirements below, applicable workplace safety requirements, and best practices in [CDC](#) and [DOH](#) guidance for IHEs, and make available a copy of the plan at each location on campus;
- Implement a policy and procedure requiring all fully vaccinated students who participate in or attend IHE courses, operations, or other activities in person at IHE locations to provide documentary proof of full vaccination. The IHE must obtain or observe documentary proof of full vaccination, such as a CDC vaccination card, documentation of vaccination from a health care provider, or a state immunization information system record, or obtain a hard copy or electronically signed self-attestation from the student. Any student self-attestation must include the following information:
  - The dates when each dose of the COVID-19 vaccine was administered to the student;

- Language stating that the student is attesting to the truthfulness of their self-attestation and will be subject to disciplinary action if their self-attestation is determined to be untruthful in violation of the IHE's code of conduct or equivalent; and
- Language stating that the IHE and state and local public health officials may require further verification of the student's vaccination status, including viewing the student's CDC vaccination card, state immunization information system record, or other documentation;
- The IHE must presume all persons on campus are unvaccinated until proof of vaccination is provided.
- Enforce compliance with the Secretary of Health's [face covering order](#) and L&I's requirements inside IHE facilities;
- To the extent permitted by law, require all students, regardless of vaccination status, to wear face coverings when meeting with a faculty member for office hours or similar purposes, if requested by the faculty member;
- Maintain minimum physical distancing, whenever possible, of three feet between all non-household members indoors on campus, including students, faculty, staff, volunteers, contractors, and visitors, and where physical distancing cannot be maintained, implement administrative or engineering controls to minimize exposure;
- Implement and maintain hand washing policies to ensure frequent and adequate hand washing and maintain adequate supplies;
- Implement and maintain adequate sanitization protocols consistent with CDC's [Cleaning and Disinfecting Your Facility](#) guidance and [Guidance for Institutions of Higher Education \(IHEs\)](#) and the U.S. Environmental Protection Agency's [list](#) of disinfectants for COVID-19;
- Implement and maintain a self-certification COVID-19 screening program for students and personnel consistent with DOH's [Guidance for Daily COVID-19 Symptom Screening of Staff and Guests](#);
- Develop response protocols for students, personnel, and visitors reporting symptoms and/or confirmed to have COVID-19;
- If students or personnel are experiencing any known COVID-19 symptoms, are confirmed to have COVID-19, or have been exposed to a confirmed case of COVID-19, require them to follow the direction of the local health jurisdiction and, to the extent not inconsistent with that direction, DOH's [Evaluation and Management of Persons with New Unexplained Symptoms of COVID-19](#), [What to do if you were potentially exposed to someone with COVID-19](#), and [What to do if you have confirmed or suspected COVID-19](#) and CDC's [What to Do If You Are Sick](#) guidance;
- Make diligent efforts to monitor and enforce compliance with the requirements of this proclamation by students and personnel within the institution's disciplinary authority and procedures and any other applicable authority;
- Develop a plan with the relevant local health jurisdiction to address the isolation and quarantine needs of any personnel and students who have confirmed or suspected COVID-19 or exposure to an individual confirmed to have COVID-19 and are unable to isolate or quarantine in their usual place of residence; and
- Assess recognized hazards, including COVID-19, as part of the ongoing requirement to provide a safe and healthy workplace and, where appropriate, take additional steps to protect unvaccinated employees. Appropriate steps could include but are not limited to maximizing

fresh air and providing a mask that is more protective than a cloth face covering. These should be considered as part of the IHE's comprehensive infection control plan.

### **Student Worker and Personnel Support**

- Provide student workers and personnel with PPE such as gloves, goggles, face shields, and/or masks as appropriate or required for student workers/personnel not working alone (e.g. any public-facing job and/or those whose responsibility includes operating within physical distancing limits), and shut down or suspend any activity if PPE cannot be provided;
- Comply and require compliance with L&I requirements for face coverings and the Secretary of Health's [face covering order](#) as applicable to the workplace except where this order is more stringent;
- Comply with all applicable laws providing protections for high risk workers, including, but not limited to, the [Health Emergency Labor Standards Act](#); and
- Educate students and personnel on symptom detection, sources of high risk to COVID-19, prevention measures, and leave benefits/policies.

### **Visitor Expectations**

- Post visible entry point signage for students, personnel, and visitors describing shared on-campus responsibilities and requirements, including those regarding proper hygiene and sanitization, physical distancing and face coverings, staying home if feeling sick, information on how and when to report concerns, and other information as appropriate or required.

### **Food Services**

- Implement floor markings to promote physical distancing;
- Post signs to remind patrons of physical distancing and face covering requirements and to use hand sanitizer;
- Complete routine sanitization of high-touch surfaces and shared resources (e.g., door handles, points of sales); and
- Enforce compliance with the Secretary of Health's [face covering order](#) and L&I's requirements inside IHE food service facilities

**FURTHERMORE**, if a conflict exists between this proclamation (20-12.5) and proclamation 21-14.1 et seq., the provisions of proclamation 21-14.1 et seq., shall control.

I again direct that the plans and procedures of the *Washington State Comprehensive Emergency Management Plan* be implemented throughout state government. State agencies and departments are directed to continue utilizing state resources and doing everything reasonably possible to support implementation of the *Washington State Comprehensive Emergency Management Plan* and to assist affected political subdivisions in an effort to respond to and recover from the COVID-19 pandemic.

I continue to order into active state service the organized militia of Washington State to include the National Guard and the State Guard, or such part thereof as may be necessary in the opinion of The Adjutant General to address the circumstances described above, to perform such duties as directed by competent authority of the Washington State Military Department in addressing the outbreak.

