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Jimmy H. Baker
CHANCELLOR

MEMORANDUM #2020-EXE-045

DATE: May 22, 2020

TO: Presidents, Alabama Community College System
Deans of Students, Instructional Officers, Business Managers
Adult Education Directors

FROM: Jimmy H. Baker, Chancellor


RE: New Guidance Regarding Summer Instruction

I am pleased to announce that Governor Ivey's amended Safer at Home Order (Order), issued on May 21, 2020, has returned operational decisions related to opening ACCS institutions and programs to my discretion and authority to the Board of Trustees. This memorandum provides additional guidance that colleges must heed as they prepare to offer in-person instruction on their campuses and at instructional sites. We have been entrusted with the great responsibility of developing and implementing protocols necessary to facilitate a safe operating environment for our employees, and safe instruction and training for our students. We must move forward thoughtfully, deliberately, and vigilantly guided by the protocols endorsed by both federal and state health agencies, including the Centers for Disease Control and the Alabama Department of Public Health (Health Agencies), as well as the Governor's Office and my Office.

Effective Date

Paragraph 13 of the Governor's amended Safer at Home Order addresses Educational Institutions. The provisions are effective June 1, 2020 through July 3, 2020.

Summer Instruction

Colleges are strongly encouraged to continue providing online instruction through the summer, to the greatest extent possible. Exceptions may be granted by me on a case-by-case basis. Colleges may consider offering in-person instruction beginning with the second summer mini term subject to restrictions issued by the Governor's Office and/or me, and provided that the college has developed emergency policies and procedures that effectuate the guidance provided in this memorandum and the requirements stated in the Order and protocols endorsed by Health Agencies:



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U.S. DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

WASHINGTON, D.C.

TO: DIRECTOR, BUREAU OF LAND MANAGEMENT

FROM: SAC, [illegible]
SUBJECT: [illegible]
[The following text is extremely faint and largely illegible. It appears to be a memorandum or letter detailing a request or report regarding land management activities.]

Very truly yours,

[illegible signature]

Enclosure

[The following text is extremely faint and largely illegible. It appears to be a continuation of the memorandum or letter, possibly detailing further information or instructions.]

<https://governor.alabama.gov/assets/2020/05/Safer-at-Home-Order-FINAL-5.21.2020.pdf>

<https://www.cdc.gov/coronavirus/2019-ncov/community/colleges-universities/considerations.html>

<https://covid19.alabama.gov/>

Please be reminded that the current order expires on July 3, 2020, and that, “prior to 5:00 P.M. on July 3, 2020, a determination shall be made whether to extend this Order—or, if circumstances permit, to change this Order.” Colleges are encouraged to consider implementing instructional plans which will provide minimal disruption to student learning should the Governor’s Order change over the course of the summer.

Career and Technical Education, Health Programs, Workforce Training Programs and Adult Education

From an instructional standpoint, our most pressing concern during this crisis has been the displacement of students enrolled in career and technical education, healthcare, and workforce training programs who could not complete portions of their programs online, such as labs, clinicals, and certification or testing requirements. This displacement has prevented students from completing their courses and/or programs of study and has prevented critical and essential workers from entering Alabama’s workforce.

Effective June 1, 2020, colleges may offer in-person instruction to students who received an "Incomplete" in career and technical education, health program and workforce training courses for the Spring Semester, to complete course requirements. Further, colleges may offer career and technical education, health program, adult education and workforce training courses which have outcomes that cannot be measured or achieved virtually, such as laboratory, clinical experiences, certifications and testing.

Colleges offering in-person instruction in career and technical education, health program, adult education and workforce training courses and testing must adhere to the strict protocols and social distancing requirements stated in the Governor's Order, by Health Agencies and within this memorandum.

Additional protocols for face-to-face instruction may also include, but not be limited to, the following:

- Communication will be provided to each student about the opportunity for make-up of in-person labs, clinicals, certifications, testing and other coursework under the conditions set forth by the college and the timeframe for completing the instruction. ACCS institutions shall work with students to the greatest extent possible to schedule safe in-person instruction.

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- Students shall sign waivers indemnifying the postsecondary institution of any legal action as a result of participating in in-person instruction. Students who voluntarily decide not to participate in in-person instruction during this public health emergency shall not face any disciplinary action under the normal procedures of the postsecondary institution. However, students will be governed by the college's policies and procedures regarding make-up work, course completion and resolution of Incomplete ("I") grades.
- Communication shall be sent by email to students, faculty, and staff requesting they not return to the college premises if they exhibit symptoms of COVID-19.
- Students are strongly encouraged to wear face coverings while on campus during in-person instruction and any face-to-face interactions. Colleges may require students and employees to wear face coverings should they choose.
- Postsecondary institutions shall place appropriate signage throughout facilities used for in-person instruction to remind students and employees of proper distancing and preventive measures.
- Students and employees shall comply with six-foot distancing as practicable.
- Entrance/exit doors of facilities used for in-person instruction should be sanitized at least twice per day.
- Any equipment, desks, chairs, tables, or other items used during instruction should be sanitized after each use.

Emergency Policies, Procedures and Protocols

Prior to the commencement of any in-person instruction, colleges must submit to my Office for review the emergency policies, procedures and protocols designed to effectuate the Governor's Order, protocols issued by Health Officials and the guidance provided in this memorandum. Prior to any implementation, please email your plans to Rachel Adams, Rachel.adams@accs.edu, who will then circulate them for internal review and feedback. Please also copy Susan Price, susan.price@accs.edu on your email.

Additional Guidance

My Office will continue to issue guidance to the colleges as appropriate. Additional protocols for unique and specific programs (such as CDL training and testing), as well as protocols related to student housing and athletic events will be provided by my Office in subsequent guidance. Guidance regarding preparations for Fall Semester also will be issued at a later date.

Thank you for your perseverance, patience, and efforts on behalf of our students, our System and the State of Alabama!

cc Board of Trustees, ACCS

Assumption of the Risk and Waiver of Liability Relating to Coronavirus/COVID-19

The novel coronavirus, COVID-19, has been declared a worldwide pandemic by the World Health Organization. **COVID-19 is extremely contagious** and is believed to spread mainly from person-to-person contact. As a result, federal, state, and local governments and federal and state health agencies recommend social distancing and have, in many locations, prohibited the congregation of groups of people.

COLLEGE NAME (“the College”) has put in place preventative measures to reduce the spread of COVID-19; however, the College **cannot guarantee** that you will not become infected with COVID-19. Further, **attending the College, participating in College lead classes, trainings or labs could increase** your risk of contracting COVID-19.

By signing this agreement, I acknowledge the contagious nature of COVID-19 and voluntarily assume the risk that I may be exposed to or infected by COVID-19 by attending the College and that such exposure or infection may result in personal injury, illness, permanent disability, and death. I understand that the risk of becoming exposed to or infected by COVID-19 at the College may result from the actions, omissions, or negligence of myself and others, including, but not limited to, College employees, other students, vendors or affiliates and their families.

I voluntarily agree to assume all of the foregoing risks and accept sole responsibility for any injury to myself (including, but not limited to, personal injury, disability, and death), illness, damage, loss, claim, liability, or expense, of any kind, that I may experience or incur in connection with my attendance at the College or participation in College activities (“Claims”). On my behalf, I hereby release, covenant not to sue, discharge, and hold harmless the College, its employees, agents, and representatives, of and from the Claims, including all liabilities, claims, actions, damages, costs or expenses of any kind arising out of or relating thereto. I understand and agree that this release includes any Claims based on the actions, omissions, or negligence of the College, its employees, agents, and representatives, whether a COVID-19 infection occurs before, during, or after participation in any College services.

Signature of Student

Date

Print Name of Student

Signature of Parent/Guardian

Date

Print Name of Parent/Guardian (if Student Under 18)

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LIBRARY

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