

Religious and Disability Exemptions from COVID-19 Vaccine Mandates at Universities, Colleges, and Schools

August 31, 2021

During these unprecedented times, many Universities, Colleges, and other education institutions have implemented COVID-19 vaccine requirements for students and faculty returning this fall. Higher Education Institutions have routinely required vaccines such as rubella, meningitis, and chickenpox. Unlike in the employment context where the Equal Employment Opportunity Commission (“[EEOC](#)”) has provided guidance on vaccine mandates for the COVID-19 vaccine, there is less federal guidance on how higher education institutions should go about implementing these mandates.

There are two legally recognized exemptions of mandatory vaccines for students: (1) medical or disability related reasons, and (2) sincerely held religious beliefs. Both public and private institutions are subject to the requirements of the Americans with Disabilities Act (“ADA”) and the Rehabilitation Act of 1973, which creates an obligation to accommodate qualified disabled/handicapped persons. On the other hand, Titles IV and VII of the Civil Rights Act of 1964 protect individuals from religious discrimination, however, they only apply to federally funded educational institutions. Private institutions that are not federally funded are not legally required to provide a religious exemption to their vaccine requirements but may still choose to do so of their own accord.

While the procedure to apply for these exemptions may vary from institution to institution there are limits to the documents that a higher education institution can request from you. When evaluating whether to issue a religious-based or disability-based vaccine exemption the school will typically review on a case-by-case basis to determine whether the request should be approved. These decisions can be influenced by small factors that you may not think to address or realize are important. For this reason, if you are looking to file a request for a vaccine exemption, it is highly beneficial to have the assistance of a lawyer on your side who can help to ensure that you present the best possible information for the best chance at approval.

Please feel free to contact our office at [\(508\) 880-6677](tel:5088806677) to speak with one of our experienced attorneys today about how we can assist you in requesting exemption from your University, College, or other educational institution.