

August 3, 2021

Dear President Tate,

At our faculty and staff forum regarding COVID-19 policies and procedures for the upcoming semester, when addressing the request of an overwhelming number of faculty and students for mandatory vaccinations you stated the following:

“The point is, people have their own risk mitigation strategies, and we have to respect that while preparing to lower our collective risk.”¹

The truth of the matter is that LSU is following this principle inconsistently, honoring the personal choices of those who choose to remain unvaccinated while forcing all faculty who wish to use remote teaching as an evidence-based mitigation decision to justify this choice to LSU under the American with Disabilities Act. Notably, this act does not cover individuals who have heightened risk due to situations which fall outside this legislation, such as the presence of children in their household who are too young to currently receive the vaccines or caring for elderly family members.

We, the undersigned, ask you and LSU to honor your words and the authority over educational policy granted to faculty by the Bylaws and regulations by **returning to the policies and procedures implemented for instruction during the 2020-21 academic year**, beginning by offering the faculty their choice of the following teaching modes:

- 100% remote
- Hybrid with 50% occupancy for any in-person component
- In-person with 50% occupancy

The situation in Louisiana is more dire now than at any point since the spring of 2020, when LSU went entirely remote because of the dangers posed by the pandemic. It is unconscionable that you would ask faculty, staff and students for a full return to campus under these conditions when we know these alternative options are available and that they work.

This is not the situation we wished to be in for this semester, but it is the reality that we face because of the institution’s failure to request approval for mandatory Covid vaccination on campus. We urge you not to compound this prior mistake by declining this obvious, practical and proven approach. Help to provide the best teaching environment possible for our students and our faculty by immediate implementation of faculty choice of teaching mode.

¹https://www.lsureveille.com/news/l-su-administration-responds-to-vaccine-concerns-at-faculty-forum/article_e2bb2690-f144-11eb-b825-8378c04c0717.html

Sincerely,

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Olivier Moréteau, Professor of Law, Russell B. Long Eminent Scholars Academic Chair, Assistant

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