



ALAN WILSON
ATTORNEY GENERAL

July 6, 2021

President Andrew Hsu
College of Charleston
Randolph Hall
66 George Street
Charleston, SC 29424-0001
hsuat@cofc.edu

EMAIL and US POSTAL DELIVERED

Dear President Hsu:

This Office has received a number of inquiries into the intent and application of the College's recently circulated COVID-19 policy. The policy could be read to imply that an unvaccinated student that refuses to participate in a survey and monthly testing protocols may be subjected to a reprimand, the harshness of which is unclear. It is a well understood principle of law that what cannot be done directly, likewise, cannot be done indirectly either. A court would most probably apply this rule here.

As you know, the General Assembly has prohibited any state institution from requiring COVID-19 vaccinations, which means that students (and their families) are left to exercise their independent judgment and discretion in determining whether a vaccination is right for them. As state law makes clear, the decision to be vaccinated from COVID-19 is a personal decision. As a result, no state institution may mandate COVID-19 vaccinations or retaliate against those that choose not to receive a vaccination.

I strongly urge the College to review and revise its proposed COVID-19 policy to ensure that it complies with state law. The College should clarify that while it may encourage vaccinations, there will be no reprimand, punishment, or adverse consequence for any student that exercises their individual right not to receive a vaccination. Once the policy has been appropriately revised, please forward a copy to me at agwilson@scag.gov and Chief Deputy Attorney General Jeff young at jyoung@scag.gov.

I truly appreciate your attention to this important issue. If I can ever be of assistance to you or your staff then please do not hesitate to contact me.

Sincerely,



Alan Wilson

cc: David Hay, (dhay@haytire.com)
Chair of the Board
Paul D. Patrick (patrickpd@cofc.edu)
Chief of Staff
Angela Mulholland, Esquire (mulhollandab@cofc.edu)
General Counsel