

OFFICE OF THE SOLANO COUNTY SUPERINTENDENT OF SCHOOLS

Series 5000 – STUDENTS

**Policy 5141.31**

**Immunizations**

To protect the health of all students and staff and to curtail the spread of infectious diseases, the Solano County Office of Education (SCOE) shall cooperate with state and local public health agencies to encourage and facilitate immunization of all students against preventable diseases.

Upon school registration, the County Superintendent or designee may provide parents/guardians with a written notice summarizing the state's immunization requirements.

Each student, including a student who qualifies for special education and related services, enrolling for the first time in an elementary, secondary, preschool, or child care and development program or, after July 1, 2016, enrolling in or advancing to grade 7, shall present an immunization record from any authorized private or public health care provider certifying that s/he has received all required immunizations in accordance with law. Students shall be excluded from school or exempted from immunization requirements only as allowed by law.

At the beginning of the school year, the Superintendent or designee shall notify parents/guardians of the rights of students and parents/guardians relating to immunizations under Education Code section 49403.

The Superintendent or designee may arrange for an authorized health care provider to administer immunizations at school to any student whose parent/guardian has consented in writing. At the beginning of the school year, parents/guardians shall be notified of their right to provide consent for the administration of an immunization to their child at school.

**Required Immunizations**

The Superintendent or designee shall not unconditionally admit any student to a school or program for the first time nor admit or advance any student to grade 7 unless the student has presented documentation of full immunization in accordance with the age/grade and dose required by the California Department of Public Health (CDPH) against the following diseases: (Health and Safety Code 120335; 17 CCR 6020)

1. Measles, mumps, and rubella (MMR)
2. Diphtheria, tetanus, and pertussis (whooping cough) (DTP, DTaP, or Tdap)
3. Poliomyelitis (polio)
4. Hepatitis B
5. Varicella (chickenpox)
6. Haemophilus influenza type b (Hib meningitis)
7. Any other disease designated by the CDPH

However, full immunization against hepatitis B shall not be a condition by which the Superintendent or designee shall admit or advance any student to grade 7. (Health and Safety Code 120335)

The student's immunization record shall be provided by the student's health care provider or from the student's previous school immunization record. The record must show at least the month and year for each dose, except that the day, month, and year must be shown for the MMR doses given during the month of the first birthday and for the Tdap dose given during the month of the seventh birthday. (17 CCR 6070)

Exemptions

Exemption from one or more immunization requirements shall be granted under any of the following circumstances:

1. The student's parent/guardian provides a written statement by a licensed physician that the physical condition or medical circumstances of the student are such that immunization is considered unsafe. The statement shall indicate the specific nature and probable duration of the medical condition or circumstances for which the physician does not recommend immunization including, but not limited to, family medical history. (Health and Safety Code 120370; 17 CCR 6051)
2. The student's parent/guardian files with SCOE, prior to January 1, 2016, a letter or written affidavit stating that an immunization is contrary to his/her personal beliefs, in which case the student shall be exempted from the immunization until s/he enrolls in the next applicable grade span requiring immunization (birth to preschool, grades K-6 [including TK], grades 7-12). (Health and Safety Code 120335)
3. When a student transfers to a different school or program within SCOE or transfers in to SCOE from another school district in California, his/her personal beliefs exemption filed before January 1, 2016, shall remain in effect until the next applicable grade span. A student transferring from a school or program other than SCOE's shall present a copy of the personal beliefs exemption upon enrollment. When a student transfers to SCOE from outside California and presents a personal beliefs exemption issued by another state or country prior to January 1, 2016, the Superintendent or designee may consult with legal counsel regarding the applicable immunization requirements. The student is enrolled in an independent study program pursuant to Education Code 51745-51749.6 and does not receive classroom-based instruction.

Conditional Enrollment

The Superintendent or designee may conditionally admit a student with documentation from an authorized health care provider that: (Health and Safety Code 120340; 17 CCR 6000, 6035)

1. The student has not received all the immunizations required for his/her age group, but has commenced receiving doses of all required vaccines and is not due for any other doses at the time of admission.
2. The student has a temporary exemption from immunization for medical reasons pursuant to item #1 in the section "Exemptions" above.

The Superintendent or designee shall notify the student's parents/guardians of the date by which the student must complete all the remaining doses as specified in 17 CCR 6035.

In addition, a transfer student may be conditionally admitted for up to 30 school days while his/her immunization records are being transferred from the previous school. If such documentation is not presented within 30 school days, the student shall be excluded from school until the required immunizations have been administered. (17 CCR 6070)

The Superintendent or designee shall review the immunization record of each student admitted conditionally every 30 days until that student has received all the required immunizations. If the student does not receive the required immunizations within the specified time limits, s/he shall be excluded from further attendance until the immunizations are received. (Health and Safety Code 120375; 17 CCR 6070)

The Superintendent or designee shall immediately enroll homeless students, foster youth, and students of military families even if their immunization records are missing or unavailable at the time

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of enrollment. SCOE staff shall work with the student's prior school to obtain the student's immunization records or shall ensure that s/he is properly immunized. (Education Code §§48853.5, 49701; Health and Safety Code 120341; 42 USC 11432)

Exclusions Due to Lack of Immunizations

Any student without the required evidence of immunization may be excluded from school until the immunization is obtained or an exemptions granted in accordance with the section "Exemptions" above.

Before an already admitted student is excluded from school attendance because of lack of immunization, the Superintendent or designee shall notify the parent/guardian that s/he has 10 school days to supply evidence of proper immunization or an appropriate exemption. This notice shall refer the parent/guardian to the student's usual source of medical care or, if the student has no usual source of medical care, to the county health department or school immunization program, if any. (Education Code 48216; 17 CCR 6040)

The Superintendent or designee shall exclude from further attendance any already admitted student who fails to obtain the required immunization within 10 school days following the parent's/guardian's receipt of the notice specified above, unless the student is exempt from immunization for medical reasons or personal beliefs. The student shall remain excluded from school until s/he provides written evidence that s/he has received a dose of each required vaccine due at that time. The student shall also be reported to the attendance supervisor or principal. (17 CCR 6055)

Exclusion Due to Exposure to Disease

If SCOE has good cause to believe that a student has been exposed to a disease listed in the section "Required Immunizations" above and his/her documentation of immunization does not show proof of immunization against that disease, that student may be temporarily excluded from the school until the local health officer informs SCOE in writing that s/he is satisfied that the student is no longer at risk of developing or transmitting the disease. (Health and Safety Code 120370)

Records

The Superintendent or designee shall record each new entrant's immunizations in the California School Immunization Record and retain it as part of the student's mandatory permanent student record. SCOE staff shall maintain the confidentiality of immunization records and may disclose such information to state and local health departments only in accordance with law. (Health and Safety Code 120375, 120440; 17 CCR 6070)

SCOE shall also retain in the mandatory student record any physician or health officer statement, personal beliefs letter or affidavit, reason for conditional enrollment, or any other documentation related to the student's immunization record or exemptions.

Audits

If an audit reveals deficiencies in the district's reporting procedures, the Superintendent or designee shall develop and implement a plan to remedy such deficiencies.

Legal Reference:

EDUCATION CODE

- 44871 Qualifications of supervisor of health
- 46010 Total days of attendance
- 48216 Immunization
- 48853.5 Immediate enrollment of foster youth
- 48980 Required notification of rights
- 49403 Cooperation in control of communicable disease and immunizations
- 49426 Duties of school nurses
- 49701 Flexibility in enrollment of children of military families
- 51745-51749.6 Independent study

HEALTH AND SAFETY CODE

- 120325-120380 Immunization against communicable disease especially:
  - 120335 Immunization requirement for admission
- 120395 Information about meningococcal disease, including recommendation for vaccination
- 120440 Disclosure of immunization information

CODE OF REGULATIONS, TITLE 5

- 430 Student records

CODE OF REGULATIONS, TITLE 17

- 6000-6075 School attendance immunization requirements

UNITED STATES CODE, TITLE 20

- 1232g Family Educational Rights and Privacy Act

UNITED STATES CODE, TITLE 42

- 11431 Immediate enrollment of homeless children

CODE OF FEDERAL REGULATIONS, TITLE 34

- 99.1-99.67 Family Educational Rights and Privacy

Policy Cross-Reference:

- 1400 Relations between Other Governmental Agencies and the Schools
- 5112.2 Exclusions from Attendance
- 5125 Student Records
- 5141.22 Infectious Diseases
- 5141.26 Tuberculosis Testing
- 5141.3 Health Examinations
- 5141.32 Health Screening for School Entry
- 5145.6 Parental Notifications
- 5148.3 Preschool/Early Childhood Education
- 6141.2 Recognition of Religious Beliefs and Customs
- 6142.8 Comprehensive Health Education
- 6158 Independent Study
- 6159 Individualized Education Program
- 6173 Education for Homeless Children
- 6173.1 Education for Foster Youth