



STUDENTS

ADMINISTRATIVE REGULATION – IMMUNIZATIONS

AR 5141.31

Required Immunizations

Upon a student's registration at a County Education Office's infant, preschool, elementary or secondary school program, the County Superintendent of Schools or designee shall provide the student's parents/guardians, a written notice summarizing the state's immunization requirements.

The County Superintendent or designee shall not unconditionally admit any student to a County Education Office elementary or secondary program, preschool, or child care and development program for the first time nor admit or advance any student to grade 7, unless the student has been fully immunized. The student shall present 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 6025)

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 deemed appropriate by the CDPH

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

A student who qualifies for an individualized education program (IEP), unless otherwise exempt, shall be fully immunized in accordance with Health and Safety Code 120335 and this regulation. However, the County Education Office shall continue to implement the student's IEP and shall not prohibit the student from accessing any special education and related service required by the student's IEP regardless of whether the student is fully immunized. (Health and Safety Code 120335)

School personnel shall record information for each student regarding all doses of required immunizations and the status of all requirements in accordance with 17 CCR 6070. The school records shall be based on the student's immunization record provided by the student's health care provider, from the student's previous school immunization record, or through the California Immunization Registry (CAIR). (17 CCR 6070)

Exemptions

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

1. A medical exemption is submitted using the standardized form developed by CDPH and transmitted using CAIR which includes, but is not limited to, a description of the medical basis for which the exemption for each individual immunization is sought and whether the medical exemption is permanent or temporary. (Health and Safety Code 120372)

A student who has a medical exemption issued prior to January 1, 2020, shall be allowed to continue enrollment until the next grade span, except that after July 1, 2021, a student may not be admitted or advanced to grade 7 unless the student has been immunized or a medical exemption form filed as stated above. (Health and Safety Code 120370)

A temporary exemption shall not exceed one year, and all medical exemptions shall not extend beyond the grade span. (Health and Safety Code 120372)

If a student's medical exemption is revoked by CDPH on the basis that the exemption does not meet applicable criteria for medical exemptions, the student shall continue in attendance and, within 30 calendar days of the revocation, commence the immunization schedule required for conditional admittance pursuant to 17 CCR 6050, as described below. (Health and Safety Code 120372)

The student's parent/guardian may appeal a revocation to the Secretary of California Health and Human Services. If a revocation is appealed, the student shall continue in attendance and shall not be required to commence the immunization schedule required for conditional admittance provided the appeal is filed within 30 calendar days of the revocation. (Health and Safety Code 120372, 120372.05)

2. The student's parent/guardian files with the County Education Office, before 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 the student enrolls in the next applicable grade span requiring immunization (birth to preschool, grades K-6, grades 7-12). (Health and Safety Code 120335)

3. When a student transfers to a different program within the County Education Office or transfers into a County Education Office program from another school district in California, the student's personal beliefs exemption filed before January 1, 2016, shall remain in effect until the next applicable grade span. A student transferring from a school outside the County Education Office shall present a copy of the personal beliefs exemption upon enrollment. When a student transfers into the County Education Office from outside California and presents a personal beliefs exemption issued by another state or country prior to January 1, 2016, the County Superintendent or designee may consult with legal counsel regarding the applicable immunization requirements.
4. The student is enrolled in an independent study program pursuant to Education Code 51745-51749.6 and does not receive classroom-based instruction (Health and Safety Code 120335)

Conditional Enrollment

The County Superintendent or designee may conditionally admit a student with documentation from an authorized health care provider that the student has not received all the immunizations required for the student's age group but has commenced receiving doses of all required vaccines and is not due for any other doses at the time of admission. The County 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. (Health and Safety Code 120340; 17 CCR 6035)

In addition, a transfer student may be conditionally admitted for up to 30 school days while the student's immunization records are being transferred from the previous school. If such documentation is not presented within 30 days, the student shall be excluded from school until the required immunizations have been administered. (17 CCR 6035)

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

The County 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, the student shall be excluded from further attendance until the immunizations are received. (Health and Safety Code 120375; 17 CCR 6040, 6070)

Exclusions Due to Lack of Immunizations

If an enrolled student who was previously believed to be in compliance with immunization requirements is subsequently discovered to not be in compliance with requirements for unconditional or conditional admission, the Superintendent or designee shall notify the parent/guardian that evidence of proper immunization or an appropriate exemption must be provided within 10 school days. 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, then to the county health department or school immunization program, if any. (Education Code 48216; 17 CCR 6040)

The County Superintendent or designee shall exclude from further attendance an enrolled student who fails to obtain the required immunization within 10 school days following the parent/guardian's receipt of the notice specified above. The student shall remain excluded from school documentation is provided indicating that the student has received a dose of each required vaccine due at that time. (17 CCR 6040, 6055)

The student shall also be reported to the attendance supervisor or program manager.

Exclusion Due to Exposure to Disease

If the County Education Office has good cause to believe that a student has been exposed to a disease listed in the section "Required Immunizations" above and the student's 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 is satisfied that the student is no longer at risk of developing or transmitting the disease. (Health and Safety Code 120370)

Records

Each student's immunization record shall be retained as part of the student's mandatory permanent student record. County Education Office 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)

The County Education Office 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.

At least annually, the County Superintendent or designee shall file a written report on the immunization status of new students with CDPH and the local department of public health on forms prescribed by CDPH. (Health and Safety Code 120375; 17 CCR 6075)

Audits

If an audit reveals deficiencies in the County Education Office reporting procedures, the program manager or designee shall present the Count Superintendent with a plan to remedy such deficiencies.

“Policy Reference Disclaimer:

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the County Superintendent of Schools or designee to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.”

Federal

20 USC 1232g
34 CFR 99.1-99.67
42 USC 11432

Description

Family Educational Rights and Privacy Act (FERPA) of 1974
Family Educational Rights and Privacy
Immediate enrollment of homeless children

Management Resources

California Department of Public Health
Publication
California Department of Public Health
Publication
California Department of Public Health
Publication
California Department of Public Health
Publication
U.S. Department of Education Guidance
Website
Website
Website
Website
Website
Website

Description

Parents' Guide to Immunizations Required for School Entry
Parents' Guide to Immunizations Required for Child Care
Guide to Immunizations Required for School Entry
Guide to Immunizations Required for Child Care
Family Educational Rights and Privacy Act (FERPA) and H1N1,
October 2009
[U.S. Department of Education](#)
[Education Audit Appeals Panel](#)
[Centers for Disease Control and Prevention](#)
[California Department of Public Health, Shots for Schools](#)
[California Department of Public Health, Immunization Branch](#)
[California Department of Education](#)

State

17 CCR 6000-6075
5 CCR 430
Ed. Code 44871
Ed. Code 46010
Ed. Code 48216
Ed. Code 48853.5
Ed. Code 48980
Ed. Code 49403

Ed. Code 49426
Ed. Code 49701
Ed. Code 51745-51749.6
H&S Code 120325-120380
H&S Code 120335
H&S Code 120395

H&S Code 120440

Description

[School attendance immunization requirements](#)
Individual student records; definition
Qualifications of supervisor of health
Total days of attendance
Immunization
Immediate enrollment of foster youth
Parent/Guardian notifications
Cooperation in control of communicable disease and
immunizations
Duties of school nurses
Flexibility in enrollment of children of military families
Independent study
Immunization against communicable diseases
Immunization requirement for admission
Information about meningococcal disease, including
recommendation for vaccination
Disclosure of immunization information

APPROVED BY COUNTY SUPERINTENDENT:
REVISED:

February 2, 2012
November 7, 2013
September 15, 2017
February 2, 2023