

SUBJECT: IMMUNIZATION OF STUDENTS

Every child entering or attending a District school must present proof of immunization or proof of immunity by serology (blood test) if applicable unless:

- a) A New York State licensed physician certifies that the immunization is detrimental to the child's health. The requirement for that immunization is waived until the immunization is no longer detrimental to the child's health; or
- b) The student's parent or persons in parental relation hold genuine and sincere religious beliefs which are contrary to the requirement. In these cases, the principal will make a case-by-case determination as to whether to grant the exemption after receiving a written and signed statement from the parent(s) or persons in parental relation to the child. New York State does not recognize exemptions based on their personal or philosophical beliefs.

Except for these two exemptions, the District may not permit a student lacking evidence of immunization to remain in school for more than 14 days, or more than 30 days for an out-of-state or out-of-country transferee who can show a good faith effort to get the necessary certification or other evidence of immunization.

For homeless children, the enrolling school must immediately refer the parent or guardian of the student to the District's homeless liaison, who must assist them in obtaining the necessary immunizations, or immunization or medical records.

The administration will notify the local health authority of the name and address of excluded students and provide the parent or person in parental relation a statement of his or her duty regarding immunization as well as a consent form prescribed by the Commissioner of Health. The school will cooperate with the local health authorities to provide a time and place for the immunization of these students.

The District will provide an annual summary of compliance with immunization requirements to the Commissioner of Health.

All schools will also post educational information on influenza and the benefits of influenza immunization. The information will be in plain view and available to parents.

Education Law §§ 310 and 914
Public Health Law §§ 2164 and 2168
8 NYCRR Part 136
10 NYCRR Subpart 66-1

NOTE: Refer also to Policy #7131 -- Education of Homeless Children and Youth

(Continued)

Students

SUBJECT: IMMUNIZATION GUIDELINES

- 1) Terms
 - a. "School" means and includes any public, private or parochial child caring center, day nursery, day care agency, nursery school, kindergarten, elementary, intermediate, or secondary school.
 - b. "Child" means and includes any child between the ages of 2 months and 18 years and every child entering school.
 - c. "Person in parental relation to a child" means and includes his or her father or mother, by birth or adoption, his or her legally appointed guardian or his or her custodian. A person will be regarded as the custodian of a child if he or she has assumed the charge and care of the child because the parents or legally appointed guardian have died, are imprisoned, are mentally ill, or have been committed to an institution; since they have abandoned or deserted the child, are living outside the state, or their whereabouts are unknown; or given that they have been designated under General Obligations Law Title 15-A.
- 2) Every person in parental relation to a child will have administered to their child an adequate dose, doses, or boosters of an immunizing agent against: measles, mumps, rubella, diphtheria, Haemophilus influenza type b (Hib), hepatitis B, varicella, pertussis, tetanus, pneumococcal disease, poliomyelitis, and meningococcal disease in accordance with Public Health Law Section 2164. The person in parental relation will provide proof of these immunizations through a certificate from a health practitioner.
- 3) If a child has not previously received his or her required immunizations, the person in parental relation will present the child to a health practitioner to request the necessary immunizations.
- 4) The person in parental relation to a child may present proof of immunity by serology (blood test) to the following immunizations: measles, mumps, rubella, hepatitis B, varicella, and poliomyelitis.
- 5) If any person in parental relation is unable to pay for private health practitioner services, he or she will present the child to the county health officer who will then administer the immunizing agent without charge.
- 6) If a person in parental relation applies for the child's admission without a certificate or other acceptable evidence of the child's required immunizations, the principal will inform him or her of the immunization requirements and that the immunization may be administered by any health practitioner or the county health officer, without charge.

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SUBJECT: IMMUNIZATION GUIDELINES (Cont'd.)

- 7) If the person in parental relation does not comply, the District will provide him or her with a form that:
 - a. Notifies him or her that a valid reason must exist to withhold immunization consent;
 - b. Requests consent;
 - c. States that absent a valid reason, consent will be granted for the child to be immunized by a public health officer, the school physician, or the school's registered professional nurse; and
 - d. He or she need not execute the form if he or she has a genuine and sincere religious or valid medical exemption.

- 8) No principal will permit any child to be admitted or to attend school in excess of 14 days without the immunization certificate or some other acceptable evidence of the required immunizations. This period may be extended, however, to not more than 30 days for a student transferring from out-of-state or from another country who can show a good-faith effort to get the necessary certification or other evidence of immunization.

For homeless children, the enrolling school must immediately refer the person in parental relation to the District's homeless liaison, who must assist them in obtaining the necessary immunizations or medical records.

- 9) The District will notify the local health authority of the name and address of excluded students and provide the person in parental relation a statement of his or her duty regarding immunizations as well as a consent form for immunizations prescribed by the Health Commissioner. The District will cooperate with local health authorities to provide a time and place for the immunization of these students.

- 10) If a New York licensed physician certifies that an immunization is detrimental to a child's health, the immunization will not be required. The certification must identify the immunization exempted, its medical contraindication, and the length of time the immunization is expected to be contraindicated. Once not contraindicated, the immunization will be required. Medical exemptions must be reissued annually.

- 11) A child may also be exempt from immunization requirements if the person in parental relation holds genuine and sincere religious beliefs against them. The principal will determine religious exemption applications on a case-by-case basis.

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SUBJECT: IMMUNIZATION GUIDELINES (Cont'd.)

Records and Other Requirements

The District will:

- 1) Retain the original copy of all immunization records and evidence of medical and religious exemptions for 6 years, or 3 years after the individual attains the age of 18, whichever is longer, even if an electronic copy has been made.
- 2) Maintain a complete list of students who are susceptible to vaccine-preventable disease(s) so that they may be readily identified in the event of an outbreak including students who:
 - a. Have not yet completed the required immunizations for entry-attendance (are in the process of being immunized).
 - b. Have a medical or religious exemption.
 - c. Do not have an immunization record.
 - d. Have not received adequate or valid doses of required vaccines.
 - e. Have not provided acceptable proof of immunity which may include valid serologic tests for measles, mumps, rubella, varicella, hepatitis B and polio and/or valid medical diagnosis of disease by a physician, physician assistant, nurse practitioner as having had a history of disease (varicella).
- 3) Make these records available to the New York State Department of Health for purposes allowed under Public Health Law, including audits.
- 4) Provide the Health Commissioner a summary regarding its compliance with the immunization requirements each year.