

Students

Immunization Requirements

I. Purpose

This policy requires that all students receive the proper immunizations, as mandated by law, to ensure the health and safety of all students.

II. General Statement of Policy

All students are required to provide proof of immunization, or appropriate documentation exempting the student from such immunization, and such other data necessary to ensure that the student is free from any communicable diseases, as a condition of enrollment.

III. Student Immunization Requirements

A. No student may be enrolled or remain enrolled in any school district-sponsored program within the district subject to the provisions of state law until the student or the student's parent or guardian has submitted to the designated district administrator the required proof of immunization. Prior to the student's first date of attendance, the student or the student's parent or guardian will provide to the designated district administrator one of the following statements:

1. a statement, from a physician, advanced practice registered nurse, physician's assistant, or a public clinic which provides immunizations (a "medical statement"), affirming that the student received the immunizations required by law, consistent with medically acceptable standards; or
2. a medical statement, affirming that the student received the primary schedule of immunizations required by law and has commenced a schedule of the remaining required immunizations, indicating the month and year each immunization was administered, consistent with medically acceptable standards.

B. The statement of a parent or guardian of a student or an emancipated student may be substituted for the statement of a physician or public clinic which administers immunizations. If such a statement is substituted, this statement must indicate the month and year each immunization was administered. Upon request, the designated district administrator will provide information to the parent or guardian of a student or an emancipated student of the dosages required for each vaccine according to the age of the student.

- C. The parent or guardian of persons receiving instruction in a home school will submit one of the statements set forth in section III.A. or III.B. above or a statement of immunization set forth in section IV. below to the designated district administrator in compliance with the Minnesota Department of Health state immunization reporting guidelines.
- D. When there is evidence of the presence of a communicable disease or when required by any state or federal agency and/or state or federal law, students and/or their parents or guardians may be required to submit such other health care data as is necessary to ensure that the student has received any necessary immunizations and/or is free of any communicable diseases. No student may be enrolled or remain enrolled in any elementary or secondary school within the district until the student or the student's parent or guardian has submitted the required data.
- E. The district may allow a student transferring into a school a maximum of 30 days to submit a statement specified in section III.A. or III.B. above or section IV. below. Students who do not provide the appropriate proof of immunization or the required documentation related to an applicable exemption of the student from the required immunization within the specified time frames will be excluded from school until such time as the appropriate proof of immunizations or exemption documentation has been provided.

IV. Exemptions from Immunization Requirements

Students will be exempt from the foregoing immunization requirements under the following circumstances:

- A. The parent or guardian of a minor student or an emancipated student submits a medical statement signed by a physician, affirming that the immunization of the student is contraindicated for medical reasons or that laboratory confirmation of the presence of adequate immunity exists; or
- B. The parent or guardian of a minor student or an emancipated student submits their notarized statement stating the student has not been immunized because of the conscientiously held beliefs of the parent, guardian, or student.

V. Notice of Immunization Requirements

- A. The school district will develop and implement a procedure to:
 - 1. notify parents and students of the immunization and exemption requirements by use of a form approved by the Department of Health;
 - 2. notify parents and students of the consequence for failure to provide required documentation regarding immunizations;

3. review student health records to determine whether the required information has been provided; and
 4. make reasonable arrangements to send a student home when the immunization requirements have not been met and advise the student and/or the student's parent or guardian of the conditions for re-enrollment.
- B. The notice provided will contain written information describing the exemptions from immunization as permitted by law. The notice will be in a font size at least equal to the font size and style as the immunization requirements and on the same page as the immunization requirements.

VI. Immunization Records

- A. The school district will maintain the immunization records for each student in attendance at the district for at least five years after the student graduates.
- B. Student immunization records maintained by the district are generally considered education records subject to the Family Education Records and Privacy Act (FERPA). The district will not disclose personally identifiable information (PII), including immunization records, without parent, guardian, or eligible student consent unless a permissible exception applies.
- C. The designated district administrator will assist a student and/or the student's parent or guardian in the transfer of the student's immunization file to the student's new school within 30 days of the student's transfer.
- D. Upon request of a public or private postsecondary educational institution as defined in state law, the designated district administrator will assist in the transfer of the student's immunization file to the postsecondary educational institution.

VII. Other

The district will participate in the Annual Immunization Status Report (ASIR) and submit all K-12 data requested by the Minnesota Department of Health.

Legal References:

- Minn. Stat. § 13.32 (Educational Data)
- Minn. Stat. § 121A.15 (Health Standards; Immunizations; School Children)
- Minn. Stat. § 121A.17 (School Board Responsibilities)
- Minn. Stat. § 135A.14 (Statement of Immunizations)
- Minn. Stat. § 144.29 (Health Records; Children of School Age)
- Minn. Stat. § 144.3351 (Immunization Data)
- Minn. Stat. § 144.441 (Tuberculosis Screening in Schools)
- Minn. Stat. § 144.442 (Testing in School Clinics)

Minn. Rules Parts 4604.0100-4604.1020 (Immunization)
20 U.S.C. § 1232g (Family Educational and Privacy Rights Act)
McCarthy v. Ozark Sch. Dist., 359 F.3d 1029 (8th Cir. 2004)
Op. Atty. Gen. 169-W (Jan. 17, 1968)
Op. Atty. Gen. 169-W (July 23, 1980)

Cross Reference:
Policy 515 (Protection and Privacy of Student Records)

Policy
adopted: 09/22/08
reviewed: 03/12/12
revised: 12/15/14
revised: 05/18/20
revised: 07/14/25
revised: 06/08/26 (Quick Review)

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