

## New School Immunization Requirements in Pennsylvania

November 2018

### General Requirements

The Pennsylvania Department of Health's immunization regulations require parents or guardians of students enrolled in grades K-12 to have their children immunized against various diseases in order to protect the health and safety of all students. These regulations apply to kindergarten, elementary, and secondary students enrolled in a public school, private school, nonpublic school, and/or home education students as well.<sup>1</sup>

If a student is **experiencing homelessness or is in foster care, the student is entitled to immediate enrollment in school without proof of immunization record.**<sup>2</sup> Schools have a legal obligation to assist students in foster care and students experiencing homelessness in obtaining their immunization records.<sup>3</sup> **Within 30 days of a student's admission into school, a foster parent must provide the school with a student's immunization record,** or the student may be excluded from school. Students may qualify for free vaccinations through the Pennsylvania Department of Health's state health centers or vaccination clinics if they qualify for Medicaid or are underinsured/uninsured.<sup>4</sup>

**If a student is receiving special education services or has been identified as eligible to receive special education services,** school administrators must assist parents and legal guardians by informing them, in writing, of local immunization services available in addition to what will happen if they fail to comply with these rules.

### Required Vaccines

**In general, on the first day of school, a student must have the following vaccinations or risk possible exclusion from school: 4 doses of tetanus, diphtheria, and acellular pertussis (1 dose on or after 4<sup>th</sup> birthday, 4 doses of polio (4<sup>th</sup> dose on or after 4<sup>th</sup> birthday with at least 6 months after the previous dose was given), 2 doses of measles, mumps, and rubella, and 3 doses of hepatitis B 2 doses of varicella (chickenpox) or evidence of immunity.**<sup>5</sup>

<sup>1</sup> 28 Pa. Code Ch. 23 (School Immunizations).

<sup>2</sup> Students experiencing homelessness qualify for educational protections under the McKinney-Vento Act. 42 U.S.C. §§11431-11435 (2011). Students in foster care qualify for additional educational protections under the Every Student Succeeds Act of 2015 (ESSA). Public Law No: 114-95 (2015).

<sup>3</sup> Students experiencing homelessness qualify for assistance in obtaining immunization records. 42 U.S.C. §§11431-11435 (2011). Students in foster care qualify for assistance in obtaining immunization records under the Every Student Succeeds Act of 2015 (ESSA). Public Law No: 114-95 (2015).

<sup>4</sup> If a student qualifies for free immunizations a parent or legal guardian can call the Pennsylvania Department of Health at 1-877-724-3258 to schedule an appointment.

<sup>5</sup> 28 Pa. Code §23.83 (Immunization Requirements).

### Additional Immunization Requirements for Attendance in 7<sup>th</sup> Grade and 12<sup>th</sup> Grade

In addition to the doses listed above, students must receive the following vaccinations on the first day of 7<sup>th</sup> grade or risk exclusion from school: 1 dose of tetanus, diphtheria, acellular pertussis (Tdap) and 1 dose of meningococcal conjugate vaccine (MCV).<sup>6</sup>

Students must receive the following vaccinations on the first day of 12<sup>th</sup> grade or risk exclusion: 1 dose of MCV, unless the child received this dosage at 16 years of age or older, in which case only one dose is required prior to entering the 12<sup>th</sup> grade.<sup>7</sup>

### Exceptions

#### Immunizations are NOT required on the first day of school if:

1. The student has medical, religious, or strong moral/ethical convictions against immunization.<sup>8</sup>
2. In cases of national vaccine shortages or a disaster, there is a temporary waiver for students to provide immunization records.<sup>9</sup>

### When Can a Student Be Excluded From School?

- If a child does not have all the doses listed above and/or needs additional doses, the child must receive the required immunization within the first five days of school, or under the new law the student *shall* be subject to exclusion from school.<sup>10</sup>
- Notice of potential exclusion must be provided to the parent in a language the parent understands.
- If a child does not have all the doses listed above, needs additional doses, and the next dose is “not medically appropriate,” the child must provide a medical plan (red and white card) within the first five days of school for obtaining the required immunizations.<sup>11</sup>
- If it is not medically appropriate for the student to receive the next dose in a multiple-dose vaccine series within five days of the student’s first day of school, the student must provide a medical certificate which sets out the schedule for the remaining doses.<sup>12</sup>
  - The medical certificate must be reviewed at least every 30 days.<sup>13</sup>

It is important to communicate with your school regarding this issue. You must respond promptly to any notices you receive regarding immunizations and provide a medical plan for addressing the issue. If you are claiming that your child has a medical, religious, or moral/ethical conviction against immunizations, you should provide a statement to that effect in writing. Ask that the school date stamp this submission and retain a copy of the document for your files.

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<sup>6</sup> 28 Pa. Code §23.83(c)(1) (Immunization Requirements).

<sup>7</sup> 28 Pa. Code §23.83(c)(2) (Immunization Requirements).

<sup>8</sup> 28 Pa. Code § 23.84 (Exemption from immunization).

<sup>9</sup> 28. Pa. Code § 23.85(h) (Responsibilities of Schools and School Administrators).

<sup>10</sup> 28. Pa. Code § 23.85(e) (Responsibilities of Schools and School Administrators).

<sup>11</sup> 28. Pa. Code § 23.85(e)(iii) (Responsibilities of Schools and School Administrators).

<sup>12</sup> 28. Pa. Code § 23.85(e)(iii) (Responsibilities of Schools and School Administrators).

<sup>13</sup> 28. Pa. Code § 23.85(e)(3) (Responsibilities of Schools and School Administrators).