Students

BP 5141.31(a)

IMMUNIZATIONS

To protect the health of all students and staff and to curtail the spread of infectious diseases, the Board of Education shall cooperate with state and local public health agencies to encourage and facilitate immunization of all district students against preventable diseases.

(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)
(cf. 5141.22 - Infectious Diseases)
(cf. 5141.26 - Tuberculosis Testing)
(cf. 6142.8 - Comprehensive Health Education)

Each student enrolling for the first time in a district elementary or secondary school, preschool, or child care and development program on 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 he/she has received all required immunizations in accordance with law. (Health and Safety Code Section 120335) Students shall be excluded from school or exempted from immunization requirements only as allowed by law.

(cf. 5112.1 - Exemptions from Attendance)
(cf. 5112.2 - Exclusions from Attendance)
(cf. 5141.32 - Health Screening for School Entry)
(cf. 5148 - Child Care and Development)
(cf. 5148.3 - Preschool/Early Childhood Education)

Except to the extent otherwise authorized by law, each transfer student shall present evidence of immunization before he/she is admitted to school. Such evidence may include the child's personal immunization record from his/her authorized health care provider or his/her cumulative file from his/her previous school.

Pursuant to 42 USC 11431 and Education Code 48853.5, homeless children and foster youth must be immediately enrolled even if they are unable to produce records normally required for enrollment, including medical records. See AR 6173 - Education for Homeless Children and AR 6173.1 - Education for Foster Youth. In addition, pursuant to Education Code 49701, children of military families must be allowed 30 days from the date of enrollment to obtain required immunizations; see AR 6173.2 - Education of Children of Military Families. These exceptions are also addressed in the accompanying administrative regulation.

(cf. 6173 - Education for Homeless Children)
(cf. 6173.1 - Education for Foster Youth)
(cf. 6173.2 - Education of Children of Military Families)

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. (Education Code 49403, 44871)

(cf. 5141.3 - Health Examinations)
IMMUNIZATIONS (continued)

(cf. 5141.6 - School Health Services)
(cf. 5145.6 - Parental Notifications)

Private or public child care centers, preschools, elementary schools and secondary schools cannot admit children unless they are immunized against 10 diseases: diphtheria, haemophilus influenzae type b (bacterial meningitis), measles, mumps, pertussis (whooping cough), polio, rubella, tetanus, hepatitis B, and chicken pox.

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
11432 Immediate enrollment of homeless children

CODE OF FEDERAL REGULATIONS, TITLE 34
99.1-99.67 Family Educational Rights and Privacy

Management Resources:
CALIFORNIA DEPARTMENT OF PUBLIC HEALTH
California Immunization Handbook for Child Care Programs and Schools, August 2015
Guide to Immunizations Required for Child Care
Guide to Immunizations Required for School Entry
Parents’ Guide to Immunizations Required for Child Care
Parents’ Guide to Immunizations Required for School Entry

EDUCATION AUDIT APPEALS PANEL PUBLICATIONS
Guide for Annual Audits of Local Education Agencies and State Compliance Reporting, July 2015

U.S. DEPARTMENT OF EDUCATION GUIDANCE
Family Educational Rights and Privacy Act (FERPA) and H1N1, October 2009

Management Resource continued: (next page)
IMMUNIZATIONS (continued)

Management Resources: (continued)

WEB SITES
California Department of Education:  http://www.cde.ca.gov
California Department of Public Health, Immunization Branch:  
http://www.cdph.ca.gov/programs/immunize
California Department of Public Health, Shots for Schools:  http://shotsforschools.org
Centers for Disease Control and Prevention:  http://www.cdc.gov
Education Audit Appeals Panel:  http://www.eaap.ca.gov