

## VENTURA COUNTY BOARD OF EDUCATION

**ADMINISTRATIVE  
REGULATION NO. 5141.31**

**ADOPTED: 05/23/16**

**CLASSIFICATION: Students**

**REVISED: 05/28/19**

**SUBJECT: Required Immunizations**

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### REQUIRED IMMUNIZATIONS

The Superintendent or designee shall provide parents/guardians, upon school registration, a written notice summarizing the state's immunization requirements.

Except as provided herein, effective July 1, 2016, the Superintendent or designee shall not unconditionally admit any student to a VCOE elementary or secondary school, 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 6020)

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) (Pre-kindergarten only; up to 5 years of age)
7. Any other disease designated by the CDPH

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

The Superintendent or designee shall not unconditionally admit or advance any student to grade 7 or allow admission to grade 7 through 12, unless the student has been fully immunized against Pertussis, including all Pertussis boosters appropriate for the students' age. (Health and Safety Code 120335 (d))

A student who qualifies for an individualized education program (IEP), unless exempt pursuant to state law, shall be fully immunized in accordance with Health and Safety Code 120335 and this regulation. However, this shall not prohibit an under-immunized student from accessing any special education and related services required by his/her IEP. (Health and Safety Code 120335)

The student's immunization record shall be provided by the student's parent/guardian. The personal immunization record documentation that shall be accepted is from a health care provider, California Immunization Registry (CAIR), another state's and countries' records, or from the student's previous school immunization record. The record must show the month, day and year for each dose. (17 CCR 6070)

### EXEMPTIONS

1. VCOE will grant temporary or permanent medical exemption from one or more immunization if the parent/guardian files a written statement by a California licensed physician (M.D./D.O.)

For a temporary medical exemption, the written statement must include:

- a. The specific nature of the physical condition or medical circumstance for which the licensed physician does not recommend immunization;
- b. The probable duration of the physical condition or medical circumstance;
- c. Each specific required immunization from which the pupil is exempt; and
- d. The date that the medical exemption expires for each respective immunization.

A student with a temporary medical exemption shall be conditionally admitted; upon expiration of the temporary exemption, the student must receive all required immunizations. A temporary medical exemption shall not exceed twelve calendar months from the date of the licensed physician's written statement. (17 CCR 6050)

For a permanent medical exemption, the written statement must include:

- a. The specific nature of the physical condition or medical circumstance for which the licensed physician does not recommend immunization;
- b. That the physical condition or medical circumstance is permanent; and
- c. Each specific required immunization from which the pupil is permanently exempt.

A student with a permanent medical exemption shall be unconditionally admitted. (Health and Safety Code 120370; 17 CCR 6000; 17 CCR 6051)

2. A student's parent/guardian who had filed with the VCOE, before January 1, 2016, a letter or written affidavit stating that an immunization is contrary to his/her personal beliefs, shall be exempted from the immunization until he/she enrolls in the next applicable grade span requiring immunization. The grade spans are: birth to preschool, grades K-6, grades 7-12. (Health and Safety Code 120335 (g))
3. Notwithstanding the requirement in 2, above personal belief exemptions (PBE) will be allowed for any new immunizations deemed appropriate by the CDPH. (Health and Safety Code 120338)
4. When a student transfers to a different school within the VCOE or transfers into the VCOE from another school district in California, his/her 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 VCOE shall present a copy of the personal beliefs exemption upon enrollment. In accordance with the CDPH, personal beliefs exemption issued by another state or country prior to January 1, 2016, are not valid in California. The Superintendent or designee may consult with legal counsel regarding the validity of any personal beliefs exemption and applicable immunization requirements. If the PBE documentation is no longer available, students must meet immunization requirements based on their age or grade.
5. Students:
  - Entering a home-based private school or
  - Enrolled in an independent study program pursuant to Education Code 51745-51749.6 and do not receive classroom-based instruction are not subject to immunization requirements. (Health and Safety Code 120335)

### CONDITIONAL ENROLLMENT

The Superintendent or designee may conditionally admit a student with documentation from an authorized health care provider that: (Health and Safety Code 120340; 17 CCR 6000, 6035, 6050)

1. The student has not received all the immunizations required for his/her age group, but has commenced receiving doses of all required vaccines in accordance with state regulations and is not due for any other doses at the time of admission.
2. The student has a temporary exemption from immunization for medical reasons, and the required immunizations are obtained at the termination of the exemption. The 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. A temporary exemption shall not exceed twelve months from the date of the licensed physician's written statement. (17 CCR 6050)

3. The student transfers from another school in the U.S. The student may be conditionally admitted for up to 30 school days, while his/her immunization records are being transferred from the previous school. If such documentation is not presented within 30 school days, the student shall be excluded from school until the required immunizations have been received. (Health and Safety Code 120375 (a); 17 CCR 6035)

The 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, he/she shall be excluded from further attendance until the immunizations are received. (Health and Safety Code 120375 (a); 17 CCR 6035)

The Superintendent or designee shall immediately enroll homeless students and foster youth even if their immunization records are missing or unavailable at the time of enrollment. School or VCOE staff shall work with the student's parent/guardian and prior school to obtain the student's immunization records or shall ensure that he/she is properly immunized. (Education Code 48853.5, 49701; Health and Safety Code 120341; 42 USC 11432)

#### EXCLUSIONS DUE TO LACK OF IMMUNIZATIONS

Any student without the required evidence of immunization may be excluded from school until proof of immunization is obtained or an exemption is granted in accordance with the section "Exemptions" above. Students who qualify for IEP's shall not be prohibited from accessing any special education and related services required by the IEP.

Before an already admitted student is excluded from school attendance because of lack of immunization, the Superintendent or designee shall notify the parent/guardian in writing that he/she has 10 school days to supply evidence of proper immunization or an appropriate exemption. 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 (Education Code 48216; 17 CCR 6040)

The Superintendent or designee shall exclude from further attendance any already admitted 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 until he/she provides written evidence that he/she has received a dose of each required vaccine due at that time. The student shall also be reported to the attendance supervisor or principal. (Health and Safety Code 120375 (b); 17 CCR 6055)

#### EXCLUSION DUE TO EXPOSURE TO DISEASE

Under the direction of the local health officer and if the district has good cause to believe that a student has been exposed to a disease listed in the section "Required Immunizations" above and his/her documentation of immunization does not show proof of complete immunization against that disease, that student may be temporarily excluded from the school until the local health officer

informs the VCOE in writing that he/she is satisfied that the student is no longer at risk of developing or transmitting the disease. (Health and Safety Code 120370; 17 CCR 6060)

## RECORDS

The Superintendent or designee shall record each new entrant's immunizations in the California School Immunization Record and retain it as part of the student's mandatory permanent student record. VCOE staff shall maintain the confidentiality of immunization records and may disclose such information to state and local health departments only in accordance with law. The VCOE shall file a written report on the immunization status of new entrants with the CDPH and the local health department at times and on forms prescribed by the CDPH. The local health department shall have access to the complete health information as it relates to immunization of each student in order to determine immunization deficiencies. (Education Code 49076(a) (4); Health and Safety Code 120375, 120440; 17 CCR 6070, 6075)

The VCOE shall maintain a list of all pupils not completely immunized for age or grade, including students with exemptions or who are admitted conditionally. The list shall include the immunization not yet received for each student. (17 CCR 6060)

The VCOE 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.

The VCOE shall cooperate with the county health officer in carrying out programs for the immunization of students. The VCOE may use funds, property, and personnel of the VCOE for that purpose. The VCOE may permit any licensed physician or any qualified registered nurse to administer immunizing agents to any student seeking admission to any VCOE school or institution. (Health and Safety Code 120375(d))

## AUDITS

If an audit reveals deficiencies in the VCOE's reporting procedures, a remedial plan will be provided to the Superintendent or designee