

immunizations that are required to attend school in New York State, and expects children to receive required doses consistent with Table 2 of ACIP's Recommended Child and Adolescent Immunization Schedule for ages 18 years or younger. (Please note that the guidelines contain all ACIP recommended vaccines, including some that are not currently required for schools and child day care programs in New York State.)

5. Where can I find the Centers for Disease Control and Prevention's Advisory Committee on Immunization Practices (ACIP) catch-up immunization schedule?

The ACIP catch-up immunization schedule is available at the following link:

<https://www.cdc.gov/vaccines/schedules/downloads/child/0-18yrs-child-combined-schedule.pdf>

(Please note that the guidelines contain all ACIP recommended vaccines, including some that are not currently required for schools and child day care programs in NYS.)

6. Are the vaccination requirements, as described in Question 5, required for my child to attend summer schools that are overseen by NYSED and summer child day care programs that are overseen by OCFS?

Yes. This requirement applies to summer school and summer child day care programs.

7. What is the deadline for first dose vaccinations if my child is not attending school until September?

The Department encourages parents and guardians of all children who do not have their required immunizations to receive the first dose in each immunization series as soon as possible. The deadline for obtaining first dose vaccinations in each immunization series for children attending school in the fall is 14 days from the first day of school or enrollment in child day care. Within 30 days of the first day of school, parents and guardians of such children must show that they have scheduled appointments for all required follow-up doses.

8. Does this new legislation apply to my child attending college?

The new legislation did not change the vaccination requirements for college attendance. Students attending college in NYS can still obtain a religious exemption. The Department requires that every student attending college be vaccinated against measles, mumps and rubella (MMR), unless the student has a valid religious or medical exemption.

9. Does this new legislation affect my child's medical exemption?

No. The new legislation does not affect valid medical exemptions.

10. What is a valid medical exemption?

A valid medical exemption must:

1. Be on a sample medical exemption form issued by the Department <https://www.health.ny.gov/forms/doh-5077.pdf> or the NYC Department of Health and Mental Hygiene, or on a signed statement that certifies that the immunization may be detrimental to a child's health;
2. Be signed by a physician licensed to practice medicine in New York State;
3. Contain sufficient information to identify the medical contraindication to a specific immunization. The Department recommends that health care practitioners consult the ACIP guidelines for contraindications and precautions to childhood vaccinations, available at: <https://www.cdc.gov/vaccines/hcp/acip-recs/general-recs/contraindications.html>. (Please note that the guidelines contain all ACIP recommended vaccines, including some that are not currently required for schools and child day care programs in New York State); and
4. Be confirmed annually.

11. My child is not being allowed to attend school and/or child day care program based on vaccination status. How do I appeal this decision?

Education Law §310(6-a) allows an appeal to the Commissioner of the State Education Department from persons considering themselves aggrieved by an action taken by "a principal, teacher, owner or other person in charge of any school in denying a child admission to, or continued attendance at, such school for lack of proof of required immunizations in accordance with" Public Health Law §2164. Such appeal may include a request for a "stay" of the school's action while the appeal is pending before the Commissioner. Information regarding the appeal process is available at: <http://www.counsel.nysed.gov/appeals/>.

There is no appeal process for child day care programs. Programs must be in compliance with all applicable laws.

12. What are the penalties for a school and child day care program if it does not comply?

All public, private and parochial schools are required to comply with the law. The Department will determine the cause of a school's violation or noncompliance and, where appropriate, seek civil penalties from noncompliant schools. NYS OCFS regulates child day care programs and may sanction programs that do not comply with the law.

13. How does New York State verify vaccination rates at schools and child day care programs?

The NYSDOH annually conducts surveys of school and child day care immunization coverage and exemption rates. Schools and child day care settings are required to participate in the surveys. Additionally, the NYSDOH audits a sample of schools each year for compliance with PHL Section 2164 and to verify the rates reported in their survey. If any students out of compliance with PHL Section 2164 are discovered during the audit, then the NYSDOH will require the students be excluded from school until they comply with the law. The Department will determine the cause of a school's noncompliance and, where appropriate, seek civil penalties from noncompliant schools. In some counties, the Department has delegated the county health department with authority to assist in conducting audits of schools to verify compliance.

NYS OCFS reviews vaccination records for compliance.

14. Does the new law apply to students who receive special education services?

Yes, the new law applies to students who receive special education services. However, the new legislation does not affect valid medical exemptions, and the United States Department of Education ("USDE") has issued guidance to assist schools in ensuring that students with disabilities under the federal Individuals with Disabilities Education Act ("IDEA") who are medically unable to receive vaccines due to a disability are not discriminated against on the basis of disability. USDE's Office for Civil Rights' [Fact Sheet: Addressing the Risk of Measles in Schools while Protecting the Civil Rights of Students with Disabilities](https://www2.ed.gov/about/offices/list/ocr/docs/ocr-factsheet-measles-201503.pdf) is available at: <https://www2.ed.gov/about/offices/list/ocr/docs/ocr-factsheet-measles-201503.pdf>.

Questions may be directed to the State Education Department's Office of Special Education, Policy Unit, 518-473-2878, SPECED@nysed.gov or to the appropriate [Special Education Quality Assurance Regional Office](#), SEQA@nysed.gov.

15. My child receives educational services from a public, private or parochial school off school grounds. Do they need to be vaccinated?

If a student is enrolled in the school, regardless of where they receive educational services, they will need to comply with the vaccination requirements for schools.

Version: June 18, 2019 – Document will be reissued with additional questions in the future.



Department
of Health

Office of Children
and Family Services

State Education
Department

Effective June 13, 2019, Chapter 35 of the Laws of 2019 repealed non-medical exemptions from vaccination for children attending school.

This document is in follow-up to [FAQs issued on June 18, 2019](#).

The [2019-20 School Year New York State Immunization Requirements for School Entrance/Attendance](#) is available online.

The Center for Disease Control and Prevention Advisory Committee on Immunization Practices (ACIP) [catch-up immunization schedule](#) is available online.

VACCINATION REQUIREMENTS APPLICABLE TO ALL STUDENTS

Public Health Law §2164, as amended by Chapter 35 of the Laws of 2019 applies to students attending all schools as defined in Public Health Law §2164 to include any public, private or parochial child caring center, day nursery, day care agency, nursery school, kindergarten, elementary, intermediate or secondary schools.

Public Health Law §2164, as amended by Chapter 35 of the Laws of 2019 prohibits a school from permitting any child to be admitted to such school, or to attend such school, in excess of 14 days without sufficient evidence that the child has received all age appropriate required vaccinations. The 14 days may be extended where the student is transferring from out of state or from another country and can show a good faith effort to get the necessary evidence or where the parent, guardian or any other person in parental relationship can demonstrate that a child has received the first age-appropriate dose in each immunization series and that they have age appropriate scheduled appointments for follow-up doses to complete the immunization series in accordance with the CDC's Advisory Committee on Immunization Practices Recommended Immunization Schedules for Persons Aged 0 through 18.

1. Does the new law apply to children's camps issued a permit by the State or local health department?

No. The new legislation applies to schools as defined in Public Health Law §2164 and does not apply to children's camps that are issued a permit by the State or local health department.

2. My child had a religious exemption and attends summer school, or extended school year (ESY) for students with disabilities, which are not children's camps. Does the new law apply to summer school/ESY and if so, what is the

timeline I must follow to get my child vaccinated so my child can continue to attend school?

Yes, the law applies to both summer school and ESY. Proof of immunization must be provided within 14 days after the first day of summer school/ESY. The 14 days may be extended where the student is transferring from out of state or from another country and can show a good faith effort to get the necessary evidence; **or**, where the parent, guardian or any other person in parental relationship can demonstrate that a child has received the first age-appropriate dose in each immunization series within the 14 days and that they have age-appropriate scheduled appointments for follow-up doses to complete the immunization series in accordance with the Advisory Committee on Immunization Practices (“ACIP”) “Recommended Child and Adolescent Immunization Schedules for ages 18 years or younger.”

Thereafter, if such students require additional vaccinations due to entering a new grade level when school starts again in the future, those students must provide evidence of having received any additional age-appropriate required immunizations within 14 days of the first day instruction commences. The 14 days may be extended where the parent, guardian or any other person in parental relationship can demonstrate that a child has received the first age-appropriate dose in each immunization series within the 14 days and that they have age-appropriate scheduled appointments for follow-up doses to complete the immunization series in accordance with the ACIP “Recommended Child and Adolescent Immunization Schedules for ages 18 years or younger.”

<https://www.cdc.gov/vaccines/schedules/hcp/imz/child-adolescent.html>.

3. When do parents need to provide proof of immunization in the fall for students who did not attend summer school or ESY?

Proof of immunization must be provided within 14 days after the first day of instruction in September. The 14 days may be extended where the student is transferring from out of state or from another country and can show a good faith

effort to get the necessary evidence or where the parent, guardian or any other person in parental relationship can demonstrate that a child has received the first age-appropriate dose in each immunization series within the 14 days and that they have age appropriate scheduled appointments for follow-up doses to complete the immunization series.

4. Does the new law apply to attendance at activities that are on school property but open to the general public? Examples may include: SAT prep, sporting events, and plays.

No. The new legislation does not apply to attendance at activities on school property that are open to the general public.

5. My child's school operates year-round, excluding ESY and summer school. When did the new law start applying to year-round schools?

The change in the law took effect on June 13, 2019 and allowed 14 days for children to get their first dose of each required vaccine in order to be admitted to or continue attending school. Therefore, children at year-round schools were required to be vaccinated with the first doses by June 28, 2019. These children must be excluded from school immediately if they do not meet this requirement.

6. Does this new law apply to students aged 18 and older?

No. The mandatory vaccination law only applies to a child, which Public Health Law §2164(1)(b) defines as a person between the ages of two months and 18 years. Once a student reaches the age 18, he/she is no longer required to show proof of immunization.

7. My child's school operates a year-round day care center. When did the new law start applying to these year-round day care centers in schools?

The change in the law took effect on June 13, 2019 and allowed 14 days for children to get their first dose of each required vaccine. Therefore, children at year-round day care centers are required to be vaccinated with the first doses by June 28, 2019. These children must be excluded from day care centers in school immediately if they do not meet these requirements.

8. My child had a religious exemption before the new law was enacted. Is my religious exemption still valid?

No. Religious exemptions are no longer valid in New York State.

9. Does the new requirement apply to charter schools?

Yes.

10. Do I need to schedule all of my child's appointments for all required doses, including all follow-up doses, within 30 days of the first day of attendance?

Parents and guardians must demonstrate, within 30 days of the first day of attendance, that their child has age-appropriate appointments scheduled for the next follow-up doses to complete the immunization series in accordance with the ACIP schedule. However, the actual appointments for the follow-up doses may be more than 30 days out, so long as they are in accordance with the ACIP schedule available online at <https://www.cdc.gov/vaccines/schedules/hcp/imz/child-adolescent.html>.

11. When are follow-up doses required for children who received their first doses prior to the change in law and are overdue for their next doses?

Such students must still receive their next doses as soon as they are due, in accordance with the ACIP schedule. Children must receive all first doses, or overdue follow-up doses if they already received prior doses in a series, within 14 days of school or child day care attendance, and must provide evidence of age appropriate appointments for the next follow-up doses, in accordance with the ACIP schedule, within 30 days of the first day of attendance. All required vaccine schedules must be completed in accordance with the ACIP schedule. Here is a link for the routine immunization and catch up schedules:

<https://www.cdc.gov/vaccines/schedules/hcp/imz/child-adolescent.html>

12. Is the rotavirus vaccine required to attend school?

No.

13. My child never received the pneumococcal vaccine or Haemophilus Influenzae type B (Hib) vaccine as a baby. Now my child is entering kindergarten. According to the ACIP schedule, healthy children age 5 and older don't need these vaccines. Does my child still need these vaccines to attend school?

No. Pneumococcal and Haemophilus Influenzae type B (Hib) vaccines are only required for day cares and pre-kindergarten programs. Children in kindergarten through grade 12 do not need to receive a pneumococcal or Hib vaccine.

14. Who may issue a medical exemption?

Pursuant to Section 2164 of the Public Health Law, only physicians licensed to practice medicine in NYS may issue a medical exemption.

15. Is serological evidence of immunity acceptable proof of immunization for school enrollment?

A positive serologic test can be accepted as proof of immunity for school enrollment only for the following diseases: measles, mumps, rubella, varicella (chickenpox), hepatitis B and all three serotypes of poliomyelitis found in the polio vaccines.

16. If I'm a Group Family Child Care Provider, with my own children in my home, in addition to day care children, what are my options regarding my own children who remain in the home during day care hours and are not vaccinated? Can they remain in another part of the house during day care hours?

In home-based child care programs (family day care and group family day care), a provider's own non-school aged children count in the program's capacity and are considered to be enrolled in the program. The provider must comply with Public Health Law and New York State Child Care Regulations regarding immunizations, and must keep documentation of immunizations all enrolled children have received, including the provider's own children.

17. Are "homeoprophylaxis vaccines" acceptable alternatives for required vaccinations?

No. Only licensed vaccines recommended by the ACIP are acceptable.

18. Are out-of-country immunization records acceptable?

Yes, as long as they are official records and can be read and understood by the school or have been reviewed and signed by a physician licensed to practice medicine in NYS.

19. Are children allowed to follow a delayed vaccination schedule for required vaccines?

No. The ACIP schedule must be used. Delayed vaccination schedules are not permitted.

20. What does the June 30, 2020 date mean in the law?

Until June 30, 2020, a child can attend school if they receive the first age-appropriate dose in each immunization series within 14 days from the first day of school attendance and can show within 30 days that they have scheduled age-appropriate appointments for required follow-up doses. This allows students who were not fully up-to-date on their vaccinations on June 13, 2019, when the law was enacted, to continue to attend school, as long as they receive the first age-appropriate dose in each immunization series within 14 days from the first day of school attendance and can show within 30 days that they have scheduled age-appropriate appointments for required follow-up doses. By June 30, 2020, all students who were attending school at the time the law was enacted are expected to be fully up-to-date on their required immunizations and therefore the 30-day extension allowing such children to be enrolled as long as they have scheduled appointments to complete their immunization series according to the ACIP schedule will expire.

21. Can all required vaccines be given at the same time? Can the schedule be spread out?

Scientific data show that getting several vaccines at the same time does not cause any health problems. If combination vaccines are used, the number of injections can be reduced. The highest number of vaccines that a child might need to attend school or daycare is seven. However, the number varies by age, and older children need fewer doses to catch up. It is important to note that infants routinely get multiple vaccines at once, according to the ACIP schedule. The ACIP schedule is approved by the American Academy of Pediatrics, the American Academy of Family Practice, and is the standard of practice for vaccination in the United States. Vaccines can be

spread out to start, so long as a child receives the first age-appropriate dose in each immunization series within 14 days of the first day of attendance.

22. If a school doesn't receive State Aid, can it offer religious exemptions to the vaccination requirement?

No. All schools must comply with the immunization requirements, regardless of whether they receive State Aid. Public Health Law §2164(1)(a) defines "school" to include any public, private or parochial child caring center, day nursery, day care agency, nursery school, kindergarten, elementary, intermediate or secondary school.



**Department
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This document is in follow-up to [FAQs issued on June 18, 2019](#) and on [June 22, 2019](#). The Department of Health filed emergency regulations on August 16, 2019 to implement the statutory amendments to the Public Health Law and adhere to the legislative intent of the statutory amendments, which is to protect the public health. This guidance is intended to assist schools in implementing the statutory and regulatory amendments.

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I. All Students

A. Application of Statute.

(1) Does this apply to students attending an independent preschool?

Yes.

(2) Does this apply to students attending approved State-operated and State-supported schools, approved private residential and non-residential schools for the education of students with disabilities, and Special Act School Districts?

Yes.

Students placed by a Committee on Special Education (CSE) on a day or residential basis in one of these settings must comply with the mandatory vaccination laws.

Students placed residentially by a State Agency, Court, or Local Social Services District in a childcare institution with an affiliated approved private residential school or Special Act School District must comply with mandatory vaccination laws.

(3) Does this apply to students who are receiving homebound instruction, commonly referred to as home/hospital-instruction (students who are receiving homebound instruction are not the same as students who are homeschooled under [8 NYCRR §100.10](#))?

Yes. Homebound instruction is a form of tutorial services, provided to public or nonpublic students, by the public school district of residence. These services are provided to students who are unable to attend their public or nonpublic school because of physical, mental, or emotional illness or injury.

(4) When are schools required to assess compliance with the immunization requirements for students participating in interscholastic athletics whose season commences in August 2019?

For students participating in interscholastic athletics in August 2019, schools can consider the beginning of the academic year to be the start of the 14-day time period. For students not attending year-round instruction, the 14-day time period commences on the first day of instruction for the school year (July for students attending summer school or September for students not attending summer school) or first enrollment during the school year. See FAQ issued on June 22, 2019.

(5) If a parent chooses not to vaccinate his/her child, what are the options for the child's education in New York?

Parents who choose not to vaccinate their children, and whose children do not have a valid medical exemption, still must ensure that children of compulsory school age are educated and, thus, would need to provide home instruction ("homeschooling") for those children.

Information regarding compulsory school age is available here:
<http://www.p12.nysed.gov/sss/lawsregs/>.

B. Homeschooled Students (8 NYCRR §100.10)

- (1) If I provide homeschooling for my child, will he or she be allowed to attend State tests (e.g. 3-8 State assessments, Regents examinations) held at the school if he/she is not immunized?**

No. Only those students who have been vaccinated consistent with Public Health Law §2164 or have a valid medical exemption will be allowed to take such examinations at the school.

- (2) May groups of parents provide homeschooling collectively by engaging the services of a tutor to provide group instruction to their children?**

Parents providing homeschooling to their child may arrange to have their child instructed in a group situation for particular subjects but not for a majority of the home instruction program. Where groups of parents organize to provide group instruction by a tutor for a majority of the instructional program, they are operating a nonpublic school and are no longer providing home instruction.

- (3) Can a homeschooled student who is not immunized audit or intermittently attend some classes at a nonpublic school without the required immunizations?**

No. Homeschooled students who are not immunized consistent with Public Health Law §2164 or who do not have a valid medical exemption cannot audit or intermittently attend some classes at a nonpublic school.

- (4) Can students who are not immunized and do not have a valid medical exemption be transported using school transportation with other students?**

No, students who have not been immunized consistent with the requirements of Public Health Law §2164 and do not have a valid medical exemption may not be transported on a school bus or vehicle with other students.

- (5) If a school district provides bus transportation to students attending another school (i.e., a nonpublic school), is the school district that provides the bus transportation responsible for ensuring that the students from other schools have all their required immunizations?**

No. Each school arranging for bus transportation through their school district of location is responsible for ensuring that the children enrolled in or attending such school receive the required immunizations or valid medical exemptions in accordance with the law.

II. STUDENTS WITH DISABILITIES

A. Are students with disabilities who have not been immunized entitled to special education services?

Parents who choose not to vaccinate a student with a disability must still ensure that children of compulsory school age are educated and, thus, would need to provide homeschooling for those children. Where students with disabilities are provided homeschool instruction under [8 NYCRR §100.10](#), such students are eligible to receive special education services from their school district. Under Education Law §3602-c(2-c), these students are entitled to receive special education services in accordance with an individualized education services program (IESP) from the public school district in which the home school is located. Where the student is educated at home, the school district of location is the same as the student's school district of residence.

B. Is it considered a change in placement when a student with a disability, who previously attended public school under a non-medical exemption from vaccination requirements, is now being homeschooled because the student does not meet vaccination requirements under State law?

No. It is not considered a change in placement when a student with a disability who previously attended public school under a non-medical exemption from vaccination requirements is now being homeschooled solely because the student does not meet the vaccination requirements under Public Health Law §2164.

C. What are the requirements for a homeschooled child to receive special education services?

To be eligible to receive special education services, a homeschooled student must:

- be entitled to attend the public schools without payment of tuition pursuant to Education Law §3202(1); and
- have an individualized home instruction plan that the superintendent of schools of the school district in which the homeschool is located has determined to be in compliance with §100.10 of the Regulations of the Commissioner of Education.

D. What is the difference between an IESP and an individualized education program (IEP)?

For homeschooled students who are students with disabilities, the committee on special education (CSE) would develop an individualized education services program (IESP) for the student. An IESP is developed in the same manner as an IEP, but an IESP is developed in consideration of the parents' decision to educate their child at home.

E. Where are special education services provided to homeschooled students with an IESP?

A board of education determines the location where special education services will be made available to homeschooled students, which could include delivery of services by school staff or contractors in the child's home, on school property or at another location. However, for a homeschooled student's special education services to be delivered at a public, private or parochial school, the child must either be immunized consistent with Public Health Law §2164(7) or have a valid medical exemption in order to receive special education services in a school setting.

Students who are not immunized and do not have a valid medical exemption could receive their special education services in their home or at another location (e.g. therapy provider's office; or public gathering sites that are open and accessible to the general public, such as community centers).

If special education services are provided at a location other than the student's home the district would remain responsible for providing transportation. (See also Section I.(A), Question #4: "[S]tudents who have not been immunized consistent with the requirements of Public Health Law §2164 and do not have a valid medical exemption may not be transported on a school bus with other students.")

F. What is the deadline for parents of homeschooled students to submit a written request for special education services?

For homeschooled students who are students with disabilities, the parent must request special education services in writing to the board of education of the school district of location by June 1 preceding the school year for which the request for services is made. However, for a student who is first identified as a student with a disability after the first day of June preceding the school year for which the request is made and prior to the first day of April of such current school year, the parent must submit the written request for services within 30 days after the student was first identified. A request may also be submitted within 30 days of a change in the student's school district of residence.

G. Are there any exceptions to the June 1 deadline for requesting services?

If a parent does not file a written request by June 1, nothing prohibits a school district from exercising its discretion to provide services subsequently requested for a student, provided that such discretion is exercised equally among all students with disabilities who file after the June 1 deadline. For the 2019-20 school year, school districts are encouraged to honor parent requests for special education services for homeschooled children who may be impacted by the repeal of religious exemptions to vaccination requirements.

H. What options do parents have if they disagree with the recommendations on an IESP?



Parents of homeschooled students with disabilities who disagree with the IESP recommendation of the CSE would be entitled to the due process procedures set forth in Education Law §4404.

I. Can parents of homeschooled children choose which services they want their child to receive or must parents accept all or none of the services recommended on an IESP?

Parents must submit a request in writing if they want special education services provided to their child. Unless otherwise indicated, the parent's written request is for all services on the IESP. However, a parent could request that only specific services be provided (e.g., speech therapy). The school district should maintain documentation of the parent's request.

III. PRESCHOOL STUDENTS WITH DISABILITIES

A. Does Chapter 35 of the Laws of 2019 apply to students attending preschool special education programs approved pursuant to §4410 of NYS Education Law?

Yes.

B. If a parent chooses not to immunize a preschool child, does this impact the preschool special education services that the child may receive?

Preschool students with disabilities continue to be entitled to special education programs and services through an IEP developed by the committee on preschool special education (CPSE). The IEP will identify the location where special education services will be provided to preschool students with disabilities.

If the CPSE recommends special education services that can only be delivered in an approved preschool special education program, the child must either be immunized consistent with Public Health Law §2164 or have a valid medical exemption in order to attend or be admitted to that program and receive those special education services.

C. What options do parents have if they disagree with the recommendations on an IEP?

Parents of preschool students with disabilities who disagree with the IEP recommendation of the CPSE would be entitled to the due process procedures set forth in Education Law §4404.



**Department
of Health**

**State Education
Department**

Additional Frequently Asked Questions About School Vaccination Requirements

October 4, 2019

Definitions for school vaccination requirements can be found at:

<https://regs.health.ny.gov/volume-1a-title-10/content/section-66-11-definitions>

What vaccines are due within the first 14 days of school?

Children must receive all first age/grade level appropriate doses, or overdue follow-up doses if they already received prior doses in a series, within 14 days of the from the first day of instruction for the school year, and must provide evidence of age appropriate appointments for the next follow-up doses, in accordance with the ACIP schedule, within 30 days of the first day of attendance. All required vaccine schedules must be completed in accordance with the ACIP schedule. Here is a link for the routine immunization and catch up schedules: <https://www.cdc.gov/vaccines/schedules/hcp/imz/child-adolescent.html>

When should a child who has received at least the first dose of all required immunization series be excluded?

Schools may permit a child who has received at least the first dose of all required immunization series to attend school so long as the child remains "in process." A child must receive the subsequent dose of each vaccine series within 14 days after the minimum interval identified by the ACIP catch up schedule, or the child is no longer in process.

For example, a child receives their first dose on September 18, 2019 (Day 0), and is not due for the next dose for 28 days following the first dose (October 16, 2019, Day 28). The child is due for the next dose on October 16, 2019. October 16 is the date of the "missed dose." A child must receive the subsequent dose of each vaccine series within 14 days after the minimum interval identified by the ACIP catch up schedule (October 16 - October 30, 2019). If the child has still not received the subsequent dose, the child is over-due and no longer "in process" on October 31.

Can a child get multiple live vaccine immunizations on the same day?

Yes. Multiple live vaccines may be given on the same day. In the case of live vaccines, however, a child should wait 28 days after one live vaccine administration before receiving a different live vaccine, if the vaccines were not given on the same day. The child remains in

process during these 28 days. This exception only applies to live vaccines (MMR, MMRV, or Varicella).

What timeframe is required for follow-up doses of vaccines?

Children who are not fully immunized can only continue to attend school if they are in the process of completing the immunization series based on the Advisory Committee on Immunization Practices Recommended Child and Adolescent Immunization Schedule for ages 18 years or younger. *If a child does not receive subsequent doses of vaccine in an immunization series according to the age appropriate ACIP catch-up schedule, including at appropriate intervals, the child is no longer in process and should be excluded from school within 14 days after the missed dose, if not otherwise exempt in accordance with 10 NYCRR §66-1.3.*

Have the rules around the due dates for school vaccines changed this summer?

No, the due dates for receiving school vaccines have not changed. Vaccines must still be received in accordance with the ACIP schedules. Note that 10 NYCRR §66 1.1 defines “in process” and establishes the due dates for receiving vaccines.

Can a child be re-excluded throughout the year for over-due doses?

Yes. If a child does not receive subsequent doses of vaccine within 14 days after the minimum interval identified by the ACIP catch up schedule, the child is no longer in process.

Can a child remain in school so long as they show that they have made appointments for all required follow-up doses?

Yes. So long as the appointment to receive subsequent doses of vaccine is not later than 14 days after the minimum interval identified by the ACIP catch up schedule.

Can a child remain in school so long as they show that they have made appointments for all required follow-up doses spread throughout the school year until June 30, 2020?

No, not necessarily, because appointments to receive subsequent doses of vaccine must not be later than 14 days after the minimum interval identified by the ACIP catch up schedule.

When a parent has a good faith belief that a child is immunized against a disease but there is no acceptable evidence of immunity, what should the school do?

When there is no acceptable evidence of immunity, serologic tests may be requested for the following disease: measles, mumps, rubella, varicella, and hepatitis B. (Serologic tests for all three types of polio that were submitted to a school prior to September 1, 2019, are acceptable evidence of the child’s immunization against polio, but serologic tests for polio can no longer be

requested to provide evidence of immunization against polio.) Laboratory confirmation of disease may be requested for measles, mumps, rubella, or varicella. Such positive serologic tests or laboratory confirmation of disease are acceptable evidence of the child's immunization. Children lacking evidence of immunity to DTaP, Tdap, polio or (for applicable grades) meningococcal disease, *Haemophilus influenzae* type B disease or pneumococcal disease will need to complete the vaccination series even if the parents believe the child may have previously been immunized against these diseases, unless the child has a medical exemption to those vaccines.

When is a child who is obtaining serologic tests “in process”?

A child who is obtaining serologic tests is in process within 14 days of when such testing is requested. The school may permit the child to attend school so long as the child receives a positive serologic test (for measles, mumps, rubella, varicella, or hepatitis B), or laboratory confirmation of disease (for measles, mumps, rubella, or varicella) within 14 days.

What if the serologic test or laboratory confirmation of disease test is negative?

When a serologic test or laboratory confirmation of disease test is negative or equivocal, the school must notify the parent or guardian of the child to complete, or begin completion, of the immunization series for all disease which test negative. The child must provide the school with a certificate of immunization documenting that the child has been vaccinated as indicated in the ACIP Child and Adolescent Immunization Schedule for ages 18 years or younger within 30 days of notification of the parent/guardian to complete, or begin completion, of the immunization series. A principal or person in charge of a school shall not admit a child to school unless the school has been furnished with a certificate of immunization or documentation that the child is in process. If a child does not receive doses of vaccine in an immunization series according to the ACIP schedule, including at appropriate intervals, the child is no longer in process and may be excluded from school within 14 days of the missed dose.

What does the June 30, 2020 date mean in the law?

Until June 30, 2020, a child can attend school if they receive the first age-appropriate dose in each immunization series within 14 days from the first day of school attendance and can show within 30 days that they have scheduled appointments for required follow-up doses within 14 days after the minimum interval identified by the ACIP catch-up schedule. This allows students who were not fully up-to-date on their vaccinations on June 13, 2019, when the law was enacted, to continue to attend school, as long as they receive the first age-appropriate dose in each immunization series within 14 days from the first day of school attendance and can show within 30 days that they have scheduled age-appropriate appointments for required follow-up doses in accordance with the ACIP catch-up schedule. *By June 30, 2020, all students who were attending school at the time the law was enacted are expected to be fully up-to-date on their required immunizations and therefore the 30-day extension allowing such children to be enrolled as long as they have scheduled appointments to complete their immunization series according to the ACIP schedule will expire.*

Does my child have until June 30, 2020 to catch up on all required vaccinations?

No. A child must receive the subsequent dose of each vaccine series within 14 days after the minimum interval identified by the ACIP catch up schedule, or the child is no longer in process.

Can a child remain in school while a medical exemption is under review?

A child who has submitted a medical exemption within the first 14 days of school may attend school while the medical exemption is being reviewed. A valid medical exemption:

- Is submitted on a signed, completed medical exemption form issued by NYSDOH or NYC Department of Education;
- Specifies which immunizations may be detrimental to the child's health;
- Contains sufficient information to determine if a medical contraindication to a specific immunization exists; and
- Specifies the length of time the immunization is medically contraindicated.

The principal or person in charge of the school may require additional information supporting the exemption. Medical exemptions must be reissued annually.

Student Information	DOE School Sites	Non-DOE School Sites
Student Name: _____	OSIS #: _____	School/Facility Name: _____
Date of Birth _____ Student Address: _____	ATS DBN: _____	School contact name/title: _____ Phone: _____ FAX: _____ Address: _____

Instructions for the Requesting Physician

This form **must be completed and signed by a physician licensed in New York State** and be in accordance with the NYS Public Health Law Section 2164. Parental concerns about immunizations do not constitute a valid medical exemption. Medical exemptions are granted for no more than one year and requests must be resubmitted annually. NYC Department of Health medical providers review all medical exemption requests and may request additional information. Note: students on home instruction are required to be vaccinated in accordance with the NYS Public Health Law Section 2164.

The following are **NOT** valid contraindications to ANY routine vaccine:

- Egg allergy, even if anaphylactic, is not a valid contraindication to MMR, influenza, or any other vaccine.
- Autism and/or developmental delay in the child or family member.
- Controlled seizures (with or without medication).
- Mild, acute illness (e.g., low-grade fever, cold, upper respiratory illness, diarrhea, otitis media).
- Prior influenza A and/or B infection (influenza vaccine still required for children up to the 5th birthday).
- Contact with immunosuppressed persons by a healthy individual.
- Pregnancy in the household or contact with a pregnant woman.
- Family history of any vaccine reaction(s) or history of allergies (in a relative).
- Family history of seizures (in a relative).
- Parental requests to delay or withhold vaccinations will not be considered.

Medical Exemption Request

As the student's physician, I request a medical exemption for (student name) _____ date of birth _____ for the following required immunization(s). I certify under penalty of violation of NYS Public Health Law Section 2164 that the particular immunization(s) will be detrimental to the child's health:

										For children up to the 5 th birthday
<input type="checkbox"/> DTaP	<input type="checkbox"/> Tdap	<input type="checkbox"/> Td	<input type="checkbox"/> Polio	<input type="checkbox"/> Hepatitis B	<input type="checkbox"/> MMR	<input type="checkbox"/> Varicella	<input type="checkbox"/> MenACWY	<input type="checkbox"/> PCV	<input type="checkbox"/> Hib	<input type="checkbox"/> Influenza

Explanation for exemption request for each vaccine(s). please attach supporting documentation if needed.

Diagnosis/Event/Treatment: _____

Date of Diagnosis/Event: _____ Expected Duration of Contraindication: _____

Physician Name: _____	NYS Physician License # NY _____	
Physician Signature: _____	Degree <input type="checkbox"/> MD <input type="checkbox"/> DO	Date _____
Office Phone (_____) _____ - _____ Ext _____	Stamp	
Cell Phone (_____) _____ - _____		

Parent/Guardian Consent for Release of Information

I, (parent/guardian name) _____ authorize (physician name) _____ to provide the New York City Departments of Health and Education with information contained in my child's medical record, including, but not limited to laboratory or other records supporting this request.

Parent/Guardian's signature _____ Date _____

Immunization Requirements for School Attendance Medical Exemption Statement for Children 0-18 Years of Age

NOTE: THIS EXEMPTION FORM APPLIES ONLY TO IMMUNIZATIONS REQUIRED FOR SCHOOL ATTENDANCE

Instructions:

1. Complete information (name, DOB etc.).
2. Indicate which vaccine(s) the medical exemption is referring to.
3. Complete contraindication/precaution information.
4. Complete date exemption ends, if applicable.
5. Complete medical provider information. Retain copy for file. Return original to facility or person requesting form.

-
1. Patient's Name _____
 2. Patient's Date of Birth _____
 3. Patient's Address _____
 4. Name of Educational Institution _____
-

Guidance for medical exemptions for vaccination can be obtained from the contraindications, indications, and precautions described in the vaccine manufacturers' package insert and by the most recent recommendations of the Advisory Committee on Immunization Practices (ACIP) available in the Centers for Disease Control and Prevention publication, Guide to Vaccine Contraindications and Precautions. This guide can be found at the following website: <http://www.cdc.gov/vaccines/recs/vac-admin/contraindications.htm>.

Please indicate which vaccine(s) the medical exemption is referring to:

- | | |
|---|---|
| <input type="checkbox"/> Haemophilus Influenzae type b (Hib) | <input type="checkbox"/> Measles, Mumps, and Rubella (MMR) |
| <input type="checkbox"/> Polio (IPV or OPV) | <input type="checkbox"/> Varicella (Chickenpox) |
| <input type="checkbox"/> Hepatitis B (Hep B) | <input type="checkbox"/> Pneumococcal Conjugate Vaccine (PCV) |
| <input type="checkbox"/> Tetanus, Diphtheria, Pertussis (DTaP, DTP, Tdap) | <input type="checkbox"/> Meningococcal Vaccine (MenACWY) |

Please describe the patient's contraindication(s)/precaution(s) here: _____

Date exemption ends (if applicable) _____

A New York State licensed physician must complete this medical exemption statement and provide their information below:

Name (print) _____ NYS Medical License # _____

Address _____

Telephone _____

Signature _____ Date _____

For Institution Use ONLY: Medical Exemption Status Accepted Not Accepted Date: _____
