



3. Are there any other students who are not covered by the law?

Students who are not in approved degree or registered certificate programs are not covered by the law, e.g., continuing education students.

4. What constitutes proof of immunization?

A student is required to submit a certificate of immunization that shows the student has:

a) either

i) received 2 doses of live measles virus vaccine, the first dose administered after the age of 12 months and the second dose administered more than 30 days after the first dose but after 15 months of age; or

ii) been diagnosed by a physician as having had measles disease; or

iii) demonstrated serological evidence of measles antibodies; and

b) either

i) received a single dose of live rubella virus vaccine administered after the age of 12 months; or

ii) demonstrated serological evidence of rubella antibodies; and

c) either

i) received a single dose of live mumps virus vaccine administered after the age of 12 months; or

ii) been diagnosed by a physician as having had mumps disease; or

iii) demonstrated serological evidence of mumps antibodies.

5. May a student who has been partially immunized continue to attend classes?

Yes. A student must be allowed to continue to attend school if he or she submits proof that only one measles

immunization has been given and he or she is in the process of completing the immunization requirements, as long as the student has also complied with the immunization requirements for mumps and rubella and has an appointment to return to a health practitioner for the remaining measles immunization, if this appointment is scheduled no more than 90 days since administration of the first dose of measles virus vaccine.

6. Under what circumstances may a student be exempt from providing proof of immunization?

A student may be exempt from any of the required immunizations for medical or religious reasons.

7. How does a student qualify for the religious exemption?

In order to qualify for a religious exemption, students 18 years old or older must submit a written and signed statement that the student holds "sincere and genuine religious beliefs" which prohibit immunization of the student. If the student is under the age of 18, he or she must submit a written statement signed by his or her parents or guardian stating that they hold religious beliefs contrary to the practice of immunization.

8. How does a student qualify for a medical exemption?

In order to qualify for a medical exemption, students must provide a written statement from a licensed physician or nurse practitioner indicating that such immunization may be detrimental to the student's health or is otherwise medically contraindicated and specifying which of the immunizing products should not be administered and how long the medical contraindication will last.

9. May an institution deny admission to a student who does not provide the required proof of immunization?

No. The law provides students a grace period during which they may comply after registration. The grace period begins to run from the first scheduled day of classes. For the 1990-91 academic year, the grace period for in-state students is 60 days. This 60-day grace period is extended to 90 days for a student who is transferring from out-of-state or from another country. Effective August 1, 1991, the 60-day and 90-day grace periods will be 30 and 45 days, respectively.

10. What notification should the colleges give to the students who must comply with these requirements?

The colleges should notify each student covered by the law of the immunization requirements prior to registration for each term, beginning with the Fall 1990 term. If possible, the colleges should also send notices before the end of the applicable grace periods to students who have not complied with the requirements.

11. What procedures should the colleges follow in the event that a student has not complied with the immunization requirements by the end of the grace period?

If, at the end of the grace period, a student has failed to present evidence that he or she has complied with the immunization requirements, the college must commence a due process disciplinary proceeding, in accordance with Board Bylaw Section 15.3, by serving a notice of disciplinary charges on the student.

As the first step in this disciplinary procedure, a counseling session should be set up with the student in accordance with Board Bylaw Section 15.3, subdivisions (b) and (c). At the counseling session, the student should be given an opportunity to explain the reasons for his or her non-compliance. The counselor should clarify the requirements to the student, including the student's option to claim a medical or religious exemption from the immunization requirements. If the student has provided a reasonable explanation for non-compliance (e.g., inability to obtain a timely appointment with a health practitioner, illness, etc.) and has expressed a willingness to comply with the requirements, the student should be granted an extension of time in which to provide the proof of immunization. Such an extension should be set forth in a written agreement and be conditioned upon the student promptly providing proof of an appointment with a health practitioner.

If the student refuses to provide the required proof and has no acceptable excuse for non-compliance, the college should proceed with the hearing on the disciplinary charges. If the disciplinary hearing is concluded and the student is determined to be not in compliance with the law, the student should be suspended pending submission of proof of compliance with the law. Such suspension is subject to appeal to the college president pursuant to Board Bylaw Section 15.4.