

Student Immunization and Life-Threatening Health Conditions

I. Certificate Immunizations

A. Proof of Immunization Required

Immediately upon enrollment/registration of a student in the district ~~a certificate of immunization~~, the student's parents/guardians must complete a Certificate of Immunization Status (CIS) demonstrating that the child is fully immunized as required by state law, qualifies for admission on "conditional" status, ~~distributed~~ or is exempt from receiving one or more immunizations. The CIS must be made on the form approved by the Washington State Department of Health, (the "Department") or a form produced by the Washington State Immunization Information System. The CIS must contain:

1. The child's name;
2. His/her birth date;
3. The type of vaccine(s) administered;
4. The date of each dose of vaccine (including month, day, and year);
5. A section to indicate whether a form claiming exemption from immunization is also being submitted;
6. A section documenting serologic proof of immunity signed by a health care provider acting within his/her scope of practice and including a copy of a lab report; and
7. The signature of the mother, father, legal guardian, or any adult in loco parentis of a student less than 18 years of age, signature of an adult student, or signature of an emancipated minor, and the date signed.

For purposes of this procedure, a "health care provider" means a person licensed, certified, or registered in a profession listed in RCW 18.130.040(2), if administering vaccinations is within the profession's scope of practice.

If the student claims to be exempt from one or more immunizations, he/she must submit a Certificate of Exemption (COE) in addition to or in lieu of the CIS, as described below.

Upon receipt of a CIS from a student's parents/guardians, district staff will be check it for completeness, including the types and dates of immunizations received. Information from the CIS form will be entered into the student's immunization file in the Student Management System (SMS) per instructions in the SMS Medical Records manual. The completed by the student's parent. The certificate will be made a CIS will become part of the ~~student's~~ student's permanent record.

B. Admission on “Conditional Status”

~~If a student has not received any or all of the required immunizations, he/she will by his/her first day of attendance or seeks to enroll with an expired temporary medical exemption, he/she must submit evidence of the initiation of and compliance with an immunization schedule and will be placed in a “conditional admittance” category. He/she may remain in school for one school year provided that there is consistent with Department immunization rules no later than the first day of attendance. A student who submits such evidence will be admitted on “conditional” status and must demonstrate “satisfactory progress” toward receiving the required immunizations.~~

~~To show satisfactory progress, the student must receive any missing immunizations consistent with the Department’s immunization rules and within thirty (30) days after the first day of attendance, unless receiving the immunizations within that timeframe is inconsistent with the Department’s rules. When the immunizations are part of a series with recommended intervals between doses, each additional missing immunization must be received no later than thirty (30) days past the recommended date of administration of the next dose as established by Department rules.~~

~~Failure to submit documentation that the immunization schedule is being maintained. Failure to or to maintain the schedule or submit documentation of immunizations will be sufficient cause to exclude the student from school.~~

~~After a child has presented proof of initiation of and compliance with a schedule of immunization, the student’s attendance during any subsequent school year will be conditioned upon the presentation of proof of compliance with the schedule on the student’s first day of attendance during that school year. Once proof of full immunization or proof of completion of an approved schedule of immunizations has been presented, the district will not require further proof of immunization as a condition of attendance during any subsequent school year.~~

Exemptions from Immunization

~~B.C. Exemptions from one or more vaccines will be granted for medical reason upon certification by a physician that there is a medical reason for not administering the vaccine. Medical, Religious, Personal, or Philosophical Reasons~~

~~Exemptions for personal or religious reasons will be granted upon request of the parent. To request an exemption, a parent or guardian must submit a signed written certification that a student claiming exemption from one or more immunizations must submit a properly completed COE signed by the parents/guardians (and, as required, by a health care practitioner) in accordance with WAC 246-105-050. The district will enroll a student who submits a valid COE meeting the requirements of this procedure and state law.~~

~~The COE must be made on the form approved by the Department or a form produced by the State Immunization Information System. The COE must include:~~

1. The child's name;
2. His/her birth date;
3. Whether the parent/guardian ~~has either a~~ is claiming a medical, religious, personal, or philosophical ~~or personal objection to the immunization of the child.~~ Forms must include a exemption and a place to explain the exemption;

A statement ~~to be~~ signed by a health care practitioner stating that he ~~or~~/she has provided the ~~parent/guardian with~~ parents/guardians information about the benefits and risks of immunization to the child. The form may be signed by a health care practitioner at any time prior to the enrollment of the child in a school or licensed day care. Photocopies of the signed form or a letter from the health care practitioner will be accepted in lieu of the original form.

4. Any parent or legal guardian of the child who exempts the child due to ~~a~~ a condition of obtaining an exemption, except that such a statement is not required for a parent/guardian who demonstrates a religious beliefs is not required to have a form from membership under this procedure;
5. Indication of any permanent or temporary medical exemption, signed and dated by a health care practitioner ~~if the parent or legal guardian demonstrates membership in a~~;
- 4.6. For religious exemptions, a place to demonstrate religious membership, including a statement signed and dated by the parents/guardians identifying the name of the church or religious body ~~or a church~~, affirming membership in ~~which~~ it, and affirming that the religious beliefs or teachings of the church or religious body preclude a health care practitioner from providing medical treatment to the child;
7. Notification to the parents/guardians that if an outbreak of vaccine-preventable disease for which the child is exempted occurs, the child may be excluded from school for the duration of the outbreak; and
8. Signature of the mother, father, legal guardian, or any adult in loco parentis of a child less than 18 years of age, signature of an adult student, or signature of an emancipated minor, and the date signed.

For purposes of this procedure, a "health care practitioner" means a licensed physician, physician assistant, advanced registered nurse practitioner, or naturopath, as provided in WAC 246-105-020.

If the parents/guardians must include a signed statement from a health care practitioner regarding the benefits and risks of immunization under this procedure, the parents/guardians may submit a photocopy of the signed COE in place of the original, or a letter from the health care practitioner in place of the signed statement along with the COE form. The letter must indicate that the health care practitioner has provide

information about the benefits and risks of immunization, reference the child's name, and be signed and dated by the health care practitioner.

If immunizations are deferred on a temporary basis for medical reasons, the student must make satisfactory progress toward full immunization once the medical exemption expires.

The permanent ~~file~~files of students with exemptions will be ~~marked~~coded for easy identification should ~~the department of health~~state officials order that exempted students be excluded from school temporarily during an ~~outbreak or an~~epidemic.

D. Exclusion for Failure to Receive Required Immunizations

If the district does not receive proof of full immunization, proof of initiation of or satisfactory progress toward a certificate of exemption is not received upon the student's enrollment in school, schedule of immunization, or a COE prior to the student's first day of attendance, the principal of the school that the student is registered to attend or his/her designee will provide written notice to the parents or guardians informing them of: The notice must be delivered in person or by certified mail. The notice must be provided to the parents/guardians in their native language, if feasible. The notice must contain:

- ~~A. The immunization requirements;~~
- ~~B. The potential denial of further attendance by the student;~~
- ~~C. The procedural due process rights; and~~
- ~~D. The immunization services that are available.~~

Exclusion from School

1. Citations to and copies of the applicable laws and regulations;
2. An order excluding the student from school, effective immediately upon receipt of the notice, unless and until the parents/guardians provide proof of full immunization, proof of initiation of and satisfactory progress toward a schedule of immunization, or a COE, as required by this procedure;
3. The immunization services available from or through the local health department and other public agencies; and
4. The procedural due process rights of the parents/guardians and student to a hearing, including a description of the hearing process and an explanation that the exclusion continues until either the necessary proof of immunization or exemption is received or until a hearing officer determines that the student is no longer excluded from school.

Following proper notification, the school will exclude the student for noncompliance with the immunization laws pursuant to the ~~appeal process procedures for student expulsions. Parents have a right to a hearing, provided they notify the school within 3 days after receiving the exclusion order from the school principal. If the parent requests~~

~~a hearing, the parent or guardian and school principal will be notified in writing of the time and place for the hearing and will present the case to a hearing officer appointed by the superintendent hearing and appeal process in this procedure. (See Sections III and IV, below.)~~

II. New: 10/10/11 Life-Threatening Health Conditions

A. Submission of Medication or Treatment Orders

Prior to attendance at a district school by a student who has a life-threatening health condition, the student's parents/guardians must present a medication or treatment order addressing the condition that may require medical services to be performed at school. The parents/guardians also must provide any medication or equipment identified in the order necessary to carry out the order, unless federal law requires the district to provide the medication or equipment.

The school nurse will receive the medication or treatment order and medication or equipment provided by the parents/guardians, formulate a nursing plan to implement the order in consultation with the parents/guardians and health care provider, and implement the order in accordance with the nursing plan. When the need for medication or treatment order has been identified but no order received, the district will notify the student's parents/guardians of the need for an order.

Whenever there are changes in the medication or treatment needs of a child with a medication or treatment order under this procedure, the parents/guardians must submit a new medication or treatment order. Upon receipt of a revised medication or treatment order, the district will amend the nursing plan accordingly.

Prior to the start of each school year, the district will send written notification to parents/guardians regarding the requirements of Policy 3413 and this procedure for students with life-threatening health conditions.

B. Exclusion for Failure to Present Order

The district will prohibit further attendance of a student with a life-threatening health condition for whom a medication or treatment order has not been provided. Prior to such exclusion, the district will provide written notice to the parents/guardians. The notice must be delivered in person or by certified mail. The notice must be provided to the parents/guardians in their native language, if feasible. The notice must contain:

1. Citations to and copies of the applicable laws and regulations;

2. An order excluding the student from school, effective immediately upon receipt of the notice;
3. The procedural due process rights of the parents/guardians and student to a hearing, including a description of the hearing process, and an explanation that the exclusion continues until either the necessary medication or treatment order is received or until a hearing officer determines that the student is no longer excluded from school.

Following proper notification, the school will exclude the student for noncompliance with the immunization laws pursuant to the hearing and appeal process in this procedure. (See Sections III and IV, below.) The exclusion will continue until the district receives a medication or treatment order, receives any medication or equipment identified in the order necessary to carry out the order (unless the district is required to provide such medication or equipment), and has a nursing plan for the student in place.

III. Hearing Procedure

Students or parents/guardians who disagree with the exclusion of a student from school under this procedure may request a hearing to contest the exclusion. The office of the superintendent must receive a written or oral request for a hearing within three (3) school business days from the date the parents/guardians received written notice of the exclusion. If a timely request for a hearing is received, the district will schedule a hearing to commence within two (2) school business days after the date upon which the district received the hearing request.

The student will have the right to be represented by legal counsel, to question and confront witnesses, to present an explanation of the circumstances involving the student's immunization or medication or treatment order, and to make such relevant showings by way of witnesses and the introduction of evidence as desired. Both the student and the district representative will have the right to inspect in advance of the hearing any documentary and other physical evidence the other party intends to introduce at the hearing.

The hearing officer assigned by the district to hear the case will not be a witness in the case, and the truth of the allegations will be determined solely on the basis of the evidence presented at the hearing. Either a tape recorded or verbatim record of the hearing will be made. The hearing officer will make a written decision setting forth findings of fact and conclusions, including indicating whether the exclusion will continue. The decision must be issued within one (1) school business day after the date that the hearing concludes (unless agreed otherwise by the district and the student or parents/guardians), and it must be provided to the student and his/her parents/guardians—and legal counsel, if any—by depositing a certified letter in the mail.

The student will remain excluded until the hearing officer issues his/her decision.

IV. Appeal Procedure

Students or parents/guardians may appeal a hearing officer's decision excluding a student under this procedure to the district's Board of Directors. Notice of the appeal may be written or oral and must be made to the office of the superintendent or the office of the hearing officer within three (3) school business days after the date of receipt of the hearing officer's decision.

If a timely notice of appeal to the Board is received, the Board will schedule and hold an informal conference to review the matter within ten (10) school business days after the date of receipt of the appeal notice. The purpose of this meeting will be to meet and confer with the parties in order to decide the most appropriate means of disposing of the appeal.

At that meeting, the student, parents/guardians, or legal counsel will be given the right to be heard and will be granted the opportunity to present such witnesses and testimony as the Board deems reasonable. The Board will agree to one of the following procedures prior to adjournment or recess:

- A. Study the hearing record or other materials submitted and render its decision within ten (10) school business days after the date of the informal conference;
- B. Schedule and hold a hearing to hear further arguments based on the record before the Board and render its decision within fifteen (15) school business days after the date of the informal conference; or
- C. Schedule and hold a meeting within ten (10) school business days after the date of the informal conference for the purpose of hearing the case de novo.

In the event the Board elects to hear the appeal de novo, the student will have the same rights as those applicable to the hearing before the hearing officer.

Any decision by the Board under this procedure will be made only by those Board members who have heard or read the evidence, those Board members who have not acted as witnesses in the matter, and a majority vote at a meeting at which a quorum of the Board is present.

The student will remain excluded until the Board issues its decision on the appeal. Any appeal from a decision of the Board under this procedure will be to the courts.

V. Records

The district will:

- A. Keep all Department-approved forms for each enrolled student;
- B. Keep a list of enrolled students who have medical, religious, philosophical, or personal exemptions from receiving one or more immunizations, and transmit the list to the local health department upon request;
- C. Return Department-approved CIS or COE forms, or a legible copy of those documents, to a student's parents/guardians if the student withdraws or transfers from the school;

- D. Provide access to immunization record of each enrolled student to agents of the state or local health departments during business hours;
- E. Retain records (including the child's name, address, and date of exclusion) on a child who is excluded from school under this procedure for at least three (3) years from the date of exclusion; and
- F. Submit an annual immunization status report either electronically or on a form approved by the Department as required by WAC 246-105-060.