

Immunization Update

School Health Issues

Immunization Document Requirements

As the school year starts, students arrive with more than new notebooks, backpacks, and friends. They come with bacteria and viruses that can cause illness to other students and staff. The Centers for Disease Control and Prevention (CDC) recommends proper hand washing as the single most effective way to prevent the spread of many illnesses. For some serious illnesses, the addition of vaccination is required to provide additional protection. Illinois requires that students receive vaccination against a number of diseases at specified intervals. Because of the potential for serious illness, state law requires that schools exclude students without those vaccinations from school attendance unless certain exceptions are met. The valid exceptions are those based on medical reason – written by a health care provider – or religious reason – written by a parent or guardian and, after Oct. 15, also signed by a health care provider who has counseled the parent(s) about vaccinations. Schools do not have leeway on excluding students who are not vaccinated or do not hold a valid waiver by Oct. 15 (or an earlier date established by the local school board). Specifically, the law states: “The local school authority shall exclude that child from school until such time as the child presents proof of having had the health examination as required and presents proof of having received those required immunizations which are medically possible to receive immediately. During a child’s exclusion from school for noncompliance with this subsection, the child’s parents or legal guardian shall be considered in violation of Section 26-1 [compulsory school attendance] and subject to any penalty imposed by Section 26-10. This subsection (5) does not apply to dental examinations and eye examinations.” Appointments beyond the mandatory exclusion date may be accepted only for:

1. Students transferring from out of state and only for 30 days past the date they transferred into Illinois schools. (School Code Section 27-8.1, from Public Act 98-0673.) or

2. Students for whom all applicable immunizations that a child can medically receive are given by the final due date and a signed statement from a health care provider is presented indicating when the remaining medically indicated immunization will be administered within the current school year, as applicable. Local school authorities shall monitor those scheduled appointments to assure their completion. If a child is delinquent for a scheduled appointment for immunization, the student is no longer considered to be in compliance.

For a student whose physician believes the child is protected against a disease according to a different schedule than one required by the state, the physician may state in writing the reasons for that belief and certify that he or she believes the specific immunization in question is not necessary or indicated. Such a statement should be attached to the child's permanent school health record and a copy submitted to the Illinois Department of Public Health (IDPH) for review and approval. Schools must submit these statements from the physician and the complete record of immunizations along with the appropriate written consent of the parent or guardian to the state public health department with the signed, written consent of the parent. Oral consent does not meet the consent requirements, in accordance with federal and state laws regarding student records. The permission to release the record must contain the student's name, date of birth, be signed by the parent or guardian, dated, specify the document(s) that will be sent to the IDPH (e.g., complete immunization record and physician statement of immunity with justification for his or her medical opinion), state the purpose of the disclosure (e.g., for state health department review of the physician statement and supporting documents) and identify the party to whom the disclosure will be made (name of person to whom at the state health department immunization program the record is being released, including "or designee"). Schools may create their own consent forms or use existing release of information forms adapted for this purpose. IDPH will review the statements of lack of medical need with appropriate medical consultation. After review, if the state health department determines that the physician's statement is acceptable, the IDPH approval document and the physician's statement should be attached to the child's permanent school health record and accepted as satisfying the documentation to support the student's proof of immunity. If following review, the state health

department determines that the physician's statement is not medically acceptable, the student is no longer considered to be in compliance, and subject to the exclusion provision of the law. (Public Health Code Section 665.280, Physician Statement of Immunity.) Schools will need to secure parental consent forms for any requests submitted previously and now pending at the IDPH immunization section and resubmit those requests to IDPH, with a copy of the written parental consent, consistent with the provisions of the Illinois School Student Records Act (ISSRA), 105 ILCS 10/1 et seq., and the Family Educational Rights and Privacy Act (FERPA), 20 USC § 1232g; 34 CFR Part 99. Parents should be made aware that without written consent, the record cannot be forwarded for review and thus the student's immunization schedule is not approved as meeting state requirements and the student shall be subject to the exclusion laws regarding insufficiently immunized students. For a student whose physician presents an objection to a vaccination based on existing student medical conditions, this document from the physician should not be forwarded to IDPH for review but be maintained in the student's permanent health record. All students who do not have sufficient protection against a vaccine-preventable disease, whether due to religious objections or medical objections, must be readily identifiable to school authorities as unprotected against each disease for which they have not received sufficient vaccination. Those students may be subject to immediate exclusion if an outbreak of one of those diseases should occur at the school.

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