

**ARKANSAS DEPARTMENT OF EDUCATION RULES GOVERNING
KINDERGARTEN THROUGH 12TH GRADE IMMUNIZATION REQUIREMENTS IN
ARKANSAS PUBLIC SCHOOLS**

1.0 PURPOSE

1.01 The purpose of these rules is to establish the requirements and procedures for governing Kindergarten through 12th grade immunization requirements in Arkansas Public Schools.

2.0 REGULATORY AUTHORITY

2.01 The following Rules governing Kindergarten through 12th grade immunization requirements in Arkansas Public Schools are duly adopted and promulgated by the Arkansas State Board of Education pursuant to the authority expressly conferred by the laws of the State of Arkansas including, without limitation, Ark. Code Ann. § 20-7-109, Ark. Code Ann. § 6-18-702, Ark. Code Ann. §§ 6-60-501 – 504, and Ark. Code Ann. § 20-78-206.

3.0 REQUIREMENTS

3.01 Except as otherwise provided in these rules, no child shall be admitted to a public or charter school of this state who has not been immunized against poliomyelitis, diphtheria, tetanus, pertussis, red (rubeola) measles, rubella, mumps, hepatitis B, and varicella (chickenpox) (See Table I.), as evidenced by an immunization record from a licensed physician or a public health department acknowledging the immunization.

3.02 The requirements for entry into school are:

3.02.1 Kindergarten: At least four doses of Diphtheria/Tetanus/Acellular Pertussis (DTaP), Diphtheria/Tetanus/Pertussis (DTP), or Diphtheria/Tetanus (DT pediatric) vaccine; at least three doses of Polio vaccine; two doses of MMR (measles, mumps, and rubella) vaccine; three doses of Hepatitis B vaccine; and two doses of Varicella (chickenpox) vaccine without accepting history of disease in lieu of receiving Varicella vaccine (See Table I). Exception: If a student has previously received two doses of measles, one dose of mumps and one dose of rubella before January 1, 2010, the doses will be accepted as compliant to immunization requirements and 2 MMRs are not required.

3.02.2 1st through 12th grade: At least three doses of Diphtheria/Tetanus/Acellular Pertussis (DTaP), Diphtheria/Tetanus/Pertussis (DTP), Diphtheria/Tetanus (DT-pediatric), Tetanus/Diphtheria (Td-adult) or Tetanus/Diphtheria/Acellular Pertussis (Tdap-adult); at least three doses of Polio vaccine; two doses of MMR (measles, mumps, and rubella) vaccine, and an appropriate series of Hepatitis B vaccine. (See Table I). Exception:

If a student has previously received two doses of measles, one dose of mumps and one dose of rubella before January 1, 2010, the doses will be accepted as compliant to immunization requirements and 2 MMRs are not required.

3.02.3 7th grade: In addition to the vaccines requirements listed under 1st through 12th grade, one dose of Tdap vaccine if applicable (See Table I) and one or two doses of Varicella (chickenpox) vaccine. A parent/guardian or physician history of disease may be accepted in lieu of receiving Varicella vaccine. (See Table I.)

3.03 A facility may temporarily admit a child provided that the child becomes appropriately immunized, is in-process of receiving the needed doses of vaccine, or shows proof that they have applied for an exemption for those vaccines he/she has not received within thirty (30) calendar days after the child's original admission. "In process" means the student has received at least one dose of the required immunizations and is waiting the minimum time interval to receive the additional doses. When a student is admitted who is in the process of completing the required minimum immunizations, the facility shall require each student to complete the required doses on schedule. A written statement from a public health nurse or private physician stating that the student is in process and containing a date when he/she must return for the next immunization shall be in the student's file. If a student does not produce documentation of additional immunizations per the schedule or show proof that they have applied for an exemption from the immunization requirements, they must be excluded from the facility until documentation is provided. The immunization series does not need to be restarted as each dose of vaccine counts toward the minimum requirements.

3.04 School officials should evaluate the immunization status of all children in their facilities. Table I is used to determine if the child meets the immunization requirements to enter school.

3.05 School boards, superintendents, and principals shall be responsible for enforcing immunization requirements with respect to kindergarten through grade 12 (K-12).

4.0 DOCUMENTATION FOR IMMUNIZATION OR PROOF OF IMMUNITY

4.01 The following documentation of immunizations is required:

4.01.1 All schools may use the Arkansas Immunization/Health Record as a standard form for recording immunization information. Entities may order the form from the Arkansas Department of Health. Immunization records may be stored on a computer database, such as the Arkansas Public School Computer Network (APSCN). A copy of the original source document shall be placed in a permanent file. The immunization record printed off the statewide immunization registry with the Official Seal of the State of

Arkansas is considered an official immunization record and is approved for placement in a permanent file as source documentation. It shall be the responsibility of the entity to maintain a list of individuals not appropriately immunized and a list of individuals with medical, religious or philosophical exemptions.

4.01.2 The only proof of immunizations to be accepted shall be an immunization record provided by a licensed physician, health department, military service, or an official record from another educational institution in Arkansas, acknowledging the same, stating the vaccine type and dates of vaccine administration must be provided and entered on the school record. Terms such as “up-to-date”, “complete”, “adequate”, etc. are not to be accepted as proof of immunization.

4.02 The following documentation for proof of immunity is required:

4.02.1 Any individual who has immunity to a vaccine-preventable disease as documented by appropriate serological testing shall not be required to have the vaccine for that disease.

4.02.2 A copy of the serological test should be submitted to the Arkansas Department of Health, Immunization Section, along with a letter requesting that the serological test be accepted as proof of immunity in lieu of receiving vaccine for the disease indicated on the serological test. After review by the Medical Director, Immunization Section, a letter indicating approval or denial will be sent to both the individual, parent, or guardian and the school. For approvals, annual approval is not required and a copy of the letter should be placed in the student’s permanent file. For denials, the student must receive the required immunization or request an exemption.

4.03 An individual who has lost his/her immunization records or whose serology test results are unavailable shall be properly immunized for those diseases or will be required to show proof that they have applied for an exemption for those vaccines he/she has not received.

5.0 EXEMPTIONS

5.01 General Requirements

5.01.1 Exemptions shall be granted only by the Department of Health.

5.01.2 Individuals shall complete an annual application for medical, religious, and philosophical exemptions.

5.01.3 A notarized statement by the individual requesting the exemption must accompany the application.

5.01.4 All individuals requesting an exemption must complete an educational component developed by the Department of Health that includes information on the risks and benefits of vaccinations.

5.01.5 All individuals must sign an “informed consent” form provided by the Department of Health that includes:

5.01.5.1 A statement of refusal to vaccinate;

5.01.5.2 A statement of understanding that at the discretion of the Department of Health the non-immunized child or individual may be removed from the applicable facility during an outbreak if the child or individual is not fully vaccinated; and

5.01.5.3 A statement of understanding that the child or individual shall not return to the applicable facility until the outbreak has been resolved and the Department of Health approves the return.

5.02 Medical Exemptions

5.02.1 Only a letter issued by the Medical Director, Immunization Section of the Arkansas Department of Health, stating the vaccine or vaccines for which a child/student is exempt is to be accepted as a valid medical exemption by the school. Statements from private physicians are not to be accepted by the school without this letter. In addition to the general requirements found in section 6.01, the Immunization Section’s standard form for medical exemptions must be submitted to the Immunization Section. This form is available from the Immunization Section of the Department of Health upon request.

5.03 Religious Exemptions

5.03.4 In addition to the general requirements found in section 6.01, the Department of Health, Immunization Section’s standard form for religious exemptions must be submitted to the Immunization Section. This form is available from the Immunization Section upon request.

5.04 Philosophical Exemptions

5.04.1 In addition to the general requirements found in section 6.01, the Department of Health Immunization Section's standard form for philosophical exemptions must be submitted to the Immunization Section. This form is available from the Immunization Section upon request.

6.0 **EXCLUSION FROM FACILITIES**

6.01 Public and Charter Schools

6.01.1 Each facility must maintain an accurate and current list of all exempt and deficient individuals. Individuals who are exempt or deficient (except those who have had the disease as verified by appropriate serological testing) will be excluded from the facility if the Department of Health determines that a possibility of disease transmission exists. The exempt or deficient child or individual shall not return to the facility until the possibility of disease transmission has been controlled and the Department of Health approves the return.

7.0 **REPORTING REQUIREMENTS**

7.01 In order to identify areas where additional emphasis is needed and to measure levels of immunization compliance, the Arkansas Department of Health will conduct annual surveys and on-site immunization record audits in schools. The entity's cooperation in completing these surveys and audits is required.

**TABLE I
KINDERGARTEN THROUGH GRADE TWELVE IMMUNIZATION
REQUIREMENTS***

<u>Vaccine ►</u> <u>Grade ▼</u>	<u>Diphtheria, Tetanus, Pertussis (DTP/DT/Td/DTaP/ Tdap)</u>	<u>Polio (OPV – Oral or IPV – Inactivated)</u>	<u>MMR***** (Measles, Mumps, and Rubella)</u>	<u>Hep B</u>	<u>Varicella</u>
<u>Kindergarten</u>	<u>4 doses (with 1 dose on or after 4th birthday)</u>	<u>3 doses (with 1 dose on or after 4th birthday)</u> <u>A child who has received 4 or more doses of polio vaccine does not have to have a dose after the 4th birthday.</u>	<u>2 doses (with dose 1 on or after 1st birthday and dose 2 at least 28 days after dose 1)</u>	<u>3 doses</u>	<u>2 doses (with dose 1 on or after 1st birthday and dose 2 at least 28 days after dose 1)</u> <u>No history of disease will be accepted in lieu of vaccine.</u>
<u>Grades 1 – 12</u>	<u>3 doses (with 1 dose on or after 4th birthday)</u>	<u>3 doses (with 1 dose on or after 4th birthday)</u> <u>A child who has received 4 or more doses of polio vaccine does not have to have a dose after the 4th birthday.</u>	<u>2 doses (with dose 1 on or after 1st birthday and dose 2 at least 28 days after dose 1)</u>	<u>2** or 3*** doses (11-15 year olds could be on a 2- dose schedule)</u>	<u>1 dose (on or after 1st birthday)</u> <u>OR</u> <u>A parent/guardian or physician history of disease may be accepted in lieu of receiving vaccine.</u>
<u>Grade 7</u>	<u>3 doses (with 1 dose on or after 4th birthday)</u> <u>and</u> <u>1 dose of Tdap, if applicable*****</u>	<u>3 doses (with 1 dose on or after 4th birthday)</u> <u>A child who has received 4 or more doses of polio vaccine does not have to have a dose after the 4th birthday.</u>	<u>2 doses (with dose 1 on or after 1st birthday and dose 2 at least 28 days after dose 1)</u>	<u>2** or 3*** doses (11-15 year olds could be on a 2- dose schedule)</u>	<u>1 or 2 doses (Depends on age: One (1) dose is required if given at less than 13 years of age. Two (2) doses, separated by 28 days, are required if dose 1 is given at or greater than 13 years of age.)</u> <u>OR</u> <u>A parent, guardian or physician history of disease may be accepted in lieu of receiving vaccine.</u>

*Doses of vaccine required for school entry may be less than the number of doses required for age-appropriate immunization.

**An alternative two-dose hepatitis B schedule for 11-15 year-old children may be substituted for the three-dose schedule. Only a FDA-approved alternative regimen vaccine for the two-dose series may be used to meet this requirement. If you are unsure if a particular child's two-dose schedule is acceptable, please contact the Immunization Section for assistance at 501-661-2169.

*** 3rd dose of hepatitis B should be given at least 8 weeks after the 2nd dose, at least 16 weeks after the 1st dose, and it should not be administered before the child is 24 weeks (168 days) of age. (All 3rd doses of hepatitis B vaccine given earlier than 6 months of age before 6/21/96 are valid doses and should be counted as valid until 6/21/2014.)

****A 5-year interval between Td and Tdap is encouraged to reduce the risk of local and systemic adverse reactions. The interval between Td and Tdap may be shorter than 5 years (but not less than 2 years) if protection from pertussis is needed.

***** Exception: If a student has previously received two doses of measles, one dose of mumps and one dose of rubella before January 1, 2010, the doses will be accepted as compliant to immunization requirements and 2 MMRs are not required.

Vaccine doses administered up to 4 days before the minimum interval for age can be counted as valid for doses already administered.

If the child does not meet the immunization requirements for entering school, the school shall refer the child to a medical authority (private doctor or health department) for immunization or consultation for when the immunization is due.

CERTIFICATION

This is to certify that the foregoing Rules Governing Kindergarten through 12th Grade Immunization Requirements in Arkansas Public Schools were adopted by the Arkansas State Board of Education at a regular session of said Board held in Little Rock, Arkansas, on the _____ day of _____, 2010 to be effective _____, 2010.

Secretary
Arkansas State Board of Education

The foregoing Rules, copy having been filed in my office, are hereby approved on this _____ day of _____, 2010.

Mike Beebe
Governor

DRAFT