

PLEASE NOTE: This document does not contain information for all states, nor does it necessarily contain all the relevant provisions from the states included. It is a work in progress.

IMMUNIZATION POLICIES BY STATE

STATE	POLICY	SOURCE
AZ	“Lack of... immunizations CANNOT prevent a homeless student from enrolling in the new school. School should request health and academic records from the previous school(s) in a timely manner and assist parents in obtaining any required immunizations. Homeless students do not need to wait until academic and health records arrive to attend the new school. The law requires the IMMEDIATE ENROLLMENT of homeless students.”	Joint flyer of AZ DOE and AZ Coalition to End Homelessness, 2003
CA	“A person who has not been fully immunized against one or more of the diseases listed in Section 120335 may be admitted by the governing authority on condition that within time periods designated by regulation of the department he or she presents evidence that he or she has been fully immunized against all of these diseases.” “Kindergarten entrants, 7th grade entrants, and entrants from outside the U.S. must present the record at or before entry; no ‘grace period’ of attendance is allowed for these pupils if they do not have a record. Children transferring from other schools in California or other states, or entering at other grade levels may be given up to 30 school days of attendance while waiting for their records to arrive from the previous school.... Children who lack one or more required vaccine doses that are not currently due may be admitted on condition that they receive the remaining doses when due, according to the schedule below.”	CA Health and Safety Code §120340 CA Department of Health Services, IMM-231 (8/02). Available at http://www.dhs.cahwnet.gov/ps/dcdc/izgroup/pdf/imm231.pdf
CO	“(a) The school selected for a homeless child pursuant to this section shall immediately enroll the homeless child, even if the child lacks records normally required prior to enrollment. (b) The enrolling school shall immediately contact the school last attended by the homeless child to obtain any records necessary for enrollment. (c) If the homeless child’s immunizations are incomplete or if the homeless child’s immunization records or unavailable, the enrolling school shall arrange for such immunizations as may be necessary.”	CO Revised Statutes §22-33-103.5(5)

STATE	POLICY	SOURCE
ID	“Immunizations are not mandatory and may be refused on religious or other grounds.” [Not specific to homeless students, but eliminates potential for children to be held out of school for lack of immunization records.]	ID Code §39-4804
IL	“Is there any reason to delay enrolling a homeless child? NO. Lack of school records or immunizations CANNOT prevent a homeless student from enrolling in the new school. It is the responsibility of the new school to request health and academic records from the previous schools in a ‘timely manner’ and to refer parents to a physician or to a free or low cost clinic for any required immunizations. Homeless students do not need to wait until academic and health records arrive to attend the new school. Law requires IMMEDIATE ENROLLMENT of homeless children and youth.”	“Opening Doors,” IL DOE’s Homeless Children and Youth Program, 2003. Available at: http://homelessed.net/schools/rights.htm
IN	“A child may not be permitted to attend school beyond the first day of school without furnishing this written statement [of immunization history], unless: (1) the school gives the parents of the child a waiver; or (2) the local health department or a physician determines that the child's immunization schedule has been delayed due to extreme circumstances and that the required immunizations will not be completed before the first day of school. [the State Coordinator stated that homelessness qualifies as an extreme circumstance.] The waiver referred to in subdivision (1) may not be granted for a period that exceeds twenty (20) days. If subdivision (2) applies, the parent of the child shall furnish the written statement and a time schedule, approved by a physician or the local health department, for the completion of the remainder of the immunizations.”; “When a student transfers to another school, the school from which the student is transferring may furnish, not more than twenty (20) days after the transfer, a copy of the student's immunization record to the school to which the student is transferring.”	IN Code §20-8.1-7-10.1(c); IN Code §20-8.1-7-9(b)
IA	“A public school shall not refuse to enroll or exclude a homeless child or youth for lack of immunizations records if any of the following situations exist. The parent or guardian of a homeless child or youth or a homeless child or youth: 1. Offers a statement signed by a doctor... specifying that in the doctor’s opinion the immunizations required would be injurious to the health and well-being of the child or youth or to any member of the child or youth’s family or household. 2. Provides	281 IA Administrative Code §33.5

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	<p>an affidavit stating that the immunization conflicts with the tenets and practices of a recognized religious denomination.... 3. Has begun the required immunizations and is continuing to receive the necessary immunizations as rapidly as is medically feasible, or 4. Is a transfer student from any other school. The school district shall make every effort to locate or verify the official immunization records of a homeless child or youth based on information supplied by the child, youth, parent, or guardian. In circumstances where it is admitted that the homeless child or youth has not received some or all of the immunizations required by state law for enrollment and none of the exemptions listed above is applicable, the district shall refer the child, youth, and parent or guardian to the local board of health for the purpose of immunization, and the school shall provisionally enroll the child or youth in accordance with item 3 or 4.”</p>	
KS	<p>“Pupils who have not completed the required inoculations may enroll or remain enrolled while completing the required inoculations if a physician or local health department certifies that the pupil has received the most recent appropriate inoculations in all required series.... If a pupil transfers from one school to another, the school from which the pupil transfers shall forward with the pupil's transcript the certification or statement showing evidence of compliance with the requirements of this act to the school to which the pupil transfers.”; “Provides students who are enrolling for the first time in a Kansas public school with 90 days to present proof of required inoculations. The parent or person acting as parent must sign a written statement that such tests or inoculations are in the process of being received and will be completed within 90 days. County health departments must provide appropriate inoculations to children who families are unable to afford them.”</p>	<p>KS Statutes §72-5209; KS DOE website, www.ksde.org/sfp/homeless/</p>
KY	<p>“If the homeless child wishes to enroll and does not have a record of immunization but has been immunized, the district homeless education coordinator or liaison can obtain verbal or written confirmation of immunization from the previous school. If the homeless child has not begun his immunization series, the district homeless education coordinator shall take the necessary arrangements with the local public health department for immunization. (An attorney general’s opinion 79-420, states that a school child who has begun, but not completed, the immunization schedule may be permitted to attend classes for a limited period of time as necessary for the</p>	<p>Unidentified written document from State Coordinator, 2003.</p>

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	<p>completion of the immunization schedule.) “Each local school district’s homeless child education coordinator or liaison shall assist the homeless student in obtaining essential records that may or may not be in existence. This includes an immunization certificate. (Each school district can allow an approximately 30 day grace period for each student to provide immunization documentation.)”</p>	
LA	<p>“No person seeking to enter any school or facility enumerated in Subsection A of this Section shall be required to comply with the provision of this Section [regarding immunization records] if the student or his parent or guardian submits either a written statement from a physician stating that the procedure is contraindicated for medical reasons, or a written dissent from the student or his parent or guardian is presented.”</p>	LA Revised Statutes §17:170(E)
ME	<p>“No superintendent may permit any child to be enrolled in or to attend school without a certificate of immunization for each disease or other acceptable evidence of required immunization or immunity against the disease, except as follows. 1. WRITTEN ASSURANCE. The parent provides a written assurance the child will be immunized within 90 days by private effort or provides, where applicable, a written consent to the child’s immunization by a health officer, physician, nurse or other authorized person in public or private employ.”; “Each superintendent shall keep uniform records of the immunizations and immunization status of each child.... The records shall be part of the child’s permanent education records.”; “A child who does not meet the immunization/immunity requirements may be enrolled in school under the following circumstances: 1. The parent provides the school with a written assurance that the children will be immunized by private effort within ninety days of enrolling (officially registering) in school or first attendance in school classes, whichever date is the earliest. The granting of a 90-day grace period is a one-time provision. A child transferring from one school to another within the state may not be granted a second 90-day period. A period of 21 calendar days may be granted to allow for the transfer of health records from one school to another. 2. The parent grants written consent for the child’s immunization by a public health officer, physician, nurse or other authorized person in the employ, or acting</p>	20-A ME Revised Statutes §6355; 20-A ME Revised Statutes §6357; ME Administrative Regulations 05-071 Chapter 126(3).

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	as an agent of the school, where such immunization programs are in effect.”	
MA	<p>“The Department is aware that this new requirement may constitute a departure with respect to school districts’ enrollment policies. The immunization statute, G.L.c. 76§15, generally requires students to provide proof of immunization prior to enrollment. Since McKinney-Vento is a federal law, its requirements override the state immunization law. However, it should be noted that the immunization law allows, in the absence of a Department of Health declared epidemic or emergency, the enrollment of students who have not been immunized if they have religious objections to immunization. Moreover, the Department has consulted with the Department of Public Health (DPH) regarding this issue and DPH agrees that, in the absence of an emergency or epidemic of disease, the health risk of enrolling homeless students prior to receiving proof of immunization is minimal. If a homeless child or youth arrives lacking immunizations or immunization or medical records, refer the parent/guardian to the district’s Homeless Education Liaison, who has the responsibility to obtain relevant academic records, immunizations or immunization or medical records and to ensure that homeless students are attending school while the records are obtained.”</p>	<p>MA DOE Homeless Education Advisory 2002-2: Enrollment of Homeless Students and School Records. Available at www.doe.mass.edu/hssss/haa/advisory2.html</p>
MN	<p>“The McKinney-Vento Act requires:</p> <ul style="list-style-type: none"> • All local school districts to immediately enroll students in homeless situations, even if they do not have required documents, such as immunization or medical records.... The term ‘enroll’ is defined under the Act as attending classes and participating fully in school activities. • ... (The state law, M.S. 121A.15, which says that a school may allow up to 30 days for a student to submit their immunization records does not apply to this federal law. There is no 30-day limit on submitting records for a homeless student. Federal law supercedes this state law.) • The local school district’s homeless liaison... to immediately assist in obtaining immunizations or immunization or medical records for those students who do not have them. Students must be enrolled in school during the interim, this includes unaccompanied youth.” 	<p>MN Department of Health Memorandum re: Immunizations for Homeless Students, 9/10/02</p>
NH	<p>“McKinney-Vento states that children and youth experiencing homelessness are not to be excluded from enrolling (and attending) school.... McKinney-Vento does not negate NH’s statutes for immunizations, but rather requires students to be enrolled</p>	<p>NH DOE Immunization Q&A 2003</p>

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	<p>immediately recognizing that in the vast majority of the cases, students attended school previously and a phone call for records will address immunization concerns with hard copies of records to follow.... McKinney-Vento requires the local homeless education liaison to assist the parent or guardian in obtaining the necessary immunizations or medial records. If there are no (medical) records available, or some immunizations are missing, McKinney-Vento states that the school's local liaison must then ensure that the necessary immunizations and/or medical records are obtained in a timely manner – by assisting the parents/guardian or youth to agencies where they can be obtained.</p> <p>More homeless children are remaining in their school of origin. The problems with record attainment will be minimized. In the event that immunizations or required medical records are missing: Homeless students are to be enrolled in school immediately. The local liaison will work with the school nurse to assist the family in obtaining, in a timely manner, all the necessary paperwork and/or immunizations or immunization records. 30 days is acceptable as a reasonable length of time to locate immunization records. After the 30-day period, steps to re-immunize should begin.”</p>	
NJ	<p>“A child may be admitted to a school, preschool, or child care center on a provisional basis if a physician... can document that at least one dose of each required age-appropriate vaccine(s) or antigen(s) has been administered and that the pupil is in the process of receiving the remaining immunization(s)....</p> <p>“Provisional status shall only be granted one time to children entering or transferring into schools, preschools, or child care centers in New Jersey....</p> <p>“Those children transferring into a New Jersey school, preschool, or child care center from out-of-state or out-of-country may be allowed a 30-day grace period in order to obtain past immunization documentation before provisional status shall begin....”</p> <p>Every school, preschool, or child care enter shall maintain an official State of New Jersey School Immunization Record for every pupil.... If a child withdraws, is promoted, or transfers to another school, preschool, or child care center, the immunization record, or a certified copy thereof... shall be sent to the new school by the original school or shall be given to the parent or guardian upon request, within 24 hours of such a request.</p>	<p>NJ Administrative Code 8:57-4.5(b), (d), (e) NJ Administrative Code 8:57-4.7(a)-(b)</p>

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NM	<p>“For a child who has begun the process of immunization and the process is being accomplished in accordance with the current NM immunization schedule, s/he may enroll in and attend school. For a child who has no documentation and was formerly enrolled in a school in the US, a phone call requesting records to verify immunization status is sufficient to be considered in process. If the child was formerly enrolled in a school in another country and has no records, s/he must begin the recommended immunizations to be considered in process.”</p> <p>“Provided that, if he produces satisfactory evidence of having begun the process of immunization, he may enroll and attend school as long as the immunization process is being accomplished in the prescribed manner....</p> <p>“Persons enrolling in schools who have begun the process of immunization shall have one month following the date of enrollment to complete the required immunizations and submit satisfactory evidence of completing the required immunizations or having continued the process of the required series.”</p>	<p>Unidentified written document from State Coordinator, 2003. NM Statutes §24.5.2 NM Administrative Code §6.1.6.1.7.6</p>
NY	<p>“No principal, teacher, owner or person in charge of a school shall permit any child to be admitted to such school, or to attend such school, in excess of fourteen days, without the certificate provided for in subdivision five of the section or some other acceptable evidence of the child’s immunization....; provided, however, such fourteen day period may be extended to not more than thirty days for an individual student by the appropriate principal, teacher, owner or other person in charge where such student is transferring from out-of-state or from another country and can show a good faith effort to get the necessary certification or other evidence of immunization.”;</p> <p>“(4) Upon receipt of the designation form, the designated school district shall immediately: (ii) admit the homeless child, even if the child or youth is unable to produce records normally required for enrollment, such as previous academic records, medical records, proof of residency, or other documentation; ... (iv) immediately contact the school district where the child’s records are located for a copy of such records....</p> <p>(5) Within five days of the receipt of a request for school records, the school district shall forward a complete copy of the homeless child’s records including, but not limited to, proof of age, academic records, evaluations, immunization or medical records, and guardianship papers, if applicable.”</p>	<p>NY Public Health Law §2164(7)(a); 8 NY Codes, Rules and Regulations §100.2(x)</p>

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NC	30 day grace period	
ND	“A child may enter an institution upon submitting written proof from a licensed physician or authorized representative of the state department of health stating that the child has started receiving the required immunization or has a written consent by the child’s parent or guardian for a local health service or department to administer the needed immunization without charge....”	ND Code §23-07-17.1(2)
OK	“No minor child shall be admitted to any public, private, or parochial school operating in this state unless and until certification is presented to the appropriate school authorities... that such child has received or is in the process of receiving, immunizations....” “Any minor child, through the parent, guardian, or legal custodian of the child, may submit to the health authority charged with the enforcement of the immunization laws of this state: ...(2) A written statement by the parent, guardian or legal custodian of the child objecting to immunization of the child; whereupon the child shall be exempt from the immunization laws of this state.”	70 OK Statutes §1210.191(A) 70 OK Statutes §1210.192
OR	“(5)(a) When a child is determined by the school or school district to be homeless and does not have a completed Certificate of Immunization Status on file with the school, an Exclusion Order for No Record will be issued and a copy will be given to the parent or guardian. The exclusion date will be 30 days from the date of enrollment. If the parent is not at registration, a copy of the Exclusion Order for No Record will be sent to the parent via the student at least fourteen days prior to the exclusion date. (b) School staff shall make every effort to help the family compile an immunization record for the student, including requesting a record from a previous school, Oregon Immunization ALERT or a previous medical provider.”	OR Administrative Rule 333-050-0040
PA	“The school selected shall immediately enroll the child/youth in school, <u>even if the child or youth lacks records</u> normally required for enrollment, such as previous academic records, medical records, proof of residency, or other documentation.... The educating district should immediately enroll and begin to provide instruction. The receiving school district may contact the district of origin for <u>oral</u> confirmation that the child has been immunized. Oral confirmation between professionals is a sufficient basis to verify immunization with written confirmation to follow within 30 days. The instructional program should begin as soon as possible after the	PA Basic Education Circular, July 1, 2002.

STATE	POLICY	SOURCE
	enrollment process is initiated and should not be delayed until the procedure is completed.”	
PR	“Any student or preschool child can be provisionally enrolled in a school, daycare center, or social treatment center if the student or preschool child has received at least one dose of each of the immunizations required by the Secretary of Health.... In emergency cases, children who have not received any doses of the required immunizations can be provisionally admitted to a daycare center, or social treatment center. It is the responsibility of the director of the daycare center or social treatment center to ensure that the children receive the needed doses immediately, or within no more than 2 weeks, and comply with the requirements of this section.”	24 Leyes PR §182c
SC	“A South Carolina Certificate of Special Exemption signed by the school principal, authorized representative, or day care director may be issued to transfer students while awaiting arrival of medical records from their former area of residence or to other students who have been unable to secure immunizations or documentation of immunizations already received. A South Carolina Certificate of Special Exemption may be issued only once and is valid for only thirty calendar days from date of enrollment. At the expiration of this special exemption, the student must present a valid South Carolina Certificate of Immunization, a valid South Carolina Certificate of Medical Exemption, or a valid South Carolina Certificate of Religious Exemption.”	SC Statute §44-29-180(D)
SD	SC said there’s no state law requiring immunizations or exempting homeless students; it’s a LEA decision.	
TX	“Not later than the 30 th day after the date a parent or other person with legal control of a child under a court order enrolls the child in a public school, the parent or other person or the school district in which the child most recently attended school shall furnish to the school district... a record showing that the child has the immunizations as required under Section 38.001, in the case of a child required under that section to be immunized, proof as required by that section showing that the child is not required to be immunized, or proof that the child is entitled to provisional admission under that section....”	TX Education Code §25.002
VT	State Coordinator says no separate statute, but in practice, children are immediately enrolled while immunization requirements are met.	

STATE	POLICY	SOURCE
VA	<p>“The school shall“ immediately enroll the homeless child or youth even if the child or youth is unable to produce records normally required for enrollment, such as previous academic records, medical records, proof of residency, or other documentation” [§722(g)(3)(C)(i)].</p> <p>Note: This does not eliminate these enrollment requirements; it merely allows enrollment while records are secured.”</p> <p>Currently under consideration by state legislature:</p> <p>“No certificate of immunization shall be required for the admission to school of any student if.... (iii) the student meets the definition of homeless as described in subsection 5 of §22.1-3. If the child or youth is homeless and needs to obtain immunizations or immunization records, the student shall be enrolled and the enrolling school shall immediately refer the parent or guardian of the child or youth to the local homeless education liaison designated by the school division, who shall assist in obtaining necessary immunizations or immunization records.”</p>	<p>VA DOE Superintendent’s Memo No. 51, March 28, 2003.</p> <p>Available at http://www.pen.k12.va.us/VDOE/supts/memos/2003/inf051a.pdf</p> <p>VA Code §22.1-271.2(C)</p>
WV	<p>“The fact that a student does not have immunization records in hand when he initially presents himself for admittance does not warrant refusal to provisionally admit the student.”</p>	<p><u>White ex re. White v. Linkinoggor</u>, 176 W.Va. 410, 344 S.E.2d 633 (1986).</p>
WI	<p>SC says parents are required to provide written evidence of the appropriate immunization within 30 school days.</p>	

Table does not include waivers for religion/philosophy or health

IMMUNIZATION REQUIREMENTS BY COUNTRY

Percentages of target population vaccinated in selected countries (from WHO-UNICEF 2002 estimates)¹

COUNTRY	DTP3²	Hep B³	Measles	Polio
United States	94	88	91	90
<i>LATIN AMERICA</i>				
Belize	89	97	89	93
Bolivia	81	81	79	79
Columbia	85	76	89	81
Costa Rica	94	94	94	94
Cuba	99	98	98	98
Ecuador	89	85	80	90
El Salvador	81	75	93	81
Guatemala	84	--	92	84
Honduras	95	95	97	95
Mexico	91	91	96	92
Nicaragua	84	84	98	85
Panama	89	89	79	85
Peru	89	--	95	90
Venezuela	63	60	78	77
<i>ASIA</i>				
Cambodia	54	--	52	54
China	79	79	65	79
India	70	--	67	70
Indonesia	75	67	76	74
Malaysia	96	95	92	97
Myanmar	77	--	75	77
Philippines	70	40	73	70
Singapore	92	92	91	92

¹ Available at www.who.int/vaccines/GlobalSummary/Immunization/

² Diphtheria, tetanus and pertussis, third dose

³ Hepatitis B

Thailand	96	95	94	97
Vietnam	75	65	96	92
<i>AFRICA</i>				
Congo	41	--	37	41
Ethiopia	56	--	52	57
Ghana	80	80	81	80
Liberia	51	--	57	50
Morocco	94	92	96	94
Somalia	40	--	45	40
Sudan	40	--	49	40

Mexico's overall vaccination rate for 1-4 year olds is 96%; the U.S.'s overall vaccination rate for 2 year olds is 79%. Edward Hegstrom, "Mexico more effective than U.S. at immunizing children." *Orange County Register*, December 22, 2002. Available at www2.ocregister.com/ocrweb/ocr/article.do?id=17384§ion=NEWS&year=2002&month=12&day=22