

Rules and Regulations

RULES AND REGULATIONS



Article X School Health Immunization



ARTICLE X. SCHOOL HEALTH IMMUNIZATION

1001. PURPOSE AND SCOPE.

This subchapter has been promulgated to insure that all school children are immunized against diseases which spread easily in schools and interrupt school life and learning for individuals and groups. This subchapter affects all public, private, parochial, charter and cyber schools including all kindergartens, special education classes, home education programs, and vocational classes in Allegheny County.

1002. DEFINITIONS.

The following words and terms, when used in this subchapter, shall have the following meanings, unless the context clearly indicates otherwise:

Ascertain. To determine whether or not every child is immunized as defined in this subchapter.

Attendance at school. The attendance at any grade, or special classes, kindergarten through 12th grade, including all public, private, parochial, vocational, intermediate unit and home education students and students of cyber and charter schools.

Certificate of Immunization. The official form furnished by the Department; this Certificate is filled out by the parent or health care provider and signed by the health care provider, public health official, or school nurse or a designee. The Certificate is given to the school as proof of immunization. This form shall be identical to the form required by the Commonwealth of Pennsylvania. The school maintains the Certificate as the official school immunization record or stores the details of the record in a computer data base.

Department. Allegheny County Health Department.

Director. The Director of the Allegheny County Health Department.

Immunization. The requisite number of dosages of the specific antigens at the recommended time intervals in accordance with this subchapter.

Record of Immunization. Any written document acceptable to the Director showing the date of immunization—that is, baby book, Health Passport, family Bible, other states' official immunization documents, International Health Certificate, immigration records, physician record, school health records, and other similar documents or history.

1003. IMMUNIZATION REQUIREMENTS.

A. The following immunizations are required for all students, grades K through 12, as a condition of attendance at any public, private, parochial or nonpublic school including intermediate units and special education and home education programs, cyber and charter schools in Allegheny County.

1. **Diphtheria.** Four or more properly spaced doses of diphtheria toxoid, separately or in combination with tetanus toxoid or in combination with tetanus toxoid and pertussis vaccine. One dose shall be administered on or after the fourth birthday. If the series is started after 7 years of age, only 3 doses are required.
2. **Tetanus.** Four or more properly spaced doses of tetanus toxoid, which may be administered separately, in combination with diphtheria toxoid or in combination with diphtheria toxoid and pertussis vaccine. One dose shall be administered on or after the fourth birthday. If the series is started after 7 years of age, only 3 doses are required.
3. **Poliomyelitis.** Three or more properly spaced doses of any combination of oral polio vaccine or enhanced inactivated polio vaccine.
4. **Measles (Rubeola).** Two properly spaced doses of live attenuated measles vaccine, the first dose administered at 12 months of age or older, or a history of measles immunity proved by serological evidence showing antibody to measles as determined by the hemagglutination inhibition test or a comparable test. Each dose of measles vaccine may be administered as a single antigen vaccine.

5. **German Measles (Rubella).** One dose of live attenuated rubella vaccine administered at 12 months of age or older, or a history of rubella immunity proved by serological evidence showing antibody to rubella determined by the hemagglutination inhibition test or any comparable test. Rubella vaccine may be administered as a single antigen vaccine.
 6. **Mumps.** Two doses of live attenuated mumps vaccine administered at 12 months of age or older or a physician's diagnosis of mumps disease indicated by a written record signed by a physician or his/her designee. Mumps vaccine may be administered as a single antigen vaccine.
 7. **Hepatitis B.** Three properly spaced doses of Hepatitis B vaccine or a history of hepatitis B immunity proved by laboratory testing.
 8. **Chickenpox (Varicella).** One of the following:
 - (a) Two properly spaced doses of varicella vaccine, the first dose administered at 12 months of age or older.
 - (b) A history of chickenpox immunity proved by laboratory testing or a written statement from physician/designee indicating month and year of disease.
 - (c) Students with a prior history of varicella disease reported by a parent and *documented in the school record before September 2008* are considered immune.
- B. Required for students grades 7-12. In addition to the immunizations listed in subsection 1003(A), the following immunizations are required at any public, private, parochial or nonpublic school including intermediate units and special education and home education programs, cyber and charter schools in Allegheny County, as a condition of entry for students in 7th through 12th grades; or, in an ungraded class, for students 12 years of age and older:
1. One dose of tetanus/diphtheria/acellular pertussis vaccine (Tdap).
 2. One dose of meningitis vaccine.

1004. EXEMPTION FOR IMMUNIZATION.

- A. **Medical Exemption.** Children need not be immunized if a physician or his/her designee provides a written statement that immunization may be detrimental to the health of the child. When the physician determines that immunization is no longer detrimental to the health of the child, the child shall be immunized according to this subchapter.
- B. **Religious Exemption.** Children need not be immunized if the parent, guardian, or emancipated child objects in writing to the immunization on religious grounds or on the basis of a strong moral or ethical conviction similar to a religious belief.

1005. RESPONSIBILITIES OF SCHOOLS AND SCHOOL ADMINISTRATORS.

- A. The administrator in charge of every school shall appoint a knowledgeable person to perform the following:
 - 1. Inform the parent, guardian, or emancipated child at registration or prior to registration, if possible, of the requirements of this subchapter.
 - 2. Ascertain the immunization status of every child prior to admission to school or continued attendance at school.
 - (i) The parent, guardian, or emancipated child shall be asked for a completed Certificate of Immunization.
 - (ii) In the absence of a Certificate of Immunization, the parent, guardian, or emancipated child shall be asked for a record or history of immunization which indicates the month, day, and year that immunizations were given. This information shall be recorded on the Certificate of Immunization and signed by the school official or his/her designee, or the details of the record shall be stored in a computer database.
- B. If the knowledgeable person designated by the school administrator is unable to ascertain whether a child has received the immunizations required by 1003 (relating to immunization requirements) or by 1005(E) (relating to provisional admission) or is exempt under 1004 (relating to exemption for immunization), the school administrator may admit the child to school only according to the requirements of subsections (D) and (E).

- C. The parent or guardian of a child or the emancipated child who has not received all of the immunizations required by 1003 (relating to immunization requirements) shall be informed of the specific immunizations required and advised to go to his/her usual source of care, or nearest local Health Department Immunization Clinic, to obtain the required immunizations.
- D. A child not previously admitted to or not allowed to continue attendance at school because such child has not had all the required immunizations shall be admitted to or permitted to continue attendance at school only upon presentation to the school administrator or school administrator's designee of a completed Certificate of Immunization or immunization record, or upon submission of information sufficient for an exemption under 1004 (relating to exemption for immunization), or upon compliance with 1005(E).
- E. Any student in kindergarten through 12th grade, may be provisionally admitted to school only if evidence of the administration of at least one dose of each antigen described in 1003 is given to the school administrator or the administrator's designee and the parent or guardian's plan for completion of the required immunizations is made part of the child's health record. The plan for completion of the required immunizations shall be reviewed every 60 days by the school administrator or his/her designee. Subsequent immunizations shall be entered on the Certificate of Immunization or entered in the school's computer database. Immunization requirements described in 1003 shall be completed within 8 months of the date of provisional admission to school. If the requirements are not met, the school administrator shall not admit the child to school nor permit continued attendance.
- F. Each school shall maintain on file a Certificate of Immunization for every child enrolled. An alternative to maintaining a certificate on file is to transfer the immunization information from the certificate to a computer database. The Certificate of Immunization or a facsimile thereof generated by computer shall be returned to the parent, guardian, or emancipated child or the school shall transfer the Certificate (or facsimile) with the child's record to the new school when a child withdraws, transfers, is promoted, graduates, or otherwise leaves the school.

1006. SCHOOL REPORTING.

- A. Every public, private, parochial or nonpublic school including intermediate units and special education, cyber and charter schools in Allegheny County shall report immunization data to the Department on October 15 of each year, using forms provided by the Department.
- B. The school administrator or his/her designee shall forward the reports to ACHD, Division of Infectious Diseases, 3441 Forbes Avenue, Pittsburgh, Pennsylvania 15213.
- C. Content of the October 15 report shall include but is not limited to the following information:
 - (1) The identification of the school including the name of the school, the school district, the county, the intermediate unit, and the type of school.
 - (2) The month, day, and year of report.
 - (3) The number of children attending school by grade.
 - (4) The number of children attending school by grade who were completely immunized.
 - (5) The number of children attending school by grade who were classed as medical exemptions.
 - (6) The number of children attending school by grade who were classed as religious exemptions.
 - (7) The number of children provisionally admitted.
 - (8) The number of children who were denied admission because of their inability to qualify for provisional admission.
 - (9) Other information as required by the Department.

1007. RESPONSIBILITIES OF THE DEPARTMENT.

- A. The Department will provide the Certificates of Immunization and reporting forms to schools.

- B. The Department will monitor school districts for compliance with this subchapter and will have access to school immunization records whether the records are maintained as certificates or whether the records are contained in a school's computer database.
- C. Questions concerning these regulations should be addressed to the Allegheny County Health Department, Division of Infectious Diseases, 3441 Forbes Avenue, Pittsburgh, PA 15213.

1008. THIS ARTICLE SHALL TAKE EFFECT ON JANUARY 1, 1983.

Amendments are effective July 1, 2008.

1009. UNCONSTITUTIONALITY CLAUSE.

Should any section, paragraph, sentence, clause, or phrase of these Rules and Regulations be declared unconstitutional or invalid for any reason, the remainder of said Rules and Regulations shall not be affected thereby.

1010. PENALTIES.

- A. **Summary Offenses.** Any person who violates any of the provisions of this article or any rule or regulation of the Allegheny County Department of Health, or who interferes with the Director or any other agent of the Department of Health in the discharge of his/her official duties, shall, for the first offense, upon conviction thereof in a summary proceeding before any alderman or justice of the peace of Allegheny County, or before any police magistrate if such offense be committed in the city of the second class, be sentenced to pay the costs of prosecution and a fine of not less than thirty dollars (\$30) nor more than three hundred dollars (\$300) and, in default thereof, to undergo imprisonment of not less than ten (10) days nor more than thirty (30) days.
- B. **Misdemeanors.** Any person who violates any of the provisions of this article or any rule or regulation of the County Department of Health, or who interferes with a Health Director or any agent of the Department of Health in the discharge of his/her official duties, convicted of a second or subsequent offense, shall be guilty of a misdemeanor and shall, upon conviction thereof, be sentenced to pay a fine of not less than five hundred dollars (\$500) nor more than one thousand dollars (\$1,000) or to undergo imprisonment not exceeding one (1) year, or both.

- C. **Separate offenses.** For the purpose of this section, violations on separate days shall be considered separate offenses. Each violation of any separate subsection or section of this article shall constitute a separate offense.

- D. **Enforcement interpretation.** The Director shall interpret this Article in conformance with the current standards of the Advisory Committee on Immunization Practices of the Center for Disease Control, a copy of which shall be on file in the office of the Allegheny County Health Department.

Allegheny County Health Department

Bruce W. Dixon, M.D.
Director