

# **Alaska Vaccine Exemption Laws**

## **Title 14. EDUCATION, LIBRARIES, AND MUSEUMS**

### **Chapter 14.30. PUPILS AND EDUCATIONAL PROGRAMS FOR PUPILS**

#### **Sec. 14.30.125. Immunization.**

If in the judgment of the commissioner of health and social services it is necessary for the welfare of the children or the general public in an area, the governing body of the school district shall require the children attending school in that area to be immunized against the diseases the commissioner of health and social services may specify.

## **Title 14. EDUCATION, LIBRARIES, AND MUSEUMS**

### **Chapter 14.44. INTERSTATE EDUCATION COMPACTS**

#### **Article 02. EXEMPT RELIGIOUS AND OTHER PRIVATE SCHOOLS**

##### **Sec. 14.45.100. Exemption.**

A religious or other private school that complies with AS 14.45.100 - 14.45.130 is exempt from other provisions of law and regulations relating to education except law and regulations relating to physical health, fire safety, sanitation, immunization, and physical examinations.

#### **Article 03. GENERAL PROVISIONS**

##### **Sec. 14.45.130. Records.**

(a) A religious or other private school that elects to comply with AS 14.45.100 - 14.45.130 shall maintain permanent student records reflecting immunizations, physical examinations, standardized testing, academic achievement, and courses taken at the school.

(b) The chief administrative officer of a school that elects to comply with AS 14.45.100 - 14.45.130 shall certify to the department, under oath or by affirmation, that the records required under (a) of this section are being maintained.

## **TITLE 14. EDUCATION, LIBRARIES, AND MUSEUMS**

### **CHAPTER 48. REGULATION OF POSTSECONDARY EDUCATIONAL INSTITUTIONS**

#### **Sec. 14.48.165. Immunization of postsecondary students**

(a) A postsecondary educational institution in this state shall provide written notice to each student who intends to reside in campus housing before the student's initial period of residence that includes the following information:

- (1) meningococcal disease

(A) is a serious illness that can cause death within a few hours of onset; one in 10 cases is fatal, and one in seven survivors of the illness is left with severe disability;

(B) is a contagious but also largely preventable infection of the spinal cord fluid and the fluid surrounding the brain;

(2) scientific evidence suggests that college students living in campus housing are at a moderately increased risk of contracting meningococcal disease; and

(3) immunization against meningococcal disease decreases the risk of contracting the illness.

(b) A student attending a postsecondary educational institution shall sign a document provided by the institution indicating that the student has received

(1) an immunization against meningococcal disease; or

(2) the notice described under (a) of this section.

(c) Nothing in this section may be construed to require a postsecondary educational institution to provide or pay for immunizations against meningococcal disease.

**Title 4 Education and Early Development  
Chapter 06 Government of Schools  
Article 1 General Administration**

**4 AAC 06.055. Immunizations required**

(a) Before entry in a state public school district or nonpublic school offering pre-elementary education through the 12th grade, or any combination of these grades, a child shall be immunized against

(1) diphtheria, tetanus, polio, pertussis, measles, mumps, hepatitis A, hepatitis B, and rubella, except rubella is not required in children 12 years of age or older; and

(2) beginning July 1, 2009, varicella.

**(b) This section does not apply if the child**

(1) has a valid immunization certificate consisting of

(A) a statement by a physician listing the date that each required immunization was given; or

(B) a copy of a clinic or health center record listing the date that each required immunization was given;

(2) has a statement signed by a doctor of medicine (M.D.), doctor of osteopathy (D.O.), physician assistant, or advanced nurse practitioner licensed to practice in this state, stating that immunizations would, in that individual's professional opinion, be injurious to the health of the child or members of the child's family or household; or

**(3) has an affidavit signed by his parent or guardian affirming that immunization conflicts with the tenets and practices of the church or religious denomination of which the applicant is a member.**

(c) A student registering in a school in a community where regular medical services are not available on at least a weekly basis and who does not have the required immunizations, may be provisionally admitted to a pre-elementary, elementary, or secondary program for a reasonable period of time for the prevailing circumstances but not exceeding 90 days after enrollment. No children will be provisionally admitted except in exceptional circumstances. Where exceptions are granted, they shall be reported to and discussed with the epidemiology section of the division of public health, Department of Health and Social Services, who will then be responsible for determining that the required immunizations are completed during the provisional period.

(d) If a parent or guardian is unable to pay the cost of immunization, or immunization is not available in the district or community, immunization shall be provided by state or federal public health services.

(e) Immunizations shall be recorded on each pupil's permanent health record form.

(f) School districts shall initiate action to exclude from school any child to whom this section applies but who has not been immunized as required by this section.

(g) A homeless child or youth, within the meaning of 42 U.S.C. 11434a(2) (McKinney - Vento Homeless Assistance Act), revised as of January 8, 2002 and adopted by reference, who does not have a record of the required immunizations, may be provisionally enrolled in a public school program for a period of time not exceeding 30 days if a parent or legal guardian has signed a witnessed statement that the child has received the required immunizations and the child's immunization records are not immediately available. A district shall report each provisional enrollment under this subsection to the epidemiology section of the division of public health, Department of Health and Social Services. The division of public health, with the assistance of the district's homeless liaison, will be responsible for locating the required immunization records. If the immunization records are not located during the provisional period, or the records indicate that the child has not received the required immunizations, the child must be immunized as described in (a) and (b) of this section to continue being enrolled in the public school program. The division of public health, with the assistance of the district's homeless liaison, will be responsible for ensuring that the child receives the required immunizations.

**Title 7 Health and Social Services**  
**Part 4 Children's Services and Juvenile Justice**  
**Chapter 57 Child Care Facilities Licensing**  
**Article 5 Care and Services**

**7 AAC 57.550. Health**

**(a) At or before admission of a child, a child care facility shall obtain from the child's parent**

(1) a valid immunization certificate; or

**(2) evidence that the child is exempt from immunization.**

(b) A valid immunization certificate is a copy of the child's original immunization record showing that, in a manner consistent with the timetable prescribed by the department's childhood immunization schedule, the child has received, or has begun and is continuing to receive, immunizations.

(c) The immunization record includes a statement or record by a physician, clinic, or health center indicating the date each required immunization was given.

**(d) Evidence of exemption from immunization must include**

(1) a statement signed by a doctor of medicine (M.D.), a doctor of osteopathy (D.O.), a physician assistant, or an advanced nurse practitioner, licensed in this state, stating that immunizations would, in that individual's professional opinion, be injurious to the health of the child or members of the child's family or household;

**(2) an affidavit signed by the child's parent or guardian, affirming that immunization conflicts with the tenets and practices of the church or religious denomination of which the parent or guardian is a member; or**

(3) an entry, for a one-day exemption, that the child is attending the child care facility for the first time.

(e) A child care facility in a community where medical services are not available on at least a weekly basis may provisionally admit a child who does not have the immunization certificate or evidence of exemption required under (a) of this section until the certificate or evidence can be obtained, but for no longer than 60 days.

(f) A satisfactory immunization audit report from the department during the previous 12 months will be accepted as evidence that the child care facility satisfied the requirements of (a) - (e) of this section.

(g) A child care facility may admit a mildly ill child or allow the child to remain in attendance if the child's needs do not compromise the care of other children.

(h) A child care facility that cares for a mildly ill child shall arrange a plan of care with the parent and provide a place where, under supervision, the child may rest or play quietly, apart from other children, if warranted.

(i) A child care facility may not admit a child who shows definite signs of a serious illness or of a highly communicable disease or allow the child to remain in attendance unless a medical provider approves the child's attendance.

(j) A child care facility shall provide an opportunity for supervised rest or sleep periods for each child under the age of five who is in care more than five hours, and for any other child, if desired by the child. For a child who is unable to sleep, the facility shall provide time and space for quiet play. The facility may place in a crib only an infant, a nonclimbing toddler, or a child identified as having special needs under 7 AAC 57.940, if appropriate.