

Arizona Vaccine Exemption Laws

TITLE 15. EDUCATION

CHAPTER 8. SCHOOL ATTENDANCE

ARTICLE 6. SCHOOL IMMUNIZATION

15-872. Proof of immunization; noncompliance; notice to parents; civil immunity

- A. The director of the department of health services, in consultation with the superintendent of public instruction, shall develop by rule standards for documentary proof.
- B. A pupil shall not be allowed to attend school without submitting documentary proof to the school administrator unless the pupil is exempted from immunization pursuant to section 15-873.
- C. Each public school shall make full disclosure of the requirements and exemptions as prescribed in this section and section 15-873.
- D. On enrollment, the school administrator shall suspend that pupil if the administrator does not have documentary proof and the pupil is not exempted from immunization pursuant to section 15-873.
- E. Notwithstanding subsections B and D of this section, a pupil may be admitted to or allowed to attend a school if the pupil has received at least one dose of each of the required immunizations prescribed pursuant to section 36-672 and has established a schedule for the completion of required immunizations. The parent, guardian or person in loco parentis of a pupil shall present to the school administrator documentary proof of the immunizations received and a schedule prepared by the pupil's physician or registered nurse practitioner or a health agency for completion of additional required immunizations.
- F. The school administrator shall review the school immunization record for each pupil admitted or allowed to continue attendance pursuant to subsection E of this section at least twice each school year until the pupil receives all of the required immunizations and shall suspend a pupil as prescribed in subsection G of this section who fails to comply with the immunization schedule. Immunizations received by a pupil shall be entered in the pupil's school immunization record.
- G. Unless proof of an exemption from immunization pursuant to section 15-873 is provided, a pupil who is admitted or allowed to continue to attend and who fails to comply with the immunization schedule within the time intervals specified by the schedule shall be suspended from school attendance until documentary proof of the administration of another dose of each appropriate immunizing agent is provided to the school administrator.
- H. The provisions of subsections B, D and E of this section do not apply to homeless pupils until the fifth calendar day after enrollment.
- I. A school and its employees are immune from civil liability for decisions concerning the admission, readmission and suspension of a pupil that are based on a good faith implementation of the requirements of this article.

15-873. Exemptions; nonattendance during outbreak

A. Documentary proof is not required for a pupil to be admitted to school if one of the following occurs:

1. The parent or guardian of the pupil submits a signed statement to the school administrator stating that the parent or guardian has received information about immunizations provided by the department of health services and understands the risks and benefits of immunizations and the potential risks of nonimmunization and that due to personal beliefs, the parent or guardian does not consent to the immunization of the pupil.

2. The school administrator receives written certification that is signed by the parent or guardian and by a physician or a registered nurse practitioner, that states that one or more of the required immunizations may be detrimental to the pupil's health and that indicates the specific nature and probable duration of the medical condition or circumstance that precludes immunization.

B. An exemption pursuant to subsection A, paragraph 2 is only valid during the duration of the circumstance or condition that precludes immunization.

C. Pupils who lack documentary proof of immunization shall not attend school during outbreak periods of communicable immunization-preventable diseases as determined by the department of health services or local health department. The department of health services or local health department shall transmit notice of this determination to the school administrator responsible for the exclusion of the pupils.

15-874. Records; reporting requirements

A. Each pupil's immunizations shall be recorded on the school immunization record. The school immunization record shall be a standardized form developed by the department of health services in conjunction with the department of education and provided by the department of health services and shall be a part of the mandatory permanent student record. The records are open to inspection by the department of health services and the local health department.

B. Each immunization record shall contain at least the following information:

1. The pupil's name and birth date.
2. The date of the pupil's admission to the school.
3. The type of immunizing agents administered to the pupil.
4. The date each dose of immunizing agent is administered to the pupil.
5. The established schedule for completion of immunizations if the pupil is admitted to or allowed to continue to attend a school pursuant to section 15-872, subsection E.
6. Laboratory evidence of immunity if this evidence is presented as part of a pupil's documentary proof.
7. If an exemption from immunization as provided in section 15-873 is submitted to the school administrator, the date the exemption is submitted and the reason for the exemption.
8. Additional information prescribed by the director of the department of health services by rule.

C. A school shall transfer an immunization record with the mandatory permanent student record and provide at no charge, on request, a copy of the immunization record to the parent or guardian of the pupil.

D. By November 30 of each school year, each school district and private school shall complete and file a report with the local health department and the department of health services, using forms provided by the department of health services. The report shall state the number of pupils attending who have completed required immunizations or who have submitted laboratory evidence of immunity, the number of pupils attending with uncompleted required immunizations and the number of pupils attending with an exemption from immunization pursuant to section 15-873.

**TITLE 36. PUBLIC HEALTH AND SAFETY
CHAPTER 6. PUBLIC HEALTH CONTROL
ARTICLE 4.1 SCHOOL IMMUNIZATION**

36-672. Immunizations; department rules

A. Consistent with section 15-873, the director shall adopt rules prescribing required immunizations for school attendance, the approved means of immunization and indicated reinforcing immunizations for diseases, and identifying types of health agencies and health care providers which may sign a laboratory evidence of immunity. The rules shall include the required doses, recommended optimum ages for administration of the immunizations, persons who are authorized representatives to sign on behalf of a health agency and other provisions necessary to implement this article.

B. The director, in consultation with the superintendent of public instruction, shall develop by rule standards for documentary proof.

C. Immunization against the human papillomavirus is not required for school attendance.

36-673. Duties of local health departments; immunization; training; informed consent

A. A local health department in cooperation with each school within the county shall provide for the required immunization of pupils attending school.

B. A local health department shall provide immunizations required for school attendance at no cost to the pupil or pupil's parent, guardian or person in loco parentis.

C. A local health department, on request by a school nurse and approval by the school administrator, shall train and authorize the school nurse to administer required immunizations.

D. A minor child shall not be immunized without the informed consent of the parent, guardian or person in loco parentis of the child. A pupil who is at least eighteen years of age or is emancipated may consent to immunization.

36-674. Providing proof of immunization

A physician, local health department or school nurse administering an immunization shall furnish documentary proof of immunization to the person immunized or, if that person is a child, to the child's parent or guardian or the person in loco parentis of the child.

Arizona Administrative Code – Agency, Board & Commission Rules

TITLE 9. HEALTH SERVICES CHAPTER 6. DEPARTMENT OF HEALTH SERVICES COMMUNICABLE DISEASES AND INFESTATIONS ARTICLE 7. REQUIRED IMMUNIZATIONS FOR CHILD CARE OR SCHOOL ENTRY

R9-6-702. Required Immunizations for Child Care or School Entry

A. Except as provided in R9-6-706, the school administrator or child care administrator shall:

1. Ensure that a child attending a school or child care has been immunized for each of the following diseases according to Table 1 or Table 2:

- a. Diphtheria;
- b. Tetanus;
- c. Hepatitis A, for a child 1 through 5 years of age in child care in Maricopa County;
- d. Hepatitis B;
- e. Pertussis;
- f. Poliomyelitis;
- g. Measles (rubeola);
- h. Mumps;
- i. Rubella (German Measles);
- j. Haemophilus influenzae type b;
- k. Varicella; and

1. Meningococcal; and

2. If a child does not have proof of immunization according to Table 1 or Table 2, exclude the child from:

- a. School entry; or
- b. Child care, unless the child is immunized against the diseases listed in subsection (A)(1) within 15 days following entry.

B. Unless exempt according to R9-6-706, a child who has not received VAR according to Table 1 or Table 2 shall:

1. Receive VAR according to the following:

- a. By September 1, 2005 for a child who is entering kindergarten, first grade, or seventh grade;
- b. By September 1, 2006 for a child who is entering kindergarten through second grade, seventh grade, or eighth grade;
- c. By September 1, 2007 for a child who is entering kindergarten through third grade, or seventh grade through ninth grade;

d. By September 1, 2008 for a child who is entering kindergarten through fourth grade, or seventh grade through tenth grade;

e. By September 1, 2009 for a child who is entering kindergarten through fifth grade, or seventh grade through 11th grade; and

f. By September 1, 2010 for a child who is entering kindergarten through 12th grade; and

2. Be excluded from school entry by a school administrator until the child meets the requirements in Table 2.

C. Unless exempt according to R9-6-706, a child, 11 years of age or older, who has not received MV according to Table 1 or Table 2 shall:

1. Receive MV according to the following:

a. By September 1, 2008 for a child entering sixth grade;

b. By September 1, 2009 for a child entering sixth and seventh grade;

c. By September 1, 2010 for a child entering sixth through eighth grade;

d. By September 1, 2011 for a child entering sixth through ninth grade;

e. By September 1, 2012 for a child entering sixth through 10th grade;

f. By September 1, 2013 for a child entering sixth through 11th grade; and

g. By September 1, 2014 for a child entering sixth through 12th grade; and

2. Be excluded from school entry by a school administrator until the child meets the requirements in this Section.

D. Unless exempt according to R9-6-706, a child, 11 years of age or older, who has not received Tdap according to Table 1 or Table 2 shall:

1. Receive the Tdap according to the following:

a. By September 1, 2008 for a child entering sixth grade;

b. By September 1, 2009 for a child entering sixth and seventh grade;

c. By September 1, 2010 for a child entering sixth through eighth grade;

d. By September 1, 2011 for a child entering sixth through ninth grade;

e. By September 1, 2012 for a child entering sixth through 10th grade;

f. By September 1, 2013 for a child entering sixth through 11th grade; and

g. By September 1, 2014 for a child entering sixth through 12th grade; and

2. Be excluded from school entry by a school administrator until the child meets the requirements in this Section.

E. If the Department receives written notification from the CDC that there is a shortage of a vaccine for a disease listed in subsection (A)(1), or that the CDC is limiting the amount of a vaccine for a disease listed in subsection (A)(1), the Department shall:

1. Provide written notification to each school and child care in this state of the shortage or limitation of the vaccine;

2. Suspend compliance with subsections (A), (B), (C), and (D); and
3. Upon receiving written notification from the CDC that the vaccine is available, notify each school and child care in this state:
 - a. That the vaccine is available, and
 - b. Of the time by which an individual is required to comply with subsections (A), (B), (C), and (D).

F. The Department shall notify each school and child care in this state that the Department no longer requires compliance with subsections (A), (B), (C), and (D) for a disease listed in subsection (A)(1) if:

1. The disease is declared eradicated by:
 - a. The World Health Organization, and
 - b. The Advisory Committee on Immunization Practices; and
2. The Department no longer recommends immunization against the disease.

R9-6-706. Exemptions from Immunizations

A. A child who has reached a fifth birthday is exempt from the Hib immunization requirement.

B. A child who is 7 through 10 years of age is exempt from the pertussis immunization requirement.

C. A child:

1. Until September 1, 2011, is exempt from the VAR immunization requirement if the child's responsible person states, verbally or in writing, that the child has had varicella; and
2. After September 1, 2011, is not exempt from the VAR immunization requirement unless the child provides laboratory evidence of immunity to varicella.

D. A child who submits laboratory evidence of immunity to a disease to a school or child care is not required to be immunized against that disease as a condition for school or child care entry.

E. For a child attending a school, a parent or guardian shall submit to the school a written statement of exemption from immunization for personal beliefs as required in A.R.S. § 15-873(A)(1) or written certification of medical exemption as required in A.R.S. § 15-873(A)(2) on a form provided by the Department that contains:

1. The child's name;
2. The child's date of birth;
3. The type of exemption requested;
4. The immunizations from which the parent or guardian is requesting an exemption;
5. Whether the medical exemption is permanent or temporary, if applicable;

6. The date the medical exemption terminates, if applicable;
7. The parent or guardian's signature and the date signed; and
8. The physician's or registered nurse practitioner's signature and the date signed, if applicable.

F. For a child attending a child care, a responsible person shall submit to the child care a written statement of exemption from immunization on a form provided by the Department that includes:

1. The child's name,
2. The child's date of birth,
3. The type of exemption,
4. The immunizations from which the responsible person is requesting an exemption,
5. If a medical exemption, whether the medical exemption is permanent or temporary,
6. If temporary, the date the medical exemption terminates, if applicable,
7. The responsible person's signature and the date signed, and
8. The physician's or registered nurse practitioner's signature and the date signed, if applicable.

G. A child care administrator or school administrator shall:

1. Record an exemption on a child's immunization record,
2. Allow a child with a temporary medical exemption to attend a child care or school until the date the temporary exemption terminates, and
3. Notify a child's responsible person in writing of the date the child is required to complete all immunizations before the temporary medical exemption terminates.