

# What schools and parents need to know about the new vaccination law

*How many kindergarteners opted-out of vaccinations at your school? Click for the database.*

**Learn more about SB277**

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Now that Gov. Jerry Brown has [signed into law](#) a bill that says parents can no longer refuse to vaccinate their children in public or private schools based on their personal opposition, schools and parents are parsing the fine print to put the new law into practice.

The law, [Senate Bill 277](#), will roll out in phases, giving school staff time to sort out vaccination compliance issues and parents who oppose full immunization time to sort through their options.

Most school districts in California will be affected, with 47 out of 58 California counties in 2014-15 reporting they had kindergartners with personal belief exemptions to school-required vaccinations. (To find out how many kindergartners opted out of vaccinations at your school, [click here](#).)

Still, the numbers are small. Statewide, more than 13,500 kindergartners held personal belief exemptions in 2014-15, a sliver of the state’s kindergarten enrollment of 500,000. And the numbers ranged widely across the state, from two kindergartners in Colusa County to 2,100 kindergartners in Los Angeles County.

The California Department of Public Health, in conjunction with the California Department of Education, will be issuing regulations and guidance to schools. At this point, here are answers to frequently asked questions, as explained in the text of the legislation and in analysis by the lawmakers.

### What does the law say?

Private or public child care centers, preschools, elementary schools and secondary schools cannot admit children unless they are immunized against 10 diseases: diphtheria, Haemophilus influenzae type b (bacterial meningitis), measles, mumps, pertussis (whooping cough), polio, rubella, tetanus, hepatitis B and chicken pox.

If the California Department of Public Health decides to add other vaccination requirements, parents will be allowed to obtain personal belief exemptions for those new vaccinations, the law says.

### What did the law change?

The law eliminated the personal belief exemption for required vaccinations. This exemption allowed parents to opt out of vaccinating their children by completing a form, signed by a health care practitioner, attesting that vaccinations were counter to their personal beliefs.

The law also overrides an allowance for a religious exemption to vaccinations that Brown had inserted three years ago in previous legislation. The religious exemption was not part of state statute.

### Are there exemptions to the new law?

Yes, there are three: medical, special education, and homeschooling or independent study without classroom instruction.

Medical: Young children and students may obtain a written medical exemption to vaccinations from a licensed physician medical doctor (M.D.) or doctor of osteopathic medicine (D.O.) There is no standard medical exemption form but the statement must say:

- That the physical condition or medical circumstances of the child, which may include family medical history, are such that the required immunization(s) is not indicated
- Which vaccines are being exempted
- Whether the medical exemption is permanent or temporary
- The expiration date, if the exemption is temporary.

Special Education: A child who has an [individualized education program](#), as required under the Individuals with Disabilities Education Act, will be allowed to obtain special education services regardless of whether the child is vaccinated or not.

Homeschooling or independent study: In 2015, students who enroll in a home-based private school or an independent study program — with or without classroom-based instruction — are required to have evidence of immunization or a personal belief exemption.

In 2016 and future years, students who attend a home-based private school or an independent study program without classroom-based instruction are not subject to immunization requirements for entry. Home schools and independent study programs are obligated to maintain records of students' immunization status.

Independent study with classroom instruction: In 2016, students in independent study programs that include classroom-based instruction will need to meet immunization requirements.

### **When does the law go into effect?**

July 1, 2016, for school enrollment immunization requirements. Jan. 1, 2016 marks the end of personal belief exemptions.

### **Will kindergartners be allowed to enroll “conditionally” if they have not yet completed the required vaccinations?**

Yes. School districts already have their own systems for tracking and following up with kindergartners who are not fully immunized. Whatever systems districts are currently using will remain in place.

If students are entering the public school system as transitional kindergartners, these rules apply to them as well.

Kindergartners may be conditionally admitted with at least one dose of the following vaccines: polio; diphtheria, tetanus and pertussis; measles; hepatitis B; and varicella (chicken pox.)

There is no conditional enrollment involving the mumps and rubella vaccinations.

Kindergartners must have a mumps and a rubella vaccination before enrolling.

### **What about children who currently have personal belief exemptions on file?**

Children who hold personal belief exemptions to vaccinations before Jan. 1, 2016 are not subject to the new law until they reach their next vaccination checkpoint.

The law defines these checkpoints as “grade spans,” as follows:

- Birth to preschool,
- Kindergarten and grades 1 to 6, inclusive, including transitional kindergarten,
- Grades 7 to 12, inclusive.

If a child has been exposed to one of the 10 diseases named in the immunization requirements and does not have proof of immunization, the child temporarily may be kept out of school.

If parents wish to obtain a personal belief exemption before Jan. 1, 2016, they should go to their child’s school, pick up a personal belief exemption form, meet with a health care practitioner and obtain the practitioner’s signature, and return the form to the school before the deadline. A health care practitioner is defined for these purposes as a school nurse, doctor, nurse practitioner, naturopath, osteopath or physician’s assistant.