TRIO Wolf Creek Distance Learning Charter School #4095

530 IMMUNIZATION REQUIREMENTS

I. PURPOSE

The purpose of this policy is to require that all students receive the proper immunizations as mandated by law to ensure the health and safety of all students.

II. GENERAL STATEMENT OF POLICY

All students are required to provide proof of immunization, or appropriate documentation exempting the student from such immunization, and such other data necessary to ensure that the student is free from any communicable diseases, as a condition of enrollment.

III. STUDENT IMMUNIZATION REQUIREMENTS

A. No student may be enrolled or remain enrolled, on a full-time, part-time, or shared-time basis, in any elementary or secondary school within the charter school until the student or the student's parent or guardian has submitted to the designated charter school administrator the required proof of immunization. Prior to the student's first date of attendance, the student or the student's parent or guardian shall provide to the designated charter school administrator one of the following statements:

1. a statement, from a physician, advanced practice registered nurse, physician assistant, or a public clinic which provides immunizations (hereinafter "medical statement"), affirming that the student received the immunizations required by law, consistent with medically acceptable standards; or

2. a medical statement affirming that the student received the primary schedule of immunizations required by law and has commenced a schedule of the remaining required immunizations, indicating the month and year each immunization was administered, consistent with medically acceptable standards.

B. The statement of a parent or guardian of a student or an emancipated student may be substituted for the medical. If such a statement is substituted, this statement must indicate the month and year each immunization was administered. Upon request, the designated charter school administrator will provide information to the parent or guardian of a student or an emancipated student of the dosages required for each vaccine according to the age of the student.

C. The parent or guardian of persons receiving instruction in a home school shall submit one of the statements set forth in section III(A) or III(B) above or statement of immunization set forth in section IV to the director of the charter school by October 1 of each school year if any changes have been made to immunization updates or requirements by the department of health in the grades served by the charter school.

D. When there is evidence of the presence of a communicable disease, or when required by any state or federal agency and/or state or federal law, students and/or their parents or guardians may be required to submit such other health care data as is necessary to ensure that the student has received any necessary immunizations and/or is free of any communicable diseases. No student may be enrolled or remain enrolled in any elementary or secondary school within the charter school until the student or the student's parent or guardian has submitted the required data.

E. The charter school may allow a student transferring into a school a maximum of 30 days to submit a statement specified in section III(A) or III(B) above or section IV below. Students who do not provide the appropriate proof of immunization or the required documentation related to an applicable exemption of the student from the required immunization within the specified time frames shall be excluded from school until such time as the appropriate proof of immunizations or exemption documentation has been provided.

IV. EXEMPTIONS FROM IMMUNIZATION REQUIREMENTS

Students will be exempt from the foregoing immunization requirements under the following circumstances:

A. The parent or guardian of a minor student or an emancipated student submits a signed medical statement affirming that the immunization of the student is contraindicated for medical reasons or that laboratory confirmation of the presence of adequate immunity exists; or

B. The parent or guardian of a minor student or an emancipated student submits his or her notarized statement stating the student has not been immunized because of the conscientiously held beliefs of the parent, guardian or student.

V. NOTICE OF IMMUNIZATION REQUIREMENTS

The charter school will develop and implement a procedure to:

A. notify parents and students of the immunization requirements and the consequences for failure to provide the required documentation;

B. review student health records to determine whether the required information has been provided; and

C. make reasonable arrangements to send a student home when the immunization requirements have not been met and advise the student and/or the student's parent or guardian of the conditions for re-enrollment.

VI. IMMUNIZATION RECORDS

A. The charter school will maintain a file containing the immunization records for each student in attendance at the charter school for at least five years after the student attains the age of majority.

B. Upon request, the charter school may exchange immunization data with persons or agencies providing services on behalf of the student without the consent of the student's parent or guardian. Under all other circumstances, immunization data is private student data and disclosure of such data shall be governed by Policy 515 Protection and Privacy of Pupil Records.

C. The designated charter school administrator will assist a student and/or the student's parent or guardian in the transfer of the student's immunization file to the student's new school within 30 days of the student's transfer.

D. Upon request of a public or private post-secondary educational institution, the designated charter school administrator will assist in the transfer of the student's immunization file to the post-secondary educational institution.

VII. OTHER

At least annually, the charter school will forward a report to the Minnesota Department of Education stating the number of students attending each school in the charter school, the number of students who have not been immunized, and the number of students who received an exemption. The charter school also will forward a copy of all exemption statements received by the charter school to the Commissioner of the Department of Health.

From time to time due to the online nature of the charter school, students may not need to physically enter the building for educational purposes even though they are fully enrolled students at the charter school. In this case, as in all cases, the charter school will attempt to receive records indicted above (exemption or immunization records) or the charter school will pursue educational information distribution for the families of these students. When this occurs, students will not be denied the right to online coursework even if immunizations are not up to date as it is not endangering any other students in the charter

school. If records are not up to date, at no time for any reason will students be allowed in the charter school building or on school sponsored activities such as school field trips, or graduation ceremonies etc.

Legal References: Minn. Stat. § 13.32 (Educational Data)
Minn. Stat. § 121A.15 (Health Standards; Immunizations; School Children)
Minn. Stat. § 144.29 (Health Records; Children of School Age)
Minn. Stat. § 144.3351 (Immunization Data)
Minn. Stat. § 144.441 (Tuberculosis Screening in Schools)
Minn. Stat. § 144.442 (Testing in Schools)
Minn. Stat. § 121A.17 (School Board Responsibilities)
Minn. Stat. § 135A.14 (Statement of Immunization of Post-Secondary Students)
Minn. Rules Parts 4604.0100-4604.1020 (Immunization)
McCarthy v. Ozark Sch. Dist., 359 F. 3d 1029 (8th Cir. 2004)
Op. Att'y Gen. 169-W (Jan.17, 1968)
Op. Att'y Gen. 169-W (July 23, 1980)

Cross References: Policy 515 (Protection and Privacy of Pupil Records)