

Immunization Requirements

Each student shall be fully immunized against diphtheria, rubeola (measles), rubella, mumps, tetanus, and poliomyelitis. The Texas Department of State Health Services (TDSHS) may modify or delete any of these immunizations or may require immunizations against additional diseases as a requirement for admission to any elementary or secondary school.

TDSHS requires students in kindergarten through twelfth grade to have the following additional vaccines, according to the immunization schedules set forth in department regulations: pertussis, hepatitis B, hepatitis A (for students attending schools in high incidence geographic areas as designated by the department), and varicella (chickenpox).

TDSHS requires students in seventh through twelfth grade to have the meningococcal vaccine, according to the immunization schedules set forth in department regulations.

Under Health and Safety Code Chapter 81, Subchapter E, additional vaccinations may be required by TDSHS and/or the local health authority in specific situations under the mechanism of a control order containing control measures.

Immunization Awareness Program

Heritage Academy shall post prominently on its Web site:

1. A list, in English and Spanish, of:
 - a. The immunizations required by TDSHS for admission to public school;
 - b. Any immunizations or vaccines recommended for public school students by TDSHS. The list must include the influenza vaccine, unless TDSHS requires the influenza vaccine for admission to public school; and
 - c. Health clinics in Heritage Academy' geographic boundaries that offer the influenza vaccine, to the extent those clinics are known to Heritage Academy; and
2. A link to the TDSHS Internet Web site where a person may obtain information relating to the procedures for claiming an exemption from the immunization requirements. The link must be presented in the same manner as the information provided under paragraph 1.

Applicability

The vaccine requirements apply to all students entering, attending, enrolling in, and/or transferring to Heritage Academy.

Exceptions

Immunization is not required for admission to Heritage Academy:

If the student submits to the admitting official:

Medical Reasons

An affidavit or a certificate signed by the student's physician (M.D. or D.O.) who is duly registered and licensed to practice medicine in the United States and who has examined the student.

The affidavit or certificate must state that, in the physician's opinion, the immunization required is medically contraindicated or poses a significant risk to the health and well-being of the student or any member of the student's household. Unless it is written in the statement that a lifelong condition exists, the exemption statement is valid for only one year from the date signed by the physician.

or

Reasons of Conscience

An affidavit signed by the student or, if a minor, the student's parent or guardian stating that the student declines immunization for reasons of conscience, including a religious belief. The affidavit will be valid for a two-year period.

The affidavit must be on a form obtained from the TDSHS and must be submitted to the admitting official not later than the 90th day after the date the affidavit is notarized.

A student who has not received the required immunizations for reasons of conscience may be excluded from school in times of emergency or epidemic declared by the commissioner of state health services.

or

Military Duty

If the student can prove that he or she is a member of the armed forces of the United States and is on active duty.

Provisional Enrollment

A student may be provisionally admitted or enrolled if the student has begun the required immunizations. The student must have an immunization record that indicates

the student has received at least one dose of each age-appropriate vaccine specified in the regulations.

Completion of Immunizations

To remain enrolled, the student must continue to receive the necessary immunizations as rapidly as medically feasible. The student must complete the required subsequent doses in each vaccination series on schedule and provide acceptable evidence of vaccination to the School.

Review of Status

Heritage Academy shall review the immunization status of a provisionally enrolled student every 30 days to ensure continued compliance in completing the required doses of vaccination. If, at the end of the 30-day period, a student has not received a subsequent dose of vaccine, the student is not in compliance and Heritage Academy will exclude the student from school attendance until the required dose is administered.

Homeless Students

A student who is homeless, as defined in the McKinney-Vento Homeless Education Act, shall be admitted temporarily for 30 days if acceptable evidence of vaccination is not available. Heritage Academy shall promptly refer the student to appropriate public health programs to obtain the required vaccinations.

Transfer Students

A student can be enrolled provisionally for no more than 30 days if he or she transfers from one Texas school to another, and is awaiting the transfer of the immunization record.

Military Dependents

A military dependent can be enrolled provisionally for no more than 30 days if the student transfers from one school to another and is awaiting the transfer of the immunization record.

The collection and exchange of information pertaining to immunizations shall be subject to confidentiality provisions prescribed by federal law.

Evidence of Immunization

A student shall show acceptable evidence of vaccination before entry, attendance, or transfer to Heritage Academy.

Vaccines administered after September 1, 1991, shall include the month, day, and year each vaccine was administered. The following documentation is acceptable:

1. Documentation of vaccines administered that includes the signature or stamp of the physician or his or her designee, or public health personnel;
2. An official immunization record generated from a state or local health authority, such as a registry; or
3. A record received from school officials including a record from another state.

Serologic confirmations of immunity to measles, rubella, mumps, hepatitis A, hepatitis B, or varicella are acceptable. Evidence of measles, rubella, mumps, hepatitis A, hepatitis B, or varicella illnesses must consist of a valid laboratory report that indicates either confirmation of immunity or infection.

A written statement from a parent, legal guardian, managing conservator, school nurse, or physician attesting to a child's positive history of varicella disease (chickenpox) or varicella immunity is acceptable in lieu of a vaccine record for that disease.

Immunization Records

Heritage Academy shall keep an individual immunization record during the period of attendance for each student admitted. The records shall be sufficient for a valid audit to be completed. The records shall be open for inspection at all reasonable times by TEA, local health departments, or the TDSHS.

Transfer of Records

Heritage Academy shall cooperate in transferring students' immunization records to other schools. Specific approval from students, parents, or guardians is not required before transferring those records.

Annual Report

Heritage Academy shall submit annual reports of the immunization status of students, in a format prescribed by and at the time and in the manner indicated by TDSHS, to monitor compliance with immunization requirements.

Consent to Immunization

In addition to persons authorized to consent to immunization under Family Code Chapters 151 (parents) and 153 (conservators), the following persons may consent to the immunization of a child:

1. A guardian of the child; and

2. A person authorized under the law of another state or a court order to consent for the child.

Heritage Academy may give consent to the immunization if:

1. The persons listed above are not available; and
2. Heritage Academy has written authorization to consent from a person listed above.

Heritage Academy may not consent for the child if it has actual knowledge that a person listed above has:

1. Expressly refused to give consent to the immunization;
2. Been told not to consent for the child; or
3. Withdrawn a prior written authorization for Heritage Academy to consent.

Duty to Provide Information

If Heritage Academy consents to immunization of a child, it shall provide the health-care provider with sufficient and accurate health history and other information necessary for the health-care provider to determine adequately the risks and benefits inherent in the proposed immunization and to determine whether immunization is advisable.

Form of Consent

Consent to immunization must be in writing, signed by the person giving consent, and given to the doctor, hospital, or other medical facility that administers the treatment.

The consent must include:

1. The name of the child;
2. The name of one or both parents, if known, and the name of any managing conservator or guardian of the child; the name of the person giving consent and the person's relationship to the child;
3. A statement of the nature of the medical treatment to be given; and
4. The date the treatment is to begin.

Heritage Academy has the responsibility to ensure that the consent, if given, is an informed consent. Heritage Academy is not required to be present when the immunization is requested if a consent form has been given to the health-care provider.

Liability

Heritage Academy is not liable for damages arising from an immunization administered to a child authorized under Family Code Subchapter B except for injuries resulting from Heritage Academy's own acts of negligence.