

Guidance to Schools on Immunization Compliance

As the 2023-24 academic year commences, kindly be reminded that all students must be in compliance with immunization requirements. This document provides guidance on the process and stages of categorizing students as 'provisional' and 'excludable,' a timeline for distributing warning and exclusion notices, and information on the medical exemption process.

- All immunization requirements documents and their translations can be found on the DOE website by searching 'Immunizations'.
- You can also go directly to <https://www.schools.nyc.gov/school-life/health-and-wellness/immunizations> or the DOE Info hub 'Health Forms and Notices' page: <https://infohub.nyced.org/in-our-schools/translations/letters/health-forms-and-notice>
- Please review the SH65 Medical Immunization Requirements: <https://cdn-blob-prd.azureedge.net/prd-pws/docs/default-source/default-document-library/sh65-medical-immunization-requirements.pdf>
- You can provide parents/guardians with this letter and immunization chart for more information: <https://infohub.nyced.org/docs/default-source/default-document-library/health-forms/immunization-requirements-letter-and-chart-for-school-year-23-24-final.pdf>

Please note the following changes to immunization requirements for the 2023 – 24 school year:

- **Meningococcal conjugate (MenACWY) vaccine:**
 - Grades 7- 10: doses given at age 10 years or older satisfy the requirements.
 - Grades 11 and 12: doses given earlier than age 10 years will continue to satisfy the vaccination requirement for the first dose.
 - Students entering grade 12 need to receive two doses of MenACWY vaccine, or only one dose of MenACWY vaccine if the first dose was administered at age 16 years or older.
- **Tetanus-diphtheria-acellular pertussis (Tdap) booster:**
 - Grades 6 - 9: doses given at age 10 years or older will satisfy the requirement.
 - Grades 10 - 12: doses given at age 7 years or older will continue to satisfy the vaccination requirement.

- All children ages 6 months through 59 months enrolled in New York City Article 47 and 43 regulated pre-kindergarten programs (Childcare, Head Start, Nursery or Pre-K) must receive one dose of influenza vaccine between July 1 and December 31 of each year. Depending on their prior influenza vaccination history, some children may need two doses of influenza vaccine. However, a second dose is not required to attend Pre-K.
- In general, proof of vaccination must be provided no later than 14 days after the student starts school. For students who transfer from out of state or out of the country, the 14-day grace period may be extended to 30 days. In addition, this time period is being temporarily extended for students who transfer from another state or country **and** are living in temporary housing **and** have an appointment scheduled for immunization, as further described below. Students who are not in compliance must be excluded.
- For students who transfer from another state or country and are living in temporary housing:
 - Students must, within the 30-day grace period, show that an appointment for immunization has been scheduled.
 - If a student has not shown that an immunization appointment has been scheduled, schools should issue a warning letter, followed by an exclusion letter, as described in “Immunization Warnings” below.
 - A student who has shown that an immunization appointment has been scheduled, but who has not received immunization within 75 days after school entrance should be issued a warning letter. If the student has not received immunizations within 90 days after school entrance, schools must issue an exclusion letter.
 - Schools must exclude students who remain out of compliance with vaccination requirements. Students may return to school upon showing evidence of compliance.

McKinney-Vento Act

- The McKinney-Vento Act requires students in temporary housing (STH) to be immediately enrolled in school even if they are unable to produce immunization records. In addition, the school must assist the parents of such students to obtain any necessary immunizations. Schools’ STH liaisons should assist with referring STH families to immunization clinics and with scheduling appointments for students.

Provisional Requirements

- Students who are not up to date on immunization requirements must receive the first dose in each immunization series by September 7, 2023, or the day of school entry, to provisionally remain in school or childcare.
- Additionally, parents or guardians of such children will need to show that they have scheduled appointments for all follow-up doses as soon as possible. Students are considered provisional (or ‘in process’) if they have fewer than the required number of doses but it is too soon to get the next required dose in the catch-up series (i.e., they are within the minimum interval allowed for the next dose). Students who are provisional are “in compliance.”

- If a student does not receive subsequent doses of vaccine according to the Advisory Committee on Immunization Practice (ACIP) catch-up schedule at the appropriate intervals, the student is no longer in process and must be excluded from school. Students must complete the entire series to comply with the law:
www.cdc.gov/vaccines/schedules/hcp/imz/catchup.html#table-catchup
- Students who are past due for a required immunization should be issued a warning letter, followed by a notice of exclusion letter if they do not show proof of immunization, and excluded from school until they comply with the requirements.

Immunization Warnings

- Students not in compliance with immunization requirements may be labeled “Excludable” in ATS. For ATS questions please contact Jayson Wright at jwright39@schools.nyc.gov or see the [ATS Wiki](#).
- Parents of students who have not met immunization requirements should receive a DOHMH “Warning” Letter. After 14 days, students who remain out of compliance should receive an “Exclusion” letter.
 - Warning letter: https://infohub.nyced.org/docs/default-source/default-document-library/health-forms/sh89-warning-letter_final_sy24.pdf
 - Exclusion letter: https://infohub.nyced.org/docs/default-source/default-document-library/health-forms/sh88-parents-exclusion-letter_final_sy24.pdf

Immunization Exclusions

- “Excludable” means the student should not be allowed to attend until the vaccination requirements are satisfied.
- Principals who allow excludable students to attend are out of compliance with New York State Public Health Law Section 2164 and are subject to fines. These fines are levied against the principal, not the school.
- Children who are sent to school while excludable are not to receive instruction and are to be marked absent. Schools are to use reason code 17 (absent) and must also enter in **ILOG** a record that the student was in the building. If an excludable child appears at school, the school should immediately contact the parent(s)/guardian(s) of such child to notify them that the child will not be permitted to attend classroom instruction and to request that the parent(s)/guardian(s) pick up the child immediately. If the school cannot reach the parent(s)/guardian(s), the school should reach out to the contacts on the child’s blue card. The **ILOG** record must state the result of the outreach to the parent(s)/guardian(s) and any other emergency contacts.
- If parents or guardians send their excludable child to school notwithstanding receiving a notice of exclusion, schools should send a letter to parents or guardians explaining that the child is being marked absent and providing information about home schooling. If parents or guardians continue to send excludable children to school after receipt of such letter, schools should consult with their Senior Field Counsel.
- Letter to parents for non-immunized students marked absent:
<https://infohub.nyced.org/docs/default-source/default-document-library/letter-to-parent---non-immunized-student-marked-absent.docx>
- The school should also log the event in OORS (Online Occurrence Reporting System), especially if it is determined that it is necessary to call NYPD or the State Central Register.
- While a **407** will open for such students after ten (10) consecutive days of absence, the school can also generate a **407** at any time using **I407** to escalate an investigation.

Medical Exemptions from Immunization

- Medical exemptions are based on a documented medical reason.
- The Medical Request for Immunization Exemption form must be completed by the student’s physician (must be a NYS-licensed physician). The parent/guardian signs and brings the completed form to the school. Please note that a form completed by a nurse practitioner (NP) or physician assistant (PA) will not be accepted.
 - <https://www.schools.nyc.gov/docs/default-source/default-document-library/medical-request-for-immunization-exemption-english>

- Principal/designee ensures the form is completed accurately (student's name, DOB, OSIS# and school are clearly identified at the bottom of the form) and forwards it along with a printout from ATS with identifying information about the student ([SBIO](#)) with the student's name and date of birth, OSIS number, school ATS DBN, grade and a printout of the ATS Immunization page ([HEIU](#)) to their [B/CO Health Director](#) who then forwards to the OSH-designated Medical Doctor for review via the designated email.
- The student can remain in school during the review process.
- If the Medical Exemption is granted, a notation will be made in ATS. The student can attend school. Exemptions will expire in one year unless otherwise indicated.
- If the Medical Exemption is denied, the student becomes "excludable" and should not be allowed to attend school.
- If denied, parents or guardians may resubmit additional information or submit documentation of vaccination within 14 days of the exclusion letter for further review by the OSH-designated Medical Doctor. The Medical Doctor may consult with other OSH-colleagues for a second opinion.
- If the request is denied a **second time**, then the parent can appeal or submit documentation of vaccination within 14 days of the denial letter to the Medical Director who will consult with the Bureau of Immunization.
- All decisions will be final.

If the final decision by OSH Medical Director and BOI is a denial, the parent/guardian may appeal the denial to the NYS Commissioner of Education within thirty (30) days of the decision, pursuant to Education Law, Section 310. During this appeal process, the student is excluded from school.

Serological Evidence of Immunity

- Serological evidence of immunity is based on proof of a positive titer that is determined through lab work.
- Proof of immunity is only valid for measles, mumps, rubella, varicella, hepatitis B, and polio (all three serotypes must be positive and must be performed prior to 09/01/2019)
- Diagnosis by a physician, physician assistant, or nurse practitioner that a child has had varicella disease is also acceptable proof of immunity to varicella.
- The Request for Review of Serology or Documentation of Varicella Disease to Satisfy Immunization Requirements Form must be completed by the student's healthcare provider and the parent/guardian signs and brings the completed form to the school. Please note that a form completed by a nurse practitioner (NP) or physician assistant (PA) will not be accepted.
 - <https://pwsauth.nycenet.edu/docs/default-source/default-document-library/request-for-review-of-serology-history-of->

[varicelladisea-english](#)

- Principal/designee ensures the form is completed accurately (student's name, DOB, OSIS# and school are clearly identified at the bottom of the form) and forwards it along with a printout from ATS with identifying information about the student ([SBIO](#)) with the student's name and date of birth, OSIS number, school ATS DBN, grade and a printout of the ATS Immunization page ([HEIU](#)) to their [B/CO Health Director](#) who then forwards to the OSH-designated Medical Doctor for review via the designated email.
- The student can remain in school during the review process.
- If evidence of immunity is determined, a notation will be made in ATS. The student can attend school. A positive titer result remains acceptable proof of immunity for the entire time the student is attending school.
- Equivocal and negative titers are not considered proof of immunity. The student becomes "excludable" and should not be allowed to attend school. A warning Letter must be issued with 14 days allowance which gives the student the opportunity to submit documentation of vaccination before they are excluded.
- Notes indicating immunity without laboratory test results are not accepted as proof of immunity.

The Process for Printing Warning Letters and Exclusion Letters at your school

ATS was updated to accommodate the printing of warning letters (SH89) and exclusion (SH88) letters directly from the RHWL screen to your school printer. This update was designed to assist school personnel with immunization compliance by making the process less time consuming and more efficient. School personnel responsible for immunization compliance are encouraged to access this ATS function daily to identify non-compliant students and take the appropriate action.

Features of the update will allow these letters to be sent directly to your school printer in each family's preferred language, add ILOG notes, updates the student health record and cater to the input of a medical appointment date for students in temporary housing (STH) with extended grace period of 90 days. The Days since the warning letter (DWS) feature tracks the number of days remaining before the exclusion letter can be printed and backpacked home. The selection of the F1 key from RHWL screen will also provide guidance on the process of printing the warning and exclusion letters at your school.

The ATS RHWL screen identifies students who are eligible to receive the warning and exclusion letters by the indication of an "X" in either the 88 or 89 column. Students who are not compliant with immunization requirements will only be placed in one of the two columns each time. Therefore, schools **cannot** print both warning and exclusion letters at the same time for non-compliant students.

As a rule, non-compliant students can only be excluded after a warning letter was issued and the applicable grace period (14 days, 30 days, or 90 days) has expired and the students did not receive the required vaccine(s) to remaining school. Appointment dates for STH can be manually entered for each student by selecting the F5 key and the system will automatically recalculate the grace period in real

time. The system also allows a second warning letter to be printed on the 75th day for STH students only who qualify for the 90-day grace period.

The exclusion date on the HEIU/HEID screens is the same as the “dose due date” on the RHWL screen which indicate the past due for the student to receive the vaccine(s).

The RHWL allows school personnel to remove students who are not present at school the day the letter should be printed by removing the “X” next to the student’s name from the 89 or 88 column before sending the letters to the printer. It also has the option for school personnel to manually print either of the letters and create respective ILOG notes.

As a reminder, if an exclusion letter was not printed for a student that is past due their exclusion date, the student’s information will turn red on the RHWL screen.

Another feature of the RWHL is that it also identifies Long Term Absence Students (LTA) in the column labeled “LTA” so that the appropriate follow-up and support can be done in conjunction with the STH Coordinator.