STUDENT IMMUNIZATION AND LIFE THREATENING HEALTH CONDITIONS

Immunizations
In order to safeguard the school community from the spread of certain communicable diseases and in recognition that prevention is a means of combating the spread of disease, the board of directors requires a student to present proof of his/her having been immunized according to the rules of the Washington State Board of Health. Students who fail to provide proof of either:

(a) full immunization;
(b) the initiation and compliance with a schedule of immunization, as required by the rules of the State Board of Health; or
(c) a certificate of exemption as provided for in RCW 28A.210.090

Shall be excluded from school pursuant to the due process requirements identified below.

Meningococcal Immunizations Information Distribution

Beginning with sixth grade entry and at the beginning of the school year, the District shall provide parents and guardians of students with information about meningococcal disease and its vaccine at the beginning of every school year. The information shall address the causes and symptoms of the disease; how meningococcal disease is spread; where to obtain additional information and vaccinations for children; and current recommendations from the United States Centers for Disease Control and Prevention regarding receiving the vaccine.

Human Papillomavirus Disease Information

Beginning with sixth grade entry and at the beginning of the school year, the District shall provide parents and guardians with information, provided by the state Department of Health, about human papillomavirus disease and its vaccine.

The information shall include the causes and symptoms of human papillomavirus, how the disease is spread, the places where parents and guardians may obtain additional information and vaccinations for their children, and current recommendations from the United States Centers for Disease Control and Prevention regarding the vaccine.

Life-Threatening Health Conditions

On or before a child’s first day of attendance at school, each child with a life threatening health condition shall present to the school medication and/or treatment order(s), and the medication(s), and/or equipment to carry out the order unless the District is required to provide the medication or equipment as a related service under federal law. A life threatening health condition means a
condition that will put the child in danger of death during the school day if a medication or treatment order providing authority to a registered nurse and nursing plan are not in place.

Following submission of the medication and/or treatment order(s), a health plan and/or an emergency care plan shall be developed following any applicable procedures under Section 504 of the Rehabilitation Act or the Individuals with Disabilities in Education Act.

Students who have a life-threatening health condition and no medication or treatment order presented to the school shall be excluded from school, to the extent that the District can do so consistent with federal requirements for students with disabilities under the Individuals with Disabilities Act and Section 504 of the Rehabilitation Act of 1973, and pursuant to the due process requirements identified below.

**Due Process Requirements**

The following due process requirements apply in the event a child is to be excluded from school pursuant to this Policy:

A. **Notice.** The District shall provide written notice of the exclusion to the parent, guardian, or person in loco parentis, delivered in person or by certified mail in their native language, if feasible. If written notice has not been provided, any exclusion of a student shall be stayed until notice is received by a parent, guardian, or other adult in loco parentis. Notice shall include:

   a. A copy of the applicable laws and regulations;

   b. Identification that the student shall be excluded from school effective immediately upon receipt of the notice, and until presentation of:

      i. For life threatening health conditions, (1) a medication or treatment order from a licensed health professional prescribing treatments and monitoring with regard your child's specific life-threatening condition; **and** (2) equipment, medication, and/or supplies necessary to carry out the treatment order; or until a hearing officer determines that the student should no longer be excluded from school

      ii. For lack of proof of immunization: (1) A Certificate of Immunization Status that the child has received the required doses of vaccine as required by the State Board of Health; (2) A Certificate of Immunization Status that identifies a schedule of immunization has been initiated for the child; **or** (3) A Certificate of Exemption that meets the requirements of RCW 28A.210.090; or until a hearing officer determines that the student should no longer be excluded from school
c. In the case of exclusion due to lack of proof of immunization, information regarding immunization services that are available from or through the local health department and other public agencies.

d. Description of the parent/student rights, which include the right to

i. Request a hearing in writing within three (3) school days of receipt of the notice

ii. Inspect in advance of the hearing any documentary and other physical evidence which the District intends to introduce at the hearing;

iii. Be represented by legal counsel;

iv. Question and confront witnesses, unless a school District witness does not appear and the nonappearance of the witness is excused by the person hearing the case, in accordance with WAC 392-400-270

v. Present his/her explanation; and

vi. Make relevant showings through the presentation of witnesses and documentary and/or other physical evidence.

e. Description of the hearing process, as defined in Section B below.

B. Hearing Procedures.

If a parent requests a hearing within three (3) days of receiving notice of his/her child’s exclusion, the District shall schedule a hearing within three (3) school days of receiving the request, unless the parent requests the hearing be continued to a later date. The following hearing procedures apply:

a. The Superintendent or his/her designee will appoint a hearing officer. The person(s) hearing the case shall not be a witness and the final decision regarding the exclusion shall be determined solely on the basis of the evidence presented at the hearing.

b. Either a tape-recorded or verbatim record of the hearing shall be made.

c. A written decision setting forth the findings of fact, conclusions, and exclusion or lesser form of action to be imposed, if any, shall be provided to the student's legal counsel or, if none, to the student and his or her parent(s) or guardian(s).

C. Appeals.

A parent shall have the right to submit a written request to appeal a decision rendered by a hearing officer pursuant to the Section B - Hearing Procedures, within three (3) school business days after the date of receipt of the decision. The Disciplinary Appeal Council, as delegated by the School Board, shall hold an informal conference within ten (10) school business days after the date of receipt of an appeal notice, and agree to a procedure to
dispose of the appeal following the procedures in WAC 392-400-315 and 392-400-320 and District Policy 3241.

**District**

**Cross References:**
- Board Policy 2161 Special Education and Related Services for Eligible Students
- Board Policy 2162 Education of Students with Disabilities Under Section 504
- Board Policy 3241 Student Conduct/Discipline

**Legal References:**
- RCW 28A.210 Health - Screening and Requirements
- WAC 392-380 Public School Pupils - Immunization Requirement and Life-Threatening Health Condition
- WAC 392-400-270 Long-term Suspension - Prehearing and Hearing Process
- WAC 392-400-310 Appeals – Long-term suspension and expulsion
- WAC 392-400-315 Appeals – Hearing Before School Board or Disciplinary Appeal Council – Procedures
- WAC 392-400-320 School Board or Disciplinary Appeal Council Decisions
- WAC 392-182 Student - Health records
- WAC 246-105 Immunization of Child Care and School Children Against Certain Vaccine-Preventable Diseases

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