

Authority

The provisions of this § 23.82 amended under section 1303 of the Public School Code of 1949 (24 P.S. § 13-1303); section 16(a)(6) and (b) of the Disease Prevention and Control Law of 1955 (35 P.S. § 521.16(a)(6) and (b)); and sections 2102(g) and 2111 of The Administrative Code of 1929 (71 P.S. §§ 532(g) and 541).

Source

The provisions of this § 23.82 amended through September 17, 1982, effective August 1, 1983, 12 Pa.B. 3288; amended August 22, 1997, effective August 23, 1997, 27 Pa.B. 4317; amended May 28, 2010, effective August 1, 2011, 40 Pa.B. 2747; amended March 3, 2017, effective August 1, 2017, 47 Pa.B. 1300. Immediately preceding text appears at serial pages (386396) and (349627).

Cross References

This section cited in 22 Pa. Code § 405.49 (relating to immunizations); and 28 Pa. Code § 27.77 (relating to immunization requirements for children in child care group settings).

§ 23.83. Immunization requirements.

(a) *Duties of a school director, superintendent, principal or other person in charge of a public, private, parochial or nonpublic school.* Each school director, superintendent, principal, or other person in charge of a public, private, parochial or nonpublic school in this Commonwealth, including vocational schools, intermediate units, and special education and home education programs, cyber and charter schools, shall ascertain that a child has been immunized in accordance with the requirements in subsections (b), (c) and (e) prior to admission to school for the first time, under section 1303 of the Public School Code of 1949 (24 P.S. § 13-1303a), regarding immunization required; penalty.

(b) *Required for attendance.* All of the following immunizations are required as a condition of attendance at school in this Commonwealth:

(1) *Diphtheria, tetanus and pertussis.* Four or more properly-spaced doses administered in a combination form (diphtheria and tetanus toxoids and acellular pertussis (DTaP) or diphtheria and tetanus toxoids and pertussis (DTP)). If a child has a contraindication to pertussis vaccine, the child shall receive diphtheria—tetanus toxoid vaccine (DT) to complete the vaccination series. The fourth dose shall be administered on or after the 4th birthday.

(2) *Poliomyelitis.* Four properly-spaced doses of either oral polio vaccine or inactivated polio vaccine, which may be administered as a single antigen vaccine, or in a combination form. The fourth dose shall be administered on or after the 4th birthday and at least 6 months after the previous dose.

(3) *Measles (rubeola), mumps and rubella (German measles).* One of the following:

(i) *Multiple antigens.* Two properly-spaced doses of live attenuated measles, mumps, rubella combination vaccine, the first dose administered at 12 months of age or older.

(ii) *Single antigens.* In the event the antigens were given separately, and not in a combination vaccine, the dosage is as follows:

(A) Two properly-spaced doses of live attenuated measles vaccine, the first dose administered at 12 months of age or older.

(B) One dose of live attenuated rubella vaccine, administered at 12 months of age or older.

(C) Two properly-spaced doses of live attenuated mumps vaccine, administered at 12 months of age or older.

(iii) *Evidence of immunity.* Evidence of immunity may be shown by a history of measles and rubella immunity proved by laboratory testing by a laboratory with the appropriate certification and a written statement of a history of mumps disease from a physician, certified registered nurse practitioner or physician assistant.

(4) *Hepatitis B.* Three properly-spaced doses of hepatitis B vaccine, unless a child receives a vaccine as approved by the United States Food and Drug Administration for a two-dose regimen, or a history of hepatitis B immunity proved by laboratory testing. Hepatitis B vaccine may be administered as single antigen vaccine or in a combination form.

(5) *Varicella (chickenpox).* One of the following:

(i) *Varicella vaccine.* Two properly-spaced doses of varicella vaccine, the first dose administered at 12 months of age or older. Varicella vaccine may be administered as a single antigen vaccine or in a combination form.

(ii) *Evidence of immunity.* Evidence of immunity may be shown by one of the following:

(A) Laboratory evidence of immunity or laboratory confirmation of disease.

(B) A written statement of a history of chickenpox disease from a parent, guardian, physician, certified registered nurse practitioner or physician assistant.

(c) *Special requirements for tetanus and diphtheria toxoids and acellular pertussis vaccine and meningococcal conjugate vaccine (MCV).*

(1) *Required for entry into 7th grade.* In addition to the immunizations listed in subsection (b), the following immunizations are required at any public, private, parochial or nonpublic school in this Commonwealth, including vocational schools, intermediate units, special education and home education programs, and cyber and charter schools, as a condition of entry for students entering the 7th grade, or, in an ungraded class, for students in the school year that the student is 12 years of age:

(i) *Tetanus and diphtheria toxoids and acellular pertussis vaccine (Tdap).* One dose of Tdap in a combination form.

(ii) *Meningococcal conjugate vaccine (MCV).* One dose of MCV.

(iii) *Exclusion.* A child who does not have an exemption as permitted by § 23.84 (relating to exemption from immunization) and who does not receive the immunizations as required in subparagraphs (i) and (ii) may be excluded in that school year and each succeeding school year that the child fails to obtain the required immunization.

(2) *Required for entry into 12th grade.* In addition to the immunizations listed in subsection (b) and this subsection, one dose of MCV is required for entry into 12th grade at any public, private, parochial or nonpublic school in this Commonwealth, including vocational schools, intermediate units, special education and home education programs, and cyber and charter schools, or, in an ungraded class, for students in the school year that the student is 18 years

of age, if the child has not received a previous dose on or after the child's 16th birthday. A dose of MCV received at 16 years of age or older shall count as the 12th grade dose.

(d) *Child care group setting.* Attendance at a child care group setting located in a public, private or vocational school, or in an intermediate unit, is conditional upon the child's satisfaction of the immunization requirements in § 27.77 (relating to immunization requirements for children in child care group settings).

(e) *Prekindergarten programs, early intervention programs' early childhood special education classrooms and private academic preschools.* Attendance at a prekindergarten program operated by a school district, an early intervention program operated by a contractor or subcontractor including intermediate units, school districts and private vendors, or at private academic preschools is conditional upon the child's satisfaction of the immunization requirements in § 27.77.

(f) *Grace period.* A vaccine dose administered within the 4-day period prior to the minimum age for the vaccination or prior to the end of the minimum interval between doses shall be considered a valid dose of the vaccine for purposes of this chapter. A dose administered greater than 4 days prior to minimum age or interval for a dose is invalid for purposes of this regulation and shall be repeated.

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Cross References

This section cited in 22 Pa. Code § 405.49 (relating to immunizations); 28 Pa. Code § 23.82 (relating to definitions); 28 Pa. Code § 23.85 (relating to responsibilities of schools and school administrators); and 28 Pa. Code § 27.77 (relating to immunization requirements for children in child care group settings).

§ 23.84. Exemption from immunization.

(a) *Medical exemption.* Children need not be immunized if a physician or the physician's designee provides a written statement that immunization may be detrimental to the health of the child. When the physician determines that immunization is no longer detrimental to the health of the child, the child shall be immunized according to this subchapter.

(b) *Religious exemption.* Children need not be immunized if the parent, guardian or emancipated child objects in writing to the immunization on religious grounds or on the basis of a strong moral or ethical conviction similar to a religious belief.