

# **Brick Township Board of Education District Policy Manual**

**Students**

**Series 5000**

**Medical Examinations & Immunizations**

**Policy 5141.3 [M]**

Date Adopted:

Date Revised:

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Date Reviewed:

Pupils who enter the district schools for the first time shall have a medical examination conducted at the medical home of the student, and a full report sent to the school. If a student does not have a medical home, the district shall provide this examination at the school physician's office or other appropriately equipped facility. "Medical home" means a health care provider and that provider's practice site chosen by the student's parent/guardian for the provision of health care. As the school physician is also a health care provider, the parent/guardian may request that the school physician provide the medical examination.

Every pupil who enters the district schools for the first time shall present an immunization record as required by law. At the parent/guardian's request, these immunizations may be administered by the school physician.

In order to protect the health of the children and staff in district schools, all regulations of the state department of education, the state department of health and the local Board of health shall be scrupulously observed, particularly those dealing with contagious/infectious diseases or conditions. Pupils seeking to enter school who have been identified as having a communicable/infectious disease or condition shall not be enrolled unless they qualify under the above agencies' rules pertaining to periods of incubation, communicability, quarantine and reporting.

### Religious Exemptions

In accordance with NJSA 26:1A-1, if the parent/guardian of the pupil objects in a written statement signed by the parent/guardian on the grounds that the proposed immunization interferes with the free exercise of the pupil's religious rights, an exemption to the requirements as set forth in this policy shall be granted by the administration.

If a parent/guardian submits such a written request for an exemption to an immunization on the grounds of religious convictions, district employees receiving the request should not question whether the professed religious statement or stated belief is reasonable, acceptable, sincere and/or bona fide. If the written statement contains the word "religion" or "religious" or some reference thereto, then the statement and the request should be accepted and the religious exemption of mandatory immunization(s) granted.

A copy of the written statement, signed by the parent or guardian shall become a part of the health records of the pupil.

### Medical Exemptions

In accordance with NJAC 8:57-4.3, parents/guardians seeking an exemption to a mandatory immunization on the grounds that the immunization is medically contraindicated, shall submit a written statement to the school district from a physician licensed to practice medicine or

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osteopathy or an advanced practice nurse (certified registered nurse practitioner or clinical nurse specialist) indicating that the required immunization(s) is medically contraindicated for a specific period of time and the reason(s) for the medical contraindication, based upon valid medical reasons as enumerated by the Advisory Committee on Immunization Practices (ACIP) or the American Academy of Pediatrics (AAP) guidelines.

A copy of the written statement, signed by the physician or nurse as described above shall become a part of the health records of the pupil.

Objections to vaccination based on grounds that are not medical or religious in nature and that are of a philosophical, moral, secular or more general nature are unacceptable.

The Superintendent of Schools or his/her designee shall formulate regulations that ensure immunization records are reviewed and updated annually pursuant to NJAC 8:57-4.1 through 4.16. The Superintendent of Schools shall also formulate regulations for this policy and for regular pupil health examinations at appropriate grade levels; before participation in sports programs; and for tuberculosis, scoliosis, hearing loss, visual acuity and any other physical examinations required by law. Any health defects revealed by any examination given by the school health services must be reported to the parent/guardian. The Board shall review the regulations and adopt those required by law.

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## Legal References

- NJSA 18A:35-4.6 through -4.8 Parents Right to Conscience Act of 1979  
18A:40-4 Examination for physical defects and screening of hearing of pupils; health records  
18A:40-4.3 Scoliosis; periodic examination; notice to parents or guardian  
18A:40-4.4 Exemption  
18A:40-4.5 Immunity from action of any kind due to provisions of act  
18A:40-5 Method of examination; notice to parent or guardian  
18A:40-6 In general  
18A:40-11 Exclusion of pupils having communicable tuberculosis  
18A:40-16 through -19 Tuberculosis infection; determination of presence ...  
18A:40-20 Immunization at public expense  
18A:61D-8 through -10 Findings, declarations relative to Hepatitis B vaccinations....  
26:1A-9.1 Exemption of pupils from mandatory immunizations  
26:4-6 Prohibiting attendance of teachers or pupils  
26:2T-5 through -9 Findings, declarations relative to Hepatitis C
- NJAC 6A:14-3.4 Evaluation  
6A:16-1.1 et seq. Programs to Support Student Development  
6A:32-9.1 Athletics Procedures  
8:57-2 Reporting of acquired immunodeficiency syndrome and infection with Human Immunodeficiency Virus  
8:57-4.1 Applicability  
8:57-4.2 Proof of immunization  
8:57-4.3 Medical exemptions  
8:57-4.4 Religious exemptions  
8:57-4.5 Provisional admission  
8:57-4.6 Documents accepted as evidence of immunization  
8:57-4.7 Records required  
8:57-4.8 Reports to be sent to the State Department of Health  
8:57-4.9 Records available for inspection  
8:57-4.10 Diphtheria and tetanus toxoids and pertussis vaccine  
8:57-4.11 Poliovirus vaccine  
8:57-4.12 Measles virus vaccine  
8:57-4.13 Rubella vaccine  
8:57-4.14 Mumps vaccine  
8:57-4.15 Haemophilus influenza type b (Hib) conjugate vaccine  
8:57-4.16 Providing immunization  
8:57-4.17 Emergency powers of the State Commissioner of Health  
8:61-2.1 Attendance at school by pupils or adults infected by Human Immuno-deficiency Virus (HIV)
- Plainfield Board of Education v. Cooperman, 105 NJ 587 (1987)  
No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.