

# CLIENT NEWS BRIEF

## Controversial New Immunization Requirements for School-Age Children

On June 30, 2015, the Governor signed Senate Bill (SB) 277 into law. SB 277 eliminates personal belief and religious exemptions for vaccine requirements for school children. Previously, students attending public and private schools, including preschools and day cares, did not have to meet immunization requirements under Education Code section 48216 and Health and Safety Code sections 120325 *et seq.* if their parents chose to opt-out of certain vaccinations due to personal or religious beliefs. SB 277 becomes the strictest mandatory vaccination law in the country. Many, even including some vaccination supporters, have argued that the new law infringes on constitutionally protected parental and religious rights.

SB 277 does not take effect until January 1, 2016, and until such time, schools must continue to honor parent and guardian personal belief and religious exemptions. Under SB 277, school districts should be aware of the following:

- Students may still be exempt from the immunization requirements for medical exemptions provided by a doctor;
- SB 277 includes a "grandfather clause," which allows children who are already enrolled with personal belief or religious exemptions to remain in school until check point years. These checkpoints occur when a child first enrolls in a new school, when a child reaches kindergarten, or when a child reaches 7th grade;
- Students not previously immunized may continue in school as a "conditional entry," by obtaining a written plan from their doctor that outlines when any missing vaccines will be completed;
- Students who have an individualized education plan are still entitled to receive the special education services called for under that student's IEP;
- Homeschooled students are not subject to the immunization requirements; and
- The list of mandatory vaccines required for school is shorter than the number of vaccines on the Center for Disease Control schedule.

Finally, opponents of SB 277 have begun the referendum process, seeking to have SB 277 overturned by a popular vote. The matter will be put to the voters on the state-wide general election ballots in November of 2016 if the requisite number of signatures is obtained on the referendum petition. We will continue to monitor and update districts on the status of SB 277. This may impact upcoming annual Parental Notices. School districts should consult with their legal counsel regarding any necessary updates.

If you have questions regarding the new immunization requirements or other student obligations, please contact one of our [nine offices](#) located statewide. You can also visit our [website](#), follow us on [Facebook](#) or [Twitter](#), or download our [Client News Brief App](#).

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