

Weber-Morgan Health Department

Regulation for

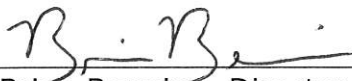
Immunization Record Requirement for School and Early Childhood Employees

Adopted by the Weber-Morgan Board of Health

September 23, 2019

Under Authority of Section 26A-1-121
Utah Code Annotated, 1953, as amended

Certified Official Copy
Weber-Morgan Health Department

By 
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By 
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1. PURPOSE & APPLICABILITY OF REGULATION

1.1 The purpose of this Regulation is to protect both staff and students in public, private or parochial schools and early childhood programs within Weber and Morgan Counties from preventable diseases and to promote public health, safety, and welfare of residents by establishing practices and provisions that prevent the spread of preventable communicable diseases.

1.2 The Weber-Morgan Board of Health recognizes that schools and early childhood programs are potential high-risk areas for transmission of vaccine preventable diseases. As with student immunizations, it is equally important for staff in schools and early childhood programs to be protected against vaccine preventable diseases.

1.3 Staff immunizations can decrease the number of days that staff and students miss due to illness. This lessens the disruption caused by such absences and reduces incidents of missed educational learning opportunities. Additionally, vaccine preventable disease outbreaks in schools or early childhood programs can result in enormous costs for staff, students, parents, employers and public health.

1.4 This Regulation applies to all adult individuals working within the schools and early childhood programs within Weber and Morgan Counties.

1.5 This Regulation complies with immunization recommendations from the Utah Department of Health, the Centers for Disease Control and Prevention and the Advisory Committee on Immunization Practices.

1.6 This Regulation is adopted under the authority of the Weber-Morgan Board of Health in accordance with Utah Code Annotated §26A-1-121.

2. DEFINITIONS

For the purposes of this Regulation, the following terms, phrases, and words shall have the meanings herein expressed:

2.1 **"Board"** shall mean the Weber-Morgan Board of Health.

2.2 **"Certificate of immunization"** means certification from a licensed physician or authorized representative of the state or local health department stating that the individual has received immunization against communicable diseases required under this Regulation, including the dates and types of immunizations administered or proof of immunity.

2.3 **"Department"** shall mean the Weber-Morgan Health Department.

2.4 **"Director"** shall mean the Director of the Weber-Morgan Health Department or his or her designated representative.

2.5 **“Early Childhood Program” shall mean any public or private preschool, nursery school or child care program, as that term is defined in Section 26-39-102.**

2.6 **“Exemption” shall mean relief from the immunization requirements of this Regulation by reason of medical, religious, or personal reasons as defined in Utah Code Annotated §53G-9-301 and 304.**

2.7 **“Order of Restriction” shall mean an order issued by the Department which requires an individual or group of individuals to submit to an examination, treatment, isolation or quarantine.**

2.8 **“School” shall mean all public, private, charter, parochial, kindergarten, elementary or secondary educational facility through grade 12.**

2.9 **“School based personnel” shall mean faculty and staff of schools and early childhood programs and includes: teachers, substitute teachers, student teachers, administration, and all other employees whose primary job responsibilities include possible interaction with students on any given school day. Volunteers are not considered “School-based personnel.”**

2.10 **“School District” shall mean any school district existing now or later under the laws of the state of Utah.**

2.11 **“Student” shall mean an individual who attends a school or early childhood program.**

3. GENERAL PROVISIONS

3.1 Jurisdiction of the Department.

3.1.1 This Regulation is promulgated by the Weber-Morgan Board of Health as authorized by Utah Code Ann. § 26A-1-121.

3.1.2 The Department is empowered to enforce this Regulation in all incorporated and unincorporated areas served by the Department as authorized by Utah Code Ann. § 26A-1-114.

3.2 Nothing in this Regulation affects or modifies in any way the obligations or liability of any person under any other regulation or provision thereof issued by the Department, any ordinance issued by Weber and Morgan Counties or any municipality located within Weber and Morgan Counties, or any state or federally issued law, including common law. However, Departmental regulations supersede other existing local and county standards, regulations and ordinances pertaining to similar subject matter that are inconsistent.

3.3 Severance. If any section, sentence, clause, or phrase of this Regulation is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Regulation.

4. SUBSTANTIVE PROVISIONS

4.1 Due to the risk of occupational exposure, and in order to prevent the outbreak and spread of communicable and infectious diseases, the Board adopts this Regulation to require every School and/or School District or Early Childhood Program in Weber and Morgan Counties to require their School-based personnel to provide proof of immunizations, exemption, or proof of immunity in the event of an outbreak of a vaccine preventable communicable or infectious disease.

4.2 New School-based personnel shall be notified by their School and/or School District or Early Childhood Program, as part of their hiring process, that they are required to maintain a personal record of immunizations, exemption, or proof of immunity. All School-based personnel shall be required to maintain a personal record of immunizations, exemption, or proof of immunity and all School-based personnel shall be prepared to produce these records to the Department upon request, in the event of an outbreak or a vaccine preventable communicable or infectious disease. The Department shall provide the Exemption Forms in Appendix A to the Schools and or/School Districts or Early Childhood Programs for use by the School-based personnel.

4.3 Schools or Early Childhood Programs may, but shall not be required to retain records of immunizations, exemption, or proof of immunity for the staff they employ. Schools or Early Childhood Programs may also utilize the Utah Statewide Immunization Information System (USIIS) to maintain staff immunization records.

4.4 All School-based personnel employed in a School or Early Childhood Program are required to have immunity or documentation as follows, according to guidelines established by the Centers for Disease Control and Prevention, or obtain the following vaccinations:

4.4.1 MMR. School-based personnel born in or after 1957 must provide documentation of two doses of the MMR administered at least one month apart, or proof of immunity.

4.4.2 Tdap. School-based personnel must provide documentation of one dose of the Tdap.

4.4.3 Varicella. School-based personnel must provide documentation of receiving two doses of Varicella vaccine at least four weeks apart or physician diagnosis or personal recall of Varicella disease or proof of immunity.

4.5 Additionally, it is recommended that all school-based personnel receive the following vaccinations:

4.5.1 Hepatitis A, 2 doses.

4.5.2 Hepatitis B, 2 or 3 doses (2 doses of Heplisav B or 3 doses of Engerix or Recombivax).

4.5.3 Influenza vaccine, annually.

4.6 Except as otherwise provided, School-based personnel may claim an exemption to an immunization for medical, religious, or personal reason(s) as allowed by Utah Code Ann. § 53G-9-302 and 303. Each exemption claimed must be accompanied by the appropriate Department Exemption Form included in Appendix A of this Regulation.

4.6.1 Medical Exemption: If School-based personnel claims a medical exemption, an Immunization Exemption Form must be completed and signed by the School-based personnel. The Immunization Exemption Form may be obtained from the Department. A Department representative must witness and sign the Immunization Exemption Form. The School-based personnel must also attach a signed letter from a licensed medical provider.

4.6.2 Religious Exemption: If School-based personnel claims a religious exemption, an Immunization Exemption Form must be completed and signed by the School-based personnel. The Immunization Exemption Form may be obtained from the Department. A Department representative must witness and sign the Immunization Exemption Form.

4.6.3 Personal Exemption: If School-based personnel claims a personal exemption, an Immunization Exemption Form must be completed and signed by the School-based personnel. The Immunization Exemption Form may be obtained from the Department. A Department representative must witness and sign the Immunization Exemption Form.

4.7 The Department may exclude from Schools or Early Childhood Programs any School-based personnel who have not been immunized based on a statement of exemption and who is suffering from, has been exposed to, or will be exposed to a vaccine preventable disease.

5. ENFORCEMENT MECHANISMS

If the Department has investigated or inspected any property or facility and believes the property owner or other responsible party is in violation of this Regulation or the Department has other reasonable grounds to believe that there has been a violation of any part of this Regulation or that the property owner or otherwise responsible party is not in compliance with this Regulation, the Department may take civil enforcement action as authorized by statute, rule, ordinance, and regulation and may also refer the matter for criminal prosecution. Civil enforcement may involve court or administrative actions, injunctive actions, and closures and may involve cost recovery, penalties, and other remedies. Civil and criminal actions may be brought simultaneously. A person does not need to be first adjudged liable in a civil matter before facing criminal charges.

5.1 In the event of an outbreak of a vaccine preventable disease the Department may exclude from School or Early Childhood Program any school-based personnel and staff who have not been immunized, even if an exemption has been submitted for the duration of the outbreak and/or threat of exposure. Such staff will be allowed back only when a Department representative is satisfied that there is no longer a risk of contracting or transmitting a vaccine preventable disease.

5.2 The Department has the power and responsibility to exclude from School or Early Childhood Program attendance any person, who is suffering from any communicable or infectious disease whether acute or chronic, if the person is likely to convey the disease to those in attendance.

5.3 The Department has the power and duty to establish, maintain and enforce isolation and quarantine, and may exercise physical control over property and over individuals that it finds necessary for the protection of the public health, pursuant to Utah Code Ann. § 26, Chapter 6b.

5.4 The Department may issue an order of restriction in accordance to Utah Code Ann. § 26-6b-3 for any School-based personnel who are infected or may have been infected with a vaccine preventable disease.

5.5 The Department may close Schools or Early Childhood Programs and prohibit gatherings of people when necessary to protect the public health, pursuant to Utah Code Ann. § 26, Chapter 6b.

5.6 The Board encourages the administrative body of each School or Early Childhood Program in Weber and Morgan Counties to adopt policies addressing the implementation of this Regulation and the handling of exemptions during an outbreak.

6. EFFECTIVE DATE

6.1 This Regulation shall become effective upon its adoption by the Weber-Morgan Board of Health.

APPENDIX A
IMMUNIZATION EXEMPTION FORM



Immunization Exemption Form

The Weber-Morgan Health Department strongly supports immunization as one of the easiest and most effective tools in preventing serious communicable diseases. Vaccine preventable diseases can cause serious illness and even death. The Weber-Morgan Health Department recognizes that individuals have the right to an immunization exemption, should they choose not to immunize.

- Personal Exemption
- Religious Exemption**
Name of Religious Organization: _____
- Medical Exemption (*Please attach a letter from a licensed medical provider*)

I hereby request that I be exempted from the Weber-Morgan Health Department Board of Health Regulation # _____, *Certificate of School Employee Immunization Requirements*, for the following vaccines:

- MMR (Measles, Mumps, Rubella)
- Tdap (Tetanus, Diphtheria, Acellular Pertussis)**
- Varicella (Chicken Pox)**
- This exemption is for all required immunizations**

I understand that I am responsible for the risks of not being vaccinated. I also understand that if an outbreak of any vaccine preventable disease occurs for which I am exempted, I will be excluded from the school or early childhood program and any related activities for the duration of the outbreak and/or threat of exposure. I will be allowed back only when a health department representative is satisfied that there is no longer a risk of contracting or transmitting a vaccine preventable disease. I understand that this exemption is only valid in Weber and Morgan Counties.

- I HAVE READ THE EXEMPTED PERSON DOCUMENT AND UNDERSTAND ITS CONTENT.**
- I would like to discuss information regarding vaccine safety, possible side effects and/or other concerns with an immunization nurse.**

Individual Name (Print):		Date of Birth:	
Phone Number:		Email Address:	
Street Address:		City:	Zip Code:
Individual Signature:		Date:	
