



Attorney General  
STATE CAPITOL  
Phoenix, Arizona 85007

Robert E. Corbin

October 13, 1981

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ARIZONA ATTORNEY GENERAL

Mr. James A. Shiner  
Stompoly & Even, P.C.  
Attorneys at Law  
P.O. Box 3017  
Tucson, Arizona 85702

Re: I81-105 (R81-121)

Dear Mr. Shiner:

Pursuant to A.R.S. § 15-253.B, we decline to review your opinion dated August 18, 1981, to Mr. Fred Bull, Superintendent of the Sunnyside Unified School District concerning the procedure dealing with immunization of continuing students under A.R.S. § 15-803 as amended.

Sincerely,

A handwritten signature in cursive script that reads "Bob Corbin".

BOB CORBIN  
Attorney General

BC/LPS/ta

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AREA CODE 602  
792-2781

August 18, 1981

8-25-81pc  
LOWE  
R81- 121

Mr. Fred Bull, Superintendent  
Sunnyside Unified School District  
Post Office Box 11280  
Tucson, Arizona 85734

**EDUCATION OPINION**  
**ISSUE NO LATER THAN**

10-24-81

Re: Student Immunizations

Dear Mr. Bull:

This correspondence is in response to your request for an opinion as to the procedure to be applied to continuing students under A.R.S. §15-803, as amended April 30, 1981.

The Arizona Department of Health Services in a memorandum from Jessica Gardom, Project Manager, dated July 6, 1981, captioned "Guidelines for Implementation of School Immunization Law," a copy of which is attached hereto as Exhibit "A" has addressed this question under Section I(b), which provides:

"B. Procedures for Continuing Students

Immunization Records should be reviewed prior to the beginning of school, if possible.

1. If a child is completely immunized according to the recommended schedule, and there is a signed Information Record for School Attendance (Form 109) from previous years, nothing is needed.
2. If a child does not have Arizona Department of Health Services Form 109 on file with a signature of the parent, guardian, or person in loco parentis, a signed statement and immunization history must be obtained prior to school attendance.
3. If the child is incompletely immunized, and the parent has signed Statement Number 2, the parent should be informed that the new Law requires that a child must begin or complete immunization

R81- 121

Mr. Fred Bull  
August 18, 1981  
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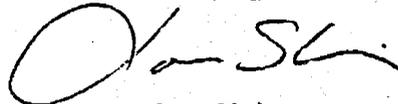
within 15 days of the first day of school attendance. Parent must submit evidence that the necessary immunizations have been given within 15 days.

Exclusion procedures may be initiated if required statements are not submitted."

The above-quoted portion of the July 6 memorandum complies with A.R.S. §15-803 and should be followed by the District.

This opinion is being forwarded to the office of the Attorney General for concurrence or review pursuant to A.R.S. §15-436(b). Unless circumstances require immediate action upon this opinion, you should await my forwarding to you the response of the Attorney General before acting upon the opinion set forth above.

Very truly yours,



James A. Shiner

JAS:law  
Enclosure

Sunnyside



BRUCE BABBITT, Governor  
JAMES E. SARN, M.D., M.P.H., Director

## ARIZONA DEPARTMENT OF HEALTH SERVICES

R81- 121  
Division of Disease Control Services  
BUREAU OF DISEASE PREVENTION  
AND EPIDEMIOLOGY  
(602) 255-1200

July 6, 1981

### MEMORANDUM

TO: School Superintendents  
School Principals  
School Nurses  
County Nurses

FROM: Jessica Gardom, Program Manager  
Vaccine Preventable Disease Control

RE: GUIDELINES FOR IMPLEMENTATION OF THE SCHOOL IMMUNIZATION LAW

RECEIVED

AUG 6 1981

Stompoly & Even

Legal counsel has approved the following recommended procedures for implementation of the new Law (Senate H.B. 2193).

- I. Procedures for Registering Students
  - A. New Students Registration

The parent, guardian, or person in loco parentis should be given an Information Record for School Attendance (Form 109). They should be informed that an immunization history and the appropriate statement must be signed in order for the child to attend school.

1. If the immunization history is complete, the parent should be requested to sign Statement Number 1.
2. If the immunization history is incomplete, the parent must sign Statement Number 2. The parent should be informed that the child must begin or complete immunizations within 15 days. Those parents who signed Statement Number 2 must submit evidence that the necessary immunizations have been given within 15 days. Expulsion procedures may be initiated if required statements are not submitted.
3. If parent desires an exemption due to physical condition of the child, religious reasons, or due to personal convictions, he/she should be instructed to mark the appropriate box and sign Statement Number 3. The parent should be informed if an outbreak were to occur, that unimmunized children would be excluded from school for the duration of the outbreak.

**B. Procedures for Continuing Students**

Immunization Records should be reviewed prior to the beginning of school, if possible.

1. If a child is completely immunized according to the recommended schedule, and there is a signed Information Record for School Attendance (Form 109) from previous years, nothing is needed.
2. If a child does not have Arizona Department of Health Services Form 109 on file with a signature of the parent, guardian, or person in loco parentis, a signed statement and immunization history must be obtained prior to school attendance.
3. If the child is incompletely immunized, and the parent has signed Statement Number 2, the parent should be informed that the new Law requires that a child must begin or complete immunization within 15 days of the first day of school attendance. Parent must submit evidence that the necessary immunizations have been given within 15 days.

Expulsion procedures may be initiated if required statements are not submitted.

**II. Procedures for Monitoring Compliance Within 15 Days**

- A. A list or tickler system should be kept of the children who will need follow-up in 15 days.
- B. At the end of 15 days, the parents of those children who are not in compliance should be sent a letter informing them that their child will not be permitted to attend school unless they begin or complete the required immunizations. Records of immunizations given must be submitted.
- C. If the parent fails to comply, expulsion procedures may be initiated. The Immunization Law states that the governing board may, after notice and hearing, as provided in Section 15-843, suspend or expel a child.

Sections of a detailed Vaccine Preventable Disease Handbook will be sent during the coming months as it is printed. This handbook will contain detailed registration instructions, sample letters to parents, as well as suggested guidelines for school immunization clinics.

JG:bvc