



ITHACA CITY SCHOOL DISTRICT

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ICSD Protocol for Immunization Exemptions

Materials to Circulate

- [BOE Policy](#)
- [State Education Department Form](#)
- Exemption Assignments

Protocol

1. Request comes to nurses
2. Nurses send exemption form and other paperwork to family
3. Once forms are returned to nurses, scanned to building principal and district Administrative Assistant
4. Administrative Assistant maintains spreadsheet and is responsible for tracking logistics of all requests; Administrative Assistant will also track previous exemptions and denials within a given family
5. Administrative Assistant distributes to a different principal, ensuring that workload is distributed equally and that principals are not reviewing those from their own buildings
6. Administrative Assistant shares above information with District Counsel
7. Principal will review exemption requests
8. District Counsel to advise principal, as needed
9. Principal sends follow-up in writing along with questions and an offer for an in-person meeting; waits for families to respond by the deadline
10. Principal promptly contacts caregiver by telephone to ask follow-up questions, if necessary
11. If the family requests an in-person meeting, one will be held promptly. Direct caregivers, the child (if the family feels this appropriate), and a family advocate may attend this meeting
12. Principal will confer with District Counsel to prepare a recommendation for the Superintendent of Schools
13. Principal will report recommendation to Superintendent of Schools
14. Administrative Assistant will distribute final decision letters with appeal rights clearly stated and offering that homework can be requested from the school during the pendency of the appeal period
15. All medical follow-up will be from the school nurse and head nurse
16. While exemption request is pending, student will be permitted to continue in school. Student will be excluded the day after an exemption is denied if the 15/30 day-deadline in the Public Health Law has passed on the day on which the exemption is denied. If the 15/30 day deadline has *not* passed, student will be able to continue in attendance until the 15th (if returning student) or 30th (if new student from out of state) day of the school year.

Rationale for Protocol

1) New York requires that students in public schools be immunized against various vaccine-preventable illnesses. The New York Public Health Law provides that “[n]o principal, teacher, owner or person in charge of a school shall permit any child to be admitted to such school, or to attend such school, in excess of fourteen days” without a certificate of immunization. N.Y. Pub. Health Law § 2164(7)(a). The statute provides only an exemption from the immunization mandate for “children whose parent, parents, or guardian hold genuine and sincere religious beliefs which are contrary to the practices [of vaccination].”

2) Our process for reviewing immunizations in the past was insufficiently robust and resulted in religious exemptions being granted based purely on parent request. This laxity resulted in the district granting exemptions that were not reviewed to ensure that they complied with the standard for exemption set forth in the New York Public Health Law and our Board of Education policy. Both the law and our ICSD policy require that exemptions be reserved for students whose parents demonstrate (a) that his/her opposition to vaccination is religious in nature, and (b) that his/her religious belief in opposition to vaccination is sincerely and genuinely held.

3) Beginning summer 2017, the ICSD instituted a new procedure for review of religious exemption requests to address this gap. The ICSD formed a religious exemption review process involving of all our building principals, who will review each exemption request respectfully and carefully and provide a recommendation to the Superintendent of Schools, who, in turn, will render the final decision regarding whether to grant or deny the exemption. This process will ensure that exemptions are granted only where the appropriate standard has been met.

4) In order to assist the Superintendent with making this determination, the principals will need to assemble information regarding the parent's religious beliefs and the basis for the parent's objection to vaccination. By necessity, this will require that principals ask parents questions about their religious views as those views relate to vaccination. The purpose of these questions is not to deny religious exemptions to parents who actually hold sincere religious beliefs in opposition to vaccination. The process is intended merely to ensure that we grant religious exemptions to only those who are entitled under the law.

4) No parent is required to meet with a principal. An in-person meeting is available for parents who would prefer an opportunity for a face-to-face discussion to explain the basis for their objection to vaccination. Parents are welcome to respond in writing if they are more comfortable with this medium.