

LEGAL ALERTS | JUL 01, 2015

# California Governor Eliminates Personal Belief Exemption for School Vaccinations

SB 277 Requires All Students to be Vaccinated, Absent a Medical Exemption



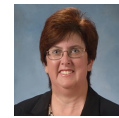
California Governor Jerry Brown has signed into law Senate Bill 277, eliminating the personal belief exemption for existing specified immunization requirements, including measles, mumps and pertussis, for both public and private school attendance.

SB 277 requires that before a student's initial admission to a school or childcare facility, he or she be immunized and provide documentation of such immunization for the following diseases: diphtheria, haemophilus influenza type b, measles, mumps, pertussis, poliomyelitis, rubella, tetanus, hepatitis B, varicella and any other disease the state health department deems appropriate. Students who attend a home-based private school or are enrolled in an independent study program and who do not receive classroom-based instruction are not affected. Exemptions from immunization for medical reasons remain in place. SB 277 does not prohibit a pupil who qualifies for an Individualized Education Program under federal law and section 56026 of the Education Code from accessing any special education and related services required by his or her IEP.

The law phases in the elimination of the personal belief exemption by permitting students who submit documentation before January 1, 2016 to a school or childcare facility asserting their opposition to immunizations to wait until they enroll in the next grade span -- defined as 1) birth to preschool; 2) kindergarten and grades 1 to 6, including transitional kindergarten and 3) grades 7 to 12 -- to be immunized. This phase-in period ends on July 1, 2016, at which time schools may not unconditionally admit or advance any student to seventh grade without the immunizations required for his or her age.

The impetus for the law came from California's recent outbreak of measles stemming from unvaccinated individuals infecting others who were vulnerable to

## People



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the disease, including children unable to get vaccinated because of their age or health condition.

The entire text of the chaptered Bill can be found [here](#).

If you have any questions regarding this legislation or school vaccination requirements, contact the attorney author of this legal alert listed to the right, another attorney in the [Education practice group](#) or your [BB&K attorney](#).

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