



# **Immunization Requirements for Children and Students**

Texas Public and Private Schools,  
Child-Care Facilities and  
Institutions of Higher Education

Inclusive of all current sections,  
including revisions made by the  
Executive Commissioner of the Health & Human Services Commission  
December 2006

Source:  
Title 25 Health Services, §§97.61-97.72  
of the Texas Administrative Code

# TEXAS ADMINISTRATIVE CODE

**TITLE 25** HEALTH SERVICES  
**PART 1** TEXAS DEPARTMENT OF HEALTH  
**CHAPTER 97** COMMUNICABLE DISEASES  
**SUBCHAPTER B** IMMUNIZATION REQUIREMENTS IN TEXAS  
ELEMENTARY AND SECONDARY SCHOOLS  
AND INSTITUTIONS OF HIGHER EDUCATION

<u>RULES</u>	<u>Page</u>
<u>§97.61</u> Children and Students Included in Requirements	2
<u>§97.62</u> Exclusions from Compliance	3
<u>§97.63</u> Required Immunizations	5
<u>§97.64</u> Required Vaccinations for Students Enrolled in Health-related and Veterinary Courses in Institutions of Higher Education	8
<u>§97.65</u> Exceptions to Immunization Requirement (Verification of Immunity/ History of Illness)	9
<u>§97.66</u> Provisional Enrollment	9
<u>§97.67</u> School Records	10
<u>§97.68</u> Acceptable Evidence of Vaccination	10
<u>§97.69</u> Transfer of Records	10
<u>§97.70</u> Review of Records and Assistance	11
<u>§97.71</u> Annual Report of Immunization Status	11
<u>§97.72</u> Vaccine-Preventable Disease Outbreaks	11

(a) The vaccine requirements apply to all children and students entering, attending, enrolling in, and/or transferring to child-care facilities or public or private primary or secondary schools or institutions of higher education.

(b) The vaccines required in this section are also required for all children in the State of Texas, including children admitted, detained, or committed in Texas Department of Criminal Justice, Texas Mental Health and Mental Retardation, and Texas Youth Commission facilities.

(c) The vaccine requirements are adopted as a statewide control measure for communicable disease as defined in Health and Safety Code, §81.081 and §81.082. The requirements are adopted as an “instruction” of the department as that term is used in the Health and Safety Code, §81.002.

---

Exclusions from compliance are allowable on an individual basis for medical contraindications, reasons of conscience, including a religious belief, and active duty with the armed forces of the United States. Children and students in these categories must submit evidence for exclusion from compliance as specified in the Health and Safety Code, §161.004(d), Health and Safety Code, §161.0041, Education Code, Chapter 38, Education Code, Chapter 51, and the Human Resources Code, Chapter 42.

(1) To claim an exclusion for medical reasons, the child or student must present a statement signed by the child's physician (M.D. or D.O.), duly registered and licensed to practice medicine in the United States who has examined the child, in which it is stated that, in the physician's opinion, the vaccine required is medically contraindicated or poses a significant risk to the health and well-being of the child or any member of the child's household. Unless it is written in the statement that a lifelong condition exists, the exemption statement is valid for only one year from the date signed by the physician.

(2) To claim an exclusion for reasons of conscience, including a religious belief, a signed affidavit must be presented by the child's parent or guardian, stating that the child's parent or guardian declines vaccinations for reasons of conscience, including because of the person's religious beliefs. The affidavit will be valid for a two-year period. The child, who has not received the required immunizations for reasons of conscience, including religious beliefs, may be excluded from school in times of emergency or epidemic declared by the commissioner of public health.

(A) A person claiming exclusion for reasons of conscience, including a religious belief, from a required immunization may only obtain the affidavit form by submitting a written request to the department. The request must include the following:

- (i) full name of child;
- (ii) child's date of birth (month/day/year);

(B) Written requests must be submitted through the United States Postal Service (or other commercial carrier), by facsimile, or by hand delivery to the department's Bureau of Immunization and Pharmacy Support, 1100 West 49th Street, Austin, Texas 78756.

(C) Upon request, one affidavit form for each child will be mailed unless otherwise specified (shall not exceed a maximum of five forms per child).

(D) The department shall not maintain a record of the names of individuals who request an affidavit and shall return the original request with the forms requested.

(3) To claim an exclusion for armed forces, persons who can prove that they are serving on active duty with the armed forces of the United States are exempted from the requirements in these sections.

---

Every child in the state shall be immunized against vaccine preventable diseases caused by infectious agents in accordance with the following immunization schedule.

(1) In accordance with the Texas Department of State Health Services, Immunization Schedule as informed by the Advisory Committee on Immunization Practices' (ACIP) recommendations and adopted by the Executive Commissioner of the Health and Human Services Commission and published in the *Texas Register* annually, for all vaccines herein, vaccine doses administered less than or equal to four days before the minimum interval or age shall be counted as valid.

(2) A child or student shall show acceptable evidence of vaccination prior to entry, attendance, or transfer to a child-care facility or public or private elementary or secondary school, or institution of higher education.

(A) Children enrolled in child-care facilities, pre-kindergarten, or early childhood programs shall have the following immunizations: Age-appropriate vaccination against diphtheria, pertussis, tetanus, poliomyelitis, *Haemophilus influenzae* type b, measles, mumps, rubella, hepatitis B, hepatitis A, invasive pneumococcal, and varicella diseases in accordance with the Texas Department of State Health Services, Immunization Schedule as informed by the Advisory Committee on Immunization Practices' (ACIP) recommendations and adopted by the Executive Commissioner of the Health and Human Services Commission and published in the *Texas Register* annually. A copy of the current schedule is available at [www.ImmunizeTexas.com](http://www.ImmunizeTexas.com) or by mail to the Texas Department of State Health Services, 1100 West 49th Street, Austin, Texas 78756.

(B) Students in kindergarten through twelfth grade shall have the following vaccines.

(i) Poliomyelitis.

(I) Upon entry into kindergarten, students are required to have four doses of polio vaccine one of which must have been received on or after the fourth birthday. Or, if the third dose was administered on or after the fourth birthday only three doses are required. If any combination of four doses of OPV and IPV was received before four years of age no additional dose is required.

(II) Polio vaccine is not required for persons eighteen years of age or older.

(ii) Diphtheria/Tetanus/Pertussis.

(I) Upon entry into kindergarten, students are required to have five doses of a diphtheria-tetanus-pertussis containing vaccine one of which must have been received on or after the fourth birthday. Or, if the fourth dose was administered on or after the fourth birthday, only four doses are required.

- 
- (II) Students seven years of age or older are required to have at least three doses of a tetanus-diphtheria containing vaccine, provided at least one dose was administered on or after the fourth birthday. Any combination of three doses of a tetanus-diphtheria containing vaccine will meet this requirement.
- (III) One dose of a tetanus-diphtheria containing vaccine is required within the last ten years.
- (IV) Children who were enrolled in school, grades K-12, prior to August 1, 2004, and who received a booster dose of DTaP or polio vaccine in the calendar month of or prior to their fourth birthday shall be considered in compliance with clause (i) (I) (polio) and clause (ii) (I) (DTaP) of this subparagraph.
- (iii) Measles. Two doses of measles-containing vaccine are required. The first dose shall be administered on or after the first birthday.
- (iv) Rubella. One dose of rubella vaccine received on or after the first birthday is required.
- (v) Mumps. One dose of mumps vaccine received on or after the first birthday is required.
- (vi) Hepatitis B.
- (I) Three doses of hepatitis B vaccine are required for the following grades for the following school years:
- (-a-) 2004-2005 for kindergarten through fifth grade and seventh through tenth grade;
- (-b-) 2005-2006 for kindergarten through eleventh grade; and
- (-c-) thereafter, beginning in school year 2006-2007, for all students in grades kindergarten through twelfth grade.
- (II) In some circumstances, the United States Food and Drug Administration may approve the use of an alternative dosage schedule for an existing vaccine. These alternative regimens may be used to meet this requirement only when alternative regimens are fully documented. Such documentation must include vaccine manufacturer and dosage received for each dose of that vaccine.
- (vii) Varicella. One dose of varicella vaccine received on or after the first birthday is required for the following grades for the following school years:

(I) 2004-2005 for kindergarten through fourth grade and seventh through tenth grade;

(II) 2005-2006 for kindergarten through fifth grade and seventh through eleventh grade; and

(III) thereafter, beginning in school year 2006-2007, for all students in grades kindergarten through twelfth grade.

Two doses are required if the child was thirteen years old or older at the time the first dose of varicella vaccine was received.

(viii) Hepatitis A. Upon entry into kindergarten through third grade, two doses of hepatitis A vaccine are required for students attending a school located in a high incidence geographic area as designated by the department. The first dose shall be administered on or after the second birthday. A list of geographic areas for which hepatitis A is mandated shall be published in the *Texas Register* on an annual basis and is available at [www.ImmunizeTexas.com](http://www.ImmunizeTexas.com), or by mail request at Texas Department of State Health Services, 1100 West 49th Street, Austin, Texas 78756.



- (a) This section applies to all students enrolled in health-related courses, which will involve direct patient contact in medical or dental care facilities. This includes all medical interns, residents, fellows, nursing students, and others who are being trained in medical schools, hospitals, and health science centers listed in the Texas Higher Education Coordinating Board's list of higher education in Texas; and students attending two-year and four-year colleges whose course work involves direct patient contact regardless of the number of courses taken, number of hours taken, and the classification of the student. Subsection (i) of this section also applies to veterinary medical students whose course work involves direct contact with animals or animal remains regardless of number of courses taken, number of hours taken, and the classification of the student.
- (b) Students may be provisionally enrolled for up to one semester or one quarter to allow students to attend classes while obtaining the required vaccines and acceptable evidence of vaccination.
- (c) Students cannot be provisionally enrolled without at least one dose of measles, mumps, and rubella vaccine if direct patient contact will occur during the provisional enrollment period.
- (d) Polio vaccine is not required. Students enrolled in health-related courses are encouraged to ascertain that they are immune to poliomyelitis.
- (e) One dose of tetanus-diphtheria toxoid (Td) is required within the last ten years.
- (f) Students who were born on or after January 1, 1957, must show, prior to patient contact, acceptable evidence of vaccination of two doses of measles-containing vaccine administered since January 1, 1968.
- (g) Students must show, prior to patient contact, acceptable evidence of vaccination of one dose of rubella vaccine.
- (h) Students born on or after January 1, 1957, must show, prior to patient contact, acceptable evidence of vaccination of one dose of mumps vaccine.
- (i) Students shall receive a complete series of hepatitis B vaccine prior to the start of direct patient care or show serologic confirmation of immunity to hepatitis B virus.
- (j) Students enrolled in schools of veterinary medicine shall receive a complete primary series of rabies vaccine prior to the start of contact with animals or their remains; and, a booster dose of rabies vaccine every two years unless protective serum antibody levels are documented.
- (k) Students shall receive two doses of varicella vaccine unless the first dose was received prior to thirteen years of age.

(a) Serologic confirmations of immunity to measles, rubella, mumps, hepatitis A, hepatitis B, or varicella, are acceptable. Evidence of measles, rubella, mumps, hepatitis A, or hepatitis B, or varicella illnesses must consist of a laboratory report that indicates either confirmation of immunity or infection.

(b) A parent or physician validated history of varicella disease (chickenpox) or varicella immunity is acceptable in lieu of vaccine. A written statement from a physician, or the student's parent or guardian, or school nurse, must support histories of varicella disease.

(a) The law requires that students be fully vaccinated against the specified diseases. A student may be enrolled provisionally if the student has an immunization record that indicates the student has received at least one dose of each specified age-appropriate vaccine required by this rule. To remain enrolled, the student must complete the required subsequent doses in each vaccine series on schedule and as rapidly as is medically feasible and provide acceptable evidence of vaccination to the school. A school nurse or school administrator shall review the immunization status of a provisionally enrolled student every 30 days to ensure continued compliance in completing the required doses of vaccination. If, at the end of the 30-day period, a student has not received a subsequent dose of vaccine, the student is not in compliance and the school shall exclude the student from school attendance until the required dose is administered.

(b) A student who is homeless, as defined by §103 of the McKinney Act, 42 USC §11302, shall be admitted temporarily for 30 days if acceptable evidence of vaccination is not available. The school shall promptly refer the student to appropriate public health programs to obtain the required vaccinations.

All schools and child-care facilities are required to maintain immunization records sufficient for a valid audit to be completed.

- (a) Vaccines administered after September 1, 1991, shall include the month, day, and year each vaccine was administered.
- (b) Documentation of vaccines administered that include the signature or stamp of the physician or his/her designee, or public health personnel is acceptable.
- (c) An official immunization record generated from a state or local health authority, such as a registry, is acceptable.
- (d) A record received from school officials including a record from another state is acceptable.

- (a) A student can be enrolled provisionally for no more than 30 days if he/she transfers from one Texas school to another, and is awaiting the transfer of the immunization record.
- (b) A dependent of a person who is on active duty with the armed forces of the United States can be enrolled provisionally for no more than 30 days if he/she transfers from one school to another and is awaiting the transfer of the immunization record.

Representatives of the department and local health authorities may advise and assist schools in meeting these requirements. The department shall conduct periodic review of de-identified school immunization records in order to allow public health officials to obtain information required for public health purposes.

Schools shall submit annual reports of the immunization status of students, in a format prescribed by the department, to monitor compliance with these requirements.

In the event of an outbreak of vaccine-preventable disease, the local health authority may require or recommend additional doses or boosters to provide further protection.

Texas Department of State Health Services  
Immunization Branch  
MC-1946  
P.O. Box 149347  
Austin, Texas 78714-9347  
(800) 252-9152



Stock No. 6-103  
Revised 03/2007