DAVIS COUNTY BOARD OF HEALTH

SCHOOL-BASED PERSONNEL IMMUNIZATION REQUIREMENTS REGULATION

Davis

COUNTY

HEALTH

DEPARTMENT

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1.0 PURPOSE

The purpose of this regulation is to protect both staff and students in public, private or parochial Schools within Davis County from preventable diseases and to promote public health, safety, and welfare of residents by establishing practices and provisions that prevent the spread of communicable diseases.

2.0 SCOPE

This regulation applies to all Schools/School Districts and School-Based Personnel within incorporated and unincorporated areas of Davis County.

3.0 AUTHORITY AND APPLICABLE LAWS

This regulation is adopted under the authority of the Davis County Board of Health in accordance with Utah Code Annotated (UCA) Title 26A-1-121.

The Department is empowered to enforce this regulation in all incorporated and unincorporated areas served by the Department as authorized by Utah Code Annotated (UCA) Title 26A-1-114(1)(a).

4.0 DEFINITIONS

4.1 BOARD: The Davis County Board of Health.

4.2 DEPARTMENT: The Davis County Health Department.

4.3 EXCLUDE: To remove an individual from attending & participating in certain events/activities (i.e. work, School, extra-curricular events).

4.4 EXEMPTION: Relief from the immunization requirements of this Regulation by reason of medical, religious, or personal reasons as defined in Utah Code Annotated (UCA) Title 53G-9-303.

4.5 IMMUNITY: A condition of being able to resist a particular disease through acquired (vaccination) or natural (past infection) antibody development.

4.6 ORDER OF RESTRICTION: The order issued by the Department which requires an individual or group of individuals to submit to an examination, treatment, isolation or quarantine.

4.7 PROOF OF IMMUNITY: Documentation of past disease or the results of laboratory blood testing showing a level of protection that was provided by a

physician, medical clinic, health department or other medical facility and/or the results of laboratory blood testing.

4.8 SCHOOL: All public, private, charter, parochial, kindergarten, elementary or secondary educational facility through grade 12.

4.9 SCHOOL-BASED PERSONNEL: The faculty and staff (includes teachers, substitute teachers, student teachers, administration, and all other employees) whose primary job responsibilities include possible interaction with students. Volunteers are not considered "School-Based Personnel."

4.10 SCHOOL DISTRICT: Any School District existing now or later under the laws of the State of Utah.

5.0 REGULATION

5.1 Due to the risk of occupational exposure, and in order to prevent the outbreak and spread of communicable/infectious diseases, every School and/or School District shall 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/infectious disease.

5.2 School-Based Personnel shall be notified by their School and/or School District, as part of their onboarding process, that 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/infectious disease.

5.3 Schools may, but shall not be required to retain records of immunizations, Exemption, or Proof of Immunity for the staff they employ. Schools may also utilize the Utah Statewide Immunization Information System (USIIS) to maintain staff immunization records.

5.4 All School-Based Personnel are <u>required</u> to show Immunity against the following vaccine-preventable diseases:

5.4.1 Measles, Mumps & Rubella (MMR)

5.4.1.1 School-Based Personnel born in or after 1957 must provide documentation of <u>*two*</u> doses of the MMR vaccine administered at least one month apart or provide Proof of Immunity.

5.4.2 Tetanus, Diphtheria and Pertussis (TdaP)

5.4.2.1 School-Based Personnel must provide documentation of one dose of the Tdap vaccine.

5.4.3 Varicella (Chickenpox)

5.4.3.1 School-Based Personnel must provide documentation of receiving ***two*** doses of Varicella vaccine at least four weeks apart or provide Proof of Immunity through one of the following: (1) a physician's diagnosis of past infection, (2) a personal recall of Varicella disease or (3) Proof of Immunity.

5.5 Additionally, it is *recommended* that all School-Based Personnel be immunized against the following vaccine-preventable diseases:

5.5.1 Hepatitis A (2 doses).

5.5.2 Hepatitis B (3 doses).

5.5.3 Influenza vaccine (annually).

5.6 Except as otherwise provided, School-Based Personnel may claim an Exemption to an immunization for medical or personal reason(s) as allowed by Utah Code Annotated (UCA) Title 53G-9-303. Each Exemption claimed must be accompanied by the appropriate Department Exemption Form included in Appendix A of this Regulation.

5.7 In the event of an outbreak of a vaccine-preventable disease, the Department may Exclude any School-Based Personnel who does not show Immunity against the disease. This includes those who have obtained an Exemption. 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.

5.8 The Department may Exclude from School attendance any person, who is suffering from any communicable/infectious disease whether acute or chronic, if the person is likely to convey the disease to those in attendance.

5.9 The Department may issue an Order of Restriction in accordance to Utah Code Annotated (UCA) Title 26-6b-3 for any School-Based Personnel or groups of School-Based Personnel who are infected or may have been infected with a vaccine preventable disease.

5.10 The Department may close Schools and prohibit gatherings of people when necessary to protect the public health, pursuant to Utah Code Annotated (UCA) Title 26-6b.

5.11 The Board encourages the administrative body of each School in Davis County to adopt policies addressing the implementation of this Regulation and the handling of Exemptions during an outbreak.

6.0 PENALTY

6.1 Criminal Penalties Pursuant to Utah Code Annotated (UCA) Title 26A-1-123.

6.1.1 Any person who is found guilty by a court of: violating any of the provisions of this regulation; or violating, disobeying, or disregarding any Notice or Order issued under this regulation is guilty of a class B misdemeanor.

6.1.2 Any person found guilty of a subsequent similar violation within two years of the initial violation is guilty of a class A misdemeanor.

6.1.3 Each day such violation is committed or permitted to continue shall constitute a separate violation.

6.1.4 Conviction under this section does not relieve the person convicted from civil liability.

6.2 Civil and Administrative Penalties Pursuant to Utah Code Annotated (UCA) Title 26-23-6(2).

6.2.1 Any person who violates any of the provisions of this regulation or violates, disobeys, or disregards any Notice or Order issued under this regulation shall be subject to the payment of costs incurred in the enforcement of any violation or notice issued, including costs attributable to any involved local agencies.

6.2.2 The exercise of civil and administrative penalties shall be subject to the Department's Adjudicative Hearing Procedures Regulation.

7.0 SEVERABILITY

If any provision, clause, sentence, or paragraph of this regulation or the application or circumstances shall be held to be invalid, such invalidity shall not affect the other provisions or applications of this regulation. The valid part of any clause, sentence, or paragraph of this regulation shall be given independence from the invalid provisions or application, and to this end the provisions of this regulation are declared to be severable.

8.0 FEES

N/A

IN WITNESS WHEREOF, the Davis County Board of Health has passed, approved and adopted this regulation this _____ day of _____, 20__.

Effective date: ____day of _____, 20__

Davis County Board of Health

Signed: _____
Troy Wood
Board Chair

Attest: _____
Brian Hatch, M.P.H.
Director of Health