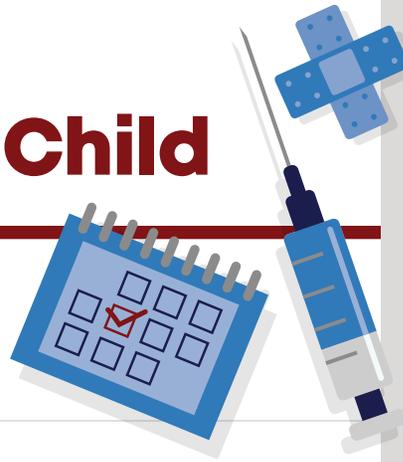


2020 SB 276 / SB 714

Implications For Your Child



For TK, K-12 private or public school, your child must be fully vaccinated or have one of the following exemptions. In July 2020, if your child is private or public school entering...

TK OR KINDERGARTEN

Child will need a medical exemption issued between January 1 and December 30, 2020 that complies with the SB277 medical exemption criteria.

1ST THROUGH 6TH GRADE with an existing medical exemption on file dated prior to January 1, 2020

Child will be grandfathered in until 7th grade, when they will need a medical exemption that complies with the SB276 criteria.

5TH OR 6TH GRADE with a grandfathered PBE on file before 2016

Child will continue to be grandfathered in until 7th grade, when they will be required to have a medical exemption that that complies with the SB276 criteria.

7TH GRADE

Child will need a medical exemption issued between January 1 and December 30, 2020 that complies with the SB277 medical exemption criteria.

8TH THROUGH 12TH GRADE with an existing medical exemption on file dated prior to January 1, 2020

Child will be grandfathered in until end of 12th grade.

12TH GRADE with a grandfathered PBE on file before 2016

Child will continue to be grandfathered in until the end of 12th grade.

HOMESCHOOLED

A pupil in a home based private school or a pupil who is enrolled in an independent study is exempt from vaccination requirements. (SB277)

PUBLIC/PRIVATE WITH IEP

A pupil with an IEP or IEP services is exempt from vaccination requirements. (SB277 and Federal law)

Your school may ask for their vaccination records to be on file if they have any, but cannot require them to be up to date or have a Medical Exemption on file for the remainder. If you have an IEP and are having issues with your school allowing your child to attend, please contact us and we will put you in touch with Educate.Advocate who successfully helps with these issues.

DAYCARE/NURSERY

For child day care center, day nursery, nursery school or family day care, the child must be fully vaccinated or have a medical exemption. From January 1 2020 to June 30 2021, if your child is entering...

FOR THE FIRST TIME

Child will need a medical exemption issued between January 1 and December 30, 2020 that complies with the SB277 medical exemption criteria, or after January 1, 2021 that complies with the SB276 criteria.

CONTINUING WITH A MEDICAL EXEMPTION DATED PRIOR TO JANUARY 1, 2020

Child will be grandfathered in until TK or Kindergarten, when they will need a medical exemption that complies with the SB276 criteria.



For more information, please contact:
Christina Hildebrand, President, A Voice for Choice Advocacy
Email: info@avoiceforchoiceadvocacy.org

These are A Voice for Choice Advocacy's interpretations based on the SB276/714 wording (which is very circuitous) and current information on Shots for Schools (the CDPH website regarding CA vaccination requirements) with regard to how SB277 has been implemented.

2021 SB 276 / SB 714

Implications For Your Child



In July 2021, if your child is private or public school entering...

FIRST TIME ENTRANCE TO SCHOOL IN ANY GRADE

Child will need a medical exemption issued after January 1, 2021 that complies with the SB276 criteria.

TK OR KINDERGARTEN

Child will need a medical exemption issued after January 1, 2021 that complies with the SB276 criteria.

1ST GRADE with an existing medical exemption on file dated prior between January 1 and December 30, 2020 that complies with the SB277 medical exemption criteria

Child will be grandfathered in until 7th grade.

2ND THROUGH 6TH GRADE with an existing medical exemption on file dated prior to January 1, 2020

Child will be grandfathered in until 7th grade, when they will need a medical exemption that complies with the SB276 criteria.

6TH GRADE with a grandfathered PBE on file before 2016

Child will continue to be grandfathered in until 7th grade, when they will be required to have a medical exemption that that complies with the SB276 criteria.

7TH GRADE

Child will need a medical exemption issued after January 1, 2021 that complies with the SB276 criteria.

8TH THROUGH 12TH GRADE with an existing medical exemption on file dated prior to January 1, 2020

Child will be grandfathered in until end of 12th grade.

12TH GRADE with a grandfathered PBE on file before 2016

Child will continue to be grandfathered in until the end of 12th grade.

HOMESCHOOLED

A pupil in a home based private school or a pupil who is enrolled in an independent study is exempt from vaccination requirements. (SB277)

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For child day care center, day nursery, nursery school or family day care, the child must be fully vaccinated or have a medical exemption. From January 1 2020 to June 30 2021, if your child is entering...

FOR THE FIRST TIME

Child will need a medical exemption issued between January 1 and December 30, 2020 that complies with the SB277 medical exemption criteria, or after January 1, 2021 that complies with the SB276 criteria.

CONTINUING WITH A MEDICAL EXEMPTION DATED PRIOR TO JANUARY 1, 2020

Child will be grandfathered in until TK or Kindergarten, when they will need a medical exemption that complies with the SB276 criteria.

For more information, please contact:

Christina Hildebrand, President, A Voice for Choice Advocacy

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These are A Voice for Choice Advocacy's interpretations based on the SB276/714 wording (which is very circuitous) and current information on Shots for Schools (the CDPH website regarding CA vaccination requirements) with regard to how SB277 has been implemented.

IMPORTANT NOTE

DO NOT submit any medical exemptions dated 2020 or before to any electronic or other database.

If you have a medical exemption on file or put one on file before January 1, 2021, file a notarized privacy notice with it (<https://www.avoiceforchoiceadvocacy.org/wp-content/uploads/2016/06/Objection-to-Disclosure-of-Student-Records.pdf>)

SB277 Medical Exemption Criteria

(per CDPH <https://www.shotsforschool.org/laws/exemptions/>)

Medical exemptions, under SB277 are at the discretion of the physician (MD or DO), and can be given if they determine the physical condition of the child is such, or medical circumstances relating to the child are such, that immunization is not considered safe, including, but not limited to, family medical history.

Medical exemptions filed **BEFORE JULY 1, 2019** must consist of a written statement from a licensed physician (MD or DO) which states:

- That the physical condition or medical circumstances of the child are such that the required immunization(s) is not indicated
- Which vaccines are being exempted
- Whether the medical exemption is permanent or temporary.
- The expiration date, if the exemption is temporary.

Medical exemptions filed **JULY 1, 2019 TO DECEMBER 1, 2020** must consist of a signed, written statement from a physician (MD or DO) licensed in California which states:

- The specific nature of the physical condition or medical circumstance of the child for which a licensed physician does not recommend immunization.
- Each specific required vaccine that is being exempted.
- Whether the medical exemption is permanent or temporary.
- If the exemption is temporary, an expiration date no more than 12 calendar months from the date of signing.

Note: If the medical exemption is written by a physician who has been subject to disciplinary action by the Medical Board or the Osteopathic Medical Board of California, then the exemption will be revoked. Your physician's primary status should be active and their secondary status should be N/A (<https://search.dca.ca.gov/?BD=800&TP=8002>).

SB276 Medical Exemption Criteria

(per statute http://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201920200SB276)

Medical exemptions filed AFTER JANUARY 1, 2021, under SB276/SB714 must meet CDC, ACIP, or AAP criteria for appropriate medical exemptions.

Note: These do not exist. Only CDC, ACIP, or AAP vaccination guidelines (<https://www.cdc.gov/vaccines/vpd/should-not-vacc.html>) exist. Therefore either CDPH will use the guidelines or one of these organizations will create medical exemption criteria before January 1, 2021. If information other than what is included in the vaccination guidelines is used, it is at the medical discretion of the CDPH staff member whether or not they accept a medical exemption that is based on other contraindications or precautions, including consideration of family medical history, if the issuing physician and surgeon provides written documentation to support the medical exemption that is consistent with the relevant standard of care.

Medical exemptions filed AFTER JANUARY 1, 2021 must be transmitted directly to the department's California Immunization Registry (CAIR) by a physician (MD or DO) licensed in California using the electronic, standardized, statewide medical exemption certification form. The form should be printed, signed, and submitted directly to the school or institution at which the child will attend, submitted directly to the governing authority of the school or institution, or submitted to that governing authority through the CAIR where applicable. The form will include:

- The name, California medical license number, business address, and telephone number of the physician and surgeon who issued the medical exemption, and of the primary care physician of the child, if different from the physician and surgeon who issued the medical exemption.
- The name of the child for whom the exemption is sought, the name and address of the child's parent or guardian, and the name and address of the child's school or other institution.
- A statement certifying that the physician and surgeon has conducted a physical examination and evaluation of the child consistent with the relevant standard of care and complied with all applicable requirements of this section.
- Whether the physician and surgeon who issued the medical exemption is the child's primary care physician. If the issuing physician and surgeon is not the child's primary care physician, the issuing physician and surgeon shall also provide an explanation as to why the issuing physician and not the primary care physician is filling out the medical exemption form.
- How long the physician and surgeon has been treating the child.
- A description of the medical basis for which the exemption for each individual immunization is sought. Each specific immunization shall be listed separately and space on the form shall be provided to allow for the inclusion of descriptive information for each immunization.
- Whether the medical exemption is permanent or temporary, including the date upon which a temporary medical exemption will expire. A temporary exemption shall not exceed one year. All medical exemptions shall not extend beyond the grade span (i.e. will need to be renewed at TK/Kindergarten and 7th grade).
- An authorization for the department to contact the issuing physician and surgeon for purposes of this section and for the release of records related to the medical exemption to the department, the Medical Board of California, and the Osteopathic Medical Board of California.
- A certification by the issuing physician and surgeon that the statements and information contained in the form are true, accurate, and complete.