



# Common Questions about **School Immunization Laws**

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## **Why does the government require that certain vaccines be given to children?**

It is the responsibility of individual states to determine which vaccines are required by law, although most look to the schedule of recommended childhood vaccines that is established and updated each year by the Committee on Infectious Diseases of the American Academy of Pediatrics, the Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention, and the American Academy of Family Physicians. (The recommended childhood immunization schedule is available at [www.cdc.gov/nip/recs/child-schedule.PDF](http://www.cdc.gov/nip/recs/child-schedule.PDF)).

School immunization laws were first established to control outbreaks of smallpox and have subsequently been used to avoid epidemics of vaccine-preventable contagious diseases, such as measles, pertussis (whooping cough), and polio (formerly known as ‘infantile paralysis’). Currently, all 50 states have school immunization laws, although there are differences in what may be required in different states.

States require vaccines because they have a responsibility to protect both individuals and the entire population of their state. Vaccine requirements for school entry help ensure that most people are protected through immunization. Because contagious diseases spread among susceptible people (those who have not been immunized and the small percentage of people for whom the vaccine was not fully effective), vaccination reduces the chance of infection and outbreaks of disease in schools and communities by reducing the number of unprotected people who may be infected and subsequently transmit the disease.<sup>1</sup>

## **Are there legal consequences for parents if they choose not to vaccinate their children?**

As of March 2004, all 50 states allow vaccination exemptions for medical reasons; 48 states allow exemptions for religious reasons; and 20 states allow exemptions for philosophical reasons.

- There is no legal penalty for parents or guardians who obtain exemptions for these reasons. However, unvaccinated children are at greater risk of catching vaccine-preventable diseases.
- In most states, a child can attend school or day care if a proper exemption is obtained. However, when there is an outbreak of vaccine-preventable disease, children who have not had the disease and who have not been vaccinated are often excluded from school or day care.
- Mississippi and West Virginia are the only states that do not allow exemptions for religious reasons.
- The 20 states that allow exemptions for philosophical reasons are Arizona, Arkansas, California, Colorado, Idaho, Louisiana, Maine, Michigan, Minnesota, Missouri, Nebraska, New Mexico, North Dakota, Ohio, Oklahoma, Texas, Utah, Vermont, Washington, and Wisconsin.

Updated information on state immunization requirements is available on NNii’s Web site at [www.immunizationinfo.org/VaccineInfo/index.cfm](http://www.immunizationinfo.org/VaccineInfo/index.cfm)

## School Immunizations Laws (continued)

### Sources:

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