

TITLE 21. EDUCATION
CHAPTER 4. PUPILS
ARTICLE 3. RIGHT TO ATTEND SCHOOL

Wyo. Stat. § 21-4-309 (2007)

§ 21-4-309. Mandatory immunizations for children attending schools; exceptions

(a) Any person attending, full or part time, any public or private school, kindergarten through twelfth grade, shall within thirty (30) days after the date of school entry, provide to the appropriate school official written documentary proof of immunization. For purposes of this section, documentary proof of immunization is written certification by a private licensed physician or his representative or by any public health authority, that the person is fully immunized. Documentation shall include month, day and year of each required immunization received against vaccine preventable disease as designated by the state health authority. No school administrator shall permit a student to attend school for more than thirty (30) calendar days without documentary proof of immunization. If immunization requires a series of immunizations over a period of more than thirty (30) calendar days, the child shall be permitted to attend school while receiving continuing immunization if the school administrator receives written notification by a private licensed physician or his representative or by a public health official, specifying a written schedule for necessary immunization completion within the medically accepted time period. Waivers shall be authorized by the state or county health officer upon submission of written evidence of religious objection or medical contraindication to the administration of any vaccine. In the presence of an outbreak of vaccine preventable disease as determined by the state or county health authority, school children for whom a waiver has been issued and who are not immunized against the occurring vaccine preventable disease shall be excluded from school attendance for a period of time determined by the state or county health authority, but not suspended from school as provided in W.S. 21-4-305. Children excluded from school attendance under this section shall not be counted in the aggregate number of pupils absent as defined in W.S. 21-13-101(a)(i).

(b) The school administrator shall be responsible for an audit of the immunization status of any child enrolled in the school in accordance with rules and regulations prescribed by the department of health.

(c) The written documented proof of immunization on a form provided by the state health officer shall be an integral part of the child's school record.

(d) For purposes of this section:

(i) "State health officer" means the person appointed by the director of the department of health pursuant to W.S. 9-2-103.

(ii) "County health officer" means the licensed medical officer designated by the county commissioners to serve as health officer for his county;

(iii) "Immunized" or "immunization" means initial immunization and any boosters or reimmunizations required to maintain immunization pursuant to the immunization standards and recommendations issued by the state health officer.

WAIVER OF IMMUNIZATION. --The statute clearly requires a waiver to be issued upon receipt of written evidence of a medical contraindication to the administration of any vaccine, and the statute does not require that a specific reason be given for a medical contraindication. *Jones v. State Dep't of Health*, 18 P.3d 1189 (Wyo. 2001)

The statute mandates the issuance of an exemption from immunization for school children upon a written religious objection and does not permit an inquiry by the department of health into the sincerity of the religious beliefs of an applicant. *LePage v. State*, 18 P.3d 1177 (Wyo. 2001)

TITLE 14. CHILDREN

CHAPTER 4. CHILD CARE FACILITIES

ARTICLE 1. CHILD CARE FACILITIES CERTIFICATION

Wyo. Stat. § 14-4-116 (2007)

§ 14-4-116. Mandatory immunizations for children attending child caring facilities.

(a) As used in this section "child caring facility" means a facility required to be certified under W.S. 14-4-102.

(b) All persons over eighteen (18) months old attending or transferring into a child caring facility are required to be completely immunized in a similar manner to W.S. 21-4-309.

(c) The operator of the child caring facility shall be responsible for an audit of the immunization status of any child attending the child caring facility in a similar manner to W.S. 21-4-309.