

**TITLE 20. EDUCATION**  
**ARTICLE 34. STUDENT HEALTH AND SAFETY MEASURES**  
**CHAPTER 3. HEALTH AND SAFETY MEASURES**

**IC 20-34-3-2 (2007)**

**IC 20-34-3-2**  
**Religious objections**

Sec. 2. (a) Except as otherwise provided, a student may not be required to undergo any testing, examination, immunization, or treatment required under this chapter or IC 20-34-4 when the child's parent objects on religious grounds. A religious objection does not exempt a child from any testing, examination, immunization, or treatment required under this chapter or IC 20-34-4 unless the objection is:

- (1) made in writing;
- (2) signed by the child's parent; and
- (3) delivered to the child's teacher or to the individual who might order a test, an exam, an immunization, or a treatment absent the objection.

(b) A teacher may not be compelled to undergo any testing, examination, or treatment under this chapter or IC 20-34-4 if the teacher objects on religious grounds. A religious objection does not exempt an objecting individual from any testing, examination, or treatment required under this chapter or IC 20-34-4 unless the objection is:

- (1) made in writing;
- (2) signed by the objecting individual; and
- (3) delivered to the principal of the school in which the objecting individual teaches.

**IC 20-34-3-3 (2007)**

**§ 20-34-3-3**  
**Exception for student's health**

Sec. 3. If a physician certifies that a particular immunization required by this chapter or IC 20-34-4 is or may be detrimental to a student's health, the requirements of this chapter or IC 20-34-4 for that particular immunization is inapplicable for the student until the immunization is found no longer detrimental to the student's health.

**TITLE 20. EDUCATION**  
**ARTICLE 34. STUDENT HEALTH AND SAFETY MEASURES**  
**CHAPTER 4. IMMUNIZATIONS**

## **IC 20-34-4-2 (2007)**

### **IC 20-34-4-2**

#### **Required immunizations**

Sec. 2. (a) Every child residing in Indiana shall be immunized against:

- (1) diphtheria;
- (2) pertussis (whooping cough);
- (3) tetanus;
- (4) measles;
- (5) rubella;
- (6) poliomyelitis; and
- (7) mumps.

(b) Every child residing in Indiana who enters kindergarten or grade 1 shall be immunized against hepatitis B and chicken pox.

(c) The state department of health may expand or otherwise modify the list of communicable diseases that require documentation of immunity as medical information becomes available that would warrant the expansion or modification in the interest of public health.

(d) The state department of health shall adopt rules under IC 4-22-2 specifying the:

- (1) required immunizations;
- (2) child's age for administering each vaccine;
- (3) adequately immunizing doses; and
- (4) method of documentation of proof of immunity.

## **IC 20-34-4-3 (2007)**

### **IC 20-34-4-3**

#### **Notification; provision of information to parents**

Sec. 3. (a) Each school shall notify each parent of a student who enrolls in the school of the requirement that the student must be immunized and that the immunization is required for the student's continued enrollment, attendance, or residence at the school unless:

- (1) the parent or student provides the appropriate documentation of immunity;
- (2) for chicken pox, the parent or student provides a written signed statement that the

student has indicated a history of chicken pox; or  
(3) IC 20-34-3-2 or IC 20-34-3-3 applies.

(b) A school that enrolls grade 6 female students shall provide each parent of a female student who is entering grade 6 with information prescribed by the state department of health under subsection (c) concerning the link between cervical cancer and the human papillomavirus (HPV) infection and that an immunization against the human papillomavirus (HPV) infection is available.

(c) The state department of health shall provide a school described in subsection (b) with the information concerning cervical cancer and the human papillomavirus (HPV) infection required in subsection (b). The information must include the following:

(1) The latest scientific information on the immunization against the human papillomavirus (HPV) infection and the immunization's effectiveness against causes of cervical cancer.

(2) That a pap smear is still critical for the detection of precancerous changes in the cervix to allow for treatment before cervical cancer develops.

(3) Information concerning the means in which the human papillomavirus (HPV) infection is contracted.

(4) A statement that any questions or concerns concerning immunizing the child against human papillomavirus (HPV) could be answered by contacting a health care provider.

#### **IC 20-34-4-4 (2007)**

##### **IC IC 20-34-4-4**

##### **Presenting student for immunization; documentation**

Sec. 4. (a) The parent of any student who has not received the immunizations required under this chapter shall present the student to a physician and request the physician administer the immunizations. If the parent is unable to secure the immunizations, the local health department serving the area in which the student resides may provide the immunizations. Vaccines provided by the local health department shall be furnished by the local health board or the state department of health from available supplies.

(b) The physician who administers the required vaccines to a student shall give a certificate or other documentation of the immunizations to the individual who presented the student for immunization. This certificate or other documentation shall be presented on request to the local health department or the local health department's authorized representative.

#### **IC 20-34-4-5 (2007)**

## **IC 20-34-4-5**

### **Statement of immunization history; waiver; rules**

Sec. 5. (a) Each school shall require the parent of a student who has enrolled in the school to furnish not later than the first day of school a written statement of the student's immunization, accompanied by the physician's certificates or other documentation, unless a written statement of this nature is on file with the school.

(b) The statement must show, except for a student to whom IC 20-34-3-2 or IC 20-34-3-3 applies, that the student has been immunized as required under section 2 of this chapter. The statement must include the student's date of birth and the date of each immunization.

(c) A student may not be permitted to attend school beyond the first day of school without furnishing the written statement, unless:

- (1) the school gives the parent of the student a waiver; or
- (2) the local health department or a physician determines that the student's immunization schedule has been delayed due to extreme circumstances and that the required immunizations will not be completed before the first day of school.

The waiver referred to in subdivision (1) may not be granted for a period that exceeds twenty (20) days. If subdivision (2) applies, the parent of the student shall furnish the written statement and a schedule, approved by a physician or the local health department, for the completion of the remainder of the immunizations.

(d) The state department of health may commence an action against a school under IC 4-21.5-3-6 or IC 4-21.5-4 for the issuance of an order of compliance for failure to enforce this section.

(e) Neither a religious objection under IC 20-34-3-2 nor an exception for the student's health under IC 20-34-3-3 relieves a parent from the reporting requirements under this section.

(f) The state department of health shall adopt rules under IC 4-22-2 to implement this section.

## **TITLE 12. HUMAN SERVICES**

### **ARTICLE 17.2 DAY CARE REGULATION**

#### **CHAPTER 3.5 ELIGIBILITY OF CHILD CARE PROVIDER TO RECEIVE REIMBURSEMENT THROUGH VOUCHER**

#### **IC 12-17.2-3.5-11.1 (2007)**

**IC 12-17.2-3.5-11.1**  
**Immunizations**

Sec. 11.1.(a) After December 31, 2002, a provider shall maintain and annually update documentation provided by the physician of each child who is cared for in a facility where the provider operates a child care program that the child has received complete age appropriate immunizations, including:

- (1) conjugated pneumococcal vaccine; and
- (2) varicella vaccine or a demonstrated immunity to varicella. The state department of health shall determine for each age level the immunizations that constitute complete age appropriate immunizations.

(b) A provider meets the requirement of subsection (a) if:

(1) a child's parent:

- (A) objects to immunizations for religious reasons; and
- (B) provides documentation of the parent's objection;

(2) the child's physician provides documentation of a medical reason the child should not be immunized; or

(3) the child's physician provides documentation that the child is currently in the process of receiving complete age appropriate immunizations; and the provider maintains and annually updates the documentation provided by the parent or physician under this subsection.

**TITLE 12. HUMAN SERVICES**  
**ARTICLE 17.2. DAY CARE REGULATION**  
**CHAPTER 6. REGULATION OF CHILD CARE MINISTRIES**

**IC 12-17.2-6-11 (2007)**

**IC 12-17.2-6-11**  
**Immunization of children**

Sec. 11. (a) The parent or guardian of a child shall, when the child is enrolled in a child care ministry, provide the child care ministry with proof that the child has received the required immunizations against the following:

- (1) Diphtheria.
- (2) Whooping cough.
- (3) Tetanus.
- (4) Measles.
- (5) Rubella.

- (6) Poliomyelitis.
- (7) Mumps.

(b) A child enrolled in a child care ministry may not be required to undergo an immunization required under this section if the parents object for religious reasons. The objection must be:

- (1) made in writing;
- (2) signed by the child's parent or guardian; and
- (3) delivered to the child care ministry.

(c) If a physician certifies that a particular immunization required by this section is or may be detrimental to the child's health, the requirements of this section for that particular immunization are inapplicable to that child until the immunization is found to be no longer detrimental to the child's health.

**TITLE 21. HIGHER EDUCATION**  
**ARTICLE 7. STATE UNIVERSITIES**  
**CHAPTER 13. DEFINITIONS**

**IC 21-7-13-1 (2007)**

**IC 21-7-13-1**  
**Application**

Sec. 1. The definitions in this chapter apply throughout this title.

**IC 21-7-13-32 (2007)**

**IC 21-7-13-32**  
**"State educational institution"**

Sec. 32. (a) "State educational institution" means any university, college, or other educational institution:

- (1) existing on or after March 29, 1971;
- (2) in Indiana;
- (3) that provides programs of:

- (A) collegiate or university education; or
- (B) other postsecondary education; and

(4) that is supported in whole or in part by appropriations made by the general assembly.

(b) The term refers to the following:

- (1) Ball State University.
- (2) Indiana State University.
- (3) Indiana University.
- (4) Ivy Tech Community College.
- (5) Purdue University.
- (6) University of Southern Indiana.
- (7) Vincennes University.

## **TITLE 21. HIGHER EDUCATION**

### **ARTICLE 40. STATE EDUCATIONAL INSTITUTIONS: ADMISSION STANDARDS**

#### **CHAPTER 5. IMMUNIZATION REQUIREMENTS AT STATE EDUCATIONAL INSTITUTIONS**

##### **IC 21-40-5-1 (2007)**

##### **IC 21-40-5-1**

##### **Development of form**

Sec. 1. The department shall develop a form that can be used by state educational institutions to meet the requirements of this chapter concerning the use of a certificate of immunity. As added by P.L.2-2007, SEC.281.

##### **IC 21-40-5-2 (2007)**

##### **IC 21-40-5-2**

##### **Necessary student documentation**

Sec. 2. (a) Except as provided in section 7 of this chapter, a state educational institution may not permit a student to matriculate in a residential campus of a state educational institution unless the student provides the documentation required by section 3 of this chapter for the following diseases:

- (1) Diphtheria.
- (2) Tetanus.
- (3) Measles.

- (4) Mumps.
- (5) Rubella.

(b) A state educational institution shall notify a student before the student's matriculation of the following requirements:

(1) That the student must be immunized and that the immunization is required for matriculation at the state educational institution unless the student provides the documentation required by section 3 of this chapter.

(2) That the:

- (A) student; or
- (B) student's parent or guardian;

must comply with section 5 of this chapter. As added by P.L.2-2007, SEC.281.

### **IC 21-40-5-3 (2007)**

#### **IC 21-40-5-3**

##### **Form of documentation; effect of noncompliance**

Sec. 3. (a) Before matriculating in a residential campus of a state educational institution, a student shall provide the state educational institution with one (1) of the following documents:

- (1) A certificate of immunity.
- (2) Documentation of exemption as described in sections 4 and 6 of this chapter.

(b) Before matriculating in a residential campus of a state educational institution, a student who is not a citizen or resident of the United States shall provide the state educational institution with:

- (1) medical documentation that the student has been tested for tuberculosis in the United States;
- (2) the date on which the tuberculosis test was taken; and
- (3) the results of the tuberculosis test.

(c) If a student fails to comply with subsection (a) or (b) by the beginning of the student's second academic term, the state educational institution shall prohibit the student from matriculating in the residential campus of the state educational institution until the requirements are met. As added by P.L.2-2007, SEC.281.



#### **IC 21-40-5-4 (2007)**

##### **IC 21-40-5-4 Exemption from immunization**

Sec. 4. An exemption relieving a student from the requirements of section 3 of this chapter may be accepted by the state educational institution as part of the documentation of exemption for the following reasons:

- (1) If a health care provider makes a written statement indicating the nature and probable duration of a medical condition or circumstances that contraindicate an immunization, identifying the specific vaccine that could be detrimental to the student's health.
- (2) If pregnancy or suspected pregnancy is certified in a written statement from a health care provider.
- (3) If a health care provider provides written documentation that the student is in the course of completing an approved schedule of all necessary doses of the vaccines required for the diseases listed in section 2 of this chapter.

If the student's medical condition or circumstances subsequently permit immunization, the exemptions granted by this section terminate and the student shall obtain the immunizations from which the student has been exempted. As added by P.L.2-2007, SEC.281.

#### **IC 21-40-5-5 (2007)**

##### **IC 21-40-5-5 Providing information on the risks of meningococcal disease**

Sec. 5. (a) A state educational institution in which an individual intends to enroll shall provide detailed information on the risks associated with meningococcal disease and the availability and effectiveness of vaccination to:

- (1) the individual, if the individual is at least eighteen (18) years of age; or
- (2) the individual's parent or guardian, if the individual is less than eighteen (18) years of age.

(b) A state educational institution described in subsection (a) must receive a certificate of immunity:

- (1) that is signed by:

(A) the individual, if the individual is at least eighteen (18) years of age; or  
(B) the individual's parent or guardian, if the individual is less than eighteen (18) years of age; and

(2) that states that the information provided under subsection (a) has been reviewed by:

(A) the individual, if the individual is at least eighteen (18) years of age; or  
(B) the individual's parent or guardian, if the individual is less than eighteen (18) years of age.

As added by P.L.2-2007, SEC.281.

### **IC 21-40-5-6 (2007)**

#### **IC 21-40-5-6 Religious objections**

Sec. 6. (a) Except as otherwise provided, a student may not be required to undergo testing, examination, immunization, or treatment required under this chapter when the student objects on religious grounds.

(b) A religious objection does not exempt a student from testing, examination, immunization, or treatment required under this chapter unless the request for an exemption is:

- (1) made in writing;
- (2) signed by the student; and
- (3) delivered to the individual who might order a test, an examination, an immunization, or a treatment absent the religious objection.

As added by P.L.2-2007, SEC.281.

### **IC 21-40-5-7 (2007)**

#### **IC 21-40-5-7 Time for student compliance with documentation; noncompliance**

Sec. 7. (a) Upon the commencement of a student's first academic term at a state educational institution and not later than the commencement of the student's second academic term, the state educational institution shall require the student to comply with

the requirements of section 3 of this chapter. If the student fails to comply with the requirements of section 3 of this chapter by the commencement of the student's first academic term, the state educational institution shall do the following:

(1) Notify the student of the requirement that the student must be immunized and that the immunizations may be administered by a health care provider.

(2) Notify the student that the immunization is required for the student's continued:

(A) enrollment in;

(B) attendance at; or

(C) residence on;

the campus of the state educational institution unless the student provides the documentation required by section 3 of this chapter.

(b) If a student fails to comply with section 3 of this chapter by the beginning of the student's second academic term, the postsecondary institution shall prohibit the student from matriculating in the postsecondary institution's residential campus until the requirements are met. As added by P.L.2-2007, SEC.281.

### **IC 21-40-5-8 (2007)**

#### **IC 21-40-5-8**

##### **State educational institution nonenforcement; action by department**

Sec. 8. The department may commence an action against a state educational institution under IC 4-21.5-3-6 or IC 4-21.5-4 for the issuance of an order of compliance for failure to enforce this chapter. As added by P.L.2-2007, SEC.281.

### **IC 21-40-5-9 (2007)**

#### **IC 21-40-5-9**

##### **State educational institution records of student immunization status**

Sec. 9. (a) The designated record keeping office shall maintain records obtained under section 7 of this chapter containing the required elements of the immunization status of an enrolled student. The information required on the certificate of immunity and the documentation of exemption, whichever applies, constitutes the required elements of an enrolled student's immunization status. The information on the certificate of immunity and the documentation of exemption, whichever applies:

- (1) is sufficient for accurate compliance with section 11 of this chapter; and
- (2) must be accepted by each state educational institution for purposes of this chapter.

(b) The department and the local health department shall, for good cause shown that there exists a substantial threat to the:

- (1) health and safety of a student; or
- (2) community of an educational institution;

be able to validate immunization reports by onsite reviews or examinations of nonidentifying immunization record data. This section does not independently authorize the department, a local department of health, or an agent of the state or local department of health to have access to identifying medical or academic record data of individual students attending nonaccredited private postsecondary educational institutions.

(c) The records referred to in subsection (a) are sufficient to enable the state educational institution to generate a listing of the students who have filed documentation of exemption forms. The state educational institution shall develop sufficient plans for excluding these students from the state educational institution for the protection of these students if an outbreak of a vaccine preventable disease listed in section 2 of this chapter occurs at or near the campus of the state educational institution. As added by P.L.2-2007, SEC.281.

#### **IC 21-40-5-10 (2007)**

##### **IC 21-40-5-10**

##### **Transfer of student to other state educational institution; record copies for transferee institute**

Sec. 10. A state educational institution may furnish, not later than twenty (20) days after a student transfer, a copy of a student's immunization record to the state educational institution to which the student transfers and enrolls. The state educational institution to which the student transfers and enrolls may request a copy of the student's immunization record from any state educational institution that the student attended. As added by P.L.2-2007, SEC.281.

#### **IC 21-40-5-11 (2007)**

##### **IC 21-40-5-11**

##### **Annual summary reports**

Sec. 11. A state educational institution shall submit a summary report to the department and the local health department having jurisdiction by March 15 of each year. The annual summary report:

(1) must be signed by an official of the designated record keeping office certifying that the information included in the summary report is accurate; and

(2) must include the following:

(A) A statement of the number of students with certificates of immunity, categorized by disease.

(B) A statement of the number of students with appropriate documentation of exemption, categorized by disease.

As added by P.L.2-2007, SEC.281.

### **IC 21-40-5-12 (2007)**

#### **IC 21-40-5-12**

#### **Private institutions; voluntary compliance with chapter**

Sec. 12. This chapter does not prohibit a postsecondary educational institution that:

(1) provides education, degrees, or certificates above the high school level; and

(2) is not a state educational institution;

from voluntarily complying with this chapter. As added by P.L.2-2007, SEC.281.

### **IC 21-40-5-13 (2007)**

#### **IC 21-40-5-13**

#### **Rules; communicable diseases list**

Sec. 13. The department shall adopt rules under IC 4-22-2 necessary to implement this chapter. However, the department may not adopt rules to expand or modify the list of communicable diseases in section 2 of this chapter.