OHIO LEGISLATIVE SERVICE COMMISSION

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Office of Research and Drafting

Legislative Budget Office

R-133-2068-1

To: The Honorable Nino Vitale
Ohio House of Representatives

From:

Date: September 19, 2019

Subject: Immunization requirements and exemptions

You asked LSC staff several questions regarding school child vaccination requirements and the process for claiming exemptions from those requirements. To claim an exemption for reasons of conscience, including religious convictions, current law requires a student to provide his or her school with a written statement from the student's parent in which the parent declines to have the student immunized for those reasons.[1] A member of the clergy is not required to sign or support the parent's written statement.

Immunization requirements for school children

Current Ohio law generally requires a student to present written evidence to the school that the student has been immunized against diphtheria, mumps, pertussis (whooping cough), polio, rubella, rubeola (measles), and tetanus.[2] A student entering kindergarten generally must also present written evidence of being immunized against chicken pox and hepatitis B.[3] In addition, a student entering seventh or twelfth grade must be immunized against meningococcal disease.[4] A student has 14 days from the time of initial entry or the beginning of the school year to present evidence of immunizations.[5]

Claiming an exemption

Existing law provides for exemptions from the immunization requirements. These are (1) reasons of conscience, which includes religious convictions, (2) natural immunizations, and

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[1] R.C. 3313.671(B)(4).

[2] R.C. 3313.671(A)(1). *See* http://codes.ohio.gov/orc/3313.671v1.

[3] R.C. 3313.671(A)(2).

[4] R.C. 3313.671(A)(3).

[5] R.C. 3313.671(A).

(3) medical contraindications.[6] Under current law, a student who presents a written statement of the student's parent or guardian in which the parent or guardian declines to have the student immunized for reasons of conscience, including religious convictions, is not required to be immunized.[7] The statute does not require the parent or guardian to complete or fill out a form. Instead, the statute specifies only that a written statement be submitted. It also does not require the parent or guardian to obtain a signature or statement from the parent's or guardian's clergy member supporting the reasons of conscience or religious convictions exemption.

Other questions

You asked LSC staff to describe the role or authority of schools with respect to the state's vaccination requirements. Under existing law, a student who does not either (1) present written evidence of immunizations to the school or (2) claim an exemption by submitting a written statement to the school is not permitted to remain in school for more than 14 days. Thus, the school must exclude a student after the 14 days have run if the student does not present proof of vaccinations or a written statement from his or her parent or guardian declining to have the student immunized.[8] In the event of a chicken pox epidemic that exists in the school's population, a school may deny admission to a student otherwise exempted from the chicken pox immunization requirement for as long as the epidemic exists.[9]

You also asked LSC staff to describe the role a county board of health would play in the process for claiming an exemption. The current statute does not provide for involvement by the county board. Rather, state law requires only that a county board of health, on the application of a board of education, provide, at the public expense and without delay, the means of immunization for students in cases where parents seeking to immunize their children are not able to provide for those immunizations.[10]

Contact information

I hope this memorandum will be helpful to you. If you have any questions or need additional assistance, please contact me by telephone at or by email at

R-133-2068-1/ar

[6] R.C. 3313.671(B).

[7] R.C. 3313.671(B)(4).

[8] R.C. 3313.671(A).

[9] R.C. 3313.671(C).

[10] R.C. 3313.671(D).