REGULATION GUIDE

[See POLICY ALERT Nos. 183, 220, and 238]

R 5320 IMMUNIZATION

A. School District to Require Evidence of Immunization or Immunity – N.J.A.C. 8:57-4.2

1. Subject to N.J.A.C. 8:57-4.7 and 4.8, the Superintendent or designee shall require a submission on a student's behalf, as a condition of the student's admission to and continued enrollment in the district, of evidence of the student's:

   a. Immunization compliant with N.J.A.C. 8:57-4.3 and 4.4 and 6A:32;

   b. Immunity pursuant to N.J.A.C. 8:57-4.5; and

   c. If the student has attained majority, immunization in accordance with applicable Child and Adolescent Immunization Schedule and the Catch-up Schedule, and the Adult Immunization Recommendation with respect to the MMR, Tdap or TD, VAR, Hep-B, and Men-ACWY.

2. Subject to N.J.A.C. 8:57-4.2(d), (e), and (f) and A.4., 5., and 6. below, and N.J.A.C. 8:57-1.8, with respect to the Superintendent or designee's review of the timing of doses identified in documentation submitted as evidence pursuant to N.J.A.C. 8:57-4.3 of a student's immunization pursuant to N.J.A.C. 8:57-4.4, immunity pursuant to N.J.A.C. 8:57-4.5, and medical contraindication pursuant to N.J.A.C. 8:57-4.7, the Advisory Committee on Immunization Practices (ACIP) recommendations and the AAP Red Book control as to the validity of doses, and determinations of immunization, immunity, and medical contraindications or precautions.

3. The Superintendent or designee shall not knowingly admit to or retain in the district a student upon whose behalf evidence of the student's immunization or immunity pursuant to N.J.A.C. 8:57-4.2(a) and A.1. above, is not submitted.



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4. In accordance with the McKinney-Vento Homeless Assistance Act, 42 USC 11431-11435, and N.J.A.C. 6A:32, the Superintendent or designee shall allow ten days for the transfer of a student's immunization record from a previously attended district that meets the requirements of N.J.A.C. 8:57-4, during which time the Superintendent or designee shall admit the student to the district.

5. The Superintendent or designee shall not exclude a student from attendance in the district on the grounds that the immunization evidence submitted on the student's behalf shows that the student received doses of the following vaccines on dates that are inconsistent with the ACIP recommendations for minimum age and dose intervals if the immunization evidence shows that the student received one or more doses of that vaccine prior to January 20, 2026.

6. The Superintendent or designee shall not exclude a student from attendance in the district on the grounds that the immunization evidence submitted on the student's behalf shows that the student received doses of the following vaccines on dates that are inconsistent with the ACIP recommendations for minimum age and dose intervals if the immunization evidence shows that the student received one or more doses of that vaccine prior to January 7, 2008:

   a. Measles, mumps, and rubella (commonly referred to as MMR);

   b. Hepatitis B (commonly referred to as HepB);

   c. Pneumococcal conjugate vaccine (commonly referred to as PCV);

   d. Haemophilus influenzae type B (commonly referred to as Hib); and

   e. Varicella (commonly referred to as VAR).



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B. Immunizations as to Which the School District Shall Require Evidence – N.J.A.C. 8:57-4.3

1. With respect to a student entering or attending the district, and subject to N.J.A.C. 8:57-4.3(d), (e), and (f) and B.2., 3., and 4. below, the Superintendent or designee shall require the submission of evidence of the student's immunization with the following vaccines in accordance with the ACIP recommendations, and as administered by a healthcare professional, pharmacist, or a healthcare professional or pharmacist in a jurisdiction other than New Jersey whose licensed scope of practice includes the administration of immunizations, as a condition of the student's admission to and continued attendance in the district:

   a. DTaP, Tetanus diphtheria toxoid (commonly referred to as Td), Tdap, or DT;

   b. Hep B;

   c. IPV or OPV;

   d. MMR;

   e. VAR; and

   f. Meningococcal serogroups A, C, W, Y vaccine (MenACWY).

2. Notwithstanding the ACIP recommendations with respect to the number of varicella vaccine doses, as an alternative to N.J.A.C. 8:57-4.3(c)5. and B.1.e. above, the Superintendent or designee shall admit a student upon the submission of evidence of the student's immunization with at least one varicella vaccine dose administered in accordance with the ACIP recommendations as to minimum age.

3. Notwithstanding the ACIP recommendations with respect to the number of doses of Meningococcal serogroups A, C, W, Y vaccine (MenACWY), as an alternative to N.J.A.C. 8:57-4.3(c)6. and B.1.f. above, the Superintendent or designee shall admit a student upon the submission of evidence of the student's immunization with at least one dose of MenACWY vaccine administered in accordance with the ACIP recommendations.

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4. Notwithstanding ACIP recommendations stating that a student should receive certain doses of the following vaccines during the ages of four through six years of age (four- to six-year dose), the Superintendent or designee shall require the submission of evidence of a student's immunization with the four- to six-year doses of the following vaccines by the earlier of the student's attendance at either Kindergarten or a higher grade, as a condition of the student's admission to and attendance therein:

   a. DTaP;

   b. IPV or OPV; and

   c. MMR.

C. Evidence of Immunization – N.J.A.C. 8:57-4.4

1. The Superintendent or designee shall accept, and maintain as part a student's immunization record pursuant to N.J.A.C. 8:57-4.6, Policy 5320, and this Regulation, the types of documentation listed at N.J.A.C. 8:57-4.4(b) and C.2. below as evidence of a student's immunization pursuant to N.J.A.C. 8:57-4.2 and 4.3 and A. and B. above if, alone or in combination with other items listed at N.J.A.C. 8:57-4.4(b) and C.2. below, the submitted record identifies:

   a. The month, day, and year of administration of each required vaccine dose; or

   b. Only the month and year of administration of each required vaccine dose if the totality of the documentation presented enables the Superintendent or designee to undertake the analysis and make the determination that N.J.A.C. 8:57-4.4(c) and C.3. below requires.

2. Subject to N.J.A.C. 8:57-4.4(a) and C.1. above, the following are acceptable forms of evidence of immunization:

   a. An official facility record indicating compliance with the immunization requirements of N.J.A.C. 8:57-4, including electronic health records;

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b. A record issued by a governmental health authority of the United States of America;

c. A record signed by:

(1) A healthcare professional;

(2) A pharmacist;

(3) Any other entity licensed pursuant to Title 45 of the Revised Statutes of New Jersey whose authorized scope of practice includes the ordering of a vaccine; or

(4) A person who holds a credential in good standing that is equivalent or corresponds to a credential at N.J.A.C. 8:57-4.4(b)3.i., ii., or iii. and C.2.c.(1), (2) and (3) above, in a jurisdiction other than New Jersey, whose authorized scope of practice includes the ordering of vaccines, provided that if the record is in a language other than English, it is accompanied by an English translation consistent with N.J.A.C. 8:57-4.4(b)6. and C.2.f. below;

d. An official record from the New Jersey Immunization Information System, including a record from the Docket(R) mobile phone application or Docket(R) website application, or a successor application administered by an entity with which the Department may elect to enter into a cooperative data sharing agreement;

e. An official State of New Jersey School Immunization Record; and/or

f. A signed record issued by a foreign governmental agency; provided that, if the record is in a language other than English, it is accompanied by an English translation thereof, certified to be true under penalty of perjury, as follows:

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(1) A certification pursuant to N.J.A.C. 8:57-4.4(b)5. and C.2.e. above from any adult is acceptable, provided the certification contains the following statement, and, below the statement, the printed name and signature of the translator, and the date:

"I certify that the translation above faithfully and accurately reproduces in English the closest natural equivalent of the attached document without embellishment, omission, or explanation. I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment."

3. The Superintendent or designee shall evaluate the evidence submitted on a student's behalf pursuant to N.J.A.C. 8:57, in consultation with the VPDP as may be necessary in the circumstances, to confirm that:

a. The student received the immunizations of which N.J.A.C. 8:57-4, Policy 5320, and this Regulation require the Superintendent or designee to confirm that student's receipt;

b. The required doses were administered by a healthcare professional or a pharmacist; and

c. The dose of each vaccination was a valid dose pursuant to N.J.A.C. 8:57-4.2 and 4.3 and A. and B. above.

D. Evidence of Immunity – N.J.A.C. 8:57-4.5

1. The Superintendent or designee shall accept any of the following as evidence of a student's immunity to a vaccine-preventable disease against which the Superintendent or designee is to require evidence of immunization pursuant to N.J.A.C. 8:57-4.3 and B. above, subject to the ACIP recommendations and the AAP Red Book for scheduling, laboratory testing, and other indicators of immunity:



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a. A positive serologic test result indicative of immunity to:

(1) Measles;

(2) Mumps;

(3) Rubella;

(4) Varicella; and/or

(5) Poliovirus (demonstrated by a positive test result for types one, two, and three);

b. With respect to hepatitis B, a positive:

(1) Surface antibody laboratory test result after completion of the ACIP recommendations schedule; or

(2) Surface antigen laboratory test result and/or core antibody test result, indicating infection with hepatitis B virus; and

c. With respect to varicella, a record signed by a healthcare professional stating that the healthcare professional diagnosed or verified that the student has had varicella (chicken pox).

2. Pursuant to N.J.S.A. 26:2N-8. through 11., commonly known as "Holly's Law," in lieu of requiring evidence of a student's immunization with a second dose of vaccine for measles, mumps, and rubella, the Superintendent or designee shall admit to the district a student upon the submission of documentation of a positive serologic test result, also known as an antibody titer, for measles, mumps, and rubella.

E. District Obligations with Respect to Documentation of Compliance and Recordkeeping – N.J.A.C. 8:57-4.6

1. Subject to N.J.A.C. 8:57-4.6(b) and E.2. below, the Superintendent or designee shall:

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a. Maintain all original documents and evidence submitted on a student's behalf pursuant to N.J.A.C. 8:57-4 in a discrete file (file) with respect to each student that the Superintendent or designee:

(1) Enrolls and admits to the district; and

(2) Excludes from attendance in the district;

b. Keep the file separate from the student's educational and medical records; and

c. Make the file available for inspection on request of the local health official with jurisdiction and/or the New Jersey Department of Health for immunization record auditing and related public health oversight and enforcement activities.

2. While the Superintendent or designee may elect to store, electronically, some or all information that N.J.A.C. 8:57-4 requires the Superintendent or designee to collect and maintain, the Superintendent or designee's ability to generate documents or lists from that electronically stored information does not obviate the Superintendent or designee's obligation to maintain the original (paper) documents and evidence pursuant to N.J.A.C. 8:57-4.6(a) and E.1. above.

a. The New Jersey Department of Health shall treat any documents or lists the Superintendent or designee generates from electronically stored information to be in supplement to, and not in replacement of, the file containing the original material.

3. A file that the Superintendent or designee creates pursuant to N.J.A.C. 8:57-4.6(a) and E.1. above is a student's "immunization record," as laws and rules that are within the administration of the New Jersey Department of Education use that term, specifically with respect to access, retention, transfer, and disposal. (See N.J.A.C. 6A:16-2.4 and 6A:32-7).

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F. Exemption Due to Medical Contraindication; Required Documentation; School District Review – N.J.A.C. 8:57-4.7

1. The Superintendent or designee shall not require evidence of immunization or immunity pursuant to N.J.A.C. 8:57-4.2 and A. above if a particular immunization is medically contraindicated or presents a precaution for a reason that the ACIP recommendations or the AAP Red Book specify as a vaccine contraindication or precaution.

2. In support of an exemption pursuant to N.J.A.C. 8:57-4.7(a) and F.1. above from a particular required immunization, the Superintendent or designee shall require the submission of a Request for Medical Exemption from Mandatory Immunization (provided at N.J.A.C. 8:57 Appendix L, incorporated herein by reference) executed by a physician or an advanced practice nurse licensed to practice pursuant to Title 45 of the New Jersey Revised Statutes, including a person who holds a credential in good standing in a jurisdiction of the United States of America that is equivalent or corresponds to a New Jersey licensed physician or advanced practice nurse, that specifies:

   a. The immunization that is medically contraindicated or presents a precaution for the specific student;

   b. The period during which the immunization is medically contraindicated or presents a precaution for the student; and

   c. The medical reason for which, and the period during which, administration of the immunization is contraindicated or presents a precaution to the student.

3. The Superintendent or designee shall:

   a. Review the statement submitted pursuant to N.J.A.C. 8:57-4.7 for compliance with N.J.A.C. 8:57-4.7(a) and (b) and E.1. and E.2. above in consultation with the VPDP, as may be necessary in the circumstances;

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b. If the statement complies with N.J.A.C. 8:57-4.7(a) and (b) and E.1. and E.2. above, review the grant of exemption at least annually or by the end of the contraindication period that the statement specifies pursuant to N.J.A.C. 8:57-4.7(b)2. and E.2.b. above, whichever is earlier, to ensure that, upon the conclusion of the contraindication period, evidence of immunization or immunity in accordance with N.J.A.C. 8:57-4.2 and the ACIP recommendations is submitted; and

c. Retain the statement as part of the immunization record pursuant to N.J.A.C. 8:57-4.6.

G. Religious Exemption – N.J.A.C. 8:57-4.8

1. Pursuant to N.J.S.A. 26:1A-9.1., the Superintendent or designee shall not require evidence of a student's immunization or immunity pursuant to N.J.A.C. 8:57-4.2 "if the parent of the pupil [student] objects thereto upon the ground that the immunization interferes with the free exercise of the pupil's [student's] religious rights."

2. In support of a request for an exemption pursuant to N.J.A.C. 8:57-4.8(b) and G.1. above, the Superintendent or designee shall require the student's parent to submit a written statement that includes a date and is signed by hand:

a. Requesting an exemption on the grounds described at N.J.A.C. 8:57-4.8(b) and G.1. above, as applicable; and

b. If the request is with respect to a particular immunization rather than to all immunizations, specifying the immunization to which the request applies.

3. The Superintendent or designee shall not exempt a student from the obligation to provide evidence of immunization or immunity pursuant to N.J.A.C. 8:57-4.2 on the sole basis of a moral or philosophical objection to immunization.



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4. The Superintendent or designee shall require evidence of immunization or immunity pursuant to N.J.A.C. 8:57-4.2 with respect to immunizations from which the parent does not request exemption pursuant to N.J.A.C. 8:57-4.8, which a parent specifies pursuant to N.J.A.C. 8:57-4.8(c)2. and G.2.b. above.

5. The Superintendent or designee shall retain a written statement that a parent submits pursuant to N.J.A.C. 8:57-4.8(c) and G.2. above in the student's immunization record.

6. Subject to N.J.A.C. 8:57-4.8(i) and G.7. below, the Superintendent or designee shall not require the parent of a student to whom the Superintendent or designee grants an exemption pursuant to N.J.A.C. 8:57-4.8 to reapply annually for the same exemption.

7. If a student, for whom an exemption pursuant to N.J.A.C. 8:57-4.8 is of record, receives, with the consent of the student's parent, an immunization that contravenes the statement the parent submitted pursuant to N.J.A.C. 8:57-4.8(c) and G.2. above, the Superintendent or designee shall deem the request for exemption to be withdrawn and thereafter the Superintendent or designee shall require compliance with N.J.A.C. 8:57-4.2 and A. above in accordance with the ACIP recommendations and N.J.A.C. 8:57.

H. Provisional and Foreign Admission – N.J.A.C. 8:57-4.9

1. With respect to a student upon whose behalf evidence pursuant to N.J.A.C. 8:57-4.2 and A. above showing compliance with applicable immunization schedules in accordance with the ACIP recommendations is not submitted, the Superintendent or designee, subject to N.J.A.C. 8:57-4.9(b) and H.2. below, shall neither admit the student to, nor continue the student's enrollment in the district, unless and until evidence is submitted compliant with N.J.A.C. 8:57-4.4 and C. above showing that the student:

   a. Has received at least one dose of each immunization that N.J.A.C. 8:57-4.3 and B. above require; and

   b. Is no later than fourteen days behind in receiving the remaining doses in accordance with the applicable Catch-up Schedule.



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2. With respect to a student who is entering, or transferring into, a school in the district from outside of the United States of America, upon whose behalf evidence pursuant to N.J.A.C. 8:57-4.2 and A. above showing compliance with applicable immunization schedules in accordance with the ACIP recommendations is not submitted, the Superintendent or designee shall admit the student to the district for no longer than thirty days, during which evidence on the student's behalf shall be submitted:

   a. Compliant with N.J.A.C. 8:57-4.4 and/or 4.5 and C. and/or D. above of the student's immunization or immunity; and/or

   b. Compliant with N.J.A.C. 8:57-4.4 and C. above that the student:

      (1) Has received at least one dose of each immunization of which N.J.A.C. 8:57-4.3 and B. above require evidence of immunization in accordance with the ACIP recommendations; and

      (2) Is no later than fourteen days behind in receiving the remaining doses in accordance with the applicable Catch-up Schedule.

3. Subject to N.J.A.C. 8:57-4.9(c)1. and H.3.a. below, N.J.A.C. 8:57-4.9(b) and H.2. above apply to students to whom the Interstate Compact on Educational Opportunity for Military Children applies, pursuant to N.J.S.A. 18A:75A-1 et seq., specifically N.J.S.A. 18A:75A-4. and 5.

   a. Pursuant to N.J.S.A. 18A:75A-19., rules of the Military Interstate Children's Compact Commission (MIC3), promulgated pursuant to N.J.S.A. 18A:75A-13., supersede and preempt N.J.A.C. 8:57-4.9(c) and H.3. above, if the MIC3 rules authorize longer periods within which evidence of a student's immunization or immunity in accordance with the ACIP recommendations is to be submitted, as a condition of a student's admission to or continued attendance in the district.

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b. The MIC3 rules are available from the Military Interstate Children's Compact Commission.

I. Exclusion of Persons During an Actual or Threatened Vaccine-Preventable Disease Outbreak – N.J.A.C. 8:57-4.10

1. Notwithstanding the grant of an exemption or provisional admission pursuant to N.J.A.C. 8:57-4.7, 4.8, or 4.9 and F., G., and H. above, if the New Jersey Department of Health Commissioner determines that an actual or threatened communicable disease outbreak or a public health emergency exists, and at the direction of the New Jersey Department of Health Commissioner or the local health agency with jurisdiction, the Superintendent or designee shall exclude unimmunized, under-immunized, and provisionally admitted students from attendance thereat during the actual or suspected communicable disease outbreak or public health emergency.

2. Pursuant to N.J.S.A. 26:4-6., "Any body having control of a school may, on account of the prevalence of any communicable disease, or to prevent the spread of communicable diseases, prohibit the attendance of any teacher or pupil [student] of any school under their control and specify the time during which the teacher or scholar [student] shall remain away from school."

a. To implement N.J.A.C. 8:57-4.10, the local health agency with jurisdiction or the New Jersey Department of Health shall determine:

(1) The "prevalence" of the communicable disease;

(2) The existence of an epidemiological basis to warrant the prohibition of persons from attendance to prevent the spread of the communicable disease; and

(3) The time and/or circumstances during which the prohibition of persons from attendance is to remain in effect.

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3. The Superintendent or designee shall maintain a record of persons admitted to any building in the district pursuant to N.J.A.C. 8:57-4.7, 4.8, and 4.9 and F., G., and H. above and make an up-to-date list of those persons available to the New Jersey Department of Health and/or the local health agency upon request during a suspected or confirmed communicable disease outbreak and/or a public health emergency.

4. The Superintendent or designee may elect to notify a parent who submits a request for exemption of a student pursuant to N.J.A.C. 8:57-4.7 and 4.8 and F. and G. above or who obtains provisional admission of a student pursuant to N.J.A.C. 8:57-4.9 and H. above of the potential exclusion of the student from attendance in the district pursuant to N.J.A.C. 8:57-4.10 during a suspected or confirmed communicable disease outbreak and/or a public health emergency.

J. Reports to Be Sent to the New Jersey Department of Health and Local Health Agency – N.J.A.C. 8:57-4.11

1. The Superintendent or designee shall report the immunization status of the students attending or enrolled in the district by submission of the information required in the Annual Immunization Status Report (provided at N.J.A.C. 8:57 Appendix M) in the New Jersey Immunization Information System (NJIIS) by December 1 of each year.

K. Emergency Powers of the New Jersey Department of Health Commissioner – N.J.A.C. 8:57-4.14

1. If the New Jersey Department of Health Commissioner determines that a suspected or confirmed outbreak of disease exists, or the Governor of New Jersey declares a public health emergency exists pursuant to N.J.S.A. 26:13., the New Jersey Department of Health Commissioner may require additional immunizations or modify existing immunization requirements as a condition of a student's continued enrollment in the district.

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2. The Superintendent or designee shall exclude from the district any person failing to meet additional or modified requirements that the New Jersey Department of Health Commissioner issues pursuant to N.J.A.C. 8:57-4.14(a) and K.1. above upon the direction of the local health agency with jurisdiction or the New Jersey Department of Health, which direction may include the exclusion of unimmunized and under-immunized persons, notwithstanding the existence of an otherwise applicable medical contraindication or religious exemption.

3. Additional or modified requirements that the New Jersey Department of Health Commissioner issues pursuant to N.J.A.C. 8:57-4.14(a) and K.1. above, shall remain in effect until the New Jersey Department of Health Commissioner determines that the suspected or confirmed outbreak or other public health emergency is over, and issues a declaration to this effect that rescinds the additional or modified requirements.

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