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To: Headmasters and Principals of Residential Schools
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Directors of College Health
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Healthcare Providers

From: Susan M. Lett, M.D., M.P.H.
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Director, School Health Services

Date: March 2005

Re: **New Regulations Pertaining to Meningococcal Disease and
Vaccination for:**
1) Residential Schools with Grades 9-12; and
2) Postsecondary Institutions that Provide or License Housing

Effective August 2005, recently enacted Massachusetts General Laws, Chapter 76, s.15D and related regulations of the Massachusetts Department of Public Health (105 CMR 220.700) will require all new students at public and private residential schools that provide education to students in grades 9-12 and all new full-and part-time, undergraduate and graduate students in degree-granting programs at postsecondary institutions (e.g., colleges) that provide or license housing, to:

- receive information about meningococcal disease and vaccine; and
- provide documentation of receipt of 1 dose of meningococcal vaccine within the last 5 years or qualify for one of the exemptions to immunization established by the statute.

The 2 components of the law, described above, apply to **all new** students at these institutions (**whether or not** they reside in school- or campus-provided housing).

In addition, at residential schools with grades 9-12, the requirements also apply to all new students at that institution, regardless of grade.

The law states that affected institutions are **not** required to provide the vaccine or incur expense for the vaccine. However, these institutions are required to provide information about meningococcal disease and vaccine. In contrast to other immunization requirements, this law allows an exemption for students who sign a waiver refusing vaccination after they have read the information provided.

The Massachusetts Department of Public Health (MDPH) has revised the regulations governing the Immunization of Students before Admission to School (105 CMR 220) to reflect the language of the amended law (enclosed). All of the language pertaining to these new requirements has been organized into a new section, 105 CMR 220.700.

This advisory summarizes: the pertinent definitions; institutions and student groups affected; the requirements; and the exemptions and waiver process. It also describes the institutional responsibilities for providing information about meningococcal disease and vaccine and where to obtain the form entitled *Information about Meningococcal Disease and Vaccination and Waiver for Students at Residential Schools and Colleges*.

I. Definitions

- **Secondary School.** A secondary school is defined as a school or that part of a school that provides education for students in grades 9 through 12.
- **Postsecondary Institution.** The definition for postsecondary institutions has been previously defined in 105 CMR 220.600 and is unchanged. It consists of any college, university or school accredited as a postsecondary institution by the New England Association of Schools and Colleges.
- **Students.** For the purposes of 105 CMR 220.700, students shall mean:
 - (a) students newly enrolled at a secondary school that provides or licenses housing; and
 - (b) full- and part-time undergraduate and graduate students newly enrolled in a degree granting program at a postsecondary institution that provides or licenses housing.

(Remember, the requirements apply to **all new** students at the affected institutions, whether or not they reside in school- or campus-provided housing.)

II. Information and Waiver Form

MDPH has developed a form entitled *Information about Meningococcal Disease and Vaccination and Waiver for Students at Residential Schools and Colleges* (enclosed). It contains information about the dangers of meningococcal disease and the benefits and risks of meningococcal vaccine.

The form also states that students must provide documentation of meningococcal vaccination or eligibility for one of the exemptions provided in the law. The waiver section of the form states that the student (or parent/legal guardian, if the student is under 18 years of age) has reviewed the information provided and chosen to waive receipt of meningococcal vaccine.

The legislation requires that all institutions use only this MDPH-developed information and waiver form. **No** substitutions or modifications to the form are allowed.

III. Requirements

- **Institutional requirements.** Residential schools with grades 9-12 and postsecondary institutions (e.g., colleges) that provide or license housing must provide each newly enrolled student with the document entitled *Information about Meningococcal Disease and Vaccination and Waiver for Students at Residential Schools and Colleges*. This form must be given to the student if he or she is at least 18 years old (or to the student's parent/legal guardian, if the student is a minor).
 - It is the institution's responsibility to provide this form to all new students (parents/legal guardians), whether or not they reside in school- or campus-provided housing.
 - If the student chooses not to receive the meningococcal vaccine, a signed copy of the MDPH-developed information and waiver form must be kept on file at the institution.
- **Student Requirements.** The following requirements apply to new students at the affected institutions.
 - All new students (parents/legal guardians) must provide written documentation that they have received 1 dose of meningococcal vaccine (within the last 5 years) at least 2 weeks prior to the beginning of classes, unless they have a medical or religious exemption, or have signed the waiver declining the vaccine.

Please refer to the section below on **Exemptions**, for information on the proper documentation needed.

The meningococcal immunization requirements are summarized in the table below.

Meningococcal Vaccine Requirements for Students¹ at Residential Schools with Grades 9-12 and Postsecondary Institutions

	Residential Schools with Grades 9-12	Postsecondary Institutions That Provide Housing
Meningococcal Vaccine²	1 dose ³ for all new students, regardless of grade (including grades pre-K-8, if these grades are combined in the same school or part of a school with grades 9-12) ⁴	1 dose ³ for all new, full- and part-time, undergraduate and graduate students in a degree-granting program ⁴
<p>¹ These requirements apply to all new students at affected institutions, whether or not they reside in school- or campus-related housing.</p> <p>² Meningococcal polysaccharide vaccine is approved for use in those ≥ 2 years of age. Meningococcal conjugate vaccine is approved for use in those 11 - 55 years of age. Both vaccine formulations are acceptable for use in students ≥ 11 years of age. For those < 11 years, meningococcal polysaccharide vaccine is the only licensed formulation.</p> <p>³ Administered within the last 5 years.</p> <p>⁴ Unless the student qualifies for an exemption.</p>		

- **Exemptions.** Students may begin classes *without* a certificate of immunization against meningococcal disease if:
 - 1) the student has a letter from a physician stating that there is a medical reason why he/she can not receive the vaccine (**medical exemption**);
 - 2) the student (or the student's parent/legal guardian, if the student is a minor) presents a statement in writing that such vaccination is against his/her sincere religious belief (**religious exemption**); or
 - 3) the student (or the student's parent/legal guardian, if the student is a minor) signs the MDPH-developed waiver stating that the student has received information about the dangers of meningococcal disease, reviewed the information provided and elected to decline the vaccine (**waiver exemption**). (A signed copy of this information and waiver form must be kept on file at the institution.)

MDPH has developed the document *Massachusetts Immunization Requirements for 2005* to summarize these requirements. This document is enclosed and can be found on the MDPH website www.mass.gov/dph.

IV. Institution-Specific Guidance

This section contains information that clarifies the new requirements for postsecondary schools that provide or license housing and residential schools with students in grades 9-12.

A. Special Guidance for Postsecondary Institutions (Colleges)

- These regulations only apply to those institutions that provide or license housing.
- At the affected institutions, the requirement applies to all new full- and part-time undergraduate and graduate students in a degree-granting program. This includes freshmen and transfer students in any year of study, whether or not they reside in campus-related housing.

B. Special Guidance for Residential Schools with Students in Grades 9-12

- These regulations only apply to secondary schools that provide or license housing.
- At residential schools providing education to students in grades 9-12 (or in situations with ungraded classrooms, students 13 years of age and older), the requirements apply to all new students, even if they do not live at the school.
- At residential schools, the requirements apply to new students in lower grades (pre-K through 8), if the school combines these grades in the same school or a part of the school with students in grades 9-12.
- If a residential school has a post-graduate year, the requirements apply to all new students entering that grade, as well.
- The requirements do **not** apply to students in a school or part of a school that provides education only to students in pre-kindergarten through 8th grade.
- The requirements do **not** apply to secondary schools that do not provide or license housing.
- The requirements do **not** apply to non-educational residential facilities such as group homes, mental health facilities and correctional settings.

While institutions are not required to provide or pay for meningococcal vaccine, they are required to provide each new student (parent/legal guardian) with the document *Information about Meningococcal Disease and Vaccination and Waiver for Students at Residential Schools and Colleges*. MDPH will not provide bulk copies of this form. However, a copy of the form is enclosed and may be photocopied. This document is also available at the MDPH website www.mass.gov/dph. If you are unable to access the web page, please contact the MDPH Immunization Program at 617-983-6800 or toll-free at 888-658-2850 to obtain a copy.

Consideration is being given to amending the law regarding the scope of the requirements. When and if the law is amended, regulations regarding meningococcal vaccination may

change. As currently proposed, the amendment would limit the application of the law to new students living in dormitories or comparable congregate environments provided or licensed by secondary schools or postsecondary institutions. If the proposed legislation is enacted, you will be notified. However, the current law requires that the existing requirements in the law and these regulations be met by August 2005.

If you have any questions about the existing requirements relating to meningococcal disease and vaccination, please contact the MDPH Immunization Program at 617-983-6800 or toll-free at 888-658-2850.

V. Enclosures

105 CMR 220.000: Immunization of Students before Admission to School

Information about Meningococcal Disease and Vaccination and Waiver for Students at Residential Schools and Colleges

Massachusetts School Immunization Requirements 2005