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SB 277 Reminder: Law Now Fully In Effect

Students Can No Longer Rely on Personal Belief Exemption to Avoid Vaccinations

Effective July 1, 2016, students entering kindergarten or 7th grade (known as “vaccination checkpoints”) must be vaccinated and can no longer rely on a personal belief exemption (“PBE”). Students who have a PBE may be “grandfathered in” if they are not entering kindergarten or 7th grade. However, once a student rises to the 7th grade, that PBE will no longer be accepted. There are generally two exceptions to the vaccination requirement: (1) obtaining a medical waiver from a doctor or (2) enrolling the student in independent study or homeschool (non-classroom based instruction). Districts should ensure that students entering kindergarten or 7th grade on or after July 1 show proof of current vaccinations.

However, the law does not prohibit students from accessing special education or related services required by their individualized education program. Some school districts have constructively exempted special education students from the vaccination requirement since the districts are legally mandated to provide services to students who qualify for special education and related services, and failure to do so could leave the district open to legal challenge. However, other districts have insisted all students, including those receiving special education services, be vaccinated. The State or CDE has yet to clarify the intent of SB 277 regarding students receiving special education services.

Should you have any follow-up questions or comments on this information, please feel free to contact either our Southern California office at (714) 573-0900 or our Northern California office at (916) 245-8677 or visit our website at www.parkercovert.com

This Legal Update can also be viewed [here](#).