COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D. C. LAW 3-20

"Immunization of School Students Act of 1979"

Pursuant to Section 412 of the District of Columbia Self-Government and Governmental Reorganization Act, P. L. 93-198, "the Act", the Council of the District of Columbia adopted Bill No. 3-66, on first, amended first, and second readings, May 22, 1979, June 5, 1979 and June 19, 1979 respectively. Following the signature of the Mayor on July 12, 1979, this legislation was assigned Act No. 3-64, published in the July 27, 1979, edition of the D.C. Register, (Vol. 26 page 380) and transmitted to Congress on July 18, 1979 for a 30-day review, in accordance with Section 602 (c)(1) of the Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional Review Period has expired, and, therefore, cites the following legislation as D.C. Law 3-20, effective September 28, 1979.

ARRINGTON DIXON
Chairman of the Council

Dates Counted During the 30-day Congressional Review Period:

July	18, 19, 20, 23, 24, 25, 26, 27, 30, 31,
August	1, 2, 3
September	5, 6, 7, 10, 11, 12, 13, 14, 17, 18, 19, 20, 21, 24, 25, 26, 27

D.C. LAW 3-20

EFFECTIVE DATE SEP 20 1979

Enrolled Original

AN ACT

D.C. ACT 3-64

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JUL 12 1979

To immunize all students who are incompletely immunized against the preventable childhood diseases, and to establish a continuing system by which all students will be fully immunized at the earliest appropriate time.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Immunization of School Students Act of 1979".

Sec. 2. For the purpose of this act:

(a) The term "admit" or the term "admission" means the official enrollment at any level by a school of a student that entitles the student to attend the school regularly, whether full-time or part-time, and to participate fully in all the activities established for a student of his or her age, educational level, or other appropriate classification.

(b) The term "certification of immunization" means written certification by a private physician, his or her representative, or the public health authorities that the student is immunized.

(c) The term "student" means any person who seeks admission to school, or for whom admission to school is sought by a parent or guardian, and who will not have attained the age of twenty-six (26) years by the start of the school term for which admission is sought.

(d) The term "immunized" or the term "immunization" means initial immunization and any boosters or reimmunization required to maintain immunization against diphtheria, poliomyelitis, tetanus, rubella, measles, and mumps in accordance with the immunization standards issued by the public health authorities pursuant to this act.

(e) The term "Mayor" means the Mayor of the District of Columbia.

(f) The term "public health authorities" means the official or officials of the Executive Branch of the government of the District of Columbia designated by the Mayor pursuant to this act.

(g) The term "responsible person" means, in the case of a student under eighteen (18) years of age, a parent or guardian of the student, but in the case of a student eighteen (18) years of age or older, the student himself or herself.

(h) The term "school" means (1) any public school through the twelfth (12th) grade operated under the

authority of the Board of Education of the District of Columbia; (2) any private or parochial school that offers instruction at any level or grade from kindergarten through twelfth (12th); (3) any private or parochial nursery school or preschool, or any private or parochial day-care facility required to be licensed by the District of Columbia; and (4) any college or university created or incorporated by special act of Congress or the Council of the District of Columbia or required to be licensed by the District of Columbia.

Sec. 3. No student shall be admitted by a school unless the school has certification of immunization for that student, or unless the student is exempted pursuant to section 7.

Sec. 4. The Mayor shall, by regulations, specify the immunization standards to be used for compliance with this act, and may also, by regulation, revise the list of requested immunizations.

Sec. 5. With respect to any student for whom a school does not have certification of immunization, the school shall notify a responsible person (a) that it has no certification of immunization for the student; (b) that it may not admit the student without certification (unless the student is exempted on medical or religious grounds pursuant to section 7 of this act); (c) that the student may be

immunized and receive certification by a private physician or the public health authorities; and (d) how to contact the public health authorities to learn where and when they perform these services. Neither the District of Columbia nor any school or school official shall be liable in damages to any person for failure to comply with this section.

Sec. 6. A school shall permit a student to attend for not more than ten (10) days while the school does not have certification of immunization for that student. If immunization requires a series of treatments that can not be completed within the ten (10) days, the student shall be permitted to attend school while the treatments are continuing if, within the ten (10) days, the school receives written notification from whomever is administering it that the immunization is in progress.

Sec. 7. No certification of immunization shall be required for the admission to a school of a student (a) for whom the responsible person objects in good faith and in writing, to the chief official of the school, that immunization would violate his or her religious beliefs; or (b) for whom the school has written certification by a private physician, his or her representative, or the public health authorities that immunization is medically inadvisable.

Sec. 8. In order to implement the requirements of this act efficiently, the public health authorities may develop a plan under which immunization may be made available to students according to groups defined alphabetically, geographically, or by age or grade or otherwise, and upon application of the public health authorities or the Superintendent of Schools, the Mayor may suspend for no longer than one (1) year the application of this act to those groups of students to whom immunization under such a plan will not be made available soon enough to avoid barring them from admission to school.

Sec. 9. The Regulation Requiring Immunization of School Children, enacted May 5, 1972 (Regulation 72-9), as amended by the Regulation Amending Regulation 72-9 Regarding Immunization of School Children, enacted May 11, 1973 (Regulation 73-11), is hereby repealed.

Sec. 10. If any provision of this act or its application to any person or circumstance is held to be invalid, the remaining provisions and other applications shall not be affected.

Sec. 11. This act shall be take effect as provided for acts of the Council of the District of Columbia in section 602(c)(1) of the District of Columbia Self-Government and Governmental Reorganization Act.

Chairman
Council of the District of Columbia

Mayor
District of Columbia

APPROVED: July 12, 1979

COUNCIL OF THE DISTRICT OF COLUMBIA

RECORD OF OFFICIAL COUNCIL ACTION

DOCKET NO: Bill 3-66

ACTION: To Adopt (5-22-79) First Reading

☒ VOICE VOTE: By Majority

Absent: All Present

☐ ROLL CALL VOTE:

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
DIXON					KANE					SHACKLETON				
WINTER					MASON					SPAULDING				
CLARKE					MOORE					WILSON				
HARDY					RAY									
JARVIS					ROLARK									

X—Indicates Vote A. B.—Absent N. V.—Not Voting

CERTIFICATION OF RECORD

Ruth G. Robinson

Secretary to the Council

ACTION: To Adopt (6-5-79) Amended First Reading

☒ VOICE VOTE: Unanimous

Absent: Dixon, Kane Wilson and Spaulding

☐ ROLL CALL VOTE:

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
DIXON					KANE					SHACKLETON				
WINTER					MASON					SPAULDING				
CLARKE					MOORE					WILSON				
HARDY					RAY									
JARVIS					ROLARK									

X—Indicates Vote A. B.—Absent N. V.—Not Voting

CERTIFICATION OF RECORD

Ruth G. Robinson

Secretary to the Council

ACTION: To Adopt (5-19-79) Final Reading

☒ VOICE VOTE: Unanimous

Absent: All Present

☐ ROLL CALL VOTE:

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
DIXON					KANE					SHACKLETON				
WINTER					MASON					SPAULDING				
CLARKE					MOORE					WILSON				
HARDY					RAY									
JARVIS					ROLARK									

X—Indicates Vote A. B.—Absent N. V.—Not Voting

CERTIFICATION OF RECORD

Ruth G. Robinson

Secretary to the Council