

Failure to Immunize (Public Health Law 2164)



Pursuant to Public Health Law 2164, students who have not received required vaccinations are no longer allowed to attend school. The students may return to school when they have complied with the immunization requirements. Parents also have the option to complete the paperwork and enroll the students to an approved home-schooling program. The deadline for obtaining required vaccinations for children attending school in the fall is 14 days from the first day of school which may be extended to 30 days for students transferring from another state or country. Additionally, students who meet the requirements of being in the process of obtaining missing doses in accordance with Department of Health Regulations may attend school if they remain in compliance. Students who do not meet the immunization requirements are to be excluded on the 15th day they fail to meet them. These students should be exited with Reason for Ending Enrollment code 430 – Excluded pursuant to PHL 2164.

Students who have Reason for Ending Enrollment code 430 associated with their last regular enrollment will:

- be counted as dropouts for accountability graduation rate and total cohort graduation rate;
- be included in the annual dropout report (SIRS 307);
- no longer be considered a dropout once they are re-enrolled with a regular enrollment code;
- not be included in Composite Performance; Growth; Progress; English Language Proficiency; or College, Career, and Civic Readiness accountability calculations;
- not be included in accountability participation rate calculations, unless the Reason for Ending Enrollment code 430 is dated during or after the testing window; and
- be included in the Chronic Absenteeism and Suspension accountability calculations only for the time period the student was enrolled prior to the 430 exit. Students will not be counted as absent after Reason for Ending Enrollment code 430 is reported.

For more information, please visit <http://www.p12.nysed.gov/irs/sirs/>.