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## MENINGITIS VACCINATION

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### A. Purpose

The purpose of this policy is to set forth the requirements for entering students, including transfer students, to show acceptable evidence of immunization for bacterial meningitis prior to enrollment at The University of Texas Rio Grande Valley (UTRGV or University) in compliance with Texas Education Code § 51.9192.

### B. Persons Affected

This policy applies to all first time UTRGV students who have been admitted to the University and all returning students who have experienced a break in enrollment of at least one fall or spring semester.

### C. Definitions

1. Enrolled Student - A student who has registered for classes during the semester and is otherwise eligible to attend classes during the Semester.
2. Entering Student - Any student admitted to UTRGV on or after January 1, 2012 for the first time; including a transfer students from any other institution, including another UT System institution, a dual enrollment student other than a high school student described in subsection E.2.c of this section, or a returning student who previously attended UTRGV and who is re-enrolling on or after January 1, 2012 following a break in enrollment of at least one fall or spring semester.

For purposes of this policy, the term entering student does not include:

- a. a student who is 22 years of age or older on the first day of the Semester;
  - b. a student who is enrolled only in online or other distance education courses at the University;
  - c. a high school student who is concurrently enrolled at the University as a dual-enrollment student in dual-credit courses held at a Texas high school;
  - d. a student participating in a Texas Higher Education Coordinating Board approved Continuing Education Program or Course that consists of less than 360 contact hours, or;
  - e. an individual attending a continuing education program or course offered by the University that does not require approval by the Texas Higher Education Coordinating Board.
3. Justifiable Circumstances - Circumstances over which an entering student has no control that prevented him or her from providing proof of required vaccination or an exception set forth in Section E.3 prior to registration. Neither failure to receive the notice required by

Section E.4 of this policy or a claimed general lack of knowledge of the vaccination Requirement shall be considered to constitute justifiable circumstances.

4. Online or other distance education course - A course in which students receive web-based instruction or a correspondence course. A course that requires any face-to-face contact, such as meeting in a testing lab or for a special presentation, is not an online or other distance education course.
5. Registration and/or registration for classes - The official process by which a student signs up to take a class or classes offered by UTRGV for the semester. It may include either on-line registration or in-person registration.
6. Required vaccination - An initial vaccination or booster dose recognized by the U.S. Centers for Disease Control as effective for the immunization of an individual against bacterial meningitis.
7. Semester - The first semester in which an Entering Student seeks to be enrolled at the UTRGV.

#### D. Policy

UTRGV complies with Texas Education Code § 51.9192, which requires all entering students of Texas institutions of higher education, including transfer students, to show evidence of immunization for bacterial meningitis prior to enrollment.

#### E. Procedure

##### 1. General Requirements:

- a. For purposes of this policy, no entering student will be considered to be enrolled at UTRGV unless the entering student has first registered for classes for the semester.
- b. No entering student shall be permitted to register for classes for the semester until the entering student provides or causes to be provided upon his or her behalf, written documentation acceptable to the Director of Undergraduate Admissions, or designee that establishes that the covered student has either:
  - i. received a required vaccination during the five year period prior to but no later than 10 days prior to the first day of the semester; or
  - ii. is exempted from the requirements of this policy as set forth in section E.3 of this policy.
- c. Upon submission of proof that establishes justifiable circumstances acceptable to the Director of Undergraduate Admissions, or designee, an entering student may be granted an additional period of time in which to provide either documentation of the required vaccination or proof that he or she meets an exception as set forth in section E.3 of this policy. This extension of time will not extend beyond the 10th day after the start of the semester. Decisions granting extensions of time will be made by on a case-by-case basis,

are deemed final, and are not subject to appeal. *Documentation of Receipt of Required Vaccine or Exemption:*

- i. Acceptable documentation to demonstrate receipt of the required vaccine is:
  - iii.i. a document with the signature or stamp of a physician or the physician's designee or the public health official that administered the vaccination that shows the month, day and year the required vaccination was administered;
  - iii.ii. an official immunization record issued by a state or local health authority; or
  - iii.iii. an official record received by UTRGV directly from a Texas school official or a school official in another state showing the required immunization was administered.
- ii. Form of Documentation. The documentation submitted must:
  - iii.i. state the name and other information sufficient to identify the individual who received the required vaccination; and
  - iii.ii. Clearly identify that the required vaccination was administered to the individual.
- d. UTRGV will accept copies of documentation of a required vaccination that meets the requirements of this Section E.2 directly from a school official or another institution of higher education at which an entering student was previously enrolled providing that the institution is willing to provide certified copies of the required documentation upon the request of the entering student. An entering student that wishes to comply with this policy by exercising this option is solely responsible for requesting the documentation from the previous institution and providing that institution with any necessary consent to effectuate his or her request that the institution send the documentation directly to UTRGV.
- e. The documentation shall be securely maintained by the Director of Undergraduate Admissions in the Office of Undergraduate Admissions, or designee, on behalf of UTRGV in compliance with applicable state and federal confidentiality laws and regulations, including the Federal Education Rights and Privacy Act.

3. *Documentation of Permitted Exemption:*

- a. Acceptable documentation that an entering student is exempted from the requirements of this policy is:
  - i. an affidavit or certificate signed by a physician licensed to practice medicine in the United States that indicates that the physician is of the opinion that the required vaccination would be injurious to the health and well-being of the entering student; or
  - ii. an affidavit using the "Conscientious Exemption Form" promulgated by the Texas Department of State Health Services that is signed by the entering student and notarized no later than 90 days before submitted to the Director of Undergraduate Admissions or designee, stating that the entering student declines to have the

required vaccination based on reasons of conscience, which may include the entering student's religious beliefs. However, this exception will not be available, at the discretion of UTRGV, during a disaster or public health emergency, hostile or paramilitary action, or extraordinary law enforcement emergency declared by an appropriate official or authority from the Texas Department of State Health Services affecting UTRGV.

- b. Documentation supporting the requested exemption must be approved by the Director of Undergraduate Admissions in the Office of Undergraduate Admissions before an entering student is permitted to register for classes for the semester.
  - c. UTRGV will not recognize or grant any other exemptions to the vaccination requirements of this policy.
  - d. The documentation submitted in support of an exception under section E.3 shall be securely maintained by the Director of Undergraduate Admissions in the Office of Undergraduate Admissions on behalf of UTRGV in compliance with applicable state and federal confidentiality laws and regulations, including the Family Educational Rights and Privacy Act.
4. *UTRGV will include as part of the materials provided to individuals applying for admission to the University:*
- a. written notice or electronic notice of the right of a student, or if a student is a minor, the right of the minor student's parent or guardian, to claim an exemption from the required vaccine as provided in Section E.3 of this policy; and
  - b. written or electronic notice of the importance of consulting with a physician about the need for immunization against viral meningitis to prevent the disease.
- F. Relevant Federal and/or State Statute(s), Board of Regents' Rule(s), UTS Policy(ies), and/or Coordinating Board Rule(s)

[Texas Education Code §51.9192, Bacterial Meningitis Vaccination Required for Certain Students](#)

[19 Texas Administrative Code Part 1, Chapter 21, Student Services. Subchapter T, The Vaccination Against Bacterial Meningitis for Entering Students at Public and Private or Independent Institutions for Higher Education.](#)