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To: Headmasters and Principals of Residential Schools
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From: Susan M. Lett, M.D., M.P.H.
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Date: May 2007

Re: Revised regulations pertaining to:
1) Meningococcal disease and vaccination for residential students at boarding schools and colleges;
and
2) Dissemination of information about meningococcal disease and vaccine for non-residential students at secondary schools and colleges

Recently enacted legislation amends Massachusetts General Laws, Chapter 76, s.15D to:

- narrow the scope of the meningococcal vaccination requirement to apply **only** to newly enrolled **full-time residential** students attending a secondary school or postsecondary institution; **and**
- allow students 30 days from registration to provide proof of having received the required immunization.

The previous statute applied to all new full- and part-time students regardless of whether or not they resided in school or campus-related housing and the certificate of immunization had to be presented two weeks prior to the beginning of classes. The changes will become effective beginning in the 2007-2008 school year.

In response to this new statute, the following 2 sets of regulations were amended:

1) Meningococcal Vaccine Requirements for Students at Secondary and Postsecondary Schools that Provide or License Housing (105 CMR 220.700); and 2) the Dissemination of Information about

Meningococcal Disease and Vaccine (105 CMR 221.300). These amendments make the Massachusetts Department of Public Health (MDPH) regulations consistent with the statute and are summarized in the table below.

Summary of Changes to 105 CMR 220.700 and 105 CMR 221.300

- 105 CMR 220.700 is amended to now **only** apply to newly enrolled full-time **residential** students at secondary and postsecondary schools. Residential students are those (newly enrolled full-time) students who will be **living in a dormitory or comparable congregate living arrangement** licensed or approved by the secondary school or postsecondary institution. (The amended regulation no longer applies to non-residential or part-time students at these institutions.)
 - The language related to vaccine type has been changed to reflect the latest recommendation from the Advisory Committee on Immunization Practices (ACIP) for the 2 different formulations of meningococcal vaccine.
 - Affected students still need to receive MDPH's *Meningococcal Information and Waiver Form*. This form has been revised to reflect the changes in the regulatory language and to include an option for students to indicate they were not able to obtain vaccine due to a shortage.
 - Students may now register without a certificate of immunization, provided that proof of the required meningococcal immunization is obtained within 30 days of registration.
- 105 CMR 221.300 has been amended to apply to **non-residential** students no longer covered by 105 CMR 220.700. These students need to receive the appropriate meningococcal information sheet depending upon whether they attend a secondary school or postsecondary institution, as outlined below:
 - Newly enrolled non-residential students at secondary schools must receive the document titled *Meningococcal Disease and Students: Commonly Asked Questions*; and
 - Newly enrolled non-residential students at postsecondary institutions must receive the document titled *Meningococcal Disease and College Students*.

Detailed information including revised definitions and requirements related to these two regulations is outlined below.

I. 105 CMR 220.700: Meningococcal Vaccine Requirements for Students at Secondary Schools and Postsecondary Schools that Provide or License Housing

1. Definitions

• Institutions:

- **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 of a postsecondary institution 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:**
 - (a) full-time students newly enrolled at a secondary school who will be **living in a dormitory or comparable congregate living arrangement** licensed or approved by the secondary school; or
 - (b) full-time undergraduate or graduate students newly enrolled in a degree granting program at a postsecondary institution who will be **living in a dormitory or comparable congregate living arrangement** licensed or approved by the postsecondary institution.

2. Information and Waiver Form

MDPH has revised its form titled *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. This form has been updated to be consistent with the new regulations regarding meningococcal vaccine and also allows for deferral of vaccination in the event of a vaccine shortage.

Supply issues with both meningococcal conjugate vaccine (MCV4) and meningococcal polysaccharide vaccine (MPSV4) have occurred during the past year and may reoccur periodically. As such, at times it may be difficult to obtain adequate supplies of meningococcal vaccine for those students for whom meningococcal vaccination is necessary to meet school requirements outlined in this memo. The revised waiver form includes an option for students, or their parent/legal guardian, if the student is under 18 years of age, to choose that they were not able to obtain meningococcal vaccine due to a shortage, but wish to receive it. Students, or their parent/legal guardian, can still choose to waive receipt of meningococcal vaccine using this form.

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

3. Requirements

- **School and/or Institutional Requirements:** Residential schools with grades 9-12 and postsecondary institutions (e.g., colleges) must provide each newly enrolled full-time residential student with the document titled *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 school's and/or institution's responsibility to provide this form to all newly enrolled full-time residential students (parents/legal guardians).
 - If the student chooses not to receive the meningococcal vaccine or was not able to obtain meningococcal vaccine due to a shortage, a signed copy of the MDPH-developed information and waiver form must be kept on file at the school and/or institution.
- **Student Requirements:** All newly enrolled full-time residential students must provide written documentation that they have received 1 dose of meningococcal polysaccharide vaccine (MPSV4) within the last 5 years [or a dose of meningococcal conjugate vaccine (MCV4) at anytime in the past], unless they have a medical or religious exemption, or signed the waiver indicating they either: a) elected to decline vaccine; or b) could not obtain meningococcal vaccine due to a shortage, but wish to receive it.

Please refer to the Exemptions section below for information on the necessary documentation.

4. Vaccine Type

The language related to vaccine type has been changed to reflect the latest recommendation from the Advisory committee on Immunization Practices (ACIP) for the 2 different formulations of meningococcal vaccine. As MCV4 is expected to provide better, longer-lasting protection, there is currently no recommendation for a booster dose of this vaccine.

5. Timing of Immunization

Whenever possible, the required immunization is to be obtained prior to registration. However, a student subject to 105 CMR 220.700 may be registered without a certificate of immunization provided that the student supplies a certificate of immunization **within thirty (30) days of registration** and provided, further, that the secondary school or postsecondary institution has policies and procedures for ascertaining which students have failed to provide the required certification within 30 days and for taking appropriate follow up action to ensure compliance with 105 CMR 220.700. (Previously, the certificate of immunization had to be presented two weeks prior to the beginning of classes.)

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
Meningococcal Vaccine	1 dose ² for all new full-time residential students, regardless of grade ³ <ul style="list-style-type: none"> • includes new full-time residential students in grades pre-K-8, (if these grades are combined in the same school or part of a school with grades 9-12)³ 	1 dose ² for all new full-time residential undergraduate and graduate students in a degree-granting program ³
¹ These requirements apply only to newly enrolled full-time residential students. ² 1 dose of meningococcal polysaccharide vaccine (MPSV4) within the last 5 years [or a dose of meningococcal conjugate vaccine (MCV4) at any time in the past]. ³ Unless the student qualifies for an exemption.		

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: a) elected to decline the vaccine; or b) could not obtain meningococcal vaccine due to a shortage, but wishes to receive it (**waiver exemption**).

A signed copy of the information and waiver form must be kept on file at the school and/or institution.

MDPH has developed the document *Massachusetts School Immunization Requirements for 2007* to summarize these requirements. This document is enclosed and can be found on the MDPH website <http://www.mass.gov/dph>.

II. 105 CMR 221.300: Dissemination of Information about Meningococcal Disease and Vaccine

Public and private secondary schools, colleges and universities, **regardless of whether or not they provide housing**, as well as day care centers and youth camps, are required to provide to a parent or guardian, or to a student 18 years of age or older, information regarding the risk of meningococcal disease and the availability, effectiveness and risks of meningococcal vaccine (Massachusetts General Laws, Chapter 111, s.219). Such information must be provided to full- and part-time students at the time of initial enrollment.

In accordance with the revised language in Massachusetts General Laws, Chapter 76, s.15D, the MDPH regulation Dissemination of Information about Meningococcal Disease and Vaccine (105 CMR 221.300) has also been amended to now apply to all newly enrolled **non-residential students** (those not covered by 105 CMR 220.700) attending a secondary school or postsecondary institution, as well as youth camps and day care centers. All non-residential students at any secondary school or postsecondary institution must receive the appropriate MDPH-developed information sheet depending on the setting:

- *Meningococcal Disease and Students: Commonly Asked Questions* must be used for non-residential students attending secondary schools (enclosed);
- *Meningococcal Disease and College Students* must be used for non-residential students attending postsecondary institutions (enclosed).

Please note: all schools and/or institutions must use the MDPH-developed information sheets. No substitutions or modifications to the information sheets are allowed.

Two additional documents related to day care centers and youth camps (*Meningococcal Disease and Day Care Attendees: Commonly Asked Questions* and *Meningococcal Disease and Camp Attendees: Commonly Asked Questions*) will be mailed separately to affected institutions and are not included in this mailing. All of the documents can be found on the MDPH website.

For more information regarding the requirements relative to meningococcal disease and vaccination, please contact MDPH's Division of Epidemiology and Immunization at (617) 983-6800 or (888) 658-2850 or visit <http://www.mass.gov/dph>.

III. Special Institution-Specific Guidance

1. Postsecondary Institutions (Colleges)

- All postsecondary institutions, **regardless of whether or not they provide or license housing**, must distribute the appropriate MDPH-developed documents based on the status (e.g., full time, part time, residential, non-residential) of the student.
 - **Full-time residential students.** Newly enrolled full-time **residential** students at postsecondary institutions must receive the document titled *Information about Meningococcal Disease and Vaccination and Waiver for Students at Residential Schools and Colleges* **and** comply with the meningococcal vaccination **requirements** or have a medical or religious exemption or sign the waiver indicating they either: a) elected to decline vaccine; or b) could not obtain meningococcal vaccine due to a shortage, but wish to receive it (105 CMR 220.700).
 - **Part-time residential students.** Newly enrolled part-time residential students must receive the document titled *Meningococcal Disease and College Students* (105 CMR 221.300).
 - **Non-residential students.** Newly enrolled full- and part-time **non-residential** students at postsecondary institutions must receive the document titled *Meningococcal Disease and College Students* (105 CMR 221.300).

2. Secondary Schools

a. Meningococcal Vaccination Requirement at Residential Schools with Students in Grades 9-12 (105 CMR 220.700)

- The meningococcal vaccination requirements apply to newly enrolled full-time students at secondary schools who will be living in a dormitory or comparable congregate living arrangement licensed or approved by the school.
- 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 full-time residential students, regardless of grade and year of study.
- At residential schools, the requirements apply to new full-time residential 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 full-time residential 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.
- The requirements do **not** apply to part-time residential students. (However, MDPH does *recommend* meningococcal vaccination for new students in this category.)

b. Distribution of Required Meningococcal Information Materials at all Secondary Schools (105 CMR 221.300)

- All secondary schools, **regardless of whether or not they provide or license housing**, must distribute the appropriate MDPH-developed documents based on the status of the student.
 - **Full-time residential students.** Newly enrolled full-time **residential** students at secondary schools must receive the document titled *Information about Meningococcal Disease and Vaccination and Waiver for Students at Residential Schools and Colleges* **and** comply with the meningococcal vaccination **requirements** or have a medical or religious exemption or sign the waiver indicating they either: a) elected to decline vaccine; or b) could not obtain meningococcal vaccine due to a shortage, but wish to receive it (105 CMR 220.700).
 - **Part-time residential students.** Newly enrolled part-time residential students must receive the document titled *Meningococcal Disease and Students: Commonly Asked Questions* (105 CMR 221.300).
 - **Non-residential students.** Newly enrolled full- and part-time **non-residential** students at secondary schools must receive the document titled *Meningococcal Disease and Students: Commonly Asked Questions* (105 CMR 221.300).

While schools and/or institutions are not required to provide or pay for meningococcal vaccine, they are required to provide all newly enrolled students (or their parent/legal guardian) the appropriate MDPH-developed meningococcal information documents depending on the institutional setting and the students' status. MDPH will not provide bulk copies of these documents. However, copies of the documents are enclosed and may be photocopied. These documents are also available at the MDPH website <http://www.mass.gov/dph>. If you are unable to access the web page, please contact MDPH's Division of Epidemiology and Immunization at (617) 983-6800 or toll-free at (888) 658-2850 to obtain a copy.

The requirements for meningococcal vaccination and the distribution of meningococcal information materials are outlined in Attachment 1.

Enclosures

105 CMR 220.700: Meningococcal Vaccine Requirements for Students at Secondary Schools and Postsecondary Schools that Provide or License Housing;

105 CMR 221.300: Dissemination of Information about Meningococcal Disease and Vaccine; *Information about Meningococcal Disease and Vaccination and Waiver for Students at Residential Schools and Colleges* (revised May 2007);

Meningococcal Disease and Students: Commonly Asked Questions;

Meningococcal Disease and College Students; and

Massachusetts School Immunization Requirements 2007

Summary of Meningococcal Vaccination and Information Requirements by Institutional Setting and Student Status (105 CMR 220.700 and 105 CMR 221.300)

Facility or Institution	Appropriate MDPH-developed meningococcal information document that must be distributed based on the status of the student ¹ (105 CMR 220.700 OR 105 CMR 221.300)	Meningococcal vaccine required? (105 CMR. 220.700)
Colleges that provide or license housing	All newly enrolled full-time residential ² students must receive the MDPH-developed document titled <i>Meningococcal Disease and Vaccination and Waiver for Students at Residential Schools and Colleges</i> and comply with meningococcal vaccination requirements (105 CMR 220.700)	Yes
	All newly enrolled full- and part-time non-residential and part-time residential students must receive the MDPH-developed meningococcal information sheet titled <i>Meningococcal Disease and College Students</i> (105 CMR 221.300)	No
Colleges that do not provide or license housing	All newly enrolled full- and part-time students must receive the MDPH-developed document titled <i>Meningococcal Disease and College Students</i> (105 CMR 221.300)	No
Secondary Schools that provide or license housing	All newly enrolled full-time residential ² students must receive the MDPH-developed document titled <i>Meningococcal Disease and Vaccination and Waiver for Students at Residential Schools and Colleges</i> and comply with meningococcal vaccination requirements (105 CMR 220.700)	Yes
	All newly enrolled full- and part-time non-residential and part-time residential students must receive the MDPH-developed meningococcal information sheet titled <i>Meningococcal Disease and Students: Commonly Asked Questions</i> (105 CMR 221.300)	No
Secondary Schools that do not provide or license housing	All newly enrolled full- and part-time students must receive the MDPH-developed meningococcal information sheet titled <i>Meningococcal Disease and Students: Commonly Asked Questions</i> (105 CMR 221.300)	No
Day Care	All newly enrolled day care attendees must receive the MDPH-developed meningococcal information sheet titled <i>Meningococcal Disease and Day Care Attendees: Commonly Asked Questions</i> (105 CMR 221.300)	No
Youth Camps	All youth camp attendees must receive the MDPH-developed meningococcal information sheet titled <i>Meningococcal Disease and Camp Attendees: Commonly Asked Questions</i> (105 CMR 221.300)	No

¹ MDPH-developed documents must be distributed at the time of initial enrollment.

² Residential students are those (newly enrolled full-time) students who will be **living in a dormitory or comparable congregate living arrangement** licensed or approved by the secondary school or postsecondary institution.