STATE OF MAINE

IMMUNIZATION REQUIREMENTS FOR SCHOOL CHILDREN

10-144 CODE OF MAINE RULES
CHAPTER 261
Department of Health and Human Services
Maine Center for Disease Control and Prevention

AND

05-071 CODE OF MAINE RULES
CHAPTER 126
Department of Education

Last Amended: May 25, 2026

10-144 DEPARTMENT OF HEALTH AND HUMAN SERVICES
MAINE CENTER FOR DISEASE CONTROL AND PREVENTION

Chapter 261: IMMUNIZATION REQUIREMENTS FOR SCHOOL CHILDREN

A joint rule with

05-071 DEPARTMENT OF EDUCATION (COMMISSIONER)

Chapter 126: IMMUNIZATION REQUIREMENTS FOR SCHOOL CHILDREN

SUMMARY

This rule is issued jointly by the Commissioner of Education and the Director of the Maine Center for Disease Control and Prevention within the Department of Health and Human Services, to implement the provisions within 20-A M.R.S. §§ 6352-6358. It prescribes the dosage for required immunizations for children enrolled and/or attending elementary and secondary schools and defines record-keeping and reporting requirements for school officials. For the purpose of complying with this rule, "licensed" physicians, nurse practitioners and physician associates mean licensed by the State of Maine.

NOTICE

The Maine State Legislature has designated rules specifying diseases for which immunization is required as major substantive rules (20-A M.R.S. § 6358(1)). Subsections 1(A)(4) and 2(A) of this rule are promulgated through major substantive rulemaking.

TABLE OF CONTENTS

SECTION 1. DEFINITIONS

A. For the purpose of this rule, the following terms have the following meanings:

1. **Certificate of immunization** means a written statement from a physician, physician associate, nurse, nurse practitioner, public health official authorized to immunize, or other individual authorized to administer vaccines who has administered an immunizing agent to a child, specifies that the required dosage was administered in accordance with Section 5 of this rule, and the month, day and year in which it was administered.

2. **Child entering school** means any child who enters a school for the first time via pre-kindergarten or kindergarten enrollment process, transfers from one school to another, or otherwise enrolls in a school for the first time.

3. **Combination immunizing agent** means a vaccine, toxoid or other substance used to increase an individual's immunity to more than one disease.

4. **Disease** means diphtheria, varicella (chickenpox), measles, mumps, pertussis, poliomyelitis, rubella, meningococcal meningitis and/or tetanus.

5. **Enroll** means to complete a formal procedure of adding or maintaining a student to a roster as a pupil in a public school or school administrative unit, as appropriate, or private school.

6. **Immunizing agent** means a vaccine, toxoid or other substance used to increase an individual's immunity to disease.

7. **Immunization record** means any documentation that includes the student's certificates of immunization, proof of immunity, parental written assurance, parental consent for student to receive immunizations, and immunization exemptions, as applicable.

8. **Parent** means a child's parent, legal guardian, or custodian. A person is regarded as a child's custodian if that person is an adult and has assumed legal charge and care of the child.

9. **Proof of Immunity** means laboratory evidence of immunity or history of immunity provided in accordance with Section 4(B) or (C) of this rule.

10. **Public health official** means, in accordance with 20-A M.R.S. § 6353(6), a local health officer, the Director of the Maine Center for Disease Control and Prevention, Department of Health and Human Services, or any designated employee or agent of the Department of Health and Human Services.

11. **School** means any public or private elementary or secondary or special education facility providing instruction for any combination of pre-kindergarten through grade 12. For the purpose of complying with this rule, this definition includes in-person classes and remote learning programs offered by the school.

12. **Summary report** means the annual report required by 20-A M.R.S. § 6357(2).

13. **Superintendent** means the superintendent of a school administrative unit or his designee, or the chief administrative officer of a private school.

SECTION 2. IMMUNIZATION REQUIRED

A. Parental Responsibility

Except as otherwise prohibited by law, every parent must cause to be administered to his child the required dosage of an immunizing agent against each of the following diseases:

1. Diphtheria
2. Measles
3. Meningococcal meningitis
4. Mumps
5. Pertussis
6. Poliomyelitis
7. Tetanus
8. Rubella
9. Varicella

B. Superintendents' Responsibility

Unless exempt by law and this rule, no superintendent may permit any student to be enrolled in or to attend school without a certificate of immunization for each disease listed in this rule or proof of immunity against each disease.

SECTION 3. EXCEPTIONS

A. A child entering school who does not provide a certificate of immunization or proof of immunity against a disease listed in this rule is not permitted to enroll in or attend school unless one or more of the following circumstances apply:

1. **Written Assurance from Parent of Private Effort to Immunize Child**: The parent provides the school with a written assurance that the child will be immunized by private effort within 90 days of enrollment or of the child first attending, whichever date is the earliest, in accordance with 20-A M.R.S. § 6355(1).

   The granting of this 90-day period to allow the student to catch up on missed or delayed vaccination is a one-time provision. If, after 90 days have passed, the parent fails to provide the required certificate of immunization, a medical exemption in accordance with 20-A M.R.S. § 6355(2), or proof of immunity against each of the diseases listed in this rule (as applicable), then the superintendent must exclude the student from school and may permit the student's return upon receipt of evidence of the required immunizations, immunity or exemption under law.

2. **Written Consent to Immunize Child**: The parent grants written consent for the child's immunization as part of a school-located vaccination clinic, where such programs are in effect.

3. **Medical exemption** in accordance with 20-A M.R.S. § 6355(2).

4. **Individualized Education Plan**: In accordance with 20-A M.R.S. § 6355(4), a student covered by an individualized education plan on September 1, 2021 who elected a philosophical or religious exemption from immunization requirements on or before September 1, 2021 pursuant to the law in effect prior to that date, may continue to attend school under that student's existing exemption as long as:

    a. The parent or guardian of the student provides a statement from a licensed physician, nurse practitioner or physician associate that the physician, nurse practitioner or physician associate has consulted with that parent or guardian and has made that parent or guardian aware of the risks and benefits associated with the choice to immunize; or

    b. If the student is 18 years of age or older, the student provides a statement from a licensed physician, nurse practitioner or physician associate that the physician, nurse practitioner or physician associate has consulted with that student and has made that student aware of the risks and benefits associated with the choice to immunize.

    If a student has an immunization exemption in accordance with this section, the student will be able to maintain that exemption after dismissal from special education services and will be considered exempt until the child is no longer eligible for free, appropriate public education (FAPE).

SECTION 4. DOCUMENTATION OF IMMUNIZATION OR IMMUNITY

At least one of the following types of documentation is required for each disease listed in Section 2(A) of this rule, in order for a student to be considered immune or immunized under this rule.

A. Certificate of Immunization

1. To demonstrate adequate immunization against each disease, a child must present the school with a certificate of immunization from a physician, nurse, nurse practitioner~~,~~ physician associate, public health official or other individual authorized to administer vaccines who has administered the immunizing agent(s) to a child.

2. The certificate of immunization must demonstrate that the required doses were administered in accordance with Section 5 of this rule and indicate the month, day and year in which they were administered.

B. Laboratory Evidence of Immunity

1. Using laboratory evidence to demonstrate immunity is only permitted when a child has received all required doses under Section 5 but is unable to provide the certificate of immunization in Section 4(A) of this rule.

2. In the absence of a certificate of immunization in Section 4(A) or exception in Section 3, the child must present the school with a laboratory report of a titer indicating evidence of immunity to each disease for which immunization is required.

C. History of Immunity

1. For Varicella (chickenpox) disease only, the child may present the school with reliable documented history of immunity provided by a physician or other primary care provider that the child had the Varicella disease.

2. None of the other diseases listed under Section 2(A) of this rule may demonstrate immunity through the method described in Section 4(C)(1) above.

SECTION 5. IMMUNIZATION SCHEDULE

The following schedule shows the minimum requirements for immunizing agents administered to children enrolling in or attending school.

A. Standards

The following standards apply when determining dosage adequacy:

1. If an immunizing agent is administered up to four days before the minimum required age or interval for administration of the vaccine, the immunization dosage is adequate.

2. Two or more different live virus vaccines (i.e., MMR, Varicella, Live Attenuated Influenza Vaccine (LAIV), and/or yellow fever) administered on different days must be separated by at least 28 days. No allowance for a shorter separation than this 28-day interval is permitted.

3. A combination immunization agent is adequate to meet the requirement for immunization against a disease if:

   a. The combination immunization agent increases immunity against the disease; and

   b. The dose of each immunization agent within the combination meets the age and interval requirements set forth in this Section.

B. Diphtheria/Tetanus/Pertussis (DPT/DTaP/Tdap/Td) Schedule:

1. For students enrolling in or attending pre-kindergarten, four doses of DPT/DTaP are required, in accordance with the following:

   a. The minimum age for each student to receive the first dose of DPT/DTaP is 6 weeks old;

   b. The first and second doses must be separated by at least 4 weeks;

   c. The second and third doses must be separated by at least 4 weeks; and

   d. The third and fourth doses must be separated by at least six months.

2. For students enrolling in or attending kindergarten and the grades above kindergarten, one primary series of DPT/DTaP is required, in accordance with the following:

    a. The primary series for each student enrolling in or attending school at six years old or younger requires at least five doses of DPT/DTaP, unless Section 5(B)(2)(a)(vi) applies.

        i. The minimum age for each student to receive the first dose of DPT/DTaP is 6 weeks old;

        ii. The first and second doses must be separated by at least 4 weeks;

        iii. The second and third doses must be separated by at least 4 weeks;

        iv. The third and fourth doses must be separated by at least 6 months;

        v. The fourth and fifth doses must be separated by at least 6 months; and

        vi. The fifth dose is not required if the fourth dose was administered on or after the student's fourth birthday and at least 6 months after the third dose.

    b. The primary series for each student enrolling in or attending school at seven years old or older requires the student to receive at least three doses of DPT/DTap:

        i. The minimum age for each student to receive the first dose of DPT/DTaP is 6 weeks old;

        ii. The first and second doses must be separated by at least 4 weeks; and

        iii. The second and third doses must be separated by at least 4 weeks.

    c. For students who have not completed their primary DTP/DTaP series in accordance with Section 5(B)(2)(a) or (b) above, a single dose of Tdap is required, followed by either Tdap or Td until the student is administered three doses.

        i. The minimum age for each student to receive Tdap is 7 years old.

        ii. The first and second doses of Tdap must be separated by at least 4 weeks; and

        iii. The second and third doses of Tdap must be separated by at least 6 months.

3. For students enrolling in or attending grades seven and above, in addition to the DPT/DTaP primary series, one dose of Tdap is required, in accordance with the following:

a. The minimum age for each student to receive Tdap is 7 years old.

b. Any valid dose of Tdap administered at age 7 or older satisfies the requirement for entry in grades seven and above, including Tdap doses given as part of the primary series.

C. Measles/Mumps/Rubella (MMR) Schedule:

1. For students enrolling in or attending pre-kindergarten, one dose of MMR vaccine is required, in accordance with the following:

   a. The minimum age for each student to receive the first MMR dose is 1 year old.

2. For students enrolling in or attending kindergarten and grades above kindergarten, two MMR vaccine doses are required, in accordance with the following:

   a. The minimum age for each student to receive the first MMR dose is 1 year old;

   b. The first and second MMR vaccine doses must be separated by at least 4 weeks; and

   c. If MMRV is administered as an alternative combination immunization agent, the minimum interval period between MMRV doses must be at least 3 months.

D. Poliomyelitis (IPV/tOPV) Schedule:

1. For students enrolling in or attending pre-kindergarten, three doses of IPV/tOPV vaccine are required, in accordance with the following:

   a. The minimum age of each student for the first IPV/tOPV dose is 6 weeks old;

   b. The first and second Poliomyelitis doses must be separated by at least 4 weeks; and

   c. The second and third Poliomyelitis doses must be separated by at least 4 weeks.

2. For students enrolling in or attending kindergarten and grades above kindergarten, through 12, four doses of IPV/tOPV vaccine are required, (unless Section 5(C)(2)(c) applies), in accordance with the following:

   a. The minimum age for each student to receive the first Poliomyelitis dose is 6 weeks old;

b. The first and second Poliomyelitis doses must be separated by at least 4 weeks;

c. The second and third doses must be separated by 4 weeks;

d. The third and fourth doses must be separated by at least 6 months; and

e. The fourth dose is not required if the student receives the third dose on or after the student's fourth birthday and at least 6 months after the previous dose.

E. Varicella Schedule:

1. For students enrolling in pre-kindergarten, one dose of Varicella vaccine is required, in accordance with the following:

   a. The minimum age for each student to receive the first dose of Varicella vaccine is 1 year old.

2. For students enrolling in kindergarten and grades above kindergarten, two doses of Varicella vaccine are required, in accordance with the following:

   a. The minimum age for each student to receive the first dose of Varicella vaccine is 1 year old;

   b. The first and second doses of Varicella vaccine doses must be separated by at least 3 months, if the student is younger than 13 years old;

   c. The first and second doses of Varicella vaccine doses must be separated by at least 4 weeks, if the student is 13 years old or older; and

   d. If MMRV is administered as an alternative combination immunization agent, the minimum interval period between MMRV doses must be at least 3 months.

F. Meningococcal Meningitis (MenACWY) Schedule:

1. For students enrolling in or attending seventh through eleventh grade, one dose of MenACWY vaccine is required, in accordance with the following:

   a. The minimum age for each student to receive the first dose of MenACWY vaccine is 10 years old.

2. For students enrolling in or attending twelfth grade, two doses of MenACWY vaccine doses are required, in accordance with the following:

   a. The minimum age for each student to receive the first dose of MenACWY vaccine is 10 years old; and

   b. The first and second doses must be separated by at least eight (8) weeks.

c. If the first dose is administered when the child is sixteen years old or older, only one dose is required.

SECTION 6. EXCLUSION FROM SCHOOL

A. Exclusion by Order of Public Health Official

A child not immunized or immune from a disease must be excluded from school and school activities when a public health official determines that the child's continued presence in school poses a clear danger to the health of others. The superintendent must exclude the child from school and school activities during the period of danger, or until the child is immunized. If another child attending the same school is infected with, or shows symptoms of, the same disease during the period of danger, the exclusion period for the student who is not immunized or immune must be extended for another full term of the incubation period set forth below.

Each of the following periods is defined as a "period of danger":

1. **Measles:** 15 days (one incubation period) from the onset of symptoms of the last identified case in the school.

2. **Rubella:** 23 days (one incubation period) form the onset of symptoms of the last identified case in the school.

3. **Mumps:** 18 days (one incubation period) from the onset of symptoms of the last identified case in the school.

4. **Varicella:** 21 days (one incubation period) from the onset of symptoms of the last identified case in the school.

In accordance with 20-A M.R.S. § 6356(1), the superintendent must make arrangements to meet the educational needs of any child excluded from school for more than ten days. This section does not require the provision of off-site classes or tutoring.

B. Exclusion by Order of Superintendent

In addition to children who do not meet the immunization requirements of this rule, a superintendent may also exclude from school and school activities any enrolled child showing symptoms of a communicable or infectious disease reportable under Title 22 chapter 250, subchapter 3 or that pose a public health threat, in accordance with 20-A M.R.S. § 6301. The superintendent must also exclude from school any child entering school or employee who has contracted or has been exposed to a communicable disease as directed by a physician after consultation with the Department of Health and Human Services Maine Center for Disease Control and Prevention.

C. Exclusion by Order of Department of Health and Human Services

The Department of Health and Human Services is authorized to order removal of an enrolled child, in accordance with 22 M.R.S. § 806 and 10-144 C.M.R. ch. 258, in the event of an actual or threatened outbreak of a communicable disease or other public health threat.

SECTION 7. RECORDS AND RECORD-KEEPING

A. Designated Record Keeping

1. Each superintendent, defined in this rule to include superintendents of public schools or the superintendent's designees and each chief administrative officer of private schools, is responsible for the maintenance of immunization records.

2. If immunization and student health records are physically maintained in individual school buildings, a designated person in each building must have responsibility for supervision of the records.

B. Student Immunization Records

1. Each school/unit is required to maintain a uniform immunization record for each child entering school as defined in Section 1. Records will be considered uniform if they contain the information required by Section 1(A) and 7 and are accessible to the designated recordkeeper without undue delay.

2. The immunization status of each student regarding each disease listed in this rule must be noted on the child's individual student immunization record.

3. These immunization records are confidential, except that state and local public health personnel may access them, as provided by the *United States Family Educational Right and Privacy Act of 1974*, 20 U.S.C. §1232g (b)(1) and the regulations adopted under that Act.

4. Whenever a superintendent permits a non-immunized student to attend school based on an exemption in accordance with this rule and 20-A M.R.S. § 6355, the school official responsible for maintaining student health records must keep a record of such exemptions. Each such record must include the date of acceptance and date that the exemption expires.

C. List of Non-Immunized Children

1. The school official responsible for maintaining student immunization records in each school unit or school must keep a listing of the names of all children within the school unit or school who are not currently immunized against each disease. This list must include the names of all students with authorized exemptions from immunizations, including time-limited exemptions permitted in accordance with Section 3(A) of this rule and 20-A M.R.S. § 6355 (1), as well as any who might not be in compliance with the law. The purpose of the list is to provide an efficient means of identifying non-immunized children in the event of a disease outbreak.

2. A child entering school who has not received all the required doses of vaccine in accordance with this rule must not be permitted to attend school beyond the first day, except as provided in Section 3 or Section 4(C) of this rule. When the child is permitted to return, the list must be updated accordingly.

SECTION 8. REQUIRED REPORTS

A. Superintendent's Responsibility

The superintendent is responsible for submitting a summary report regarding the immunization status of students within his or her jurisdiction by December 15 of each year, on a prescribed form, to the Department of Health and Human Services and the Department of Education.

B. Summary Report

The summary report will include the following information at a minimum: specific information identifying the school, the superintendent, the total student enrollment, the number of new students identified by vaccine type, as either immunized, exempt or out of compliance, and the number of students who are previously enrolled and unimmunized. The summary report will not include the name or any other personally identifying information of any individual student. The report must denote the number of students enrolled pursuant to a written assurance exemption. The summary report will be constructed so as to reflect meaningful data by grade. The school superintendent must certify each report as accurate and complete.

STATUTORY AUTHORITY:

20-A M.R.S. §§ 6352-6358

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