



NORTH CAROLINA COMMUNITY COLLEGE SYSTEM
Dr. R. Scott Ralls, President

May 21, 2008

TO: NCCCS Presidents
NCCCS Registrars
NCCCS Human Resources

FROM: Q. Shanté Martin, *General Counsel*

RE: **COMMUNITY COLLEGE EXEMPTION FROM IMMUNIZATION REQUIREMENT**

I have received several inquiries about the applicability of the administrative code provision, 10A N.C.A.C. 41A.0401(a)(1)(B) (2008), to community colleges. The administrative code provides the following:

Every individual in North Carolina required to be immunized pursuant to G.S. 130A-152 through 130A-157 shall be immunized against the following diseases by receiving the specified minimum doses of vaccines by the specified ages:

(1) Diphtheria, tetanus, and whooping cough vaccine--five doses: three doses by age seven months and two booster doses, one by age 19 months and the second on or after the fourth birthday and before enrolling in school for the first time. However:

(A) Individuals who receive the first booster dose of diphtheria, tetanus, and whooping cough vaccine on or after the fourth birthday are not required to have a second booster dose;

(B) *Individuals attending colleges and universities are required to have three doses of tetanus/diphtheria toxoid, one of which must have been within the last 10 years. Those individuals enrolling in college or university for the first time on or after July 1, 2008 must have had three doses of tetanus/diphtheria toxoid and a booster dose of tetanus/diphtheria/pertussis vaccine if a tetanus/diphtheria toxoid or tetanus/diphtheria/pertussis vaccine has not been administered within the past 10 years. A dose of*

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tetanus/diphtheria/pertussis vaccine is not required for any student over the age of 64 years;

(Emphasis added). Although this provision refers to “individuals attending colleges” and refers to “[t]hose individuals enrolling in a college,” this provision does not apply to community colleges.

The first sentence of this administrative rule provides that the rule only applies to individuals statutorily required by North Carolina General Statutes 130A-152 through 130A-157 to get immunizations. Section 130A-155.1(e)(1) of the North Carolina General Statutes specifically exempts community colleges from requiring immunization records as a condition of enrollment

Thus, even though the administrative rule, 10A N.C.A.C. 41A.0401(a)(1)(B), refers to “individuals attending colleges” and refers to “[t]hose individuals enrolling in a college,” these provisions do not apply to community college students because community college students are not required to provide immunization records to the community college as a condition of enrollment.

In sum, the immunization requirement in 10A N.C.A.C. 41A.0401(a)(1)(B) does not apply to community colleges. If there are questions, please do not hesitate to ask.

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