

No. 2002-83

## AN ACT

SB 955

Providing for vaccination against meningococcal disease for students at institutions of higher education.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

**Section 1. Short title.**

This act shall be known and may be cited as the College and University Student Vaccination Act.

**Section 2. Definitions.**

The following words and phrases when used in this act shall have the meanings given to them in this section unless the context clearly indicates otherwise:

“Branch campus.” A branch campus is a unit of an institution of higher education which is distinguished by all of the following characteristics:

- (1) An academic degree-granting program or organized parts thereof offered on a continuing basis.
- (2) Location separately identifiable from the main campus of the parent institution and providing the services normally associated with the campus.
- (3) Legal authority for governance, administration and general operation derived from the charter or enabling legislation of the parent institution or of the State System of Higher Education.

“Community colleges.” Institutions now or hereafter created pursuant to Article XIX-A of the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, or the act of August 24, 1963 (P.L.1132, No.484), known as the Community College Act of 1963.

“Dormitory or housing unit.” A building owned by an institution of higher education which is used as a residence by students of the institution.

“Independent institution of higher education.” An institution of higher education which is operated not for profit, located in and incorporated or chartered by the Commonwealth, entitled to confer degrees and apply to itself the designation “college” or “university” as provided for by standards and qualifications prescribed by the State Board of Education under 24 Pa.C.S. Ch. 65 (relating to private colleges, universities and seminaries).

“Institution of higher education.” An independent institution of higher education, a community college, a State-owned institution or a State-related institution, any of which is approved by the Department of Education.

“State-owned institutions.” Those institutions which are part of the State System of Higher Education pursuant to Article XX-A of the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949.

“State-related institutions.” The Pennsylvania State University, the University of Pittsburgh, Temple University and Lincoln University and their branch campuses.

### Section 3. Vaccination requirement.

(a) General rule.—Except as provided in subsection (b), an institution of higher education shall prohibit a student from residing in a dormitory or housing unit unless the student has received a one-time vaccination against meningococcal disease. If the student is a minor, the vaccination may only be administered with the consent of the student’s parent or guardian.

(b) Exception.—An institution of higher education shall permit a student to reside in a dormitory or housing unit without being vaccinated for religious or other reasons against meningococcal disease if the institution provides detailed information on the risks associated with meningococcal disease and the availability and the effectiveness of any vaccine to:

(1) The student, if the student is 18 years of age or older and the student signs a written waiver stating that the student has received and reviewed the information provided and has chosen not to be vaccinated for religious or other reasons against meningococcal disease.

(2) The student’s parent or guardian, if the student is a minor and the student’s parent or guardian signs a written waiver stating that the parent or guardian has received and reviewed the information provided and has chosen not to have the student vaccinated for religious or other reasons against meningococcal disease.

(c) Construction.—Nothing in this section shall be construed to require an institution of higher education to provide or pay for vaccinations against meningococcal disease. An institution is only responsible for the dissemination of information and documentation of vaccination or collection of waiver forms.

### Section 4. Effective date.

This act shall take effect in 60 days.

APPROVED—The 28th day of June, A.D. 2002.

MARK S. SCHWEIKER