

**ARKANSAS DEPARTMENT OF EDUCATION, DIVISION OF ELEMENTARY AND
SECONDARY EDUCATION RULES GOVERNING KINDERGARTEN THROUGH
12TH GRADE IMMUNIZATION REQUIREMENTS IN ARKANSAS PUBLIC
SCHOOLS**

**PUBLIC COMMENTS AND RESPONSES OF THE ARKANSAS DEPARTMENT OF
EDUCATION, DIVISION OF ELEMENTARY AND SECONDARY EDUCATION**

Commenter Name: Rebecca Miller-Rice, Bureau of Legislative Research (3/26/20)

Comment (1): Section 5.04.1: Should the last sentence be stricken as duplicative of Section 5.04.1.1?

Division Response: Yes, the language has been changed. **Non-substantive change made.**

Comment (2): Did the State Board of Education consult with the State Board of Health, as provided in Ark. Code Ann. § 6-18-702(c)(2)(A)?

Division Response: Yes. Prior to being released for public comment, the Rules were reviewed by the Department of Health. Once the Rules were released for public comment, they were reviewed by the State Board of Health at the Board's April 23, 2020, meeting.

Commenter Name: Lucas Harder, Arkansas School Boards Association (12/13/19)

Comment(1): Section 3.01.8: I believe that this subsection and 3.01.9 should be flipped so that the types of hepatitis are in alphabetical order and Hepatitis A appears earlier in the required immunizations.

Division Response: Comment considered. **No change made.**

Comment(2): Section 3.03.1.1.3: The "03" here should be "02". In Section 3.02.2.8 there is a "have received" missing from between "must" and "at".

Division Response: Change made. **Non-substantive change made.**

Comment(3): Section 3.02.1.4.1: I believe that this subsection is no longer required to be included as anyone who would have received these immunizations is well past the kindergarten starting age and would be covered by subsection 3.02.2.4.1.

Division Response: Comment considered. **No change made.**

Comment(4): Section 5.04.1: The language on the form being available is not appearing to have been struck, which would make it duplicative with the new subsection 5.04.1.1.

Division Response: Yes, the language has been changed. **Non-substantive change made.**

Commenter Name: Beth McDaniel, Greenwood School District (4/20/20)

Comment (1): Please support 3.02.2.2, 3.022.7.2, and 3.04.2 requiring students that are 11 years old and 16 years old to have their Tdap, and MCV4 before they complete their registration for the school year. Staff and administration hours are lost and attendance is lost due to students missing after the school year begins to get their immunizations.

Division Response: Comment considered. **No change made.**

Commenter Name: Ronda Wagner, Benton School District (4/20/20)

Comment (1): Please consider changing the following: 3.02.2.2 Tdap each student must have one dose to enroll in Sixth grade. Strike as of 11 by September 1 of each year. Leave the rest. In Section 3.02.2.7.7 MCV4 Each student must have a second dose to enroll in eleventh grade unless first dose was administered at age 16 or older. In Section 3.04.2 Strike by October 1 for Tdap and meningococcal at age 11 and 16. The rationale is to have all immunizations prior to beginning of the school year. Staff hours are wasted by both nursing and administration and seat time is decreased as students miss to obtain required immunizations.

Division Response: Comment considered. **No change made.**