A BILL FOR AN ACT

RELATING TO POST-SECONDARY EDUCATION STUDENT IMMUNIZATIONS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

SECTION 1. The legislature finds that colleges and universities are increasing the number of courses and programs offered online. The University of Hawaii offered 1,428 sections of distance learning in the fall 2018 semester and is preparing to increase its offering of exclusively online programs. Because methods of educational delivery are changing, certain requirements that have been traditionally imposed on students, such as immunizations, may not always apply in the same manner as they do for traditional classroom instruction.

The legislature further finds that the department of health is currently proposing changes to title 11, chapter 157, Hawaii Administrative Rules, relating to examination and immunization. The proposed changes include an exemption for online and distance learning for post-secondary schools to be implemented once the proposed rules are effective, the governor approves them, and the amended rules have been filed with the lieutenant governor.
The legislature additionally finds that the University of Hawaii is expanding its online and distance-learning programs beginning with the fall 2019 semester. However, the proposed rules may not be adopted in time for fall 2019 classes. Therefore, students who register exclusively for post-secondary online and distance-learning programs for fall 2019, or the preceding online summer college transition course, may still be subject to the current immunization requirements. The department of health and University of Hawaii agree that the rule regarding immunization should be amended to exempt post-secondary students in online or distance-learning programs who do not attend classes in person.

The purpose of this Act is to allow post-secondary students who attend classes exclusively online or through distance learning to be exempt from the requirements of title 11, chapter 157, Hawaii Administrative Rules, under certain conditions.

SECTION 2. Students in post-secondary education programs who are registered to attend classes exclusively online or through distance learning shall be exempt from the requirements of title 11, chapter 157, Hawaii Administrative Rules; provided that if a student needs to go on campus for any reason related
to their online or distance learning class, the student shall be subject to the immunization requirements of title 11, chapter 157, Hawaii Administrative Rules, prior to entering the campus.

SECTION 3. This Act shall take effect on July 1, 2019.
Report Title:
Post-secondary Education Students; Immunization Exemption

Description:
Exempts students in post-secondary education programs from immunization requirements if they attend classes exclusively online or through distance learning, under certain conditions. (HB1157 CD1)

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