

REQUESTS FOR RELIGIOUS EXEMPTION FROM IMMUNIZATION

The Board of Education recognizes the need to balance the protection of public health against the constitutional right of parents to raise their children in accordance with their own religious views. To this end and in accordance with state law and regulation, parents have the right to request that their child receive an exemption from immunization based upon their genuine and sincere religious beliefs which are contrary to immunization.

The district has established a regulation for processing such requests. Parents who wish to request an exemption from immunization on religious grounds are to contact the School Nurse or Building Principal for information regarding the process and the type of information required.

Ref: Public Health Law §2164(9)
Lewis v. Sobol, 710 F.Supp. 506 (S.D.N.Y. 1989)
Sherr v. Northport-East Northport UFSD, 672 F. Supp. 81 (E.D.N.Y. 1987)
Appeal of Quigley, 41 EDR 399 (2002)
Appeal of Swett, 34 EDR 492 (1994)

Adoption date: 6/5/07

REQUESTS FOR RELIGIOUS EXEMPTION FROM IMMUNIZATION REGULATION

The following procedures shall be followed for implementing a parent's request for religious exemption to immunization:

1. Upon request, the school nurse or principal's designee will provide the parent with:
 - the Request for Religious Exemption to Immunization Form—Parent/Guardian Statement; and the Centers for Disease Control/Department of Health informational immunization materials.

If requested, the school nurse or designee will meet with the parent to provide guidance regarding the form's completion. However, such a meeting is not required.

2. The parent must return the signed and notarized form to the school nurse or designee. The form must be signed by the parent and notarized by a notary public or it will not be accepted.
3. The Building Principal shall review each request for a religious exemption to immunization. If, after review of the parent's statement, questions still remain about the existence of a sincerely held religious belief, the Principal may request supporting documents such as:
 - A letter or other literature from an authorized representative of a church, temple or other religious institution explaining the doctrine/beliefs that prohibit immunization. Other writings or sources upon which the parent relied in formulating religious beliefs that prohibit immunization;
 - A copy of any parental statements to healthcare providers or school district officials in a district of prior residence explaining the religious basis for refusing immunization;
 - Any documents or other information the parent may be willing to provide that reflect a sincerely held religious objection to immunization (e.g., disclosure of whether parent or other children have been immunized, parent's current position on allowing himself or herself or his or her children to receive or refuse other kinds of medical treatment.)

The parent may request a meeting with the Principal to provide further information about his or her sincerely held religious belief.

4. The Principal shall inform the parent, **in writing**, of the approval or denial of the exemption request. If the request is denied, the notification letter must include the specific reason(s) for denial. Copies of this notice must also be forwarded to the school nurse or designee and the Superintendent of Schools.

5. If a request for a religious exemption is denied, a parent/guardian may appeal the denial to the Commissioner of Education within 30 days of the decision.

Adoption date: June 5, 2007

REQUEST FOR RELIGIOUS EXEMPTION TO IMMUNIZATION FORM
PARENT/GUARDIAN STATEMENT

Name of Student _____

Identification Number _____

Name of Parent(s)/Guardian(s) _____

School District and Building Name _____

This form is for your use in applying for a religious exemption to Public Health Law immunization requirements for your child. Its purpose is to establish the religious basis for your request since the State permits exemptions on the basis of a sincere religious belief. Philosophical, political, scientific, or sociological objections to immunization do not justify an exemption under Department of Health regulation 10 NYCRR, Section 66-1.3 (d), which requires the submission of:

A written and signed statement from the parent, parents, or guardian of such child, stating that the parent, parents or guardian objects to their child’s immunization due to sincere and genuine religious beliefs which prohibit the immunization of their child in which case the principal or person in charge may require supporting documents.

In the area provided below, please write your statement. The statement **must** address **all** of the following elements:

- Explain in your own words why you are requesting this religious exemption.
- Describe the religious principles that guide your objection to immunization.
- Indicate whether you are opposed to all immunizations, and if not, the religious basis that prohibits particular immunizations.

You may attach to this form additional written pages or other supporting materials if you so choose.

Examples of such materials are listed on page 3.

Please sign in the space provided below and have the document notarized by a notary public where indicated.

I hereby affirm the truthfulness of the forgoing statement and have received **and** reviewed the informational immunization materials provided to me by my child’s school.

<hr/> Signature of Parent/Guardian	<hr/> Date
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Sworn to before me this _____ day of _____

Notary Public Seal

You will be notified in writing of the outcome of this request. Please note that if your request for an exemption is denied, you may appeal the denial to the Commissioner of Education within thirty (30) days of the decision, pursuant to Education Law, Section 310.

SECTION BELOW FOR SCHOOL DISTRICT USE ONLY

To the Building Principal:

If, after review of the parental statement, questions remain about the existence of a sincerely held religious belief, Department of Health regulation [10 NYCRR, Section 66-1.3(d)] permits the principal to request supporting documents. Some examples include:

- A letter from an authorized representative of the church, temple, religious institution, etc. attended by the parent/guardian, literature from the church, temple, religious institution, etc. explaining doctrine/beliefs that prohibit immunization (Note: Parents/guardians need not necessarily be a member of an organized religion or religious institution to obtain a religious exemption);
- Other writings or sources upon which the parent/guardian relied in formulating religious beliefs that prohibit immunization;
- A copy of any parental/guardian statements to healthcare providers or school district officials in a district of prior residence explaining the religious basis for refusing immunization;
- Any documents or other information the parent/guardian may be willing to provide that reflect a sincerely held religious objection to immunization (for example: disclosure of whether parent/guardian or other children have been immunized, parent/guardian's current position on allowing himself or herself or his or her children to receive or refuse other kinds of medical treatment.)

Reviewer Name (Building Principal) _____

Indicate Result of Request Review:

APPROVED

Date of Approval _____

DENIED

Date of Denial _____

State Specifically Reason(s) for Denial:
