

## **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 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: June 15, 2006  
1<sup>st</sup> Revision: September 21, 2017

## **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 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; and/or
  - 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.
  
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.

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