

**United States Statute law or Administrative Rules regarding admittance to Day  
Care with a Religious or other belief exemption to Immunization.**  
[Excerpts of law and administrative rules showing the Availability Religious Exemptions in 48  
States and DOC in the Daycare setting.]

Unless otherwise cited, source of law and administrative rules is:

<http://www.nvic.org/Vaccine-Laws/state-vaccine-requirements.aspx> (Click on each state link.)

Alaska Administrative Rules 7 AAC 57.550 Health

- a) At or before admission of a child, a child care facility shall obtain from the child's parent (1) a valid immunization certificate; or (2) evidence that the child is exempt from immunization. (2) an affidavit signed by the child's parent or guardian, affirming that immunization conflicts with the tenets and practices of the church or religious denomination of which the parent or guardian is a member; or

Alabama Administrative Rules Alabama Admin. Code r. 420-6-1-.03 ( 2006)

- 4(b)(3) Immunizations (a) On the child's first day of attendance, each child from two (2) months of age to lawful school age ...shall have ..., on file in the center, unless ...A valid Alabama Certificate of Religious Exemption (ADPH-F-IMM-52).

Arkansas Statute Law 6-18-702(d) (4)

- 6-18-702(d) (1)...all children attending day care or kindergarten 6-18-702(d) (4) (A) ... grounds that immunization conflicts with the religious or philosophical beliefs

Arizona Statute Law Title 36. Ch. 7.1. Article 1 A.R.S. § 36-883

- TITLE 36. PUBLIC HEALTH AND SAFETY CHAPTER 7.1. CHILD CARE PROGRAMS  
ARTICLE 1. DAY CARE CENTERS A.R.S. § 36-883 (2006) C. Any rule that relates to ... immunization shall include appropriate exemptions for children whose parents object on the ground that it conflicts with the tenets and practices of a recognized church or religious denomination

California Statute HEALTH AND SAFETY CODE

- DIVISION 105. Communicable Disease Prevention And Control PART 2. Immunizations  
CHAPTER 1. Educational and Child Care Facility Immunization Requirements  
Cal Health & Saf Code § 120325 (2006)

In enacting Chapter 1 (commencing with Section 120325 ... it is the intent of the Legislature to provide: (c) Exemptions from immunization for medical reasons or because of personal beliefs.

Colorado Statue C.R.S. 25-4-903. Exemptions from immunization

- TITLE 25. HEALTH DISEASE CONTROL ARTICLE 4. DISEASE CONTROL  
PART 9. SCHOOL ENTRY IMMUNIZATION C.R.S. 25-4-901 (2006)

25-4-901. Definitions (2) (a) "School" means, except as otherwise provided in paragraph (b) of this subsection (2), a public, private, or parochial nursery school, day care center, child care facility, family child care home, ...

25-4-903. Exemptions from immunization

- (b) By submitting to the student's school a statement of exemption signed by one parent or guardian ... adherent to a religious belief whose teachings are opposed to immunizations

Connecticut Conn. Gen. Stat. § Sec. 19a-79-6a. (d) (3) (E) (2006)

(d) Immunization requirements

(3)(E) a written statement that immunization is contrary to the religious beliefs and practices...

District of Columbia Statute D.C. Code § 38-506 Exemption from certification.

§ 38-501. Definitions (8) The term "school" means:

(C) Any private or parochial nursery school or preschool, or any private or parochial day-care facility required to be licensed by the District of Columbia

§ 38-506. Exemption from certification

(1) For whom the responsible person objects in good faith and in writing, to the chief official of the school, that immunization would violate his or her religious beliefs; or

(2)

Delaware Administrative Code Title 14. 800. 5.1 & 14 Del.C. §131

TITLE 14. EDUCATION 800 HEALTH AND SAFETY 804 IMMUNIZATIONS

14 DE Admin. Code 804

1.0 Definition

"School Enterer" means any child between birth and twenty (20) years inclusive

5.0 Exemption from Immunization

5.1 Exemption from this requirement may be granted in accordance with 14 Del.C. §131 which permits approved medical and notarized religious exemptions.

Florida Statute . § 1003.22 (5)

§ 1003.22 (5) The provisions of this section shall not apply if: (a) The parent of the child objects in writing that the administration of immunizing agents conflicts with his or her religious tenets or practices;

Requests for religious exemption from immunizations should be consistent with section 1003.22, Florida Statutes.

Fl. Admin Code § 65C-22.006 (2007) 65C-22.006 Record Keeping.

(c) The child care facility is responsible for obtaining for each child in care a current, complete and properly executed Florida Certification of Immunization form Part A-1, B, or C, DH 680 (July 2001), or Religious Exemption from Immunization form, DH 681 (May 1999

Georgia Statute O.C.G.A. § 20-2-771 (c), & (e)

§ 20-2-771. Immunization of students (a) As used in this Code section, the term:

(2) "Facility" means any public or private day-care center or nursery intended for the care, supervision, or instruction of children.

(e) This Code section shall not apply to a child whose parent or legal guardian objects to immunization of the child on the grounds that the immunization conflicts with the religious beliefs of the parent or guardian;

Hawaii Statute [HRS § 302A-1156]. Exemptions

**§302A-901. Specific definitions.**

For the purposes of sections 302A-1154 to 302A-1163, "school" means any day care center, child care facility, headstart program, preschool, kindergarten, elementary, or secondary school, public or private, including any special school for children in the State.

A child may be exempted from the required immunizations:

(2) If any parent, custodian, guardian, or any other person in loco parentis to a child objects to immunization in writing on the grounds that the immunization conflicts with that person's bonafide religious tenets and practices.

Iowa Statute 139A.8.4 Immunization of children.

4. Immunization is not required for a person's enrollment in any elementary or secondary school or licensed child care center if either of the following applies:

b. The applicant, or if the applicant is a minor, the applicant's parent or legal guardian, submits an affidavit signed by the applicant, or if the applicant is a minor, the applicant's parent or legal guardian, stating that the immunization conflicts with the tenets and practices of a recognized religious denomination of which the applicant is an adherent or member.

Idaho Statute Idaho Code 39-1118

(2) ... Any minor child whose parent or guardian has submitted a signed statement to officials of the day care facility stating their objections on religious or other grounds shall be exempt from the provisions of this section.

Illinois Statute 225 ILCS 10/7 (2006) (h):

REGULATION CHAPTER 225. PROFESSIONS AND OCCUPATIONS 225 ILCS 10/:  
CHILD CARE ACT OF 1969 225 ILCS 10/7 (2006)

(h) Any standards involving physical examinations, immunization, or medical treatment shall include appropriate exemptions for children whose parents object thereto on the grounds that they conflict with the tenets and practices of a recognized church or religious organization, of which the parent is an adherent or member, and for children who should not be subjected to immunization for clinical reasons.

Indiana Statute IC 12-17.2-3.5-11.1 (2007)

TITLE 12. HUMAN SERVICES ARTICLE 17.2 DAY CARE REGULATION  
CHAPTER 3.5 ELIGIBILITY OF CHILD CARE PROVIDER TO RECEIVE  
REIMBURSEMENT THROUGH VOUCHER

IC 12-17.2-3.5-11.1 (2007) Immunizations

Sec. 11.1.

(b) A provider meets the requirement of subsection (a) if:

(1) a child's parent:

(A) objects to immunizations for religious reasons; and

(B) provides documentation of the parent's objection;

Kansas Statute K.S.A. § 65-508 (2006)  
CHAPTER 65. PUBLIC HEALTH ARTICLE 5. MATERNITY AND CHILD CARE FACILITIES  
K.S.A. § 65-508 (2006) Equipment, supplies, accommodations; immunizations.  
(e) The immunization requirement of subsection (d) shall not apply if one of the following is obtained:  
(2) a written statement signed by a parent or guardian that the parent or guardian is an adherent of a religious denomination whose teachings are opposed to immunizations.

Kentucky Statute KRS § 214.036 (2007)  
TITLE XVIII. PUBLIC HEALTH CHAPTER 214. DISEASES GENERAL PROVISIONS  
KRS § 214.034 (2007)  
§ 214.034. Immunization of children -- Testing and treatment of children for tuberculosis -- Requirement for reception and retention of current immunization certificate by schools and child-care facilities Except as otherwise provided in KRS 214.036:

KRS § 214.036 (2007)  
§ 214.036 Exceptions to testing or immunization requirement  
Nothing contained in KRS 158.035, 214.010, 214.020, 214.032 to 214.036, and 214.990 shall be construed to require the testing for tuberculosis or the immunization of any child at a time when, in the written opinion of his attending physician, such testing or immunization would be injurious to the child's health. Nor shall KRS 158.035, 214.010, 214.020, 214.032 to 214.036, and 214.990 be construed to require the immunization of any child whose parents are opposed to medical immunization against disease, and who object by a written sworn statement to the immunization of such child on religious grounds.

Louisiana Statute La. R.S. 17:170 (2006) E.  
REVISED STATUTES TITLE 17. EDUCATION CHAPTER 1. GENERAL SCHOOL LAW PART III. PUBLIC SCHOOLS AND SCHOOL CHILDREN SUBPART A. GENERAL PROVISIONS La. R.S. 17:170 (2006)  
§ 170 Immunization of persons entering schools, kindergartens, colleges, proprietary or vocational schools, and day care centers for the first time  
E. No person seeking to enter any school or facility enumerated in Subsection A of this Section shall be required to comply with the provisions of this Section if the student or his parent or guardian submits either a written statement from a physician stating that the procedure is contraindicated for medical reasons, or a written dissent from the student or his parent or guardian is presented.

Maine Administrative Rules 10-148 CMR Chapter 32 A. 3.  
DEPARTMENT OF HEALTH AND HUMAN SERVICES DIVISION OF LICENSING AND REGULATORY SERVICES COMMUNITY SERVICES PROGRAMS  
10-148: OFFICE OF CHILD AND FAMILY SERVICES CHAPTER 32: RULES FOR LICENSING OF CHILD CARE FACILITIES SECTION XVIII. HEALTH/MEDICAL  
3. Exceptions to proof of immunity. No child shall be required under this rule to have any such immunization if his/her parent(s) states in writing a sincere religious or philosophical belief that it is contrary to the immunization requirements of this subsection...

Maryland Statute Code 13A.14.02.44(3)(d)  
CODE OF MARYLAND REGULATIONS TITLE 13A. STATE BOARD OF  
EDUCATION SUBTITLE 14. CHILD AND FAMILY DAY CARE 13A.14.02. CHILD  
CARE LICENSING 13A.14.02.44 (2007)

A. An operator may not admit a child to a center for child care or allow a child to remain in care unless the operator has:

(3) Received evidence, on a form supplied or approved by the office, that:

(d) The parent objects to the child's immunization because it conflicts with the parent's bona fide religious beliefs and practices;

Massachusetts Administrative Regulations 102 CMR 7.09: (5) (a) 6.

CODE OF MASSACHUSETTS REGULATIONS  
TITLE 102: GROUP DAY CARE AND SCHOOL AGE CHILD CARE PROGRAMS  
CHAPTER 7.00: STANDARDS FOR THE LICENSURE OR APPROVAL OF GROUP  
DAY CARE AND SCHOOL AGE CHILD CARE PROGRAMS  
102 CMR 7.09 Enrollment (2007)

(5) Required Medical Examinations.

(a) In Group Day Care Programs:

6. ... No child shall be required, under 102 CMR 7.00 to have any such immunization if his parent(s) objects thereto, in writing, on the grounds that it conflicts with their religious beliefs

Michigan MICH. ADMIN. CODE R. 325.176 (2007)  
DEPARTMENT OF COMMUNITY HEALTH HEALTH LEGISLATION AND POLICY  
DEVELOPMENT  
COMMUNICABLE AND RELATED DISEASES  
MICH. ADMIN. CODE R. 325.176 (2007)

R 325.176 Immunizations required of children attending group programs or entering school.

Rule 6.

(12) When presented with a medical exemption, religious or other exemption, the administrator of a child's school or operator of a child's group program shall recognize the exemption status of the child.

Minnesota Statute Minn. Stat. § 121A.15 (2007) Subdivision. 3.

MINNESOTA Minn. Stat. § 121A.15 (2007)

121A.15 Health standards; immunizations; school children

Subdivision 1. Except as provided in subdivisions 3, 4, and 10, no person over two months old may be allowed to enroll or remain enrolled in any elementary or secondary school or child care facility ...

Subdivision. 3. Exemptions from immunizations.

(d) If a notarized statement signed by the minor child's parent or guardian or by the emancipated person is submitted to the administrator or other person having general control and supervision of the school or child care facility stating that the person has not been immunized as prescribed in subdivision 1 because of the conscientiously held beliefs of the parent or guardian of the minor child or of the emancipated person, the immunizations specified in the statement shall not be required.

Missouri Statute Title 12. § 210.003- 2.(2)(b) R.S.Mo. (2006)  
MISSOURI TITLE 12. PUBLIC HEALTH AND WELFARE  
CHAPTER 210. CHILD PROTECTION AND REFORMATION  
§ 210.003 R.S.Mo. (2006) § 210.003. Immunizations of children required, when, exceptions--duties of administrator, report.  
2. A child who has not completed all immunizations appropriate for his age may enroll, if:  
(2) The parent or guardian has signed and placed on file with the day care administrator a statement of exemption which may be either of the following:  
(b) A parent or guardian exemption, by which a child shall be exempted from the requirements of this section if one parent or guardian files a written objection to immunization with the day care administrator.

Mississippi Statute Miss. Code Ann. § 41-23-37 (2007) NO RELIGIOUS EXEMPTIONS  
A certificate of exemption from vaccination for medical reasons may be offered on behalf of a child ...

Montana Administrative Rules of Montana 37.95.140 IMMUNIZATION(13).  
NO RELIGIOUS EXEMPTION in Day Care, except for Hib vaccine as provided for in both ARM 37.95.140 and 52-2-735, MCA

North Carolina Statute N.C. Gen. Stat. § 130A-157 (2006)  
N.C. Gen. Stat. § 130A-157 (2006) § 130A-157. Religious exemption  
If the bona fide religious beliefs of an adult or the parent, guardian or person in loco parentis of a child are contrary to the immunization requirements contained in this Chapter, the adult or the child shall be exempt from the requirements. Upon submission of a written statement of the bona fide religious beliefs and opposition to the immunization requirements, the person may attend the college, university, school or facility without presenting a certificate of immunization.

North Dakota Statute N.D. Cent. Code, § 23-07-17.1 (2006)  
TITLE 23. HEALTH AND SAFETY CHAPTER 23-07. REPORTABLE DISEASES  
N.D. Cent. Code, § 23-07-17.1 (2006)  
§ 23-07-17.1. Inoculation required before admission to school  
1.A child may not be admitted to any public, private, or parochial school, or day care center, child care facility, head start program, or nursery school... [see exemption next.]  
3. Any minor child, through the child's parent or guardian, may submit to the institution authorities either a certificate from a licensed physician stating that the physical condition of the child is such that immunization would endanger the life or health of the child or a certificate signed by the child's parent or guardian whose religious, philosophical, or moral beliefs are opposed to such immunization. The minor child is then exempt from the provisions of this section.

Nebraska Statute R.R.S. Neb. § 71-1913.01 (2007)

CHAPTER 71. PUBLIC HEALTH AND WELFARE ARTICLE 19.  
CARE OF CHILDREN

(b) CHILD CARE LICENSURE

R.R.S. Neb. § 71-1913.01 (2007)

§ 71-1913.01. Immunization requirements; record; report

(1) Each program shall require ...

, or (c) a written statement that the parent or guardian does not wish to have such child so immunized and the reasons therefore.

New Hampshire Statute Title X. RSA 141-C:20-c (2007)

TITLE X. PUBLIC HEALTH CHAPTER 141-C. COMMUNICABLE DISEASE

RSA 141-C:20-a (2007) § 141-C:20-a. Immunization

II (c) Exemption under RSA 141-C:20-c.

§ 141-C:20-c. Exemptions

A child shall be exempt from immunization if:

II. A parent or legal guardian objects to immunization because of religious beliefs. The parent or legal guardian shall sign a notarized form stating that the child has not been immunized because of religious beliefs.

New Jersey Administrative Code: Ch. 14 NJ State Sanitary Code 8:57-4.4

[http://www.state.nj.us/health/cd/documents/njac857\\_4.pdf](http://www.state.nj.us/health/cd/documents/njac857_4.pdf)

Immunization of Pupils in School - N.J.A.C. 8:57-4

SUBCHAPTER 4. IMMUNIZATION OF PUPILS IN SCHOOL

8:57-4.1 Applicability

This subchapter shall apply to all children attending any public or private school, child care center, nursery school, preschool or kindergarten in New Jersey.

8:57-4.4 Religious Exemptions

(a) A child shall be exempted from mandatory immunization if the parent or guardian objects thereto in a written statement submitted to the school, preschool, or child care center, ...

New Mexico Stat. Ann. § 24-5-2 (2007)  
CHAPTER 24. HEALTH AND SAFETY ARTICLE 5. IMMUNIZATION N.M. Stat. Ann. § 24-5-1 (2007)  
§ 24-5-1. Immunization regulations  
... to be required of children attending public, private, home or parochial schools in the state ...  
N.M. Stat. Ann. § 24-5-2 (2007) § 24-5-2. Unlawful to enroll in school unimmunized; unlawful to refuse to permit immunization  
... It is unlawful for any parent to refuse or neglect to have his child immunized, as required by this section, unless the child is properly exempted.  
State of New Mexico Certificate of Exemption from School/Daycare Immunization Requirements:  
[http://www.immunizenm.org/documents/Exemption\\_new.pdf](http://www.immunizenm.org/documents/Exemption_new.pdf)  
In accordance with 7.5.3.8B NMAC, I hereby certify that my religious beliefs, held either individually or jointly by others, do not permit the administration of vaccine or other immunizing agents and I therefore request that my child as named above be exempted from the school immunization requirements of NMSA 1978 Section 24-5-2.

Nevada Statute Title 38. NRS § 432A.230 (2007)  
TITLE 38. PUBLIC WELFARE  
CHAPTER 432A. SERVICES AND FACILITIES FOR CARE OF CHILDREN  
IMMUNIZATION OF CHILDREN ADMITTED TO CHILD CARE FACILITIES  
NRS § 432A.230 (2007)  
§ 432A.230 Certificate of immunization prerequisite to admission to child care facility;  
1. Except as otherwise provided in subsection 3 and unless excused because of religious belief or medical condition,

New York Statute NY CLS Pub Health § 2164 (9)(2007)  
PUBLIC HEALTH LAW ARTICLE 21. CONTROL OF ACUTE COMMUNICABLE DISEASES TITLE VI. POLIOMYELITIS AND OTHER DISEASES  
NY CLS Pub Health § 2164 (2007)  
§ 2164. Definitions;  
1. As used in this section, unless the context requires otherwise:  
a. The term "school" means and includes any public, private or parochial child caring center, day nursery, day care agency, nursery school, kindergarten, elementary, intermediate or secondary school.  
9. This section shall not apply to children whose parent, parents, or guardian hold genuine and sincere religious beliefs which are contrary to the practices herein required, ...

Ohio Administrative Code OAC 5101:2-12-37 (B) (2) (2007)  
OHIO ADMINISTRATIVE CODE  
CHAPTER 5101:2 DIVISION OF SOCIAL SERVICES  
CHAPTER 5101:2-12 LICENSING OF CHILD CARE CENTERS  
OAC 5101:2-12-37 (2007)  
§ 5101:2-12-37 Children's medical and enrollment records for licensed child care centers.  
(B)Centers shall maintain enrollment records ...  
(2) Immunizations may be waived by the administrator for religious reasons upon submission of the parent or guardian's written request for exemption ...



Oklahoma Statute Title 10 Okl. St. § 413 (2007)

IMMUNIZATION OF CHILDREN TITLE 10. CHILDREN  
CHAPTER 18 - OKLAHOMA CHILD CARE FACILITIES LICENSING ACT  
10 Okl. St. § 413 (2007)

§ 413. Exemptions.

Any minor child, through his or her parent or guardian, may submit to the health authority charged with the enforcement of the immunization laws, a certificate of a licensed physician stating that the physical condition of the child is such that immunization would endanger the life or health of the child; or upon receipt of a written statement by the parent or guardian objecting to such immunizations because of religious or other reasons, then such child shall be exempt from the provisions of this act.

Oregon Statute ORS 433.267 (2006)

<http://oregon.gov/DHS/ph/imm/docs/SchRelExemtBrch.pdf>

Oregon Revised Statute 433.267 allows parents to sign a statement that their child is “being raised as an adherent to a religion the teachings of which are opposed to such immunization.”

<http://oregon.gov/DHS/ph/imm/docs/SchExempt.pdf>

Oregon recognizes parent-signed exemptions from vaccine requirements for religious reasons. “Religion” is defined in Oregon Administrative Rule 333-050-0010 as any system of beliefs, practices or ethical values.

To claim a religious exemption, a parent must check the appropriate boxes and sign the back of the Certificate of Immunization Status, available from your child’s school or child care facility. An exemption may be claimed for one or more vaccines or for all vaccines. Listing a vaccination history on the front of the Certificate of Immunization Status will not affect a parent’s ability to claim an exemption.

Oregon Certificate of Immunization Status for school, preschool, child care or home day care may be found at: <http://oregon.gov/DHS/ph/imm/docs/SchCISform08.pdf>

Pennsylvania Statute Title 28 Pa. Code. § 27.77 (2007)

TITLE 28. HEALTH AND SAFETY CHAPTER 27. COMMUNICABLE AND  
NONCOMMUNICABLE DISEASES  
SUBCHAPTER C. QUARANTINE AND ISOLATION  
COMMUNICABLE DISEASES IN CHILDREN AND STAFF ATTENDING SCHOOLS  
AND CHILD CARE GROUP SETTINGS

28 Pa. Code. § 27.77 (2007)

§ 27.77. Immunization requirements for children in child care group settings.

(a) Caregiver responsibilities.

(1) Except as exempted in subsection (d), effective March 27, 2002, the caregiver at a child care group setting may not accept or retain a child 2 months of age or older at the setting, for more than 60 days, unless the caregiver has received a written objection to a child being vaccinated on religious grounds from a parent or guardian

Rhode Island Administrative Rules

<http://www2.sec.state.ri.us/dar/regdocs/released/pdf/DOH/5526.pdf>

RULES AND REGULATIONS PERTAINING TO IMMUNIZATION AND TESTING FOR COMMUNICABLE DISEASES

Section 1.0 Definitions

1.4 "Preschool", as used herein, means all public and non-public child day-care centers, family day-care homes, nursery schools, or any licensed or certified program providing regular educational services to preschool-aged children in Rhode Island.

3.5.3 Exemptions

(a) A student may only be exempt from the immunization requirements described herein for either of the two (2) reasons stated below:

(ii) a parent or guardian completes and signs the Department's "Religious Immunization Exemption Certificate" provided by the school, attesting that immunization conflicts with the tenets of their religious beliefs.

South Carolina Administrative Rules (Law 44-29-180 states Reg. 61-8 applies)

TITLE 44. HEALTH CHAPTER 29. CONTAGIOUS AND INFECTIOUS DISEASES

S.C. Code Ann. § 44-29-180 (2006)

§ 44-29-180. School pupils and day care center children...

(C) South Carolina Department of Health and Environmental Control Regulation 61-8, as amended, "Vaccination, Screening and Immunization Regarding Contagious Diseases", and its exemptions apply to this section.

(D) A South Carolina Certificate of Special Exemption signed by the school principal, authorized representative, or day care director may be issued to transfer students... At the expiration of this special exemption, the student must present a valid South Carolina Certificate of Immunization, a valid South Carolina Certificate of Medical Exemption, or a valid South Carolina Certificate of Religious Exemption.

(E) Registered family day care homes are exempt from requirements of this section.

<http://www.scstatehouse.gov/coderegs/c061a.htm>

II. EXEMPTIONS

A. Students may be exempt from the immunization requirements of this regulation for the following reasons:

2. Religious Exemption. A South Carolina Certificate of Religious Exemption may be granted to any student whose parents, parent, guardian, or person in loco parentis signs the appropriate section of the South Carolina Certificate of Religious Exemption stating they are members of a recognized religious denomination in which the tenets and practices of the religious denomination conflict with immunizations.

South Dakota Statute 13-28-7.1. (2)

<http://legis.state.sd.us/statutes/DisplayStatute.aspx?Type=Statute&Statute=13-28-7.1>

13-28-7.1. Tests and immunizations for communicable diseases required for admission to school or early childhood program--Exceptions--Rules. Any pupil entering school or an early childhood program in this state,...

(2) A written statement signed by one parent or guardian that the child is an adherent to a religious doctrine whose teachings are opposed to such immunization;

Tennessee Statute Tenn. Code Ann. § 49-6-5001 (c) (1) (2006)  
Tenn. Code Ann. § 49-6-5001 (2006)  
TITLE 49. EDUCATION CHAPTER 6. ELEMENTARY AND SECONDARY  
EDUCATION  
PART 50. IMMUNIZATION OF SCHOOL CHILDREN  
Tenn. Code Ann. § 49-6-5001 (2006) 49-6-5001. General provisions. -  
(b) (2) In the absence of an epidemic or immediate threat thereof, this section shall not  
apply to any child whose parent or guardian shall file with school authorities a signed,  
written statement that such immunization and other preventive measures conflict with the  
parent's or guardian's religious tenets and practices, affirmed under the penalties of  
perjury.  
(d) Each child attending any school, nursery school, kindergarten, preschool or child care  
facility without furnishing proof of immunization or exception under subsection (b)  
and/or (e), shall not be counted in the average daily attendance of students for the  
distribution of state school funds.

Texas Statute Title 2. § 42.043 (c) (2) (2007)  
HUMAN RESOURCES CODE  
TITLE 2. DEPARTMENT OF HUMAN SERVICES AND DEPARTMENT OF  
PROTECTIVE AND REGULATORY SERVICES  
CHAPTER 42. REGULATION OF CERTAIN FACILITIES, HOMES, AND AGENCIES  
THAT PROVIDE CHILD-CARE SERVICES  
§ 42.043. Rules for Immunizations  
(a) The department shall make rules for the immunization of children in facilities  
regulated under this chapter.  
(d) No immunization may be required for admission to a facility regulated under this  
chapter if a person applying for a child's admission submits one of the following  
affidavits:  
(2) an affidavit signed by the child's parent or guardian stating that the applicant declines  
immunization for reasons of conscience, including a religious belief.

Utah Statute Utah Code Ann. § 53A-11-302. (3) (b) (i) or (3) ©  
Code Ann. § 53A-11-301 (2007)  
§ 53A-11-301. Certificate of immunization required  
(1) Unless exempted for personal, medical, or religious objections as provided in Section  
53A-11-302, a student may not attend a public, private, or parochial kindergarten,  
elementary, or secondary school through grade 12, nursery school, licensed day care  
center, child care facility, family care home, or headstart program in this state ...

Virginia Statute VCA § 22.1-271.2 C. (i) (2007)  
TITLE 22.1 EDUCATION CHAPTER 14. PUPILS  
VCA § 22.1-271.1 (2007)  
§ 22.1-271.1. Definitions.  
For the purpose of § 22.1-271.2:  
"School" means  
(iii) any private or religious nursery school or preschool, or any private or religious child-care center required to be licensed by the Commonwealth.  
VCA § 22.1-271.2 (2007)  
§ 22.1-271.2. Immunization requirements  
C. No certificate of immunization shall be required for the admission to school of any student if  
(i) the student or his parent or guardian submits an affidavit to the admitting official stating that the administration of immunizing agents conflicts with the student's religious tenets or practices; or

Vermont Statute Law Title 18: Chapter 21 § 1122.  
<http://www.leg.state.vt.us/statutes/fullsection.cfm?Title=18&Chapter=021&Section=01122>  
Title 18: Health Chapter 21: COMMUNICABLE DISEASES 18 V.S.A.  
§ 1122. Exemptions  
(a) A person may remain in school or in the child care facility without a required immunization:  
(3) If the person, or in the case of a minor the person's parent or guardian states in writing that the person, parent, or guardian has religious beliefs or philosophical convictions opposed to immunization.

Washington Statute Rev. Code Wash. (ARCW) § 28A.210.080 & 28A.210.090 (2007)  
TITLE 28A. COMMON SCHOOL PROVISIONS  
CHAPTER 28A.210. HEALTH -- SCREENING AND REQUIREMENTS  
Rev. Code Wash. (ARCW) § 28A.210.080 (2007)  
§ 28A.210.080. Immunization program  
(1) The attendance of every child at every public and private school in the state and licensed day care center shall be conditioned upon the presentation before or on each child's first day of attendance at a particular school or center, of proof of either  
(c) a certificate of exemption as provided for in RCW 28A.210.090.  
§ 28A.210.090. Immunization program -- Exemptions  
(2) A written certification signed by any parent or legal guardian of the child or any adult in loco parentis to the child that the religious beliefs of the signator are contrary to the required immunization measures; and

Wisconsin Statute Wis. Stat. § 252.04 (2007)

WISCONSIN HEALTH CHAPTER 252. COMMUNICABLE DISEASES

Wis. Stat. § 252.04 (2007)

252.04. Immunization program.

(2) Any student admitted to any elementary, middle, junior or senior high school or into any day care center or nursery school shall, ...

(3) The immunization requirement is waived if the student, if an adult, or the student's parent, guardian or legal custodian submits a written statement to the school, day care center or nursery school objecting to the immunization for reasons of health, religion or personal conviction.

West Virginia LEGISLATIVE RULES TITLE 78, SERIES 18 6.4.f.3.

[http://www.wvdhhr.org/bcf/ece/earlycare/documents/rules/78-18\\_family\\_child\\_care\\_home\\_registration\\_legislative\\_rule.doc](http://www.wvdhhr.org/bcf/ece/earlycare/documents/rules/78-18_family_child_care_home_registration_legislative_rule.doc)

§78-18-6. Administration of the Family Child Care Facility.

6.4.f.3. If a facility's policy permits, exemptions from immunization requirements shall be available for parents who provide written documentation of religious objections to immunizations.

Note: WV does not allow the religious exemption for school, but does allow the religious exemption in the Family Child Care Facility as shown above.

Wyoming Statute Wyo. Stat. § 21-4-309 (2007)

TITLE 21. EDUCATION CHAPTER 4. PUPILS ARTICLE 3. RIGHT TO ATTEND SCHOOL

Wyo. Stat. § 21-4-309 (2007)

§ 21-4-309. Mandatory immunizations for children attending schools; exceptions  
WAIVER OF IMMUNIZATION. ...

The statute mandates the issuance of an exemption from immunization for school children upon a written religious objection and does not permit an inquiry by the department of health into the sincerity of the religious beliefs of an applicant. *LePage v. State*, 18 P.3d 1177 (Wyo. 2001)

TITLE 14. CHILDREN CHAPTER 4. CHILD CARE FACILITIES

ARTICLE 1. CHILD CARE FACILITIES CERTIFICATION

Wyo. Stat. § 14-4-116 (2007)

§ 14-4-116. Mandatory immunizations for children attending child caring facilities.

(c) The operator of the child caring facility shall be responsible for an audit of the immunization status of any child attending the child caring facility in a similar manner to W.S. 21-4-309.

The CDC document below for 2005-2006 shows that the Religious or Philosophical exemption in day care was allowed in 48 states. This is somewhat inaccurate because Montana allowed the religious exemption for **only the Hib vaccine** in the day care setting.

[www.cdc.gov/vaccines/vac-gen/laws/downloads/izlaws05-06.pdf](http://www.cdc.gov/vaccines/vac-gen/laws/downloads/izlaws05-06.pdf)

|                      | EXEMPTIONS ALLOWED (2005-2006) |           |           |               |
|----------------------|--------------------------------|-----------|-----------|---------------|
|                      | Medical                        |           | Religious | Philosophical |
|                      | Temporary                      | Permanent |           |               |
| Alabama              |                                | X         | X         |               |
| Alaska               | X                              | X         | X         |               |
| Arizona              | X                              | X         | **        | *             |
| Arkansas             | X                              |           | X         | X             |
| California           | X                              | X         | X         | X             |
| Colorado             | X                              | X         | X         | X             |
| Connecticut          |                                | X         | X         |               |
| Delaware             | X                              | X         | X         |               |
| District of Columbia | X                              | X         | X         |               |
| Florida              | X                              | X         | X         |               |
| Georgia              | X                              |           | X         |               |
| Hawaii               | X                              | X         | X         |               |
| Idaho                | X                              | X         | X         | X             |
| Illinois             |                                | X         | X         |               |
| Indiana^             | X                              | X         | X         |               |
| Iowa                 | X                              | X         | X         |               |
| Kansas               | X                              |           | X         |               |
| Kentucky             | X                              | X         | X         |               |
| Louisiana            | X                              | X         | X         | X             |
| Maine                | X                              |           | X         | X             |
| Maryland             | X                              | X         | X         |               |
| Massachusetts        | X                              | X         | X         |               |
| Michigan             | X                              | X         | X         | X             |
| Minnesota            | X                              | X         | X         | X             |
| Mississippi          | X                              | X         |           |               |
| Missouri             | X                              |           | *         | **            |
| Montana              | X                              | X         | X         |               |
| Nebraska             | X                              | X         | X         |               |
| Nevada               | X                              | X         | X         |               |
| New Hampshire        | X                              |           | X         |               |
| New Jersey           | X                              | X         | X         |               |
| New Mexico           | X                              | X         | X         | X             |
| New York             | X                              | X         | X         |               |
| North Carolina       | X                              | X         | X         |               |
| North Dakota         |                                | X         | X         | X             |
| Ohio                 | X                              | X         | X         | X             |
| Oklahoma             | X                              | X         | X         | X             |
| Oregon               | X                              | X         | X         |               |
| Pennsylvania         | X                              | X         | X         |               |
| Rhode Island         | X                              | X         | X         |               |
| South Carolina       | X                              | X         | X         |               |
| South Dakota         |                                | X         | X         |               |
| Tennessee            | X                              | X         | X         |               |
| Texas                | X                              | X         | X         | X             |
| Utah                 | X                              | X         | X         | X             |
| Vermont              | X                              | X         | X         | X             |
| Virginia             | X                              | X         | X         |               |
| Washington           | X                              | X         | X         | X             |
| West Virginia        | X                              | X         |           |               |
| Wisconsin            | X                              | X         | X         | X             |
| Wyoming              | X                              | X         | X         |               |

X Exemption allowed

\* Allowed in schools only

\*\* Allowed in childcare and head start facilities only

^ Medical exemptions are referred to as "Acute" and "Chronic"