

Eliminating non-medical exemptions as a condition of school entry is legal

Multiple courts have upheld the legality of eliminating non-medical exemptions as a condition of school entry.

Given that vaccines are much safer than outbreaks of preventable diseases, several lawsuits have upheld the ability of states to require vaccines for school entry in order to protect public health.¹

Refusing to vaccinate your child who goes to public school due to religious beliefs has not been held up in court.

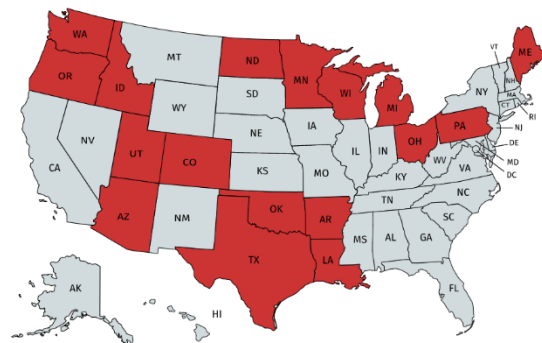
Although people are generally permitted to decline medical treatment when it conflicts with their religious beliefs, the First Amendment does not require the state to exempt believers from generally applicable laws that protect the health of others. The U.S. Supreme Court has written in the context of other parental-rights claims that religious freedom “does not include liberty to expose the community or the child to communicable disease.”² More recently, two appellate courts concluded that the First Amendment does not require religious exemptions for vaccination mandates.³

The vast majority of religious bodies have accepted vaccines as an effective public health measure that is in alignment with their religious values.

For more information, see: “[Religious Views of Vaccination At-A-Glance](#)” from Vaccinate Your Family, located in the Maine Immunization Coalition’s [Google Drive folder of resources](#).⁴

Due to large amounts of people opting to not vaccinate, Maine schools are not safe for all children.

Eliminating exemptions is a critical component of making schools safer. Maine is one of only 17 states that allow philosophical exemptions.⁵ Certain parts of Maine have seen a surge in vaccine-preventable diseases as more parents have opted to leave their children unprotected, putting their child, and everyone with whom their child comes into contact, at risk.⁶



¹ Abeel v. Clark, Jacobson v. Massachusetts, Zucht v. King

² Prince v. Massachusetts, 1944

³ Phillips v. City of New York, 2nd Cir., 2015; Workman v. Mingo Cnty Bd. of Educ., 4th Cir., 2011

⁴ https://drive.google.com/drive/folders/107o1jdoTT09i_XEBJ51GuCEbOF8L-RAF?usp=sharing

⁵ <http://www.ncsl.org/research/health/school-immunization-exemption-state-laws.aspx>

⁶ <https://www.maine.gov/dhhs/mecdc/infectious-disease/immunization/publications/2018/2017-School-Immunization-Report.pdf>