Department of Education
Carmen Fariña, Chancellor

Office of School Health/
28-11 Queens Plaza North, Room 402, Long Island City NY 11101

TO: Parents of New York City Public School Children

FROM: Julia Sykes JS
Department of Education Immunization Program

RE: Request for Exemption from Immunization Requirements

In accordance with the New York State Public Health Law, all students attending New York City Public Schools must be immunized against the following diseases: diphtheria, pertussis, tetanus, polio, measles, mumps, rubella, varicella, Pneumococcal conjugate (PCV), Hepatitis B and Haemophilus influenzae type B (Hib).

Studies have shown that a student who has not been vaccinated is more likely to contract a vaccine preventable disease. Since no vaccine is 100% effective, some children who have been vaccinated may also be infected through contact with a child who has not been immunized. Schools with students who have not been immunized are much more likely to suffer an outbreak of one of these illnesses.

In the event that a case of a vaccine preventable disease occurs in your child's school and your child has not obtained the required immunization, the Department of Health and Mental Hygiene has the right to require that your child be excluded from school for at least one incubation period after the onset of the last case. For example, if a case of measles is diagnosed, students who have not received a measles vaccine will be excluded from school during the outbreak and for an additional 18 days after the onset of the last case in the school.

Section 2164 of the Public Health Law permits the following two exemptions to this mandatory immunization requirement:

(1) If the parent objects to the immunization because the parent holds genuine and sincere religious beliefs which are contrary to the requirement that the child be immunized; or
(2) If a New York State licensed physician certifies that such immunization may be detrimental to the child's health.

Religious Exemptions

If you are seeking a religious exemption for your child, you must provide a written explanation of the foundations for your religious belief opposing immunization. In your own words, describe the religious principles that guide your objection to immunization. Also, indicate whether you are opposed to all immunizations, and if not, the religious basis that prohibits particular immunizations.

A letter from you, a lawyer, a member of the clergy or other individual simply indicating that you have such a religious belief, without any further explanation, is inadequate to support the granting of an exemption.

If the information you submitted in support of the exemption request is not sufficient for the DOE to make a determination, you may be asked to provide additional documentation within ten school days of receipt of letter. Please note that the Public Health Law does not authorize the granting of exemptions based upon personal, moral, secular, scientific or philosophical beliefs.

Documentation in support of a religious exemption should be submitted to the designated individual in your school. That person will forward your letter and any supporting documentation to the BFSC Health Director office and to the Office of School Health. Your request will then be reviewed and you will be notified of its approval or denial. Feel free to contact me at 718-391-8383 or at JSykes@schools.nyc.gov if you have questions.

Appeal Process for Religious Exemption

-If your child is not offered an exemption, you may appeal the denial by arranging an interview with your BFSC Health Director within ten school days of receipt of letter. During this appeal process, your child will be permitted to remain in school.

-If the appeal is denied, you may appeal the denial to the NYS Commissioner of Education within thirty (30) days of the decision, pursuant to Education Law Section 310. During this appeal process, your child will not be permitted to remain in school.

Medical Exemptions

If you are seeking a medical exemption, you must provide a letter from a New York State licensed physician certifying that one or more of the required immunizations are detrimental to your child's health. The letter should specify which immunizations may be harmful to your child and for how long the immunization(s) would be detrimental. Your school will forward documentation in support of a medical exemption to the Office of School Health for review.

If you have concerns about any of the required vaccines, you should discuss them with your child's physician. You may also consult the following web sites:

www.immunize.org/safety
www.cdc.gov/nip/vacsafe
www.vaccinesafety.edu
www.vaccine.chop.edu
www.immunizationinfo.org
www.iom.edu/imsafety

If you have questions about vaccine safety or the need for a medical exemption to immunization, you may contact the Bureau of Immunization at 347-396-2400 and ask to speak with a physician with expertise in these issues.