

MEMORANDUM

Date: June 11, 2003
To: The Honorable Leon Drolet, State Representative
From: Paul G. Connors, Research Analyst
Re: **Child Immunization Exemption**

This is in response to your request concerning whether a public school or the Michigan Department of Community Health is required by state statute to accept a parent's written statement objecting to the immunization of their child.

Section 9215(2) of 1978 PA 368 (Public Health Code), as amended, being MCL § 333.9215(2), states:

A child is exempt from this part if a parent, guardian, or person in loco parentis of the child presents a written statement to the administrator of the child's school or operator of the group program to the effect that the requirements of this part cannot be met because of religious convictions or other objection to immunization.

Further, section 1177(1) of 1976 PA 451 (Revised School Code), as amended, being MCL § 380.1177, in part states:

A child enrolling in a public or nonpublic school for the first time or, beginning in the 2002-2003 school year, enrolling in grade 6 for the first time shall submit 1 of the following:

(a) A statement signed by a physician that the child has been tested for and immunized or protected against diseases specified by the director of the department of community health.

(b) A statement signed by a parent or guardian to the effect that the child has not been immunized because of religious convictions or other objection to immunization.

According to the Michigan Legislative Service Bureau, Legal Research Division, there is no provision within the above-mentioned sections of law that allows a public school or a local department of community health to reject a parent's written statement objecting to the immunization of their child.