



STATE OF CONNECTICUT

STATE DEPARTMENT OF EDUCATION



CSDE Guidance Regarding Public Act 21-6, “An Act Concerning Immunizations”

May 25, 2021

On April 28, 2021, Governor Lamont signed into law [Public Act 21-6](#), “An Act Concerning Immunizations,” which updates Connecticut’s immunization requirements for students attending preK-12 schools, day care programs, and institutions of higher education by removing exemptions that are not medical. School districts and families understandably have numerous questions regarding the implementation of this new law, particularly with respect to the provision allowing students, in certain limited circumstances, to continue to assert a religious exemption from statutory immunization requirements. This document is intended to address questions that school districts and families have regarding the implementation of this new law.

Overview

Q1: What does this new law do?

A1: In very general terms, this law broadens the scope of students required to comply with statutory immunization requirements, in order to keep students, school staff and families safe. By way of background, Connecticut law requires that school-age children receive certain mandatory vaccinations prior to enrolling in school. The law previously contained an exemption from this requirement for students who, through a parent or guardian, determined that the immunizations were contrary to the religious beliefs of the parents/guardian or the child. The new law removes this exemption, effective April 28, 2021, with limited exceptions as provided below. No new religious exemptions submitted after this date will be considered valid.

Q2: What is the basis for claiming a religious exemption from vaccination requirements?

A2: As noted, prior to April 28, 2021, students, through a parent or guardian, could follow a statutory procedure to claim an exemption from vaccination requirements if the immunizations were contrary to the religious beliefs of the parents/guardian or the child.

Q3: Does this have anything to do with the COVID-19 vaccine?

A3: No, this law pertains to the exemption on religious grounds from the vaccination requirements as outlined in Connecticut General Statutes Section 10-204a. The COVID-19 vaccine is not currently included among this group of required immunizations.

Q4: Are medical exemptions to statutory vaccination requirements still available under this new law?

A4: Yes, Public Act 21-6 retains the prior law’s medical exemption from vaccination requirements for students and adds a requirement that the Commissioner of Public Health develop a particular form for use by medical professionals for this purpose.

Q5: Does the removal of religious exemptions apply to both public and private schools?

A5: Yes.

Students with Existing Exemptions on Religious Grounds

Q6: Is it true that students who previously submitted a valid exemption on religious grounds from these requirements may continue to rely on that exemption?

A6: Yes, the new law does contain a provision allowing certain existing exemptions to remain in place, which effectively allows students, in certain limited circumstances, to continue to claim a religious exemption from statutory vaccination requirements. The basis for the exemption on religious grounds must be that the immunization is contrary to the religious beliefs of the child or the parents/guardian of the child. To be eligible for such an exemption, a student:

(1) must have been enrolled in school in Grades K-12 on or before the law's effective date (that is, by midnight April 28, 2021); and

(2) must have submitted a valid religious exemption prior to that effective date (that is, by midnight April 27, 2021).

Students must meet both conditions in order to be eligible for a religious exemption.

Q7: How does the law apply to students who are advancing from sixth to seventh grade?

A7: As noted, in order to be eligible for an exemption on religious grounds, a student must be enrolled in school in Grades K-12 on or before April 28, 2021, and must have submitted a valid religious exemption *before* that date. This is true irrespective of the particular grade within the K-12 range in which the student is enrolled. There is nothing in the law that requires resubmission of a religious exemption at the time of transition from one grade to another.

Q8: What is the last date on which school districts may accept requests to exempt Grade K-12 students from statutory vaccination requirements on religious grounds?

A8: In order to allow a religious exemption, students must have presented a valid exemption prior to April 28, 2021, (that is, by midnight April 27, 2021). Exemption statements presented for the first time on or after April 28, 2021, are not legally valid bases for excusal from statutory immunization requirements on religious grounds.

Q9: How does the law treat students who transfer from one Connecticut school (public or private) to another?

A9: The law continues to allow for an exemption on religious grounds for students who transfer schools within Connecticut (including from a public to a private school and vice versa). However, such students must have been enrolled in a Connecticut school on or before April 28, 2021, and must have submitted a valid religious exemption to either school *prior to* that date.

Q10: What does it mean for a student to be “enrolled in” school on or before April 28, 2021?

A10: Generally speaking, a child is enrolled in school at such time as a parent or guardian provides documentation, consistent with the school district policy, establishing that such child is eligible to attend school in the district in the current or upcoming school year based upon age and residency, and that the family intends for the child to do so, whether the district refers to this illustration of eligibility as “registration” or “enrollment.” School districts may wish to review the CSDE’s existing guidance regarding the enrollment process, available at [Enrollment-GuidanceAugust-2017](#). Families that took such steps, on or before April 28, 2021, toward having children attend Kindergarten for the 2021-22 school year would be considered enrolled in the district as a Kindergarten student. Such a student would be eligible for a religious exemption if the student also provided a valid religious exemption statement by midnight on April 27, 2021.

Q11: How should we treat students who had a valid religious exemption from a prior school year but withdrew from school as a result of the pandemic (or for other reasons), and who now wish to exercise that same exemption upon their return to school in the district?

A11: The religious exemption remains available to any student who was enrolled in school in Grades K-12 on *or before* April 28, 2021, and had a valid exemption as of midnight on April 27, 2021. Thus, any student who was enrolled in school pursuant to a valid religious exemption at any time prior to April 28, 2021, but subsequently withdrew from school, and who seeks to reenroll on a date *after* April 28, 2021, could assert a valid religious exemption.

Q12: How does this law apply to students in Pre-K?

A12: Students enrolled in a preschool or other pre-K program *before* April 28, 2021, (that is, as of April 27 at midnight), and who presented a valid religious exemption to the school by that time (April 27 at midnight), but did not present a written declaration from a physician, a physician assistant or advance practice registered nurse stating that additional immunizations are in process as recommended by one of those types of medical professionals, rather than as recommended under guidelines and schedules specified by the Commissioner of Public Health, must comply with the immunization guidelines and schedules specified by the Commissioner of Public Health by (1) September 1, 2022, or (2) within 14 days after transferring schools, whichever is later. Such students may, however, be permitted to follow an alternative vaccination schedule if recommended by a medical professional. Validly submitted religious exemptions for pre-K students may be valid upon such student’s transfer to Kindergarten, but not beyond (1) September 1, 2022, or (2) within 14 days after transferring schools within Connecticut (public or private school), whichever is later.

Form Requirements for Exemptions on Religious Grounds

Q13: What does it mean for a student to submit a “valid religious exemption”?

A13: Under the law, such an exemption must be “a statement . . . from the parents or guardian of [the] child” that specifies that the immunization is “contrary to the religious beliefs” of the child or parents/guardian. The law requires that the statement be properly acknowledged, as prescribed in General Statutes Sections 1-32, 1-34, and 1-35, by one of the following individuals: (1) a judge of a court of record or a family support magistrate, (2) a clerk or deputy clerk of a court having a seal, (3) a town clerk, (4) a notary public, (5) a justice of the peace, (6) an attorney admitted to the bar of this state, or (7) a school nurse.

There is no particular form that must be used, and there is no requirement that more than one parent/guardian sign the statement. As noted, for students enrolled in school in Grades K-12, this exemption must have been presented and be fully executed no later than midnight April 27, 2021, (that is, *before* the April 28, 2021 effective date of this legislation).

Q14: What if a student’s exemption request, submitted prior to April 28, 2021, was missing one or more of the components outlined immediately above?

A14: In order for a student to continue an existing exemption and thus be covered under the prior law allowing for religious exemptions from statutory vaccination requirements, the statement must contain all legally necessary components prior to April 28, 2021. Statements that fail to do so are legally invalid and may not be used as a basis for religious exemption.