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Virginia
Freedom Keepers
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About Us:

Virginia Freedom Keepers (VFK) is the local state chapter of Freedom Keepers United (FKU), a National 501(c)3 organization. FKU's mission is to raise national awareness of current and upcoming legislation regarding medical freedom and unconstitutional mandates. As a bipartisan group, the concerted goal is to build positive relationships and be a light to our community.

Founded in 2019, VFK exists to provide accurate and up to date information regarding medical freedom and medical mandates. Our goal is to educate and connect our members through social campaigns, advocacy, community events and to provide resources for effective advocacy. VFK serves as a resource for all who want to expand their knowledge, educate their sphere of influence, and to connect with other advocates who are working together to achieve this goal.

REGULATORY SPOTLIGHT

Vaccine Mandates & Exemptions in Virginia

Each state has regulations around vaccine mandates and methods for complying. As is the case for Virginia, state mandates are typically limited to immunization schedules for school-aged children and policies during public health emergencies. Many states also offer "exemptions" that satisfy the requirement for these mandates just the same as vaccination administration. Here's what Virginians need to know.

1.0 VIRGINIA'S MANDATES

[§ 32.1-46 of the Virginia Code](#) outlines the minimum immunization requirements "for attendance to a public or private elementary, middle or secondary school, childcare center, nursery school, family day care home or developmental center". These requirements will be updated July 1, 2021 when HB1090 takes effect. [Click here](#) for next year's schedule.

While reporting looks different for home-schooled children, the immunization requirements are the same. [§22.1-271.4 of the Virginia Code](#) states "a child being home instructed, exempted or excused from school attendance shall comply with the immunization requirements provided in [§32.1-46](#) in the same manner".

There are no similar "required" schedules for adults or seniors in Virginia although there is nothing to prevent them from existing. However, [Emergency Services and Disaster's Laws](#) do include Communicable Diseases of Public Health Threat and the ability to enact certain Hazard Mitigation techniques which include "any action taken to reduce or eliminate the long-term risk to human life and property from natural hazards". Whether a vaccine mandate affecting adults and seniors could fall under this definition in Virginia is not yet determined. What is clear, however, is that states have litigated the issue of mandatory vaccinations during public health emergencies as is the case with *Jacobson v. Com. of Massachusetts*, 197 U.S. 11 (1905). [Click here](#) for more information.

2.0 DEFINITION & APPLICATION OF RELIGIOUS EXEMPTIONS IN VIRGINIA

Virginia's religious exemption is outlined in [§ 32.1-46 of the Virginia Code](#) subsection D. Should a "parent or guardian of the child object...on the grounds that the administration of immunizing agents conflicts with his religious tenets or practices", the child will be exempt from the provisions.

Instead of a certificate of immunization filed for public or private school students to gain admission to school, the student or parent/guardian can submit a notarized [Certificate of Religious Exemption](#) or Form CRE 1 to the admitting official of the school.

Parents with home-schooled children are not required to submit proof of immunization unless the local division superintendent requests it. [Click here](#) for more information pertaining to home-schoolers.

3.0 DEFINITION & APPLICATION OF MEDICAL EXEMPTIONS IN VIRGINIA

Similarly, Virginia's medical exemption is also outlined in [§ 32.1-46 of the Virginia Code](#). Should a "physician...state that the physical condition of the child is such that the administration of one or more of the required immunizing agents would be detrimental to the health of the child", the child will be exempt from the provisions.

REGULATORY SPOTLIGHT

Vaccine Mandates & Exemptions in Virginia

Our Focus:

Connection.

Connecting constituents to each other and their representatives.

Community.

Community building through our group platform.

Education.

Educating our members so they can better educate their sphere of influence.

Empowerment.

Empowering each member to lobby for medical freedom in Virginia.

[Website](#)

[Facebook](#)

[Instagram](#)

[Email](#)

For informational purposes only. Not intended for medical or legal advice. Seek a professional's guidance should you require.

The school should have written certification specified under "[documentary proof](#)" from a physician, registered nurse or a local health department that one or more of the required immunizations may be detrimental to the student's health. The Certification of Medical Exemption should specify the nature and probable duration of the medical condition or circumstance that contraindicates immunization.

4.0 DEFINITION & APPLICATION OF EXISTING IMMUNITY EXEMPTIONS IN VIRGINIA

Demonstration of [existing immunity](#) is another way to claim an exemption. The demonstration of "antibodies against mumps, measles, rubella, or varicella in sufficient quantity to ensure protection of a student against the disease provides the student with an exemption from the immunization requirements".

Such protection should be demonstrated by means of a "serological testing method appropriate for measuring protective antibodies" or - in the case of chickenpox - a reliable history of chickenpox disease diagnosed or verified by a health care provider.

5.0 DEFINITION & APPLICATION OF HPV OPT-OUT IN VIRGINIA

Because the human papillomavirus is not communicable in a school setting, a parent or guardian may elect for a child not to receive the HPV vaccine.

After having reviewed materials describing the link between the human papillomavirus and cervical cancer approved by the board, the parent can simply "opt-out". [Click here](#) for more information on the HPV requirements and opt-out provisions.

6.0 LIMITATIONS ON EXEMPTIONS

There are limits to exemptions. For example, upon the identification of an outbreak, potential epidemic or epidemic of a vaccine-preventable disease in a public or private school, the commissioner has the authority to require the exclusion of all children who are not immunized against that disease from the school.

Additionally, religious exemptions that some public, private and home-schooled children currently claim may not be upheld if "[an emergency or epidemic of disease has been declared by the Board](#)". Children who would claim these exemptions could find themselves facing penalties for not receiving the shot in the instance of a public emergency. Similarly, [exemptions and removal of exemptions](#) apply to those enrolling or enrolled in higher education.

Furthermore, should a mandate be issued during a public health emergency, adults may be required to comply or face the consequences.

7.0 CONCLUSION

While mandate and exemption regulations can be difficult to interpret, it is important to know one's rights under state laws. Should a state's laws unreasonably overreach and infringe on constitutional rights, however, the legality and enforceability would no doubt come into question and be corrected.