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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

Virginia's Homeschool Immunization Requirements

In light of [HB 1090's recent revisions to the minimum immunization requirements](#) for school-aged children in Virginia, many home school families have questions on how they are affected. A review of existing requirements along with those passed this legislative session gives parents accurate, up-to-date information so they can make informed decisions.

1. EXISTING REQUIREMENTS FOR HOMESCHOOLED CHILDREN.

All "home-instructed" children in the Commonwealth of Virginia are required to be immunized. This requirement is outlined in two sections of the Virginia code:

- 1) [§22.1-271.4 of the Virginia Code](#) states "In addition to compliance with the requirements of subsection B, C, or H of §22.1-254 or §22.1-254.1 any parent, guardian or other person having control or charge of 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 and to the same extent as if the child has been enrolled in and is attending school."
- 2) [§32.1-46 of the Virginia code](#) which is referenced above states "The parent, guardian or person standing in loco parentis of each child within this Commonwealth shall cause such child to be immunized with the Immunization Schedule". This schedule is then detailed in section A of the code.

This section of the code goes on to state that school-aged children are exempt from following the schedule of immunizations if they meet the provisions in section D. Those being a [religious exemption*](#), [medical exemption](#) or the parent opting out of the HPV vaccine after reviewing the Health Department's educational materials.

*It is important to note that a religious exemption for the purposes of exemption from the immunization requirements is *different* to what is commonly referred to as the religious exemption as a reason or "excuse" from public school attendance. [§ 22.1-254 \(B\)\(1\) of the Virginia code](#) states "A school board shall excuse from attendance at school: any pupil who, together with his parents, by reason of bona fide religious training or belief is conscientiously opposed to attendance at school. For purposes of this subdivision, "bona fide religious training or belief" does not include essentially political, sociological or philosophical views or a merely personal moral code.

2. EXISTING REPORTING REQUIREMENTS FOR HOMESCHOOLED CHILDREN.

Parents with homeschooled children are not required to submit proof of immunization unless the local division superintendent requests it.

Per [§22.1-271.4 of the Virginia Code](#) "Upon request by the division superintendent, the parent shall submit to such division superintendent documentary proof of immunization in compliance with [§32.1-46](#)".

REGULATORY SPOTLIGHT

Virginia's Homeschool Immunization Requirements

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](#)

3. HOW HB 1090 AFFECTS HOMESCHOOLED CHILDREN.

HB 1090 does nothing to change homeschooled children's reporting requirements outlined in [§22.1-271.4 of the Virginia Code](#).

However, it does update Virginia's minimum immunization requirements as follows:

- ✓ Adds a 2nd dose of Varicella (chicken pox vaccine) to the schedule.
- ✓ Adds Meningococcal ACWY, Hepitis A and Rotavirus to the schedule.
- ✓ Adds HPV for boys – previously only required for girls – to the schedule.
- ✓ Changes the HPV administration from “prior to 6th grade” to now 7th grade.

HB 1090 also relinquishes authority to the State Board of Health to amend the State Board of Health Regulations in the code (i.e. the schedule). Previously, the responsibility rested with Virginia elected officials who depending on the guidance of state agencies to make additions. It also adds that there will be a requirement for the Department to (i) provide a Notice of Intended Regulatory Action and (ii) provide a 60-day public comment period prior to the Board's adoption of the regulations.

Changes arising from HB 1090 take effect July 1, 2021. As such, parents with homeschooled children should take steps the following steps to comply with these provisions:

- 1) Along with the child's primary care provider (PCP), assess what vaccines are missing from the child's records. [Click here](#) for an easy to read schedule of the new requirements.
- 2) Request and review the informed consent materials available through the child's PCP on the diseases as well as the vaccines themselves.
- 3) For the vaccines the parent elects to pursue, work with the child's PCP to identify a vaccination schedule that both protects the child's safety and considers recommended administration timelines. Provide the child's up to date immunization record only should the superintendent request.
- 4) For the vaccines the parent elects to forego, ensure a [religious* or medical exemption](#) is readily available should the superintendent request. For children with a medical exemption, ensure the PCP updates the medical exemption to include the new minimum requirements outlined in HB 1090.

For parents needing more information on how immunization laws affect their homeschooled children, visit [HEAV](#), [HSLDA](#) or your local agencies.

For informational purposes. Should not be construed as legal advice.