

Section 8-42.5. Immunization required; documentary proof required; exceptions.

— A. 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 Virginia Code § 32.1-46 in the same manner and to the same extent as if the child has been enrolled in and is attending school.

B. Upon request by the superintendent, the parent shall submit to the superintendent documentary proof of immunization in compliance with Virginia Code §32.1-46.

C. No proof of immunization shall be required of any child upon submission of:

- (i) an affidavit to the division superintendent stating that the administration of immunizing agents conflicts with the parent's or guardian's religious tenets or practices or
- (ii) a written certification from a licensed physician, physician assistant, licensed advanced practice registered nurse practitioner, or local health department that one or more of the required immunizations may be detrimental to the child's health, indicating the specific nature of the medical condition or circumstance that contraindicates immunization.

(Adopted: May 12, 2005; Ordinance Number 04/05-22; Effective: July 1, 2005; Revised June 13, 2013; Ordinance Number 12/13-87; Effective Date: July 1, 2013; Revised June 9, 2016; Ordinance Number 15/16-89; Effective Date: July 1, 2016)

Legal Authority – Virginia Code §§ 22.1-1, 22.1-254, 22.1-254.1, 22.1-271.4, 32.1-46, 54.1-2952.2 (1950), as amended. 10 U.S.C. § 2031.