

CHILDREN'S COMMITTEE
February 7, 2019 – Public Hearing

Testimony Regarding HB 7005
AN ACT PROHIBITING THE ACKNOWLEDGMENT OF PARENTAL STATEMENTS
CONCERNING RELIGIOUS OBJECTIONS TO VACCINATION BY SCHOOL NURSES
AND PERMITTING MEMBERS OF THE CLERGY TO ACKNOWLEDGE SUCH
STATEMENTS.

Members of the Children's Committee, thank you for the opportunity to submit testimony regarding HB 7005, "An Act Prohibiting the Acknowledgment of Parental Statements Concerning Religious Objections to Vaccination by School Nurses and Permitting Members of the Clergy to Acknowledge Such Statements." I am a Connecticut attorney and I oppose this bill.

Substituting a clergy member for a school nurse as one who can acknowledge the religious exemption form, while seemingly benign, raises religious freedom concerns. First, parents who do not wish to share their child's medical information (i.e., vaccination status) with anyone other than a health care professional will no longer have that option. This bill also impliedly seeks to exclude and marginalize those who do not belong to an organized religion, since such individuals will not be able to obtain an acknowledgment from a clergy member. Connecticut law, such as C.G.S. 46a-64, already prohibits discrimination on the basis of one's "creed" in places of public accommodation, such as schools. As you know, the definition of creed is not restricted to organized religious beliefs.

It has also been suggested that this bill may be amended to eliminate the religious exemption entirely. Indeed, such an amendment has already been proposed in the public hearing testimony submitted by the Connecticut Chapter of the American Academy of Pediatrics. In my opinion, to deny students access to a public education on the basis of their religious beliefs would violate Section 10-15c of the General Statutes, which mandates that "**all** children five years of age and over" be given "an equal opportunity to participate in the activities, programs and courses of study offered in such public schools . . . without discrimination on account of . . . religion." (Emphasis added.) This amendment would also abrogate the right to a public education guaranteed by the Connecticut Constitution, resulting in a denial of equal protection under the law to students with certain beliefs. The Connecticut Supreme Court has recognized that Connecticut law "imposes an affirmative constitutional obligation on the legislature to provide a substantially equal educational opportunity for all public schoolchildren." Sheff v. O'Neill, 238 Conn. 1, 23 (1996).

For these reasons, I beg you to vote "NO" on HB 7005. Thank you again for considering my testimony.

Brian F.