

# **CALIFORNIA:**

## **School Vaccine Refusal Legal Document**

---

### **NEWBORN MEDICAL AND SCHOOL VACCINATION REFUSAL AND PARENTAL RIGHTS ASSERTION**

**Parent(s):** [Insert Full Legal Name(s)]

**Child:** [Insert Child's Full Legal Name]

**Date:** [Insert Date]

**School/Institution:** [Insert Name]

---

# LEGAL FOUNDATION

We, the undersigned parents and legal guardians of [Child's Name], acting pursuant to the **United States Constitution, the California Constitution, the California Health and Safety Code, applicable federal law, and binding international human rights frameworks**, hereby assert and exercise our **fundamental, inalienable rights** to refuse participation in school vaccine mandates and other medical interventions, including but not limited to the **Hepatitis B vaccine, Vitamin K injection, MMR, DTaP, varicella, polio, and all other school-required vaccinations**.

## 1. U.S. Constitutional Protections

- **Fourteenth Amendment (Due Process and Parental Rights):** As affirmed in **Meyer v. Nebraska, 262 U.S. 390 (1923)** and **Pierce v. Society of Sisters, 268 U.S. 510 (1925)**, parents possess the fundamental right to direct the medical care of their children, including refusal of medical interventions.
- **First Amendment (Religious Freedom):** Although California law under **SB 277** has eliminated religious exemptions for school vaccines, federal constitutional protections supersede state statutes where conflicts arise (**Wisconsin v. Yoder, 406 U.S. 205 (1972)**).

## 2. California Statutory and Case Law

- **California Health & Safety Code §§ 120325–120380 (SB 277):** While removing personal and religious exemptions for school vaccines, these statutes recognize **medical exemptions** and do not supersede parental rights to **informed consent** for medical procedures.
- **California Family Code § 6900-6910:** Confirms the authority of parents to consent or withhold consent to medical treatment for their minor children.
- **California Constitution Article I, § 1:** Enshrines the right to privacy and bodily autonomy.
- **California Code of Regulations Title 17 § 6020:** Requires immunization records but does not authorize the administration of vaccines without consent.

### 3. Federal Statutory and Ethical Protections

- **National Childhood Vaccine Injury Act of 1986 (42 U.S.C. § 300aa–1):** Establishes a legal framework for vaccine-related injuries and affirms the right to informed consent.
- **42 U.S.C. § 1983 (Civil Rights Violations):** Provides a cause of action against state actors who violate federally protected rights, including unauthorized medical interventions.
- **42 U.S.C. § 1395cc(f) (Patient Self-Determination Act):** Requires respect for a patient's decision regarding medical treatment, including the right to refuse.

### 4. International Ethical Standards

- **Nuremberg Code (1947):** Mandates that voluntary consent of the human subject is absolutely essential in all medical interventions.
  - **Universal Declaration on Bioethics and Human Rights (UNESCO, 2005):** Article 6 states that any preventive, diagnostic, or therapeutic intervention is only to be carried out with the prior, free, and informed consent of the person concerned.
  - **Declaration of Geneva (World Medical Association):** Establishes the physician's duty to respect patient autonomy and dignity.
-

## SCIENTIFIC EVIDENCE SUPPORTING REFUSAL

We assert that current scientific evidence demonstrates that **high vaccination rates do not guarantee prevention of outbreaks** and may, in some cases, **facilitate viral transmission and mutation**, thereby increasing public health risks.

- **Guerra FM et al. (2017). "The basic reproduction number (R0) of measles: A systematic review." *The Lancet Infectious Diseases*, 17(12), e420–e428.**  
*Findings indicate measles outbreaks have occurred in populations with greater than 95% vaccination coverage.*
  - **Rosen JB et al. (2014). "Outbreak of measles among persons with prior evidence of immunity, New York City, 2011." *Clinical Infectious Diseases*, 58(9), 1205–1210.**  
*The index case of a significant measles outbreak was a vaccinated individual; outbreak spread among vaccinated populations.*
  - **Haber P et al. (2015). "Mumps outbreaks in vaccinated populations — United States, 2006–2015." *MMWR*, 64(48), 1345–1349.**  
*Documented multiple mumps outbreaks in highly vaccinated populations.*
  - **Kennedy DA & Read AF (2017). "Why does drug resistance readily evolve but vaccine resistance does not?" *Proceedings of the Royal Society B*, 284(1851), 20162562.**  
*Mass vaccination exerts evolutionary pressures on pathogens, which can drive viral mutation and resistance.*
  - **Lewnard JA & Grad YH (2018). "Vaccine waning and mumps resurgence in the United States." *Science Translational Medicine*, 10(433), eaao5945.**  
*Highlights waning immunity as a major contributor to outbreaks, even in highly vaccinated groups.*
-

## DEMANDS AND DECLARATIONS

We hereby:

- **Refuse all mandated vaccines for [Child's Name]** based on the legal, constitutional, and scientific evidence provided.
  - **Invoke our constitutional and statutory rights** to informed refusal of medical treatment, including but not limited to California Family Code, Health & Safety Code, and federal protections.
  - **Request that this refusal be documented in [Child's Name]'s school record** to ensure full transparency and legal compliance.
  - **Demand an immediate end to any form of coercion, threats, or adverse actions by school officials or public health authorities**, as such actions constitute violations of our civil rights under federal law (**42 U.S.C. § 1983**) and established tort principles.
  - **State unequivocally that any attempt to administer vaccines or other medical interventions without our consent constitutes unlawful medical battery** and violation of our child's constitutional rights, actionable both under federal law and California civil law.
- 

**Signature (Mother/Legal Guardian):** \_\_\_\_\_

**Date:** \_\_\_\_\_

**Signature (Father/Legal Guardian):** \_\_\_\_\_

**Date:** \_\_\_\_\_

---

### Optional Notarization for Legal Enforceability

Subscribed and sworn before me, a Notary Public, this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

**Signature of Notary:** \_\_\_\_\_

**Commission Expiration:** \_\_\_\_\_