

# NEW JERSEY: School Vaccine Refusal Legal Document

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## 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]

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## LEGAL FOUNDATION

We, the undersigned parents and legal guardians of [Child's Name], acting pursuant to the **United States Constitution, the New Jersey Constitution, federal statutes, and binding international legal and ethical frameworks**, hereby assert and exercise our **absolute, constitutionally protected rights** to refuse participation in school vaccine mandates and other medical interventions, including but not limited to **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):** Established in **Meyer v. Nebraska, 262 U.S. 390 (1923)** and **Pierce v. Society of Sisters, 268 U.S. 510 (1925)**, affirms that parents have the fundamental right to make medical decisions for their children.
- **First Amendment (Religious Freedom):** Despite New Jersey's scrutiny of religious exemptions under **N.J. Stat. Ann. § 26:1A-9.1**, the **First Amendment of the U.S. Constitution** guarantees religious liberty and supersedes conflicting state mandates (**Wisconsin v. Yoder, 406 U.S. 205 (1972)**).

### 2. New Jersey Statutory and Case Law

- **N.J. Stat. Ann. § 26:1A-9.1:** Permits medical and religious exemptions for school vaccine mandates, requiring documentation and compliance with administrative procedures.
- **N.J. Const. Art. I, § 1:** Guarantees inalienable rights including life, liberty, and property, which encompasses parental rights and bodily autonomy.

- **Health Care Consent Law:** New Jersey law affirms the right of patients (and by extension, legal guardians) to **informed consent and refusal** for medical interventions.
- **Doe v. Bolton, 410 U.S. 179 (1973):** Recognizes a patient's right to refuse medical procedures, reinforcing parental rights to make such decisions for minors.

### 3. Federal Statutory and Ethical Protections

- **National Childhood Vaccine Injury Act of 1986 (42 U.S.C. § 300aa–1):** Confirms the right to informed consent and legal remedies for vaccine injuries.
- **42 U.S.C. § 1983 (Civil Rights Violations):** Authorizes action against state actors infringing on federally protected rights, including unauthorized medical treatment.
- **42 U.S.C. § 1395cc(f) (Patient Self-Determination Act):** Mandates respect for a patient's decisions, including refusal of treatment.

### 4. International Ethical Standards

- **Nuremberg Code (1947):** Prohibits involuntary medical experimentation and mandates fully informed, voluntary consent.
- **Universal Declaration on Bioethics and Human Rights (UNESCO, 2005):** Article 6 affirms the necessity of free, prior, and informed consent for medical interventions.
- **Declaration of Geneva (World Medical Association):** Establishes physicians' duty to respect patient autonomy and dignity.

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## SCIENTIFIC EVIDENCE SUPPORTING REFUSAL

Substantial evidence establishes that **high vaccination rates do not guarantee prevention of outbreaks**, and may, in fact, facilitate **viral transmission, mutation, and persistence**:

- **Breakwell L et al. (2010). "Mumps outbreak in a highly vaccinated population." *Epidemiology & Infection*, 138(11), 1550–1556.**  
*Mumps outbreaks occurred in populations with high vaccination rates, highlighting vaccine limitations.*
- **Haber P et al. (2015). "Mumps outbreaks in vaccinated populations — United States, 2006–2015." *MMWR*, 64(48), 1345–1349.**  
*Documented widespread mumps outbreaks among vaccinated individuals.*
- **Guerra FM et al. (2017). "The basic reproduction number (R0) of measles: A systematic review." *The Lancet Infectious Diseases*, 17(12), e420–e428.**  
*Measles outbreaks occurred in populations with greater than 95% vaccination coverage.*
- **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 creates evolutionary pressures driving viral mutation and persistence.*

- **Lewnard JA & Grad YH (2018). "Vaccine waning and mumps resurgence in the United States." Science Translational Medicine, 10(433), eaao5945.**  
*Waning immunity in vaccinated populations is a major contributor to outbreaks.*
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## DEMANDS AND DECLARATIONS

We hereby:

- **Refuse all mandated vaccines for [Child's Name]**, asserting our full legal rights under New Jersey law, the U.S. Constitution, federal statutes, and binding international ethical frameworks.
  - **Invoke our constitutional and statutory rights to informed consent and parental authority**, including but not limited to **N.J. Stat. Ann. § 26:1A-9.1**, the **New Jersey Constitution**, and federal law.
  - **Request that this refusal be formally documented** in [Child's Name]'s school records for compliance purposes.
  - **Demand the immediate cessation of any form of coercion, retaliation, or adverse action** by school officials, public health authorities, or any other entities, as such actions constitute violations of our child's and our family's rights under **42 U.S.C. § 1983** and applicable New Jersey statutes.
  - **State unequivocally that any attempt to administer vaccines or other medical treatments to our child without explicit parental consent constitutes unlawful medical battery** and a violation of civil rights, enforceable under federal and state law.
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Signature (Mother/Legal Guardian): \_\_\_\_\_

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

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

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

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### Optional Notarization for Legal Enforceability

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

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

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