

Dear Legislators,

I am writing today to express my opposition to HB-3063, and to the idea that children be disallowed from schooling based on their vaccination status. I believe this bill is discriminatory and disregards the United States Constitution and the values on which this country was founded.

The 14th Amendment to the Constitution grants all Americans the right to manifest their religion in practice. One way of many that people manifest their religion in practice is by foregoing certain medical procedures and treatments. There are many reasons for which someone may claim religious exemption from vaccines for their child. One of the most well-known is that several vaccinations on the CDC schedule contain aborted fetal tissue. For state law to put this group of people in the place of having to either deny their children public or private schooling, or go against their religious beliefs is simply a blatant violation of American freedom.

Furthermore, the Equal Protection Clause of the 14th Amendment provides that a state may not “deny to any person within its jurisdiction the equal protection of the laws.” It applies to public elementary and secondary schools, as they are considered to be state actors. To deny a public education to all children who aren’t 100% vaccinated on the CDC schedule is also a blatant violation.

In 1954, the Supreme Court interpreted the Equal Protection Clause’s requirements in *Brown vs. Board of Education* and made the following statement regarding the case: “We conclude that in the field of public education the doctrine of “separate but equal” has no place. Separate educational facilities are inherently unequal. Therefore, we hold that the plaintiffs...are, by reason of the segregation complained of, deprived of the equal protection of the laws guaranteed by the 14th Amendment.” Passage of this bill would force parents who do not follow the CDC vaccination schedule completely to homeschool their children, thus creating separate educational facilities which are inherently unequal. It would deprive these children and their families of the equal protection of the 14th amendment.

I realize that there is a sense of worry sweeping across this country right now because of media coverage of recent measles cases. However, we cannot allow this worry to justify discrimination or to justify the government overstepping its boundaries. The government has no place coercing medical treatment.

Sincerely,

Leela Magdaleno