NY parents against vaccinations may not send their kids to school

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ALBANY – Giovanni Mazzarelli made it clear Monday: His kids will no longer go to a private school in Dutchess County. They will be home-schooled.

The reason: a new law in New York that bans religious exemptions from vaccinations for students who want to attend public or private schools.

“There is no way, no how they are getting vaccinated. So we’re forced to home-school,” he said during a protest outside the state Education Department building, where the state Board of Regents was meeting.

“My kids are basically evicted from school because of this New York law.”

Several hundred parents and their children rallied Monday in protest of the new law and discussed how they will proceed if the new law isn’t eased or if their court challenges aren’t successful, which they have not been so far.

Some will quit their jobs and homeschool their children. Others will send their kids to school regardless of the law, forcing the hand of administrators to make the students leave.

A few parents said they will likely move out of the state, while others were still unsure what they will do when a 14-day grace period for the beginning of vaccines to start expires later this month.

“A lot of us are talking about civil disobedience, sending our kids and seeing what happens,” said Tresea Snyder, a mother of three from Sherrill, Oneida County.

“They’ll probably send them to the office and call a parent to come pick them up. But we’re trying to teach our kids that when you believe in something, stand up for it and you have to make noise.”

Protesters attend meeting

As the Board of Regents met Monday, vaccine protesters could be heard loudly chanting in the hallways. The chants permeated the Regents Room as well as an online stream of the meeting.

They packed a corridor inside the Education Building, and more opponents railed outside near the windows of the ornate meeting room.

At one point, a protester tried to interrupt the Regents meeting, rising to speak as the policy board transitioned from one topic to another.

The woman was shouted down by Regents as she tried to speak, showing a photo of a child on her phone.

“I’m going to ask you to respect our meeting,” Regents Chancellor Betty Rosa told the woman. “You are being disruptive to our meeting. And I did ask in the beginning, if you are not going to respect our meeting, please leave.”
Another protester cried out: “We need help! We need someone to help us!”

Rosa said that well in advance, the Education Department told the protesters the issue wasn’t on the agenda and wouldn’t be discussed.

Last month, vaccine opponents protested outside the state Supreme Court in Albany as their legal case to toss the law was heard.

Emily DeSantis, a spokeswoman for the state Education Department, said it provided space for the protesters, but the meeting already had an agenda and didn’t include a public hearing.

She suggested the Board of Regents didn’t have a say in making any changes to the law.

“The changes made to the immunization law were made to the Public Health law and the New York State Department of Health is the appropriate agency to promulgate regulations in this area and can only do so within the confines of what the statute allows,” she said in a statement.

“The Department of Health’s regulations are currently out for public comment and we encourage concerned citizens to provide comments on the regulations through that process.”

**What the law means**

The vaccine law is regulated by the state Department of Health, which recently approved emergency regulations in an effort to block bogus claims for medical exemptions to vaccines — which are still allowed in New York.

“There are many parents on this issue and the truth of the matter is we have a process, there is an open — with the regs out there, there is an opportunity for you to comment,” Rosa said.

In June, the state Legislature passed a bill that ended New York’s religious exemption on vaccines amid a measles outbreak in Rockland County and Brooklyn, mainly among the Orthodox Jewish community.

Gov. Andrew Cuomo signed the bill soon after it passed, calling vaccines “safe and effective” and the science behind them “crystal clear.”

The U.S. Centers for Disease Control and Prevention has long said vaccinations are safe, saying data shows the current vaccine supply in the U.S. is the “safest in history.”

The religious exemption ban is estimated to impact about 26,000 students, about 1% of all schoolchildren in New York, who were exempt from vaccinations.

While the law offers a grace period until June 30 for children to attend school if they can show they have “has received at least the first dose in each immunization series” before then, they have to show they they got the first round within 14 days from the first day of this school year.

In addition to the first doses, students had 30 days from the first day of school to prove they scheduled the appointments for their child’s next followup vaccine doses.

Schools face a fine of up to $2,000 per student admitted in violation of the law.

Some parents said the law was hastily passed and doesn’t give them time to get the vaccinations needed to attend school.
“At this point, my children aren’t vaccinated and my back’s up against the wall,” said Morgan Beardslee, a Long Island resident.

Beardslee said he would be willing to home-school his three children—ages 15, 13 and 10—or move his family out of state to preserve his religious freedom, but neither option is viable for him.

“I would choose either of those options over vaccinations,” he said.

**Making vaccine decisions**

Parents in Albany were steadfast Monday that they would not vaccinate their children, despite the law.

The list of required vaccines includes the measles, mumps and rubella immunizations, as well as inoculations for other diseases including polio, hepatitis B and chickenpox.

The state Department of Health plans to increase audits of schools to assure they’re following the new vaccination rules.

With time a 14-day window set to expire next week, many parents were feeling helpless while others were talked of moving to neighboring states.

“We’ll move out of the country if we have to,” said Meighan Esmond, a lifelong resident of the Albany area who attended Monday’s rally with her husband, Douglas.

The couple has two children—a preschooler and a third grader—whom Meighan has been home-schooling in the wake of the new law.

Ariane Biancardi, who owns an accounting business on Long Island, said she was willing to leave her entire life behind in order to protect her children.

“I would do anything I need to do to protect my children,” she said.

“Leave my life behind, leave my friends behind, my family behind, my businesses behind in order to protect my children.”
A protester holds a sign in opposition to a new law that bans religious exemptions from vaccinations during a rally outside the state Education Building in Albany on Monday. JOSEPH SPECTOR/ALBANY BUREAU