



Larry Hogan, Governor · Boyd K. Rutherford, Lt. Governor · Dennis R. Schrader, Secretary

September 17, 2021

Mohammed Choudhury
State Superintendent of Schools
Maryland State Department of Education
200 W. Baltimore Street
Baltimore, MD 21201

Dear Mr. Choudhury:

Because of the impact of the COVID-19 pandemic over the last 18 months, many Maryland school-aged children may not have been vaccinated in accordance with recommended immunization schedules and as required to attend schools under the Code of Maryland Regulations (COMAR) 10.06.04.03 *Required Immunizations*. As such, these children are at risk of exclusion from school. It is my understanding that in order to provide additional time for children to meet the requirements, a number of local education agencies have requested flexibility in enforcement of the provisions of COMAR 10.06.04.03 E&F and 10.06.04.06 that require school systems, within certain deadlines, to obtain documentation that each admitted or retained student has received certain required immunizations.

I am willing to extend the deadlines set forth in those regulations under the following conditions:

- 1) If a local education agency lacks documentation, required to avoid exclusion under COMAR 10.06.05.06, that more than 250 of its admitted or retained students have received required immunizations under COMAR 10.06.04.03 E&F, the local education agency may request, by Friday, September 24, 2021, that the Secretary grant a one-time extension of 45 days for non-compliant students to be brought into compliance. The request should include the total school enrollment numbers and the total number of students, by grade level, who are non-compliant.
- 2) During the 45-day extension, the local education agency may permit non-compliant students to remain in school and students who have been excluded from school to return to school.
- 3) Any local education agency requesting an extension must submit, by October 1, 2021, an action plan that outlines how the local education agency will:
 - a) Seek to identify all students lacking required immunizations;
 - b) Establish cooperative programs with the local health department, school based health centers, and/or other medical providers to provide access to immunization services and the required proof of immunization;

- c) Implement the intensive outreach efforts needed to bring students into compliance; and
 - d) Determine the extent to which additional legal interventions are needed to assure that parents and other caregivers comply with the State's compulsory education and immunization laws and regulations.
- 4) Any local education agency requesting an extension must submit, by October 15, 2021, a report demonstrating the agency's progress by that date in implementing its plan and achieving compliance with COMAR 10.06.04.03 E&F.
- 5) By November 12, 2021, the agency must submit a final report demonstrating its compliance by that date with COMAR 10.06.04.03 E&F and a plan to prevent the need for similar extensions in future years. Elements of the plan should include how the agency will review records to identify non-compliant students earlier, (including establishing agreements with the state's Health Information Exchange to provide student rosters to enable automated review), intensive outreach efforts, and greater access to immunization services; and
- 6) All requests for extension, outreach plans and reports described above should be submitted to Dr. Jamie Perry, Director of School Health, Maryland Department of Health, by email at jamie.perry3@maryland.gov.

Thank you for your interest in this important matter. Please feel free to contact Dr. Jinlene Chan, Deputy Secretary for Public Health Services, if you have any questions. She can be reached by email at jinlene.chan1@maryland.gov or by phone at 410-767-6525.

Sincerely,



Dennis R. Schrader
Secretary

CC: Jinlene Chan, MD, MPH; Deputy Secretary for Public Health Services
Jamie Perry, MD, MPH; Director, School Health Services