



STATE OF MARYLAND

DHMH

Maryland Department of Health and Mental Hygiene
201 W. Preston Street • Baltimore, Maryland 21201

Martin O'Malley, Governor – Anthony G. Brown, Lt. Governor – Joshua M. Sharfstein, M.D., Secretary

September 12, 2014

Lillian M. Lowery, Ed.D.
State Superintendent of Schools
Maryland State Department of Education
200 W. Baltimore Street
Baltimore, MD 21201

Dear Dr. Lowery:

It is my understanding that 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 requiring 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 10.06.04.03E&F, the local education agency may request, by Friday, September 19, 2014, that the Secretary grant a one-time extension of 45 days for non-compliant students to be brought into compliance.
- (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 2, 2014, an outreach 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 and 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.

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- (4) Any local education agency requesting an extension must submit, by October 17, 2014, 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. By November 3, 2014, the agency must submit a final report demonstrating its compliance by that date with COMAR 10.06.04.03 E&F.
- (5) All requests for extension, outreach plans and reports described above should be submitted to Dr. Cheryl DePinto, Medical Director, DHMH Office of School Health, at Cheryl.DePinto@maryland.gov.

Thank you for your interest in this important matter. Please feel free to contact Dr. Laura Herrera, Deputy Secretary for Public Health, if you have any questions. She can be reached at Laura.Herrera@maryland.gov or 410-767-6525.

Sincerely,

A handwritten signature in black ink, appearing to read "Josh M. Sharfstein". The signature is fluid and cursive, with the first name "Josh" being particularly prominent.

Joshua M. Sharfstein, M.D.
Secretary