


TO: Members of the State Board of Education

FROM: Carey M. Wright, Ed.D., State Superintendent of Schools 

DATE: October 22, 2024

SUBJECT: Partial Waiver of September 30 Student Count Regulation for Baltimore City Public Schools

Purpose

Approve a partial waiver of COMAR 13A.02.06.03A State Financial Assistance under the Foundation Program, to remove the age-appropriate immunizations requirement for the September 30th student count solely for the purpose of calculating State Aid under the foundation program for Baltimore City Public Schools.

Background

In September 2024, due to delays in Baltimore City's vaccine supply, the Maryland Department of Health (MDH) issued a twenty-one-day extension to Baltimore City Public Schools to obtain documentation that each admitted or retained student has received certain required immunizations. During the extension, Baltimore City Public Schools may permit noncompliant students to remain in school and allow students excluded due to lack of immunization documentation to return to school.

Executive Summary

State Aid for Education is predicated on the September 30th student count of eligible students certified by the local superintendent. Baltimore City Public Schools reported approximately 1,585 students had yet to receive age-appropriate immunizations as of September 27, 2024. Therefore, absent this waiver, a substantial number of students currently served by Baltimore City Public Schools would be excluded from the State Aid calculation for fiscal year 2026 and Baltimore City Public Schools would receive a subsequently reduced state aid calculation. The authorization of this waiver will bring the Maryland State Department of Education (MSDE) policy in line with MDH's immunization waiver.

Action

To request that the State Board of Education approve a partial waiver of COMAR 13A.02.06.03A State Financial Assistance under the Foundation Program, to remove the age-appropriate immunization requirement for the September 30th student count solely for the purpose of calculating State Aid under the Foundation Program in FY 2026.

With the approval of the waiver request, MSDE staff will provide instructions to Baltimore City Public Schools for reporting the September 30, 2024 eligible-student count.

BALTIMORE CITY PUBLIC SCHOOLS

Brandon M. Scott, Mayor
City of Baltimore

Ronald S. McFadden, Chair
Board of School Commissioners

Sonja Brookins Santelises
Chief Executive Officer

October 17, 2024

Dr. Carey M. Wright
State Superintendent of Schools
Maryland State Department of Education
200 West Baltimore Street
Baltimore, Maryland 21201

Dear Dr. Wright,

On Thursday, September 19, 2024, Baltimore City Public Schools (City Schools) received notice from the Maryland Vaccines for Children Program (VFC) that they were experiencing a backlog of shipping orders; accordingly, vaccine shipments would be delayed until after September 30, 2024. Due to the number of uninsured and underinsured students we serve, our district relies heavily on community partners who access their vaccine through the VFC program. Considering the VFC disruption to vaccine supply, City Schools is requesting a partial waiver of COMAR 13A.02.06.03A *State Financial Assistance under the Foundation Program*, to remove the age-appropriate immunizations requirement for the September 30 student count solely for the purpose of calculating State Aid under the foundation program.

Prior to September 30th City Schools had been working collaboratively with Total Health Care and the Baltimore City Health Department (BCHD) to provide immunizations to the students of Baltimore City. At clinics held on September 5th and September 13th, prior to the VFC disruption, on average, more than 200 students were seen and vaccinated at each clinic.

In addition, in September, City Schools was holding clinics every Tuesday at John Ruhrah Elementary/Middle School in southeast Baltimore and every Wednesday at Cherry Hill Elementary/Middle School in south Baltimore. Approximately 50 students were vaccinated at each of these weekly clinics.

Following the September 19 announcement by VFC:

- City Schools had to turn away more than 50 students and families at the weekly clinic held on September 20 due to depleted vaccine supply. Total Health Care had been in contact with VFC leading up to that clinic and understood that additional vaccines would be provided in advance of the clinic on the 20th.
- City Schools also had to cancel the regular weekly clinic planned at the central office for September 27th. Based on attendance at past clinics, we anticipated immunizing 200 students at that event.

- We also had to cancel the weekly clinics at John Ruhrah Elementary/Middle and Cherry Hill Elementary/Middle scheduled for September 24th and September 25th, each of which would have historically immunized 50 students.

On October 2, 2024, vaccines became available. City Schools worked with Total Health Care to restart vaccination clinics as quickly as possible at 15 schools where a large number of students still needed immunizations. Clinics began on Wednesday, October 9th and will continue through October 2024. In addition, a mass vaccination clinic will be held at City Schools Headquarters on October 18, 2024. Finally, City Schools is also working with University of Maryland Medical Systems to provide immunizations to additional schools on the west side of Baltimore where students need immunizations.

As directed by MSDE, on September 27, 2024, City Schools contacted the Maryland Department of Health (MDH) to request permission not to exclude noncompliant students under these circumstances. Permission not to exclude was granted by MDH on October 2, 2024 (copy enclosed). Pursuant to a request from MDH, City Schools submitted to MDH on October 8 an immunization action plan. A copy of the action plan is enclosed for your information.

The requested approval of a partial waiver of COMAR 13A.02.06.03A *State Financial Assistance under the Foundation Program*, to remove the age-appropriate immunizations requirement for the September 30 student count solely for the purpose of calculating State Aid under the foundation program, will allow City Schools to work with our community partners and families to set up and get word out about the rescheduled clinics, following the 2-week disruption in vaccine supplies. Please advise us of the status of this request at your earliest opportunity and thank you for your support for City Schools.

Sincerely,



Sonja Brookins Santelises, Ed.D.
Chief Executive Officer

Enc

October 8, 2024

Dr. Jamie Perry
Director of School Health
Maryland Department of Health
201 W. Preston Street
Baltimore, Maryland 21202-2399

Dear Dr. Perry,

Below you will find the action plan from Baltimore City Public Schools which outlines the process for ensuring immunization compliance.

Progress of Action to Ensure Immunization Compliance

Identifying students lacking immunizations:

- Schools will utilize the generic immunization extract, also known as a non-compliant immunization report, in Infinite Campus to identify students who are non-compliant for immunizations. This process will be completed on a daily basis to ensure all non-compliant students are identified immediately.
- Community Learning Network Managers (CLN Managers) and Instruction Lead Educational Directors (ILEDs) will receive a daily immunization summary and detail report which identifies non-compliant students at each school under their guidance. The CLN Managers and ILEDs can support schools to identify the non-compliant students and provide assistance, as needed, with contacting parents and sending notification to the parent through home mailing or “back-packing” the notification document with the student.
- Schools will utilize the unique features of the generic immunization extract in Infinite Campus, which can identify when students will become non-compliant for immunizations in the future. For example, if a Prekindergarten student turns five years of age and needs the 2nd dose of measles, mumps, rubella (MMR) vaccine to remain compliant for immunizations. Schools will then notify parents/guardians regarding the necessity of the 2nd dose, if needed. Follow-up phone calls can and will be made to parent/guardian.
- Schools will be instructed to generate their non-compliant immunization report to identify which students are on “catch-up” schedules for immunizations. Baltimore City Public Schools has many students new to the country, who are in the process of becoming compliant with immunizations, as well as students who have never completed the required series of vaccine to become compliant. Schools will work to identify these students before they become non-compliant and direct them to follow-up with their own primary care physician, the Baltimore City Health Department, or the school-based health center (if the student attends a school with a school-based health center). Schools will be advised to send notification to parent/guardian and make follow-up phone calls. Language interpretation services, needed to communicate with families, will be provided.
- Schools will continue to check Maryland ImmuNet for updates to immunizations records and ask parents to provide updated immunization records as necessary.
- The Immunization Coordinator, with Office of Health and Specialized Students Services (formerly Home and Hospital Program) will assist schools with identifying non-compliant students and providing information of available resources for students to receive immunizations. The Immunization Coordinator duties will include but not be limited to: assisting schools with input of records into

Infinite Campus, verifying immunization records in Infinite Campus; investigating barriers that may prevent students and families from accessing immunization services; work with Total Health Care, University of Maryland Medical Systems and the Baltimore City Health Department in their outreach to schools to provide immunizations to students/schools.

Cooperative Programming with the Baltimore City Health Department and other Medical Providers

- The Baltimore City Health Department will provide immunizations for students as scheduling permits.
- The Baltimore City Health Department previously provided Meningococcal (MCV4) and Tdap vaccine at clinics located at Baltimore City Public Schools headquarters on the following dates: September 6th, September 13th, September 20th and September 27th. City Schools is working with BCHD and Johns Hopkins School of nursing to identify dates for additional MCV4 and Tdap clinics at North Ave.
- Total Health Care will provide immunizations for students in specific areas of the city where immunization non-compliance numbers are higher:
 - East side: Commodore John Rodgers Elementary/Middle, Hampstead Hill Academy, William Paca Elementary, Highlandtown Elementary/Middle #215, Holabird Academy #229, Highlandtown #237, Graceland Park/O'Donnell Heights #240, Patterson Park Public Charter School #327 and Clay Hill Public Charter School #386
 - South: Bay Brook Elementary/Middle #0124, Cherry Hill Elementary/Middle #159, Arundel Elementary/Middle #164, Maree G. Farring #203, Curtis Bay Elementary #207, Westport Academy #225, and Benjamin Franklin HS #239
- University of Maryland Medical Systems has offered to provide immunizations to schools located on the west side of Baltimore, which may include but is not limited to the following: Beechfield Elementary/Middle #246, Fallstaff Elementary/Middle #241, Pimlico Elementary/Middle #223
- Students attending schools with school-based health centers will be advised to register as a patient with the school-based health center, where the student can receive general health care as well as immunizations.
 - **Baltimore Medical Systems school-based health centers:** Tench Tilghman Elementary/Middle #13, Harford Heights Elementary #37, Collington Square Elementary/Middle #97, Vanguard Collegiate Middle School #374, Patterson High School #405, Forest Park High School #406, Mergenthaler Vocational-Technical High School #410, and Paul Laurence Dunbar High School #414
 - **Baltimore City Health Department school-based health centers:** City Springs Elementary/Middle #008, Reach! Partnership Middle High Schools #341, Digital Harbor High School #416, and August Fells Savage Institute #430
 - **Johns Hopkins Children's Center/The Rales Center:** KIPP Baltimore #347

Outreach Efforts to Bring Students into Compliance

- The immunization coordinator with the Office of Health and Specialized Student Services (formerly Home and Hospital Program) will support schools with providing schools the names of students who are currently non-compliant for immunizations and those who will be out of compliance in the future, due to birthdays and “catch-up” schedules.
- Regular reminders will go out to schools with regard to maintaining immunization compliance the entire school year and beyond. These messages will be sent to individual schools, principals, CLN managers, ILEDs, and families.
- Schools will continue to send non-compliance letters to the families with follow-up phone calls. Schools will be instructed to identify families who may be experiencing barriers to securing immunizations. When those barriers are identified, resources can be secured and provided to alleviate barriers.
- Community school coordinators, associated with each school, will provide assistance to schools to contact families with regard to non-compliance and identify barriers to immunizations and how those barriers can be alleviated.

- Baltimore City Health Department will provide a Community Health Worker to go to schools and assist families with scheduling appointments at the health department's immunization clinic.

The following is the out-of-compliance rate by grade level as of 10/08/2024.

Grade	Count of Out-of-Compliant Students
PreK	101
K	112
01	50
02	25
03	32
04	28
05	27
06	36
07	174
08	51
09	185
10	77
11	19
12	10
Grand Total	927

The following is the out-of-compliance rate by grade level as of 09/27/2024.

Grade	Count of Out-of-Compliant Students
PreK	148
K	181
01	120
02	76
03	70
04	46
05	44
06	56
07	336
08	80
09	261
10	110
11	30
12	21
Grand Total	1,585

Should you have any questions, please contact Dr. Courtney Pate, Home and Hospital Programs (CMPate@bcps.k12.md.us) and Sonya Goodwyn, Executive Director, Whole Child Services and Support (SRGoodwyn@bcps.k12.md.us).

Sincerely,



Sonja Brookins Santelises, Ed.D
Chief Executive Officer



DEPARTMENT OF HEALTH

Wes Moore, Governor · Aruna Miller, Lt. Governor · Laura Herrera Scott, M.D., M.P.H., Secretary

October 2, 2024

Sonja Brookins Santelises, Ed.D
Chief Executive Officer
Baltimore City Public Schools
200 East North Avenue
Baltimore, MD 21202

Dear Dr. Santelises,

I have received your letter dated September 27, 2024 requesting 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 deadline set forth in those regulations until October 21, 2024 under the following conditions:

- 1) During the 21-day extension until October 21, 2024, Baltimore City Public Schools may permit non-compliant students to remain in school and students who have been excluded from school to return to school.
- 2) Baltimore City Public Schools must submit, by October 4, 2014, an outreach plan that outlines how Baltimore City Public Schools will:
 - a. Seek to identify all students lacking required immunizations;
 - b. Establish cooperative programs with the Baltimore City 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.
- 3) Baltimore City Public Schools must submit, by October 18, 2024, a report demonstrating the agency's progress by that date in implementing its plan and achieve compliance with COMAR 10.06.04.03 E&F.
- 4) By November 4, 2024, Baltimore City Public Schools 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

5) All requests for 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. Nilesh Kalyanaraman, Deputy Secretary for Public Health Services, if you have any questions. He may be reached at nilesh.kalyanaraman@maryland.gov or 410-952-5237.

Sincerely,



Laura Herrera Scott, MD, MPH
Secretary

CC: Carey M. Wright Ed.D., State Superintendent of Schools
Nilesh Kalyanaraman, MD, FACP, Deputy Secretary, Public Health Services
Jamie Perry, MD, MPH, Director, School Health Services
Mary Beth Haller, Interim Health Commissioner, Baltimore City