

Letter of Information
Senate Bill 821
Primary and Secondary Education – Student Immunization – Temporary Admission Period

Senate Education, Energy, and the Environment Means Committee
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The Maryland State Education Association offers this informational testimony on SB 821, which would require each County Board to temporarily admit a student to school if the student's parent or guardian cannot provide proof of immunization. Under this legislation, a parent or guardian of a student granted temporary admission would be required to provide evidence of the student's appointment with a health professional or local health department to receive a required immunization, reconstruct a lost record, or acquire evidence of age-appropriate immunity on a form provided by the Maryland Department of Health. The date of a student's appointment with a health professional or local health department may not exceed 60 calendar days from the date the student is granted temporary admission. A parent or guardian of a temporarily admitted student would be required to provide evidence of a student's required immunizations on the next school day following the student's appointment with a health professional or local health department.

MSEA represents 75,000 educators and school employees who work in Maryland's public schools, teaching and preparing our almost 900,000 students so they can pursue their dreams. MSEA also represents 39 local affiliates in every county across the state of Maryland, and our parent affiliate is the 3 million-member National Education Association (NEA).

MSEA believes that required immunizations are essential to the creation of sustainable and healthy learning environments for students and education employees. MSEA also believes admission of non-immunized students to any

school by any competent authority presents a potential threat to both students and education employees.

As drafted, this legislation would not mirror existing regulation established in COMAR 10.06.04.06 that excludes a student from school who has been temporarily admitted or retained on the next school day following the appointment date if the student's parent or guardian fails to provide evidence of required immunizations.

Maryland State Law (COMAR 10.06.04.03) currently requires all students enrolled in prekindergarten through Grade 12 to receive age-appropriate immunizations and dictates that a school must have proof of immunizations before allowing a student to begin school. If evidence of the required vaccines was not provided, the student would be excluded from school. Students without the required documentation are temporarily admitted and given twenty (20) calendar days from the date of admission to provide evidence of immunization compliance, per COMAR 10.06.04.06.

To be temporarily admitted to or retained in a preschool or school, the student's parent or guardian is required to present evidence of the student's appointment with a health care provider. The date of the appointment may not be later than twenty (20) calendar days following the date the student was temporarily admitted or retained. The student will be excluded from school the next day following the appointment date if the parent fails to provide evidence of required immunizations.

When evaluating this legislation, the Committee should review existing regulation under COMAR 10.06.04 on granting temporary admission to students, and the timeframe a parent or guardian must provide evidence of required immunizations. The Centers for Disease Control and Prevention (CDC) suggests that schools and providers should work to ensure that students are vaccinated before school entry, such as during the enrollment process, which is often several months before school starts.¹

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<https://www.cdc.gov/mmwr/volumes/72/wr/mm7245a2.htm#:~:text=This%20kindergarten%20class%20became%20age,20reduced%20access%20to%20vaccination%20appointments.>

Non-immunized students can significantly affect schools by increasing the risk of outbreaks of preventable diseases, leading to potential disruptions in learning due to student absences from illness, potential school closures, and increased strain on school healthcare systems, all while jeopardizing the health of both students and staff due to the potential spread of contagious diseases within the school community.

MSEA understands that this legislation is intended to provide additional time for student immunization; however, we are concerned with the extension of the timeframe and how this legislation would differ from current regulation.