



TO: Members of the State Board of Education

FROM: Mohammed Choudhury

DATE: October 26, 2021

SUBJECT: Partial Waiver of September 30 Student Count Regulation

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 30 student count solely for the purpose of calculating State Aid under the foundation program.

EXECUTIVE SUMMARY:

In September 2021, the Maryland Department of Health (MDH) issued a forty-five-day extension to Local Education Agencies (LEAs) to obtain documentation that each admitted or retained student has received certain required immunizations. During the extension, LEAs may permit noncompliant students to remain in school and allow students excluded due to lack of immunization documentation to return to school.

State Aid for Education is predicated on the September 30th student count of eligible students certified by the local superintendent. LEAs reported approximately 22,912 students had yet to receive age-appropriate immunizations as of October 7, 2021. In contrast, the September 2019 enrollment count included only 62 students that had yet to receive those same immunizations. Therefore, absent this waiver, a substantial number of students currently served by LEAs would be excluded from the State Aid calculation for fiscal year 2023 and LEAs would receive a subsequently reduced state aid calculation.

The authorization of this waiver will bring 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 30 student count solely for the purpose of calculating State Aid under the Foundation Program in FY 2023.

With the approval of the waiver request, MSDE staff will provide instructions to LEAs for reporting the September 30, 2021 eligible-student count.



Verification of Enrollment Counts - Addendum 2021-2022 Academic Year

On October 26, 2021, the State Board of Education approved 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 count solely for the purpose of calculating State aid under the foundation program. Per the waiver, the MSDE will adjust the September 30, 2021 State Aid FTE count to include those students certified by the local school system as ineligible for State Aid due to lack of documentation of immunization (State Aid Eligibility code 07), who would otherwise be ineligible for inclusion in the count.

Local School System

By signing this document, I certify agreement with the following:

- The total number of students reported below as ineligible for State Aid due to lack of documentation of immunizations who would otherwise be ineligible for State Aid is accurate.
- Students who were ineligible for more than one reason were not reported as ineligible for State Aid due to immunization verification.
- The local school system has appropriate documentation for all students to support the use of State Aid Eligibility code 07.

Reported Number of Students Ineligible for State Aid due to lack of documentation of immunizations:

Name of Person(s) Responsible for September Attendance Data Quality	Signature	Date
Name of Local Accountability Coordinator	Signature	Date
Name of Superintendent of Schools	Signature	Date

NOTE: This form should be returned by no later than **November 12, 2021**.

Please **return a signed copy** of this form to Matt Dammann at matthew.dammann@maryland.gov.