



**MONTGOMERY COUNTY COUNCIL
ROCKVILLE, MARYLAND**

January 18, 2022

Governor Larry Hogan
100 State Circle
Annapolis, MD 21401

Dear Governor Hogan:

As our State continues to combat the global COVID-19 emergency, we must seek every opportunity to keep K-12 schools open and safe for our students. We are writing to request your assistance with one such opportunity.

We know that robust testing is essential to informed COVID mitigation strategies in schools and throughout the State. Yet according to Maryland State Department of Education (MSDE) and Maryland Department of Health (MDH), localities in Maryland lack the authority to permit parents to opt-out of COVID testing programs for their children; according to the MSDE and MDH, the testing programs must be opt-in programs. *See K-12 COVID-19 Testing Program Guidebook* (rev. 6/30/21) (available at [K-12 COVID-19 Testing Guidebook v4.docx \(maryland.gov\)](https://maryland.gov)). Unfortunately, this approach has led to extremely low participation rates in these critically important testing programs, and the dearth of information about school transmissions – particularly among our most vulnerable student populations – is highly troubling.

In order to make the most informed and strategic decisions about public health in schools, we need accurate and thorough data. Opt-out testing – which already has been implemented successfully in the District of Columbia¹ – would greatly increase the accuracy of our data and the efficacy of our local decision-making. Therefore, we urge you to utilize your emergency and executive powers to authorize the utilization of an opt-out model for COVID testing at schools within the State.

Thank you for your consideration of this request, and we look forward to working with you on this critical issue of school safety.

Sincerely,

¹ Information about the District of Columbia's opt-out testing program, for both nasal and saliva-based testing, may be found at [OPT OUT School Based Testing_082721_1.pdf \(dc.gov\)](https://dc.gov) and [COVID NB Test Refusal Form_010522_Updated.pdf \(dc.gov\)](https://dc.gov)



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