



ASSOCIATION OF IMMUNIZATION MANAGERS

Docket ID: ED-2008-OPEPD-0002

May 7, 2008

LeRoy S. Rooker
U.S. Department of Education
400 Maryland Avenue, SW
Room 6W243
Washington, D.C. 20202-5920

Dear Mr. Rooker:

The Association of Immunization Managers (AIM) is a membership organization representing the sixty-four state, territorial and urban area immunization programs that are federally funded to ensure age-appropriate immunization in the population. We are writing to comment on the Family Educational Rights and Privacy Act (FERPA) and its relationship to public health immunization efforts. Publication of proposed rule changes to FERPA in the Federal Register allow for public comment on the Act.

We request that FERPA regulations be changed to allow state and local public health agencies access to student immunization records, and to allow the sharing of immunization data from schools to public health immunization information systems.

Public health agencies are required to conduct audits of student immunization records to ensure compliance with age-appropriate immunizations and school immunization requirements. This routine activity is critical to protect the health of students and faculty.

The current FERPA regulations place an undue burden on public health agencies and inhibit their ability to conduct audits. FERPA protects the privacy of a student's education record by requiring parental consent for the sharing of identifiable education records, except in times of emergency when necessary to protect the health and safety of the student or other individuals.

The public health agency should not have to wait until an emergency outbreak of disease and/or a special mandate to access immunization records. Assuring age-appropriate immunization through routine access to immunization records will improve preparation for and response to an emergency situation or disease outbreak. Again, these are critical activities to protect the health and safety of students and personnel.

Additionally, FERPA prevents the sharing of up-to-date immunization information collected by schools into public health immunization information system (IIS). Incomplete IIS records can result in over-immunization as students with incomplete records are more likely to receive unnecessary, duplicate immunizations. The lack of ability to populate immunization registries with immunization information from schools is costly and places an unnecessary burden on physicians, health care providers and parents.

Immunization data sharing from schools to IIS should be governed by public health laws, not education laws. A student's immunization history is a public health concern and should not be considered a part of his/her education record. We urge you to change the FERPA regulations to allow the transfer of immunization data from schools to public health agencies.

Thank you for your consideration.

Sincerely,

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Claire Hannan, MPH
Executive Director

cc: Laurel Wood, AIM Chair, Immunization Program Manager, Alaska Department of Health