

File No. 7362 Continued.

CORRESPONDENCE.

Have I the right to cause a child to leave the public school because the parents will not permit her to be examined by our Medical Officers?

An early reply will greatly oblige,

Yours respectfully,

-(Signed) James Bosley, M.D.,

Commissioner of Health.

File No. 7362.

OPINION.

LAW DEPARTMENT.

Baltimore, January 24, 1908.

Hon. W. Cabell Bruce,

City Solicitor.

Dear Sir:-

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As requested by your favor of January 20th, I have considered the matters referred to in Dr. Bosley's letter to you of the same date. I have also seen Dr. Bosley in regard thereto. Dr. Bosley desires to know whether he can refuse admission to the public schools to an applicant who will not submit to an examination by his medical officers, or whether he can exclude from the schools a pupil who has been admitted without such examination and who refuses to submit to it.

I am informed by Dr. Bosley that he has in his office a number of physicians to examine applicants for admission to public schools. These physicians are paid by appropriations made in the Ordinance of Estimates; their duties in this respect, however, are no where prescribed by any law or ordinance. Their duties are prescribed for them by Dr. Bosley, who instructs them to examine all applicants for admission to public schools and if their physical condition is such as, in the judgment of Dr. Bosley, to make their admission to the schools inimical in any way to the health of others, then they are not admitted. Moreover, any applicant who refuses to submit to this examination is not admitted. Dr. Bosley also informs me that no Resolution of the School Board has