

BILL: House Bill 616
TITLE: Education - Pregnant and Parenting Students - Attendance Policy
POSITION: SUPPORT WITH AMENDMENTS
DATE: February 14, 2017
COMMITTEE: Ways and Means Committee
CONTACT: John R. Woolums, Esq.

The Maryland Association of Boards of Education (MABE), representing all of the State's local boards of education, supports House Bill 616, in so far as it would reasonably require that each school board adopt a policy governing the attendance of pregnant and parenting students.

The amendment requested by MABE would retain the policy mandate but remove the prescriptive policy components stipulated in the bill. Specifically, MABE requests an amendment striking the bill language after "students" in line 2 of page 2 of the bill, through line 7 of page 3. Again, this amendment would continue to provide that each local board of education "shall develop a written attendance policy for pregnant and parenting students." MABE is confident that, if enacted with the requested amendment, this bill would accomplish the intended objectives without dictating the specific policy provisions. The corresponding cross-filed bill, Senate Bill 232, is in the process of passing the Senate with this amendment.

In statute, § 7-301 of the Education Article establishes the state's compulsory attendance law. In accordance with § 7-301, the Maryland State Board of Education has adopted regulations outlining rules and procedures regarding attendance, age of entry, lawful and unlawful absences and other student attendance issues (COMAR 13A.08.01.-.20).

State regulations provide that each local school system is responsible for educating all students including pregnant girls, married or unmarried. Regulations protect the attendance rights of pregnant students 16 years old or older by allowing the student to remain in the regular school program and prohibiting the school from involuntarily excluding the student from any part of the program.

Students over the compulsory attendance age may voluntarily withdraw due to pregnancy after refusing to enroll in regular or alternative education programs. Regulations also accommodate pregnant students under compulsory attendance age, by allowing the student to voluntarily withdraw from school, contingent on the development of an "appropriate educational program" for the student (COMAR 13A.08.01.06).

Importantly, MABE supports House Bill 616 in order that these State regulations also be updated; a process which would undoubtedly allow for the consideration of many of the policy issues raised in this legislation.

For these reasons, MABE requests a favorable report on House Bill 616, with the amendment described above, and to conform this bill to Senate Bill 232 as amended.