

BILL: House Bill 118
TITLE: Public Schools - Student Attendance - Excused Absences for Mental Health Needs
DATE: January 20, 2022
POSITION: SUPPORT WITH AMENDMENTS
COMMITTEE: Ways and Means Committee
CONTACT: John R. Woolums, Esq.

The Maryland Association of Boards of Education (MABE) supports House Bill 118 with amendments.

Local boards recognize the need for limited excused absences for student health reasons including mental, emotional, and behavioral health issues. Therefore, MABE supports the core provision of House Bill 118 to ensure that students are not negatively affected by student discipline actions based on their lawful absences from school for mental health reasons.

MABE requests amendments to clarify that excused absences should be of limited duration and administered in the context of local school system policies and procedures. In addition, MABE requests an amendment to remove the requirement that a student meet with school personnel following an absence for mental health reasons.

In the context of state law and regulations, MABE firmly believes that school systems should be responsible and accountable for developing and implementing local student attendance policies and programs to promote regular school attendance and reduce truancy. From the federal Every Student Succeeds Act to the Blueprint for Maryland's Future Act, policy-makers and educators agree that student attendance is paramount to their individual educational progress and success. For this reason, MABE requests amendments to clarify that the bill applies to absences of limited duration.

Similarly, State regulations under COMAR 13A.08.01.03 describe the conditions under which a student is lawfully absent from school, and reasonably provide that proof in the form of a written note from the doctor's office is not required unless the absences are "continuous." MABE requests that the prohibition on requiring a note from a physician also apply to absences of limited duration.

Lastly, there is no parallel requirement regarding physical health related absences that students follow-up with a school health professional. MABE appreciates the bill's intent to distinguish mental health-related absences, but requests an amendment to replace the mandate with the reasonable opportunity for students who desire such a meeting.

For these reasons, MABE requests a favorable report on House Bill 118 with the amendments described above.