

Department of Legislative Services  
Maryland General Assembly  
2013 Session

FISCAL AND POLICY NOTE  
Revised

House Bill 207

(Delegate Luedtke, *et al.*)

Ways and Means

Education, Health, and Environmental Affairs

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Education - Truant Students

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This bill requires each local board of education to develop a system of active intervention for truant students. Any student attending kindergarten through grade 12 who is truant, which is defined as being unlawfully absent more than 8 school days in any quarter, 15 days in any semester, or 20 days in a school year, must immediately be referred to the system of active intervention. A local board of education may intervene in the case of a student who is frequently absent from school, lawfully or unlawfully, but who is not a truant student as defined in the bill.

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Fiscal Summary

**State Effect:** None. The Maryland State Department of Education (MSDE) can provide technical assistance to local school systems with existing resources.

**Local Effect:** Some local school systems will incur additional costs to develop and implement the required system of active intervention. **This bill may impose a mandate on a unit of local government.**

**Small Business Effect:** None.

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Analysis

**Current Law:** A child age 5 to 15 must attend public school regularly unless the child is otherwise receiving regular, thorough instruction at an alternative setting (*i.e.*, a private or home school). An individual who has legal custody of a child age 5 to 15 and fails to see that the child attends school is guilty of a misdemeanor. Chapter 494 of 2012 (SB 362) increases the age of compulsory attendance to 16 for any child who turns 16 on or after

July 1, 2015, and to 17 for any child who turns 17 on or after July 1, 2017. Chapter 494 specifies several exemptions from compulsory age requirements.

Beginning July 1, 2015, a child under the legal dropout age must return to attendance at a public school regularly during the school year if the child is no longer participating in general education development (GED) courses and has not obtained a passing score on the GED test that resulted in the issuance of a Maryland high school diploma.

Regulations specify that a record of the daily attendance of each student must be kept in accordance with the Maryland Student Records System Manual (2011). Unlawful absence is any absence that does not meet 1 of 10 conditions in COMAR. Each local school system is required to develop a student attendance policy that includes penalties for not meeting attendance standards and actions that will be taken by school system staff when a student is unlawfully absent. The attendance monitoring procedure must include intervention strategies and procedures for dealing with absenteeism at the beginning stages of the problem as well as chronic absenteeism. Students that are chronically absent must be referred to pupil services or other central office professionals for case management.

**Background:** School attendance rates are lower for high school students than for elementary or middle school students. **Exhibit 1** displays the average daily attendance rate for high schools and the percentage of high school students who were absent from school more than 20 days (approximately 10% of school days) during the 2011-2012 school year for each of the 24 local school systems.

The exhibit shows that the five jurisdictions with the lowest average daily attendance rate (Baltimore City, Cecil, Dorchester, Kent, and Prince George's counties) also have the highest percentage of students who are absent more than 20 days in a school year.

Poor attendance is one of the key warning signs that a student is going to drop out of high school. One study of Chicago public schools found that missing 20% of the school days in ninth grade is a better predictor of whether a student is going to drop out than eighth grade test scores.

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**Exhibit 1**  
**High School Average Daily Attendance Rate and Percentage of**  
**High School Students Absent from School More than 20 Days by School System**  
**2011-2012 School Year**

<u>School System</u>	<u>Average Daily Attendance Rate</u>	<u>School System</u>	<u>Percent of Students Absent More than 20 Days</u>
Baltimore City	81.1%	Baltimore City	41.3%
Prince George's	91.2%	Cecil	24.1%
Cecil	91.4%	Prince George's	24.1%
Dorchester	91.7%	Kent	23.5%
Kent	92.0%	Dorchester	21.9%
Caroline	92.7%	Baltimore	17.8%
Baltimore	93.0%	Worcester	17.8%
Allegany	93.2%	Allegany	17.5%
Anne Arundel	93.2%	Caroline	17.5%
Wicomico	93.2%	Anne Arundel	17.1%
Worcester	93.2%	St. Mary's	16.9%
Somerset	93.3%	Montgomery	16.2%
Montgomery	93.4%	Harford	15.3%
Harford	93.6%	Charles	15.1%
St. Mary's	93.6%	Wicomico	14.8%
Frederick	93.7%	Somerset	14.5%
Charles	93.8%	Talbot	14.2%
Talbot	93.8%	Frederick	13.1%
Queen Anne's	94.3%	Queen Anne's	11.5%
Washington	94.4%	Washington	10.7%
Calvert	94.5%	Carroll	10.3%
Carroll	≥95.0%	Howard	7.7%
Garrett	≥95.0%	Calvert	6.6%
Howard	≥95.0%	Garrett	≤5.0%
<b>All Public Schools</b>	<b>92.2%</b>	<b>All Public Schools</b>	<b>18.6%</b>

Note: In order to ensure compliance with the federal Family Education Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99), which prohibits the release of individually identifiable information to the public, MSDE now suppresses the average daily attendance rate for systems where it is greater than or equal to 95%.

Source: Maryland State Department of Education

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**Local Expenditures:** Some local school systems will incur additional costs to develop and implement the required system of active intervention. MSDE advises that some local school systems will need to increase efforts to investigate absences, and to identify, monitor, and refer students and families to the active intervention program.

Montgomery and Talbot counties estimate that the bill will have no impact on their local school systems because their current policies address absenteeism in a similar manner. Baltimore City advises that it will require two additional staff associates at a total annual cost of \$197,000 to handle increased case loads and to provide additional support to schools. Further, Baltimore City estimates that its expenditures will increase by \$24,000 annually to produce an additional 10,000 attendance letter mailings per quarter.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Baltimore City; Harford, Montgomery, and Talbot counties; Maryland State Department of Education; Department of Legislative Services

**Fiscal Note History:** First Reader - February 5, 2013  
ns/rhh Revised - House Third Reader - April 2, 2013  
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