

**Department of Legislative Services**  
Maryland General Assembly  
2014 Session

**FISCAL AND POLICY NOTE**

Senate Bill 1061 (Senator Pugh)  
Education, Health, and Environmental Affairs

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**Truant Students - System of Active Intervention - Requirements**

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This bill requires each local board of education to develop an Individualized Reengagement Plan as part of the current system of active intervention for a truant student who is at least 16 years old or who is not accumulating sufficient credits to reasonably complete a high school diploma before the age of 21. In addition, each local school system must create a database that will be used to identify and track each specified truant student, including academic and support services provided, progress toward high school graduation or GED, and other relevant student outcomes. The active intervention system must include coordination and collaboration with State and municipal agencies to deliver services to specified truant students. Each public school is required to prepare a school-specific plan to reengage specified truant students.

The bill takes effect July 1, 2014.

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**Fiscal Summary**

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

**Local Effect:** Local school system expenditures may increase significantly to provide each specified truant student with an Individualized Reengagement Plan that meets the requirements of the bill. Revenues are not affected. **This bill imposes a mandate on a unit of local government.**

**Small Business Effect:** None.

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## Analysis

**Bill Summary:** The Individualized Reengagement Plan must be developed by a group of professionals employed by the local board of education such as teachers, guidance counselors, family services coordinators, psychologists, and social workers. The plans must also be customized to assist in the student's reengagement process, including (1) measurable goals and objectives for the student; (2) strategies for teachers, parents, and the student; (3) a list of any special accommodations, resources, and services for the student; and (4) a process for review of the plan after a trial period of four to six weeks.

**Current Law:** Each local board of education must develop a system of active intervention for truant students. Each truant student attending kindergarten through grade 12 must immediately be referred to the local board's system of active intervention. Local boards are not prohibited from intervening in the case of a student who is frequently absent from school for both lawful and unlawful purposes, but is not a truant student.

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 phases in increases in the age of compulsory school attendance from 15 to 17. Beginning with the 2015-2016 school year, the age of compulsory school attendance increases from 15 to 16 for any child who turns 16 on or after July 1, 2015. Beginning with the 2017-2018 school year, the age of compulsory school attendance increases from 16 to 17 for any child who turns 17 on or after July 1, 2017.

A truant student is a student who is unlawfully absent from school for more than 8 days in any quarter, 15 days in any semester, or 20 days in a school year. A student is considered lawfully absent from school for a death in the immediate family, illness, a court summons, hazardous weather conditions, approved work, observance of a religious holiday, a State emergency, suspension, lack of authorized transportation, or another emergency or set of circumstances that is determined to be a good and sufficient cause for absence. An absence for any other reason, including absence for any portion of the day, is considered unlawful. Local school systems may add criteria for unlawful absences.

**Background:** Local school systems keep records on habitually truant students and forward the data to MSDE for compilation and reporting. A student must be age 5 through 20 and be unlawfully absent for 20% or more of the school days within any

marking period, semester, or year during the last school year to be labeled a habitual truant (*e.g.*, 36 days in a school year). **Exhibit 1** shows the percent of students who were habitually truant for each local school system in the 2012-2013 school year. Habitual truancy rates for 16 of the 24 school systems were less than 1%; in Baltimore City 7.52% of students were habitually truant. This data includes students, up through age 20, who are not required by law to attend school; this may, in part, explain the high rate in Baltimore City. Typically a greater percentage of high school students than elementary school students are habitually truant.

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**Exhibit 1**  
**Percent of Students Habitually Truant**  
**2012-2013 School Year**

<u>Local School System</u>	<u>Habitually Truant</u>	<u>Local School System</u>	<u>Habitually Truant</u>
Allegany	1.18%	Harford	0.67%
Anne Arundel	1.10%	Howard	0.31%
Baltimore City	7.52%	Kent	1.25%
Baltimore	1.42%	Montgomery	1.08%
Calvert	0.41%	Prince George's	2.93%
Caroline	0.39%	Queen Anne's	0.19%
Carroll	0.19%	St. Mary's	0.49%
Cecil	0.84%	Somerset	0.63%
Charles	0.11%	Talbot	0.47%
Dorchester	1.29%	Washington	0.89%
Frederick	0.64%	Wicomico	0.94%
Garrett	0.00%	Worcester	0.19%

Source: Maryland State Department of Education

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**Local Expenditures:** Local school system expenditures may increase significantly to provide each specified truant student with an Individualized Reengagement Plan that meets the requirements of the bill, to develop a database to track truant students, and to prepare school-specific plans to reengage specified truant students.

Harford County Public Schools (HCPS) estimates that it will need to hire 10 additional pupil personnel workers, school counselors, or social workers at an estimated annual cost of \$1.2 million to have more intensive intervention and follow up with identified students to address the estimated 325 referrals per quarter. HCPS reports that its current pupil personnel staffing is at 50% of recommended levels. In addition, HCPS advises that the

cost to expand the systemwide counseling or parent education classes, such as the one HCPS and the Juvenile Court are currently piloting, will cost approximately \$117,000.

The Department of Legislative Services advises that the costs to implement the bill depend on current local resources and personnel, as well as the number and percentage of habitually truant students in that school system. Costs will be significantly less in local school systems that currently have the recommended level of pupil personnel workers, school counselors, and social workers. Local school system costs may also increase to create the required database to identify and track each truant student. The costs will depend on current local capabilities and cannot be reliability estimated.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** HB 363 (Delegate Glenn) - Ways and Means.

**Information Source(s):** Maryland State Department of Education, Harford County, Department of Juvenile Services, Department of Legislative Services

**Fiscal Note History:** First Reader - March 11, 2014  
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