

Chapter 729

(House Bill 616)

AN ACT concerning

Education – Pregnant and Parenting Students – Attendance Policy

FOR the purpose of specifying that certain absences from school are lawful absences under certain circumstances; requiring each county board of education to develop a certain attendance policy for pregnant and parenting students that, at a minimum, excuses certain absences under certain circumstances and provides a certain number of days of excused absences for certain students under certain circumstances; ~~requiring~~ authorizing certain schools to allow certain students to make up the work that the student missed in a certain time period and to choose the method by which to make up the work that the student missed; requiring each county board to publish its attendance policy for pregnant and parenting students on the county board’s Web site; and generally relating to absences from school for pregnant and parenting students.

BY adding to
Article – Education
Section 7–301.1
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

Article – Education

7–301.1.

(A) A STUDENT’S ABSENCE DUE TO A STUDENT’S PREGNANCY OR PARENTING NEEDS IS A LAWFUL ABSENCE AS PROVIDED UNDER THIS SECTION.

(B) EACH COUNTY BOARD SHALL DEVELOP A WRITTEN ATTENDANCE POLICY FOR PREGNANT AND PARENTING STUDENTS THAT, AT A MINIMUM, MEETS THE REQUIREMENTS OF THIS SECTION.

(C) (1) THE POLICY DEVELOPED UNDER SUBSECTION (B) OF THIS SECTION SHALL:

(I) EXCUSE ALL ABSENCES DUE TO PREGNANCY– OR PARENTING–RELATED CONDITIONS, INCLUDING ABSENCES FOR:

1. LABOR;
2. DELIVERY;
3. RECOVERY; AND
4. PRENATAL AND POSTNATAL MEDICAL APPOINTMENTS;

~~(H) EXCUSE ANY PREGNANCY-RELATED ABSENCES THAT ARE DEEMED MEDICALLY NECESSARY BY THE STUDENT'S PHYSICIAN;~~

~~(HH)~~ (II) PROVIDE AT LEAST 10 DAYS OF EXCUSED ABSENCES FOR A PARENTING STUDENT AFTER THE BIRTH OF THE STUDENT'S CHILD;

~~(IV)~~ (III) EXCUSE ANY PARENTING-RELATED ABSENCES DUE TO AN ILLNESS OR A MEDICAL APPOINTMENT OF THE STUDENT'S CHILD, INCLUDING UP TO 4 DAYS OF ABSENCES PER SCHOOL YEAR FOR WHICH THE SCHOOL MAY NOT REQUIRE A NOTE FROM A PHYSICIAN; AND

~~(V)~~ (IV) EXCUSE ANY ABSENCE DUE TO A LEGAL APPOINTMENT INVOLVING THE PREGNANT OR PARENTING STUDENT THAT IS RELATED TO FAMILY LAW PROCEEDINGS, INCLUDING ADOPTION, CUSTODY, AND VISITATION.

(2) ~~AT THE CONCLUSION OF ANY PREGNANCY OR PARENTING-RELATED PERIOD OF ABSENCE, THE SCHOOL SHALL~~ IN ADDITION TO HOME AND HOSPITAL SERVICES, THE SCHOOL MAY ALLOW THE STUDENT TO:

(I) MAKE UP THE WORK THAT THE STUDENT MISSED IN A TIME PERIOD THAT EQUALS AT LEAST AS MANY DAYS THAT THE STUDENT WAS ABSENT; AND

(II) CHOOSE ONE OF THE FOLLOWING ALTERNATIVES TO MAKE UP WORK THAT THE STUDENT MISSED:

1. RETAKE A SEMESTER;
2. PARTICIPATE IN AN ONLINE COURSE CREDIT RECOVERY PROGRAM; OR
3. ALLOW THE STUDENT 6 WEEKS TO CONTINUE AT THE SAME PACE AND FINISH AT A LATER DATE.

(3) EACH COUNTY BOARD SHALL PUBLISH ITS WRITTEN ATTENDANCE POLICY FOR PREGNANT AND PARENTING STUDENTS ON THE COUNTY BOARD'S WEB SITE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2017.

Approved by the Governor, May 25, 2017.