

Department of Legislative Services
Maryland General Assembly
2000 Session

FISCAL NOTE

Senate Bill 194 (Senator Della)
Economic and Environmental Affairs

Education - Public Schools - Compulsory Attendance

This bill increases the age of compulsory school attendance from 16 to 18, unless the student's parent or guardian provides written permission to the local school system excusing the child from attending public school or the student has already obtained a high school certificate or diploma.

This bill takes effect July 1, 2000.

Fiscal Summary

State Effect: Minimal effect on State education aid to local school systems. General fund expenditures would not be affected.

Local Effect: Minimal effect on State aid to local governments. Local school expenditures for pupil personnel services could increase due to additional enforcement actions taken against high school students who are habitually absent from school.

Small Business Effect: None.

Analysis

Current Law: Students under the age of 16 must attend a public school regularly during the entire school year unless the student receives regular, thorough instruction at an alternative setting (private or home schools). A student's parent or legal guardian must ensure that the student attends school on a regular basis. Failure to comply with this requirement can result in a misdemeanor conviction. For a first conviction, a parent or guardian can be subject to a fine of \$50 per day of unlawful absence or imprisonment not to exceed ten days, or both. On

a second or subsequent conviction, the individual can be subject to a fine of \$100 per day of unlawful absence or imprisonment not to exceed 30 days, or both.

Background: Approximately 10,200 students in Maryland dropped out of high school during the 1998-1999 school year, including 900 students who were expelled. Lack of interest and academics were the reported reasons given by 65% of the students who dropped out of high school in 1999; student expulsions accounted for 8% and employment accounted for 5%. The whereabouts of 16% of the students who dropped out of high school is not known by school officials.

According to the Maryland School Performance Report, the State high school drop-out rate in 1999 totaled 4.2%, ranging from less than 2% in Montgomery County to almost 11% in Baltimore City. In the last seven years, the State's high school drop-out rate reached a high of 5.4% in 1993 and a low of 4.1% in 1998. In Baltimore City, the high school drop-out rate reached a high of 18.5% in 1993 and a low of 10.2% in 1998.

State Fiscal Effect: In most cases, local school systems require parental permission before a student under the age of 18 drops out of school. Currently, parental permission can be either verbal or written. Accordingly, it is assumed that most students who currently drop out of school will obtain written permission from their parents or legal guardian pursuant to the requirements under this bill.

This bill may increase school attendance for habitually absent students due to the penalty provisions applicable to parents and legal guardians of students who fail to attend school regularly; however, it could also lead to additional students dropping out of high school. Local school pupil personnel workers attempt to contact the parents or legal guardians of students who are continually absent from school. For students under the age of 16, local school officials can take legal action against the student's parents or legal guardians requiring the student to attend school. For students 16 years old and older, local school officials have limited abilities to require habitually absent students to return to school on a continued basis.

Under the bill, local school officials can take legal action against a 16 or 17 year old student's parents or legal guardians if the student has not been excused from attending public school. This could prompt parents to take actions to ensure that their high school children attend school.

However, parents fearing a possible misdemeanor conviction in cases where the student refuses to attend school may request to school officials that their children be excused from attending public school which would increase the number of high school drop-outs.

According to the Maryland School Performance Report, 7% of elementary school students

statewide had more than 20 absences, 14% of middle school students had more than 20 absences, and 23% of high school students had more than 20 absences. In Baltimore City, over 59% of high school students had more than 20 absences compared to 14% of elementary school students. Since most high school students are at least 16 years old, local school officials cannot require them to attend school.

The net effect on State expenditures depends on whether students with a large number of absences currently enrolled in public schools drop out of school due to possible legal actions that could be taken against their parents or guardians. State expenditures under the current expense formula would decrease by approximately \$2,100 for each child that drops out of school.

Local Fiscal Effect: Local school systems provide pupil personnel services designed to improve pupil attendance at school and to solve pupil problems involving the home, school, and community. Pupil personnel workers consult with school staff and parents, visit the student's home, evaluate social and educational adjustment, and help to implement laws and regulations concerning the rights and responsibilities of students. In 1998, local school systems employed almost 300 pupil personnel workers and school social workers. Local school systems spent approximately \$37 million on pupil personnel services in fiscal 1998. To require students that are 16 and 17 years old to attend school, local school systems may have to hire additional pupil personnel workers, especially in school districts with a high student-absentee rate. The average salary for a pupil personnel worker and school social worker was approximately \$60,000 in 1998.

State aid to local boards of education could decrease by an average of \$2,100 for each student that drops out of high school. The net effect on local school funding depends on whether students with a large number of absences currently enrolled in public schools drop out of school due to possible legal actions that could be taken against their parents or guardian.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Maryland State Department of Education, Baltimore City Public School System, Department of Legislative Services

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