

Department of Legislative Services
Maryland General Assembly
2007 Session

FISCAL AND POLICY NOTE

House Bill 1023
Ways and Means

(Delegate Ramirez, *et al.*)

Education - School Attendance

This bill requires each local board of education to establish a school attendance review board. A local school system must notify the parent or guardian of each student who is habitually truant and assemble a support team to develop an action plan for the student within 30 days after being notified of the student's truancy. The student's support team may then refer the student to the local school attendance review board.

Fiscal Summary

State Effect: Any reduction in the responsibilities and workload of the Department of Juvenile Services (DJS) and the Judiciary due to the diversion of students out of the juvenile court system would not materially affect the finances of the agencies.

Local Effect: Local school expenditures could increase by an estimated \$10.0 million to \$18.1 million in FY 2008 to have a student support team meet with every habitually truant student and to staff local school attendance review boards. Future year expenditures would reflect inflation and any changes in truancy patterns. **This bill imposes a mandate on a unit of local government.**

Small Business Effect: Minimal.

Analysis

Bill Summary: On receipt of notification from a school principal that a child has been habitually truant without lawful excuse, a representative of the local school system must

notify the student's parent or guardian, in the native language of the parent or guardian, that:

- the child is truant;
- the failure of the parent or guardian to compel the child's school attendance could be a violation of State law;
- the student may be found to be a child in need of supervision;
- alternative education programs are available for the student; and
- the parent or guardian must meet with appropriate school personnel within 10 days of the notification to discuss solutions to the child's attendance problems.

Within 30 days of the initial report from a student's principal, a school system representative must assemble the student's support team to assess the causes of the student's attendance problems and develop an action plan to address the habitual truancy. After investigating the circumstances of a student's truancy, the school district may, upon proper notification to the student's parent or guardian, refer the student to the local school attendance review board.

If the review board finds that available community resources can resolve the attendance issue, it must direct the student, the student's parent or guardian, or the student's support team to use the available resources to resolve the attendance issue. If the student fails to follow the review board's instructions, a representative of the local school system may notify the Department of Juvenile Services (DJS) and appropriate local authorities that the student has been habitually truant without lawful excuse.

Each local school attendance review board consists of eight members who serve three-year terms without compensation. Review boards must examine public school attendance records; identify factors contributing to high rates of truancy and dropouts; develop strategies to reduce the number of dropouts and divert students with attendance problems away from the juvenile justice system; and make recommendations to the local superintendent of schools about truancy issues. Each board must report annually to the local board of education. Local school systems must provide staff for the review boards.

Current Law: A child 5 to 15 years old 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 aged 5 to 15 and fails to see that the child attends school is guilty of a misdemeanor.

A student who is unlawfully absent from school more than 20% of the school days in any marking period, semester, or year is habitually truant. Local school systems may adopt a more stringent definition.

The principal or head teacher of each public or private school must immediately report to the county superintendent, the supervisor of pupil personnel, or any other designated official the name of each child enrolled in the school who has been absent or irregular in attendance, without lawful excuse, or who shows evidence of maladjustment, so that the causes may be studied and solutions worked out. On receipt of such a report, the appropriate school system representative must initiate an investigation into the cause of the child's truancy, and may provide counseling regarding available social, health, and educational services. Following the investigation or intervention, the representative may notify DJS and appropriate local authorities that the student has been habitually truant without lawful excuse.

Background: As shown in **Exhibit 1**, the average daily attendance percentage at public schools in Maryland was 93.7% in the 2005-2006 school year, meaning about 1 of every 16 students was absent on an average school day. Rates for individual school systems range from a low of 89.3% in Baltimore City to a high of 95.8% in Washington County. The exhibit also shows the percent of students in each school system that were designated as habitual truants, meaning they were unlawfully absent more than 20% of the school days within any marking period, semester, or year during the last school year. Rates for 13 of the 24 school systems were less than 1%; in Baltimore City 10.6% of students were habitually truant.

Local Expenditures: According to data from MSDE, there were 19,648 habitually truant students in Maryland during the 2005-2006 school year, a number that is assumed to be relatively stable. Under the bill, a support team consisting of at least four school system employees would have to meet to develop an action plan for each of these students. In some school systems this could be done with existing personnel because of the relatively low number of habitual truants, but other school systems would need additional personnel to meet the demands of the bill. In addition, the bill directs each local school system to staff the local school attendance review board. This, too, could necessitate additional school personnel. In total, school system expenditures could increase by an estimated \$10.0 million to \$18.1 million in fiscal 2008.

Personnel for Student Support Teams

The Maryland Association of Boards of Education advises that current practices for addressing truancy are uneven in the 24 local school systems. Some school systems have student support teams that meet with some or all habitual truants to address school attendance problems, but other school systems do this less frequently. The bill requires a student support team to meet with every habitually truant student. It is assumed that many local school systems would need additional personnel to attend support team meetings and school attendance review board hearings and carry out any required follow-

ups with truant students. In particular, additional guidance counselors, who must be a part of each student support team, and pupil personnel or social workers, who would have knowledge about community resources, would be needed. The additional staff that any one school system would need depends on the number of habitual truants in the system and the services that are currently provided to habitual truants in the system.

Assuming an increase of one school system employee for every 100 to 200 habitual truants, local school systems would need to hire another 99 to 197 employees in fiscal 2008 to meet the added demand. Using the fiscal 2006 average salary for a guidance counselor (\$62,155) and estimating 4% annual growth and fringe benefits at 23% of salary, the additional fiscal 2008 cost would be in the range of approximately \$8.2 million to \$16.3 million. The added expenses would continue in future years and would reflect salary increases and any changes to truancy patterns.

Personnel to Staff School Attendance Review Boards

Two of the smaller school systems advise that one secretary at a relatively modest added cost (\$30,000) would be sufficient to staff a local school attendance review board. However, the larger school systems that have significantly higher numbers of habitual truants may need professional personnel to staff the boards. Assuming an average cost of \$75,000 per school system to staff the attendance review boards, local school system costs would total \$1.8 million.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Maryland Association of Boards of Education; Maryland State Department of Education; Kent, Prince George's, Washington, and Worcester counties; Department of Legislative Services

Fiscal Note History: First Reader - March 13, 2007
ncs/rhh

Analysis by: Mark W. Collins

Direct Inquiries to:
(410) 946-5510
(301) 970-5510

Exhibit 1
Average Daily Attendance Percentages and Percent of Students Habitually Truant
2005-2006 School Year

<u>School System</u>	<u>Average Daily Attendance</u>	<u>Habitually Truant</u>
Allegany	94.2%	1.0%
Anne Arundel	93.9%	1.4%
Baltimore City	89.3%	10.6%
Baltimore	94.2%	1.3%
Calvert	94.6%	0.4%
Caroline	94.4%	0.9%
Carroll	95.0%	0.4%
Cecil	92.9%	0.7%
Charles	93.9%	0.6%
Dorchester	92.0%	1.2%
Frederick	94.2%	0.8%
Garrett	95.1%	0.1%
Harford	93.8%	0.8%
Howard	95.2%	0.4%
Kent	92.5%	3.9%
Montgomery	95.1%	0.8%
Prince George's	93.2%	4.4%
Queen Anne's	93.3%	1.0%
St. Mary's	93.2%	1.2%
Somerset	92.7%	2.4%
Talbot	95.0%	0.2%
Washington	95.8%	0.4%
Wicomico	92.9%	2.0%
Worcester	93.9%	0.7%
Total	93.7%	2.4%
