

Department of Legislative Services
Maryland General Assembly
2012 Session

FISCAL AND POLICY NOTE

House Bill 542
Ways and Means

(Delegate Gutierrez, *et al.*)

Public Schools - Student Attendance - Preventing Chronic Absenteeism

This bill requires that each school maintain a record of the daily attendance of each student enrolled in the school using the unique student identifier number assigned by the Maryland State Department of Education (MSDE). A school is also required to calculate and maintain a record of the number of students who are either chronically absent or have high attendance, disaggregated by specified subgroups, and to submit a report on this information to the local board of education for each grading period.

Each local board must calculate and maintain a record of the number of students who are either chronically absent or have high attendance (disaggregated by specified subgroups) based on the reports submitted by schools. A local board must report this information to the State Board of Education at least once a year. In addition, each local board must develop and implement an attendance incentive action plan.

The bill takes effect July 1, 2012.

Fiscal Summary

State Effect: The State Board of Education can collect reports from local school systems and provide technical assistance to local school systems using existing resources.

Local Effect: Local school system expenditures increase minimally to create the required reports and incentive action plans. Any fiscal impact due to changes to local school systems' attendance monitoring policies are anticipated to be minimal.

Small Business Effect: None.

Analysis

Bill Summary: The purpose of the attendance incentive action plan that each local board of education must develop is to encourage students with chronic absenteeism to attend school regularly and to inform students with chronic absenteeism, and the parents or guardian of those students, of the legal attendance requirements and long-term consequences of chronic school absenteeism, as well as the academic and social benefits of regular school attendance.

The attendance incentive action plan must include:

- chronic absenteeism prevention strategies;
- early intervention strategies;
- positive attendance campaigns;
- parental outreach; and
- student attendance incentives.

Attendance records must be disaggregated by grade level, race and ethnicity, limited-English proficiency status, special education status, and any other federal or State defined subgroup.

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.

Regulations specify that a record of the daily attendance of each student must be kept in accordance with the Maryland Student Records System Manual (2007). 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 during the 2010-2011 school year for each of the 24 local school systems.

Exhibit 1
High School Average Daily Attendance Rate and Percentage of
High School Students Absent from School More than 20 Days by School System
2010-2011 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 | 82.3% | Baltimore City | 42.2% |
| Prince George's | 90.2% | Kent | 28.0% |
| Kent | 90.5% | Prince George's | 27.2% |
| Cecil | 91.5% | Cecil | 23.6% |
| Dorchester | 92.0% | Dorchester | 21.4% |
| Baltimore | 92.4% | Baltimore | 20.6% |
| Somerset | 92.4% | Caroline | 18.3% |
| Allegany | 92.6% | Worcester | 17.2% |
| Caroline | 92.6% | Somerset | 16.8% |
| Worcester | 92.9% | Harford | 15.5% |
| Wicomico | 93.3% | Charles | 15.4% |
| Anne Arundel | 93.5% | St. Mary's | 15.0% |
| Frederick | 93.6% | Anne Arundel | 14.3% |
| Harford | 93.6% | Frederick | 14.1% |
| Talbot | 93.6% | Wicomico | 14.0% |
| St. Mary's | 93.7% | Talbot | 13.6% |
| Charles | 93.8% | Queen Anne's | 12.0% |
| Calvert | 93.9% | Washington | 10.9% |
| Queen Anne's | 93.9% | Carroll | 10.1% |
| Garrett | 94.0% | Montgomery | 9.0% |
| Washington | 94.4% | Howard | 8.0% |
| Carroll | ≥95.0% | Calvert | 7.4% |
| Howard | ≥95.0% | Garrett | 6.8% |
| Montgomery | ≥95.0% | Allegany | 1.8% |
| All Public Schools | 92.3% | All Public Schools | 18.2% |

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

The exhibit shows that the six jurisdictions with the lowest average daily attendance rate (Baltimore City, and Baltimore, Cecil, Dorchester, Kent, and Prince George's counties) also have the highest percentage of students who are chronically absent.

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.

Local Expenditures: Local school system expenditures increase minimally to produce the required attendance reports. Baltimore City reports that the attendance reports can be produced without any changes to its database system; it is assumed that the other local jurisdictions can produce the reports without any major changes. MSDE reports that, if necessary, its Pupil Services and Alternative Programs Branch can provide technical assistance to local school systems with existing resources. However, one local school system reported that additional personnel hours may be required to produce the reports for publication.

Baltimore City also reported it has already implemented a citywide attendance strategy. Specifically, Baltimore City Public Schools is: (1) ensuring attendance is a priority; (2) communicating and reinforcing awareness about attendance throughout the school year; (3) increasing prevention and intervention efforts; (4) making attendance data easily understood by all school leaders; and (5) increasing relationships with partners throughout Baltimore City to make school attendance a citywide priority.

Additional Information

Prior Introductions: HB 191 of 2011 received a hearing in the House Ways and Means Committee, but no further action was taken. Its cross file, SB 474, received an unfavorable report from the Senate Education, Health, and Environmental Affairs Committee. HB 1486 of 2010 received a hearing in the House Ways and Means Committee, but no further action was taken.

Cross File: None.

Information Source(s): Maryland State Department of Education, Department of Juvenile Service, Prince George's County, Baltimore City, Department of Legislative Services

Fiscal Note History: First Reader - February 21, 2012
mlm/mwc

Analysis by: Caroline L. Boice

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