

HOUSE BILL 461

F1

1lr1702

By: **Delegate Washington**

Introduced and read first time: January 15, 2021

Assigned to: Ways and Means

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 4, 2021

CHAPTER _____

1 AN ACT concerning

2 **Public Schools – Student Attendance – Excused Absences for Mental Health**
3 **Needs**

4 FOR the purpose of providing that absences from school for mental health needs are lawful
5 absences under certain circumstances; requiring a county board of education to
6 excuse ~~at least a certain number of absences in each quarter of each school year~~ an
7 absence for a student's mental health needs; requiring a certain student to obtain
8 permission from a parent or guardian for a certain absence under certain
9 circumstances; prohibiting a county board from requiring a note from a physician to
10 excuse a certain absence; requiring a student who is absent for a certain reason to
11 meet with a school mental health specialist within a certain period of time to discuss
12 a certain topic; defining a certain term; and generally relating to student attendance
13 in public schools and excused absences.

14 BY adding to

15 Article – Education

16 Section 7–301.3

17 Annotated Code of Maryland

18 (2018 Replacement Volume and 2020 Supplement)

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

21 **Article – Education**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 **7-301.3.**

2 (A) IN THIS SECTION, "SCHOOL MENTAL HEALTH SPECIALIST" MEANS:

3 (1) A SCHOOL COUNSELOR;

4 (2) A PUPIL PERSONNEL WORKER;

5 (3) A PSYCHOMETRIST;

6 (4) A SCHOOL PSYCHOLOGIST; OR

7 (5) A SCHOOL SOCIAL WORKER.

8 (B) A STUDENT'S ABSENCE DUE TO THE STUDENT'S MENTAL HEALTH NEEDS
9 IS A LAWFUL ABSENCE AS PROVIDED UNDER THIS SECTION.

10 ~~(B)~~ (C) (1) A SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, A
11 COUNTY BOARD SHALL EXCUSE AT LEAST 1 DAY OF ABSENCE IN EACH QUARTER OF
12 EACH SCHOOL YEAR AN ABSENCE DUE TO A STUDENT'S MENTAL HEALTH NEEDS.

13 (2) A STUDENT WHO IS A MINOR AND ABSENT DUE TO THE STUDENT'S
14 MENTAL HEALTH NEEDS SHALL OBTAIN PERMISSION FROM A PARENT OR GUARDIAN
15 FOR THE ABSENCE.

16 (3) A COUNTY BOARD MAY NOT REQUIRE A NOTE FROM A PHYSICIAN
17 TO EXCUSE AN ABSENCE UNDER ~~PARAGRAPH (1) OF~~ THIS SUBSECTION.

18 (D) A STUDENT WHO IS ABSENT IN ACCORDANCE WITH THIS SECTION SHALL
19 MEET WITH A SCHOOL MENTAL HEALTH SPECIALIST WITHIN AN APPROPRIATE
20 PERIOD OF TIME AFTER RETURNING TO SCHOOL, AS DETERMINED BY THE COUNTY
21 BOARD, TO DISCUSS THE STUDENT'S MENTAL HEALTH NEEDS THAT CAUSED THE
22 ABSENCE.

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
24 1, 2021.