CHAPTER ______

AN ACT concerning

Public Schools – Student Attendance – Excused Absences for Mental Health Needs

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

BY adding to

Article – Education

Section 7–301.3

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)

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

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.
7–301.3.

(A) IN THIS SECTION, “SCHOOL MENTAL HEALTH SPECIALIST” MEANS:

(1) A SCHOOL COUNSELOR;

(2) A PUPIL PERSONNEL WORKER;

(3) A PSYCHOMETRIST;

(4) A SCHOOL PSYCHOLOGIST; OR

(5) A SCHOOL SOCIAL WORKER.

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

(C) (1) A COUNTY BOARD SHALL EXCUSE AT LEAST 1 DAY OF ABSENCE IN EACH QUARTER OF EACH SCHOOL YEAR DUE TO A STUDENT’S MENTAL HEALTH NEEDS.

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

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

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

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