

Department of Legislative Services
Maryland General Assembly
2026 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 575
Ways and Means

(Delegate Wilkins)

Public Schools - Student Attendance - Excused Absences for Civic Engagement

This bill requires the Maryland State Department of Education (MSDE) and each local board of education to adopt an attendance policy for public school students that treats a student's absence as excused if, during a regular session of the General Assembly, the student (1) testifies at a hearing of any committee of the General Assembly or (2) conducts civic engagement activities, as defined by the bill. An excused absence under the bill is a lawful absence and may not be included in a calculation of chronic absenteeism for the student or the school. Attendance policies and procedures under the bill must authorize a student to be excused for at least 15 hours or two school days to testify or conduct civic engagement activities. **The bill takes effect July 1, 2026.**

Fiscal Summary

State Effect: None. MSDE can adopt a new attendance policy using existing resources. No effect on revenues.

Local Effect: None. Local school systems can alter attendance policies and track student civic engagement, as defined by the bill, using existing resources.

Small Business Effect: None.

Analysis

Bill Summary: Civic engagement activities under the bill include (1) meeting with legislators; (2) advocating for or against legislation and policy issues; and (3) other activities deemed to be civic engagement by MSDE and the applicable local board. If the attendance policy requires a note to excuse an absence, the policy must authorize an

appropriate representative to provide a note or reasonable documentation to excuse the absence. A local board must adopt policies and procedures to carry out the bill's requirements.

Current Law: A child age 5 to 17 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. Compulsory attendance does not apply to specified individuals, including, among others, individuals who have obtained a high school diploma or GED, who is married or in military service, or an individual who is severely ill and requires home or hospital instruction.

Absences from school are classified as lawful or unlawful. COMAR specifies the conditions that constitute a lawful absence from school. Among these conditions are (1) death in the immediate family; (2) illness of the student; (3) pregnancy and parenting conditions; (4) court summons; (5) hazardous weather conditions; (6) work approved or sponsored by the school; (7) observance of a religious holiday; (8) State emergency; (9) suspension; (10) lack of authorized transportation; or (11) other emergencies or circumstances which, in the judgement of the local superintendent or designee, constitutes a good and sufficient cause for absence from school. An absence, including absence for any portion of the day, for any reason other than those cited as lawful are presumed to be unlawful and may constitute truancy.

Additional Comment: The U.S. Department of Education defines chronic absenteeism as missing 10% or more of school for any reason (excused or unexcused). According to MSDE, absence for civic engagement would be the only type of absence that would be excluded from the calculation of chronic absenteeism. Thus, it is not clear if such exclusion is permissible under federal guidelines.

Additional Information

Recent Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: None.

Information Source(s): Baltimore City Public Schools; Anne Arundel County Public Schools; Frederick County Public Schools; Montgomery County Public Schools; Prince George's County Public Schools; St. Mary's County Public Schools; Wicomico County Public Schools; Maryland State Department of Education; Department of Legislative Services

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