

# HOUSE BILL 118

F1  
HB 461/21 – W&M

(PRE-FILED)

2lr1209

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By: **Delegate Washington**

Requested: November 1, 2021

Introduced and read first time: January 12, 2022

Assigned to: Ways and Means

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## A BILL ENTITLED

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; providing for the circumstances under which  
6 an absence for a student’s mental health needs shall be excused; requiring a student  
7 who is absent for a certain reason to meet with a school mental health specialist  
8 within a certain period of time to discuss a certain topic; and generally relating to  
9 student attendance in public schools and excused absences.

10 BY adding to  
11 Article – Education  
12 Section 7–301.3  
13 Annotated Code of Maryland  
14 (2018 Replacement Volume and 2021 Supplement)

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

17 **Article – Education**

18 **7–301.3.**

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

20 (1) A SCHOOL COUNSELOR;

21 (2) A PUPIL PERSONNEL WORKER;

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           **(3) A PSYCHOMETRIST;**

2           **(4) A SCHOOL PSYCHOLOGIST; OR**

3           **(5) A SCHOOL SOCIAL WORKER.**

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

6           **(C) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, A COUNTY**  
7 **BOARD SHALL EXCUSE AN ABSENCE DUE TO A STUDENT'S MENTAL HEALTH NEEDS.**

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

11                   **(3) A COUNTY BOARD MAY NOT REQUIRE A NOTE FROM A PHYSICIAN**  
12 **TO EXCUSE AN ABSENCE UNDER THIS SUBSECTION.**

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

18           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
19 1, 2022.