



Delegate Paul G. Pinsky, Chair
Delegate Cheryl C. Kagan, Vice Chair
Education, Health, and Environmental Affairs Committee
2 West, Miller Senate Office Building
Annapolis, MD 21401

Bill: House Bill 461 – Public Schools – Student Attendance – Excused Absences for Mental Health Needs

Letter of Information

Dear Chairman Pinsky, Vice Chair Kagan, and Members of the Committee:

I am writing on behalf of the Maryland School Psychologists' Association (MSPA), a professional organization representing about 500 school psychologists in Maryland. We advocate for the social-emotional, behavioral, and academic wellbeing of students and families across the state.

This letter is to provide information related to House Bill 461, which would allow lawful absences under certain circumstances related to mental health needs of students. MSPA supports the intent of this bill. However, as amended in the House, we have concerns regarding its potential implementation.

First, the bill appears to create a new category of school staff called "School Mental Health Specialist" (page 2, line 2). This language is not found in COMAR currently and is not used by any local education agency, union, or MSDE. Another significant problem is the inclusion of psychometrist under this category (page 2, line 5). Psychometrists, under COMAR Section 13a.12.03.07 work under the supervision of a school psychologist to assist the school psychologist in "administering psychological tests and other related psychometric tasks." Their training does not include any mental health-related coursework or field experience. While psychometrists are not widely used in Maryland, and not used at all in most LEAs, it poses a significant problem to identify them as a specialist in mental health.

We are also concerned about the possibility of singling out and stigmatizing mental health needs. COMAR 13A.08.01.03 describes conditions that allow for a lawful absence from school. Mental health conditions should be considered no different than any other health-related absence. A simple revision of this section could more clearly indicate that absences are lawful for physical illness as well as mental health issues.

We are also concerned about schools' capacities to be in compliance with section D (page 2, lines 18-22). While we support the intention behind this section, school-employed mental health providers (school psychologists, school counselors, & school social workers) are already working beyond capacity in our public schools. Staff-to-student ratios in Maryland are significantly worse than national standards. This new potential influx of students may not be manageable with current staffing.

Again, MSPA supports the wonderful intentions of Del. Washington and this legislation. However, as currently written and amended, the bill poses significant problems. If we can provide any additional information or be of any assistance, please contact us at legislative@mSPAonline.org or Rachael Faulkner at rfaulkner@policypartners.net or (410) 693-4000.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Kyle Potter". The signature is written in a cursive style with a large initial "K".

Kyle Potter, Ph.D., NCSP
Chair, Legislative Committee
Maryland School Psychologists' Association