



**HB461 PUBLIC SCHOOLS - STUDENT ATTENDANCE - EXCUSED ABSENCES FOR MENTAL
HEALTH NEEDS**

February 3, 2021

WAYS AND MEANS COMMITTEE

OPPOSE

Jeanette Ortiz, Esq., Legislative & Policy Counsel (410.703.5352)

Anne Arundel County Public Schools (AACPS) opposes **HB461 Public Schools - Student Attendance - Excused Absences for Mental Health Needs**. This bill provides that absences from school for mental health needs are lawful absences under certain circumstances. It requires a county board of education to excuse at least 1 day of absence in each quarter of each school year for a student's mental health needs. The bill also prohibits a county board from requiring a note from a physician to excuse a student's absence for mental health needs.

The term “mental illness” is already covered under Maryland’s compulsory attendance law. In accordance with current law and regulations, a lawful absence from school includes the illness of a student – the principal or pupil personnel worker must require a physician’s certificate from the parent or guardian of a student who is reported continuously absent for illness. Given this, “mental illness” is already covered under Maryland law and regulations. Simply having a “mental illness” diagnosis, however, should not be a reason for a student to be absent from school as many patients diagnosed with mental illnesses function reasonably well with daily medication. Instead, it would seem more appropriate to clarify what aspects of a diagnosis allow for absenteeism due to a “mental illness” such as physician’s appointments or hospitalizations related to the absence.

Accordingly, AACPS respectfully requests an **UNFAVORABLE** committee report on HB461.