



House Ways and Means Committee

HOUSE BILL 461: PUBLIC SCHOOLS—STUDENT ATTENDANCE—EXCUSED ABSENCES FOR MENTAL HEALTH NEEDS

February 3, 2021

Letter of Information

While Attendance Works' understands the intent of the legislation is to remove sanctions for behavioral health reasons for absenteeism, encouraging or allowing multiple days off a year for behavioral health needs without requiring schools to identify interventions or supports will not address the underlying issue and is likely to have a further negative effect on student achievement. The impact of absenteeism on academic outcomes is not a cliff and each instructional day missed is a day of lost opportunity to learn. Research has conclusively shown that students fall further behind with each absence.

The distinctions between excused (lawful) and unexcused (unlawful) absences are often not helpful in terms of addressing barriers to attendance. As an example, Maryland regulation designates student illness as a lawful absence, however a student caring for an ill sibling would be considered unlawfully absent. Frequent absences, regardless of whether they are lawful or unlawful, are evidence of on-going challenges that prevent students from attending school. And, in terms of their impact on students' learning, whether absences are lawful or unlawful is irrelevant. Yet, this distinction means that some students' absences result in threatening letters, punishment, and even referrals to court, whereas other students' absences, while just as frequent and educationally devastating, are accepted as justified and outside of the responsibility of schools to address.

Attendance Works is a non-profit organization that operates at the local, state and national level to advance student success and close equity gaps by reducing chronic absence. Chronic absence, when a student misses 10% or more of their days on role for any reason whether those absences are excused, unexcused or due to suspensions is a leading indicator that students are off track to academic success prekindergarten – 12th grade. Attendance research has demonstrated that student absenteeism in the early grades can interrupt students achieving major milestones like learning to read and in the later grades can result in students failing core courses and is a leading indicator of student drop-out. Attendance Works is available to provide additional information to help inform the legislature about policies and practices that reduce student absenteeism and promote a non-punitive problem solving approach that begins with prevention and early intervention.

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Appendix: Lawful Cause of Absence (COMAR 13A.08.01.03)

Absences are considered lawful for the following reasons:

- Death in the immediate family
- Illness of the student
- Court summons
- Hazardous weather conditions
- Work approved or sponsored by the school
- Observance of a religious holiday
- State of emergency
- Other emergency determined by the Superintendent
- Health Exclusion
- Suspension
- Lack of authorized transportation