

HOUSE BILL 1248

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8lr3240

By: **Delegates Cassilly, Afzali, D. Barnes, Ebersole, Hornberger, Patterson, Reilly, Rose, and Wilkins**

Introduced and read first time: February 9, 2018

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Public Schools – Compulsory School Attendance – GED Program or Alternative**
3 **Educational Program**

4 FOR the purpose of providing that certain compulsory school attendance requirements do
5 not apply to a certain child who attends or intends to attend a GED program or an
6 alternative educational program; requiring a student who is exempt from certain
7 requirements because the student attends or intends to attend a certain program be
8 recorded as a transfer student in the student's academic record; requiring the State
9 Board of Education to, on or before a certain date, define a certain term and provide
10 certain guidance to certain entities; providing for the termination of certain
11 provisions of this Act; and generally relating to compulsory school attendance and
12 GED programs or alternative educational programs.

13 BY repealing and reenacting, with amendments,
14 Article – Education
15 Section 7–301(a)
16 Annotated Code of Maryland
17 (2014 Replacement Volume and 2017 Supplement)

18 BY repealing and reenacting, without amendments,
19 Article – Education
20 Section 7–301(a–1), (b), and (c)
21 Annotated Code of Maryland
22 (2014 Replacement Volume and 2017 Supplement)

23 BY adding to
24 Article – Education
25 Section 7–301.2
26 Annotated Code of Maryland
27 (2014 Replacement Volume and 2017 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

3 **Article – Education**

4 7–301.

5 (a) This section does not apply to a child under the age of 18 years who:

6 (1) Has obtained a Maryland high school diploma, an equivalent
7 out-of-state high school diploma, or a GED;

8 (2) Is a student with disabilities and has completed the requirements for a
9 Maryland high school certificate of completion;

10 (3) Is receiving regular, thorough instruction during the school year in the
11 studies usually taught in the public schools to children of the same age;

12 (4) Has completed an instruction program under item (3) of this subsection;

13 (5) Is severely ill and requires home or hospital instruction;

14 (6) Is married;

15 (7) Is in military service;

16 (8) Is committed by court order to an institution without an educational
17 program;

18 (9) Provides financial support to the child's family as documented by a local
19 department of social services;

20 (10) Subject to the approval of the county superintendent, has been expelled
21 under § 7–305 of this subtitle;

22 (11) Is pregnant or a parent and is enrolled in an alternative educational
23 program;

24 (12) Attends **OR INTENDS TO ATTEND A GED PROGRAM OR** an
25 alternative educational program;

26 (13) Subject to written parental consent and written agreement with the
27 county board, attends a public school on a part-time basis and attends a private career
28 school as defined under § 10–101 of this article; or

29 (14) Is waived from the provisions of this section by the State

1 Superintendent.

2 (a-1) (1) Except as otherwise provided in this section, each child who resides in
3 this State and is 5 years old or older and under 18 shall attend a public school regularly
4 during the entire school year.

5 (2) In accordance with regulations of the State Board of Education, a child
6 who resides in this State and is 5 years old may be exempted from mandatory school
7 attendance for 1 year if the child's parent or guardian files a written request with the local
8 school system asking that the child's attendance be delayed due to the child's level of
9 maturity.

10 (3) Except as provided in subsection (f) of this section or in regulations of
11 the State Board of Education, each child who resides in this State shall attend a
12 kindergarten program regularly during the school year prior to entering the first grade
13 unless the child is otherwise receiving regular, thorough instruction in the skills and
14 studies usually taught in a kindergarten program of a public school.

15 (b) A county superintendent, school principal, or an individual authorized by the
16 county superintendent or principal may excuse a student for a lawful absence.

17 (c) Each person who has legal custody or care and control of a child who is 5 years
18 old or older and under 18 shall see that the child attends school or receives instruction as
19 required by this section.

20 **7-301.2.**

21 **A STUDENT WHO IS EXEMPT FROM THE COMPULSORY SCHOOL ATTENDANCE**
22 **REQUIREMENTS OF § 7-301(A-1)(1) OF THIS SUBTITLE BECAUSE THE STUDENT**
23 **ATTENDS OR INTENDS TO ATTEND A GED PROGRAM OR AN ALTERNATIVE**
24 **EDUCATIONAL PROGRAM UNDER § 7-301(A)(12) OF THIS SUBTITLE SHALL BE**
25 **RECORDED AS A TRANSFER STUDENT IN THE STUDENT'S ACADEMIC RECORD.**

26 SECTION 2. AND BE IT FURTHER ENACTED, That:

27 (a) On or before July 1, 2019, the State Board of Education shall:

28 (1) adopt regulations to define the term "alternative educational program"
29 under § 7-301 of the Education Article; and

30 (2) provide guidance to local school systems on the development and
31 implementation of alternative educational programs, including by collaboration with
32 community colleges or other community organizations.

33 (b) The State Board shall adopt a broad definition of "alternative educational
34 program" that includes programs to learn a specific trade.

1 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July
2 1, 2018. Section 2 of this Act shall remain effective for a period of 1 year and, at the end of
3 June 30, 2019, Section 2 of this Act, with no further action required by the General
4 Assembly, shall be abrogated and of no further force and effect.