

HOUSE BILL 1092

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11r0444
CF SB 965

By: **Prince George's County Delegation**

Introduced and read first time: February 11, 2011

Assigned to: Ways and Means

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 25, 2011

CHAPTER _____

1 AN ACT concerning

2 **Prince George's County – ~~Age for~~ Compulsory Public School Attendance –**
3 **~~Exemption~~ Withdrawing Student Exit Interview**

4 **PG 406–11**

5 FOR the purpose of ~~altering, in Prince George's County, the age at which certain~~
6 ~~children are required to attend a public school regularly during the entire school~~
7 ~~year, subject to certain exceptions; requiring certain parents or guardians of~~
8 ~~certain children to provide written consent before the children may withdraw~~
9 ~~from public school attendance; requiring, in Prince George's County, certain~~
10 ~~school officials to provide send a certain ~~notification~~ request to the parent or~~
11 ~~guardian of a certain child under certain circumstances; ~~requiring certain~~~~
12 ~~persons with legal custody or care and control of certain children to see that the~~
13 ~~children attend school, receive instruction, or have written consent to withdraw~~
14 ~~from public school attendance; providing for certain penalties for certain~~
15 ~~persons; requiring a certain school official to provide certain information to~~
16 ~~certain individuals during a certain meeting; and generally relating to ~~the age~~~~
17 ~~for an exit interview for students who withdraw from compulsory public school~~
18 ~~attendance in Prince George's County.~~

19 BY repealing and reenacting, ~~with~~ without amendments,
20 Article – Education
21 Section 7–301(a)(1)
22 Annotated Code of Maryland
23 (2008 Replacement Volume and 2010 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 BY adding to
 2 Article – Education
 3 Section 7–301.1
 4 Annotated Code of Maryland
 5 (2008 Replacement Volume and 2010 Supplement)

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

8 **Article – Education**

9 7–301.

10 (a) (1) Except as otherwise provided in this section ~~AND IN § 7-301.1 OF~~
 11 ~~THIS SUBTITLE~~, each child who resides in this State and is 5 years old or older and
 12 under 16 shall attend a public school regularly during the entire school year unless the
 13 child is otherwise receiving regular, thorough instruction during the school year in the
 14 studies usually taught in the public schools to children of the same age.

15 **7–301.1.**

16 (A) **THIS SECTION SHALL APPLY ONLY IN PRINCE GEORGE’S COUNTY.**

17 (B) WHEN A PUBLIC SCHOOL RECEIVES NOTICE THAT A CHILD WHO IS
 18 BETWEEN THE AGES OF 16 YEARS AND 18 YEARS HAS WITHDRAWN FROM
 19 SCHOOL ATTENDANCE IN ACCORDANCE WITH § 7–301 OF THIS SUBTITLE, THE
 20 SCHOOL PRINCIPAL OR AN INDIVIDUAL AUTHORIZED BY A SCHOOL PRINCIPAL
 21 SHALL SEND TO THE PARENT OR GUARDIAN OF THE CHILD WHO HAS
 22 WITHDRAWN A REQUEST TO HAVE AN EXIT INTERVIEW WITH THE PARENT OR
 23 GUARDIAN AND THE CHILD.

24 (C) DURING AN EXIT INTERVIEW CONDUCTED IN ACCORDANCE WITH
 25 SUBSECTION (B) OF THIS SECTION, THE SCHOOL PRINCIPAL OR THE INDIVIDUAL
 26 AUTHORIZED BY THE SCHOOL PRINCIPAL SHALL PROVIDE TO THE INDIVIDUALS
 27 WHO ATTEND THE EXIT INTERVIEW INFORMATION ABOUT CONTINUING
 28 EDUCATION OPPORTUNITIES.

29 ~~(B) (1) EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS~~
 30 ~~SUBSECTION, EACH CHILD WHO RESIDES IN PRINCE GEORGE’S COUNTY AND IS~~
 31 ~~5 YEARS OLD OR OLDER AND UNDER 18 SHALL ATTEND A PUBLIC SCHOOL~~
 32 ~~REGULARLY DURING THE ENTIRE SCHOOL YEAR UNLESS THE PARENT OR~~
 33 ~~GUARDIAN OF A CHILD WHO IS 16 OR 17 YEARS OLD PROVIDES WRITTEN~~
 34 ~~CONSENT TO THE LOCAL SCHOOL SYSTEM FOR THE CHILD TO WITHDRAW FROM~~
 35 ~~SCHOOL ATTENDANCE.~~

1 ~~(2) THE COUNTY SUPERINTENDENT, SCHOOL PRINCIPAL, OR AN~~
2 ~~INDIVIDUAL AUTHORIZED BY THE COUNTY SUPERINTENDENT OR PRINCIPAL~~
3 ~~SHALL PROVIDE A WRITTEN NOTIFICATION OF RECEIPT TO THE PARENT OR~~
4 ~~GUARDIAN OF A CHILD FROM WHOM WRITTEN CONSENT HAS BEEN RECEIVED~~
5 ~~UNDER PARAGRAPH (1) OF THIS SUBSECTION.~~

6 ~~(3) THIS SUBSECTION DOES NOT APPLY TO A CHILD WHO IS~~
7 ~~RECEIVING REGULAR, THOROUGH INSTRUCTION DURING THE SCHOOL YEAR IN~~
8 ~~THE STUDIES USUALLY TAUGHT IN THE PUBLIC SCHOOLS TO CHILDREN OF THE~~
9 ~~SAME AGE.~~

10 ~~(c) SUBJECT TO SUBSECTION (B) OF THIS SECTION, EACH PERSON WHO~~
11 ~~HAS LEGAL CUSTODY OR CARE AND CONTROL OF A CHILD WHO IS 5 YEARS OLD~~
12 ~~OR OLDER AND UNDER 18 SHALL SEE THAT THE CHILD ATTENDS SCHOOL,~~
13 ~~RECEIVES INSTRUCTION, OR HAS WRITTEN CONSENT TO WITHDRAW FROM~~
14 ~~SCHOOL ATTENDANCE.~~

15 ~~(d) (1) ANY PERSON WHO INDUCES OR ATTEMPTS TO INDUCE A~~
16 ~~CHILD TO BE ABSENT UNLAWFULLY FROM SCHOOL OR EMPLOYS OR HARBORS~~
17 ~~ANY CHILD WHO IS ABSENT UNLAWFULLY FROM SCHOOL WHILE SCHOOL IS IN~~
18 ~~SESSION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A~~
19 ~~FINE NOT TO EXCEED \$500 OR IMPRISONMENT NOT TO EXCEED 30 DAYS OR~~
20 ~~BOTH.~~

21 ~~(2) ANY PERSON WHO HAS LEGAL CUSTODY OR CARE AND~~
22 ~~CONTROL OF A CHILD WHO IS 5 YEARS OLD OR OLDER AND UNDER 18 WHO~~
23 ~~FAILS TO SEE THAT THE CHILD ATTENDS SCHOOL, RECEIVES INSTRUCTION, OR~~
24 ~~HAS WRITTEN CONSENT TO WITHDRAW FROM SCHOOL ATTENDANCE IS GUILTY~~
25 ~~OF A MISDEMEANOR AND:~~

26 ~~(i) FOR A FIRST CONVICTION IS SUBJECT TO A FINE NOT TO~~
27 ~~EXCEED \$50 PER DAY OF UNLAWFUL ABSENCE OR IMPRISONMENT NOT TO~~
28 ~~EXCEED 10 DAYS OR BOTH; AND~~

29 ~~(ii) FOR A SECOND OR SUBSEQUENT CONVICTION IS~~
30 ~~SUBJECT TO A FINE NOT TO EXCEED \$100 PER DAY OF UNLAWFUL ABSENCE OR~~
31 ~~IMPRISONMENT NOT TO EXCEED 30 DAYS OR BOTH.~~

32 ~~(3) (i) AS TO ANY SENTENCE IMPOSED UNDER THIS SECTION,~~
33 ~~THE COURT MAY SUSPEND THE FINE OR THE PRISON SENTENCE AND ESTABLISH~~
34 ~~TERMS AND CONDITIONS THAT WOULD PROMOTE THE CHILD'S ATTENDANCE.~~

1 ~~(H) THE SUSPENSION AUTHORITY PROVIDED FOR IN THIS~~
 2 ~~SUBSECTION IS IN ADDITION TO AND NOT IN LIMITATION OF THE SUSPENSION~~
 3 ~~AUTHORITY UNDER § 6-221 OF THE CRIMINAL PROCEDURE ARTICLE.~~

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
 5 July 1, 2011.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.