SPONSOR: Rep. Longhurst & Rep. Heffernan & Rep. Minor-Brown & Rep. S. Moore & Rep. Neal & Rep. Michael Smith & Rep. Dorsey Walker & Sen. Sturgeon
Reps. Chukwuocha, Hensley, Hilovsky, Morrison, Osienski, Parker Selby, K. Williams; Sens. Gay, Hoffner, Huxtable, Lockman, S. McBride

HOUSE OF REPRESENTATIVES
152nd GENERAL ASSEMBLY

HOUSE BILL NO. 3
AS AMENDED BY
HOUSE AMENDMENT NO. 1

AN ACT TO AMEND TITLE 14 RELATING TO SCHOOL ATTENDANCE.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend Chapter 27, Title 14 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 2702. Compulsory attendance requirements; evaluation of readiness; exit interview.

(j) A pupil's absence from school for a mental or behavioral health reason is a necessary and an excused absence. Each school district and charter school shall determine the maximum number of excused absences allowable under this section.

(1) "Excused absence" means a full school day and does not require a medical or doctor's note.

(2) A student may not be penalized for an excused absence for the mental or behavioral health of the student and must be given the opportunity to make up any schoolwork missed during such excused absence.

(3) After the second and subsequent excused absence for the mental or behavioral health of the student, the student must be referred to a school-based mental or behavioral health specialist.

(4) The Department of Education shall provide the technical ability, via the state student information system, for Local Education Agencies to code and create reports related to these absences.

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