

Senate Bill 490

By: Senators Wicks of the 34th, Kemp of the 38th, Harrell of the 40th, Jones II of the 22nd, Mangham of the 55th and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Subpart 2 of Part 1 of Article 16 of Chapter 2 of Title 20 of the Official Code of  
2 Georgia Annotated, relating to compulsory attendance relative to elementary and secondary  
3 school students, so as to require the local governing body for each school system and public  
4 school to adopt a policy providing that students shall be granted excused absences for up to  
5 three mental health days per school year; to require local school systems and public schools  
6 to provide information to students and parents about available mental health resources; to  
7 require the State Board of Education to develop a model policy; to provide a definition; to  
8 provide a short title; to provide for an effective date and applicability; to provide for related  
9 matters; to repeal conflicting laws; and for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **SECTION 1.**

12 This Act shall be known and may be cited as the "Georgia Student Mental Health Days Act."

**SECTION 2.**

Subpart 2 of Part 1 of Article 16 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to compulsory attendance relative to elementary and secondary school students, is amended by adding a new Code section to read as follows:

"20-2-692.5.

(a) As used in this Code section, the term 'mental health day' means an absence from school due to a student's mental health or emotional well-being.

(b) The local governing body of each local school system and public school shall adopt a policy providing that a student shall be granted an excused absence, up to a maximum of three school days per school year, for a mental health day. Such policy shall provide for:

(1) Notification by the parent or guardian of a student, or the student if he or she is 18 years of age or older or is an emancipated minor, to the local school system or public school that such student will be absent for a mental health day; and

(2) Documentation of absences excused in accordance with this Code section.

(c) No local school system or public school shall require a student or his or her parent or guardian to disclose information related to such student's mental health or emotional well-being in order to have an absence excused pursuant to this Code section.

(d) At the beginning of each school year or upon enrollment, each public school shall notify the parent or guardian of each student of all mental health resources or services, if any, available through such public school.

(e) The State Board of Education shall develop a model policy for use by local school systems and public schools in accordance with this Code section."

**SECTION 3.**

This Act shall become effective on July 1, 2026, and shall apply beginning with the 2026-2027 school year.

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**SECTION 4.**

39 All laws and parts of laws in conflict with this Act are repealed.